

LICENSING COMMITTEE

MINUTES OF THE MEETING HELD OF THE 16TH JULY 2014

Present: Councillors P Tyson (Chairman); D Banks; M Docherty; J Kane, P Stephenson; P Whalley; C Woodman; R Salkeld and G Scurrah.

Officer: Mr C Boyce, Legal Services Manager.

LC.7 **Minutes of the meeting held on the 30th May 2014**

The Minutes of the meeting held on the 30th May 2014 were signed by the Chairman as a correct record.

LC.8 **Apologies for absence**

Apologies for absence were received from Councillors A Faichney; F Gleaves and R Heathcote.

LC.9 **Declarations of interests in agenda items**

There were no declarations of interests in agenda items.

LC.10 **Gambling Act 2005 – Application for Licensed Premises Gaming Machine – Mannhattans, TJ's, Bubbles and Top Floor, Tangier Street, Whitehaven**

The Committee considered an application by the premises licence holder of Mannhattans, TJ's, Bubbles and Top Floor premises, Mr C Walker, for a gaming machine permit for those premises for eight category C gaming machines. Members noted that the intention of the applicant was to locate the eight machines across the four floors of the building. Members were advised of the precautions as outlined in part 12 of the Gambling Commission's Code of Practice which a permit holder must take in respect of supervision, ATM proximity and children and young persons.

After consideration of the matter it was

RESOLVED: that the application for eight category C gaming machines be granted, such machines to be distributed amongst the four floors of the premises as follows:

Manhattans:	One machine;
TJ's:	Three machines;
Bubbles:	Two machines; and
Top Floor:	Two machines.

LC.11

Gambling Act 2005 – Application for Licensed Premises Gaming Machine Permit – The Falcon Club, Egremont

Consideration was given to an application from Quality Coin Leisure Limited in respect of the Falcon Club, Smithfields, Egremont for a gaming machine permit for those premises for 3 category C gaming machines.

RESOLVED: that the application as requested be granted.

LC.12

Licensing Act 2003 – Temporary Event Notice – Orchard View Farm, Saltcoats, Holmrook

The Committee considered whether a counter notice should be issued in respect of a temporary event notice which had been given by Mrs K Jackson in respect of charity barn dance to be held at Orchard View Farm on the 9th August 2014 between the hours of 18:30 and 02:00am the following morning.

The Committee noted that objections to the notice had been received from the Police and Copeland Borough Council's Health and Safety Inspector, both as responsible authorities.

Mrs Jackson, accompanied by Mrs J Dyer, PC K Macleod and Mrs L Coid attended the Committee meeting and made representations in respect of the notice.

The Police objected to the notice on the ground of crime and disorder; the Council objected on the ground of public nuisance.

The nature of the objections was that last year's event resulted in a noise complaint being received by the police which resulted in the police attending the event. Noise was witnessed after the end time for the event but before 02:00 hours and a neighbour complaint suggested that noise resumed until 04:00 hours. In respect of crime and disorder reference was made to the 'ten commandments' referred to in the meeting papers and of a neighbour dispute and that these matters could impact on the forthcoming event and result in crime and disorder.

Mrs Jackson and Mrs Dyer stated that whilst there was an on-going dispute with a neighbour which had lasted for eight years that this would not interfere with the proposed event. People who attended the event were respectable. Complaints were limited to one person even though there was an adjacent caravan park of 65 caravans. The 'ten commandments' document was held by a child dressed as Moses at the event four years ago and was removed from Facebook. That document was did not involve the event organisers.

After consideration of the matter it was

RESOLVED: that no counter-notice to the temporary event notice be issued.

The Committee, by a majority decision, were of the opinion that the evidence comprised mainly of a personal vendetta or dispute between two families. There was no evidence that persons attending the event were part of that dispute. Evidence indicated that respectable persons attended the event. There was one complaint from last year's event relating to noise. There was no evidence of crime and disorder arising at that event. In respect of the complaint of noise there is no independent evidence that music was played past 02:00 hours. It was noted that the majority of neighbours including those on the nearby caravan site did not complain about last year's event. Some neighbours, in respect of this year's proposed event, had written in support of the event. The Committee felt that both the shotgun offence and the 'ten commandments' should have been raised as an issue in respect of the two previous events. It was noted that the event last year had gone largely unnoticed other than for one complaint of noise. On balance, the Committee considered that the event should proceed.

Chairman.