

MEETING:	Statutory Licensing Regulatory Board
DATE:	Wednesday, 6 September 2017
TIME:	2.30 pm
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present

Councillors C. Wraith MBE (Chair), Clarke, Dures, S. Green, Daniel Griffin, W. Johnson, Saunders, Shepherd, Spence, Tattersall and Wilson

1 Declaration of Interests

There were no declarations of pecuniary and non-pecuniary interests from Members in respect of the item on this agenda.

2 Minutes

The minutes of the meeting held on the 26th October, 2016 were taken as read and signed by the Chair as a correct record.

3 Exclusion of the Public and Press

RESOLVED that the public and press be excluded from this meeting during the consideration of the following item because of the likely disclosure of exempt information as defined by Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

4 Premises Licence - Whispers

The Board received an oral report from the Executive Director Core Services on the current position with regard to the Premises Licence in respect of Whispers, Regent Street, Barnsley.

Members were reminded that on the 15th March, 2017 a second review of the Premises Licence had been undertaken by a Sub Committee of this Board at which the Premises Licence had been revoked. An appeal had subsequently been lodged within the Magistrates Court and a pre hearing had been held in April 2017 with a final appeal date scheduled for September, 2017.

Following an approach from the License holder's legal representative, discussions took place over a number of months regarding a potential settlement of the appeal and following discussions with Responsible Authorities and Elected Members who sat on the Sub Committee meeting together with the Chair of the Board on the 14th August, 2017, the appeal had been settled and the terms of the proposed Consent Order were reported. The settlement agreed was that that the existing owner/licence holder would be removed from all operational control and the premises transferred to a lessee; there would be an investment of funds into the property; and a

rebranding/relaunch of the business. The Consent Order had been approved on the 17th August, 2017 and the appeal hearing vacated.

On the 29th August, 2017 the Council's Licensing Team had received information which, although unverified at the moment, suggested that the arrangements proposed via the Consent Order would not be able to go ahead and the reasons for this were outlined. In the light of this information it was likely that the Licensing Authority would have to use its power under the provisions of the Licensing Act 2003 to seek a review hearing before a Sub Committee of this Board.

It was particularly disappointing that the agreed arrangements for the refurbishment and rebranding of the premises would not now go ahead but the reasons for this were noted.

RESOLVED that the report be noted.

Chair