

Subject: Licensing Act 2003 Determination. Safe Self Storage, Plantation Mill, Flip Road. Carrs Industrial Estate, Haslingden, BB4 8AJ
Status: For Publication

Report to: Licensing Sub-Committee **Date:** 7TH July 2010

Report of: Director of Business

Portfolio

Holder: Environmental Services

Key Decision: No

Forward Plan General Exception Special Urgency

1. PURPOSE OF THE REPORT

1.1 Addendum report to the initial report concerning the determination of an application for the grant of a Premises Licence under Section 18 of the Licensing Act 2003 to the premises Safe Self Storage, Plantation Mill, Flip Road, Haslingden.

2. RECOMMENDATIONS

2.1 Members are recommended to consider this report alongside the initial report into this matter.

3. REPORT AND REASONS FOR RECOMMENDATIONS AND TIMETABLE FOR IMPLEMENTATION

3.1 In respect of the six representations made by Interested Parties or Responsible Authorities, notices were sent to each of them under Regulation 8 of the Licensing Act (Hearings) Regulations 2005.

3.2 Responses have now been received within the period allowed under the legislation as follows:

- a) Police – will attend and additional papers attached at Appendix 1A
- b) Flexipol – F. Dippinall will attend on behalf of Flexipol Packaging Ltd. –additional papers are attached at Appendix 1B
- c) David Wild will attend on behalf of the Driver Group PLC.

- d) S. Gulic – will not attend but wishes Mr J. Trick to represent her at the hearing
- e) N.C. Cassons on behalf of Cassons will not attend

- 3.3. No Notice has been received from Miss S. Ali under Regulation 8.
- 3.4. A Notice has also been returned from the Applicant, together with a written submission, accompanying photographs and five 'statements in support of application' and these are appended at Appendix 1C.
- 3.5. Members are again respectfully reminded that representations must be 'relevant' i.e. they relate to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives –

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm.

4. LEGAL IMPLICATIONS ARISING FROM THE REPORT

- 4.1 Members are reminded that they must follow the rules of natural justice and they are bound by the Code of Conduct for Elected Members in licensing applications.
- 4.2 Members are reminded of the consideration they should give to the Human Rights Act 1998 in particular those rights afforded by Article 6 (right to a fair hearing), Article 1 of the First Protocol (protection of property) and Article 8 (right to respect for private and family life).
- 4.3 Members are reminded that they should have read or should hear all the facts prior to making a determination.
- 4.4 Members are asked to make a determination and state the reasons for that determination.

5. COMMITTEE DECISION

- 5.1 The Committee should consider the representations referred to as well as any submissions which are made by or on behalf of the applicant.
- 5.2 Having considered all relevant facts, the Committee is empowered to take any of the following steps which are necessary to promote the licensing objectives:
 - a. to grant the licence subject to:
 - i) the conditions consistent with the operating schedule modified to such extent as the authority considers necessary to promote the licensing objectives, and
 - ii) any mandatory condition which must be included in the licence

- b. to exclude from the scope of the licence any of the licensable activities to which the application relates;
- c. to reject the application

6. SECTION 17 CRIME & DISORDER ACT 1998

Without prejudice to any other obligation imposed on it, the Local Authority has a duty to consider crime and disorder implications.

7. WARDS AFFECTED

- 7.1 The premises are situated within the Worsley Ward and no other ward is likely to be affected. The ward councillor(s) are not members of the sub committee.

Contact Officer	
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Appendices	
Document	Place of Inspection
Appendix 1 A	Attached
Appendix 1 B	Attached
Appendix 1 C	Attached