



## DECISION NOTICE

Date	19 <sup>th</sup> July 2017
Applicant	Simon Newell
Premises and Licence Holder	Barrique, 3 Market Square, Lytham Lytham Wine Company Limited
Reason for Hearing	The Licensing Authority has received an application for the review of the premises licence at Barrique, 3 Market Square, Lytham. The Licensing Authority must therefore hold a hearing to consider the application.
Parties in Attendance	<b>Panel:</b> Councillor Angela Jacques - Convenor, Councillor Barbara Nash, Councillor Neil Harvey. <b>For the Applicant:</b> Simon Newell <b>For the Premises Licence Holder:</b> Philip Kolvin QC representing Lytham Wine Company Ltd Jake Crimmin and Charles Furnell of Lytham Wine Company Ltd <b>Interested Parties:</b> Jonathan Taylor

The licensing authority received an application for the review of the premises licence at Barrique, 3 Market Square, Lytham. The Licensing Authority must therefore hold a hearing to consider the application.

In considering an application for review, the panel must consider whether any of the steps set out in section 52(4) of the Licensing Act 2003 are appropriate for the promotion of the licensing objectives, and take such steps as it does consider are appropriate.

The review application was made by Mr Simon Newell, a local resident, and was said by him to relate to the following licensing objectives:

- The prevention of public nuisance

However, Mr Newell indicated that he wished to withdraw his application. We nevertheless heard from Mr Newell, Mr Kolvin QC on behalf of the premises licence holder and Mr Jonathan Taylor, a local resident who had supported Mr Newell's application.

We thank all those concerned for their attendance and contributions. The panel welcomed the accommodation which had been reached by the applicant and the licence holders.

The panel heard a summary of some of the matters which had led to the application coming before the panel. In short it was suggested by Mr Newell that there had been a number of issues concerning noise and rowdy behaviour associated, from time to time, with the premises. The premises licence holder did not accept that this was the case at all.

As the review was not going forward, the panel did not need to reach a conclusion on those matters and did not do so. Suffice to say that if those matters are real issues then they are capable of being solved by the dialogue and engagement which parties have said will now take place.

There was a query about whether it is technically possible for a review application to be withdrawn. In case it is not, we formally rule that in the light of the accommodation that has been reached by the parties, we do not consider it appropriate to take any of the steps that might otherwise be open to us under section 52 of the Licensing Act 2003.