

6 March 2009

Dear Councillor

LICENSING AND PUBLIC SAFETY COMMITTEE - WEDNESDAY, 11TH MARCH 2009

I am now able to enclose, for consideration at the above meeting of the Licensing and Public Safety Committee, the following reports that were unavailable when the agenda was printed.

Agenda No Item

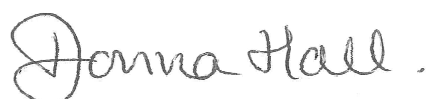
5. **Summary of Sub Committee Decisions for 2008/2009** (Pages 63 - 68)

To receive and consider the report of the Director of Corporate Governance (attached).

10. **Allocation of a Hackney Carriage Licence** (Pages 69 - 72)

To receive and consider a report of the Director of Corporate Governance (attached).

Yours sincerely



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Chief Executive

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Distribution

1. Reports to all Members of the Licensing and Public Safety Committee (Councillor Iris Smith (Chair), Councillor Edward Smith (Vice-Chair) and Councillors Judith Boothman, Magda Cullens, David Dickinson, Doreen Dickinson, Anthony Gee, Pat Haughton, Catherine Hoyle, Keith Iddon, Hasina Khan, Marion Lowe, Thomas McGowan, Debra Platt, Ralph Snape, John Walker and Stella Walsh for attendance.

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આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

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Report of	Meeting	Date
Director of Corporate Governance	Licensing and Public Safety Committee	11 March 2009

SUMMARY OF DECISIONS FROM THE LICENSING ACT 2003 SUB COMMITTEE AND THE GENERAL LICENSING SUB COMMITTEE FOR 2008/2009

PURPOSE OF REPORT

1. To inform the Committee of the various decisions taken by the Licensing Act 2003 Sub Committee and the General Licensing Act Sub Committee in 2008/2009.

RECOMMENDATION(S)

2. Members are asked to note the report.

EXECUTIVE SUMMARY OF REPORT

3. The report is for information only.

REASONS FOR RECOMMENDATION(S)

4. In looking back at the work of the Committee over the last 12 months it was thought useful to do a summary of Sub Committee decisions.

CORPORATE PRIORITIES

5. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	

LICENSING SUB COMMITTEE DECISIONS

6. **LICENSING ACT 2003 SUB COMMITTEE**
- 6.1 **Application to vary a Premises Licence in respect of Brindle Community Hall, Water Street, Brindle, Chorley made under Section 34 of the Licensing Act 2003**

DECISION



To vary the Premises Licence in respect of Brindle Community Hall essentially to allow (i) the opening hours, sale of alcohol and entertainment activity (music, dancing, etc) within the Community Hall to be extended by 30 minutes to 11.30pm on Sundays to Thursdays and to 12.30am on Fridays and Saturdays; (ii) the sale of alcohol and entertainment activity (music, dancing, etc) within the outdoor areas until 11.00pm on Mondays to Sundays; the sale of alcohol and entertainment activity both within the Community Hall and all outdoor areas until 1.30am on New Years Day, subject in all instances to the imposition of stipulated conditions to control and regulate the level of amplified sound and to minimise the risk of noise nuisances and disturbances to neighbouring residents.

6.2 Queens Arms, 52 Chapel Street, Chorley – Application for Premises Licence

DECISION

To grant a new Premises Licence in respect of the Queens Arms Public House, Chapel Street, Chorley essentially to allow (i) the opening of the premises and the sale of late night refreshments from 10.00am to midnight on Sundays to Thursdays and from 10.00am to 1.00am on Friday and Saturdays; (ii) the sale of alcohol and regulated entertainment from 10.00am to 11.15pm on Sundays to Thursdays and from 10.00am to midnight on Fridays and Saturdays; (iii) the sale of alcohol from 10.00am to 1.00am on Christmas Eve and Boxing Day; and (iv) the opening of the premises for the sale of alcohol and regulated entertainment from 11.00am on New Year's Eve to 11.00pm on the following day, subject to an additional condition requiring suitable alarms to be fitted to fire doors.

6.3 Application to vary a premises licence to specify an individual as designated Supervisor, Duke of York Public House, Whittle-le-Woods

DECISION

- a) After taking account of all material considerations and evidence presented, the application to vary the Premises Licence in respect of the Duke of York Public House, Whittle-le-Woods to specify an identified individual as the Designated Premises Supervisor the application was refused on the ground that:
- b) The licensing objective to prevent crime and disorder is likely to be undermined if the application was to be approved.
- c) That the applicant be encouraged to seriously consider the Sub-Committee's suggestions for future formal training opportunities.

6.4 Application for a review of a licence in respect of the premises known as The Swan with Two Necks, Hollinshead Street, Chorley

DECISION

- a) Not to remove Mrs Hogan as Designated Premises Supervisor but to request that the Licensing Section issue a written warning to the Premises Licence holder Swan Hospitality Limited and Mrs Hogan emphasising how seriously the Sub-Committee considered the lack of effective management at the premises by the DPS. The letter should emphasise the need for full compliance with all conditions now imposed on the premises licence and warn that Mrs Hogan may be removed as DPS should there be any review in the future of the premises licence.
- b) To impose the following conditions on the licence:

That smoking will not be permitted in any internal licensed area at any time.

That a minimum of 3 door staff to be on duty from 7pm on Friday, Saturday and Sunday up to an occupancy of 200 with a proviso that an additional door supervisor is on duty for every 50 customers over an occupancy of 200.

That use of a system for measuring the occupancy of the premises at any given time should be in operation whenever door supervisors are employed at the premises.

That the occupancy of the premises should be noted every hour. This should be recorded in documentary form and be available for inspection by any officer of any Responsible Authority.

That the premises will have and operate a town centre link radio, this will be in possession of a door supervisor at all times when they are employed at the premises. At all other times it should be in possession of a member of bar staff employed at the premises.

c) To alter the times during which the licensable activities may be carried out.

- 6.5 **Application to transfer a Premises Licence under Section 42 of the Licensing Act 2003 and an application to vary the Premises Licence to specify an individual as a designated premises supervisor under section 37 of the Licensing Act 2003 relating to the premises known as the Rose and Crown, St Thomas's Road, Chorley**

DECISION

The Sub-Committee agreed that the applications be granted.

- 6.6 **Shanghai Restaurant, 6 Preston Road, Chorley – Application for Review of the Premises Licence under Section 52 of the Licensing Act 2003**

DECISION (In light of a transfer of the premises licence)

That, in accordance with the provisions of Sections 9 and 10 of the Licensing Act 2003 (Hearings) Regulations 2005, the Sub-Committee agrees to dispense with a hearing to consider the application for a review of the premises licence in respect of the Shanghai Restaurant, 6 Preston Road, Chorley.

7. **GENERAL LICENSING SUB-COMMITTEE**

- 7.1 **Local Government (Miscellaneous Provisions) Act 1982 – Application for the renewal of a Sex Establishment Licence**

DECISION

That approval be given to the renewal of the sex establishment licence for the premises trading as 'M and M Sensations', 75 Bolton Street, Chorley, under the provision of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.

7.2 Hackney Carriage/Private Hire Drivers:

The table below summarises Sub Committee decisions in 2008/2009.

Applicant	Decision
Mr A I P	Licence Granted
Mr T J F	Licence Revoked on the grounds of public safety.
Mr A A	Licence Granted
Mr Y M	Licence Revoked on the grounds of public safety
Mr R S	Licence revoked on the grounds of public safety
Mr A I P	Licence not granted, but asked to undertake a BTEC training course in passenger vehicle driving (Mr AIP completed this training and was granted a licence on 19 February 2009)
Mr A M T	Licence not granted on the ground that the applicant had not met the required medical standards.
Miss L M H	Licence Granted
Mr M E	Licence Granted
Mr B	Licence Granted with a final warning
Mr A K G	Licence Revoked on the grounds in light of the seriousness of convicted offences involving dishonest, apparent disregard for the licensing regulations and the implications of applicants behaviour.
Mr J R C	Licence Granted to be reviewed after 6 months.
Mr D T	Licence Granted

IMPLICATIONS OF REPORT

8. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	3	No significant implications in this area	

ANDREW DOCHERTY
CORPORATE DIRECTOR (GOVERNANCE)

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Cathryn Barrett	5123	5 March 2009	***

Background Papers			
Document	Date	File	Place of Inspection
Licensing Sub Committee decisions	Various dates in 2008/2009	Various	Democratic Services

Report Author	Ext	Date	Doc ID
Democratic Services	5123	Various	***

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
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