

Licensing and Public Safety Committee

Tuesday, 4th October 2022, 6.30 pm

Council Chamber, Town Hall, Chorley and YouTube

To Follow

- 7 **Minutes of meeting Thursday, 21 July 2022 of Licensing Act 2003 Sub-Committee** | (Pages 73 - 76)

The minutes are now attached to be agreed as a correct record for signing by the Chair.

Gary Hall
Chief Executive

Electronic agendas sent to Members of the Licensing and Public Safety Committee Councillor Matthew Lynch (Chair), Councillor Margaret France (Vice-Chair) and Councillors Mark Clifford, Magda Cullens, Gordon France, Tommy Gray, Harold Heaton, Terry Howarth, Hasina Khan, Roy Lees, Michelle Le Marinel, Dedrah Moss, Alan Platt, Jean Sherwood and John Walker.

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Minutes of	Licensing Act 2003 Sub-Committee
Meeting date	Thursday, 21 July 2022
Committee Members present:	Councillor Matthew Lynch (Chair), Councillor (Vice-Chair) and Councillors Magda Cullens and Michelle Le Marinel
Officers:	Nathan Howson (Enforcement Team Leader (Licensing)), Alex Jackson (Legal Services Team Leader) and Coral Astbury (Democratic and Member Services Officer)

A video recording of the public session of this meeting is available to view on [YouTube here](#)

5 Declarations of Any Interests

None.

6 Procedure

The Chair outlined the procedure to be followed at the hearing.

7 Determination of Application for a Premises Licence for Astley Park, Park Road, Chorley

The Director of Planning and Development submitted a report for the Licensing Act 2003 Sub-Committee to advise members of an application for a premises licence in respect of Astley Park, Park Road, Chorley. The application was brought for determination by Members as a relevant representation had been received.

Mr. Andrew Daniels, the Service Lead for Communications and Visitor Economy at Chorley Borough Council was present at the hearing as a representative for the applicant.

The Enforcement Team Leader (Licensing) presented the report and explained that an application for a new premises licence was submitted by Chris Sinnott, Deputy Chief Executive, for and on behalf of Chorley Borough Council on 7 June 2022. The application sought to license the whole area of the park, an extensive area, incorporating a lake, tennis courts and bowling green, a large playing and wooded area. The application was advertised in accordance with the regulations, in that a notice was displayed across the premises for the whole 28-day consultation period, a notice was posted in a local newspaper and the application had been published on the Council's website. Within the application, the Applicant had outlined the steps that would be taken to promote the four

licensing objectives.

The Enforcement Team Leader (Licensing) explained that during the consultation period, a representation had been received from Mr. Trafford of Deerfold, Astley Village, Chorley. The representation related to the Prevention of Public Nuisance objective. A copy of the representation was included at Appendix 3 for Members consideration. Although Mr. Trafford was not present at the hearing, Members were advised that the representation was relevant, and they would need to decide what weight to afford to the statement when making their decision.

The Applicant sought to authorise the following licensable activities:

Licensable Activity	Proposed Authorised Hours
Provision of a Performance of a Play	Monday – Sunday 09:00-23:00hrs
Provision of a Performance of Live Music	Monday – Sunday 09:00-23:00hrs
Provision of Playing of Recorded Music	Monday – Sunday 09:00-23:00hrs
Provision of a Performance of Dance	Monday – Sunday 09:00-23:00hrs
Provision of Anything of a Similar description to Live Music, Recorded Music or Performances of Dance	Monday – Sunday 09:00-23:00hrs
Sale by retail of alcohol for consumption on and off the premises	Monday – Sunday 09:00-23:00hrs

In response to a member enquiry, the Enforcement Team Leader (Licensing) confirmed that recent events at the park had taken place using a Temporary Events Notice (TENs).

Mr. Daniels, on behalf of the applicant, explained to members that the application was to replace the existing licence as it was not fit for purpose. The area covered within the existing licence did not fit with the Council's events programme and Officers had now tried to regularize the activity that takes place within the park. A new licence would make the planning of events more efficient, without the need to apply for various TENs. Significant investment had also been made at Astley Hall and the Council had appointed a Wedding Officer, which was currently restricted as officers need to apply for TENs

Mr. Daniels re-assured members that the new application was to regularize the process on how events are run and that the authority were mindful of the impact on neighbouring properties and would ensure that those in the vicinity of the park do not suffer nuisance from events in the park. Events had been run over several years and feedback had always been positive. When residents had contacted the Council, officers had acted proactively and responded to the complaints.

Members asked Mr. Daniels if he could address the representation received from Mr. Trafford and provide assurances to residents. Mr. Daniels explained that the events were those where individuals may want to drink and they would not be events where the sole purpose is to drink alcohol. He was not aware of any event where drunken individuals had caused an issue leaving the park. Mr. Daniels referred to the aspect of the representation regarding noise and explained that the Authority had applied for the

licence to run until 23:00hrs as it would provide flexibility. There would only be a small number of events within the year that would late, for example Astley Illuminated which finishes at around 10 or 11pm. These events were always away from residential properties and officers were mindful of residents. Sound levels would be consistently monitored.

Mr. Daniels gave reassurance that events which would run into the evening would be few and far between and would be mindful of the impact on local residents.

Members asked if the licence would only be used for Council events. In response, Mr. Daniels explained that most events would be organised by the authority and contained within the events programme. The only event which is currently ran by a third party is ChorFest and Officers work with the organisers to facilitate the event. As a local authority, officers would need to be mindful who would be permitted to run events on the council's licence as the council would be licence holder.

RESOLVED:

After careful consideration members have resolved to grant the application for the following reasons:

1. There were no representations from responsible authorities
2. There had been events which included licensable activity held within Astley Park over the years but without any concerns.
3. Members did not attach much weight to the representation from the member of the public regarding noise in nearby residential properties since no-one from those dwellings had made representation themselves.
4. Members did not attach much weight to the representation from the member of the public regarding the risk of nuisance to residents in sheltered accommodation. There had been no representation from those residents or relatives or carers on their behalf or from management of the sheltered accommodation.
5. The person who submitted a relevant representation did not attend the sub-committee to amplify his representation so there was nothing presented at sub-committee in addition to what was in the letter to persuade members that the grant would not promote the licensing objectives.

Any party aggrieved by the decision of the sub-committee has a right to appeal the decision to the Magistrates' Court within 21 days.

Chair

Date

