
Chief Executive's Office

Please ask for: Mr G K Bankes
Direct Dial: (01257) 515123
E-mail address: gordon.bankes@chorley.gov.uk
Date: 17 May 2006

Chief Executive: Donna Hall

Chorley
Borough Council

Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

Dear Councillor

Statutory Licensing Sub-Committee A - Thursday, 25th May 2006

You are invited to attend a meeting of the Statutory Licensing Sub-Committee A to be held in the Council Chamber, Town Hall, Chorley on Thursday, 25th May 2006 commencing at 10.00 am.

AGENDA

1. **Declarations of Any Interests**

Members of the Sub-Committee are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct. If the personal interest is a prejudicial interest, then the individual Member should not participate in a discussion on the matter and must withdraw from the Council Chamber and not seek to influence a decision on the matter.

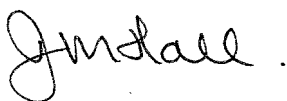
2. **Licensing Act 2003 (Premises and Premises Certificate) Regulations 2003 - Application to vary Premises License in Respect of The Mitre, Weldbank Lane, Chorley (Pages 1 - 108)**

Report of Chief Executive (enclosed)

Attached for Members information is the Hearing Procedure

3. **Any other item(s) that the Chair decides is/are urgent**

Yours sincerely



Chief Executive
Continued....

Distribution

1. Agenda and reports to all Members of the Statutory Licensing Sub-Committee A (Councillor Mrs I Smith (Chair) and Councillors A Gee and R Snape,) for attendance.
2. Agenda and reports to Councillors J Walker and David Dickinson (Reserve Members) to be present at the start of the meeting.
3. Agenda and reports to Claire Hallwood (Deputy Director of Legal Services), Howard Bee (Licensing Manager) and Gordon Bankes (Democratic Services Officer) for attendance.

This information can be made available to you in larger print or on audio tape, or translated into your own language. Please telephone 01257 515118 to access this service.

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

ان معلومات کا ترجمہ آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون کیجئے: 01257 515823

CHORLEY BOROUGH COUNCIL**LICENSING ACT 2003****SUB-COMMITTEE****GENERAL PROCEDURE POINTS FOR HEARINGS****INTRODUCTION**

The Licensing Act 2003 Sub-Committee will conduct hearings in accordance with the following general principles:

- All parties have a right to a fair hearing.
- Decision-making will be conducted in an open, transparent and accountable way.
- Each application will be determined on its own merits and the decision will be based upon:
 - the merits of the application
 - the promotion of the four licensing objectives
 - the Council's Statement of Licensing Policy
 - the Guidance issued by the Secretary of State for Culture, Media and Sport under Section 182 of the Licensing Act 2003
- the Licensing Authority will only permit licensing decisions to be taken by sub-committee consisting of three members. In the event of one member being unable to attend, the Licensing authority will use it's best endeavours to substitute another member, taken from the membership of the Licensing Act 2003 Sub-Committee reserve list.
- the Sub-Committee may disallow cross-examination in exceptional circumstances; this decision will be taken on a case by case basis with a presumption to allow. However, parties are advised that the Sub-Committee wishes to discourage hostile cross examination.
- late representations and evidence will usually only be considered with the agreement of all parties present.
- decisions will generally be taken regardless of whether the applicant/other party is present unless the Sub-Committee consider it necessary in the public interest to adjourn the hearing to a specified date. All notices and representations from absent parties will be considered.
- the Sub-Committee will generally allow parties a maximum of 30 minutes per party to make all relevant Statements. However, the Sub-Committee recognises that in certain circumstances this may be insufficient due to the complexity of the issues involved. In this situation the Sub-Committee will consider representations from those parties involved in the hearing as to the length required to make all relevant statements. The Licensing Authority respectfully requests that all parties keep points pertinent and the discussion moving in the interests of cost and efficiency.

- the Sub-Committee recognises that Regulation 14 requires all hearings should take place in public unless the licensing authority “considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing taking place in public” in which the applicant, those assisting the applicant or other interested parties can be excluded. In the absence of any criteria in the Licensing Act 2003, the guidance issued under section 182 of the Act or the licensing Regulations, the Licensing Authority has adopted the existing criteria in Schedule 12A of the Local Government Act 1972 for excluding the press and public. The public and press will be excluded when the Sub-Committee is considering an application for a personal licence, where Lancashire Police have lodged an objection notice due to an existing relevant offence(s). Generally, the public and the applicant will be excluded when the Sub-Committee is determining a decision. Once a decision has been made all parties will be readmitted and the Chair will announce the decision and give reasons.
- all parties will be notified of the decision in accordance with any periods set down by the Licensing Act 2003 or where none are prescribed within 5 working days.
- the Sub-Committee has the right to exclude any parties behaving in a disruptive manner at the hearing at its own discretion.

HEARING PROCEDURE

PREMISES/CLUB PREMISES LICENCE APPLICATIONS

1. CHAIR OF SUB-COMMITTEE:

- opens meeting
- introduces Members and Officers
- confirms details of all parties in attendance
- outlines procedure to be followed

2. LICENSING OFFICER OUTLINES APPLICATION AND RELEVANT REPRESENTATIONS

3. QUESTIONS TO LICENSING OFFICER FOR CLARIFICATION FROM:

- Sub-Committee
- Applicant

4. APPLICANT OR REPRESENTATIVE OUTLINES APPLICATION

5. QUESTIONS TO APPLICANT FROM:

- Sub-Committee
- Interested Representative

6. LANCASHIRE POLICE REPRESENTATIONS

7. QUESTIONS TO LANCASHIRE POLICE FROM:

- Sub-Committee
- Applicant

8. LANCASHIRE FIRE & RESCUE REPRESENTATIONS

9. QUESTIONS TO LANCASHIRE FIRE & RESCUE FROM:

- Sub-Committee
- Applicant

10. ENVIRONMENTAL HEALTH (ENVIRONMENT) REPRESENTATIONS

11. QUESTIONS TO ENVIRONMENTAL HEALTH FROM:

- Sub-Committee
- Applicant

12. ENVIRONMENTAL HEALTH (HEALTH & SAFETY) REPRESENTATIONS

13. QUESTIONS TO ENVIRONMENTAL HEALTH FROM:

- Sub-Committee
- Applicant

14. PLANNING SERVICES REPRESENTATIONS**15. QUESTIONS TO PLANNING SERVICES FROM:**

- Sub-Committee
- Applicant

16. SOCIAL SERVICES REPRESENTATIONS**17. QUESTIONS TO SOCIAL SERVICES FROM:**

- Sub-Committee
- Applicant

18. TRADING STANDARD REPRESENTATIONS**19. QUESTIONS TO TRADING STANDARDS FROM:**

- Sub-Committee
- Applicant

20. INTERESTED PARTIES REPRESENTATIONS**21. QUESTIONS TO INTERESTED PARTIES FROM:**

- Sub-Committee
- Applicant

22. INTERESTED PARTIES INVITED TO BRIEFLY SUMMARISE**23. RESPONSIBLE AUTHORITIES INVITED TO BRIEFLY SUMMARISE****24. APPLICANT (OR REPRESENTATIVE) INVITED TO SUM UP****25. DECISION MAKING**

All parties retire whilst Sub-Committee makes decision.

26. NOTICE OF DECISION

Parties re-admitted and Chair announces decision and reasons.

Report

Report of	Meeting	Date	Item No
Chief Executive	Statutory Licensing Sub- Committee	25 /05/2006	2

APPLICATION TO VARY A PREMISES LICENCE IN RESPECT OF THE MITRE PUBLIC HOUSE 73 WELDBANK LANE CHORLEY LICENCE NUMBER PL(A) 0319

PURPOSE OF REPORT

- For members to determine an application to vary a premises licence.

CORPORATE PRIORITIES

- There are no specific implications for corporate policies arising from this report.

RISK ISSUES

- The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy		Information	
Reputation		Regulatory/Legal	✓
Financial		Operational	
People		Other	

- There is a right of appeal to the Magistrates Court by the applicant in respect of a decision to refuse to vary the premises licence or where the conditions of licence are modified. There is also the right of appeal to the Magistrates Court by a person who has made relevant representations against a decision to grant the variation or to modify the conditions of licence.

CURRENT PREMISES LICENCE

- Licensable Activities

- Exhibition of films - Indoors (b)

10.00 – 23.00 Monday to Thursday

10.00 - 00.00 Friday to Sunday

Non Standard Timings

Christmas Eve/Boxing Day/Bank Holiday Saturday and Sunday 10.00 – 00.00

New Years Eve 10.00 – 01.00

Continued....



(b) Indoor sporting event (c)

10.00 – 23.00 Monday to Thursday
10.00 - 00.00 Friday to Sunday

Non Standard Timings

Christmas Eve/Boxing Day/Bank Holiday Saturday and Sunday 10.00 – 00.00
New Years Eve 10.00 – 01.00

(c) Performance of live music – Indoors (e)

10.00 – 23.00 Monday to Sunday

Non Standard Timings

Christmas Eve/Boxing Day/Bank Holiday Saturday and Sunday 10.00 – 00.00
New Years Eve 10.00 – 01.00

(d) Playing of recorded music – Indoors (f)

10.00 – 23.00 Monday to Thursday
10.00 - 00.00 Friday to Sunday

Non Standard Timings

Christmas Eve/Boxing Day/Bank Holiday Saturday and Sunday 10.00 – 00.00
New Years Eve 10.00 – 01.00

(e) Entertainment of a similar description to that falling within e/f/g – Indoors (H)

10.00 – 23.00 Monday to Thursday
10.00 - 00.00 Friday to Sunday

Non Standard Timings

Christmas Eve/Boxing Day/Bank Holiday Saturday and Sunday 10.00 – 00.00
New Years Eve 10.00 – 01.00

(f) Provision of facilities for dancing –Indoors (J)

10.00 – 23.00 Monday to Thursday
10.00 - 00.00 Friday to Sunday

Non Standard Timings

Christmas Eve/Boxing Day/Bank Holiday Saturday and Sunday 10.00 – 00.00
New Years Eve 10.00 – 01.00

(g) The sale by retail of alcohol for consumption on and off the premises (M)

10.00 – 23.00 Monday to Thursday
10.00 - 00.00 Friday to Sunday

Non Standard Timings

Christmas Eve/Boxing Day/Bank Holiday Saturday and Sunday 10.00 – 00.00

New Years Eve 10.00 – 01.00

6. The opening hours of the premises (o)

09.00 – 23.30 Monday to Thursday

09.00 – 00.30 Friday to Sunday

Non Standard Timings

Christmas Eve/Boxing Day/Bank Holiday Saturday and Sunday 09.00 – 00.30

New Years Eve 09.00 – 01.30

7. Conditions

ANNEX 1 – Mandatory Conditions

Section 19:

1. The Premises licence holder shall ensure that no supply of alcohol is made under the premises licence - (a) at a time when there is no designated premises supervisor in respect of the premises licence; or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended (section 19 of the Licensing Act 2003).
2. The Premises licence holder shall ensure that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence (section 19 of the Licensing Act 2003).

Section 20:

- 1(a) The Premises licence holder shall ensure that the admission of children to the exhibition of any film shall be restricted in accordance with section 20 of the Licensing Act 2003(the Act)
- 1(b) Unless section 20(3) (b) of the Act applies, admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the film classification board specified in this licence
- 1(c) Where section 20(3) (b) of the Act applies, admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the licensing authority
- 1(d) Where no film classification board is specified in this licence admission of children to the exhibition of any film shall be restricted in accordance with any recommendation made by the licensing authority.
- 1(e) For the purposes of this condition:-
“children” means persons aged under 18; and “film classification board” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (authority to determine suitability of video works for classification)

Section 21:

Where Relevant;

1. The Premises licence holder shall ensure that each individual present on the premises to carry out a security activity [as defined by paragraph 2(1) (a) of the Schedule 2 to the Private Security Industry Act 2001] must be licensed by the Security Industry Authority.

ANNEX 2 – Conditions consistent with the operating schedule

(a) General

None.

(b) The prevention of crime and disorder

Service will be refused to anyone who is drunk, behaving in a violent or threatening manner, or who has been convicted of behaving in a violent or threatening manner on licensed premises.

Management will liaise regularly with the local police.

All bar staff are trained in basic licensing law, particularly with regard to serving drunks and serving under 18's.

At least 30 minutes will be allowed between last alcohol sales and the closure of the premises, the management will permit customers to finish their drinks within this period with access to the pubs and toilet facilities.

(c) Public safety

None.

(d) The prevention of public nuisance

The building is double glazed with recently installed mechanical ventilation and as such only negligible levels of noise escape.

Live music will end at 23.00hours.

Recorded music will end at 23.00hours Monday to Thursday and 00.00 Friday to Sunday.

All windows will remain closed after 22.00 hours.

Later operating hours will minimise noise from departing customers as they gradually disperse over a longer period of time.

The management will monitor people leaving the premises and where necessary remind them of their public responsibilities. Notices are displayed asking customers to be considerate when leaving the premises.

(e) The protection of children from harm

The management operate a policy that complies with the pass accreditation system and identification checks will be made of any customer who does not appear to be 21 years of age. Acceptable identification being passports, driving licence or proof of age card.

The restrictions set out in the Licensing Act 2003 will apply.

ANNEX 3 – Conditions attached after a hearing by the Licensing Authority

- 1) A personal licence holder shall be on the premises during which intoxicating liquor is being sold or supplied to customers or consumed by customers except in the case of an emergency.

- 2) All external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency.
- 3) The licensee shall ensure that the area immediately surrounding the premises shall be cleared of glasses and bottled at the end of licensable activities each day.
- 4) Signs shall be erected to direct customers to the car park at the rear to restrict parking at the front of the premises.
- 5) Signs to be erected within the premises to request customers to leave quietly with consideration to neighbours.
- 6) The beer garden situated at the rear of the premises that is used for consumption of alcohol shall cease to be so used after 22.00 hours at all times.
- 7) The front area of the premises shall not be used for the consumption of alcohol at all times.

THE APPLICATION

8. A copy of the application to vary is attached to this report in full in Appendix 1. In summary the application is to conduct the following licensable activities and at the times set out below.

- (a) To remove the condition number 7 attached to the premises licence in annex 3 by the licensing authority namely -

‘The front area of the premises shall not be used for the consumption of alcohol at all times’.

- (b) In light of anticipated legislation with regard to no smoking on licensed premises the applicant seeks to licence a small external area to the front of the premises for the use and benefit of their customers.

- (c) It is proposed that the area can be cordoned off at considerable expense to the applicants by way of decorative wrought iron railings supplemented by appropriate landscaping/planting and the provision of a limited seating area.

9. Additional steps to be taken to promote licensing objectives as a result of the proposed Variation

- i) General

We have considered the terms of your local licensing policy in preparing this application to vary the terms of the premises licence and we refer you to the operating schedule submitted to the local authority when the initial application was made to convert and simultaneously vary the original justices licence.

- ii) Prevention of crime and disorder

In addition to the existing conditions imposed upon the premises licence no glasses or bottles will be permitted in the external area to the front of the premises

- iii) Public Safety

No glasses or bottles will be permitted in the external area to the front of the premises. The area will be monitored at regular intervals by the designated premises supervisor and a member of staff appointed to remove any litter where required.

The proposed railing to be installed will act as a barrier between the external area and the public highway and ensure that no customers cause obstruction to pedestrians and other road users.

iii) The prevention of public nuisance

The designated premises supervisor will monitor the number of people within the external area on a regular basis in order to ensure that it does not become overcrowded.

The management will remind customers of their public responsibilities where necessary and notices will be displayed asking customers to be considerate to the residential neighbours.

No music will be played in the external area.

The external area shall not be used after 22.00 hours.

v) The protection of children from harm

The restrictions set out in the Licensing act 2003 will apply.

10. The applicant on the 4 May 2006 supplied additional photographs, letters and petition to support the application.

11. Other Activities that may give rise to concern in respect of children

The restrictions set out in the Licensing act 2003 will apply.

12. Conditions/ Restrictions to be removed on variation.

Annex 3 condition number 7 –

The front area of the premises shall not be used for the consumption of alcohol at all times.

13. Relevant Representations – Responsible Authorities

The Authority has received two objections -

i) The Police

The Police are concerned that the lifting of the condition will allow customers to drink outside the premises and therefore cause noise, disturbance and intimidation to local residents and passers by. The area is not sufficiently large enough to allow consumption outside and certainly in the summer months this would cause problems for local residents.

The condition was imposed to prevent noise and disturbance to residents and as far as the police are aware nothing has changed in this regard.

The need for people to smoke can be addressed by the smoking at the rear of the premises.

It is therefore felt that if this condition is lifted it would undermine the crime prevention and public nuisance objective.

ii) Environmental Services

I regret I cannot support this variation. The public house is located in a residential area and the presence of people outside the premises up to 22.00 hours will, I believe, inevitably result in disturbance to residents of nearby properties.

Both objections are both included in full in the attached report.

14. Relevant Representations – Interested Parties.

There are 23 representations from interested parties to the application to vary.
The objections are relevant to the Licensing Objectives - Prevention of Public nuisance
Prevention of crime and disorder
Protection of children from harm

All representations are in full within the report.

15. Policy Considerations.

Section 4 of the Licensing Act 2003 provides that a Licensing Authority must have regard to its Statement of Licensing Policy and to the guidance issued by the Secretary of State under section 182 of the Act.

As members will be aware the four licensing objectives are as follows:

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

The Licensing Act 2003 provides that where relevant representations are received the Licensing Authority must hold a hearing to consider them unless the parties agree that a hearing is unnecessary.

The Licensing Authority in determining the application, having have regard to the representations, may take the following steps it considers it necessary for the promotion of the licensing objectives.

- i) reject the application in whole or in part
- ii) modify the conditions.

Members must have regard to the Statement of Licensing Policy when determining this application. In particular, member's attention is drawn to the following paragraphs:

Paragraph 1.3 The policy provides guidance on the general approach the Council, as Licensing Authority, within the meaning of the Act, will take in terms of licensing, However, each application will be considered separately, on its individual merits.

Paragraph 1.4. The Statement of Licensing Policy sets out how the licensing objectives will be achieved and to secure the safety and amenity of residential communities whilst facilitating a sustainable entertainment and cultural industry. The Policy recognises both the needs of residents for a safe and healthy environment in which to live and work and the importance of safe and well run entertainment premises to the local economy. Balancing these interests will not always be straightforward and will be guided by the four licensing objectives.

Paragraph 1.5 This policy does not seek to undermine the right of any individual to apply under the Act for a variety of permissions and as stated above each application will be considered on its individual merits. Nor does the Policy seek to override the right of a person to make representations on an application or seek a review of a licence or certificate. However, the Council in adopting this policy is indicating that a wide range of considerations will be taken into account.

Paragraph 2.2 Each of the licensing objectives are of equal importance with these objectives.

Paragraph 2.3 Each of the licensing objectives is of equal importance for the purposes of this policy.

Paragraph 2.4 This policy statement is designed to deal with matters within the control of the licensee. It focuses on the premises in which each business is carried on and the effect that has on members of the public living, working or engaged in normal activity in the vicinity.

Paragraph 2.5 Licensing law is not envisaged by the Licensing Authority as a mechanism to control anti-social behaviour by individuals once they are beyond the direct control of the licensee of any premises concerned. Therefore any terms and conditions imposed will be focused on matters within the control of individual Licensees and others granted relevant permissions. These matters will centre on the premises and places used for licensable activities and in the vicinity of the places.

Paragraph 2.6 The Licensing Authority considers that every holder of a licence, certificate or permission and designated premises supervisor is responsible for minimising the impact of their activities and anti-social behaviour by their customers within the vicinity of their premises.

Paragraph 5.3 The policy will not fix the hours during which alcohol can be sold. The Licensing Authority considers that stricter controls regarding noise nuisance may be necessary in more densely populated areas. The grant of a licence will be dependent on the impact of an activity on the licensing objectives.

CRIME AND DISORDER

Paragraph 6.1 Licensed premises, especially those offering late night entertainment, alcohol and refreshment can be a source of crime and disorder problems.

Paragraph 6.2 The Council is committed to reducing crime and disorder across the Borough through its statutory duty under the Crime and Disorder Act 1998 and the Community Safety Strategy. Statistics from the Community Safety Partnership regarding Crime and Disorder in the Licensing Authority area are given in Appendix 4.

Paragraph 6.3 The Community Safety Partnership will regularly monitor and review crime statistics within the Borough and their association with alcohol and provide reports to the Licensing Authority where appropriate. The Licensing Authority will give due consideration to any submissions made concerning the impact on crime and disorder of alcohol related problems. The Council may review this Policy where it considers it appropriate to do so.

Paragraph 6.4 The Council will have particular regard to the likely impact on licensing of related crime and disorder in the Borough particularly when considering the location, impact and the operation and management of all proposed licensed premises and applications for variations.

Paragraph 6.5 The promotion of the crime and disorder-licensing objective, places a responsibility on licence holders to try and achieve this objective. Applicants will therefore be required to address, in their operating schedules, where appropriate, those measures that have been identified and will be implemented and/ or maintained to reduce or prevent crime and disorder in the vicinity of their premises. The Licensing Authority considers that best practice will be exemplified by the night safe initiative and would recommend that licence holders join this initiative.

Paragraph 6.6 Where relevant representations are received on the crime and disorder objective, the Licensing Authority may have regard to the following where relevant: (though this is not an exhaustive list):

- crime prevention measures
- physical security features installed in the premises, (this may include CCTV both inside and outside the premises, where alcohol is stored in relation to off licences, the use of toughened drinking glasses).
- weapon detection and search facilities.
- procedures for risk assessing promotions and events such as 'happy hours', drinks promotions, for the potential to cause crime and disorder, and the plans to minimising such risks.
- adoption of best practice guidance in relation to safer clubbing guide
- measures to prevent the use or supply of illegal drugs including search and entry policies
- employment of licensed door supervisors
- participation in other appropriate schemes e.g. pub watch scheme
- measures to be taken for the prevention of violence or disorder.

Paragraph 6.7 The Licensing Authority where relevant representations are made will consider attaching conditions to deter and prevent crime and disorder, if appropriate and necessary and these may include conditions from the model pool of conditions at Appendix 3. Certain premises may be required to install CCTV system to an evidential standard should the Council be satisfied it is necessary and /or appropriate to meet the licensing objectives.

Paragraph 6.8 The Council reserves its right to use its powers to designate areas where alcohol may not be consumed in a public place to meet the Public Safety and Crime and Disorder objectives.

LICENSING HOURS

Paragraph 7.1 The policy recognises that longer (more flexible) licensing hours can contribute to easing crime and disorder problems by ensuring that concentrations of customers leaving premises simultaneously are avoided thus helping to reduce friction at taxi ranks, private hire offices, fast food outlets etc.

Paragraph 7.2 Individual applications will be considered on their merits and in general terms a flexible approach will be adopted. Fixed predetermined closing times for particular areas will not form part of the policy and restrictions on trading hours will be considered only where necessary to meet the licensing objectives.

Paragraph 7.3 The Licensing Authority, however, considers that the risk to disturbance to local residents is greater when licensable activities continue late at night and into the early hours of the morning as the ambient noise levels will be lower. The Licensing Authority may impose stricter conditions with regard to noise control in areas, which have denser residential accommodation, but each premise will be considered on its individual merits.

Paragraph 7.5 The Licensing Authority also recognises the principle of 24 hour opening of all licensed premises. However, it considers that longer opening hours may be more acceptable in commercial areas with high levels of public transport. The grant of a licence will in all cases be dependent on the impact of an activity in relation to the licensing objectives.

Paragraph 7.6 Where relevant representations are received, the Licensing Authority may have regard to the following where relevant (though this is a non exhaustive list);

- the nature of the area where the premises are located (e.g. commercial, residential)
- arrangements to ensure adequate availability of taxis and private hire vehicles, public transport.
- whether appropriate car parking is readily accessible to premises and whether the use/parking of vehicles would cause a demonstrable adverse impact on the amenity of residents.
- whether the licensable activities are likely to cause adverse impact especially on local residents and whether appropriate measures will be put in place to prevent any adverse impact
- in relation to the grant of a new premises licence whether the premises will give rise to a negative cumulative impact on one or more of the licensing objectives
 - In assessing the impact of the activity proposed the Licensing Authority may consider a number of factors inter alia,
 - the type and scale of activity, the number and nature of clientele likely to attend
 - the levels of noise from the premises, which may be acceptable later in the evening
 - the proposed hours of operation
 - the levels of public transport accessibility for customers and the likely means of public or private transport that will be used, access to private hire/taxis
 - the means of access to the premises e.g. whether on principal pedestrian routes
 - the level of car parking demand on surrounding residential streets and its effect on local residents, and movement of traffic
 - the cumulative impact of licensed premises in an area and scope for mitigation
 - frequency of the activity.

Operating Schedules to set out the measures to be taken to ensure that the licensing objectives are addressed. Applicants are also referred to paragraph 6.6

PROTECTION OF CHILDREN FROM HARM

Paragraph 10.1 The policy does not seek to prevent or limit the access of children to licensed premises unless it is necessary for the prevention of physical, moral or psychological harm to them. The Licensing Authority is committed to protecting children from harm and activities associated with premises that sell alcohol or provide regulated entertainment, may in certain circumstances, give rise to concerns for the health and welfare of children. For the purpose of this Policy, a 'child' is defined as any person who is under the age of 16

Paragraph 10.2 The Licensing Authority will not impose any conditions that specifically require access of children to premises and where no limitation is imposed this should remain a matter for the individual licence holder or club premises certificate holder. The Licensing Authority will consider the individual merits of each application. However, the Licensing Authority will have particular concern in respect of children:

- where there have been convictions of the current management for serving alcohol to minors or those where there is a reputation of under age drinking.
- where there is reputation of drug taking or dealing.
- where there is a strong element of gambling on the premises. (but not for example, the simple presence of a small number of cash prize gaming machines)
- where entertainment of an adult or sexual nature is provided (see paragraph 29 for additional information).
- where the supply of alcohol is the exclusive or primary purpose of the services provided at the premises.

Paragraph 10.3 The Licensing Authority, in such circumstances as outlined above, may consider it necessary to impose a complete prohibition; it is envisaged that this would be rarely imposed. The Licensing Authority would normally be likely to impose requirements such as:

- limitations on the hours when children may be present.
- age limitations for persons under 18
- limitations or exclusions when certain activities are taking place
- requirements for accompanying adults
- limitations of access to certain parts of the premises when particular licensable activities are taking place
- provision of suitable signage
- such other conditions or restrictions as may be necessary to achieve the licensing objectives.

Paragraph 10.4 Licensees are not to provide alcohol except as provided for by the Act. The Council expects applicants to consider child access in their operating schedules and volunteer appropriate conditions where relevant. The Council recommends that the following documents should be used as evidence of age:

- Passport
- Photo Card Driving licence issued in the European Union
- Proof of Age Scheme Card (i.e. Portman Group) and schemes which carry the Proof of Age Standard Scheme logo
- Citizen Card supported by the Home Office
- Official ID Card issued by HM Forces or a European Union Country bearing a photograph and date of birth of the holder.

Paragraph 10.5 The Licensing Authority requires applicants to consider, where relevant, those factors that impact on the protection of children objective, and identify where necessary and appropriate, suitable measures to promote this objective. Applicants may wish to consider, where appropriate:

- arrangements to prevent children acquiring of consuming alcohol
- arrangements to prevent children being exposed to drugs, drug taking, or drug dealing
- arrangements to prevent children being exposed to gambling, or activities of an adult or sexual nature
- steps to be taken to prevent children being exposed to violence or disorder
- arrangements for training staff in relation to the protection of children

- steps to be taken to prevent children purchasing cigarettes from vending machines and preventing access to Amusement with Prize Machines (except in accordance with the Gaming Legislation).

Paragraph 10.6 Applicants may volunteer prohibitions and restrictions on their Operating Schedules as a result of their own risk assessments determining that the presence of children is undesirable or inappropriate. Where no relevant representations are made to the Licensing Authority these volunteered prohibitions and restrictions will become conditions attached to the licence or certificate. The Licensing Authority may impose conditions where relevant representations are made if it considers it necessary and/or appropriate including those drawn from the Model Pool of Conditions shown at in Appendix 3.

Paragraph 10.7 The Licensing Authority will also expect applicants, where relevant, to consider how they intend to provide for the supervision of children as unaccompanied customers and as performers providing regulated entertainment. Licence holders should give consideration to the welfare of children as performers in such cases. As a minimum requirement the Licensing Authority will require an adult to be nominated to be responsible for such child performers.

Paragraph 10.8 Where large numbers of unaccompanied children are to be present e.g. children's show or pantomime, conditions may be imposed, where relevant representations are received, requiring the presence of an appropriate number of adult staff to ensure public safety and protection of children from harm. The Licensing Authority requires applicants to address those matters in their operating schedules. See paragraph 12.1 for further guidance.

Paragraph 10.9. The Licensing Authority recognises Lancashire County Council Social Services Department or a future body with the relevant legislative functions of a social services department as being competent to advise on matters relating to the protection of children from harm.

CHILDREN AND CINEMAS

Paragraph 11.1 Where the exhibition of films is permitted the Licensing Authority requires admission to children to be restricted in accordance with the British Board of Film Classification (BBFC) or any other body designated under section 4 of the Video Recordings Act 1984 .

Paragraph 11.2 Where it is proposed to exhibit films not classified by the BBFC, the Licensing Authority will, provided 28 days notice has been given, classify the films concerned using the guidelines published by the BBFC.

CHILDREN AND PUBLIC ENTERTAINMENT

Paragraph 12.1 Where there is entertainment specifically provided for children (e.g. children's disco) the Licensing Authority would recommend as a minimum:

- an adult member of staff to be stationed in the vicinity of each of the exits, a minimum of one member of staff per 50 children or part thereof
- no standing to be permitted in any part of an auditorium during the performance
- no child unless accompanied by an adult to be permitted in the front row of any balcony.

Paragraph 12.2 Where relevant representations are made, the Licensing Authority may, if it considers it necessary and/or appropriate attach conditions to licences and permissions to prevent harm to children, these may include those drawn from the Model Pool of Conditions at Appendix 3 relating to the Protection of Children from Harm.

PREVENTION OF PUBLIC NUISANCE

Paragraph 13.1 Licensed Premises have significant potential to adversely impact on communities through public nuisances arising from their operation.

Paragraph 13.2 The Licensing Authority is aware of the importance of the licensed trade to the local economy as well as in cultural and social terms. The Licensing Authority is also concerned to protect the amenity of residents and businesses in the vicinity of licensed premises. 'Vicinity' is not defined in the Act or Guidance issued by the Secretary of State. Whether or not incidents can be regarded, as 'in the vicinity' of licensed premises is a question of fact and will depend on the particular circumstances of the case.

Paragraph 13.3 The Licensing Authority will interpret 'public nuisance' in its widest sense and include such matters as noise emanating from the premises, light, litter, odour and anti social behaviour where these matters impact on those living or working in an area.

Paragraph 13.4 Activities that involve public entertainment, drinking or eating, have the potential to impact adversely on their surrounding areas due to noise, litter, and odours. There is also the potential for disturbance caused by those attending licensable activities. Late at night the impact of licensed activities is likely to be more objectionable to residents living close to a licensed activity, as the ambient noise levels are often lower so noise disturbance becomes more noticeable.

Paragraph 13.5 The policy allows for later opening hours except where there will be an adverse impact on the licensing objectives. In general the Licensing Authority will expect more comprehensive measures to be proposed at late night venues and/or where there has been a history of public nuisance.

Paragraph 13.6 On receipt of relevant representations, the Licensing Authority will assess the likelihood of it causing an adverse impact, by generally considering the following factors where relevant:

- the location of the premises (in particular proximity to residential and other noise sensitive premises, e.g. hospitals, nursing homes, hospices and places of worship)
- the type of activities, the number and nature of clientele likely to attend at the time of the application
- the proposed hours of operation
- levels of public transport accessibility for customers either arriving or leaving the premises (including taxis and private hire)
- means of access to premises (whether on principal pedestrian routes)
- the level of car parking demand on any surrounding residential streets and its effect on local residents
- the cumulative impact on licensed premises in an area
- the scope for mitigating an impact i.e. CCTV, door supervisors
- the frequency of an activity
- the design and layout of the premises
- measures taken or proposed to be taken to prevent noise or vibration escaping from the premises e.g. sound proofing, air conditioning and sound limitation devices
- measures taken to prevent unreasonable disturbance by customers/staff arriving and leaving the premises, goods deliveries etc
- measures taken to lessen the impact of parking in the vicinity
- control of operating hours for all or parts of the premises (e.g. gardens, last admission times and 'wind down' periods)
- measures to be taken to prevent drunkenness on the premises
- measures to ensure collection and disposal of litter and waste outside their premises

Paragraph 13.7 The Licensing Authority when considering an application will take into account previous substantiated nuisance complaints particularly when a statutory notice has been served. Applicants may wish to have regard to the Good Practice Guide on the Control of Noise from Pubs & Clubs produced by the Institute of Acoustics and the British Beer and Pub Association.

Paragraph 13.8 On receipt of relevant representations, the Licensing Authority, where it considers it necessary and/or appropriate may attach conditions to a licence to prevent public nuisance including those drawn from the Model Pool of Conditions - see Appendix 3. In particular, it may attach a condition requiring the use of door supervisors licensed by the Security Industry Authority

Paragraph 13.9 The Licensing Authority requires Operating Schedules, where relevant to satisfactorily address the issue of public nuisance.

Paragraph 13.10 The Licensing Authority would also recommend applicants highlight local public transport links and taxi and private hire services within their premises, (including agreeing arrangements with nominated taxi and private hire firms for dropping off and collecting customers).

Paragraph 13.11 The Licensing Authority, will in accordance with the Guidance, focus on matters within the control of the individual Licence holder. The Licensing Authority accepts that the difficulty that a licence holder has in preventing anti-social behaviour by individuals once they are behind the direct control of the Licence Holder. However, the licensing objection of preventing public nuisance will not be achieved if customers from premises regularly conduct themselves in an anti-social manner to the detriment of local residents or businesses. In addition, the Council has a duty to do all it can to prevent crime and disorder in the Borough under the Crime & Disorder Act 1998.

PUBLIC SAFETY

Paragraph 14.1 The Licensing Authority considers that members of the public when visiting licensed premises, have a right to expect that due consideration has been given to public safety. The Licensing Authority notes that the public safety objective is concerned with the physical safety of people using premises and not with public health which is dealt with in other legislation.

Paragraph 14.2 The Licensing Authority is committed to ensuring public safety across the Borough by working in partnership with Lancashire Police, Lancashire Fire & Rescue and Licence Holders.

Paragraph 14.3 Applicants should carefully consider the safety of the premises having regard to the licensable activities that are proposed and to address in the operating schedule, where relevant, how public safety will be achieved. Such measures may include, where relevant to the premises:

- the occupancy capacity of the premises
- age, design and layout of the premises including means of escape
- nature of the licensable activities to be provided, in particular the sale and supply of alcohol
- hours of operation
- customer profile (e.g. age)
- use of special effects e.g. lasers, pyrotechnics, smoke/foam machines.

Paragraph 14.4 The Act requires a plan of the premises to be supplied with operating schedules showing prescribed information.

The Licensing Authority will take notice of a health and safety risk assessment submitted with an operating schedule.

Paragraph 14.5 All licensed premises will be risk related according to a Protocol agreed with Lancashire Fire and Rescue. Inspections will be carried out by Lancashire Fire & Rescue in accordance with the Protocol. A copy is attached at Appendix 6.

Paragraph 14.6 The Licensing Authority may inspect premises where it considers it appropriate on public safety grounds.

Paragraph 14.7 On receipt of relevant representations the Licensing Authority may, where it considers it necessary and/or appropriate, impose conditions to secure the public safety objective including those drawn from the Model Pool of Conditions attached at Appendix 3. Any conditions imposed will relate to the particular circumstances of the individual premises and will not duplicate other requirements of the law.

17. Human Rights Act Implications

The Human Rights Act 1998 makes it unlawful for a local authority to act in a way that is incompatible with the European Convention on Human Rights. The Council will have particular regard to the following convention Rights;

- Article 6 that in the determination of civil rights and obligations everyone is entitled to a fair public hearing within a reasonable time by an independent and impartial tribunal established by law;
- Article 8 that everyone has the right to respect for his home and family life;
- Article 1 of the First Protocol that every person is entitled to the peaceful enjoyment of his/her possessions including for example, possession of a licence.

ASSOCIATED PAPERS

18. Application form and relevant representation.

DONNA HALL
CHIEF EXECUTIVE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
H.Bee	5665	8 May 2006	LEGREP/MITRE

This page is intentionally left blank

File Note

10 April 2006

██████████ telephoned to say that the advert in the local press about The Mitre contained Bolton's Licensing Office. She was concerned because over the weekend 16 letters had been sent to Bolton Council in one envelope and two separate letters one from her and one from Mrs Ashworth. She was also concerned that the closing date was very close.

I explained that I would contact Bolton Licensing Office and ask if they could forward any objections to us which they agreed to do.

I also said I would speak to the Solicitor and get him to place an amended notice and that the date would also be extended due to the application only being complete last week.

The Solicitor agreed to amend the address and the date in the notice and place it again. He did say that he had asked the newspaper to amend the licence previously and it would appear that they hadn't done so.

I rang ██████████ back and explained everything to her. She said could I let Howard know that she is on holiday from 27 May for 2 weeks until 10 June.

She may also ring again after the closing date as she has concerns about which Councillors may sit on Committee. She alleged that Councillor McGowan is a regular in the Mitre.

Janet Brereton

Received 11/4/06 interested parties 21/4

Lancashire Constabulary

Licensing Unit, Police Station, St Thomas's Road, Chorley, PR7 1DR

Tel: 01257 246215

Fax: 01257 246217

e-mail: southern-licensing@lancashire.pnn.police.uk

Licensing Officer
Chorley Borough Council
Town Hall
Market Street
Chorley
PR7 1DP



**Lancashire
Constabulary**

police and communities together

3rd April 2006

Dear Sir

RE: PREMISES LICENCE REPLY:- LICENSING ACT 2003 - REF Variation.

Premises Mitre, Weldbank Lane, Chorley

There are the following police representations to be made in respect of this application:-

The police are concerned that the lifting of the condition will allow customers to drink outside the premises and therefore cause noise, disturbance and intimidation to local residents and passers by. The area is not sufficiently large enough to allow consumption outside and certainly in the summer months this would cause problems for local residents.

The condition was imposed to prevent noise and disturbance to residents and as far as the police are aware nothing has changed in this regard.

The need for people to smoke can be addressed by the smoking at the rear of the premises.

It is therefore felt that if this condition is lifted it would undermine the crime prevention and public nuisance objectives

Yours faithfully

Police Sergeant 1506

(Licensing)

Environmental Services

Please ask for: Mrs S Briggs
 Direct Dial: (01257) 515725
 E-mail address: sue.briggs@chorley.gov.uk
 Our Ref: ESU/SB/156446/LiceAct
 Your Ref: ADW.4423847
 Doc ID: EHFQ1000
 Date: 24 March 2006

Civic Offices
 Union Street
 Chorley
 Lancashire
 PR7 1AL

Head of Environmental Services:
 John Lechmere MCIEH

Mr Whittaker
 Russell and Russell Solicitors
 Churchill House
 Wood Street
 Bolton
 BL1 1EE



Dear Mr Whittaker

Licensing Act 2003
The Mitre, 73 Weidbank Lane, Chorley, PR7 3NN

I refer to your application to vary the existing conditions of the premises licence at The Mitre and allow the consumption of alcohol at the outside of the front of the premises up to 22.00 hours.

I regret I cannot support this variation. The public house is located in a residential area and the presence of people outside the premises up to 22.00 hours will, I believe, inevitably result in disturbance to residents of nearby properties.

Yours Sincerely

S Briggs

Environmental Health Officer

Cc: Mr Howard Bee
Licensing Manager Chorley Borough Council

Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behavior as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.

Yours Faithfully

Dear Sir or Madam

I am writing in response to the recent application made by D. Miller of the Mitre Public House on Weldbank Lane. The application was concerned with the removal of the condition on the premise that 'the front area of the premises shall not be used for the consumption of alcohol at all times'.

I am anxious that the lifting of this restriction may mean an increase in noise in the area, which I feel would cause a disturbance to the immediate surrounding neighbourhood. It is also a concern of mine that there may be a rise in the use of obscene language used, and as I have my young granddaughter living at my house, I am concerned that she may here this.

I do not believe it inappropriate to ask people visiting the public house to use the Beer Garden - which is provided at the back of this premise – for the use of socializing outdoors.

Yours sincerely

Dear Sir or Madam,

I am writing in response to the notice of application to Vary a Premises Licence by D. Miller Trading Ltd in respect of The Mitre Public House, 73 Weldbank Lane, Chorley, dated 21st March 2006. The applicant seeks to remove the condition on the Premises Licence that 'The front area of the premises shall not be used for the consumption of alcohol at all times.'

I wish to express my objection to this application for the following reasons:

- * Should customers wish to use outdoor areas to smoke and consume alcohol, a large beer garden is situated at the back of the premises providing ample space.
- * My front door is adjacent to the proposed new drinking area, my privacy would be greatly affected when entering and leaving my home.
- * The proposed drinking area is also directly underneath my bedroom window. I am already aware of the noise created by the drinking at the back of The Mitre; I am concerned that this new proposal will lead to further disruption at the front.
- * The Mitre is situated on a direct route to Holy Cross R.C. High School, St. Gregory's R.C Primary School and St. Gregory's Church. When customers have previously consumed alcohol in this area, the language used on a regular basis has been inappropriate and it distresses me when my grandchildren hear it.
- * There is a bus stop immediately outside The Mitre which is also used by the school children. By combining railings with the bus stop and bin that already exists in this area, all pedestrians, especially those using prams and wheelchairs would find their space restricted.
- * The applicant states that Supervisors will collect litter when needed, however, if this litter is thrown into my front garden through the decorative railings, as I already experience, how will this be dealt with?

Since the original restriction has been enforced, I have seen on occasions, males drinking from pint glasses in this proposed area in order to use mobile phones. The Applicant has therefore already disregarded the restriction. As a result of this, I am concerned that the adequate supervision stated in the additional steps of the application will not be implemented.

The Mitre Public House is situated in a residential area and this new proposal will inevitably result in disturbance and lack of privacy to nearby residents. I therefore submit my objection.

Yours Faithfully

CIN

COUNCIL

Re – The Mitre Public House, 73 Weldbank Lane, Chorley.

Application for the removal of restriction on customers using the frontage of the above establishment for the consumption of alcohol.

Dear Sir/Madam,

I am writing to register my objection to the above for the following reasons:-

- That it will revert back to the noisy and rowdy situation prevailing prior to the restriction.
- That residents and passers by will, again, be subjected to obscene and foul language, in particular children using this route to and from St Gregory's primary school and Holy Cross High School and also parishioners attending St Gregory's church.
- That on warm days we have to keep our windows closed because of the noise.
- That customers will park their cars with the doors wide open and radios turned up full volume whilst they sit at the tables.
- A loss of privacy from people sitting outside the pub and looking into our property.

I have observed on two occasions recently customers drinking on the front even whilst this restriction is in force.

Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behavior as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.

Yours Faithfully

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behavior as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.

Yours Faithfully



Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behavior as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.

Yours Faithfully



Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behaviour as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.

Yours Faithfully

Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behaviour as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.

Yours Faithfully

Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behavior as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.

Yours Faithfully

Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behavior as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.

Yours Faithfully

13 APR 2006

Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behaviour as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.

Yours Faithfully

13 APR 2006

Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behaviour as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.

Yours Faithfully

Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behavior as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.

Yours Faithfully

10 April 2006

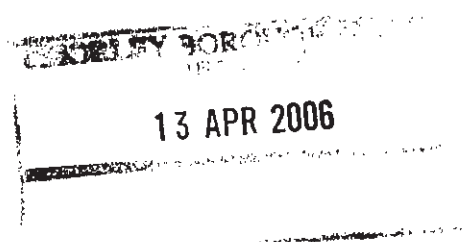
Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behavior as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.



Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behaviour as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.



Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behaviour as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.

Yours Faithfully

13 APR 2006

Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behaviour as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.

Yours Faithfully

13 APR 2006

Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behaviour as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.

Yours Faithfully

13 APR 2006

Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behaviour as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.

Yours Faithfully

13 APR 2006

Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behaviour as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.

Yours Faithfully

13 APR 2006

Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behaviour as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.

Yours Faithfully

13 APR 2006

Dear Sir or Madam,

I am writing to oppose the application made by D. Miller in respect of the Mitre Public House on Weldbank Lane. The applicant wishes to remove the condition on the premises that 'The front area of the premises shall not be used for the consumption of alcohol at all times' dated 21st March 2006.

As a resident of Weldbank Lane I feel that lifting this restriction would create noise disturbance which would affect both myself and others. Problems have been experienced previously when this area has been utilised and I feel that the beer garden at the rear of the premises provides ample space for customers.

I am also concerned that the area would create an increase in litter and also foul language. Both of these problems are difficult to monitor and supervise as bar staff will inevitably spend most of their time inside the premises. As residents we would therefore be left to endure such behaviour as in previous years.

The Mitre is situated in the middle of a quiet residential area and as such I feel this application is inappropriate. It will greatly impinge on the surrounding area.

Yours Faithfully

13 APR 2006

Legal Services

Please ask for: Howard Bee
Direct Dial: (01257) 515665
E-mail address: howard.bee@chorley.gov.uk
Date: 27th March 2006

Director of Legal Services:
Rosemary A Lyon

Russell and Russell Solicitors
Churchill House
Wood Street
Bolton

Civic Offices
Union Street
Chorley
Lancashire
PR7 1AL

DX: 18411 Chorley

The Mitre Tavern 73 Weldbank Lane Chorley
Application for a variation of an existing premises licence

Thank you for your recent application on behalf of the Mitre Tavern to vary a premises Licence. Unfortunately the fee submitted of £23.00 (enclosed) is incorrect, could you please forward the correct fee which is £190.00. Once the fee is received the 28-consultancy period will start.

If you require further assistance or clarification please call 01257 515665.

Yours faithfully

Howard Bee
Licensing Manager

LICENSING ACT 2003
Section 35(3)



**Notice of hearing of representations in respect of
an application to vary the premises licence**

To The Applicant

(~~person who made~~ relevant representations)

The Chorley Borough Council being the licensing authority, on the 6th April 2006 received an application to vary the Premises Licence from Russell and Russell solicitors on behalf of the premise licence holder D Miller trading Limited, In respect of premise known as the Mitre Tavern 73 Weldbank Lane Chorley.

The Council received representations from the Police, Environmental Services and 23 interested parties on the likely effect of the Grant to Vary the Premises Licence on the promotion of the Licensing Objectives.

The Council now GIVES YOU NOTICE that representations will be considered at a hearing to be held at Chorley Borough Council Town Hall

On 25th May at 10am 2006 following which the Council will issue a Notice of Determination of the Application.

[The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) of the Act.]

The particular points on which the Council considers that it will want clarification at the hearing from the applicant are as follows:

Licensing objectives:- The prevention of crime and disorder
The prevention of public nuisance
The protection of children from harm

For the applicant to describe any additional steps that he/she intends to make in promoting the above licensing objective(s)

For the objector to describe the likely effect of the grant of the variation of the premises licence on promoting the above licensing objective(s)

You should complete the enclosed form and return it to:

Mr. H. Bee, The Licensing Manager, Licensing Department, Civic Buildings, Union Street, Chorley, Lancs. PR7 1AL.

within five (5) working days before the day or the first day on which the hearing is to be held.

Date _____ Signed _____

Designation _____
the officer appointed for this purpose

LICENSING ACT 2003
Section 35(3)



**Notice of hearing of representations in respect of
an application to vary the premises licence**

To 'Objector'

(person who made relevant representations)

The Chorley Borough Council being the licensing authority, on the 6th April 2006 received an application to vary the Premises Licence from Russell and Russell solicitors on behalf of the premise licence holder D Miller trading Limited, In respect of premise known as the Mitre Tavern 73 Weldbank Lane Chorley.

The Council received representations from the Police, Environmental Services and 23 interested parties on the likely effect of the Grant to Vary the Premises Licence on the promotion of the Licensing Objectives.

The Council now GIVES YOU NOTICE that representations will be considered at a hearing to be held at Chorley Borough Council Town Hall

On 25th May at 10am 2006 following which the Council will issue a Notice of Determination of the Application.

[The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) of the Act.]

The particular points on which the Council considers that it will want clarification at the hearing from the applicant are as follows:

Licensing objectives:- The prevention of crime and disorder
The prevention of public nuisance
The protection of children from harm

For the applicant to describe any additional steps that he/she intends to make in promoting the above licensing objective(s)

For the objector to describe the likely effect of the grant of the variation of the premises licence on promoting the above licensing objective(s)

You should complete the enclosed form and return it to:

Mr. H. Bee, The Licensing Manager, Licensing Department, Civic Buildings, Union Street, Chorley, Lancs. PR7 1AL.

within five (5) working days before the day or the first day on which the hearing is to be held.

Date 5/5/06

Signed

H. Bee

Designation

LICENSING MANAGER.

the officer appointed for this purpose

Notes:**Right of attendance assistance and representation**

- 15 Subject to regulations 14(2) and 25, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

Representations and supporting information

- 16 At the hearing a party shall be entitled to-
- (a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representations or notice (as applicable),
 - (b) if given permission by the authority, question any other party; and
 - (c) address the authority.

Failure of parties to attend the hearing

- 20 -
- (1) If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
 - (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may -
 - (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
 - (b) hold the hearing in the party's absence
 - (3) Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
 - (4) Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

Procedure at hearing

- 21 Subject to the provisions of the Regulations, the authority shall determine the procedure to be followed at the hearing.
- 22 At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.
- 23 A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.
- 24 The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for a regulation 16.
- 25 The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may —
- (a) refuse to permit that person to return, or
 - (c) permit him to return only on such conditions as the authority may specify,
- but such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

Chief Executive's Office

Please ask for: Janet Brereton
Direct Dial: (01257) 515164
E-mail address: janet.brereton@chorley.gov.uk
Your Ref: ADW.423647.EH
Our Ref:
Doc ID:
Date: 10th April 2006

Civic Offices
Union Street
Chorley
Lancashire
PR7 1AL

Chief Executive:
Donna Hall

Mr. Whittaker
Russell & Russell Solicitors
Churchill House
Wood Street
Bolton
BL1 1EE

Dear Mr. Whittaker,

VARIATION APPLICATION FOR THE MITRE, 73 WELDBANK LANE, CHORLEY

Thank you for your letter dated 4th April, as referenced above. Within this you enclosed the correct fee for the variation of the premises licence for The Mitre, 73 Weldbank Lane. As this application is now considered complete, we are able to set the time frame for this application. We received the fee on 6th April and therefore the 28day objection period began on 7th April 2006 and will end at close of business on 4th May 2006. Please ensure that your client continues to display notices outside their premises for the duration of this period.

If you have queries please don't hesitate to call.

Yours sincerely

Janet Brereton
Licensing Officer

Chief Executive's Office

Please ask for: Elizabeth Riley
Direct Dial: (01257) 515164
E-mail address: elizabeth.riley@chorley.gov.uk
Your Ref:
Our Ref:
Doc ID:
Date: 18th April 2006

Civic Offices
Union Street
Chorley
Lancashire
PR7 1AL

Chief Executive:
Donna Hall

Mr. Whittaker
Russell & Russell Solicitors
Churchill House
Wood Street
Bolton
BL1 1EE

Dear Mr. Whittaker,

Variation Application for The Mitre, 73 Weidbank Lane, Chorley

At present we have received 19 representation letters for the above premises. I have enclosed these for your information.

Please note the 28day objection period ends on 4th May and letters of representation will be accepted until close of business on this date.

Once the objection period has ended a report will be produced containing all objection letters received and a copy of this will be sent to both yourselves and your client in plenty of time for the hearing.

If you have any queries please don't hesitate to call.

Yours sincerely,

Elizabeth Riley
Licensing Section



Russell & Russell Established 1887
S O L I C I T O R S

Our Ref : **ADW.423647.EH**
Your Ref :
Please Ask For : **Mr Whittaker**
Date : **4th April 2006**

Churchill House
Wood Street
Bolton BL1 1EE

Tel: 01204 399299
Fax: 01204 389223
DX: 24146 Bolton 1

Dear Sirs

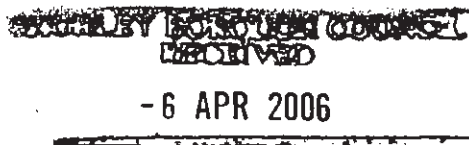
Re: **The Mitre, 73 Weldbank Lane, Chorley**

We write further to your recent correspondence of the 27th March 2006 and note its content.

Please find enclosed the correct fee payable in the sum of £190.00 in relation to the application to vary the Premises Licence.

Yours faithfully,

RUSSELL AND RUSSELL



FAO: Mr Howard Bee
Licensing Department
Chorley Borough Council
Civic Offices
Union Street
Chorley
Lancashire
PR7 1AL

Partners:
Geoffrey D Matthews,
Alan P Walsh, LL.B., HM Deputy Coroner,
Stephen G Crompton, LL.B., John B Kirk,
Neil Seddon, B.A., J Derrick Smethurst, B.A.,
Nicholas S Ross, LL.B., T Peter Leather, LL.B.,
Judith Bromley, B.A., Vincent M Pearl, B.A.,
*Amanda L Connor, LL.B., Jane A Penman, B.A.,
*A Kate Rayner, B.A., Adam D Whittaker, B.Sc.

Members of:
*Resolution • Childrens Panel • Family Law Panel
Community Legal Service • Personal Injury Panel
Criminal Defence Service • Duty Solicitor Schemes
Regulated by the Law Society

Howard Bee

To: Peter Willacy
Subject: RE: The Mitre Weldbank Lane Chorley

Hi Peter, Thanks i will place in the file, Howard

-----Original Message-----

From: Peter Willacy
Sent: 05 April 2006 09:56
To: Howard Bee
Subject: The Mitre Weldbank Lane Chorley

Howard, Thanks for the details. As they are proposing to use part of the existing premises then planning permission wouldn't be required. Peter



Russell & Russell Established 1887
S O L I C I T O R S

Our Ref : **ADW.EH**
Your Ref :
Please Ask For : **Mr Whittaker**
Date : **3rd May 2006**

Churchill House
Wood Street
Bolton BL1 1EE

Tel: 01204 399299
Fax: 01204 389223
DX: 24146 Bolton 1

Dear Sirs

Re: **The Mitre Public House, 73 Weldbank Lane, Chorley**
Application by D Miller Trading to Vary Premises Licence

Please find enclosed a copy of a petition and letters in support of our above named client's application to vary the existing terms of the Premises Licence under The Licensing Act 2003.

We would be grateful if you would place them with your file of papers in anticipation of the forthcoming hearing.

Yours faithfully,

RUSSELL AND RUSSELL

- 4 MAY 2006

1ST CLASS
Licensing Unit
Chorley Borough Council
Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

Partners:
Geoffrey D Matthews,
Alan P Walsh, LL.B., HM Deputy Coroner,
Stephen C Crompton, LL.B., John B Kirk,
Neil Seddon, B.A., J Derrick Smethurst, B.A.,
Nicholas S Ross, LL.B., T Peter Leather, LL.B.,
Judith Bromley, B.A., Vincent M Pearl, B.A.,
*Amanda L Connor, LL.B., Jane A Penman, B.A.,
*A Kate Rayner, B.A., Adam D Whittaker, B.Sc.

Members of:
*Resolution • Childrens Panel • Family Law Panel
Community Legal Service • Personal Injury Panel
Criminal Defence Service • Duty Solicitor Schemes
Regulated by the Law Society

PETITION

'In support of our application to remove the current condition prohibiting the consumption of alcohol in front of The Mitre Public House at reasonable hours.'

A
W
C

10

[REDACTED]	[REDACTED]
------------	------------

[REDACTED]		[REDACTED]
1/1/00 50		10/20/03 07:00 PM

Dear Sir.

I am writing to you with regard to the prohibiting of people drinking outside the Mitre Public House on Weldbank Lane in Chorley.

I find it difficult to understand any objections to this.

I enjoy any opportunity (few as they are) to sit out in the sunshine in England and enjoy a drink.

If I have taken my dog for a walk and fancy a drink on the way home I used to be able to stop at the Mitre, sit outside (the dog is not allowed in) and have a pint.

If we are out with my daughter (6 yrs old) we could have a drink and sit out.

Could you imagine if this rule was applied in France or Spain? If we said to them NO DRINKING OUTSIDE IN THE SUNSHINE they would laugh and laugh and laugh. Are we part of the European Union or not?

Come on England come on Chorley sort this nonsense out. Give us our seats back. We probably only get 20 days sun a year. (If we are lucky)

Reference complaints from residents

I don't know for sure how many years the Mitre public house has been on Weldbank Lane (I assume that it is longer than any resident has ever lived there) So, if you buy a house near the Mitre you should be aware you are buying a property near to a pub and that people go there to have a drink. That's what public Houses are for.

Rgds.



To whom it may concern,

With regard to the dictate that due to complaints, the tables outside the Mitre public house on Weldbank Lane, Chorley should be removed.

Although not a local, I use the Mitre on a regular basis, generally at weekend though on occasion's during the week.

I have not as yet witnessed anything with regard to unruly behaviour either inside or outside the establishment with one exception when a group of youths outside began jumping on the tables and shouting. On that occasion the staff on duty went out and sent them away and this incident was in the afternoon.

Having spoken to a few of the locals who use the Mitre, they are unaware of any complaints having been made in the area. Perhaps it would be prudent to check the sources of the complaints, to ascertain if they are correct and not just mischief being made by an individual before enforcing a rule that would disturb those who may wish to sit out as the weather improves.

Further I do not see how an ongoing problem, (which this must have been), can have existed when
(1) The weather during the last few months has precluded anyone from wishing to sit outside and
(2) The landlord has received no complaints himself from local residents, giving him an opportunity to respond

It would be appreciated if you could inform myself and others of your investigations to substantiate these complaints.

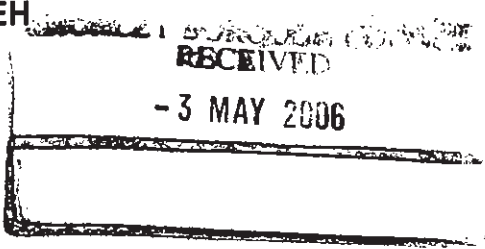
Regards,





Russell & Russell Established 1887
S O L I C I T O R S

Our Ref : **ADW.423647.EH**
 Your Ref :
 Please Ask For : **Mr Whittaker**
 Date : **2nd May 2006**



Churchill House
 Wood Street
 Bolton BL1 1EE

Tel: 01204 399299
 Fax: 01204 389223
 DX: 24146 Bolton 1

Dear Sirs

Re: **The Mitre Public House, Weldbank Lane, Chorley**

We write in relation to our recent application to vary the Premises Licence in relation to The Mitre Public House on Weldbank Lane in Chorley.

Please find enclosed architects drawings of the proposed beer garden drawn at scale 1:100 in support of our client's application.

We would be grateful if you would place copies of the drawings together with your file of papers in advance of the hearing.

Yours faithfully,

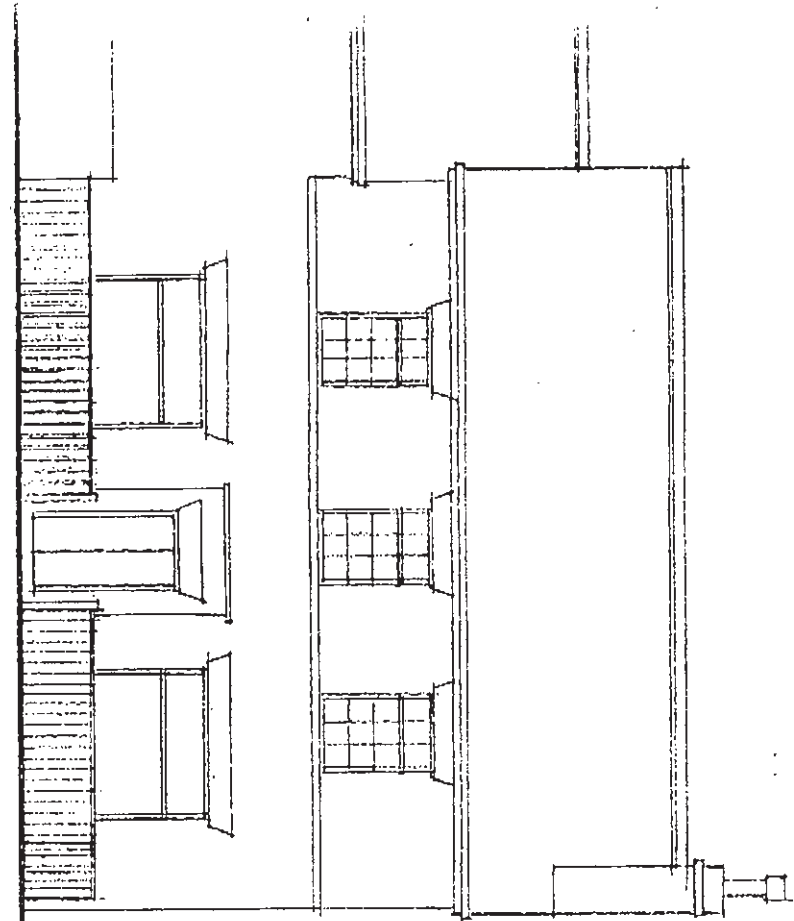
RUSSELL AND RUSSELL

1ST CLASS
 Licensing Department
 Chorley Borough Council
 Civic Offices
 Union Street
 Chorley
 Lancashire
 PR7 1AL

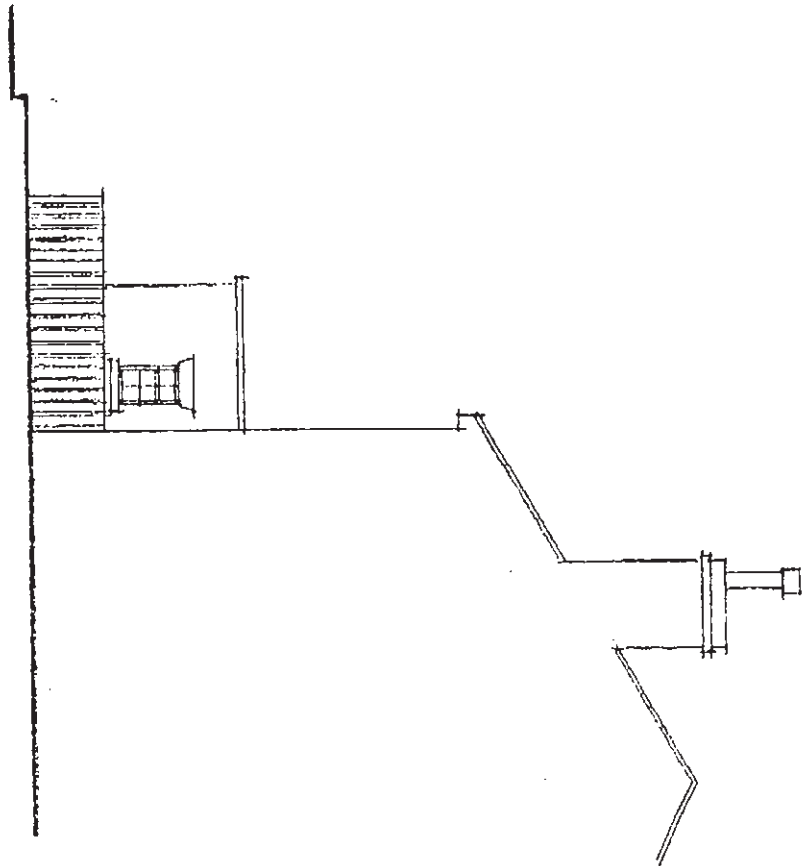
Partners:
 Geoffrey D Matthews,
 Alan P Walsh, LL.B., HM Deputy Coroner,
 Stephen G Crompton, LL.B., John B Kirk,
 Neil Seddon, B.A., J Derrick Smethurst, B.A.,
 Nicholas S Ross, LL.B., T Peter Leather, LL.B.,
 Judith Bromley, B.A., Vincent M Pearl, B.A.,
 *Amanda L Connor, LL.B., Jane A Penman, B.A.,
 *A Kate Rayner, B.A., Adam D Whittaker, B.Sc.

Members of:
 *Resolution • Childrens Panel • Family Law Panel
 Community Legal Service • Personal Injury Panel
 Criminal Defence Service • Duty Solicitor Schemes
 Regulated by the Law Society

Proposed Front Elevation.

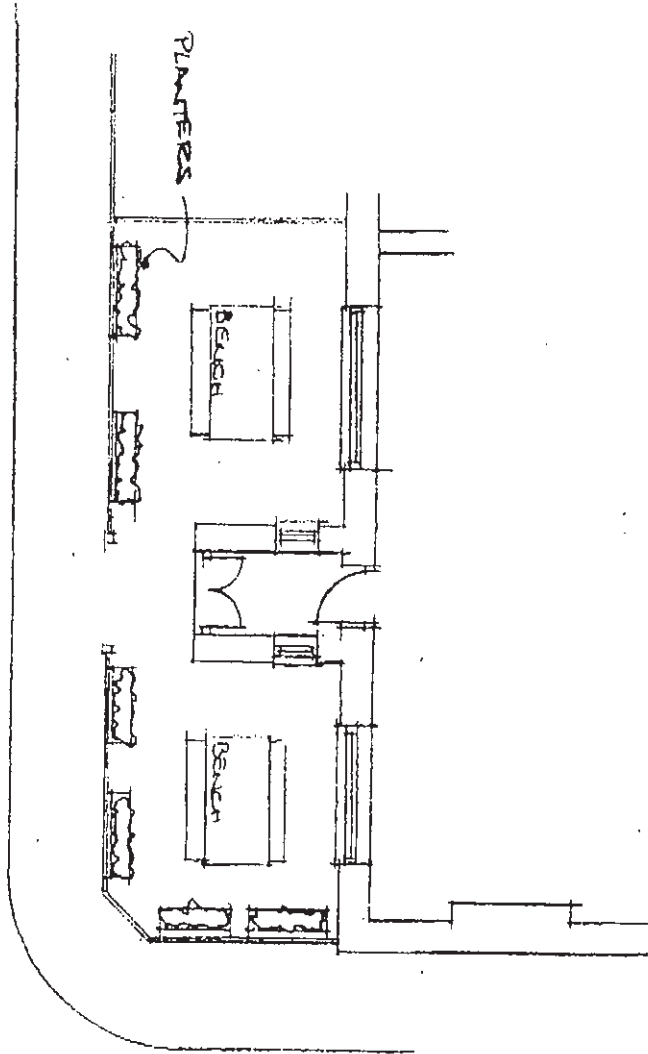


Proposed Side Elevation.

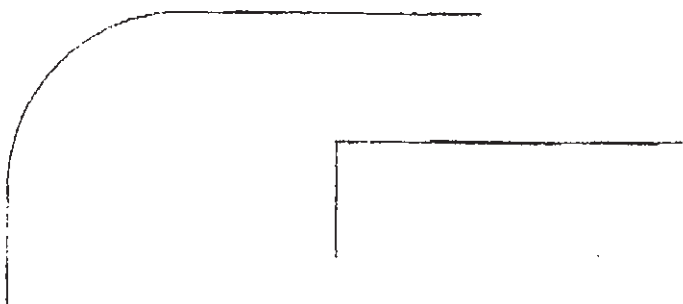


Proposed Beer Garden
The Mitre Pub, Chobley
Scale 1:100

WELDBANK LANE

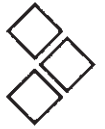


WELDBANK STREET



PROPOSED BEER GARDEN
THE MITRE PUB, CROSEY

SCALE 1:100



Russell & Russell Established 1887
S O L I C I T O R S

Our Ref : **ADW.423647.EH**
 Your Ref :
 Please Ask For : **Mr Whittaker**
 Date : **5th May 2006**

Churchill House
 Wood Street
 Bolton BL1 1EE

Tel: 01204 399299
 Fax: 01204 389223
 DX: 24146 Bolton 1

Dear Sirs

Re: The Mitre Public House, Weldbank Lane, Chorley

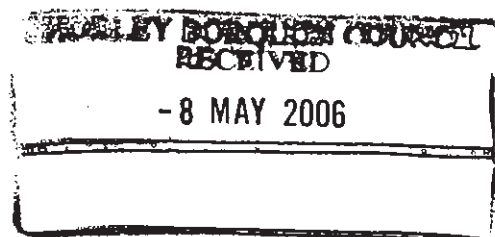
We write in relation to our recent application to vary the Premises Licence in relation to The Mitre Public House on Weldbank Lane in Chorley.

Please find enclosed copies of external photographs taken of The Mitre Public House to be used in support of our application.

We would be grateful if you would place copies of the pictures together with your file of papers in advance of the hearing.

Yours faithfully,

RUSSELL AND RUSSELL

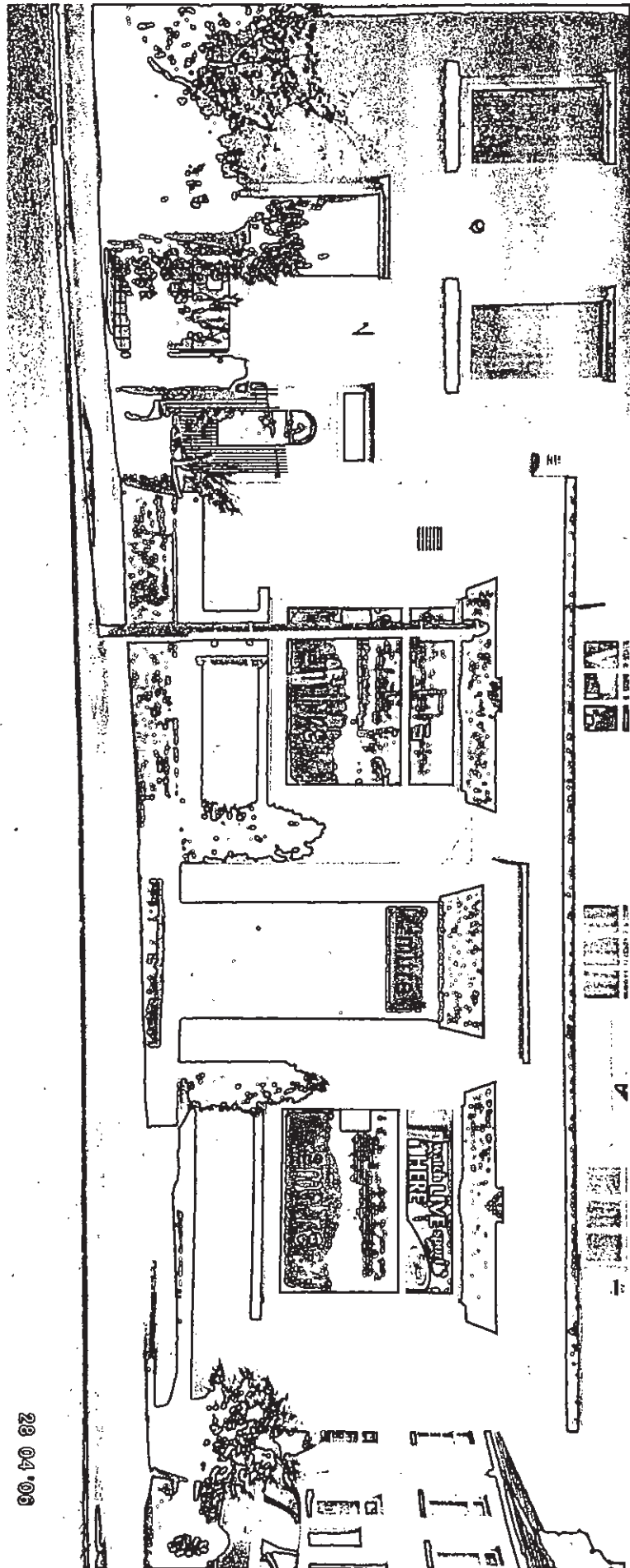
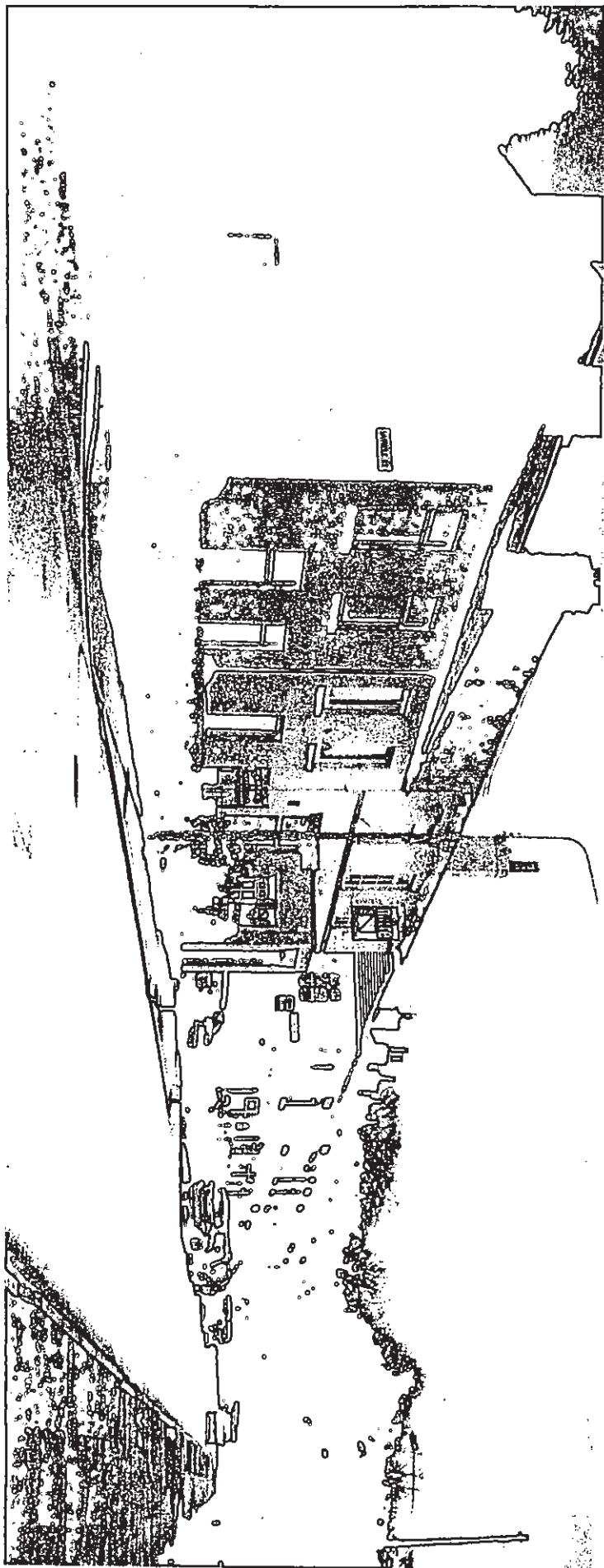


1ST CLASS

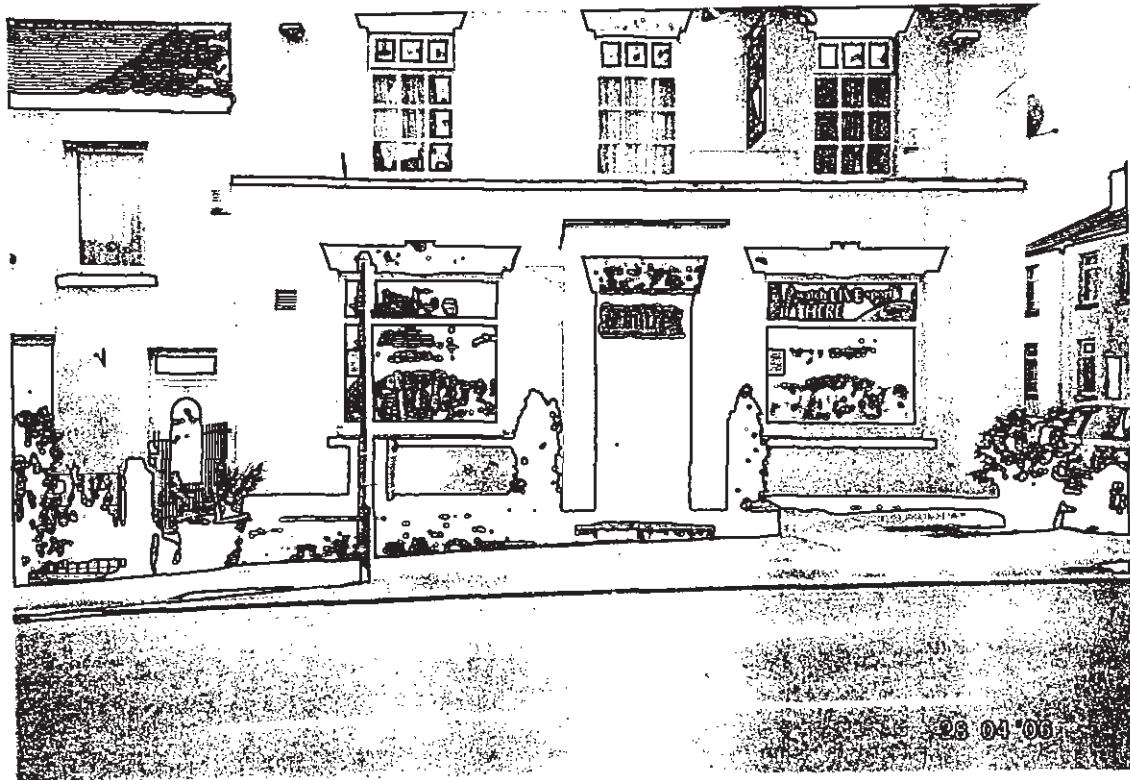
Licensing Department
 Chorley Borough Council
 Civic Offices
 Union Street
 Chorley
 Lancashire
 PR7 1AL

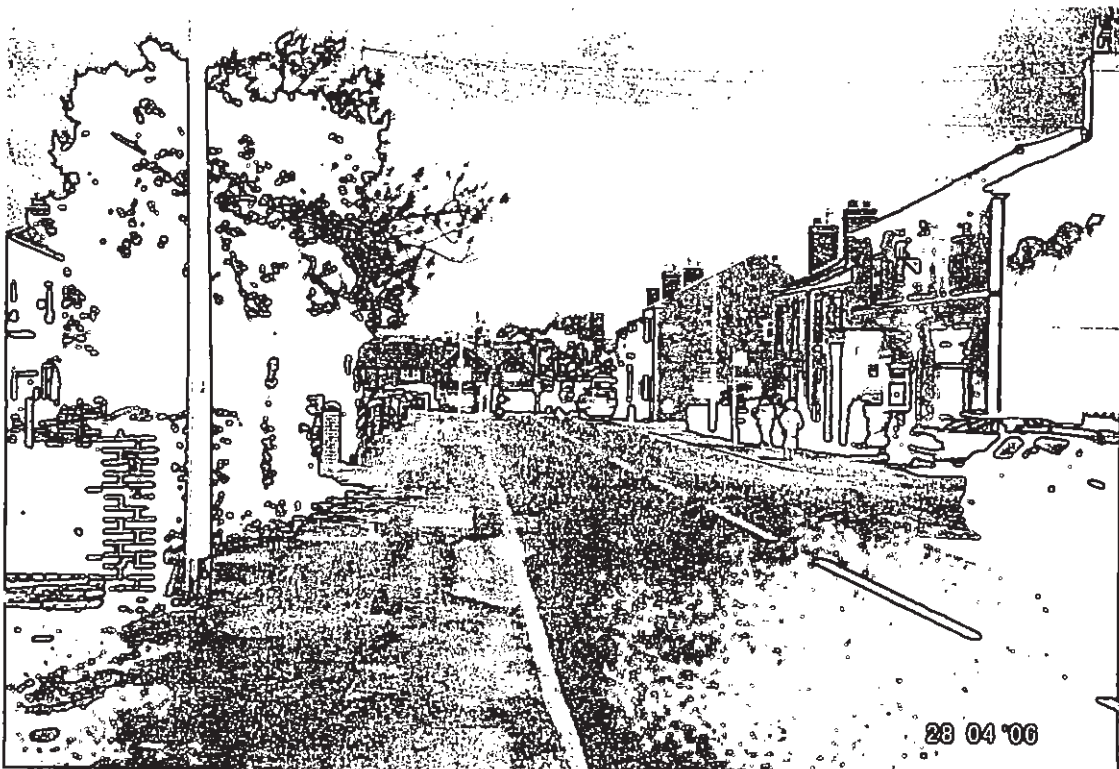
Partners:
 Geoffrey D Matthews,
 Alan P Walsh, LL.B., HM Deputy Coroner,
 Stephen G Crompton, LL.B., John B Kirk,
 Neil Seddon, B.A., J Derrick Smethurst, B.A.,
 Nicholas S Ross, LL.B., T Peter Leather, LL.B.,
 Judith Bromley, B.A., Vincent M Pearl, B.A.,
 *Amanda L Connor, LL.B., Jane A Penman, B.A.,
 *A Kate Rayner, B.A., Adam D Whittaker, B.Sc.

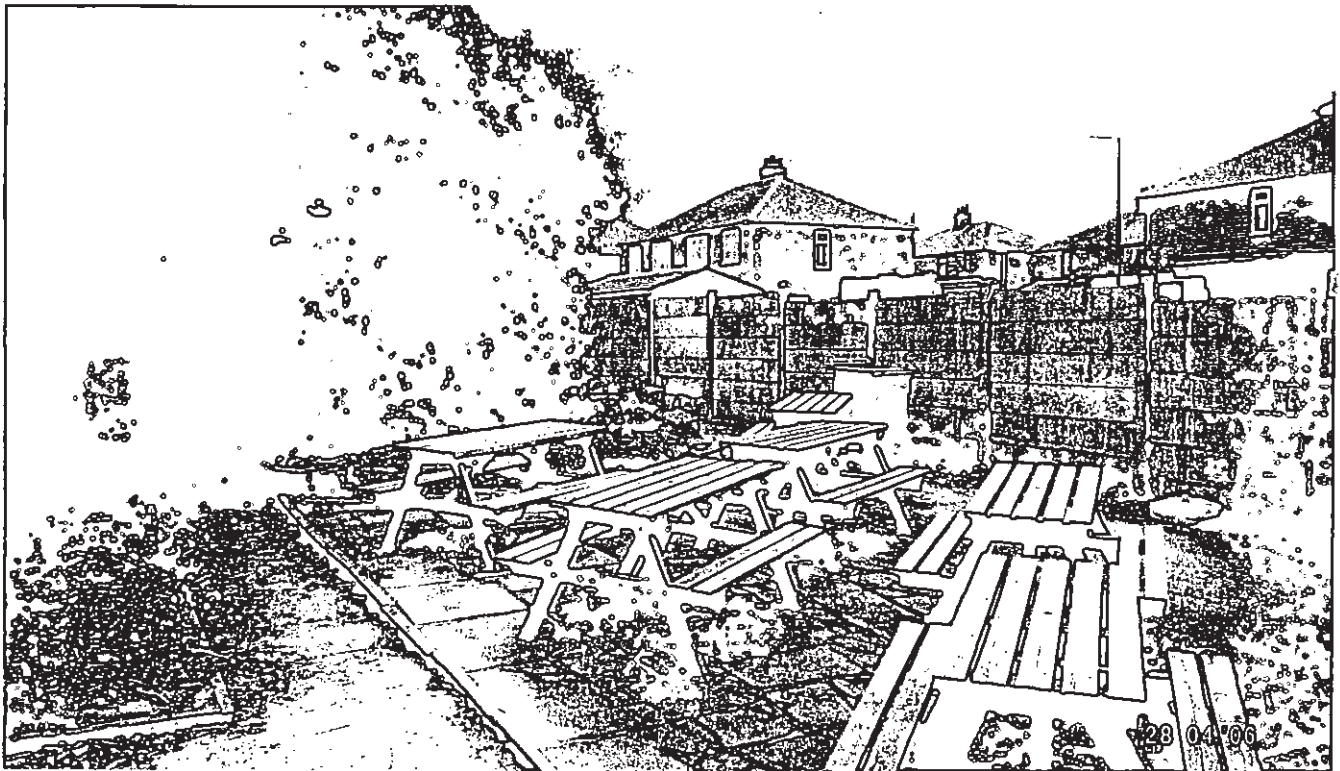
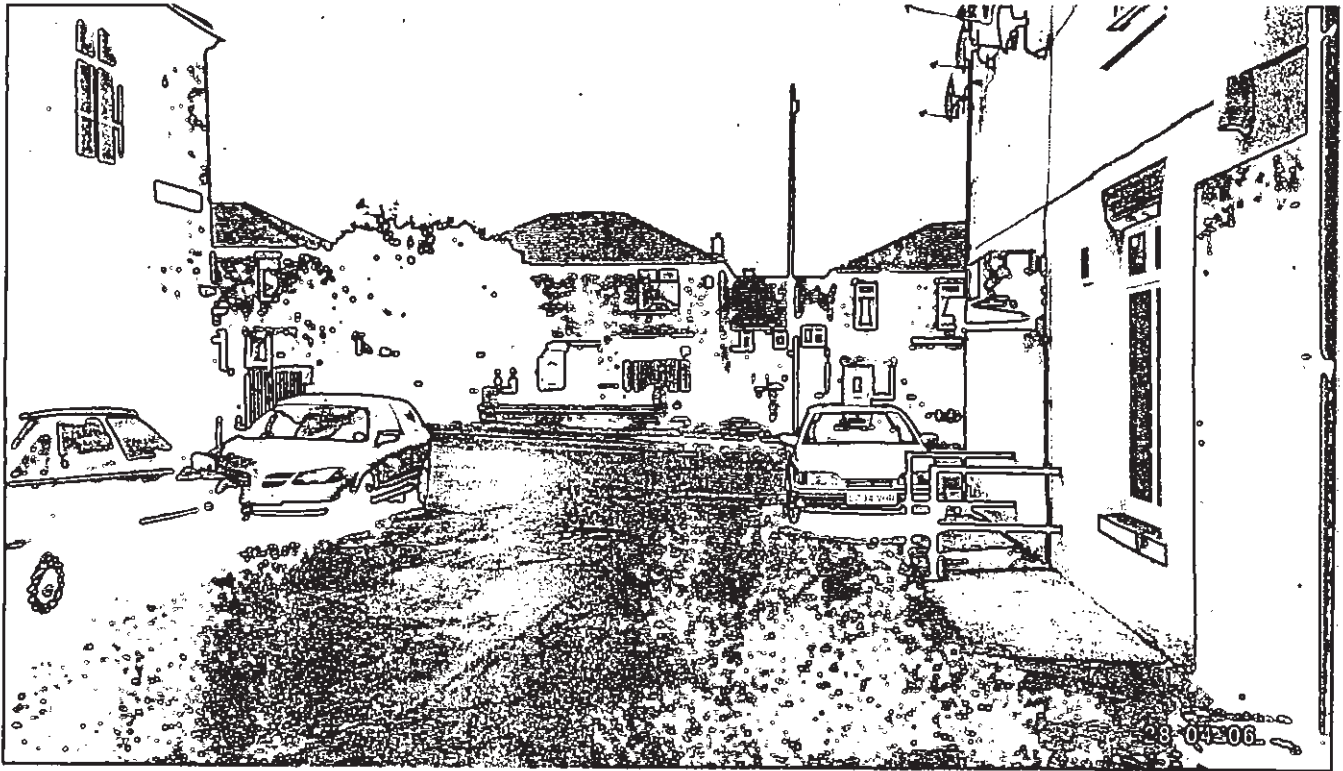
Members of:
 *Resolution • Childrens Panel • Family Law Panel
 Community Legal Service • Personal Injury Panel
 Criminal Defence Service • Duty Solicitor Schemes
 Regulated by the Law Society

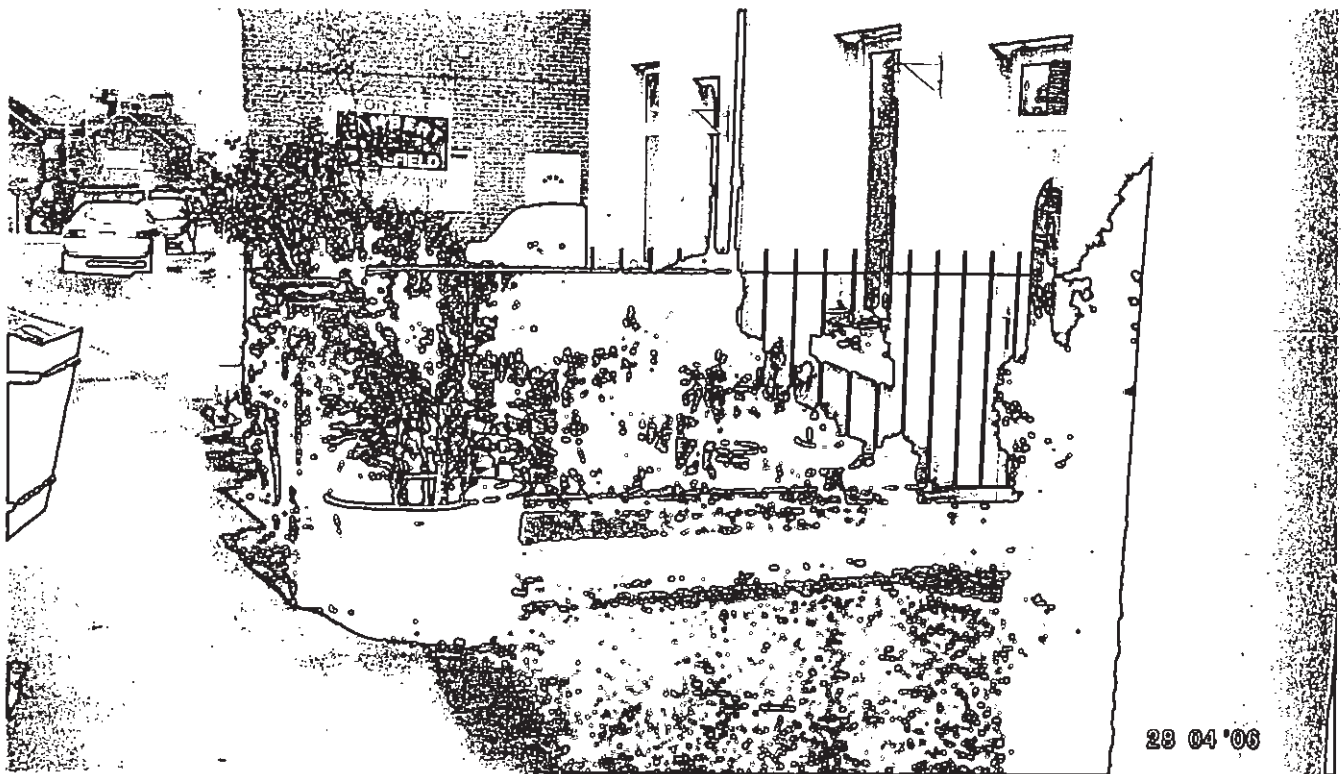
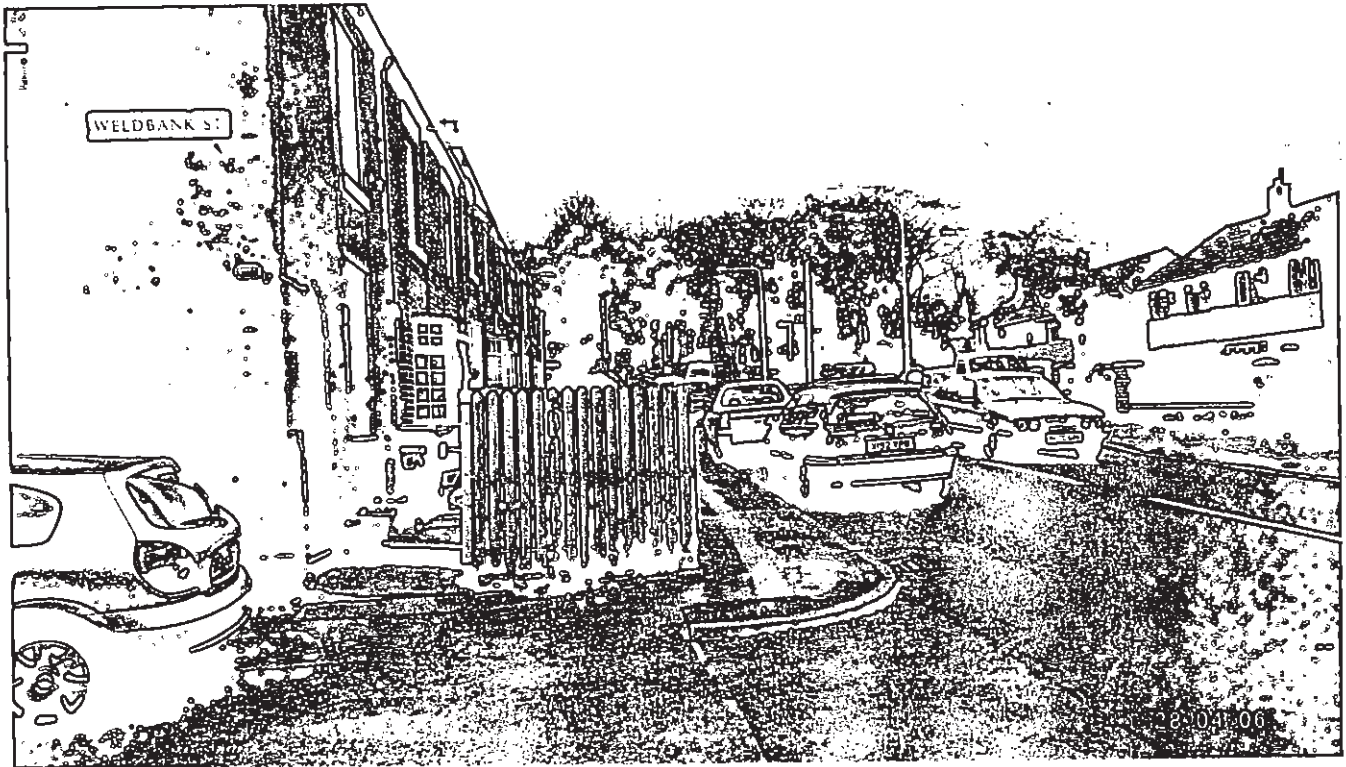


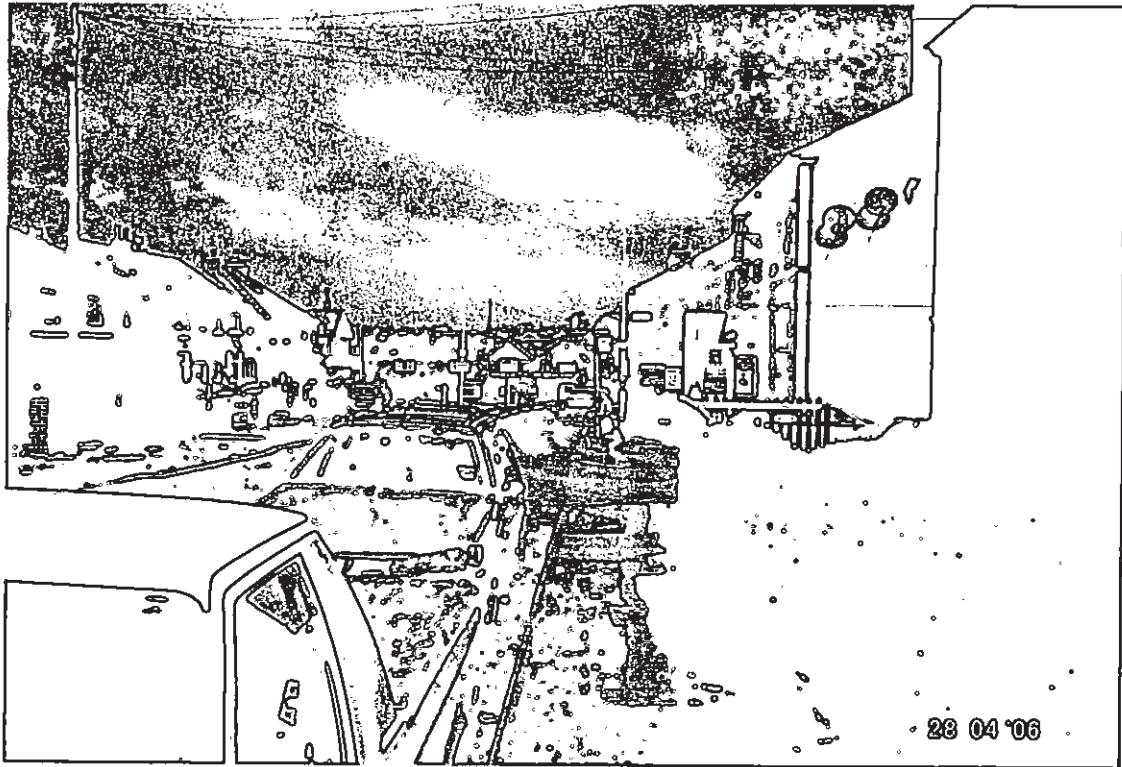
28 04 '06











Agenda Page 81 Agenda Item 2
Premises Licence Checklist

Required Items	Received
Completed & signed application form	
Plan of premises 1:100	✓
Consent form from DPS	N/A
Fee made payable to CBC <i>letter sent 27/5/06</i>	X
Police Letter	27/3

Hearing Date	
Report complete	
Report sent to DTP & Gordon B	
Report sent to relevant parties	
Applicant attending hearing?	
Interested party attending hearing?	

Checks - Maximum occupancy, ticked more than 5,000?

New Application	Variation	
Date Received	<i>TBC originally 25/4/06</i> <i>change new 6/4</i>	
End of 28day period		
Name of premises	<i>Nitre tower 73 Weidbank Lane</i>	
Address of premises		
Name & Address of Correspondence	<i>Russell + Russell</i>	
Licence number	Application number	
Date granted		
Date posted		
Signed		

Add information onto

Rateable value List	
---------------------	--

** letter sent on 27/5/06 asking for correct fee. 28 days will start on receipt of fee.*

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
 If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
 You may wish to keep a copy of the completed form for your records.

I/We **D MILLER TRADING LIMITED**

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PL(A)0319

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description THE MITRE PUBLIC HOUSE 73 WELDBANK LANE			
Post town	CHORLEY	Post code	PR7 3NN

Telephone number at premises (if any)	01257 275988
Non-domestic rateable value of premises	£7200

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)			
Current postal address if different from premises address	D MILLER TRADING LIMITED HEATHER HOUSE [REDACTED]		
Post Town	WARRINGTON	Postcode	[REDACTED]

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day Month Year

--	--	--	--	--	--	--	--	--	--

Please describe briefly the nature of the proposed variation (Please see guidance note 1) TO REMOVE THE CONDITION NUMBER 7 ATTACHED TO THE PREMISES LICENCE AT ANNEX 3 BY THE LICENSING AUTHORITY NAMELY, 'THE FRONT AREA OF THE PREMISES SHALL NOT BE USED FOR THE CONSUMPTION OF ALCOHOL AT ALL TIMES.'

IN LIGHT OF ANTICIPATED LEGISLATION WITH REGARD TO NO SMOKING ON LICENSED PREMISES THE APPLICANT SEEKS TO LICENCE A SMALL EXTERNAL AREA TO THE FRONT OF THE PREMISES FOR THE USE AND BENEFIT OF THEIR CUSTOMERS.

IT IS PROPOSED THAT THE AREA CAN BE CORDONED OFF AT CONSIDERABLE EXPENSE TO THE APPLICANTS BY WAY OF DECORATIVE WROUGHT IRON RAILINGS SUPPLEMENTED BY APPROPRIATE LANDSCAPING/PLANTING AND THE PROVISION OF A LIMITED SEATING AREA.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)**Sale by retail of alcohol (if ticking yes, fill in box M)**

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat								
Sun								

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun					

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
			Please give a description of the facilities for dancing you will be providing		
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises <input type="checkbox"/>
				Off the premises <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

CONDITION NUMBER 7, THE FRONT AREA OF THE PREMISES SHALL NOT BE USED FOR THE CONSUMPTION OF ALCOHOL AT ALL TIMES.

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence
--

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

WE HAVE CONSIDERED THE TERMS OF YOUR LOCAL LICENSING POLICY IN PREPARING THIS APPLICATION TO VARY THE TERMS OF THE PREMISES LICENCE AND WE REFER YOU TO THE OPERATING SCHEDULE SUBMITTED TO THE LOCAL AUTHORITY WHEN THE INITIAL APPLICATION WAS MADE TO CONVERT AND SIMULTANEOUSLY VARY THE ORIGINAL JUSTICES LICENCE.

b) The prevention of crime and disorder

IN ADDITION TO THE EXISTING CONDITIONS IMPOSED UPON THE PREMISES LICENCE NO GLASSES OR BOTTLES WILL BE PERMITTED IN THE EXTERNAL AREA TO THE FRONT OF THE PREMISES.

c) Public safety

NO GLASSES OR BOTTLES WILL BE PERMITTED IN THE EXTERNAL AREA TO THE FRONT OF THE PREMISES. THE AREA WILL BE MONITORED AT REGULAR INTERVALS BY THE DESIGNATED PREMISES SUPERVISOR AND A MEMBER OF STAFF APPOINTED TO REMOVE ANY LITTER WHERE REQUIRED.

THE PROPOSED RAILING TO BE INSTALLED WILL ACT AS A BARRIER BETWEEN THE EXTERNAL AREA AND THE PUBLIC HIGHWAY AND ENSURE THAT NO CUSTOMERS CAUSE OBSTRUCTION TO PEDESTRIANS AND OTHER ROAD USERS.

d) The prevention of public nuisance

THE DESIGNATED PREMISES SUPERVISOR WILL MONITOR THE NUMBER OF PEOPLE WITHIN THE EXTERNAL AREA ON A REGULAR BASIS IN ORDER TO ENSURE THAT IT DOES NOT BECOME OVER-CROWDED.

THE MANAGEMENT WILL REMIND CUSTOMERS OF THEIR PUBLIC RESPONSIBILITIES WHERE NECESSARY AND NOTICES WILL BE DISPLAYED ASKING CUSTOMERS TO BE CONSIDERATE TO THE RESIDENTIAL NEIGHBOURS.

NO MUSIC WILL BE PLAYED IN THE EXTERNAL AREA.

THE EXTERNAL AREA SHALL NOT BE USED AFTER 22.00HRS.

e) The protection of children from harm

THE RESTRICTIONS SET OUT IN THE LICENSING ACT 2003 WILL APPLY.

Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	<i>TP Leath</i>
Date	17 TH MARCH 2006
Capacity	SOLICITOR FOR APPLICANT

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)			
A D WHITTAKER RUSSELL & RUSSELL SOLICITORS CHURCHILL HOUSE WOOD STREET			
Post town	BOLTON	Post code	BL1 1EE
Telephone number (if any)	01204 399299		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Licensing Act 2003
Premises Licence **PL(A)0319**

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

The Mitre Public House
 73 Weldbank Lane, Chorley, Lancashire, PR7 3NN. Telephone 01257 275988

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- entertainment facilities for dancing
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Monday to Thursday	10:00	23:00
	Friday to Sunday	10:00	00:00
	Non Standard Timings:		
	Christmas Eve / Boxing Day / Bank Holiday Saturday & Sunday 10.00 - 00.00 New Year's Eve 10.00 - 01.00		
C. Indoor sporting event	Monday to Thursday	10:00	23:00
	Friday to Sunday	10:00	00:00
	Non Standard Timings:		
	Christmas Eve / Boxing Day / Bank Holiday Saturday & Sunday 10.00 - 00.00 New Year's Eve 10.00 - 01.00		
E. Performance of live music (Indoors)	Monday to Sunday	10:00	23:00
	Non Standard Timings:		
	Christmas Eve / Boxing Day / Bank Holiday Saturday & Sunday 10.00 - 00.00 New Year's Eve 10.00 - 01.00		
F. Playing of recorded music (Indoors)	Monday to Thursday	10:00	23:00
	Friday to Sunday	10:00	00:00
	Non Standard Timings:		
	Christmas Eve / Boxing Day / Bank Holiday Saturday & Sunday 10.00 - 00.00 New Year's Eve 10.00 - 01.00		



Licensing Act 2003
Premises Licence **PL(A)0319**

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued

Activity (and Area if applicable)	Description	Time From	Time To
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Thursday	10:00	23:00
	Friday to Sunday	10:00	00:00
	Non Standard Timings:		
	Christmas Eve / Boxing Day / Bank Holiday Saturday & Sunday 10.00 - 00.00 New Year's Eve 10.00 - 01.00		
J. Provision of facilities for dancing (Indoors)	Monday to Thursday	10:00	23:00
	Friday to Sunday	10:00	00:00
	Non Standard Timings:		
	Christmas Eve / Boxing Day / Bank Holiday Saturday & Sunday 10.00 - 00.00 New Year's Eve 10.00 - 01.00		
M. The sale by retail of alcohol for consumption ON and OFF the premises	Sunday to Thursday	10:00	23:00
	Friday and Saturday	10:00	00:00
	Non Standard Timings:		
	Christmas Eve / Boxing Day / Bank Holiday Saturday & Sunday 10.00 - 00.00 New Year's Eve 10.00 - 01.00		

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday	09:00	23:30
Friday to Sunday	09:00	00:30
Non Standard Timings:		
Christmas Eve / Boxing Day / Bank Holiday Saturday & Sunday 09.00 - 00.30 New Year's Eve 09.00 - 01.30		

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

Part 2

NAME (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

D Miller Trading Lmt
 Heather house, 473 Warrington Road, Warrington, Cheshire, WA3 5QU.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Derek Stanely HENDERSON
 The Mitre Public House, 73 Weldbank Lane, Chorley, Lancashire, PR7 3NN.
 Telephone 01257 275988



Licensing Act 2003
Premises Licence

PL(A)0319

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. PA0270

Issued by Chorley

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

Section 19:

1. The Premises licence holder shall ensure that no supply of alcohol is made under the premises licence - (a) at a time when there is no designated premises supervisor in respect of the premises licence; or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended (section 19 of the Licensing Act 2003).
2. The Premises licence holder shall ensure that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence (section 19 of the Licensing Act 2003).

Section 20:

- 1a) The Premises licence holder shall ensure that the admission of children to the exhibition of any film shall be restricted in accordance with section 20 of the Licensing Act 2003 (the Act)
- 1b) Unless section 20(3) (b) of the Act applies, admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the film classification board specified in this licence
- 1c) Where section 20(3) (b) of the Act applies, admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the licensing authority
- 1d) Where no film classification board is specified in this licence admission of children to the exhibition of any film shall be restricted in accordance with any recommendation made by the licensing authority.
- 1e) For the purposes of this condition:-
"children" means persons aged under 18; and
"film classification board" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (authority to determine suitability of video works for classification)

Section 21:

Where Relevant;

1. The Premises licence holder shall ensure that each individual present on the premises to carry out a security activity [as defined by paragraph 2(1) (a) of the Schedule 2 to the Private Security Industry Act 2001] must be licensed by the Security Industry Authority.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

a) General

None.



Licensing Act 2003

Premises Licence

PL(A)0319

ANNEXES continued

b) The prevention of crime and disorder

Service will be refused to anyone who is drunk, behaving in a violent or threatening manner, or who has been convicted of behaving in a violent or threatening manner on licensed premises.

Management will liaise regularly with the local police.

All bar staff are trained in basic licensing law, particularly with regard to serving drunks and serving under 18's.

At least 30 minutes will be allowed between last alcohol sales and the closure of the premises, the management will permit customers to finish their drinks within this period with access to the pubs and toilet facilities.

c) Public safety

None.

d) The prevention of public nuisance

The building is double glazed with recently installed mechanical ventilation and as such only negligible levels of noise escape.

Live music will end at 23.00hours.

Recorded music will end at 23.00hours Monday to Thursday and 00.00 Friday to Sunday.

All windows will remain closed after 22.00 hours.

Later operating hours will minimise noise from departing customers as they gradually disperse over a longer period of time.

The management will monitor people leaving the premises and where necessary remind them of their public responsibilities. Notices are displayed asking customers to be considerate when leaving the premises.

e) The protection of children from harm

The management operate a policy that complies with the pass accreditation system and identification checks will be made of any customer who does not appear to be 21 years of age. Acceptable identification being passports, driving licence or proof of age card.

The restrictions set out in the Licensing Act 2003 will apply.



Licensing Act 2003

Premises Licence

PL(A)0319

ANNEXES continued ...

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

- 1) A personal licence holder shall be on the premises during which intoxicating liquor is being sold or supplied to customers or consumed by customers except in the case of an emergency.
- 2) All external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency.
- 3) The licensee shall ensure that the area immediately surrounding the premises shall be cleared of glasses and bottled at the end of licensable activities each day.
- 4) Signs shall be erected to direct customers to the car park at the rear to restrict parking at the front of the premises.
- 5) Signs to be erected within the premises to request customers to leave quietly with consideration to neighbours.
- 6) The beer garden situated at the rear of the premises that is used for consumption of alcohol shall cease to be so used after 22.00 hours at all times.
- 7) The front area of the premises shall not be used for the consumption of alcohol at all times.



Licensing Act 2003
Premises Licence Summary **PL(A)0319**

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

The Mitre Public House
 73 Weldbank Lane, Chorley, Lancashire, PR7 3NN. Telephone 01257 275988

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- entertainment facilities for dancing
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Monday to Thursday	10:00	23:00
	Friday to Sunday	10:00	00:00
	Non Standard Timings:		
	Christmas Eve / Boxing Day / Bank Holiday Saturday & Sunday 10.00 - 00.00 New Year's Eve 10.00 - 01.00		
C. Indoor sporting event	Monday to Thursday	10:00	23:00
	Friday to Sunday	10:00	00:00
	Non Standard Timings:		
	Christmas Eve / Boxing Day / Bank Holiday Saturday & Sunday 10.00 - 00.00 New Year's Eve 10.00 - 01.00		
E. Performance of live music (Indoors)	Monday to Sunday	10:00	23:00
	Non Standard Timings:		
	Christmas Eve / Boxing Day / Bank Holiday Saturday & Sunday 10.00 - 00.00 New Year's Eve 10.00 - 01.00		
F. Playing of recorded music (Indoors)	Monday to Thursday	10:00	23:00
	Friday to Sunday	10:00	00:00
	Non Standard Timings:		
	Christmas Eve / Boxing Day / Bank Holiday Saturday & Sunday 10.00 - 00.00 New Year's Eve 10.00 - 01.00		



Licensing Act 2003

Premises Licence Summary

PL(A)0319

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued...

Activity (and Area if applicable)	Description	Time From	Time To
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Thursday	10:00	23:00
	Friday to Sunday	10:00	00:00
	Non Standard Timings:		
	Christmas Eve / Boxing Day / Bank Holiday Saturday & Sunday	10.00	00.00
	New Year's Eve	10.00	01.00
J. Provision of facilities for dancing (Indoors)	Monday to Thursday	10:00	23:00
	Friday to Sunday	10:00	00:00
	Non Standard Timings:		
	Christmas Eve / Boxing Day / Bank Holiday Saturday & Sunday	10.00	00.00
	New Year's Eve	10.00	01.00
M. The sale by retail of alcohol for consumption ON and OFF the premises	Sunday to Thursday	10:00	23:00
	Friday and Saturday	10:00	00:00
	Non Standard Timings:		
	Christmas Eve / Boxing Day / Bank Holiday Saturday & Sunday	10.00	00.00
	New Year's Eve	10.00	01.00

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday	09:00	23:30
Friday to Sunday	09:00	00:30
Non Standard Timings:		
Christmas Eve / Boxing Day / Bank Holiday Saturday & Sunday	09.00	00.30
New Year's Eve	09.00	01.30

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

D Miller Trading Lmt Heather house, 473 Warrington Road, Warrington, Cheshire, WA3 5QU.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Derek Stanely HENDERSON

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Restricted.



This page is intentionally left blank