# **Chief Executive's Office**

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Date: 17 July 2006

Chief Executive: Donna Hall



Town Hall Market Street Chorley Lancashire PR7 1DP

**Dear Councillor** 

# Statutory Licensing Sub-Committee B - Friday, 28th July 2006

You are invited to attend a meeting of the Statutory Licensing Sub-Committee B to be held in the Council Chamber, Town Hall, Chorley on <u>Friday</u>, <u>28th July 2006 commencing at 10.00 am</u>.

### **AGENDA**

## 1. <u>Declarations of Any Interests</u>

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. <u>Application for a Premises License in respect of the Jubilee Playing Fields, Station Road, Adlington.</u> (Pages 1 - 54)

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

**Distribution** 

Continued....

- 1. Agenda and reports to all Members of the Statutory Licensing Sub-Committee B (Councillor Edward Smith (Chair), Councillors Ralph Snape and John Walker for attendance.
- 2. Agenda and reports to Councillor Shaun Smith (Reserve Member) 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

#### **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 of	Meeting	Date	Item No
Chief Executive	Statutory Licensing Sub- Committee	28July 2007	

# APPLICATION FOR A PREMISES LICENCE IN RESPECT OF JUBILEE PLAYING FIELDS STATION ROAD ADLINGTON

### **PURPOSE OF REPORT**

1. For members to determine an application for a premises licence.

### **CORPORATE PRIORITIES**

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

#### **RISK ISSUES**

3. 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	

4. There is a right of appeal to the Magistrates Court by the applicant in respect of a decision to refuse the application for a 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 application or to modify the conditions of licence.

### **CURRENT PREMISES LICENCE**

5. Not applicable

# THE APPLICATION

6. A copy of the application 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.

7. Regulated Entertainment

Continued....



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i) Performance of plays – Indoors and Outdoors (a)

08.00-23.00 Monday to Sunday

Seasonal variations

Increased frequency during school holidays, festive periods, summer nights and periods of national celebration

ii) Exhibition of films – Indoors and Outdoors (b)

08.00-23.00 Monday to Sunday

Seasonal variation

Increased frequency during school holidays, summer nights and periods of national celebration

iii) Indoor sporting event (c)

08.00-23.00 Monday to Sunday

Seasonal variation

Increased frequency during school holidays, summer nights and periods of national celebration

iv) Performance of live music – Indoors and Outdoors (e)

12.00-00.00 Monday to Sunday

Seasonal variations

Only during summer months and when ground conditions are appropriate for concerts. Strictly limited occasions.

v) Playing of recorded music – Indoors and Outdoors (f)

08.00-00.00 Monday to Sunday

Seasonal variations

Mainly during school holidays or summer months

vi) Performances of dance – Indoors and Outdoors (g)

08.00-23.00 Monday to Sunday

Seasonal variation

More frequent during school holidays and summer months

vii) Entertainment of a similar description to that falling within e/f/g –Outdoors (h)

12.00-22.00 Monday to Friday

10.00-22.00 Saturday and Sunday

Seasonal variations

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Governed by ground conditions and restricted to summer months and occasional bank holidays. Also to include Adlington Carnival

Non Standard Timings

Use to be mainly weekends and then from early afternoon only.

viii) Provision of facilities for making music – Indoors and Outdoors (i)

08.00-23.00 Monday to Sunday

Seasonal variations

During summer months, school holidays or as part of get up and go scheme.

ix) Provision of facilities for dancing – Indoors and Outdoors (j)

08.00-23.00 Monday to Sunday

Seasonal variations

Focused on school holidays and summer months

## 8. Late Night Refreshment

Late Night Refreshment – Indoors (I)

23.00-00.00 Friday to Sunday

Seasonal variations

Summer months and Bank Holiday weekends only. Limited to six days per calendar year

## 9. Supply of Alcohol

The sale by retail of alcohol for consumption ON the premises (m)

12.00-23.00 Monday to Sunday

Seasonal variations

Only sold as part of organised events i.e. carnival.

Concentrated during summer months and on no more than six days in any calendar year

### 10. Hours premises are open to public

The opening hours of the premises (o)

00.00-23.59 Monday to Sunday

#### ADDITIONAL STEPS TO BE TAKEN TO PROMOTE LICENSING OBJECTIVES

The applicant has indicated that following additional steps will be taken to promote the licensing objectives:

(a) General

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The applicant shall require a detailed submission for each event or activity that is proposed to be carried out within the park. The submission shall contain the following details as a minimum:

Details of operator.

Details of activity/event.

Location of activity/ within the park.

Structures to be erected.

Control measures for the purpose of controlling noise and pollution.

Details of any food vendors on site.

Details of health and safety control measures.

Details of waste disposal facilities.

Sanitary provisions.

The above details to be submitted to the Environmental Health Manager at least three weeks prior to the event.

Suitable control measures will be applied to ensure that the activity does not cause unreasonable disturbance to local residents.

During all licensable activities any staff operating will hold qualifications / experience relevant to post.

All operators will carry adequate insurance, have test certificates for all equipment as required and will have provided risk assessments relative to their operation.

Each event will identify risks to the public through a site plan, which enables such risk to be minimised/removed. Operatives/traders deemed unsuitable will <u>not</u> be allowed to trade.

Close working relationships will be maintained with all relevant agencies to ensure a comprehensive adherence to current policies.

# (b) The prevention of crime and disorder

Appropriate levels of qualified security will be in place to optimise cover.

All monies will be removed from site safely and swiftly once collected.

Appropriate barriers introduced to reduce opportunity for theft.

Admittance to be refused to anyone perceived to be intending disorder.

Alcohol not to be served to anyone seemingly underage or under the influence of drink/drugs already.

Suitable links kept with Police/Wardens service where appropriate.

### (c) Public safety

Recognised signage and barriers used to alert public to hazards/exits.

Risk assessments and other documents provided to ensure integrity of operators/equipment.

DPS to play active role in design of all events.

Detailed site plan provided in design process to further highlight risks/hazards.

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All events to maintain clear exit routes.

Alcohol refused to the underage and those considered 'drunk'.

Suitable marshals/stewards to be employed, visible and in communication. Event management plan to be in place.

# (d) The prevention of public nuisance

Qualified staff in place to refuse admittance to/eject problem members of the public.

Co-operation of operators in closing/removing features where necessary.

Local residents to be aware of events in advance.

Sound levels to be maintained within permitted parameters.

Local Police/Wardens to be kept informed and present where possible.

Event management plan to highlight public nuisance measures well in advance.

## (e) The protection of children from harm

All events to require parental supervision or to include qualified staff in appropriate ratios.

Protection policies to be provided by operators of large events.

Transportation of children considered, and all relevant parental consents obtained in advance.

All traders asked to provide 'child friendly events'.

Safety talk to be given prior to commencement of all activities.

Appropriate safety garments issued where applicable.

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

Gaming machines may form part of funfairs.

13. Conditions/ Restrictions to be removed on variation.

Not applicable.

### 14. Relevant Representations – Responsible Authorities

There is one representation from the Police -

The Police are mindful of many potential problems regarding this application, this is with regards to all four licensing objectives, and as such we make the following representations.

For the sale of alcohol safety/plastic glasses must be used, no glass bottles.

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No open containers of alcohol to be allowed on site.

The think 21 policy to be introduced with the necessary posters etc.

The Police Licensing Unit and Chorley Council to be notified 28 days prior to each event.

Safety fencing to be erected at the parts of the park open to the canal.

The latest time for the sale of alcohol to be 6pm.

The latest time for amplified music to be 10pm (disco and live music), low volume background music to be allowed for a further 30 minutes.

The Police feel that the application for late night refreshment is not necessary.

No persons under the age of 18 years allowed in the bar area within the beer tent.

The DPS to be on site for ALL functions where alcohol is sold.

No alcohol to be sold where juvenile/youth events are on site.

No event to extend beyond 23.00 hours on any day.

The representation is full within the report.

15. Relevant Representations – Interested Parties.

There are ten objections on the likely effect on the grant of a premises licence.

The objections are relevant to the Licensing Objectives - Prevention of Public nuisance Prevention of crime and disorder Protection of children from harm Public Safety

The representations are in full within the report.

### 16. 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
  - o 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:

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- 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	JULY 2006	LEGREP/JUBILEE PLAYING FIELDS	

# towcagehdayRagey20erce

LICENSING ACT 2003 Section 18



# Notice of hearing of representations in respect of application for a Premises Licence

To The objector

The Chorley Borough Council being the licensing authority, on the 14<sup>th</sup> June 2006 received an application for a Premises Licence from John David Lechmere on behalf of Chorley Borough Council in respect of the premises known as Jubilee Playing Fields, Station Road, Adlington,

Chorley

The Council received representations from the Police and Interested parties on the likely effect of the grant of 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 Town Hall, Market Street, Chorley.

On 28<sup>th</sup> July 2006 at 10.00am following which the Council will issue a Notice of Determination of the Application.

[The documents which accompany this notice are the relevant representation which have been made, as defined in Section 18(6) of the Act]

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows: The prevention of crime and disorder Public safety

The prevention of public nuisance
The protection of children from harm

1

# You should complete form LAR1 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.

Dated	Signed
•	Designation
	The officer appointed for this purpose
	CONTINUED

# Agenda Page 22

# Agenda Item 2

#### **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 the 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.
- 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
  - (b) 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.

# Agenda Page 23

LICENSING ACT 2003	
Section 18	



1

# Notice of hearing of representations in respect of application for a Premises Licence

To The applicant

The Chorley Borough Council being the licensing authority, on the 14<sup>th</sup> June 2006 received an application for a Premises Licence from John David Lechmere on behalf of Chorley Borough Council in respect of the premises known as Jubilee Playing Fields, Station Road, Adlington, Chorley

The Council received representations from the Police and Interested parties on the likely effect of the grant of 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

on at am/pm, following which the Council will issue a Notice of Determination of the Application.

[The documents which accompany this notice are the relevant representation which have been made, as defined in Section 18(6) of the Act]

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

The prevention of crime and disorder

Public safety

The prevention of public nuisance
The protection of children from harm

# You should complete form LAR1 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.

Dated	Signed
	Designation
	The officer appointed for this purpose

CONTINUED

#### Notes:

#### Right of attendance assistance and representation

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

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  - (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),
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    - (b) hold the hearing in the party's absence
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- 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.
- The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for a regulation 16.
- 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.

# 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

07 July 2006

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

Dear Sir

# RE: PREMISES LICENCE REPLY:- LICENSING ACT 2003 - REF NEW LICENCE.

Premises JUBILEE PLAYING FIELDS, STATION ROAD, ADLINGTON

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

The Police are mindful of many potential problems regarding this application, this is with regards to all four licensing objectives, and as such we make the following representations.

- 1. For the sale of alcohol safety/plastic glasses must be used, no glass bottles.
- 2. No open containers of alcohol to be allowed on site.
- 3. The 'Think 21' policy to be introduced with the necessary posters etc.
- 4. The Police Licensing Unit and Chorley Council to be notified 28 days prior to each event.
- 5. Safety fencing to be erected at the parts of the park open to the canal.
- 6. The latest time for the sale of alcohol to be 6 p.m.
- 7. The latest time for amplified music to be 10 p.m.(disco and live music), low volume background music to be allowed for a further 30 minutes.
- 8. The police feel that the application for late night refreshment is not necessary.
- 9. No persons under the age of 18 years allowed in the bar area within the beer tent.
- 10. The D.P.S to be on site for ALL functions where alcohol is sold.
- 11. No alcohol to be sold where only juvenile/youth events are on site.



12. No event to extend beyond 23.00 hours on any day.

Yours faithfully

Police Sergeant 1506

(Licensing)

# Agenda Page 27

# Streetscene, Neighbourhoods & Environment

Please ask for:

Mrs S Briggs (01257) 515725

Direct Dial: E-mail address:

sue.briggs@chorley.gov.uk

Your Ref:

J Lechmere

Our Ref:

ES/SB/165937

Doc ID: Date: EHFQ0036 13 June 2006

# Director of Streetscene, Neighbourhoods & Environment

John Lechmere MCIEH

Mr J D Lechmere

Director of Streetscene Neighbourhoods and Environment

Chorley Borough Council

Civic Offices

**Union Street** 

Chorley





Civic Offices Union St Chorley Lancashire PR7 1AL



GREEN APPLI ENVIRONMEN AWARD 2001



Dear John

# Licensing Act 2003 Jubilee Playing Fields, Station Road, Adlington, Chorley

I acknowledge receipt of your application and have no objection in principal to the application, however I am going to ask for the following condition to be attached to the licence.

1. The applicant shall require a detailed submission for each event or activity that is proposed to be carried out within the park. The submission shall contain the following details as a minimum.

Details of operator

Details of activity/event

Date and times of activity/event

Location of activity/event within the park

Structures to be erected

Control measures for the purpose of controlling noise and pollution

Details of any food vendors on site

Details of health and safety control measures

Details of waste disposal facilities

Sanitary provisions

The above details should be submitted to the Environmental Health Manager at least three weeks prior to the event.

Suitable control measures will be applied to ensure that the activity does not cause unreasonable disturbance to local residents.

Yours Sincerely

Mrs S Briggs

Environmental Health Officer

Cc Mr Howard Bee Licensing Manager \*



12<sup>th</sup> July 2006

### Dear Jayne

Many thanks for sending me details about the application for proposed changes requested by John Lechmere in respect of Jubilee Playing Fields, Adlington, Chorley. I would wish to make the following points:

- As a resident whose property runs alongside Jubilee Playing Fields I wish to obviously support the proper use of the site for community use. I am very happy with the previous arrangements for Adlington Carnival. Despite the noise, disruption to traffic and general life in the area I really appreciate the community nature which the carnival brings. The event does impact upon my lifestyle but I think the community benefits are enormous of bringing the community together and can manage with one weekend a year of such disruption.
- 2 I am however, very concerned about the application and the wide-spread nature of its content. Perhaps it is easier to put a full day, full week application in but that does really scare me because it is so widespread and sweeping.
- The description of the "premises" does not make mention of the houses along Harrison Road, nor the group of houses that compose The Poplars. We all are inconvenienced by the noise and disruption of the Carnival. To accept that we might well have to put up with events, throughout the year Monday to Sunday 8am -11pm is totally unreasonable. The "increased frequency during school holidays, festive periods, summer nights and periods of national celebration" could amount to intrusion well beyond the cause.
- 4 Since there is no permanent building on the site in which to house all the events it will mean additional noise and transportation of temporary structures to house the events. Events outside of any structure will obviously bring greater impact of noise, litter, the potential for trouble makers, vandalism and the like.
- The fact that alcohol might be supplied is even more distressing. I know there is alcohol at the Carnival but one weekend is something that I can cope with. Despite all the reassurances about health and safety and risk assessments built into the application I totally oppose any expansion of the licence beyond the Carnival weekend.
- 6 Summer months, light nights and open air events are not community friendly when they impact upon people who live in close proximity to the venue. Noise travels easily in the vicinity of my home; indeed fishermen who fish on the banking and talk together are easily heard in my bedroom at 5am in the morning!
- 7 The reference to the potential for more fairgrounds using the venue more than on the Carnival weekend is totally unacceptable; the noise and disruption is not to be tolerated.
- There is a large area of newly planted trees at my end of Jubilee Playing Fields and I would be horrified to think that they would be at risk by bringing more events on to the park.

9 Litter abounds after the Carnival weekend; it gets into the canal itself and floats around for many weeks afterwards; what if the venue was used for more events, what about the litter pollution?

I do not support the application and find that apart from the Carnival event the fields should be used just as they are now. The nature of Adlington's community has changed over the years; sometimes it is very distressing to observe another generation of people who have been brought into the area from Chorley districts and noting the impact they have. If we are looking at extended schools then perhaps we might be a little more adventurous is using school premises for holiday clubs, the funding supporting capacity and facilities in the neighbourhood schools.

Will you please keep me in touch with the outcomes of this application?

Yours faithfully

P.O. 20X990ES TAKE OTHER TOPECE POWER OF FILE TOPECE POWER POWE

11. 7. Ob.

Te: Licence - Gubillee Park Adlington

Dead Sirs

As neighbours in the area of Jubilee Park we express concerns about the issuing of a Livence for

Entertainment purposes in the park. Our main concerns are the alcohol problem that occurs already in Adlington with the existence of so many puls, and also one concerned about the noise level. about the noise level.
We have a garden which backs onto the park from backs onto the park from barrison Road which is over place of peace and quiet, and whilst we appreciate we are close to the park we think this is for recreational use and not for noisy entertainent, 12.00 pm seems excessive to have to put up with noise. However if entertainent is

monitered by Council and Police and it is not every day, it may be tolerable. Also, is this Livence for 12 months or ongoing, because if it becomes a musence, can it be revoked. I look forward to hearing about the next stage of this application. your fathely

Licensing Authority CBC, Licensing Section, Cinc Buildings, Union St, Chorley PR7 1AL



12. 26. 51. Helphysiological and the control of the

Dear Sir Madam,

I write to express concerns over the application for various licences in respect of the Jubilee Playing Fields, Adlington

whilst I appreciate that social activities such as those mentioned, ought, in an ideal world, be beneficial to the community I have several deep misgings with regard to this application

The Jubilee Park is well-used by many people who during events would lose access and space, and after be left with a degraded and dirty environment. Take a look at the park after the fun fair.

There is very little car parting space, and worse, no public toilets. Even when Portaloos have been provided, people regularly relieve themselves on the park, surrounding gardens, and, on Cemetary View, front darways

At entry charging events in the past people regularly tresspass and break through adjacent garden to avoid paying Even well policed events cause noise and litt I am particularly distressed to note the

application for alcohologehological Wagehological 2 nave off-licenses and six pubs in the immediate area, and frequent thouble with drunks. This escalates imbearably during carnival / fun fair time, especially where a beer tent is provided. Who will pay for the damage? It is a sad reflection on our society that some people can't enjoy themselves without causing misery and harm to others, but regretable though it is, it is a fact.

residents to this kind of stress on a frequent basis. The application would appear to make provision for it year round, with very few limits, and is just too much.

In view of this, I would like to register my strong objections to the whole scheme, and most especially to the alcohol license.

Your furthfully,

P.S. This is not an objection to Addington Carnival. In occasional event is tolerable, even though it does cause problems. Carte blanche to year round event is not.

### 10/07/06

Dear Sirs

Re Licensing Application-Jubilee Fields Adlington

I wish to register my objection to the proposed licensing application in relation to Jubilee Playing Fields at Adlington.

I live adjacent to the Fields and have done so for 12 years. This is a quiet residential area and this was one of the main reasons that I originally chose the location.

The playing fields are well used during the day eg dog walkers, children playing, local residents relaxing, football tournaments etc. These are all uses for which the fields were clearly intended and I obviously have no objections to them.

I am firmly of the opinion however that, for the sake of those of us who live around them, the fields should remain as they are.

We already have an example of what is likely to happen if extra activities were sanctioned on the fields in the shape of the annual carnival.

I do not object to the carnival in principle but I know from experience that there are unpleasant side effects for local residents caused by the influx of people. Over the years on carnival nights I have had my house gable end urinated against, litter thrown in my yard and on one occasion graffiti was scrawled on my car. I now make a conscious decision not to be at home on the weekend of the carnival.

In addition I can confirm that the state the field is left in after the carnival (in particular the fairground) has departed is quite frankly a disgrace. I accept that litter is normally removed but the footpath and surroundings are often a muddy mess which is simply left.

My final concern is that there is quite clearly no parking in the immediate area to accommodate the number of people which I assume it is anticipated will attend these events.

I would be grateful if my views could be taken into account when this application is heard.

Yours faithfully



11 JUL 2006

alean Din

We wish to strongly object to the proposed livence and would recommend that the Leiening Southority refuse to grant a Framise Livence to the Riverton of STREETSCENE, NEIGHBOURHOOD AND ENVIRONMENT. for the use of JUDILEE PLAYING FIELDS, ADLINGTON for the various activities as listed on the sheets displayed around the Playing Field for the following reasons:

- 1) HOW CAN THESE PLAYING FIELDS BIS CLASSED AS A STREETSLENE
- 2) NEIGHBOURHOOD PROBLEMS WITH EXTRA PARKING PLUS THE
  APPITION OF EVEN MORE EATING 4 DRINKING ESTABLISHMENTS
  WITHIN SUCH A SMALL AREA AS LOWER APLINGTON.
- ENVIRONMENT PROBLEMS REGARDING NOISE LEVELS AND

  EXTRA LITTER THE COUNCIL DO A GOOD TOB DURING THE WEEK

  KEEPING THE FIELD CLEAN & TODY-BUT WEEKEND PROBLEMS EXIST ALKEDY.
- 4) MONITORING OF THE FIELD IS PRACTICALLY NIL AT THE MOMENT NO GUARANTIERS IF USE INCREASED.
- 5) FREQUENCY OF USE NOT MENTIONED.
- 6) HOW CAN A PLAYING FIGLO BE CLASSED AS AN PREMISE WHICH
  15 56T ASIDE FOR THESE PARTICULAR ACTIVITIES.
- 1) ARE THRSE FIBIRS ON STATION ROAD?
- 8) ASTLEY PARK WOULD BE MORE SUITABLE, Jours Saithfulls.

9/7/06

Dear Sirs,

I wish to object in the strongly to the proposed application of licensing The Jubilee Playing Fields in Adlington.

Most of the local residents tolerate the use of the playing fields for Adlington Carnival as they know it is only a three day event once a year, a week in total with the fair. The thought of similar events taking place at various stages throughout the year would be intolerable to most residents, especially those who live next to the park.

The main reason people enjoy living in this area is because it is so quiet and the park is a lovely peaceful area for walking or exercising dogs. It is nice to have this area to unwind after working in busy areas most of the week.

There are problems with some of the local youth using it for drinking/drugs and leaving litter as it is and I feel this will only be exacerbated by your proposed licence. The local pubs are overflowing with people who stand in the roads causing traffic problems and leaving an abundance of litter when the carnival is on. The thought of this stretching from the park to the pubs to say nothing of the noise is again unacceptable.

The park was left to the people of Adlington as a recreational haven not for exploitation or monitory gain. The residents like it the way it is and DO NOT want its peace shattered by such proposed events.

It seems strange that horse riding is banned from the park when that is a quiet pastime and would raise less objection than your present proposals. I'm sure the residents would be glad to have the opportunity to air their views in a meeting, if you would care to arrange one.

Yours Faithfully

11 JUL 2006

<u>T0</u>

Licensing Authority Chorley Borough Council, Licensing Section, Civic Buildings, Union Street, Chorley. PR7 1AL



We, the persons listed below, wish to register our opposition to the proposed licensing of various activities at the Jubilee Playing Fields, Station Road, Adlington.

The proposed activities, including alcohol sales, will cause great inconvenience to residents of the area and in our view will be impossible to police effectively.

Our judgement in respect of control/policing is based on the current situation:-

- 1) vandalism of fences, trees, seats & play equipment
- 2) emptying of dog bins (the contents of which are scattered/hung about the park)
- 3) empty can's & bottles strewn around
- 4) drug related activities.

Other considerations for people living close to the park & for those who use it for recreational purposes are:-

- 1) noise
- 2) access
- 3) parking

We are as follows:-

July 10<sup>th</sup>, 2006

Copy sent to: John David Lechmere, Director of Streetscene, Chorley Borough Council.



FINAL LICENSING POLICY COMPLET..

Unfortunatley i cannot accept the forwarded email as objections. Objections must be based on the Licensing Objectives. I have attached chorley's Licensing Policy to assist. All objections must be received by 12th July

### Thanks

Howard Bee Licensing Manager Chorley Borough Council DD: 01257 515665

EMAIL: howard.bee@chorley.gov.uk

### Jayne Day

From:

Catherine Scarborough

Sent:

10 July 2006 09:22

To:

Licensing

Subject: FW: Objection to Licensing Application

Forwarded for attention.

Catherine Scarborough Customer Advisor Chorley Borough Council DD: 01257 515694 email: cathy.scarborough@chorley.gov.uk

We object to the Licensing Application

Licensing Act 2003 - Jubilee Playing Fields Station Road, Adlington, Chorley, Lancashire Open Application 007287 by Mr John David LECHMERE

On the grounds of:

1: Insufficient Information

2: Too general

This e-mail has been scanned for all viruses by Star. The service is powered by MessageLabs. For more information on a proactive anti-virus service working around the clock, around the globe, visit: http://www.star.net.uk

### Agenda Page 41

# Agenda Item Borough Council 13 JUN 2006

Reference number:

## Application for a premises licence to be granted under the Licensing Act 2003

(1)

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

SHIN DAVID LECHMERE

apply for a premises licence under section 17 the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

### Part 1 - Premises details

F	Postal address of premises or, if none, Ordnance Survey map reference or description  LEILEE RAYING FIELDS  STATION BAD  ADLINGTON								
Р	ost town CHORLEY	Postcode							
Э Те	elephone number at premises(if any)								
No	Non-domestic rateable value of premises								
Pa	ert 2 - Applicant details								
Ple	ease state whether you are applying for a premises lice	ence as							
a)	an individual or individuals*	Please tick ✓ yes  □ please complete section (A)							
b)	a person other than an individual*								
	i. as a limited company	please complete section (B)							
	ii. as a partnership	please complete section (B)							
	iii. as an unincorporated association; or	please complete section (B)							
	iv. other (for example a statutory corporation)	please complete section (B)							
(1) (2)	Insert name and address of relevant licensing authority and its reference in	number (optional)							

(2) Insert name(s) of applicant

S	SECOND INDI	VIDUAL APPL	Ager	nda Page 4	42	Ager	nda Ite	em 2
N	Λr ∏	Mrs 🗌	Miss 🗌	Ms 🗌		Other title ample, Rev)		
S	Surname			First name	9 <b>S</b>			
	_					<del> </del>		
la	am 18 years o		ease tick <b>√</b> yes	Date of birth	Day	Month \	/ear	
	Current postal	address if diffe	rent from premis	es address				
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R	legistered num	nber (where ap	plicable)				,	,,,, <u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>
Description of applicant (for example partnership, company, unincorporated asso								c.)
	LOCAL	AUTHOR	My SEN	IDE OFFI	CER			
Te	elephone num						····	
<b> </b>		ber (if any)	· 				•	

Agenda Page 43

Agenda Item 2

What licensable activities do you intend to carry on from the premises? (Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of a	regulated	entertainment
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			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)	
)	Prov	ision of entertainment facilities for:	
	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)	
	Provi	sion of late night refreshment (if ticking yes, fill in box L)	
	Supp	ly of alcohol (if ticking yes, fill in box M)	

 $\bigcap$  In all cases complete boxes N, O and P

Day Start Finish  Mon 2300 Please give further details here (please read guidance note 3)  Diganised street theolie, childrens cleated magic and/or aircus skills. Each to be structured and to include possible use of suitably flested sound system.  Wed 2300 State any seasonal variations for performing plays (please read guidance note of frequency claring school heliday festive periods, summer rights and periods of national calebration.  Fri 2300 Non-standard timings. Where you intend to use the premises for performance of plays at different times from those listed in the column of left, please list (please read guidance note 5)	<i>-</i>			
(please read guidance note 6)  Day Start Finish  Mon Saso 2300 Please give further details here (please read guidance note 3)  Discoursed street theatre, childrens that majic analysis and to include possible use of suitably thested sound system.  Wed 2300 State any seasonal variations for performing plays (please read guidance note of the periods of periods and periods of national celebration.  Wed 2300 State any seasonal variations for performing plays (please read guidance note of the periods of national celebration.  Fri 2300 Non-standard timings. Where you intend to use the premises for performance of plays at different times from those listed in the column of left, please list (please read guidance note 5)  Sat 2300 2300	Plays			
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Wed 2832 State any seasonal variations for performing plays (please read guidance note of Increase of Frequency during school holiday festive periods, summer wights and periods of national calebration.  Fri 2332 Non-standard timings. Where you intend to use the premises for performance of plays at different times from those listed in the column of left, please list (please read guidance note 5)				magic and/or circus skills. Each to be
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Thur page 2300 Increased frequency during school holiday festive periods, summer nights and periods of national celebration.  Non-standard timings. Where you intend to use the premises for performance of plays at different times from those listed in the column of left, please list (please read guidance note 5)  Sat 2300 2300	ļ			Sound Enstern.
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Fri Soo 2300 Profile and celebration.  Non-standard timings. Where you intend to use the premises for performance of plays at different times from those listed in the column of left, please list (please read guidance note 5)  Sat Soo 2300				festive periode summer sints and reside
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Cun				left, please list (please read guidance note 5)
Sun	Sat	<del>29</del> 20	2300	
Sun				·
0411 0820 7320	Sun	<i>○8∞</i>	2300	

В		•	
Film	าร		Will the exhibition of films take place indoors or outdoors or both
	dard days a se read guidan		- please tick ✓ (please read guidance note 2)
Day	Start	Finish	Indoors Outdoors Both
Mon	0822	2300.	Please give further details here (please read guidance note 3)  Use of film as part of chibbens holiday activities 30 05 endinential
Tue	2922	23-20	activities, or as educational medium for some. Occasional films as part of larger concert and
Wed	2822	23-00	State any seasonal variations for the exhibition of films (please read guidance note 4)  Increased frequency during school holiology,
Thur	0800	23	summer nights and periods of national celebration
Fri	<del>-8</del>	<del> </del>	Non-standard timings. Where you intend to use the premises for the exhibition of films at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat	<b>28</b> >>	23->	
Sun	ට හිටය	23->>	
		4	

Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times from those listed in the column on the

left, please list (please read guidance note 5)

Fri

Sat

Sun

خ			Agenda Page 47 Agenda Item Z		
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 Outdoors Both		
Day	Start	Finish			
Mon	೨೫೦೦	2300	Please give further details here (please read guidance note 3)		
			carbol feature or as part of loser event.		
Tue	08 <del>=</del>	2300	Bosible for temp structure to house such sessions. May also form section of junior		
	<u> </u>	<u> </u>	hotiday other activities.		
Wed	0800	2300	State any seasonal variations for the performance of dance (please read guidance note 4)		
			More frequent during school holidays a		
Thur	2800	2300	surver morths.		
			1		
Fri	282	23-00	Non-standard timings. Where you intend to use the premises for the performance of dance entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)		
		<del> </del>			
Sat	2500	2300			
Sun	2820	27			
H	•	· · ·	The first of entertainment you will be providing		
Anyl	thing of a	a similar	Please give a description of the type of entertainment you will be providing		
	cription 1		Use of site by appared fairgound		
fallit	ng withir	ı (e), (f)	speratsis.		
or (g	3)				
Stand	ard days a	nd timings			
please	read guidano		Will this entertainment take place indoors or outdoors or both		
Day	Start	Finish_	- please tick (please read guidance note 2)		
Mon	1200	2200			
	·		Indoors Outdoors Both		
Tue	1200	2200	Please give further details here (please read guidance note 3) Variety of violes and other former altactions		
			using facility for United periods.		
Wed	1200	2200			
-		·			
Thur			State any seasonal variations for entertainment of a similar description to that		
11101	1200	2200	falling within (e), (f) or (g) (please read guidance note 4)		
			Governed by yound conditions and restricted		
-ri	1200	2200	to summer months and occasional bank		
			Lolidays Also to include Addington Comical		
Sat	1220	2250	Non-standard timings. Where you intend to use the premises for the		
			entertainment of similar description to that falling within (e), (f) or (g) at different times from those listed in the column on the left, please list		
Sun			(please read guidance note 5) Use 10 be mainly westerns and then from		
	1000	2200	11) = 10 00 1 10 1 1 1 1 1 1 1 1 1 1 1 1 1		
	در:من:مر. ا	2200	early afternoon orday.		

Please give a description of the facilities for making music you will be providing facilities for making music  Standard days and timings please tick [ (please read guidance note 2)	<u> </u>			Agenda Page 48 Agenda Item 2
facilities for making music standard days and timings please read guidance note 3)  Figure 2300  Non-standard days and timings and and days and timings and and days and timings and and days and timings and standard days and timings are read guidance note 3)  Will the facilities for making music be indoors or outdoors or both please itck [2] (please read guidance note 3)  Figure 2300  Non-standard timings. Where you intend to use the premises for provision of facilities for making music at different times from those listed in the column or the left, please list (please read guidance note 5)  Will the facilities for dancing be indoors or outdoors or both please tick [2] (please read guidance note 2)  Will the facilities for dancing be indoors or outdoors or both please tick [2] (please read guidance note 2)  Please give further details here (please read guidance note 2)  Please give further details here (please read guidance note 2)  State any seasonal variations for providing dancing facilities for the provision of facilities for dancing entertainment at different times from those listed in the column of the left, please list (please read guidance note 3)  State any seasonal variations for providing dancing facilities (please read guidance note 3)  Non-standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times from those listed in the column of the left, please list (please read guidance note 5)	Pro	vision o	of	
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<u>L</u>			Agenda Page 50 Agenda Item 2
Lat	e night		Will the provision of late night refreshment take place indoors or outdoors or
refreshment			both - please tick (please read guidance note 2)
Stan	ndard days	and timings	
(plea:	se read guida	nce note 6)	Indoors Outdoors Both
Day	v Start	Finish	Indoors Outdoors Both
Mor	]		Please give further details here (please read guidance note 3)
	-	<del>                                     </del>	Pincipally as part of Adlington Carnival
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Tue		, ,,	midnicht.
	-	-	Povision made for occosional special
			evert
Wed	<u> </u>		State any seasonal variations for the provision of late night refreshment
		<del>                                     </del>	_ (please read guidance note 4)
		1	Summe months and Bank Holiday
Thu	r		neekends only:
		1	Limited to six days per collendor year.
	1		Januarez de la
Fri		1	Non-standard timings. Where you intend to use the premises for the provision
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		1	the left, please list (please read guidance note 5)
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	2300	သသ	
Sun	<u> </u>		•
Our	2300	೨೦೦೨	
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M			
Sup	ply of ale	cohol	Will the sale of alcohol be for consumption
			- please tick box 🗸 (please read guidance note 7)
	dard days a se read guidan		
			On the premises 🗸 Off the premises 🦳 Both
Day Mon		Finish	
IVION	i200	2300	State any seasonal variations for the supply of alcohol (please read guidance note 4)
			Thy sold as part of organised events
T	<del> </del>		1 · · · /_
Tue	1200	2300	i.e Cominal.
			Concentrated during summer months
10/!			and on no more than six days in
Wed	1200	2300	· · · · · · · · · · · · · · · · · · ·
			any colendar year.
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Sun	1200	73-00	

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	Postcode PETIAC								
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	Issuing licen	sing authorit	y (if known)						
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17	<u> </u>			_					
F	Please highlig	tht any adult	entertainment or services, activities, other entertainment or matters ancillary to	7					
i -			at may give rise to concern in respect of children (please read guidance note 8)						
'	ramine	machin	es may be made of funtains.						
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L		· .							
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H	ours prem	ises are	State any seasonal variations (please read guidance note 4)	1					
	en to the		(picaso real guidance note 4)						
Sta	andard days : ease read guida	and timings							
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Mo	n -	Finish	<b>-</b>						
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We	d same	23.59							
$\vdash$			Non-standard timings. Whose you intend to use the assessment of the						
Thu	ır.	·	Non-standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list						
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Fri	2020	2359							
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Sun	2000	23.59							
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State the name and details of the individual when you wish to specify on the licence as premises supervisor

# P Describe the steps you intend Age to a protect to bur licens Age inchas Item 2

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

Princ all licensable activities any staff sperating will habt qualit; - others / experience release to post. All operators will carry adequate insurance, have test certificates for all equipment as required and will have provided risk assessments Each event will identify risks to the public through a site plan which enable such risk to be minimised fremoved. Operatives / brades deemed unsuitable will not be allowed to trade. Close making relationships will be maintained with all relevant openies to answer a comprehensive adherence to annext policies.

### b) The prevention of crime and disorder

Appropriate levels of qualified security will be in place to optimise cover. All monies will be removed from site safety and swiftly once collected. Appropriate barders introduced to reduce apportunity for theft. Admittance to be refused to anyone percieved to be intending disorder. Alcohol ist to be served to anyone seeningly underage of underthe influence of drink/drys already. Suitable links kept with Police/Wardens service where appropriate

### c) Public safety

Recognised storage a barriers used to alet public to logarda/exits. Lisk 955. and other documents provided to ensure interity of sperdonspequipment. D.P.S to play active role in design of all overts. Detailed site plan provided in design process to futher lightight vists/hazards. All events to maintain clear out routes. Alcohol refused to the underse and those considered druk. Suitable marchals/stemants to be complyed, visible and in communication Event managements plan to be in place

### d) The prevention of public nuisance

Qualified staff in place to refuse admitten to / eject problem members of the public. Co-sperdion of speration in classing/remains features where neccesary. Local residents to be aware of anotes in advance. Sound levels to be maintained within permitted parameters Local police/hadens to be kept informed and present where posethle. Ent management Plan la Lightight public ruisance measures nell in advance.

#### e) The protection of children from harm

All events to require parellal superiston or to include qualified staff in appropriate ratios. Potection policies to be provided by operators of large events. Transportation of children considered, and all releast parental consents obtained in advance. All traders asked to provide child Friendly events. Safety talk to be shen prior to commence ment of all activities. Appropriate safety samuels issued where

LA 17 applicable.

CĤ	ECKLIST:	Agenda Page	53	Agenda Item 2
0	I have made or enclosed payment of	of the fee		
0	I have enclosed the plan of the pren			
•	I have sent copies of this application authorities and others where application	n and the plan to respo	nsible	
•	I have enclosed the consent form of be premises supervisor, if applicable		ual I wish to	<b>2</b> 2
0	I understand that I must now adverti	ise my application		
o	I understand that if I do not comply application will be rejected	with the above requiren	nents my	
SC	IS AN OFFENCE, LIABLE ON CON ALE, UNDER SECTION 158 OF TH OR IN CONNECTION WITH THIS A	IE LICENSING ACT 2		
Sig If s	rt 4 - Signatures (please read guidan mature of applicant or applicant's soli igning on behalf of the applicant plea mature	citor or other duly auth		(Please read guidance note 11)
Dat	te 6 June 2006			
	pacity horacity of ster			·
(Pie	r joint applications signature of 2nd a ase read guidance note 12) igning on behalf of the applicant plea	• •		other authorised agent.
Sig	nature			
Da	te			
Ca	pacity			
	ntact name (where not previously given this application (please read guidance no		for correspo	ondence associated
Po	st town		Postcode	<u>.</u>
Tel	lephone number (if any)			
⊢	ou would prefer us to correspond wit	h you by e-mail your e-	mail addres	s (optional)
1 1	, and an advantage of			`' '



### Consent of individual to being specified as premises supervisor



13 JUN 2006

[full name of prespective premises supervisor]

REDERICK ANDREW BROWN

of

[home address of prospective premises supervisor]

rereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

[type of application]

EMISES LICENCE

by

[name of applicant] LECHMERE - CHORLEY BOROVEH COUNCIL

relating to a premises licence

[number of existing licence, if any]

for

[name and address of premises to which the application relates]

NBILGO PLAYING FIGLDS

STATION ROAD POLINGTON

and any premises licence to be granted or varied in respect of this application made by

[name of applicant]

concerning the supply of alcohol at

[name and address of premises to which application relates]

WEILES RAYING FIEUDS

STATION ROAD ADUNCTON