

# Statutory Licensing Sub-Committee B

Thursday, 19 October 2006

**Present:** Councillors Thomas Bedford and David Dickinson

## 06.SLB.29 DECLARATIONS OF ANY INTERESTS

None of the Members present declared a verbal interest in respect of the item included on the agenda.

## 06.SLB.30 APPLICATION TO VARY A PREMISES LICENSE IN RESPECT OF ST GREGORY'S PAROCHIAL CENTRE, ASH GROVE, CHORLEY LICENSE NUMBER PL(A) 0287

The Director of Customer, Democratic and Legal Services submitted a report requesting the Sub-Committee to determine an application for a premises licence in respect of St Gregory's Parochial Centre, Ash Grove, Chorley.

The report indicated that the requested licensable activities be as follows:

Regulated Entertainment

- (i) Live Music (e) Indoors  
Saturday 10.00 – 01.00
- (ii) Recorded Music (f) Indoors  
Saturday 10.00 – 01.00
- (iii) Performance of Dance (g) Indoors  
Saturday 10.00 – 01.00
- (iv) Anything of a similar description to that falling within e/f or g  
Saturday 10.00 – 01.00
- (v) Provision of facilities for dancing (j) Indoors  
Saturday 10.00 – 01.00
- (vi) Supply of alcohol for consumption on and off the premises  
Monday to Thursday 10.00 – 00.00  
Friday and Saturday 10.00 – 01.00  
Sunday 12.00 – 00.00
- (vii) Hours Premises are open to the public (o)  
Monday to Thursday 10.00 – 00.30  
Friday and Saturday 10.00 – 01.30  
Sunday 12.00 – 00.30

The report also outlined the additional measures that the applicant had indicated could be taken to promote and ensure the achievement of the four relevant objectives.

The Police had submitted a representation in respect of the applicants indicating their concern regarding the application to vary the hours of Live Music on a Saturday night from 00.00 to 01.00 hours on the premises where situated in a residential area and

were concerned that an increase in the hours would be detrimental to the licensing objectives. The Police also objected to the 01.00 finish on the original application received in September 2005 but had no objection to the removal of the 9.00pm limit of children being in the premises, although this was for the function room only and attending a Bona Fide pre-booked function accompanied by a responsible adult.

The Sub-Committee were informed that following consultations between legal representatives from St Gregory's and the Police a revised objective was submitted and agreed by both parties.

The Sub-Committee raised a number of issues and arrived at the following unanimous **DECISION:**

The Licensing Sub-Committee have considered carefully the applicants representations and the interested parties written representations for this application to vary a premises licence.

We have considered the guidance issued under Section 182 of the Act together with the Council's Statement of Licensing Policy in particular those paragraphs referred to in the report.

The Committee has had regard to all factors in relation to the application, the subsequent representations and negotiations between the applicant and the Police.

The Committee also took account that the Statement of Licensing Policy indicates that predetermined closing times will be avoided unless necessary to promote the licensing objectives.

The Committee recognised that the applicant has offered up conditions in his operating schedule to minimise the impact on licensing objectives.

The Committee also considered the human rights implications in particular Article 8 and Article 1 of the 1<sup>st</sup> Protocol of the proportionality principle.

In considering all the above factors, the Sub-Committee agrees to the variation of the premises licence, as requested by the applicant, subject to the amendments suggested by the Police and agreed by the applicant, namely:

- 1) that the application to extend the hours of live music and Saturday night from midnight to 1.00am be not granted and the hours of live music remain at 12 midnight.
- 2) that the restrictions on the allowance of children in the Function Room and the lounge area be removed, subject to the conditions recommended in the Police's letter of 18 October 2006.

Consequently, the Sub-Committee has agreed to the restriction of the premises licence by the insertion of the following additional provisions in the current licence:

#### Regulated Entertainment

- i) Live music (e) Indoors  
Saturday 10.00 – 00.00
- ii) Recorded music (f) Indoors  
Saturday 10.00 – 01.00
- iii) Performance of Dance (g) Indoors  
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- iv) Anything of a similar description to that falling within e/f or g  
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- vi) Supply of alcohol for consumption on and off the premises  
Monday to Thursday 10.00 – 00.00  
Friday and Saturday 10.00 – 01.00  
Sunday 12.00 – 00.00
- vii) Hours premises are open to the public (o)  
Monday to Thursday 10.00 – 00.30  
Friday and Saturday 10.00 – 01.30  
Sunday 12.00 – 00.30

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

General, Prevention of Crime and Disorder, Public Safety and the prevention of crime and disorder all as current.

The protection of children from harm.

The club wishes to have its own policy in relation to children being on the premises, which it would like to have the power to vary as needs suit. The present policy requiring children to vacate the premises by 9.00pm is unworkable in the function room where functions are generally arranged for family celebrations and events such as birthday parties, wedding anniversaries and funerals.

The condition number 2 in Annex 3 requires all children to be off the premises in line with the policy set down by the Parochial Centre or no later than 21.00 hours. This condition is removed and replaced by the following condition/restriction:

“All children shall be allowed to remain in the Function Room beyond 21.00 hours, provided they are attending a pre-booked function accompanied by a responsible adult.

Junior members or guests of members aged between 16 and 18 years shall be allowed to remain in the Lounge/Bar area of the premises after 21.00 hours, provided they are partaking in club activities, such as bowls, snooker, darts etc, or are members of a visiting sports team or association.

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

None.

Chair