

Statutory Licensing Sub-Committee B

Agenda and Reports

For consideration on

Monday, 12th March 2007

In the Council Chamber, Town Hall, Chorley

At 10.00 am



This page is intentionally left blank

Chief Executive's Office

Please ask for: Gordon Banks
Direct Dial: (01257) 515123
E-mail address: gordon.banks@chorley.gov.uk
Date: 1 March 2007

Chief Executive: Donna Hall

Chorley
Council

Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

Dear Councillor

STATUTORY LICENSING SUB-COMMITTEE B - MONDAY, 12TH MARCH 2007

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 Monday, 12th March 2007 commencing at 10.00 am.

Please note that the meeting is expected to last all day with a buffet lunch provided for Members at around 12 noon.

AGENDA

1. **Declarations of Any Interests**

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

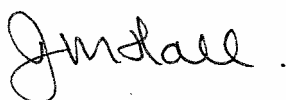
2. **Application for a Premises Licence in Respect of Little Green Men, 18 Windermere Drive, Adlington, Chorley, PR6 9PD (Pages 1 - 82)**

Report of Director of Customer, Democratic and Legal Services (enclosed)

Attached for Members information is the Hearing Procedure.

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

Yours sincerely



Continued....

Chief Executive

Distribution

1. Agenda and reports to all Members of the Statutory Licensing Sub-Committee B (Councillor Edward Smith (Chair), Councillors Thomas McGowan and Mrs Stella Walsh for attendance.
2. Agenda and reports to Councillor Keith Iddon 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

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

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

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

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

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

HEARING PROCEDURE**PREMISES/CLUB PREMISES LICENCE APPLICATIONS****1. CHAIR OF SUB-COMMITTEE:**

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

2. LICENSING OFFICER OUTLINES APPLICATION AND RELEVANT REPRESENTATIONS**3. QUESTIONS TO LICENSING OFFICER FOR CLARIFICATION FROM:**

- Sub-Committee
- Applicant

4. APPLICANT OR REPRESENTATIVE OUTLINES APPLICATION**5. QUESTIONS TO APPLICANT FROM:**

- Sub-Committee
- Interested Representative

6. LANCASHIRE POLICE REPRESENTATIONS**7. QUESTIONS TO LANCASHIRE POLICE FROM:**

- Sub-Committee
- Applicant

8. LANCASHIRE FIRE & RESCUE REPRESENTATIONS**9. QUESTIONS TO LANCASHIRE FIRE & RESCUE FROM:**

- Sub-Committee
- Applicant

10. ENVIRONMENTAL HEALTH (ENVIRONMENT) REPRESENTATIONS**11. QUESTIONS TO ENVIRONMENTAL HEALTH FROM:**

- Sub-Committee
- Applicant

12. ENVIRONMENTAL HEALTH (HEALTH & SAFETY) REPRESENTATIONS

13. QUESTIONS TO ENVIRONMENTAL HEALTH FROM:

- Sub-Committee
- Applicant

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

- Sub-Committee
- Applicant

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

- Sub-Committee
- Applicant

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

- Sub-Committee
- Applicant

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

- Sub-Committee
- Applicant

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

All parties retire whilst Sub-Committee makes decision.

26. NOTICE OF DECISION

Parties re-admitted and Chair announces decision and reasons.

| Report of | Meeting | Date |
|---|-----------------------------------|---------------|
| Director of Customer, Democratic and Legal Services | Statutory Licensing Sub-Committee | 12 March 2007 |

APPLICATION FOR A PREMISES LICENCE IN RESPECT OF LITTLE GREEN MEN 18 WINDERMERE DRIVE ADLINGTON CHORLEY PR6 9PD

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 | 4 |
| 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 variation or to modify the conditions of licence.

BACKGROUND

5. Proposed Premises Licence Holder - Mr Richard Kent Alker
18 Windermere Drive
Adlington
Chorley PR6 9PD
6. Proposed Designated Premises Supervisor - Mr Richard Kent Alker
18 Windermere Drive
Adlington
Chorley PR6 9PD
Personal Licence Number – PA 0527
Issued by Chorley Council
7. Proposed Licensable Activities

i) Supply of alcohol (m) – Off the premises

Monday – Sunday 0800 - 1800

8. Hours the premises are open to the public.

Premises not open to the public – despatch for deliveries only

PROPOSED OPERATING SCHEDULE

9. (a) General

The premises shall be used for the processing and despatch of telephone, internet and mail orders of alcoholic products.

The premises do not pose any risk to the below objectives therefore no additional measures are considered necessary apart from those shown.

(b) The prevention of crime and disorder

Property alarmed.

(c) Public safety

None.

(d) The prevention of public nuisance

None.

(e) The protection of children from harm

All orders to be paid for by credit card and order forms to be certified that order is placed by persons over 18.

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

None.

11. Relevant Representations – Responsible Authorities

None.

12. Relevant Representations - Interested Parties

There are 22 representations from interested parties to the application for a premises licence.

The objections are relevant to the Licensing Objectives:

Prevention of crime and disorder
Public Safety
Prevention of public nuisance
The Protection of Children from Harm

The representations are in full within the report.

POLICY CONSIDERATIONS

13. 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.
14. 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.
15. 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.
16. The Licensing Authority in determining the application, having 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.
17. 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:
18. **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.
19. **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.
20. **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.
21. **Paragraph 2.2** Each of the licensing objectives are of equal importance with these objectives.
22. **Paragraph 2.3** Each of the licensing objectives is of equal importance for the purposes of this policy.
23. **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.

24. **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.
25. **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.
26. **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

27. **Paragraph 6.1** Licensed premises, especially those offering late night entertainment, alcohol and refreshment can be a source of crime and disorder problems.
28. **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.
29. **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.
30. **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.
31. **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.
32. **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.

33. **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.

34. **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

35. **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.

36. **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.

37. **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.

38. **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.

39. **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 (eg commercial, residential)
- arrangements to ensure adequate availability of taxis and private hire vehicles, public transport.
- whether appropriate car parking is readily accessible to premises and whether the use/parking of vehicles would cause a demonstrable adverse impact on the amenity of residents.
- whether the licensable activities are likely to cause adverse impact especially on local residents and whether appropriate measures will be put in place to prevent any adverse impact

- in relation to the grant of a new premises licence whether the premises will give rise to a negative cumulative impact on one or more of the licensing objectives
 - in assessing the impact of the activity proposed the Licensing Authority may consider a number of factors inter alia,
- the type and scale of activity, the number and nature of clientele likely to attend
- the levels of noise from the premises, which may be acceptable later in the evening
- the proposed hours of operation
- the levels of public transport accessibility for customers and the likely means of public or private transport that will be used, access to private hire/taxis
- the means of access to the premises e.g. whether on principal pedestrian routes
- the level of car parking demand on surrounding residential streets and its effect on local residents, and movement of traffic
- the cumulative impact of licensed premises in an area and scope for mitigation
- frequency of the activity.

40. 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

41. **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.

42. **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

43. **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
44. **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
45. **Paragraph 10.5** The Licensing Authority requires applicants to consider, where relevant, those factors that impact on the protection of children objective, and identify where necessary and appropriate, suitable measures to promote this objective. Applicants may wish to consider, where appropriate:
- arrangements to prevent children acquiring of consuming alcohol
 - arrangements to prevent children being exposed to drugs, drug taking, or drug dealing
 - arrangements to prevent children being exposed to gambling, or activities of an adult or sexual nature
 - steps to be taken to prevent children being exposed to violence or disorder
 - arrangements for training staff in relation to the protection of children
 - steps to be taken to prevent children purchasing cigarettes from vending machines and preventing access to Amusement with Prize Machines (except in accordance with the Gaming Legislation)
46. **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.
47. **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.
48. **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.
49. **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

50. **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 .
51. **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

52. **Paragraph 12.1** Where there is entertainment specifically provided for children (eg 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
53. **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

54. Paragraph 13.1 Licensed Premises have significant potential to adversely impact on communities through public nuisances arising from their operation.
55. 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.
56. 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.
57. 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.
58. 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.

59. 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 eg 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
60. **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.
61. **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.
62. **Paragraph 13.9** The Licensing Authority requires Operating Schedules, where relevant to satisfactorily address the issue of public nuisance.
63. **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).
64. **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

65. **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.
66. **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.
67. **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 (eg age)
 - use of special effects eg lasers, pyrotechnics, smoke/foam machines.
68. **Paragraph 14.4** The Act requires a plan of the premises to be supplied with operating schedules showing prescribed information.
69. The Licensing Authority will take notice of a health and safety risk assessment submitted with an operating schedule.
70. **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.
71. **Paragraph 14.6** The Licensing Authority may inspect premises where it considers it appropriate on public safety grounds.
72. **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.

HUMAN RIGHTS ACT IMPLICATIONS

73. 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

74. None

ANDREW DOCHERTY
DIRECTOR OF CUSTOMER, DEMOCRATIC AND LEGAL SERVICE

There are no background papers to this report.

| Report Author | Ext | Date | Doc ID |
|----------------------|------------|------------------|----------------|
| Howard Bee | 5665 | 12 February 2007 | LEGREP/94051AC |

This page is intentionally left blank

LICENSING CONSULTANCY SERVICES

5 Pine Grove
Ormskirk
Lancashire
L39 2YS

Tel: 07801 356700
Fax: 01695 575557

22/1/2007

The Licensing Manager
Chorley Borough Council
Civic Offices
Union Street
Chorley
PR7 1AL

23 JAN 2007

Dear Sir/Madam

**RE: LICENSING ACT 2003 – 18 WINDERMERE DRIVE, ADLINGTON,
CHORLEY**

Please find attached application for the **GRANT** of a premises licence in respect of the above premises.

Kindly acknowledge receipt.

Yours faithfully

G. Sumner ABII MIOL

Licensing Consultant

2006
Member



Celebrating 25 years of
raising standards in licensed retail

e-mail: lcs@sumner168.freemove.co.uk

Please read the following instructions first

Before completing this form please read the guidance notes. 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.

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

I / We [RICHARD KENT ALKER T/AS LITTLE GREEN MEN] apply for
Insert name(s) of applicant(s)

a premises licence under section 17 of 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.

23 JAN 2007

Part 1 – Premises Details

| | |
|---|---------------------|
| Postal address of premises or, if none, ordnance survey map reference or description: 18 WINDERMERE DRIVE ADLINGTON | |
| Post town CHORLEY | Postcode PR6 9PD |

Telephone number at premises (if any)

01257 482998

Non-domestic rateable value of premises

£ DOMESTIC PREMISES RV £192.00

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as: -

Please tick ✓ Yes

- a) an individual or individuals* 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)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm: -

Please tick ✓ Yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a: -
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) Individual Applicants (fill in as applicable)

Mr Mrs Miss Ms Other title (e.g. Rev)

Surname First name(s)

Please tick ✓ Yes

I am 18 years old or over

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

E-mail address (optional)

Second Individual Applicant (if applicable)

Mr Mrs Miss Ms Other title (e.g. Rev)

Surname First name(s)

Please tick Yes

I am 18 years old or over

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

E-mail address (optional)

(B) Other Applicants

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

| |
|---|
| Name |
| Address |
| Registered number (where applicable) |
| Description of applicant (for example, partnership, company, unincorporated association etc.) |
| Telephone number (if any) |
| E-mail address (optional) |

Part 3 - Operating Schedule

When do you want the premises licence to start?

| Day | | Month | | Year | | |
|---------|-------------|-------|--|------|--|--|
| AS SOON | AS POSSIBLE | | | | | |

If you wish the licence to be valid only for a limited period, when do you want it to end?

| Day | | Month | | Year | | |
|-----|--|-------|--|------|--|--|
| | | | | | | |

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

Please give a general description of premises (please read guidance note 1)

DOMESTIC DWELLINGHOUSE FROM WHICH HOME BUSINESS OF INTERNET SALES OF ALCOHOL WILL BE CONDUCTED.

SMALL SUPPLY OF PRODUCT WILL BE STORED IN SECURE GARAGE ATTACHED TO PROPERTY READY FOR DESPATCH TO INTERNET/MAIL ORDER CUSTOMERS.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 & 14 of the Licensing Act 2003 & Schedule 1 & 2 to the Licensing Act 2003)

Please tick ✓ Yes

Provision of regulated entertainment

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

Provision of entertainment facilities 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)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

| | | | | | |
|--|--------------|---------------|--|----------|--|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6) | | | Please give a description of the type of entertainment you will be providing | | |
| Day | Start | Finish | Will this entertainment take place indoors or outdoors or both – please tick [✓] (please read guidance note 2) | Indoors | |
| Mon | | | | Outdoors | |
| | | | | Both | |
| Tue | | | Please give further details here (please read guidance note 3) | | |
| Wed | | | | | |
| Thur | | | State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) | | |
| Fri | | | | | |
| Sat | | | 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 to those listed in the column on the left, please list (please read guidance note 5) | | |
| Sun | | | | | |

I

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

J

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

K

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

L

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

M

| Supply of alcohol Standard days and timings (please read guidance note 6) | | | Will the supply of alcohol be for consumption (Please tick box ✓) (please read guidance note 7) | On the premises | |
|--|-------|--------|--|------------------|---|
| | | | | Off the premises | ✓ |
| | | | | Both | |
| Day | Start | Finish | | | |
| Mon | 08:00 | 18:00 | State any seasonal variations for the supply of alcohol (please read guidance note 4) | | |
| | | | | | |
| Tue | 08:00 | 18:00 | | | |
| | | | | | |
| Wed | 08:00 | 18:00 | | | |
| | | | | | |
| Thur | 08:00 | 18:00 | | | |
| | | | | | |
| Fri | 08:00 | 18:00 | Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| | | | | | |
| Sat | 08:00 | 18:00 | | | |
| | | | | | |
| Sun | 08:00 | 18:00 | | | |
| | | | | | |

State the name and details of the individual whom you wish to specify on the licence as premises supervisor: -

| | |
|--|---------------------|
| Name | RICHARD KENT ALKER |
| Address | 18 WINDERMERE DRIVE |
| | ADLINGTON |
| Postcode | PR6 9PD |
| Personal Licence number (if known) | PA0527 |
| Issuing licensing authority (if known) | CHORLEY COUNCIL |

N

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

O

| | | | |
|---|--------------|---------------|---|
| <p>Hours premises are open to the public Standard days and timings (please read guidance note 6)</p> | | | <p>State any seasonal variation (please read guidance note 4)</p> |
| Day | Start | Finish | <p>PREMISES NOT OPEN TO THE PUBLIC - DESPATCH ONLY FOR DELIVERIES</p> |
| Mon | | | |
| | | | |
| Tue | | | |
| | | | |
| Wed | | | |
| | | | |
| Thur | | | |
| | | | |
| Fri | | | |
| | | | |
| Sat | | | |
| | | | |
| Sun | | | |
| | | | |

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 (please read guidance note 5)

P Describe the steps you intend to take to promote the four licensing objectives: -

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

1) THE PREMISES SHALL BE USED FOR THE PROCESSING AND DESPATCH OF TELEPHONE, INTERNET AND MAIL ORDERS OF ALCOHOLIC PRODUCTS.

2) THE PREMISES DO NOT POSE ANY RISK TO THE BELOW OBJECTIVES THEREFORE NO ADDITIONAL MEASURES ARE CONSIDERED NECESSARY APART FROM THOSE SHOWN

b) The prevention of crime and disorder

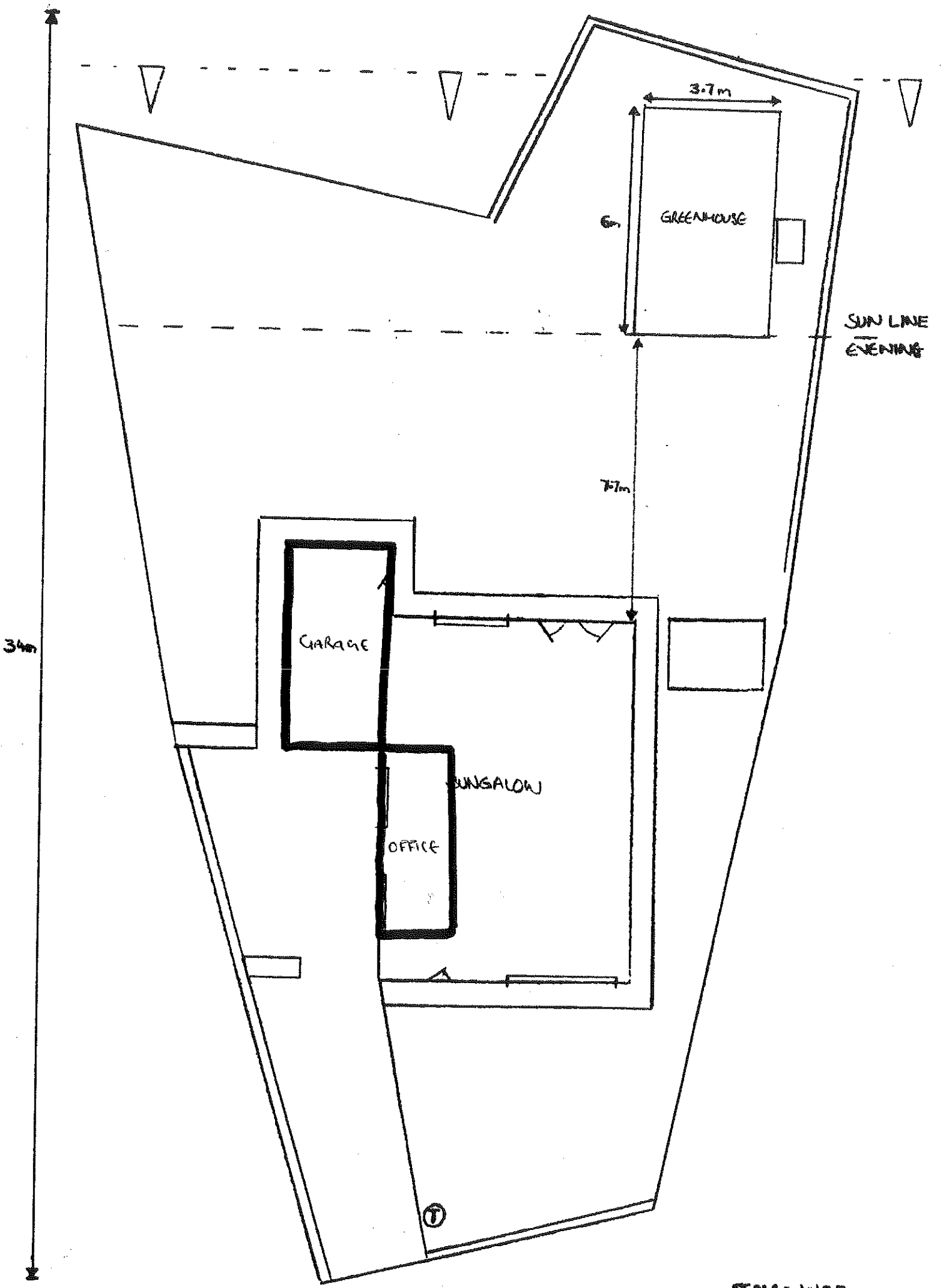
1) PROPERTY ALARMED

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

1) ALL ORDERS TO BE PAID FOR BY CREDIT CARD AND ORDER FORMS TO BE CERTIFIED THAT ORDER IS PLACED BY PERSON OVER 18. TERMS AND CONDITIONS OF SALE ARE THAT PURCHASERS MUST BE OVER 18



LICENSING CONSULTANCY SERVICES

**Licensing Act 2003
Schedule 11**

regulation 24

CONSENT OF INDIVIDUAL TO BEING SPECIFIED AS PREMISES SUPERVISOR

I Richard Kent ALKER of 18 Windermere Drive, Adlington hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for grant of a premises licence by myself / *T/As Little Green Men* relating to a premises licence for 18 Windermere Drive, Adlington and any premises licence to be granted or varied in respect of this application made by myself / *T/As Little Green Men* concerning the supply of alcohol at 18 Windermere Drive, Adlington.

I also confirm that I currently hold a personal licence, details of which I set out below.

Personal licence number PA0527
Personal licence issuing authority Chorley Borough Council


.....signed

Richard Kent ALKERname (please print)

18/1/07
.....dated

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

14th February 2007

Licensing Officer
Chorley Borough Council
Civic Offices
Union Street
Chorley
PR7 1AL

Dear Sirs

RE: APPLICATION FOR NEW PREMISES LICENCE

Premises: Little Green Men, 18 Windermere Drive, Adlington

Applicant: Richard Kent ALKER

There are no police representations to be made in respect of this application:-

Yours faithfully

11329 Linda Robson
Licensing Assistant
Licensing Unit

Elizabeth Riley

From: Kennedy, Susan (ENV) [Susan.Kennedy@ts.lancscc.gov.uk]
Sent: 24 January 2007 10:18
To: Licensing
Subject: Chorley Licensing Act 2006

Good Morning,

We have received a licence application from the following premise;

Mr Richard kent alker,
For - Little Green Men, 18 Windermere Drive, Adlington, Chorley, PR6
9PD.
DPS - As above.

We have no objection.

Thanks

Suzie.

Susan Kennedy
Operational Support
Lancashire Trading Standards
01772 533578

This e-mail contains information intended for the addressee only.
It may be confidential and may be the subject of legal and/or
professional privilege.
If you are not the addressee you are not authorised to disseminate,
distribute, copy or use this e-mail or any attachment to it
The content may be personal or contain personal opinions and unless
specifically stated or followed up in writing, the content cannot be
taken to form a contract or to be an expression of the County Council's
position.
Lancashire County Council reserves the right to monitor all incoming and
outgoing email
Lancashire County Council has taken reasonable steps to ensure that
outgoing communications do not contain malicious software and it is your
responsibility to carry out any checks on this email before accepting
the email and opening attachments.

A 4-star council: awarded top marks by the Audit Commission

The Licensing Authority Chorley Borough Council, Civic Offices, Union Street, Chorley, PR7 1AL

With respect to the licensing law 2003 and planning laws regarding the business that Mr Richard Kent Alker T/As Little Green men, 18 Windermere Drive, Adlington Chorley. intends to run and indeed is running now I think ,according to his web site I would like to object to the granting of a personal /premises licence to sell alcohol from the said premises.

My objections are;

No 1

TRAFFIC ; Generated by vehicles delivering consignments of beer and other pick ups and deliveries from other vehicles and trailers. To the said address from the hours of 08:00 to 18.00 daily.

No 2

PUBLIC SAFETY; 18 Windermere , is situated on a blind bend of Windermere Drive, I have marked it out on the housing layout plan I enclose. If delivery vehicles are parked right in front of the premises it could cause a problem to other drivers, cyclists etc and indeed children, if the pathway is blocked they may have to cross the said road on the way to school etc, We have quite a few very elderly people who are neighbours and they need doctors, nurses and carers to call at their houses and sometimes ambulances. Also we have a residential home at Windermere where five young adults are looked after by carers. Meeting are held here by social workers and they can be as many as eight cars for people attending these meetings. Windermere is also a driver practicing and manoeuvre area for learner drivers of cars and motorbikes. So any extra traffic may become quite a problem for what is a residential area after all.

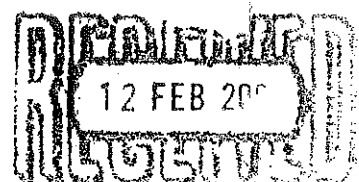
No 3

CRIME ; The full address of Mr Richard K. Alker was printed in full in the Chorley Guardian when the Licensing application was advertised. Also a notice was attached to a tree in his garden of which people have read of his intentions also anyone can access the internet and see the goods of sale he has , ie chilli beer etc. Unscrupulous criminals may pick up on the fact that large amounts of expensive goods may be stored at his home and be attracted to the area.

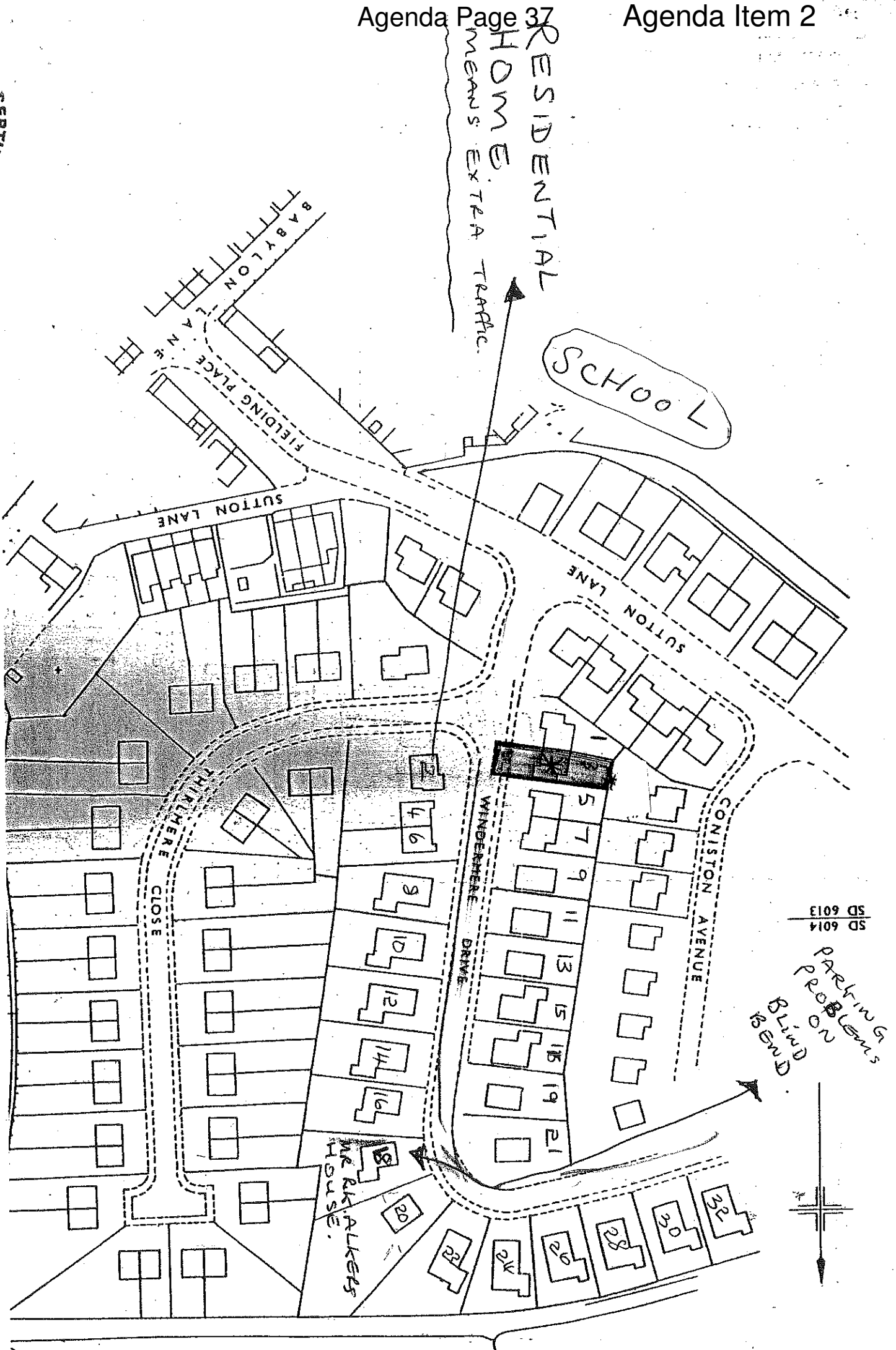
No 4

NOISE ; Neighbours who live next door or adjacent could be subjected to noise generated by vehicles arriving, waiting, parking and departing has there may be deliveries and collections from 08.00 to 18.00 daily Especially if deliveries included crates of beer.

Summary; Myself, my daughter and my elderly mother whom I look after , live here on Windermere Drive, I have lived here for over 25 years it is very much a residential area with a good mix of families, single people and elderly people, some over eighty years old. All the people I have spoken to are concerned about the impact this business may have on our everyday lives. Whilst understanding that Mr Richard K. Alker needs to run his business selling alcohol so that he can include selling Chilli Beer which I believe will become a market success . Richard is a clever, enterprising young man, very skilled at promoting himself and his business on the internet. <Details of which I enclose for you to read.> He also promotes his business on farmers markets throughout the North of England, on the radio and TV. Infact I believe this business will expand rapidly, which worries me even more . I would suggest a shop premises or factory unit would be advisable for this business



PERTIA

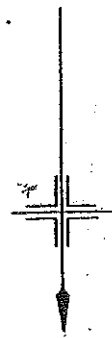


RESIDENTIAL HOME
MEANS EXTRA TRAFFIC

SCHOOL

E109 SD
SD 6014

PARKING PROBLEMS
BLIND BEND





WIDER VIEW OF DRIVEWAY
+ PATHWAY / ROAD.



MR R. K. ALKERS
NARROW FRONTAGE + DRIVE
IN CLOSE-UP.

WINDERMERE
(STREET
VIEW.)



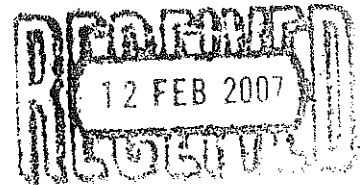
→
5 ELDERLY
PEOPLE
LIVE IN
THESE
BUNGALOW
OPPOSITE
NO 18.



LEARNER MOTOR CYCLIST
FROM WINDOW OF NO 20 WINDERMERE.

11 February 2007

Licensing Authority
Chorley Borough Council
Civic Offices
Union Street
CHORLEY
Lancs PR7 1AL



Dear Sir/Madam

Re: Richard Kent Alker T/As Little Green Men for the grant of a Premises Licence in respect of 18 Windermere Drive Adlington Chorley

I wish to raise strong opposition to the granting of this licence, including the activities that this licence will permit, from the said premises.

Outlined below are reasons for my objection and opposition:

Crime and Disorder - Public knowledge (albeit that this may be initiated from curiosity) that this address is licensed retail premises for alcohol will attract attention from those outside the law-abiding community and the risk of criminal activity in the neighbourhood would (eg burglaries and theft), I fear, increase. As there is a public footpath running behind properties on Windermere Drive (see attached plan) criminals could gain access via this route and cause considerable disturbance on or around my property. Not to mention the effect that the worry, or actual event of this, would have on my health and mental state.

Public Safety - Traffic parking and loading/unloading their vehicles on a blind bend (see attached plan) could cause a risk to the safety of other motorists, cyclists and pedestrians. In particular children on their way to school and elderly residents (there are several in the vicinity of the said property). I also feel that such traffic could pose a hazard to the access of emergency vehicles and also a hindrance to doctors/nurses visiting the elderly in the area. I am also greatly concerned for the safety of my grandchildren who regularly visit and are frequently left in my care. The risk of a potential accident, from callers to the proposed licensed premises, whilst they are at play, would restrict their right to play freely on or around my own home.

Noise - Currently this starts as early as 0530 - 0600 for the loading of chilli products which are to be taken to markets and shows. Future promotional and corporate events at the said property would increase this noise. Disturbance from callers and vehicles loading and unloading, beer and its related products, people discussing their business etc, throughout the proposed times of 0800 - 1800 daily.

Traffic - The said property is situated on a blind bend. Windermere Drive is currently used as a DVLA authorised test route and is frequented by driving schools for motorists and motorcyclists daily. As highlighted in issues above there will be increase in traffic due to the very nature of the proposed business, vans, trailers, pickups etc. This increase in traffic to those already in existence could cause severe problems and disturbance to residents.

I would also like to raise awareness of previous and current observations of disturbance, due to business already having been carried out to date at this said address:

- At the onset of Little Green Men Mr Alker's business was as a gardener and he frequently loaded gardening equipment during unsociable hours (loading at 0530 - 0600, unloading at dusk).
- Storage of UPVC cladding products, for another business venture, loading and unloading of these products early morning and dusk.
- The early morning loading still continues to date as Mr Alker attends regular markets and promotional shows to sell and advertise his chilli products.
- Frequent callers with small vans, transit vans, cars, trailers etc all in association with sales and deliveries relating to his "on-line" chilli business.
- Disturbance from corporate and publicity events (TV crews, news papers etc) - promoting his chilli business to the widest possible audience.

To me, as a neighbour, Mr Alker always gave the impression that growing chillies was a hobby. However, from reading information on his web site, his business intentions are quite ambitious and expected to expand quite rapidly with the planned promotion and sales of his chilli beer, delivery of events such as workshops in growing and cooking with chillies.

Whilst I do not wish Mr Alker to fail in his business venture, more suitable premises are available on retail and factory unit sites in the area.

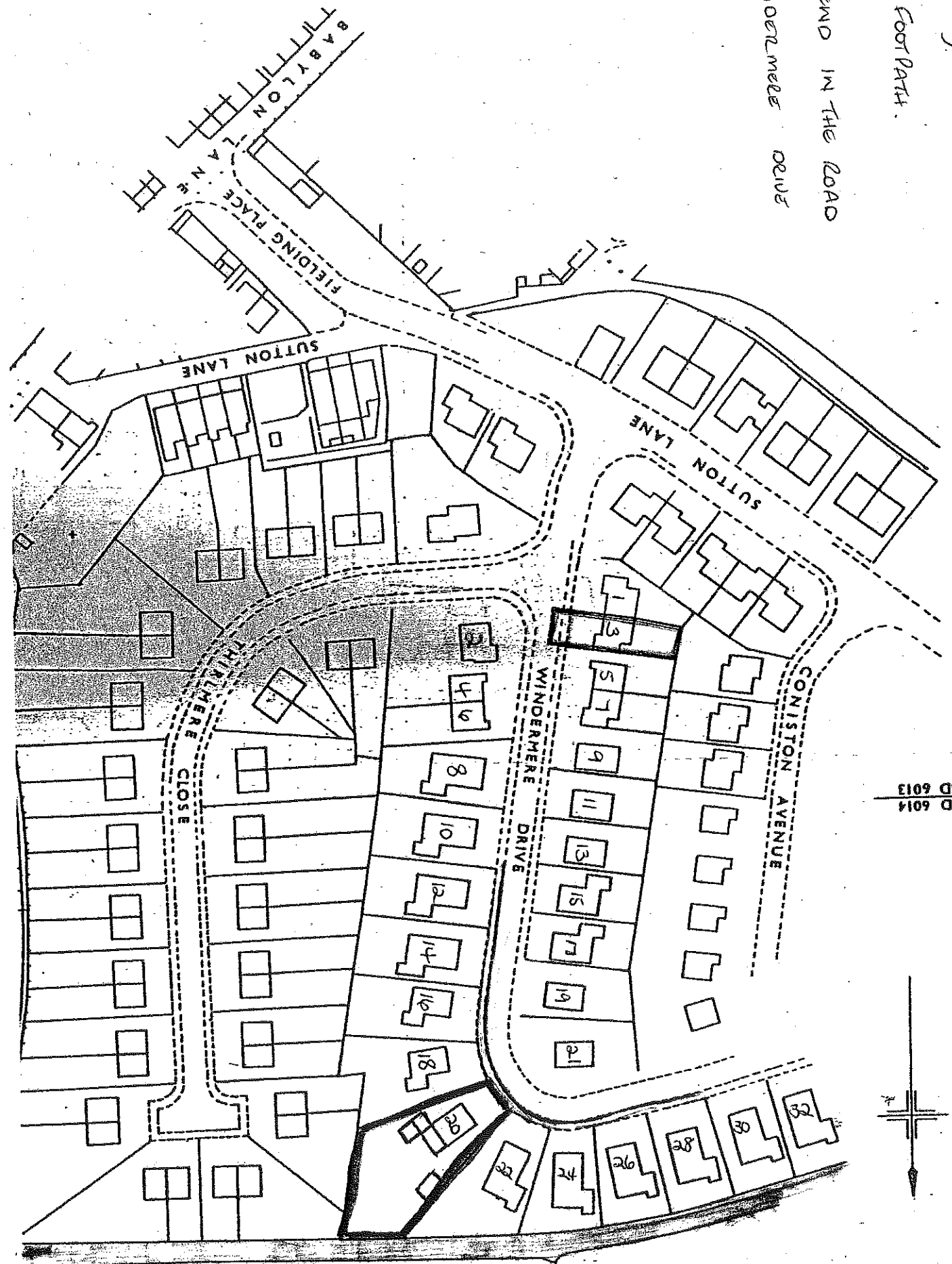
I must, therefore, reiterate my objections to the granting of the licence and feel that a residential area is unsuitable for his proposed activities.

my Property.

Public Footpath.

THE BEND IN THE ROAD

12 Baker - 18, WINDERMERE DRIVE



FR77

12 February 2007

Licensing Authority
Chorley Borough Council
Civic Offices
Union Street
CHORLEY
Lancs PR7 1AL

Dear Sir/Madam

Re: Richard Kent Alker T/As Little Green Men for the grant of a Premises Licence in respect of
18 Windermere Drive Adlington Chorley

We wish to object to the granting of the above licence, and all the activities that this licence will permit, from the said premises.

The following are reasons for this objection:

Public Safety - 18 Windermere Drive is on a blind bend and traffic parking and loading/unloading their vehicles in this location would be a risk to the safety of other motorists, cyclists and pedestrians. In particular children on their way to school and elderly residents. Access by emergency vehicles could also be restricted.

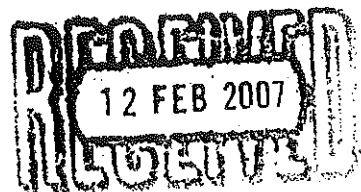
Crime and Disorder - There has been considerable interest in this application locally due to details of this address being posted on the application and on a tree in Mr Alker's garden. These notices stating that the address is a proposed licensed retail premises for alcohol will attract attention from those of ill-intent and outside the law-abiding community thus increasing the risk of disturbance from crowds and possible criminal acts within the surrounding neighbourhood.

Noise - Vehicles using the access to Windermere Drive () adjacent to our property would cause additional vehicle noise (vans, wagons etc).

Traffic - The property concerned is situated on a blind bend. As Windermere Drive is currently used as a DVLA authorised test route and is frequented by driving schools for motorists and motorcyclists daily. The corner of Windermere Drive and Sutton Lane () is frequently used for testing a driver on reversing manoeuvres, extra traffic in this vicinity could be hazardous.

Having read Mr Alker's web site and his proposed business expansion plans, we object to the granting of the licence and also strongly feel that a residential area is unsuitable for licensed premises.

Yours faithfully



REPRESENTATIONS RESPECTING A LICENSING APPLICATION FOR
'LITTLE GREEN MEN', 18 WINDERMERE DRIVE, ADLINGTON, BY
RICHARD KENT ALKER.

On the 31st January 2007, a public notice appeared in the Chorley Guardian newspaper, respecting the above application, which is for a licence to sell alcohol on or from the above premises between 8am and 6pm daily.

I live at _____ which is on the corner of _____ and _____
adlington. I have lived here since the property was built in the 1960's.

It is not clear from the application whether it is intended to sell alcohol to the general public from this bungalow, for 10 hours per day, or supply to retailers from the address. In either case the application causes me concern for the reasons given below.

1. The address 18 Windermere Drive has always been a privately owned bungalow on what is a private residential estate. There are no retail outlets on the estate at present.
2. If it is intended to sell intoxicants for 'off' consumption then there is serious potential for anti-social behaviour and public disorder. There are many incidents of drunken fuelled behaviour at present and another outlet would only exacerbate the problems.
3. There are already many alcohol outlets in Higher Adlington including two 'off-licences' - The Local and Bargain Booze on Chorley Road. The newsagents shop on Chorley Road also has a licence for off consumption. In addition, there are several public houses on Bolton Road and Chorley Road, including The Elephant and Castle, The Ridgway Arms, the White Horse, and the Spinners Arms in Railway Road. The late shop on Bolton Road also sells alcohol. All these existing licensed premises are within easy walking distance of my address.
4. Incidents of crime and disorder reached such a peak that surveillance cameras have been installed outside The Local 'off licence' in Chorley Road. The cameras give a view across the St. George's playing fields between the camera site and Sutton Lane but will not cover the applicant's address. It seems logical that under-age drinkers and general nuisance will be displaced if the application is successful.
5. There are many elderly people and persons who live alone in this area, including a house in Windermere Drive run for disadvantaged children by the Brothers of Charity at Lisieux Hall. I am sure that the application is a cause for concern.
6. If, on the other hand, the application is to cover supply to other retailers, then the question of traffic problems arises. There are already problems with parking on the estate, which will not be helped by traders vehicles commuting for up to 10 hours per day. Many children attend the school on Babylon Lane and there is also the matter of their safety.

7. It seems to me that if the proposed business venture is so promising then proper business premises should be obtained in the normal manner instead of converting a private dwelling for business use.
8. A grocery and 'off-licence' once existed on Babylon Lane at the corner of Sutton Lane but closed because business was poor.

I know that I am not alone in making serious representations against the grant of this licence, which will impact adversely on our lives. Commensurate with the needs of this area I feel that this application should be refused.

I HAVE READ THE ABOVE COMMENTS AND TOTALLY AGREE WITH THE SENTIMENTS EXPRESSED.

| |
|-------------------------|
| CHORLEY BOROUGH COUNCIL |
| 14 FEB 2007 |

LICENSING AUTHORITY
 CHORLEY BOROUGH COUNCIL
 CIVIC OFFICES
 UNION STREET
 CHORLEY PET 1A
 12th February.

RE: RICHARD KENT AUCKE T/A.S. LITTLE GREEN MEN.

18, WINDERMERE, DRIVE AUNSTON.
 ALCOHOL PREMISES LICENCE.

Dear Sir or Madam,

I object to an alcohol
 retail business at the above address,
 I am an old age pensioner aged 85 years

I am worried about the possibility
 of crime and disorder. I live on my
 own and it bothers me. How many
 strangers are there going to be waiting
 me Aucke's business? How many deliveries
 are there going to be? It is a quiet
 area with a lot of elderly residence
 there will be a lot more traffic
 surely. Parking, deliveries loading and
 unloading and I feel it is just not
 suitable for retail use. This is a
 residential area and it should
 remain so.

Yours faithfully
 James Strickfuss

13 February 2007

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

14 FEB 2007

Dear Sir/Madam

RE: Licensing Application for Richard Alker, 18 Windermere Drive, Adlington

I have some concerns about the licensing for retail business in a residential area, reasons as given below:

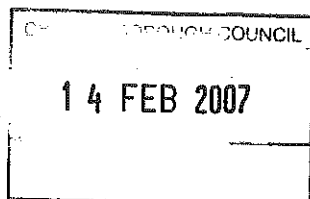
- The effects of risk of young persons (or even under age) feeling that there is a possibility of breaking in to obtain beer, etc. – risk of damage to other persons' property in the event.
- Loss of privacy - due to callers or events taking place at home/business address.
- Noise pollution – due to the increase in volume of persons visiting.
- Hindrance to parking during collections/deliveries – roads are already used frequently for learner drivers' tuition and testing.

Residents in the area (including myself) feel that such business dealings should only take place on retail premises, not on a housing estate.

Whilst we have no concerns over the growing of chillies we do have concerns due to Mr Alker's business expanding into the retail of Chilli Beer; people may feel that Alcohol is available on premises and stored there too. I understand that his intention is to market upon the Internet but people may try to locate the address of the business in order to make personal purchases from his home address, or steal/break-in.

There are plenty of retail outlets available in the Adlington/Chorley area that could be used for this purpose without infringing upon a residential area.

Yours faithfully



February 12th 2007

Dear Sir

Licensing Act 2003 (Premises and Club premises Certificate) Regulation 2005
Re Richard Kent Alker T/A Little Green Men, 18 Windermere Drive, Adlington,
Chorley.

I refer to the Public Notice for the request of a licence for the above premises.

As the applicants property

I am writing to strongly object to the proposed licence, which will in effect turn the applicants property into a commercial property on a domestic dwelling estate. We have enough problems with underage drinking in Adlington without the establishment of another licenced premises selling alcohol between 8.00am and 6.00pm. I believe that the alcohol is to be stored in the applicants garage, is this a secure location? If the business was to be successful, would extra storage buildings be built on the premises, thus affecting our view.

It has been mentioned on the company website that there will be a series of chilli growing seminars in the future, the obvious place for this is the applicants back garden. As there is only a 3foot fence between our properties, the fact that alcohol will be sold to strangers in the applicants back garden would no doubt create noise and affect our privacy.

When making your decision about the application, I trust that the above objections will be taken into consideration

Yours sincerely

Licensing Authority
Chorley Borough Council
Civic Offices
Union Street
Chorley
PR7 1AL



Dear Sirs,

**Re: Public Notice for Licensing Applications
18 Windermere Drive Adlington**

As a resident of Windermere Drive I am concerned about the above application for a Premises License at the above property for the retail sale of alcohol on the following grounds:-

- **The prevention of public nuisance**

That this will attract undesirables to this area. I am aware of properties in the area that have been burgled and I feel the distilling and retail of beer from these premises would cause more crime and disorder.

- **Public safety**

He is conducting a business from a residential area which would bring more traffic onto the estate where children and old people would be at risk

- **The prevention of public nuisance**

If there is an increase of traffic to the area this could become a public nuisance as the estate has already seen a dramatic increase in traffic along Sutton Lane travelling from Chorley Road via Daisy Hill and Sutton Lane to Babylon Lane especially in School term times which I feel is a public safety issue. It is also felt that, if this application is granted, this may be the thin end of the wedge which could lead to further development of the business, thus exacerbating the problems of increased traffic etc. as stated above.

Is this an appropriate area for a development business to be situated?

- **The protection of children from harm**

How can it be guaranteed that internet sales would be to under 18's only?

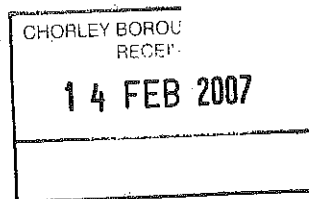
If this licence is granted I would suggest that it should be subject to a provision that sales directly to the public from the premises should be prohibited and should be mail order sales only.

I await hearing from you.

Yours sincerely,

12th February 2007

The Licensing Authority
Chorley Borough Council
Offices
Union Street
Chorley
PR7 1AL



Dear Sirs

**Premises Licence Application, 18 Windermere Drive, Adlington, Chorley.
Richard Kent Alker Trading As Little Green Men**

I wish to lodge my objection to the Application for the daily retail sale of alcohol between 8.00am and 6.00pm from the above premises.

As you should be aware, the property is a detached two bedroom bungalow with garage, situated upon a modern and purpose built estate of similar and mixed style bungalows and houses off the centre of Adlington. The environment is totally residential, was laid out and is occupied by the residents as such.

I object for the following reasons:-

The above bungalow is set upon a 90 degree bend and has limited road frontage. The road is relatively narrow and regular parking by visitors, customers, delivery or collecting vans would be a hazard (I see this now from my window when the property has only residential use). I therefore consider public safety would be at risk by such commercial use.

The proposed use would also be a public nuisance. As I said, number 18 has only limited road frontage and any extra generation of parking would, of necessity, be in front of neighbouring dwellings making access of their drives more hazardous and again making it more dangerous for passing traffic. Windermere Drive is a through road, regularly used by professional learner drivers and for child cycling instruction. The generation of more persons would also be a public nuisance with noise and activity generated from the drive and garden of the property when business was being transacted.

I object also on the grounds that the proposed use would generate the likelihood of greater crime in the area. Once the knowledge that an alcohol business was being carried out from the premises it would be perceived by some that alcohol and money was available (whether real or not) and the property and immediate locality would become a target for theft. More people visiting the property for business purposes would also make the Neighbourhood Watch Scheme unworkable therefore making all more vulnerable to crime.

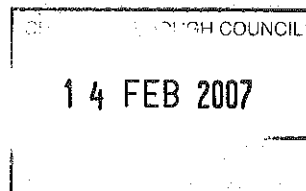
I consider therefore that any change of use from that already designated would irretrievably alter the character of the neighbourhood to its detriment and that the premises, i.e. 18 Windermere Drive, are totally unsuitable for the use proposed in the above application.

I trust, after deliberation, you will give my Objection fair consideration.

Yours faithfully

12th February 2007.

Licensing Authority
Chorley Borough Council
Civic Offices
Union Street
Chorley
PR7 1AL



Dear Sirs,

**Re: Public Notice for Licensing Applications
18 Windermere Drive Adlington**

As a resident of Coniston Avenue which abuts to Windermere Drive I am concerned about the above application for a Premises License at the above property for the retail sale of alcohol on the following grounds:-

- **The prevention of public nuisance**

That this will attract undesirables to this area. We personally have already been burgled and robbed in our home twice when we also had two vehicles stolen and written off. I feel this could cause more crime and disorder.

- **Public safety**

He is conducting a business from a residential area which would bring more traffic onto the estate where children and old people would be at risk

- **The prevention of public nuisance**

If there is an increase of traffic to the area this could become a public nuisance as the estate has already seen a dramatic increase in traffic along Sutton Lane travelling from Chorley Road via Daisy Hill and Sutton Lane to Babylon Lane especially in School term times which I feel is a public safety issue. My daughter and her family live at number Windermere Drive and I am very concerned for their safety. It is also felt that, if this application is granted, this may be the thin end of the wedge which could lead to further development of the business, thus exacerbating the problems of increased traffic etc. as stated above.

Is this an appropriate area for a development business to be situated?

- **The protection of children from harm**

How can it be guaranteed that internet sales would be to under 18's only?

If this licence is granted I would suggest that it should be subject to a provision that sales directly to the public from the premises should be prohibited and should be mail order sales only.

I await hearing from you.

Yours sincerely,

14th February, 2007

Licensing Authority
Chorley Borough Council
Civic Offices
Union Street
Chorley
Lancs PR7 1AL

RECEIVED
15 FEB 2007

Dear Sirs

Re: Richard Kent Alker T/A Little Green Men – application for Premises Licence in respect of 18 Windermere Drive, Adlington, Chorley

I am horrified to find out that Mr Alker has applied for this licence from a residential property.

My objections are as follows:

Crime & Disorder - There is bound to be an increase in crime. Where there is alcohol, there is a higher risk of criminal activity as proved with our local Bargain Booze shop. Mr Alker's property is very near to open fields and access would be very easy. In particular, this would affect [redacted] will be at a very high risk and she should not be put in this dreadful position. We would all be put at risk because criminals may as well 'have a go' at other properties at the same time.

Public Safety – We have purchased our properties because they are safe. Mr Alker would cause an increase in traffic and this would certainly be unacceptable. He disturbs people now when he leaves home at the crack of dawn and any increase in this activity would cause not only disturbance of a nice quiet area but the increased risk of road traffic accidents. There are quite a few elderly residents on Windermere Drive and they will be at a higher risk if the traffic increases.

Noise – As mentioned previously, Mr Alker makes early starts when loading his chilli products for markets and there is definitely local disturbance. Should Mr Alker commence promotional and corporate events from his property our normal peaceful existence will be no more.

Traffic – Windermere Drive is normally a very quiet area. We do not want any increase in this traffic. We have no idea how much traffic his business will cause, it would have been useful for him to tell us, but we don't want any increase.

We hope you will take some notice of my objections to Mr Alkers' request for a premises licence.

We do not want this on Windermere Drive as we can only see problems arising from it. Mr Alker should arrange for premises away from a nice residential area to avoid giving his neighbours the worry and stress of this. Why is he not doing this? It is a housing estate, not an industrial estate.

Incidentally, I must point out that I have no objection in any one person making a go of their business but I draw the line when it can affect the neighbourhood where we live.

Yours sincerely,

14th February, 2007

Licensing Authority
Chorley Borough Council
Civic Offices
Union Street
Chorley
Lancs PR7 1AL

15 FEB 2007

Dear Sirs

Re: Richard Kent Alker T/A Little Green Men – application for Premises Licence in respect of 18 Windermere Drive, Adlington, Chorley

I wish to object to the application as above for the following reasons:

Crime & Disorder - There WILL be an increase in crime. Criminals will always find a way especially when alcohol is involved.

Public Safety – Windermere Drive has a reputation for safety and this will definitely change if the traffic increases. We are directly opposite Mr Alker and would not be happy to have wagons and passers by calling at all hours of the day.

Noise – Mr Alker makes early starts when loading his chilli products for markets and there is definitely local disturbance. Should Mr Alker commence promotional and corporate events from his property our normal peaceful existence will be no more.

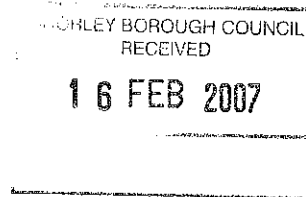
Traffic – Windermere Drive is normally a very quiet area. We do not want any increase in this traffic. We have no idea how much traffic his business will cause, it would have been useful for him to tell us, but we don't want any increase.

Windermere Drive is a residential area and we can only see problems arising from granting this licence. Why can't Mr Alker arrange for premises on an industrial estate. We do not want this on our residential estate. It can only cause problems.

Yours sincerely,

13th Feb 07

Licensing Authority
Chorley Borough Council
Civic Offices
Union Street
Chorley
PR7 1AL



Dear Sir/Madam,

With regard to the licensing law 2003 and planning laws regarding the business that Mr Richard Kent Alker T/As Little Green Men, 18 Windermere Drive, Adlington, Chorley, who intends to run and indeed is running a business according to his web site. We would like to object to the granting of a personal/ premises licence to sell alcohol from the above address.

Our objections are as detailed below

- Additional traffic collecting and delivering consignments of goods during the hours of 08.00 and 18.00 daily, in what is a quiet residential area.
- The above will undoubtedly generate noise and this will affect all surrounding properties as well as others in the area from standing, running vehicles coming and going between the hours stated above and being realistic, outside these hours.
- Safety of residents and others, the property is sited on a blind bend on Windermere Drive and any vehicles parked outside the property would reduce the width of the road and this could cause an accident between vehicles coming round the corner. If delivery/ collection vehicles park on the pavements, then this again, would obstruct the pavement, causing pedestrians to cross the road from behind the parked vehicles and again lead to an accident. The estate has a varied population of children, mothers with prams and especially elderly people on Windermere Drive. Also on Windermere Drive there is a residential home with 5 young adults with various disabilities where from time to time meetings are held with the social workers, which means additional vehicles, parked on Windermere Drive. The estate is also used by L – drivers of cars and motorbikes to practise parking and manoeuvres. Therefore any additional traffic due to the above application is detrimental to the residents of the estate.
- Crime is also a concern, as the premises will be holding potentially large stocks of alcohol for distribution, the risk of theft substantially increases, also any goods paid for by cash which could be held on the premises, again increases the risk of theft & crime.
- This situation/ application is totally unacceptable given that it is a residential area and we do not believe it is in any of the local residents interests for this application to be given approval. His business is growing and therefore it would be better located in a small lock up/ business unit away from a residential area.

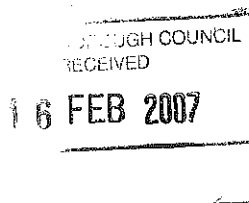
- Our property backs onto the applicants and all the above will affect us directly/indirectly. We are also writing this on behalf of our

We trust that our objections and others whom we know have objected, will be given due consideration and finally, would you give approval for such a business if it was on your doorstep?

Yours faithfully

14th February 2007

The Licensing Authority
Chorley Borough Council
Civic Offices
Union Street
Chorley
PR7 1AL



Dear Sirs

Re : Premises Licence Application – 18 Windermere Drive Adlington Chorley

We are writing to lodge our objection to the application for the Premises Licence for the retail sale of alcohol at the above property.

We have lived at number _____ years, having owned the property from new. We bought on a residential estate and expected it to remain so.

The environment is currently residential to the advantage of all the occupants, the proposed change of use will, in our opinion, be a danger to public safety in that number 18 is badly sited on a corner where currently on street parking can be a hazard, any more traffic would be dangerous and further on street parking caused by customers or delivery vehicles would be in front of neighbours such as ourselves and cause increased difficulties and danger when entering or leaving the driveways.

Windermere Drive is popular with learner drivers and is used by cyclists for training purposes, presumably because of the current safe environment which the above proposed use would destroy.

The extra activity caused by visitors and the customers would be a nuisance to immediate neighbours with noise and lack of privacy, a commercial use being carried out in a locality for which it was not designed.

We also feel strongly that the trading of alcohol from the premises would be an attraction for crime. We are elderly people already feeling vulnerable, the presence of more people, in fact strangers in the locality would only add to this.

We currently enjoy a peaceful residential environment which you would expect on an estate such as ours and we feel, if allowed, the change of use would destroy this, increasing the risk to public safety, causing a public nuisance and being an attraction for crime, and for these reasons we feel our Objection should be given your consideration.

Yours faithfully

Dated 12.02.07.

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

Reference: Premises Licence for 18 Windermere Drive, Adlington, Chorley

Dear Sir or Madam:

We wish to give notification of our objections to the granting of a premises license for the sale of alcohol from 18 Windermere Drive, Adlington.

Our objections are based on the following:

By granting the license there would be an increase in traffic on what is a narrow road, in addition the property is situated close to a bend in the road.

The area in which the property is situated is entirely residential and therefore a development such as this would not be in keeping with the surrounding area.

Many of the residents within the area are elderly and the increased noise would be distressing.

There is no provision for customer parking, this would lead to the road being obstructed.

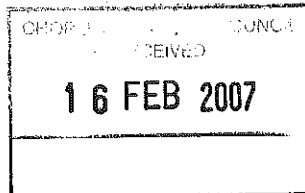
There are vacant retail premises in the Adlington and Chorley area that would be more suitable for the sale of alcohol.

Yours sincerely

16 FEB 2007

14 February 2007

Licensing Authority
Chorley Borough Council
Civic Offices
Union Street
CHORLEY
Lancs.
PR7 1AL



Dear Sir/Madam

Premises Licence at 18 Windermere Drive, Adlington, Chorley.

With reference to the above application.

We feel that if the above licence was granted it could attract a criminal element in the area with alcohol being stored on the premises it could encourage break-ins.

Collection and distribution of alcohol from this address will result in an increased amount of traffic using Windermere Drive. The premises from which the business will be run is on a bend and the increased amount of traffic which this business will generate will be a hazard to other road users. In addition to this there could be problems to adjacent properties with loading and unloading at unsociable hours.

If a licence is granted it could also lead to the sale of other alcoholic products in the future.

This type of business should be conducted from more suitable premises i.e., an industrial estate such as the one off the A6 or similar, and not from a residential area.

Yours faithfully

18th February 2007

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

19 FEB 2007

Dear Sirs

LICENSING APPLICATION – 18 WINDERMERE DRIVE ADLINGTON

As Coniston Avenue abuts Windermere Drive I am surprised at the above application and oppose it on the following grounds:-

18 Windermere Drive is a domestic residence in the middle of a housing estate and is a totally inappropriate location for the sale of alcohol. I have searched the list of licensed premises in Chorley Borough and can find no other domestic property holding a permanent licence. The granting of a licence in this case would surely set a dangerous precedent.

There are also a number of public houses and off-licences in the immediate vicinity and there does not appear to be any need to add another in the middle of a housing estate.

I understand the applicant has discussed the application with Councillor Mrs Cath Hoyle and following this has posted an additional notice on the premises stating that "Alcohol will not be sold from these premises" and that "Sales will be by mail order only". Whilst this may be the intention now, what guarantee is there that direct sales would not take place in future?

There is a danger that licensed premises will attract undesirables to the area thus causing **crime and disorder**. Also, if alcohol is stored on the premises this will further increase the risk of crime.

Direct sales of alcohol would inevitably increase the amount of traffic onto the estate and, even mail order, would involve delivery and collection of goods. This would endanger **public safety** with consequent risk to residents, particularly the elderly and children.

An increase in traffic would also constitute a **public nuisance** on roads designed to carry traffic of a domestic rather than commercial nature. The estate currently carries a considerable amount of traffic travelling from Babylon Lane towards Chorley, and vice versa, wishing to avoid the traffic lights in the centre of Adlington.

The applicants business seems to be primarily internet based so what guarantee can there be that sales will not be to under 18's.

If the application is to be granted, I consider that it should be on condition that

- 1) sales are by mail order/internet only
- 2) prohibit the sale or supply of alcohol directly from the premises
- 3) prohibit the storage of alcohol on the premises.

Please confirm that my representation has been received.

Yours faithfully

Licensing Authority
Chorley Borough Council
Civic Offices
Union St
Chorley
Lancs
PR7 1AL

19 FEB 2007

Dear Sir,

Licensing Application

Richard Kent Alker T/A Little Green Men
18 Windermere Dr, Adlington, Chorley

I am writing to object to the granting of the above license.

The area is a quite residential estate, on this road there are predominantly bungalows.

I wish to object on the following basis:-

Protection of Children from Harm

The road is on a quite residential estate and is therefore, at present, safe for the children to play, walk to and from school etc.

The property could attract the attention of older teenager groups with the sale of alcohol.

Prevention of Crime and Disorder

The sale and storage of alcohol in a small one bedroomed bungalow has to be detrimental to the area. It will attract the less savoury and criminal element of our society. With the sale of alcohol there will be the assumption that there is a lot of money on the premises. (Bargain Booze on Chorley Rd, on the main road, has been robbed several times.)

The back garden is next to a public footpath which leads to Sutton Lane and Babylon Lane. Beyond the footpath are open fields. I know to my cost that this footpath has been used as the get away to the waiting car. I was burgled twice within 6 week period, each time the assailants ran across the road, through the nearest garden and along the footpath to the waiting car on Babylon Lane.

Public Safety

The road is widely used by driving schools for both car learner drivers and motorcyclists. Driving slowly and manoeuvring already provide hazards to other road users and pedestrians.

This particular bungalow is situated on a blind bend; additional vehicles stopping at this property will cause further problems in this area for both residents, in particular the children and the older residents, and the emergency services.

Prevention of Public Nuisance

The license application is for 7 days a week and from 8.00am to 6.00pm – these are extremely long hours, many shops on the high street do not open for such long hours.

There will be a noise and traffic nuisance, callers on foot.

The potential for public nuisance is great when you consider the press and television coverage that the chilli business received last year. The chilli beer is also being advertised in local shops.

There is a website with an on line shop that has received over 500,000 hits.

Is this the right type of business that should be operating from a one bedroomed bungalow on a quite residential estate?

Yours sincerely

16.2.07

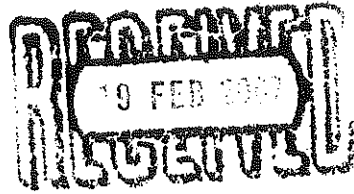
Dear Sir or Madam,

I and my neighbours are deeply concerned. It involves a resident on our estate. A Mr Richard Alher of 18, Windermere Drive. For some bizarre reason he wants to start selling Alcohol from his house on our estate. It is brewed in Darwen in Lancashire. Mr Alher wants to order his alcohol and keep it stored in his Garage. He will then Proceed to sell his Alcohol over the Internet. Elderly people & Young Children live very close to his house. In fact his next door neighbour is an elderly person. These people will have to put up with total Strangers

2,

Driving up and down their roads at Continuous Spasmodic Periods for their orders of Alcohol. There is a Primary School a couple of hundred yards from his house, with all these young children crossing our roads being frequented by Total Strangers collecting Alcohol via the Internet. I am not a pessimistic person but a small percentage of people are cunning & evil who use the Internet for their malevolent desires. Also properties up from Mr Albers house on the same side of the road is a property which is run by "THE BROTHERS OF CHARITY", 4 or 5 Debilitated Individuals live there & they are looked after by carers. Those people should not be put at risk by lots of unpredictable traffic every day. Also the sale of alcohol from his house will no doubt attract a few

^{3,} of the young teenagers who congregate on the Recreational Park which is a 100 Yards from his house. The Alcohol in his Garage would be a good target for Thieves. The Strongest Lock would not protect it from some hotheads in a large vehicle, they would simply drive it in to his Garage Door. All the People on this estate bought their houses for the Peace & Quiet on it. Which will totally change if this chap opens an Off-Licence on it. There are 2 Off-Licences about 300 yards from his house. Please let Common Sense Prevail & leave this lovely estate Peaceful & Safe. On Mr Alber's application form printed at the side of his name are the words "LITTLE GREEN MEN" which is weirdly eccentric to say the least. My Personal Suggestion to Mr Alber, that he Transports or Beams his Garage & its Contents up to where those little chaps live, Planet Mars I recall. Perhaps he could find a Captain for this Mission on The Internet. Yours.

19th February 2006

FAO Licensing Officer
Licencing Unit
Chorley Borough Council
Civic Buildings
Union Street
Chorley
Lancashire
PR7 1AL

Objection - Licence Application 008328

Dear Sir/Madam

We write concerning Licence Application 008328 in respect of Mr Richard Kent Alker, t/a Little Green Man, 18 Windermere Drive, Adlington, Chorley, PR6 9PD. We understand the application is for a license to supply alcohol from a residential area on an off-sales basis, seven days per week between the hours of 8am-6pm. We wish to register our objection to the above application according to the provisions of the Licensing Act 2003, as follows:

The Prevention of Public Nuisance

There is potential for a significant increase in traffic, with associated noise and congestion, in what is presently a quiet residential area. It is our opinion that the area is totally unsuitable for the proposed application, given the deliveries and collections associated with running an off-licence business.

The Protection of Children from Harm

As parents of young children, we recognise the potential harm that alcohol can cause and are concerned that alcohol would be now be so readily available locally and could be sold to minors.

Public Safety

Windermere Drive and the surrounding area is wholly residential. Introducing high volumes of commercial traffic will pose an unacceptable risk to public safety especially to that of children and the elderly, used to minimum traffic flows in the area.

The Prevention of Crime and Disorder

There is a nationally recognised problem of alcohol-related crime & disorder. We are concerned that this provision for a further retail outlet for alcohol will increase the instances of crime and disorder into the area.

We would be grateful if you will register these objections in respect of this application and keep us informed of subsequent progress.

Yours faithfully

16th February 2007

Licensing Authority
Chorley Borough Council
Civic offices
Union Street
Chorley
PR7 1AL

20 FEB 2007

Dear Sirs

Re: Richard Alker T/AS Little Green Men for the grant of a premises licence in respect of 18 Windermere Drive, Adlington, Chorley

We wish to raise strong opposition to the granting of this licence, including the activities that this licence will permit, from the above premises.

We list below the reasons our objection and opposition:

The premises above is already being used to carry out business and there is frequently loading of gardening equipment during unsociable hours (5.30-6pm) and unloading at dusk. The noise could be further increased by other vehicles arriving for collection of the goods.

There are many elderly residents on Windermere Drive who are very stressed and worried about the possibility of further traffic and noise due to vans, trailers or pickups. The area is already used as DVLA test route and an increase in traffic could cause severe problems and disturbance to the residents.

Crime and Disorder – public knowledge that the property is a licensed premises will attract attention from those outside the law abiding community and the risk of criminal activity in the neighbourhood (eg burglaries and theft) would possibly increase. As there is a public footpath running behind properties on Windermere Drive criminals could gain access and cause considerable disturbance and stress to the residents close by.

Mr Alker had given his nearest neighbour the impression that the business was a hobby but his website seems to differ with that impression and he would appear to have quite ambitious plans to extend the business rapidly with sales, workshop events in growing and cooking with his product.

We purchased our home two years ago and did not imagine that a neighbour would try to conduct business from his house, we had assumed that the area was completely residential. We therefore reiterate our objections to granting the above licence and feel that a residential area is unsuitable for the proposed activities and that there are more suitable premises available on retail and factory units in the area.

Yours faithfully

48/565

RE: LICENSING ACT 2003 -
18, WINDERMERE DRIVE
ADLINGTON, CHORLEY.

Dear Sir or Madam,

This letter was
pushed through my letter box at
9.45pm on the 14.2.07.

Spoke to Labour Councillor MRS CATH
HOYLE, by telephone and she suggested
I give you a copy.

LICENSING CONSULTANCY SERVICES

5 PINE GROVE
ORMSKIRK
LANCASHIRE
L39 2YS
TEL: 07801 356700
FAX 01695 575557

14/02/2007

TO WHOM IT MAY CONCERN

Dear Resident

**RE: LICENSING ACT 2003 – 18 WINDERMERE DRIVE,
ADLINGTON, CHORLEY**

With reference to the above application, I have been notified by the Licensing Authority of a 'representation' made by yourself against the application.

The Licensing Act therefore requires the Licensing Authority to hold a hearing to consider the application, unless prior to the hearing date, all parties can agree that such a hearing is unnecessary.

Therefore I wish to take this opportunity to communicate with you as the legal advisor to the applicant, Mr R.K. Alker, to advise you that the purpose of the application is solely to facilitate the despatch of alcohol to persons who make orders via the internet, telephone or mail order.

The primary concern in your representation appears to focus on the issue of increased traffic to the premises. My client wishes to reassure you that the only additional vehicular traffic to his premises will be the courier van to collect parcels which will occur no more than once per day. Indeed in the early stages of the business it is not envisaged that orders will be despatched on a daily basis therefore there will be no additional traffic.

Mr Alker currently collects stock from the brewer for sale at licensed markets in his own vehicle, this is going to continue, again causing no increase in vehicular traffic to the premises.

Whilst the issue of traffic is not a licensing objective, Mr Alker wishes to reassure you that, should the licence be granted, there will not be any increase in vehicles attending the premises apart from the courier van as explained above, therefore there will not be any impact on public safety or noise at the premises.

The Licensing Act 2003 requires the applicant to place the statutory notices as described, therefore he had no option but to place the notices in the locations described. In my experience there have never been any issues with criminals targeting such premises as described.

The 'responsible authorities' concerned with Crime and Disorder and Planning issues have inspected the premises and have no representations in respect of this application.

Mr Alker has operated a successful business from these premises for some time, it is only because his product range now contains alcohol, that he is required to obtain a licence to despatch the product from this address.

If you would like to discuss any part of the application with either the applicant or myself please feel free to call me on the above number.

If the above satisfies your concerns and you no longer wish to attend the licensing hearing, then you are advised to contact the Licensing Authority regarding your representation.

Yours faithfully

Geoff Sumner ABII MIOL

Licensing Consultant

LICENSING ACT 2003
Section 18



**Notice of hearing of representations in respect of
an application for a Premises Licence**

To Mr G Sumner

Of Licensing Consultancy Services
5 Pine Grove
Ormskirk
L39 2YS

[The applicant]

Chorley Borough Council, being the licensing authority, on the 23 January 2007 received an application for a Premises Licence from Licensing Consultancy Services on behalf of Mr. Richard Kent Alker T/As Little Green Men, in respect of the premises known as 18 Windermere Drive, Adlington, Chorley PR6 9PD.

The Council received 22 representations from 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 Chorley Town Hall on 12 March 2007 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 representations which have been made, as defined in Section 35(5) of the Act.] – **TO FOLLOW**

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

- Licensing Objectives – Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

You should complete the enclosed form (LAR1) and return it to:-

Mr. H. Bee, The Licensing Manager, Licensing Department, Chorley Council, Civic Buildings, Union Street, Chorley, Lancashire, 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

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.
23. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.
24. The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for a regulation 16.
25. The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may –
- (a) refuse to permit that person to return, or
 - (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.

LICENSING ACT 2003
Section 18



**Notice of hearing of representations in respect of
an application for a Premises Licence**

To Interested Party

Of

[person who made relevant representation]

Chorley Borough Council, being the licensing authority, on the 23 January 2007 received an application for a Premises Licence from Licensing Consultancy Services on behalf of Mr. Richard Kent Alker T/As Little Green Men, in respect of the premises known as 18 Windermere Drive, Adlington, Chorley PR6 9PD.

The Council received 22 representations from 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 Chorley Town Hall on 12 March 2007 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 representations which have been made, as defined in Section 35(5) of the Act.] – **TO FOLLOW**

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

- Licensing Objectives – Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

You should complete the enclosed form (LAR1) and return it to:-

Mr. H. Bee, The Licensing Manager, Licensing Department, Chorley Council, Civic Buildings, Union Street, Chorley, Lancashire, 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

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.
23. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.
24. The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for a regulation 16.
25. The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may –
- (a) refuse to permit that person to return, or
 - (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.

LICENSING ACT 2003
Regulation 8



Notice of actions following receipt of notice of hearing

To: The Licensing Manager - Mr H Bee
Civic Buildings
Union Street
Chorley
PR7 1AL

I _____
Of _____

Hereby confirm that I have received the Notice of Hearing dated _____
for _____

and notify you as follows:

[I [do not] intend to attend the hearing]

[I [do not] intend to be represented at the hearing [by]:

[I consider the hearing to be unnecessary because:

[I request that _____ should appear
at the hearing and set out below the point or points on which this person may be able to
assist the authority in relation to this application, representations or notice of the party
making the request

Dated _____ Signed _____

Delete words in square brackets which do not apply

Please see Regulation 8 overleaf

Action following receipt of notice of hearing

8. -

1. A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating -
 - a) whether he intends to attend or be represented at the hearing;
 - b) whether he considers a hearing to be unnecessary.
2. In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.
3. In the case of a hearing under -
 - a) Section 48(3)(a) (cancellation of interim authority notice following police objection), or
 - b) Section 105(2)(a) (counter notice following police objection to temporary event notice),the party shall give the notice no later than one working day before the day or the first day on which the hearing is to be held
4. In the case of a hearing under -
 - a) section 167(5)(a) (review of premises licence following closure order),
 - b) paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence),
 - c) paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate), or
 - c) paragraph 26(3)(a) of Schedule 8 (determination of application by holder of justices' licence for grant of personal licence),the party shall give the notice no later than two working days before the day or the first day on which the hearing is to be held.
5. In any other case, the party shall give the notice no later than five working days before the day or the first day on which the hearing is to be held.