

Statutory Licensing Sub-Committee A

Agenda and Reports

For consideration on

Tuesday, 3rd April 2007

In the Council Chamber, Town Hall, Chorley

At 10.00 am



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Chief Executive's Office

Please ask for: Gordon Banks
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Date: 20 March 2007

Chief Executive: Donna Hall

Chorley
Council

Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

Dear Councillor

Statutory Licensing Sub-Committee A - Tuesday, 3rd April 2007

You are invited to attend a meeting of the Statutory Licensing Sub-Committee A to be held in the Council Chamber, Town Hall, Chorley on Tuesday, 3rd April 2007 commencing at 10.00 am.

Will Members please note that the hearing may go into a second day and should be available to attend on that day.

AGENDA

1. **Declarations of Any Interests**

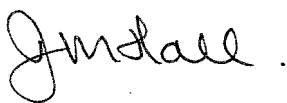
Members of the Sub-Committee are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct. If the personal interest is 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 review of a licence in respect of The Queens, 52 Chapel Street, Chorley PR7 1BS Licence No PL(A)0286 (Pages 1 - 70)**

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

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

Yours sincerely



Chief Executive

Continued....

Distribution

1. Agenda and reports to all Members of the Statutory Licensing Sub-Committee A (Councillor Mrs Iris Smith (Chair), Councillors Thomas Bedford and Ralph Snape) for attendance.
2. Agenda and reports to Councillor David Dickinson Reserve Member to be present at the start of the meeting.
3. Agenda and reports to Claire Hallwood (Deputy Director of Legal Services), Keith Ogden (Licensing Enforcement Officer) 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**REVIEW OF PREMISE LICENCE****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 THE APPLICANT AND WITNESSES FROM:**

- Sub Committee
- Premises Licence holder or representative

6. RELEVANT REPRESENTATIONS – INTERESTED PARTIES**7. QUESTIONS TO THE INTERESTED PARTIES FROM:**

- Sub Committee
- Premises Licence holder or representative

8. RELEVANT REPRESENTATIONS – RESPONSIBLE AUTHORITIES**9. QUESTIONS TO THE RESPONSIBLE AUTHORITIES FROM:**

- Sub Committee
- Premises Licence holder or representative

10. PREMISES LICENCE HOLDERS CASE

- Premises Licence Holder (or representative) will present their case

11. QUESTIONS TO THE PREMISES LICENCE HOLDER AND WITNESSES FROM:

- Sub Committee
- The Applicant

12. APPLICANT OR REPRESENTATIVE INVITED TO SUM UP**13. PREMISES LICENCE HOLDER OR REPRESENTATIVE TO SUM UP**

14. **DECISION MAKING**

- All parties retire whilst Sub-Committee makes decision

15. **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	3-4/04/07

APPLICATION FOR A REVIEW OF A LICENCE IN RESPECT OF THE QUEENS, 52 CHAPEL STREET, CHORLEY PR7 1BS LICENCE NUMBER PL(A) 0286

PURPOSE OF REPORT

1. For Members to determine an application for a review of a licence in respect of the premises known as The Queens, 52 Chapel Street, Chorley.

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	<input type="checkbox"/>
Financial		Operational	
People		Other	

4. This paragraph to contain comment on identified risk consideration.

This section should be inserted before the Background, Content and any relevant comments of the Director of Human Resources and/or Director of Finance. The principal objectives of this section are to encourage report authors to consider the likely risks/consequences of recommended actions and, thereby, engage members in the risk management process.

BACKGROUND

5. Premises Licence Holder – Dynamic Pub Company Ltd
6. Designated Premises Supervisor – Andrea Brannelly
7. Current Licensable activity –
Exhibition of films (Indoors) (B)

10.00 – 00.30 Monday to Sunday

Non Standard Timings

When hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.

Indoor Sporting Event (C)

10.00 – 00.30 Monday to Sunday

Non Standard Timing

When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.

Performance of Live Music (Indoors) (E)

12.00 – 23.30 Monday to Sunday

Non Standard Timings

When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.

Playing of recorded music (Indoors & Outdoors) (F)

10.00 – 00.30 Monday to Sunday

Non Standard Timings

When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.

Performance of Dance (Indoors) (G)

10.00 – 00.30 Monday to Sunday

Non Standard Timings

When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.

Entertainment of a similar description to that falling within E, F, or G (Indoors) (H)

10:00 – 00:30 Monday to Sunday

Non Standard Timings

When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.

Provision of facilities for making music (Indoors) (I)

10.00 – 00.30 Monday to Sunday

Non Standard Timings

When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.

Provisions of facilities for dancing (Indoors & Outdoors) (J)

10.00 – 00.30 Monday to Sunday

Non Standard Timings

When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.

Late Night Refreshment (Indoors) (L)

23.00 – 01.00 Monday to Sunday

Non Standard Timings

When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) and section O (hours premises are open to the public) plus 30 minutes.

The sale by retail of alcohol for consumption On and Off the premises (M)

10.00 – 00.00 Monday to Sunday

Non Standard Timings

New Years Eve 10.00 31.12 to 10.00 hours the following day (01.01). Christmas Eve/Boxing Day until 01.00 hours with 30 minutes wind down

8. The opening hours of the premises

10.00 – 02.00 Monday to Saturday

10.00 – 01.00 Sunday

Non Standard Timings

As in Section M (supply of alcohol) with a 60 minute wind down period.

9. Conditions attached to the current licence

ANNEX 1 - MANDATORY CONDITIONS

On and Off Licence

1 Alcohol shall not be sold or supplied except during permitted hours. Permitted hours means:

Regulatory Reform (Special Occasions Licensing) Order 2002

The premises may remain open for the sale of alcohol from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day (or if there are no permitted hours on the following day, Midnight on 31 December)

The above restrictions do not prohibit:

- a) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- b) The ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered;

- c) The sale of alcohol to a trader or club for the purposes of the trade or club;
- d) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- e) The taking of alcohol from the premises by a person residing there; or
- f) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- g) The supply of alcohol for consumption on the premises to person employed there for the purposes of business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

Where there is no children's certificate:

- 1 No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
 - a) He is the child of the holder of the premises licence.
 - b) He resides in the premises, but is not employed there.
 - c) He is in the bar solely for the purpose of passing to or from some part of the premises that is not a bar and to or from some part of the premises where there is no other convenient means of access or egress.
 - d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. However, an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

Licensed Premises - Credit Sales

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

- a) with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
- b) for consumption by a person residing in the premises or his guest and paid for together with his accommodation;
- c) to a canteen or mess.

Alcohol

1. No supply of alcohol may be made under the premises licence -
 - a) At a time when there is no designated premises supervisor in respect of the premises licence,
or
 - b) At a time when the designated premises supervisor does not hold a personal licence, or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Exhibition of films

1. Where the film classification body is specified in the licence, unless (2) applies, admission of children must be restricted in accordance with any recommendations made by that body
2. Where -
 - a) The film classification body is not specified in the licence, or
 - b) The relevant licensing authority has notified the holder of the licence that this condition is applied to the film in question,

Admission of children must be restricted in accordance with any recommendation made by that licensing authority.

Door Supervision

- 1 Any individual employed on the premises to carry out a security activity must be licensed by the Security Industry Authority.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

- a) General

None

- b) The prevention of crime and disorder

Zero tolerance on drugs.

- c) Public safety

Health and safety poster, fire procedures posters, accident record book, first aid kit, fire alarm, gas and electricity safety certificates, fire extinguisher maintenance certificate, signs with reference to a street ban on bottles/glasses, workplace and fire risk assessment, are all in place.

Fire alarm/emergency lighting audits are carried out.

Plastic glasses are available for use in the beer garden.

- d) The prevention of public nuisance

All music levels to be reduced from midnight to a lower level and slower tempo.

Windows to be closed as required to reduce noise levels.

Exit notices with reference to noise levels upon leaving the premises, are in place.

Music zoned from behind the bar to control levels.

Back doors to be kept closed and checked regularly when music is on.

- e) The protection of children from harm

Display prominent signage regarding supervision of children at all times.

Soft drinks and snacks available at all times.

All recognised proof of age cards accepted.

House rules regarding children i.e. supervision and times permitted on premises to be responsibility of DPS and will be displayed at the entrance.

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

- 1) No outside areas designed for consumption of alcohol shall be used after 23.00 hours.
- 2) All doors and windows to be kept closed when regulated entertainment is taking place except in emergencies.
- 3) The licensee shall ensure that notices requesting customers to leave in a quiet and orderly manner are displayed and maintained at the exits to the premises and in the car park.
- 4) All live amplified music to cease by 23.30 hours.
- 5) All recorded music to be played at background level from 00.00 onwards.
- 6) Licensing hours on New Year's Eve to be granted in line with current legislation or any subsequent amendments.

THE APPLICATION FOR REVIEW

10. On the 9 February 2007 an application for review of the premises licence for The Queens was received from an interested party

A brief outline of the grounds for review is as follows –

‘ A number of cars have been damaged and property vandalised allegedly by customers of the Queens.

There are frequently a number of broken bottles outside the premises and in the neighbouring streets after the pub has closed, which is dangerous for children playing outside and residents walking through.

Licensing conditions state that ‘ all windows and doors to be kept closed when regulated entertainment is taking place’. The review includes photographic evidence that this condition is being breached. It is alleged that music and regulated entertainment continue after their licensable hours and not at a reduced volume as specified in the licence. Residents are disturbed by customers screaming and shouting as they leave the premises.

11. On 14 February 2007 an application for review of the premises licence for The Queens was received from the Council's Environmental Services Unit

A brief outline of the grounds of the review is as follows –

There is a history of residents complaints regarding amplified music from this premises. An abatement notice was served on 8 September 2006 after which complaints were still received.

On the 2 October 2006 Environmental Services were informed that there was a new designated premises supervisor and the noise complaints associated with the premises were explained personally by a member of the above department.

Complaints continued to be made and in January 2007 the council re-installed a noise recorder in the complainants property to try and collect evidence of excessively loud music amounting to a statutory nuisance. On the 23 January 2007 another abatement notice was served on the new designated premises supervisor by hand and the situation regarding the history of complaints was again explained.

Excessively loud music has been recorded on a number of occasions emanating from this premises.

A review of the licence would allow conditions to be put in place to make a permanent and positive impact on noise levels produced within the premises and the noise insulation qualities of the building to ensure that there is no recurrence of a statutory nuisance and the prevention of public nuisance.

The Council's noise recording equipment was reinstalled over the weekend of 2, 3 and 4 February 2007 and further evidence was obtained of excessively loud music, this time in breach of the noise abatement notice served on the 23 January 2007.

A copy of the full application for review including statement and recordings of noise from the premises supplied by Environmental Services are included in the report.

12. In accordance with section 51(3) of the act, the relevant notices detailing the aforementioned grounds for review, were displayed on the premises giving interested parties the right to make representations regarding the application for review. The premises licence holder has also received a copy of the review application.

OTHER INFORMATION

13. Included in the report are two letters from Dynamic Pub Company (Premises Licence Holder) responding to the application for review. One dated 9 March 2007 and one dated 13 March 2007

POLICY CONSIDERATIONS AND LEGAL CONSIDERATIONS

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

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

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

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

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

- i) To modify the conditions of the licence
- ii) To exclude a licensable activity from the scope of the licence
- iii) To remove the designated premises supervisor
- iv) To suspend the licence for a period not exceeding 3 months
- v) Revoke the licence.

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

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

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

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

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

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

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

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

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

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

CRIME AND DISORDER

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

Paragraph 6.2 The Council is committed to reducing crime and disorder across the Borough through its statutory duty under the Crime and Disorder Act 1998 and the

Community Safety Strategy. Statistics from the Community Safety Partnership regarding Crime and Disorder in the Licensing Authority area are given in Appendix 4.

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

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

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

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

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

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

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

LICENSING HOURS

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

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

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

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

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

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

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

PROTECTION OF CHILDREN FROM HARM

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

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

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

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

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

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

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

Paragraph 10.5 The Licensing Authority requires applicants to consider, where relevant, those factors that impact on the protection of children objective, and identify where

necessary and appropriate, suitable measures to promote this objective. Applicants may wish to consider, where appropriate:

- arrangements to prevent children acquiring of consuming alcohol
- arrangements to prevent children being exposed to drugs, drug taking, or drug dealing
- arrangements to prevent children being exposed to gambling, or activities of an adult or sexual nature
- steps to be taken to prevent children being exposed to violence or disorder
- arrangements for training staff in relation to the protection of children
- steps to be taken to prevent children purchasing cigarettes from vending machines and preventing access to Amusement with Prize Machines (except in accordance with the Gaming Legislation).

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

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

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

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

CHILDREN AND PUBLIC ENTERTAINMENT

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

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

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

PREVENTION OF PUBLIC NUISANCE

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

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

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

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

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

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

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

Paragraph 13.7 The Licensing Authority when considering an application will take into account previous substantiated nuisance complaints particularly when a statutory notice

has been served. Applicants may wish to have regard to the Good Practice Guide on the Control of Noise from Pubs & Clubs produced by the Institute of Acoustics and the British Beer and Pub Association.

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

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

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

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

PUBLIC SAFETY

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

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

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

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

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

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

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

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

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

REVIEWS

Paragraph 41.1 The Act 2003 makes provision for the review of premises licences where problems associated with crime and disorder, public safety, public nuisance or the protection of children from harm are occurring.

Paragraph 41.2 At any stage following the grant of a premises licence, a responsible authority or an interested party (such as a resident living in the vicinity of the premises), may request the Licensing Authority review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.

Paragraph 41.3 A review of a premises licence will follow any action by Lancashire Police to close down premises for up to 24 hours on grounds of disorder or noise nuisance as a result of a Magistrates' Courts' determination sent to the Licensing Authority.

Paragraph 41.4 The Licensing Authority does not have the power to initiate its own review. However, officers of the Council who are specified as responsible authorities under the Act such as Environmental Health Officers, may request the Licensing Authority for a review on any matter which relates to the promotion of one or more of the licensing objectives. Any such representations will be treated in the same way as representations made by any other body or individual.

Paragraph 41.5 In all cases, the representation must relate to a particular premises for which a premises licence is in force and must be relevant to the promotion of the licensing objectives.

Paragraph 41.6 Representations must be made in writing and may be amplified at the subsequent review or may stand in their own right. Additional representations, which do not amount to an amplification of the original representation, may not be heard at the hearing.

Paragraph 41.7 Where the request for a review originates from an interested party e.g. a local resident, residents' association, the Licensing Authority has first to consider whether the complaint made is not relevant, vexatious, frivolous or repetitious. Relevance, vexatious and frivolous complaints were dealt with in paragraph 40.

Paragraph 41.8 A repetitious complaint is one that is identical or substantially similar to:

- a ground for review made in respect of the same premises licence which has already been determined; or
- representations considered by the Licensing Authority when the premises licence was granted; or

- representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement; and
- in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or the grant of a licence.

Paragraph 41.9 The Licensing Authority recognises the need to prevent attempts to review licences, following the failure of representations on earlier occasions. The Licensing Authority will judge what is to be regarded as a reasonable interval in these circumstances. The Licensing Authority has regard to the recommendation in the guidance, that more than one review originating from an interested party should not be permitted within a period of 12 months on similar grounds except in compelling circumstances or where it arises following a Closure Order.

Paragraph 41.10 The Licensing Authority recognises that the promotion of the licensing objectives relies heavily on a partnership approach. The Licensing Authority would encourage authorised persons and responsible authorities to give licence holders warning of their concerns about problems identified at premises and of the need for improvement.

The Licensing Authority advises licence holders that a failure to respond to such a warning may lead to a responsible authority to request a review.

Paragraph 41.11 The Licensing Authority will hold a hearing following a request for a review from a responsible authority, interested party or after closure procedures described earlier.

The Licensing Authority will make the licence holder fully aware of the representations received together with supporting evidence in order for the licence holder or his legal representatives to be able to prepare a response.

Paragraph 41.12 In determining a review, the Licensing Authority has a range of powers it may exercise where it considers them necessary for the promotion of the licensing objectives:

- no action necessary as no steps required to promote the licensing objectives;
- issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time; The Licensing Authority regards such warnings as important mechanisms for ensuring that the licensing objectives are effectively promoted and any warning issued will be in writing to the licence holder.
- to modify the conditions of the premises licence (including adding new conditions, altering/omitting an existing condition);
- excluding a licensable activity from the licence;
- remove the designated premises supervisor,
- suspend the licence for a period of three months;
- to revoke the licence

Paragraph 41.13 The Licensing Authority in determining what action to take will seek to establish the cause(s) of concern and any action taken will be directed at these causes. Any action taken to promote the licensing objectives will be necessary and proportionate.

15. Human Rights Act Implications

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

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

ASSOCIATED PAPERS

16. Application form and relevant representations

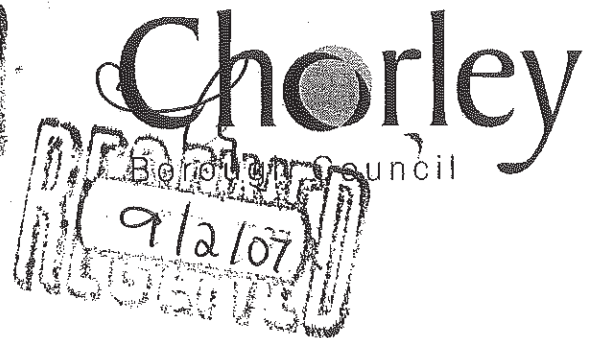
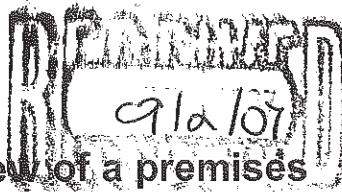
ANDREW DOCHERTY
DIRECTOR OF CUSTOMER, DEMOCRATIC AND LEGAL SERVICES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Janet Brereton & Jayne Day	5204	15 March 2007	LEGREP/94134LM

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LICENSING ACT 2003
Sections 51 and 87



Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

(1)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

(2) I/We SHOAIB DESAI

apply for the review of a [premises licence under section 51] [club premises certificate under section 87] of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if non, Ordnance Survey map reference or description <u>SZ CHAPEL ST CHORLEY LANCASHIRE</u>	
Post town <u>CHORLEY</u>	Post code (if known)
Telephone number (if any)	

Name of premises licence holder or club holding club premises certificate (if known) <u>DYNAMIC PUB CO LTD - THE BARN 403 LICHFIELD RD FOUROAKS, SUTTON COALFIELD BIRMINGHAM B74 4DH</u>

Number of premises licence or club premises certificate (if known)
--

Part 2 - Applicant details

I am

- | | |
|---|-------------------------------------|
| 1) an interested party (please complete section (A) or (B) below) | Please tick ✓/ves |
| a) a person living in the vicinity of the premises | <input checked="" type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |

Delete any words in square brackets which do not apply

- (1) Insert name and address of relevant licensing authority and its reference number (optional)
- (2) Insert name(s) of applicant

Please tick ✓ yes

2) a responsible authority (please complete section (C) below)

3) a member of the club to which this application relates (please complete section (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

DESAI

SHOAIB

I am 18 years old or over

Day Month Year
[Redacted]

Current address [Redacted]
Post town [Redacted] Postcode [Redacted]

Daytime contact telephone number [Redacted]

E-mail address (optional) [Redacted]

(B) DETAILS OF OTHER APPLICANT (fill in if applicable)

[Redacted]
Post town [Redacted] Postcode [Redacted]

Date of birth Day Month Year
[Redacted]

Telephone number (if any) [Redacted]

E-mail address (optional) [Redacted]

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT (fill in if applicable)

Name and address	
Post town	Postcode
Telephone number (if any) <input style="width: 300px; height: 25px;" type="text"/>	
E-mail address (optional) <input style="width: 650px; height: 25px;" type="text"/>	

This application to review relates to the following licensing objective(s)

Please tick one or more boxes ✓

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (Please read guidance note 1)

THE REASON I AM ASKING FOR A PREMISES LICENCE REVIEW. AS THE FOLLOWING CRITERIA IS NOT MET

1. THE PREVENTION OF CRIME & DISORDER:

OVER THE YEARS THERE HAS BEEN MANY PROBLEMS AS AT THE END OF THE NIGHT WHEN AND DURING THE PUB HOURS. SEVERAL CARS HAVE BEEN DAMAGED RANGING FROM SCRATCHING OF PAINT WORK, BROKEN WINDSCREENS, RESIDENTS WINDOWS BROKEN AND MOST RECENTLY TWO WING MIRRORS BEEN KNOCKED OFF AND RESIDENTS WINDOW BROKEN SOME OF THESE WERE REPORTED TO THE POLICE AND SOME WERE NOT ALSO AVAILABLE IS CCTV - EVIDENCE (CAR WINDSCREEN) ALL THESE CRIMES HAVE RESULTED IN PUB BEEN OPEN TILL LATE

PEOPLE OTHER THAN RESIDENTS ARE HANGING AROUND THE PUB AREA AND HIT THE REAR OF THE PUB AS GATES ARE LEFT OPEN WHICH LIES IN VICTORIA ST, WHICH CAUSES CARS TO BE VANDALISED AND OTHER RELATED PROBLEMS. THIS ALSO RESULTS IN GLASS BOTTLES ETC WHICH END UP SMASHED ON THE PUBLIC FOOTPATH AND ROADS IN WHICH MANY CASES I HAVE SWEEPED UP.

AS STATED IN THE TERMS & CONDITIONS (LICENCE) NO BOTTLES & GLASSES CAN BE USED OUTSIDE, IF ALCOHOL IS USED OUTSIDE NEED TO USE PLASTIC GLASSES BUT THAT IS

Please provide as much information as possible to support the application

(please read guidance note 2)

NEVER BEEN THE CASE. ALSO THERE ARE NO SIGNS IN THE PUB TO SAY THEY CANNOT TAKE ALCOHOL OUTSIDE WHICH ALCOHOL IS BEEN TAKEN OUTSIDE THE PUB

2. PUBLIC SAFETY:

AS MENTIONED ABOVE THE BROKEN GLASSES & BOTTLES END UP SMASHED ON THE STREETS WHERE CHILDREN PLAY AND WALK THROUGH, MANY TIMES WE HAVE TO SWEEP UP

3. PREVENTION OF PUBLIC NUISANCE:

AS STATED IN THE TERMS & CONDITION OF LICENCE AGAIN MANY POINTS ARE NOT MET.

THE MUSIC IS NOT REDUCED FROM MIDNIGHT AS THE PARTY CONTINUES INTO EARLY HOURS IN THE MORNING. THE WINDOWS AND DOORS ARE NEVER KEPT SHUT AT THE FRONT OF THE BUILDING AS STICKS (WOOD) IS USED TO KEEP (OPEN) WINDOWS, THIS IS NOT HELPING TO KEEP/REDUCE NOISE LEVELS DOWN. THERE ARE NO NOTICES INSIDE THE PUB REGARDING TO KEEP NOISE DOWN UPON LEAVING THE PUB. THERE IS NO VOLUME CONTROL OVER THE MUSIC AS THIS SHOULD BE CONTROLLED OVER THE BAR. THE DOORS & WINDOWS ARE NEVER CLOSED AT THE FRONT, STICKS (WOOD) IS USED TO KEEP WINDOWS OPEN, THE BACK DOOR SOMETIMES IS LEFT OPEN (50/50). ALCOHOL IS BEEN USED OUTSIDE THE PUB AFTER THE HOURS OF 23:00pm. THERE ARE NO SIGN'S REGARDING TO LEAVE THE PUB QUIETLY & IN ORDERLY MANNER AS PEOPLE ARE ALWAYS SCREAMING & SHOUTING AT THE FRONT AND REAR OF THE PUB. NO SIGNS AT THE REAR OF THE CAR PARK EITHER. THE LIVE BANDS EXCEED THE HOURS OF 23.30 ON EVERY PERFORMANCE SOMETIMES FINISH AT 12:00am, THEN IS ALWAYS FOLLOWED BY RECORDED MUSIC AND IS NEVER PLAYED AT BACKGROUND LEVEL.

CONCLUSION:

READING ALL THE TERMS & CONDITIONS OF THE LICENCE ISSUED TO THE PUB, I HAVE FOUND OUT THAT NOT EVEN ONE OF THE TERMS & CONDITIONS ARE MET, THIS PROBLEMS REGARDING THIS PUB HAS BEEN GOING ON FOR TOO LONG AND TOO MANY YEARS. THIS CAUSES NOTHING BUT STRESS & SLEEPING PROBLEMS AT NIGHT, THIS EFFECTS NOT JUST OURSELVES BUT MAJORITY OF THE VICTORIA ST - RESIDENTS, ALSO CHILDREN ARE SCARED AS PEOPLE SCREAMING AND SHOUTING AFTER THE PUB CLOSES, AS THEY GO TO SCHOOL IN THE MORNING AS WELL PEOPLE GO TO WORK IN THE MORNING, THIS IS EFFECTING THEIR SLEEP. WHAT WE ARE LOOKING FOR NOW IS THE TIMES THAT THE PUB OPERATES, WE ARE REQUESTING THE PUB TO BE CLOSED AT 11:00 PM EVERYDAY OR EARLIER

IF POSSIBLE.

ALSO WE WOULD LIKE THE TIMES OF THE ALCOHOL (SERVING) TO BE REDUCED TO 10:30 pm SO THIS GIVES ENOUGH TIME TO DRINK UP ALCOHOL. TO KEEP NOISE DOWN AS MUSIC (RECORDED + LIVE BANDS), KEEP ALL WINDOWS AND DOORS CLOSED AT THE FRONT AND THE BACK, AS STICKS ARE USED TO KEEP WINDOWS OPEN, THIS IS NOT HELPING TO KEEP THE NOISE DOWN.

ALSO THE USE OF PLASTIC CUP'S AS AT THE MOMENT THE GLASSES AND BOTTLES END UP SMASHED OUTSIDE THE PUB WHICH IS SPECIALLY DANGEROUS TO CHILDREN LAYING IN THE STREET, SO THE USE OF THE PLASTIC GLASSES WILL REDUCE THE RISK OF THE PROBLEMS OCCURRING. IF THE PUB CLOSES AT 11:00 pm OR EARLIER IF POSSIBLE THEN THIS SHOULD RESOLVE 95% OF PROBLEMS.

ALSO THIS PROBLEM MAINLY IS THE LIVE BANDS IF POSSIBLE TO TAKE THE LICENCE AWAY AS IT IS TOO LOUD AND CAUSES STRESS, EVEN WHEN THE WINDOWS ARE CLOSED WE CAN HEAR THE LIVE BANDS PLAYING.

AS AN ON-GOING PROBLEM I CONTACTED ENVIRONMENTAL HEALTH, AFTER THEIR INVESTIGATION THEY FOUND OUT THAT THERE WAS A MAJOR PROBLEM REGARDING THIS PUB, PLEASE CONTACT THEM TO FIND OUT THEIR CONCLUSIONS/ INVESTIGATION.

FINALLY I HOPE/TRUST THAT ASKING FOR THIS PREMISE LICENCE REVIEW WILL ONLY HELP TO RESOLVE THE ON GOING PROBLEMS WE HAVE ENCOUNTERED FOR TOO LONG.

Yours faithfully

[REDACTED]

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

Part 5 - Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent. (please read guidance note 4)
If signing on behalf of the applicant please state in what capacity.

Signature



Date 25/1/07

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

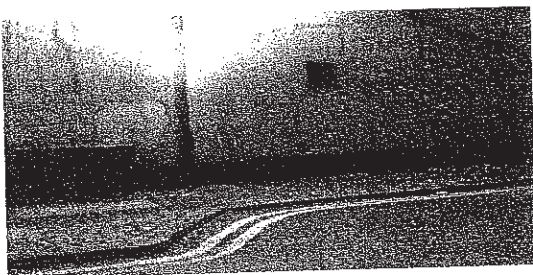
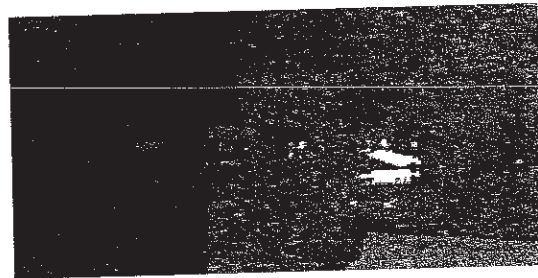
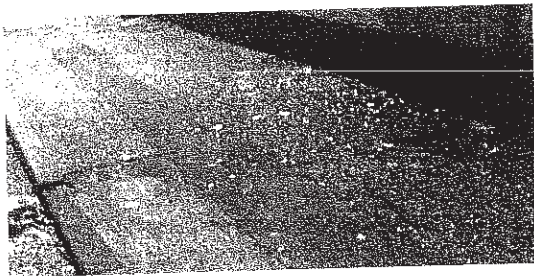
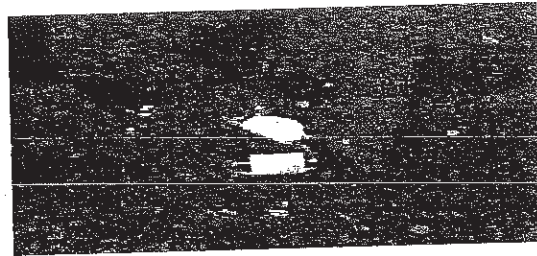
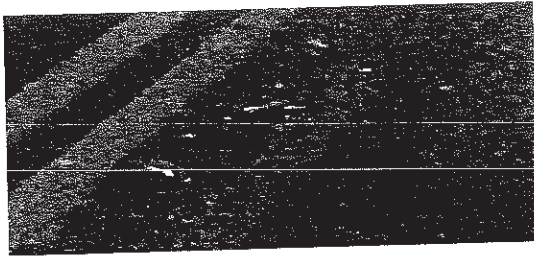
Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details, for example dates of problems which are included in the grounds for review, if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

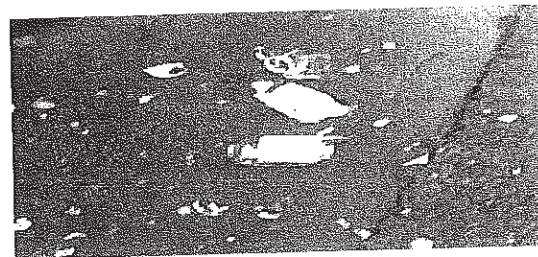
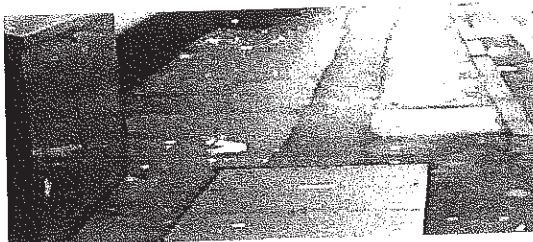
Here are pictures of smashed glasses/bottles in Victoria St, Chorley, Lancashire, PR7 2TX....

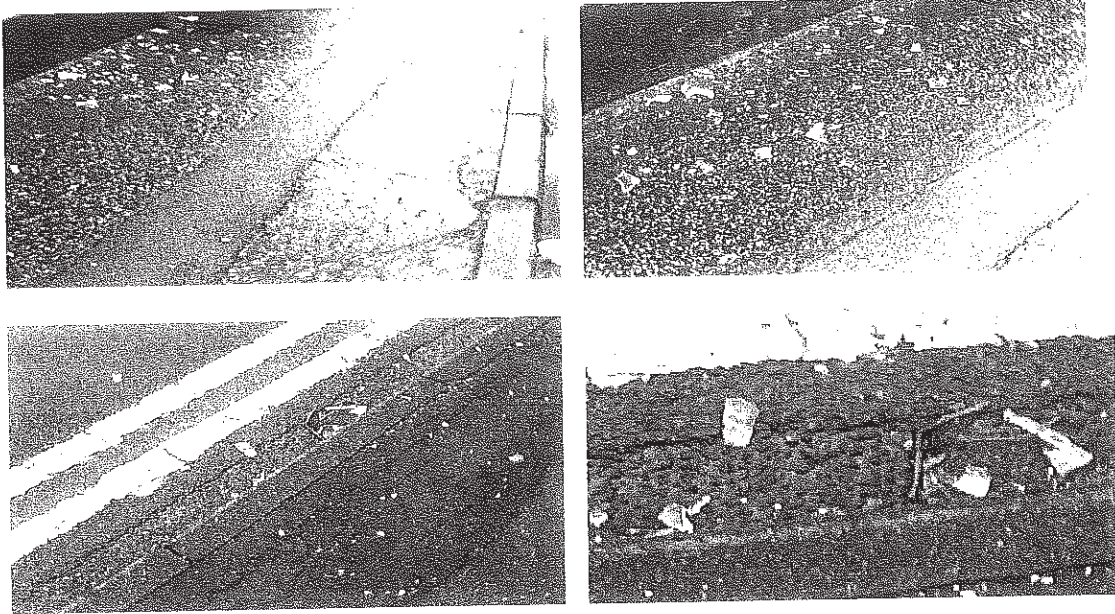


These Pictures below were taken on the (Dates and Times) – Mobile Phone
02-01-07 @ 10.50 pm.... on the left hand side as you enter the street on the opposite side of the Queens Pub

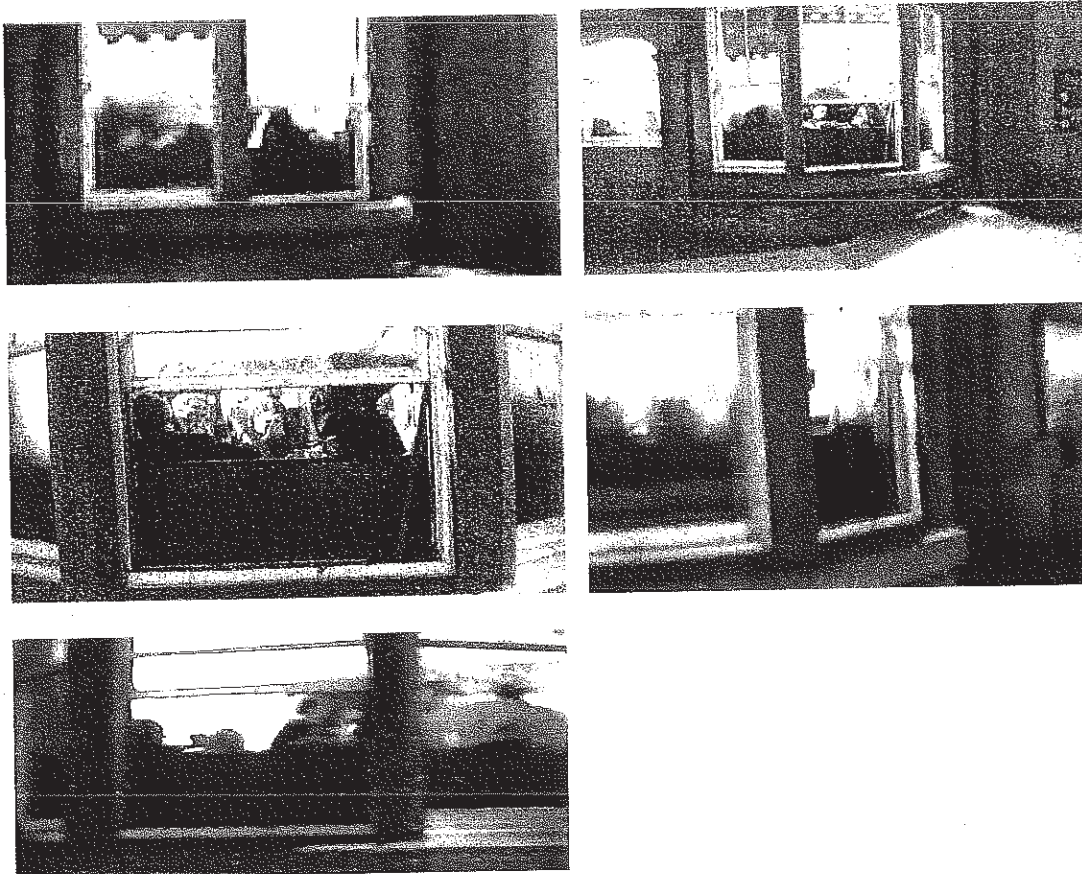


These Pictures were taken on the 03-01-07 @ 08.15 am in Victoria St, on the left hand side as you enter the street on the opposite side of the Queens Pub

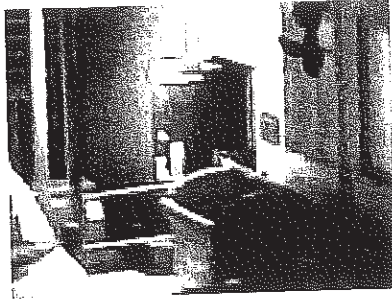




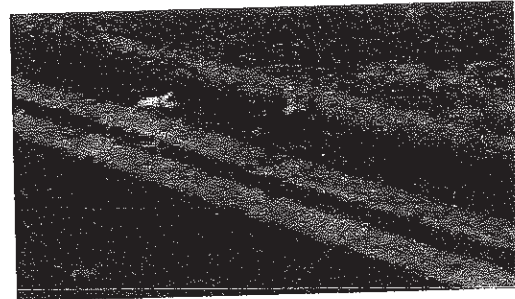
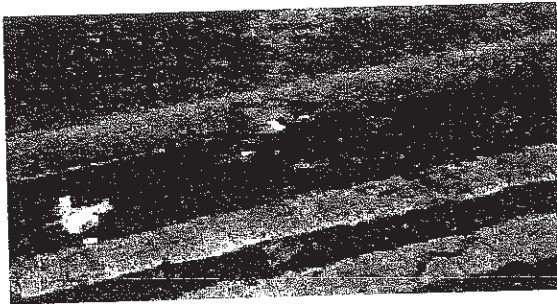
These Pictures were taken on the 06-01-07 @ 11.20 pm as the window is open whilst (live bands- amplified) music is going on, and wood is used to keep the window open



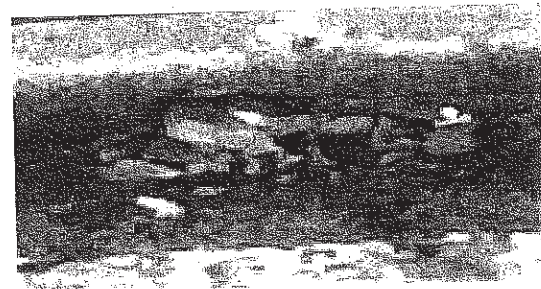
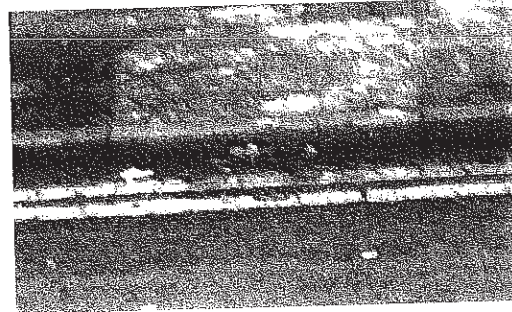
These Pictures were taken on the 06-01-07 @ 11.35 pm whilst (live bands- amplified) music was taking place, the back door was left open



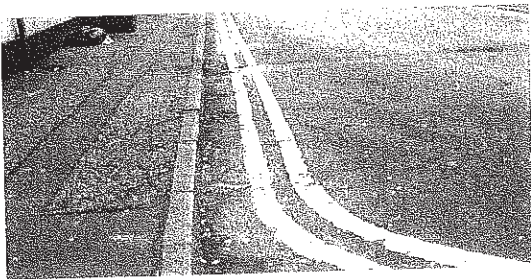
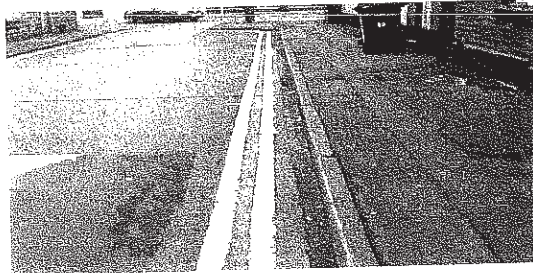
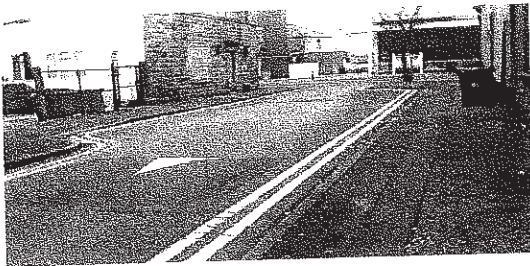
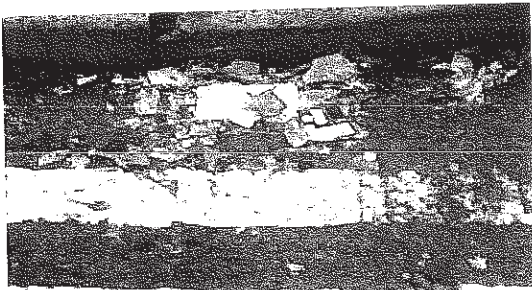
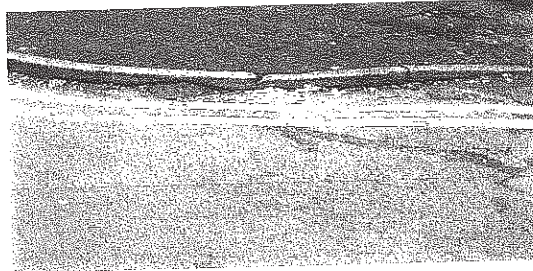
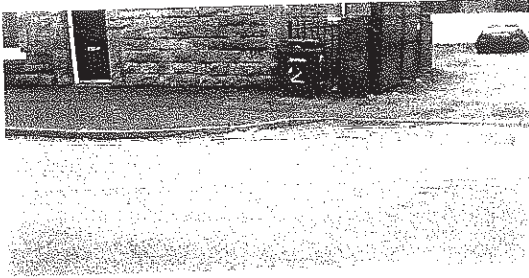
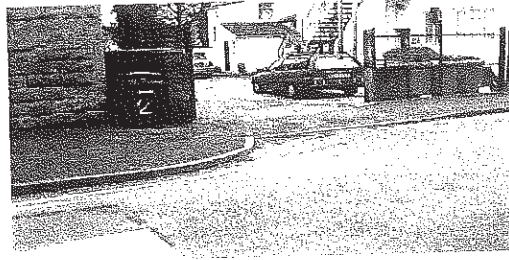
These Pictures were taken on the 09-01-07 @ 11.10 pm in Victoria St, on the Right hand side as you enter the street on the side of the (Queens Pub)



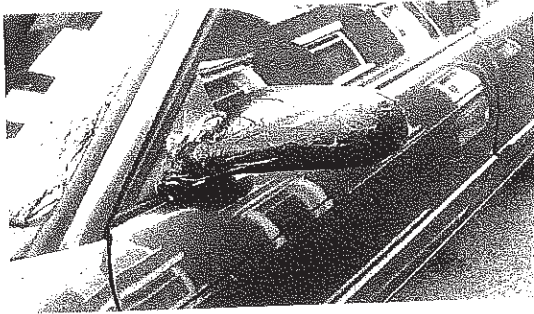
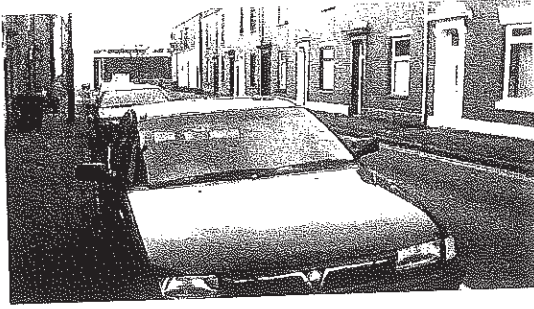
These Pictures were taken on the 10-01-07 @ 08.15 am in Victoria St, on the Right hand side as you enter the street on the side of the (Queens Pub) above are the same one's but at night these are the day times one's (below)



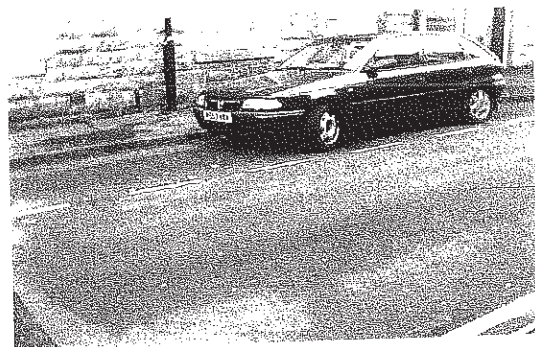
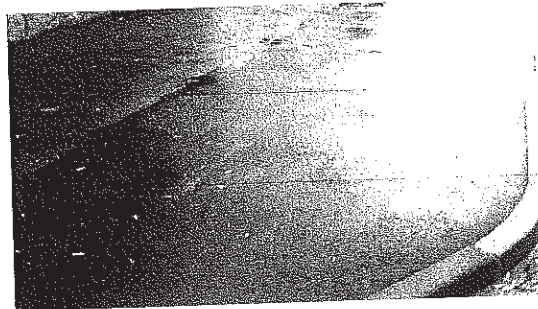
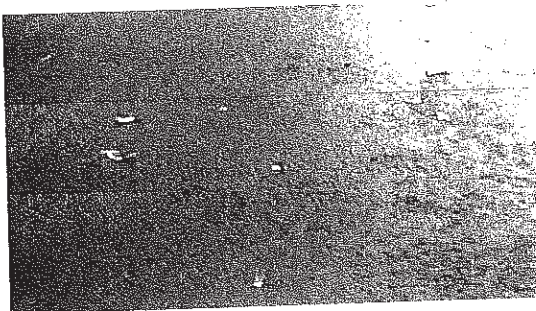
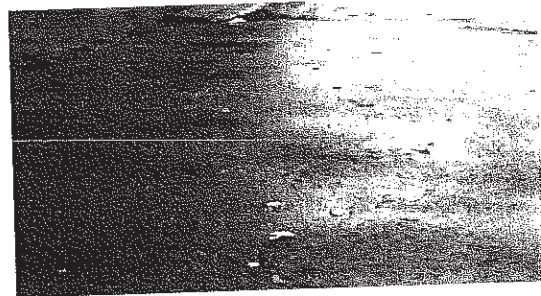
These Pictures were taken on the 12-01-07 @ 2.10 pm in Victoria St, on the Right hand side as you enter the street on the side of the (Queens Pub), near the rear entrance to the pub car park which lies in Victoria St

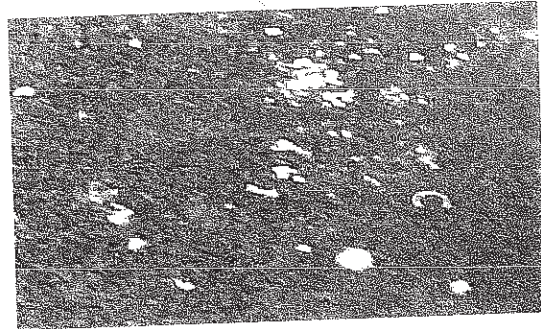
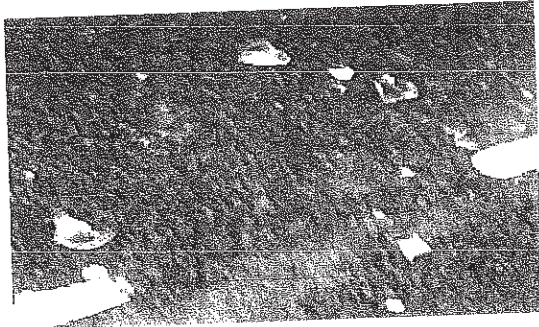
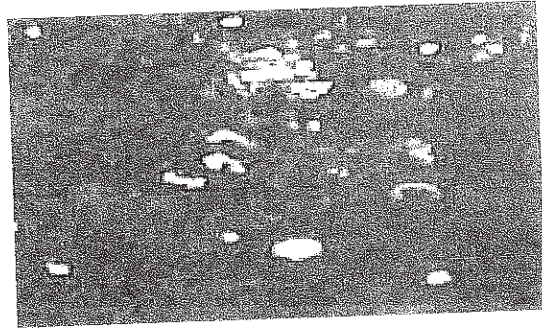
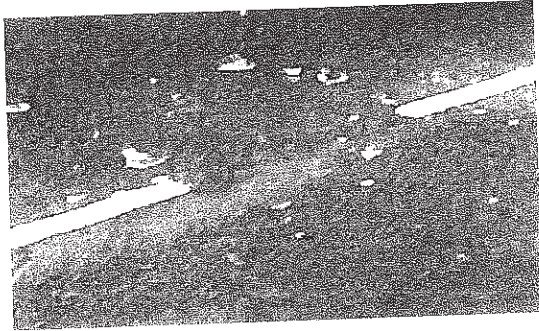
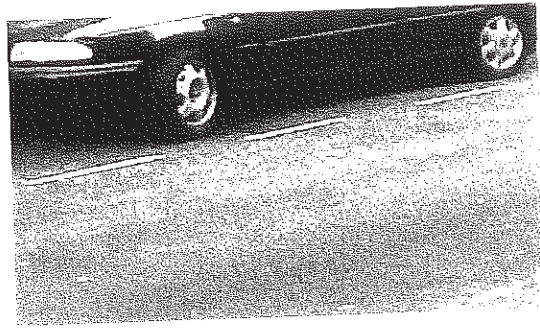
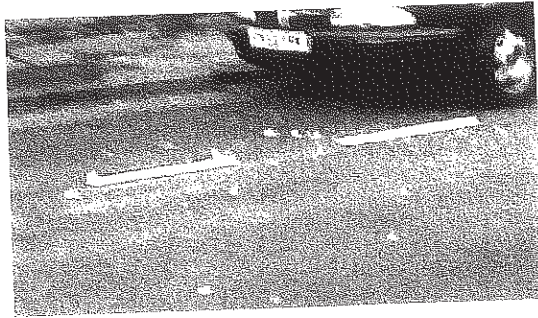


Also cars have been vandalised in the past and here most recent one, wing mirrors knocked off late Saturday night and now taped back onto the car. These pictures were taken on the 13-01-07, which was not reported to the Police

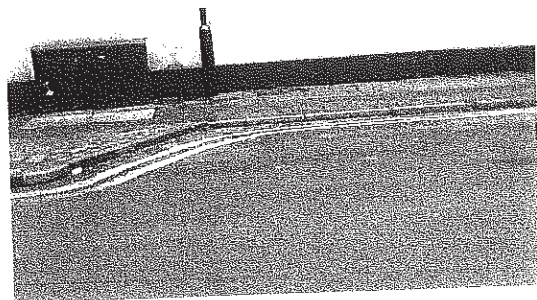
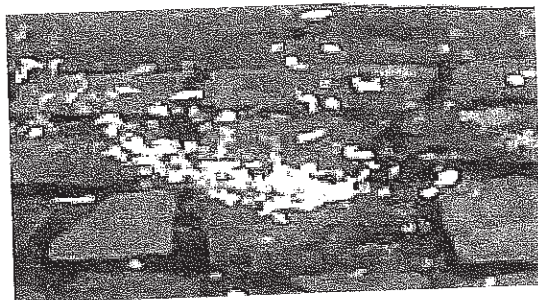
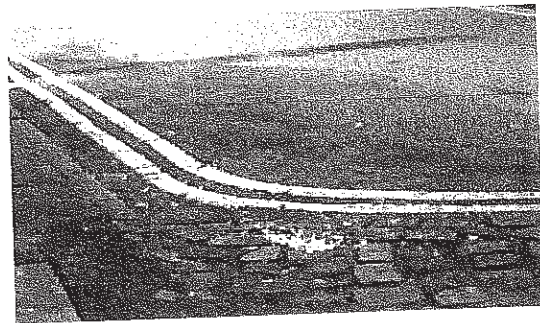


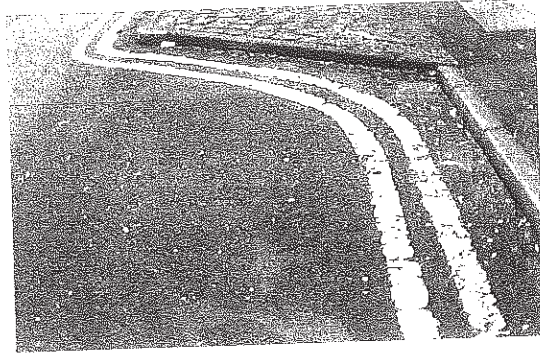
These Pictures were taken on the 21-01-07 @ 08.35 am in Victoria St, on the Right hand side as you enter the street on the side of the (Queens Pub)... Glass broken in the residents parking bay



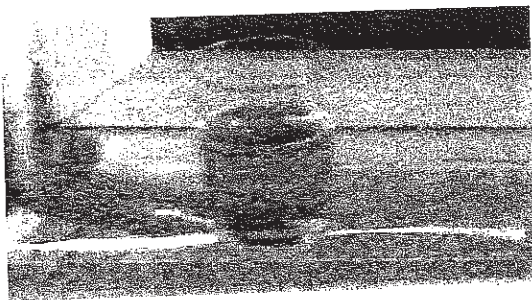
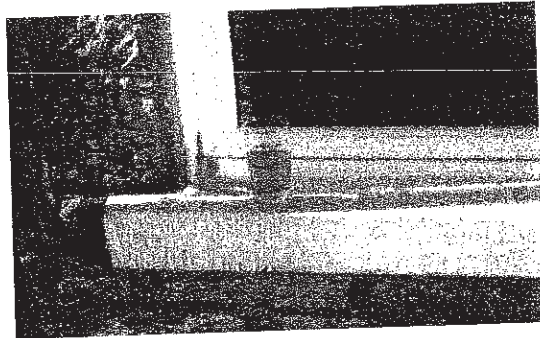
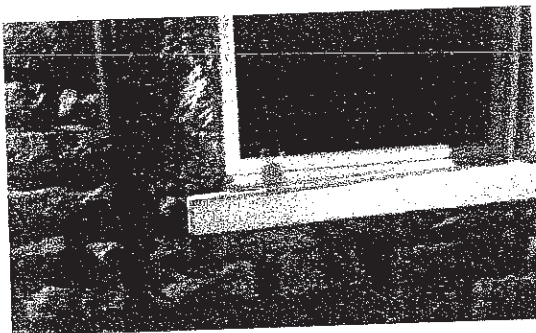
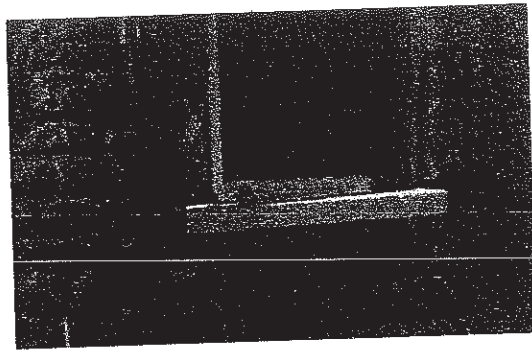
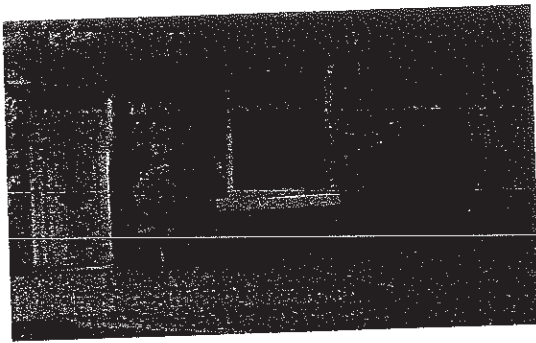


These Pictures were taken on the 27-01-07 @ 11.25 am in Victoria St, on the left hand side as you enter the street on the opposite side of the Queens Pub

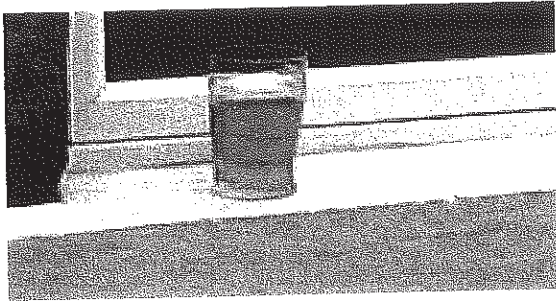
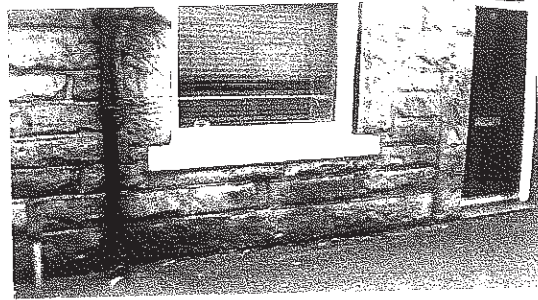




These Pictures were taken on the 29-01-07 @ 11.55 pm in Victoria St, on the left hand side as you enter the street on the opposite side of the Queens Pub



These Pictures were taken on the 30-01-07 @ 09.15 am in Victoria St, on the right hand side (pub side)



Finally as requested by the Licensing Manager I have taken these photos as proof that we are and have been en-counterling these problems for too many years and too long, smashed glasses/bottles, car vandalism, residents windows been smashed, some of these problems were reported to the police and some were not, and also the loud Music Nuisance which has been going on for too long...which Environmental has proof of. Finally I hope and trust that this all comes to an end for once and for all....

PUBLIC NOTICE FOR PREMISES LICENCE REVIEW

(Licensing Act 2003)

Notice of an application for review of the Premises Licence in respect of:

THE QUEENS, 52 CHAPEL STREET, CHORLEY, PR7 1BS

The ground for the review are as follows:-

The following licensing objectives are not being met: - The prevention of crime and disorder, public safety and the prevention of public nuisance.

A number of cars have been damaged and property vandalised allegedly by customers of The Queens.

There are frequently a number of broken bottles outside the premises and in the neighbouring streets after the pub has closed. This is dangerous for children playing outside and residents walking through.

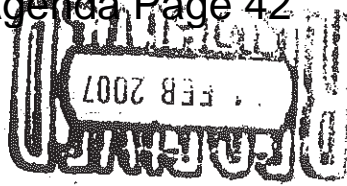
Licensing conditions state that 'all windows and doors to be kept closed when regulated entertainment is taking place'. The review includes photographic evidence that this condition is being breached. It is alleged that music and regulated entertainment continue after their licensable hours and not at a reduced volume as specified in the licence. Residents are disturbed by customers screaming and shouting as they leave the premises.

The application may be inspected at Chorley Council Licensing Section, Civic Offices, Union Street, Chorley, PR7 1AL between the hours of 9.00am and 4.00pm Monday to Friday inclusive.

Any "interested party" or "Responsible Authority" may make representations in writing to the Council at the above address, regarding the Application for Review, to be received before 5pm on **9th March 2007**.

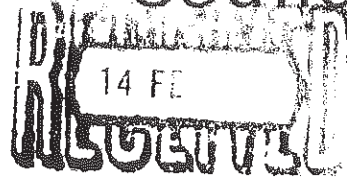
It is an offence to knowingly or recklessly make a false statement in connection with the application subject to a maximum fine of £5,000 upon summary conviction for the offence.

LICENSING ACT 2003
Sections 51 and 87



Chorley Council

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

(1) By SUSAN BRIGGS

apply for the review of a [premises licence under section 51] [~~club premises certificate under section 87~~] of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 - Premises or club premises details

Postal address of premises or club premises, or if non, Ordnance Survey map reference or description <u>THE QUEENS</u> <u>52 CHAPEL STREET</u>	
Post town <u>CHORLEY</u>	Post code (if known) <u>PR7 1BS</u>
Telephone number (if any)	

Name of premises licence holder or club holding club premises certificate (if known) <u>DYNAMIC PUB CO LTD</u>

Number of premises licence or club premises certificate (if known) <u>PL(A) 0286</u>

Part 2 - Applicant details

2. I am

1) an interested party (please complete section (A) or (B) below)

- | | |
|---|-------------------------------------|
| a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input checked="" type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |

Please tick ✓/yes

Delete any words in square brackets which do not apply

- (1) Insert name and address of relevant licensing authority and its reference number (optional)
- (2) Insert name(s) of applicant

Please tick ✓ yes

2) a responsible authority (please complete section (C) below)

3) a member of the club to which this application relates (please complete section (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname First names

I am 18 years old or over Please tick ✓ yes
Day Month Year

Current address
Post town Postcode

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT (fill in if applicable)

Post town Postcode

Date of birth Day Month Year

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT (fill in if applicable)

Name and address MRS SUSAN BRIGGS ENVIRONMENTAL HEALTH OFFICER CHORLEY BOROUGH COUNCIL BENGAL STREET.	
Post town CHORLEY	Postcode PR7 1SA

Telephone number (if any) 01257 515725

E-mail address (optional) sue.briggs@chorley.gov.uk

J This application to review relates to the following licensing objective(s)

back boxes.

Please tick one or more boxes ✓

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (Please read guidance note 1)

THIS APPLICATION FOR A REVIEW RELATES TO THE PREVENTION OF PUBLIC NUISANCE

Please provide as much information as possible to support the application
(please read guidance note 2)

SEE DOCUMENT REF SB01

THE QUEENS, 52 CHAPEL STREET, CHORLEY
30 JANUARY 2007

Ref SB01

**REQUEST FOR A REVIEW OF PREMISES LICENCE FOR
THE QUEENS, 52 CHAPEL STREET, CHORLEY**

HISTORICALLY THE QUEENS HAS BEEN THE SUBJECT OF COMPLAINTS MADE BY LOCAL RESIDENTS ABOUT AMPLIFIED MUSIC FROM THE PREMISES.

THE FIRST COMPLAINTS RECORDED WERE MADE IN JULY 1994

MORE RECENTLY IN OCTOBER 2005 A COMPLAINT WAS MADE BY TWO RESIDENTS OF VICTORIA STREET CHORLEY AGAIN RELATED TO AMPLIFIED MUSIC ASSOCIATED WITH LIVE BANDS PERFORMING AT THE PREMISES. AT THIS TIME THE PREMISES DID NOT HAVE THE BENEFIT OF A PUBLIC ENTERTAINMENT LICENCE.

IN JUNE 2006 ANOTHER COMPLAINT WAS MADE ALLEGING EXCESSIVELY LOUD MUSIC FROM THE QUEENS. A PREMISES LICENCE MADE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 WAS IN PLACE BUT FAILED TO EFFECTIVELY CONTROL NOISE FROM THE PREMISES.

AFTER INVESTIGATION AN ABATEMENT NOTICE WAS SERVED ON THE DESIGNATED PREMISES SUPERVISOR (DPS), WHO AT THAT TIME WAS, PETER SMITH. THIS WAS SERVED ON 8 SEPTEMBER 2006. THE NOTICE WAS SERVED BY HAND ON MR SMITH AND THE REQUIREMENTS OF THE NOTICE EXPLAINED TO HIM. I ALSO WENT THROUGH THE CONDITIONS ON HIS PREMISES LICENCE WITH HIM. DESPITE THIS, COMPLAINTS CONTINUED TO BE MADE. BY THE 2ND OCTOBER 2006 I WAS INFORMED THAT MR SMITH HAD LEFT THE PREMISES AND THAT MR MCVEY WAS NOW AT THE QUEENS. I SPOKE TO MR MCVEY PERSONNALLY AT THE PREMISES TO EXPLAIN THE ON GOING NOISE COMPLAINTS ASSOCIATED WITH THE PREMISES.

COMPLAINTS CONTINUED TO BE MADE AND ONE OF THE COUNCILS NOISE RECORDERS WAS RE INSTALLED IN THE COMPLAINANTS PROPERTY IN JANUARY 2007 TO TRY AND COLLECT EVIDENCE OF EXCESSIVELY LOUD MUSIC AMOUNTING TO A STATUTORY NUISANCE.

AN ABATEMENT WAS SERVED ON YET ANOTHER DPS, MS A BRANNELLY ON 23 JANUARY 2007. THIS WAS SERVED BY HAND ON MS BRANNELLY AND AGAIN THE SITUATION REGARDING THE HISTORY OF COMPLAINTS WAS EXPLAINED.

THERE IS GOOD EVIDENCE IN THE FORM OF NOISE RECORDINGS AND REPORTS FROM THE COMPLAINANTS THAT THE STATUTORY NOISE

THE QUEENS, 52 CHAPEL STREET, CHORLEY
30 JANUARY 2007

NUISANCE FROM THE QUEENS ARE IN PART RELATED TO INADEQUATELY WORDED LICENCE CONDITIONS OR THAT THE CONDITIONS ARE SIMPLY FLOUTED.

BECAUSE THERE HAS BEEN SUCH A HIGH TURNOVER OF DPS AT THE QUEENS THE ABATEMENT NOTICES THAT HAVE BEEN SERVED HAVE BEEN INEFFECTIVE IN CONTROLLING THE NOISE NUISANCE TO RESIDENTS. IN EFFECT THE NOTICES HAVE BEEN COMPLIED WITH BY THE RECIPIENT OF THE NOTICE LEAVING THE PREMISES.

THE ENVIRONMENTAL PROTECTION ACT 1990 DOES NOT PERMIT AN ABATEMENT NOTICE TO BE SERVED ON THE OWNERS OF THE PREMISES. IT MUST ALWAYS BE SERVED IN THE FIRST INSTANCE ON THE PERSON RESPONSIBLE FOR THE NUISANCE WHICH IN THIS CASE IS THE DPS.

THE COMPLAINANT REPORTED EXCESSIVELY LOUD MUSIC ON THE 26,27 AND 28 JANUARY 2007. THE POLICE ATTENDED ON ONE OF THESE OCCASIONS AND THERE IS A CRIME REFERENCE NUMBER TO CONFIRM THIS.

I PROPOSE TO REINSTALL A RECORDER IN THE COMPLAINANTS PROPERTY TO TRY AND COLLECT EVIDENCE OF A BREACH OF THE NOTICE. IF EVIDENCE IS OBTAINED I WILL BE REFERING A FILE TO THE LEGAL SECTION OF THE COUNCIL WITH A RECOMMENDATION TO PROSECUTE. (ASSUMING MS BRANNELLY IS STILL THE DPS)

A REVIEW OF THE LICENCE WOULD ALLOW CONDITIONS TO BE PUT IN PLACE TO MAKE A PERMANENT POSITIVE IMPACT ON NOISE LEVELS PRODUCED WITHIN THE PREMISES AND THE NOISE INSULATION QUALITIES OF THE BUILDING TO ENSURE THAT THERE IS NO RECURRENCE OF A STATUTORY NUISANCE AND THE PREVENTION OF PUBLIC NUISANCE.

THE COUNCILS NOISE RECORDING EQUIPMENT WAS REINSTALLED OVER THE WEEKEND OF THE 2ND, 3RD AND 4TH OF FEBRUARY 2007 AND FURTHER EVIDENCE WAS OBTAINED OF EXCESSIVELY LOUD MUSIC, THIS TIME IN BREACH OF THE NOISE ABATEMENT NOTICE SERVED ON THE 23 JANUARY 2007.

Please tick ✓ yes

Have you made an application for review relating to these premises before?

If yes, please state the date of that application

Day	Month	Year

If you have made representations before relating to these premises, please state what they were and when you made them.

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

insert
mount

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

Part 5 - Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent. (please read guidance note 4)
If signing on behalf of the applicant please state in what capacity.

Signature Susan Briggs

Date 6 February 2007

Capacity ENVIRONMENTAL HEALTH OFFICER

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town		Post code
Telephone number (if any)		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)		

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details, for example dates of problems which are included in the grounds for review, if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

PUBLIC NOTICE FOR PREMISES LICENCE REVIEW

(Licensing Act 2003)

Notice of an application for review of the Premises Licence in respect of:

THE QUEENS, 52 CHAPEL STREET, CHORLEY, PR7 1BS

The ground for the review are as follows:-

There is a history of resident complaints regarding amplified music from this premises.

An abatement notice was served on 8 September 2006 after which complaints were still received.

A further abatement notice was served on 23 January 2007 to the new designated premises supervisor this has again been breached. Excessively loud music has been recorded on a number of occasions emanating from this premises.

A review of the licence would allow conditions to be put in place to make a permanent and positive impact on noise levels produced within the premises and the noise insulation qualities of the building to ensure that there is no recurrence of a statutory nuisance and the prevention of public nuisance.

The application may be inspected at Chorley Council Licensing Section, Civic Offices, Union Street, Chorley, PR7 1AL between the hours of 9.00am and 4.00pm Monday to Friday inclusive.

Any "interested party" or "Responsible Authority" may make representations in writing to the Council at the above address, regarding the Application for Review, to be received before 5pm on **14th March 2007**.

It is an offence to knowingly or recklessly make a false statement in connection with the application subject to a maximum fine of £5,000 upon summary conviction for the offence.

**CHORLEY BOROUGH COUNCIL
ENVIRONMENTAL SERVICES UNIT**

STATEMENT OF WITNESS

**CRIMINAL JUSTICE ACT 1967, SECTION 9
MAGISTRATES COURTS ACT 1980, SECTIONS 5B
CRIMINAL PROCEDURE RULES r27.1(1)**

STATEMENT OF: **Susan Briggs**

AGE OF WITNESS: over 21
(if over 21, enter "over 21")

ADDRESS: Streetscene, Neighbourhoods and Environment Directorate
Bengal Street
Chorley
PR7 1SA

This statement consisting of page(s) (each) signed by me is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 13th day of March 2007

Signed Witnessed

I am employed by Chorley Borough Council as an Environmental Health Officer in the Environmental Protection Unit. I am a Chartered Environmental Practitioner with a degree in Environmental Sciences. I am a member of the Chartered Institute of Environmental Health with 27 years post qualification experience.

My role in the Environmental Protection Unit involves enforcement of a large range of legislation including Part III of The Environmental Protection Act 1990 which relates to statutory nuisance offences including noise.

Following complaints from Mr Desai of Victoria Street, Chorley of ongoing noise from The Queens one of The Council's noise recorders was installed in his property on Victoria Street, Chorley on the 11th January 2007 and collected on the 15th January 2007. The recorder was installed and collected by my colleague Mr Stuart Oakley, Environmental Health Technical Officer. The INVC HARD system was calibrated and left in the house where Mr Desai operated the equipment. After collection I listened to the recordings and was satisfied that the evidence recorded on the system revealed that Mr Desai was suffering excessive noise amounting to a statutory nuisance.

Signature: Susan Briggs Date: 13 March 2007

I served an Abatement Notice, under the provisions of section 80 of The Environmental Protection Act 1990, on the Designated Premises Supervisor, Ms A Brannelly, on the 23 January 2007. The Notice was served by me in person and I explained to Ms Brannelly what I had heard on the recordings and the history of the problems at The Queens.

Further complaints of noise were received by Mr Desai after the next weekend and the following weekend on the 2nd,3rd and 4th of February the recorder was reinstalled.. The same recorder was used and Mr Oakley both installed and collected the recorder.

I listened to the recordings and was satisfied that the Abatement Notice had not been complied with. After discussion with Mr Oakley I decided that a review of the Premises Licence would be the most appropriate course of action to take. It would give us the opportunity to let the existing conditions to be scrutinised and consideration be given to them being revised in accordance with the committee's wishes.

Copies of the recordings made have been made available to The Councils licensing Unit and the Designated Premises Supervisor.

Signature: Susan Briggs Date: 13 March 2007



Regus House, Heron's Way, Chester Business Park, Chester, CH4 9QR

9 March 2007

Chorley Borough Council
Council Offices
Union Street
Chorley
Lancs
PR7 1AL

For the attention of Ms Sue Briggs – Environmental Health Officer

Dear Ms Briggs

We Dynamic Pub Company Limited would like to respond to the application for the review of a Premises Licence under the Licencing Act of 2003 made by Mr Desai of 9 Victoria Street, Chorley, Lancs PR7 2TX.

We at Dynamic Pub Company Limited are a small pub company operating mainly in the North West of England with specifically 2 public houses in the Chorley area, namely the Duke of York and The Queens, 52 Chapel St, Chorley.

We are the premises licence holder for the Queens and the Duke of York. The current Designated Premises Supervisor at the Queens is Miss Andrea Brannelly who was appointed DPS in November 2006 and also resides above the premises as a resident.

- Our current opening hours at the Queens are Mon – Thur 12 noon – 11.00 pm, Fri & Sat 12 noon – 12 midnight and Sunday 12.00 noon to 12.00 midnight. We have received no other complaints other than from Mr Desai regarding damage cars or litter in the street.
- Our rear gates which lead to the car park are padlocked each evening.
- There is no proof or evidence that bottles/litter/noisy people are all coming from the Queens only passing Mr Desai's house.
- No customers are allowed to take any alcoholic drinks outside the premises.
- We also have a rubbish/litter problem that we have to clear up and manage stemming from the local bus station, other pubs in the area as well as a take-away premises.

- We have investigated the issue about noise and have instigated the following building works to help alleviate any further potential noise problems as follows :
 - We have blocked three main air vents
 - We have also screwed down all the sash windows on the ground floor and all doors are to remain closed at all times.
 - We have bricked up and plastered the outside/inside wall
 - We have fitted polystyrene sound installation panels to all windows as well as boarding up the fireplace in the lounge area
 - We have also obtained quotes for the installation of an air conditioning system which presents us with a substantial cost/investment for our small company, however we aim to have it installed as soon as possible
 - Music at present is played from 9pm and finishes no later than 11.15pm on Friday and Saturday
 - Last orders for alcohol is at midnight on Fri/Sat
 - All signs are clearly displayed to our customers as we have a responsibility to keep our noise levels to a minimum when leaving the premises as to avoid disturbing local residence

We operate in a highly populated residential area within the town centre of Chorley with over 200 houses and dwellings within a ½ mile radius, to the best of our knowledge we have not received any other complaints regarding noise, nuisance nor crime other than from Mr Desai and the local EHO. Although this is important for address and we will address we feel that the majority of other local residence do not have the same issues to the extent of Mr Desai.

We would also note that we operate within 100 yards of two other public houses both ways from the Queens who may have customers who leave in a disorderly manner and may have consumed large amounts of alcohol and may also be noisy etc who decide to pass Mr Desai's residence.

As well as that during the majority of the day and up to 11.30pm each night local buses and quite heavy traffic are passing adjacent to the Queens and Victoria St on a frequent basis and we have registered a bigger sound issue from the traffic which we must bring to your attention is louder than the music.

There is also a local takeaway called the Flamingos that people frequent during the evening where people visit after drinking hours from other public houses these people may pass the Queens and Victoria St, = again on there way home who may also leave bottles, glasses litter etc. It is also noted that many who frequent Flamingos are sometimes deemed to be drunk and disorderly and we have many examples of disturbances and sometimes violence coming from those premises.

As a company we at Dynamic like to promote good relationships within the community and local authorities and we are proud to be a member of the local Pub Watch Scheme where we liaise directly with the police on a regular basis to promote safety and harmony within the community. The police often visit the Queens on a friendly and not just an official basis and we are satisfied that they have currently no issues with Miss Brannelly and nor do they regard the Queens as being a venue of crime and disorder.



We have recently installed a new communication radio with a direct link to the police CCTV operators and other pub operators in Chorley town centre. This was recommended as a deterrent for trouble and to improve the response time and safety within the community by the police and we happily volunteered to invest in purchasing this equipment to help keep the local community safe and trouble free. Indeed Sergeant Bushell, the local police licencing officer has a good relationship with Miss Brannelly and knows that the issues raised in these applications are rather unfair as they cannot all be related directly from the Queens due to its proximity of two other town centre pubs.

Finally, we must note that the Queens has been part of the local community for many years providing for the local region a safe venue where people can enjoy live bands and entertainment which is unique to the Queens. We enjoy customers travelling from as far as Birmingham, Preston, Merseyside and Manchester etc who all enjoy coming to the Queens for a good evenings entertainment.

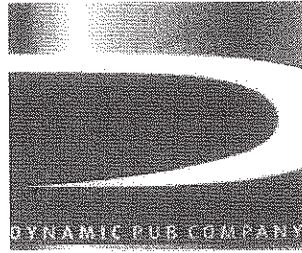
We have kept a diary of noise level measurements with a specialist piece of equipment that we would be happy to provide you with which will show the improvements we have made in reducing the noise within the last 4/5weeks. As well as this Miss Brannelly and her staff regularly patrol the externals of the Queens checking for litter, security and measuring the noise levels on a 30 minute basis every weekend.

We would be pleased to talk direct to Mr Desai to see if we could try and improve our image and reputation with his support. I trust this is acceptable to all parties concerned.

Yours sincerely

Dynamic Pub Company





Regus House, Heron's Way, Chester Business Park, Chester, CH4 9QR

13 March 2007

Chorley Borough Council
Environmental Services Department
Council Offices
Union Street
Chorley
Lancs
PR7 1AL

To Whom it may concern

Reference; Notice of application from Mr Desia - No SB01

Further to the recent request to review the premises Licence at the Queens Public House, 52 Chapel St, Chorley we wish to respond as follows:

- Dynamic Pub Company Ltd (DPCL) became responsible for the premises on 18 April 2005 and were/were not responsible for any complaints regarding the premises prior to this date
- As of October 2005 when the new licensing regulations changed we (DPCL) were granted a new licence and trading laws agreed via the Licencing and Police authorities. No objections were raised personally by any local residents on the date of transfer which were held at the Council House in Chorley. Mr Howard Bee, the Chief Licence Officer for Chorley Borough Council was present at this hearing and can confirm that there were no objections from local residents raised.
- In approximately May 2006 to Sept 2006, we (DPCL) experienced both operational and management issues relating to the Queens Public House. We had to deal with these management issues in a professional and diligent manner, which resulted unfortunately in replacing 2 Designated Premises Supervisors in the space of 4 months
- We believe we acted on the above issue in the interest of the local residents because of the issues regarding the Designated Premises Supervisor. Mr Peter Smith had been served with an Abatement Notice in Sept 2006 which he chose to ignore the notice and our clear instructions to address the issues with immediate effect. This resulted, unfortunately where Mr Smith was faced with no alternative but to resign.

- In October 2006 another complaint was received regarding noise issues from local residents, as per the records Mr Smith had left the premises and the new Designated Premises Supervisor, Mr Frank McVey was appointed with no objections from any parties/bodies. A subsequent meeting was held between Mr McVey and Miss Sue Briggs where Miss Briggs made it clear about the complaint relating to noise levels at the pub. We, DPCL had dialogue with Miss Briggs and confirmed that a schedule of work to try and alleviate the concerns relating to noise levels (which are now complete).
- November 2006 DPCL appointed Ms Andrea Brannelly as full time permanent manager at the Queens Public house where she still remains up to this date. We had no alternative but to replace Mr McVey as there had been concerns of his managerial competence relating to the noise control to an operational and managerial standard that we required.
- No further complaints were brought to our attention relating to noise concerns as the Queens Public House until 27 January 2007 by Ms Brannelly.
- On 14 February 2007 an application for the review of Premises Licence was received (this document was received on 19 February 2007 - please see enclosed compliments slip apologising for the delay in forwarding a copy of the application to our office).
- Once we received this application Ms Brannelly was disciplined without delay and made clear that these issues would not be tolerated by DPCL and required addressing immediately.
- We DPCL contacted Miss Briggs on 19 February 2007, (note the same date we received the said application). Mr David Lewtas, Director of DPCL attended the offices of Chorley Borough Council personally on 19 February to discuss matters with Miss Briggs but was informed that she was on leave until 22 February 2007. Subsequently, Mr Lewtas drove from our Chester Office on 23 February 2007 for a meeting that he specifically requested with Miss Briggs to address these very serious concerns relating to noise at the Queens Public House.
- The meeting held on 23 February 2007 was attended by David Lewtas, Miss Briggs and here colleague "Stuart" where Mr Lewtas expressed his immense concerns over receiving this application and to reassure Miss Briggs that we DPCL would be addressing these issues in more detail than we had previously with immediate effect.
- DPCL have instigated the following works in a proactive manner on a voluntary basis as follows:-
 - 30 minute external patrols on Friday/Saturday evening to check and measure both noise levels and litter control
 - External and internal sound proofing to window elevation on Victoria Street
 - Blocked up air vent to feature fire place
 - Bricked up extraction ventilators to reduce noise pollution
 - Rear car park gates are now padlocked at weekends
 - All sash windows to front elevations are now screwed fixed
 - Polystyrene panels have been erected to these windows to reduce noise pollution (a temporary measure only)
 - Reduced operating hours – music from 9.00pm – 11.15pm no later
 - Last orders are now 11.30pm and premises closed no later than 12.00 midnight

- Additional signage requesting customers respect local residence on leaving the pub

We trust that this shows we are being proactive and considerate company in dealing with this extremely serious matter.

Although a review of the licence is to take place we believe we are taking extensive voluntary actions to make a positive impact on noise levels at the Queens Public House.

Yours faithfully

for Dynamic Pub Company Limited



LICENSING ACT 2003
Section 52(2)

**Notice of hearing to consider an application for review
of a Premises Licence and any relevant representations**

To Mr Shoaib Desai

Of [REDACTED]
Chorley

[the applicant]

Chorley Council, being the licensing authority, on the 9 February 2007 and 14 February 2007 received two separate applications for a review of a Premises Licence in respect of the premises known as The Queens, 52 Chapel Street, Chorley, PR7 1BS

On 9 February 2007 the Council received representations from [you]

The Council now GIVES YOU NOTICE that representations will be considered at a hearing to be held at Chorley Council Town Hall, Market Street, Chorley, PR7 1DP

on 3rd & 4th April 2007 at 10am, 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 52(7) of the Act] – TO FOLLOW

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

- Licensing Objectives: - Prevention of Public Nuisance
- Prevention of Crime and Disorder
- Public Safety
- Protection of Children From Harm

You should complete form LAR1 and return it to

Mr K Ogden
Licensing Department
Chorley Council
Civic Offices
Union Street
Chorley
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

Delete words in square brackets as applicable

CONTINUED



LICENSING ACT 2003
Section 52(2)

**Notice of hearing to consider an application for review
of a Premises Licence and any relevant representations**

To Mrs Sue Briggs

Of Environmental Protection Unit
Chorley Borough Council

[the applicant]

Chorley Council, being the licensing authority, on the 9 February 2007 and 14 February 2007 received two separate applications for a review of a Premises Licence in respect of the premises known as The Queens, 52 Chapel Street, Chorley, PR7 1BS

On 14 February 2007 the Council received representations from [you]

The Council now GIVES YOU NOTICE that representations will be considered at a hearing to be held at Chorley Council Town Hall, Market Street, Chorley, PR7 1DP

on 3rd & 4th April 2007 at 10am, 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 52(7) of the Act] – TO FOLLOW

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Licensing Objectives: - Prevention of Public Nuisance

You should complete form LAR1 and return it to

Mr K Ogden
Licensing Department
Chorley Council
Civic Offices
Union Street
Chorley
PR7 1AL

1

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

Delete words in square brackets as applicable

CONTINUED



LICENSING ACT 2003
Section 52(2)

**Notice of hearing to consider an application for review
of a Premises Licence and any relevant representations**

To Mr Tom Kearney

Of Dynamic Pub Company Limited
Regus House, Herons Way,
Chester Business Park
Chester

[the holder of the premises licence]

Chorley Council, being the licensing authority, on the 9 February 2007 and 14 February 2007 received two separate applications for a review of a Premises Licence in respect of the premises known as The Queens, 52 Chapel Street, Chorley, PR7 1BS

On 9 February 2007 the Council received representations from Mr Shoaib Desai – an interested party
On 14 February 2007 the Council received representations from Mrs Susan Briggs – a responsible authority

The Council now GIVES YOU NOTICE that representations will be considered at a hearing to be held at Chorley Council Town Hall
Market Street
Chorley
PR7 1DP

on 3rd & 4th April 2007 at 10am, 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 52(7) of the Act] – TO FOLLOW

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

- Licensing Objectives: - Prevention of Public Nuisance
- Prevention of Crime and Disorder
- Public Safety
- Protection of Children From Harm

You should complete form LAR1 and return it to

Mr K Ogden
Licensing Department
Chorley Council
Civic Offices
Union Street
Chorley
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

Chorley, Civic Offices, Union Street, Chorley, Lancashire, PR7 1AL

LIQ 31

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 Unit
Chorley Council
Civic Buildings
Union Street
Chorley
PR7 1AL

I _____
Of _____

_____ Post Code _____

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 _____

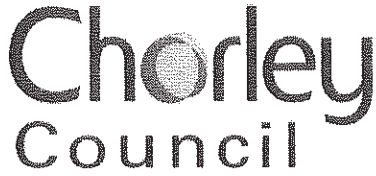
Delete words in square brackets which do not apply

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.



Civic Offices
 Union Street
 Chorley
 PR7 1AL
 DX 18411 Chorley
 Facsimile: 01257 515197
 licensing@chorley.gov.uk
 www.chorley.gov.uk

Licensing Act 2003
Premises Licence

PL(A)0288

Part 1 - Premises Details

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

Queens

The Queens, 52 Chapel Street, Chorley, Lancashire, PR7 1BS.

Telephone 01782 545510

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

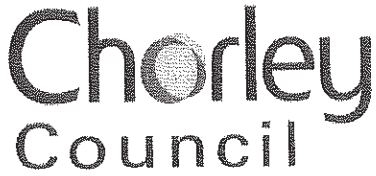
LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

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

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Monday to Sunday Non Standard Timings: When hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.	10:00	00:30
C. Indoor sporting event	Monday to Sunday Non Standard Timings: When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.	10:00	00:30
E. Performance of live music (Indoors)	Monday to Sunday Non Standard Timings: When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.	12:00	23:30
F. Playing of recorded music (Indoors & Outdoors)	Monday to Sunday Non Standard Timings: When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.	10:00	00:30





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Licensing Act 2003

Premises Licence

PL(A)0286

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

Activity (and Area if applicable)	Description	Time From	Time To
G. Performance of dance (Indoors)	Monday to Sunday Non Standard Timings: When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.	10:00	00:30
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday Non Standard Timings: When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.	10:00	00:30
I. Provision of facilities for making music (Indoors)	Monday to Sunday Non Standard Timings: When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.	10:00	00:30
J. Provision of facilities for dancing (Indoors & Outdoors)	Monday to Sunday Non Standard Timings: When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.	10:00	00:30
L. Late night refreshment (Indoors)	Monday to Sunday Non Standard Timings: When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) and section O (hours premises are open to the public)plus 30 minutes.	23:00	01:00
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday Non Standard Timings: New Years eve 10.00 31.12 to 10.00 hours the following day (01.01). Christmas Eve/Boxing Day until 01.00 hours with 30 minutes wind down	10:00	00:00

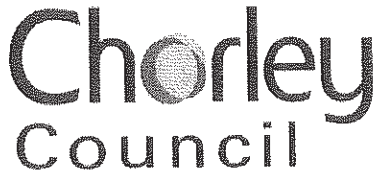
THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Saturday	10:00	02:00
Sunday	10:00	01:00
Non Standard Timings: As in Section M (supply of alcohol) with a 60 minute wind down period		

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

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





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Licensing Act 2003
Premises Licence PL(A)0286

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE
 Dynamic Pub Co Ltd Regus House, Herons Way, Chester Business Park, Chester, Cheshire, CH4 9RQ.
 Telephone 07796 173016

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)
 Dynamic Pub Co Ltd 05344926

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL
 Andrea BRANNELLY [REDACTED]

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES FOR THE SUPPLY OF ALCOHOL
 Licence No. PA0542 Issued by Chorley

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

On and Off Licence

1 Alcohol shall not be sold or supplied except during permitted hours. Permitted hours means:

Regulatory Reform (Special Occasions Licensing) Order 2002

The premises may remain open for the sale of alcohol from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day (or if there are no permitted hours on the following day, Midnight on 31 December)

The above restrictions do not prohibit:

- a) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- b) The ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered;
- c) The sale of alcohol to a trader or club for the purposes of the trade or club;
- d) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- e) The taking of alcohol from the premises by a person residing there; or
- f) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or



Licensing Act 2003

Premises Licence

PL(A)0286

ANNEXES continued

- g) The supply of alcohol for consumption on the premises to person employed there for the purposes of business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

Where there is no children's certificate:

- 1 No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- He is the child of the holder of the premises licence.
 - He resides in the premises, but is not employed there.
 - He is in the bar solely for the purpose of passing to or from some part of the premises that is not a bar and to or from some part of the premises where there is no other convenient means of access or egress.
 - The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. However, an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

Licensed Premises - Credit Sales

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

- with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
- for consumption by a person residing in the premises or his guest and paid for together with his accommodation;
- to a canteen or mess.

Alcohol

- 1 No supply of alcohol may be made under the premises licence -
- At a time when there is no designated premises supervisor in respect of the premises licence,
or
 - At a time when the designated premises supervisor does not hold a personal licence, or his personal licence is suspended.
- 2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Exhibition of films



Licensing Act 2003

Premises Licence

PL(A)0286

ANNEXES continued

- 1 Where the film classification body is specified in the licence, unless (2) applies, admission of children must be restricted in accordance with any recommendations made by that body
- 2 Where -
 - a) The film classification body is not specified in the licence,
 - or*
 - b) The relevant licensing authority has notified the holder of the licence that this condition is applied to the film in question,

Admission of children must be restricted in accordance with any recommendation made by that licensing authority.

Door Supervision

- 1 Any individual employed on the premises to carry out a security activity must be licensed by the Security Industry Authority.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

a) General

None

b) The prevention of crime and disorder

Zero tolerance on drugs.

c) Public safety

Health and safety poster, fire procedures posters, accident record book, first aid kit, fire alarm, gas and electricity safety certificates, fire extinguisher maintenance certificate, signs with reference to a street ban on bottles/glasses, workplace and fire risk assessment, are all in place.

Fire alarm/emergency lighting audits are carried out.

Plastic glasses are available for use in the beer garden.

d) The prevention of public nuisance

All music levels to be reduced from midnight to a lower level and slower tempo.

Windows to be closed as required to reduce noise levels.

Exit notices with reference to noise levels upon leaving the premises, are in place.



Licensing Act 2003

Premises Licence

PL(A)0286

ANNEXES - continued

Music zoned from behind the bar to control levels.

Back doors to be kept closed and checked regularly when music is on.

e) The protection of children from harm

Display prominent signage regarding supervision of children at all times.

Soft drinks and snacks available at all times.

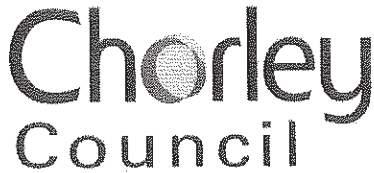
All recognised proof of age cards accepted.

House rules regarding children i.e supervision and times permitted on premises to be responsibility of DPS and will be displayed at the entrance.

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

- 1) No outside areas designed for consumption of alcohol shall be used after 23.00 hours.
- 2) All doors and windows to be kept closed when regulated entertainment is taking place except in emergencies.
- 3) The licensee shall ensure that notices requesting customers to leave in a quiet and orderly manner are displayed and maintained at the exits to the premises and in the car park.
- 4) All live amplified music to cease by 23.30 hours.
- 5) All recorded music to be played at background level from 00.00 onwards.
- 6) Licensing hours on New Year's Eve to be granted in line with current legislation or any subsequent amendments.





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 licensing@chorley.gov.uk
 www.chorley.gov.uk

Licensing Act 2003

Premises Licence Summary

PL(A)0286

Premises Details

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

Queens

The Queens, 52 Chapel Street, Chorley, Lancashire, PR7 1BS.

Telephone 01782 545510

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

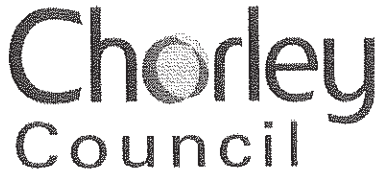
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- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Monday to Sunday Non Standard Timings: When hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.	10:00	00:30
C. Indoor sporting event	Monday to Sunday Non Standard Timings: When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.	10:00	00:30
E. Performance of live music (Indoors)	Monday to Sunday Non Standard Timings: When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.	12:00	23:30
F. Playing of recorded music (Indoors & Outdoors)	Monday to Sunday Non Standard Timings: When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.	10:00	00:30





Civic Offices
 Union Street
 Chorley
 PR7 1AL
 DX 18411 Chorley
 Facsimile: 01257 515197
 licensing@chorley.gov.uk
 www.chorley.gov.uk

Licensing Act 2003

Premises Licence Summary

PL(A)0286

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

Activity (and Area if applicable)	Description	Time From	Time To
G. Performance of dance (Indoors)	Monday to Sunday Non Standard Timings: When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.	10:00	00:30
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday Non Standard Timings: When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.	10:00	00:30
I. Provision of facilities for making music (Indoors)	Monday to Sunday Non Standard Timings: When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.	10:00	00:30
J. Provision of facilities for dancing (Indoors & Outdoors)	Monday to Sunday Non Standard Timings: When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) plus 30 minutes.	10:00	00:30
L. Late night refreshment (Indoors)	Monday to Sunday Non Standard Timings: When opening hours are extended on New Years Eve, timings to be extended accordingly as in section M (supply of alcohol) and section O (hours premises are open to the public)plus 30 minutes.	23:00	01:00
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday Non Standard Timings: New Years eve 10.00 31.12 to 10.00 hours the following day (01.01). Christmas Eve/Boxing Day until 01.00 hours with 30 minutes wind down	10:00	00:00

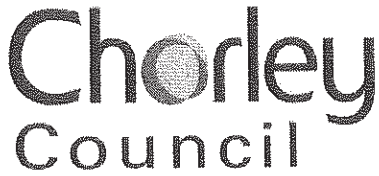
THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Saturday	10:00	02:00
Sunday	10:00	01:00
Non Standard Timings: As in Section M (supply of alcohol) with a 60 minute wind down period		

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

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





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Premises Licence Summary PL(A)0286

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE
 Dynamic Pub Co Ltd Regus House, Herons Way, Chester Business Park, Chester, Cheshire, CH4 9RQ.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)
 Dynamic Pub Co Ltd 05344926

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

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED
 Restricted.
 Where occasioned a strippagram is required at the managements discretion and with no children allowed.



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