

Statutory Licensing Sub-Committee A

Agenda and Reports

For consideration on

Wednesday, 23rd May 2007

In the Council Chamber, Town Hall, Chorley

At 10.00 am



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Chief Executive's Office

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Date: 15 May 2007

Chief Executive: Donna Hall

Chorley
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Dear Councillor

Statutory Licensing Sub-Committee A - Wednesday, 23rd May 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 Wednesday, 23rd May 2007 commencing at 10.00 am.

AGENDA

1. **Declarations of Any Interests**

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

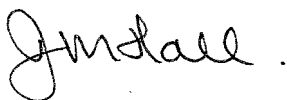
2. **Licensing Act 2003 (Premises and Premises Certificate) Regulations 2003 - Application to vary a premises license in respect of The Spinners Arms, 23 Church Street, Adlington, Licence Number PL (A) 0234 (Pages 1 - 48)**

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

Attached for Members information is the Hearing Procedure

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

Yours sincerely



Chief Executive

Continued....

Distribution

1. Agenda and reports to all Members of the Statutory Licensing Sub-Committee A (Councillor Mrs Iris Smith (Chair), Councillors Ralph Snape and Mrs Stella Walsh for attendance.
2. Agenda and reports to Councillor Doreen 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 (Acting Licensing manager) and Gordon Bankes (Democratic Services Officer) for attendance.

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

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

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

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

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

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

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

HEARING PROCEDURE

PREMISES/CLUB PREMISES LICENCE APPLICATIONS

1. CHAIR OF SUB-COMMITTEE:

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

2. LICENSING OFFICER OUTLINES APPLICATION AND RELEVANT REPRESENTATIONS

3. QUESTIONS TO LICENSING OFFICER FOR CLARIFICATION FROM:

- Sub-Committee
- Applicant

4. APPLICANT OR REPRESENTATIVE OUTLINES APPLICATION

5. QUESTIONS TO APPLICANT FROM:

- Sub-Committee
- Interested Representative

6. LANCASHIRE POLICE REPRESENTATIONS

7. QUESTIONS TO LANCASHIRE POLICE FROM:

- Sub-Committee
- Applicant

8. LANCASHIRE FIRE & RESCUE REPRESENTATIONS

9. QUESTIONS TO LANCASHIRE FIRE & RESCUE FROM:

- Sub-Committee
- Applicant

10. ENVIRONMENTAL HEALTH (ENVIRONMENT) REPRESENTATIONS

11. QUESTIONS TO ENVIRONMENTAL HEALTH FROM:

- Sub-Committee
- Applicant

12. ENVIRONMENTAL HEALTH (HEALTH & SAFETY) REPRESENTATIONS

13. QUESTIONS TO ENVIRONMENTAL HEALTH FROM:

- Sub-Committee
- Applicant

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

- Sub-Committee
- Applicant

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

- Sub-Committee
- Applicant

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

- Sub-Committee
- Applicant

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

- Sub-Committee
- Applicant

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

All parties retire whilst Sub-Committee makes decision.

26. NOTICE OF DECISION

Parties re-admitted and Chair announces decision and reasons.

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

APPLICATION TO VARY A PREMISES LICENCE IN RESPECT OF SPINNERS ARMS, 23 CHURCH STREET, ADLINGTON NUMBER PL (A) 0234

PURPOSE OF REPORT

1. For Members to determine an application to vary a premises licence.

CORPORATE PRIORITIES

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

RISK ISSUES

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

Strategy		Information	
Reputation		Regulatory/Legal	<input type="checkbox"/>
Financial		Operational	
People		Other	

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

CURRENT PREMISES LICENCE

5. A copy of the premises licence summary stating existing licensable activities and times is attached to this report in full in Appendix 1.
6. Conditions

ANNEX 1 – Mandatory Conditions

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) 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;
- b) The taking of alcohol from the premises by a person residing there; or
- c) 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
- d) 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

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

Public Safety

A wind down period of 60 minutes will allow customers to disperse gradually reducing noise and other conducive problems.

There is a zero tolerance policy towards drugs.

Staff will be vigilant as customers depart from the premises to ensure no problems arise.

CCTV (movement sensor and recorded) is installed and operated at the premises.

Health and Safety posters, fire procedure posters, accident record book, first aid kit, fire alarm, smoke/heat detectors, PAT certificate, fire extinguisher maintenance certificate, workplace and fire risk assessment (OCR 387 qualified) are all in place.

Fire alarm/emergency lighting audits are carried out.

All areas to be cleared of bottles/glasses on a regular basis.

Entrance/exits to be kept clear at all times.

Staff to conduct a walkthrough at regular intervals to monitor all areas to ensure no problems arise.

The prevention of public nuisance

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

Windows to be closed as required to reduce noise levels.

No doors are propped open after 23.00, to ensure noise levels are contained.

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

Staff will ensure customers leave the premises quietly at closing time and do not loiter outside the premises.

Taxis will be requested to not sound their horns after 23.00.

Regular discussions with local residents will be carried out to ensure any issues or concerns are dealt with.

After 00.00 recorded music to be played at background level (save for New Years Eve when permitted to 01.00).

The protection of children from harm

Prominent signage regarding supervision of children at all times will be displayed.

Soft drinks and snacks available at all times.

House rules regarding children i.e. supervision and times permitted on premises to be responsibility of DPS.

A designated no smoking area.

Persons who appear to be under the age of 18 years shall be required to produce proof of age by way of one of the following:

- a recognised proof of age card accredited under the British Retail Consortiums Proof of Age Standards Scheme (PASS).
- photo driving licence
- passport
- Citizen card supported by the home office.
- Official ID card issued by HM forces or European Union bearing a photograph and birth of the holder

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

None

THE APPLICATION

7. A copy of the application to vary is attached to this report in full in Appendix 1. In summary the application is to conduct and vary the following licensable activities.

PROPOSED NEW LICENSABLE ACTIVITIES

- i) To allow the provision of regulated entertainment at the times set out below (e)

12.00 - 23.00 Monday to Thursday
 12.00 - 01.00 Friday and Saturday
 12.00 - 22.30 Sunday

Non Standard Timings

Occasional use only within licensed times

- ii) To allow the provision of recorded music indoors at the times set out below (f)

12.00 - 23.30 Monday to Thursday
 12.00 - 01.30 Friday and Saturday
 12.00 - 23.00 Sunday

Non Standard Timings

None stated

- iii) To allow the provision of late night refreshment at the times set out below (l)

23.00 - 01.00 Friday and Saturday

Non Standard Timings

23.00 - 01.00 Christmas Eve and New Years Eve

PROPOSED CHANGES TO TIMES AND DAYS

- iv) To alter the times for the sale of alcohol for consumption both On and Off the premises as detailed below.

To change the start time from 11.00 to 12.00 on every day and to change the finish times on Fridays and Saturdays from 23.00 to 01.00.

Non Standard Timings

To change the finish times on Christmas Eve and New Years Eve from 23.00 to 01.00.

To alter the times that the premises are open to the public (o)

To open at 12.00 every day and finish at 23.30 Monday to Thursday, 01.30 Friday and Saturday and 23.00 on Sundays.

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

- i) General

Instruct staff to be vigilant at all times. Aware of what is happening on the premises and outline what to do if a situation should arise.

- ii) Prevention of crime and disorder

As in i). Also make sure that the bar area isn't left unattended. That all the unused stock is stored appropriately.

- iii) Public Safety

As in i) Instruct staff to use their judgement about serving customers.

- iv) The prevention of public nuisance

As in i) and iii) Make sure that all members of the public leave the premises at the correct time. That live music is at reasonable level and finishes at a reasonable time.

- v) The protection of children from harm

Children will not be allowed on the premises unaccompanied and not allowed on the premises at all after 7pm. Instruct staff to be vigilant about customers who look under 18 requesting to be served alcohol.

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

None

10. Conditions/ Restrictions to be removed on variation.

None

11. Relevant Representations – Responsible Authorities

The Authority has received two objections:

The Police

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

- i) The police are concerned regarding live music (e). They feel that the latest time for any live music should be midnight, other than the two public holidays requested. This is to prevent Crime and Disorder, Public Nuisance and the Protection of Children from harm (noise)
- ii) The police feel recorded music can continue until the times requested but at a reduced volume after midnight (other than the two public holidays when it can continue until closing time) This is also in relation to the Licensing Objectives listed above:-
- iii) The following conditions need to be added re entertainment:
 - a) Windows and doors to be kept closed during amplified entertainment.
 - b) No noise from entertainment to be heard at the nearest noise sensitive location.
- iv) There are no representations to be made regarding the times for alcohol.

Streetscene, Neighbourhoods & Environment

There are the following Streetscene. Neighbourhoods & Environment representations to be made in respect of the application:-

All windows and doors to remain shut during periods of regulated entertainment, other than for ingress and egress from the premises.

12. Relevant Representations – Interested Parties.

There are 2 representations from interested parties to the application to vary.

The objections are relevant to the Licensing Objectives –

Prevention of Public Nuisance

The prevention of Crime and Disorder

Public Safety

All representations are in full within the report.

13. Policy Considerations.

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

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

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

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

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

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

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

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

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

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

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

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

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

Paragraph 2.5 Licensing law is not envisaged by the Licensing Authority as a mechanism to control anti-social behaviour by individuals once they are beyond the direct control of the licensee of any premises concerned. Therefore any terms and conditions imposed

will be focused on matters within the control of individual Licensees and others granted relevant permissions. These matters will centre on the premises and places used for licensable activities and in the vicinity of the places.

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

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

CRIME AND DISORDER

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

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

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

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

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

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

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

- employment of licensed door supervisors
- participation in other appropriate schemes e.g. pub watch scheme
- measures to be taken for the prevention of violence or disorder.

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

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

LICENSING HOURS

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

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

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

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

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

- the nature of the area where the premises are located (e.g. commercial, residential)
- arrangements to ensure adequate availability of taxis and private hire vehicles, public transport.
- whether appropriate car parking is readily accessible to premises and whether the use/parking of vehicles would cause a demonstrable adverse impact on the amenity of residents.
- whether the licensable activities are likely to cause adverse impact especially on local residents and whether appropriate measures will be put in place to prevent any adverse impact
- in relation to the grant of a new premises licence whether the premises will give rise to a negative cumulative impact on one or more of the licensing objectives
 - In assessing the impact of the activity proposed the Licensing Authority may consider a number of factors inter alia,
- the type and scale of activity, the number and nature of clientele likely to attend

- the levels of noise from the premises, which may be acceptable later in the evening
- the proposed hours of operation
- the levels of public transport accessibility for customers and the likely means of public or private transport that will be used, access to private hire/taxis
- the means of access to the premises e.g. whether on principal pedestrian routes
- the level of car parking demand on surrounding residential streets and its effect on local residents, and movement of traffic
- the cumulative impact of licensed premises in an area and scope for mitigation
- frequency of the activity.

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

PROTECTION OF CHILDREN FROM HARM

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

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

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

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

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

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

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

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

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

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

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

CHILDREN AND CINEMAS

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

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

CHILDREN AND PUBLIC ENTERTAINMENT

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

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

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

PREVENTION OF PUBLIC NUISANCE

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

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

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

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

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

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

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

14. 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

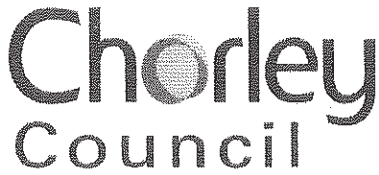
15. Application form and relevant representation.

ANDREW DOCHERTY
DIRECTOR OF CUSTOMER, DEMOCRATIC AND LEGAL SERVICES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
J Day and J Brereton	5164	3 May 2007	LEGREP/0305LM1

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Civic Offices
 Union Street
 Chorley
 PR7 1AL

DX 18411 Chorley

Licensing Act 2003

Premises Licence

PL(A)0234

Part 1 - Premises Details

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

Spinners Arms

23 Church Street, Adlington, Chorley, Lancashire, PR7 4EX.

Telephone 01257 483331

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- 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
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Saturday	11:00	23:00
	Sunday	12:00	22:30
	Good Friday	12:00	22:30
	Christmas Day	12:00	15:00
	Christmas Day	19:00	22:30
	New Years Eve/New Years Day	11:00	23:00

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Saturday	11:00	23:20
Sunday	12:00	22:50
Good Friday	12:00	22:50
Christmas Day	12:00	15:20
	19:00	22:50
New Years Eve/New Years Day	11:00	23:00

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

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

Part 2

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

Suzanne Mary Entwistle

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



Licensing Act 2003

Premises Licence

PL(A)0234

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

Suzanne Mary ENTWISTLE

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

Licence No. PA0299

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:
- a) On weekdays, other than Christmas day, Good Friday, or New Year's Eve, 11am to 11pm
 - b) On Sundays, other than Christmas Day or New Year's Eve 12noon to 10.30pm
 - c) On Good Friday, 12noon to 10.30pm
 - d) On Christmas Day, 12noon to 3pm and 7pm to 10.30pm
 - e) On New Year's Eve, except on a Sunday, 11am to 11pm
 - f) On New Year's Eve on a Sunday from 12noon to 10.30pm

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) During the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- b) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- c) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- d) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- e) The ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered;
- f) The sale of alcohol to a trader or club for the purposes of the trade or club;
- g) 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;



Licensing Act 2003

Premises Licence

PL(A)0234

ANNEXES continued...

- h) The taking of alcohol from the premises by a person residing there; or
- i) 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
- j) 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



Licensing Act 2003

Premises Licence

PL(A)0234

ANNEXES continued

holds a personal licence.

Door Supervision

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

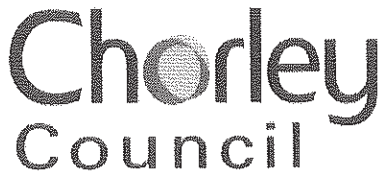
ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

None.

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

None.





Civic Offices
 Union Street
 Chorley
 PR7 1AL

DX 18411 Chorley

Licensing Act 2003

Premises Licence Summary

PL(A)0234

Premises Details

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

Spinners Arms

23 Church Street, Adlington, Chorley, Lancashire, PR7 4EX.

Telephone 01257 483331

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- 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
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THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
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Sunday	12:00	22:50
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	19:00	22:50
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WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

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

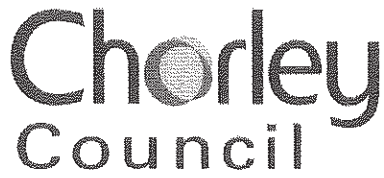
NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Suzanne Mary Entwistle

Norwood, Copthurst Lane, Whittle le Woods, Lancashire, PR6 8LR.

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





Civic Offices
Union Street
Chorley
PR7 1AL

DX 18411 Chorley

Licensing Act 2003

Premises Licence Summary

PL(A)0234

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

Suzanne Mary ENTWISTLE

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

Restricted



[Insert name and address of relevant licensing authority and its reference number (optional)]

Application to vary a premises licence under the Licensing Act 2003

30 MAR 2007

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/we S.M. ENTWISTLE being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

PL(A) 0234

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference, or description	
THE SPINNERS ARMS 23 CHURCH STREET ADLINGTON	
Post town	Post code
CHORLEY	PR7 4EX

Telephone number at premises (if any)

01257 483831

Non-domestic rateable value of premises

£ 4500.

Part 2 - Applicant details

Daytime contact telephone number

[Redacted]

E-mail address (optional)

[Redacted]

Current postal address if different from premises address

[Redacted]

Post Town

CHORLEY

Postcode

[Redacted]

Part 3 - Variation

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

Please tick Yes

If not do you want the variation to take effect from

Day	Month	Year

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

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

PUBLIC HOUSE & BEER GARDEN AT FRONT
NET SALES ONLY; A-ROAD LOCATION

Part 4 Operating Schedule

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

Please tick yes

Provision of regulated entertainment

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

Provision of entertainment facilities for:

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

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

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

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

B

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

C

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

D

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

Sun			
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E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	12:00	23:00	Please give further details here (please read guidance note 3) LIVE PERFORMANCES BOTH AMPED AND UNAMPED	Both	<input type="checkbox"/>
Tue	12:00	23:00			
Wed	12:00	23:00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	12:00	23:00			
Fri	12:00	03:00 (SAT)	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) OCCASSIONAL USE ONLY. WITHIN LICENSED TIMES		
Sat	12:00	01:00 (SUN)			
Sun	12:00	22:30			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	12:00	23:30	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	12:00	23:30			
Wed	12:00	23:30	State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur	12:00	23:30			

Fri	12:00	01:30	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat	12:00	01:30	
Sun	12:00	23:00	

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor	
				Outdoor	
Mon				Both	

Tue			Please give further details here (please read guidance note 3)
Wed			
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Fri			
Sat			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)
Sun			

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

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

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor	
Mon				Outdoor	
				Both	

Tue			Please give further details here (please read guidance note 3)
Wed			
Thur			
Fri			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)
Sat			
Sun			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
					Both <input checked="" type="checkbox"/>
Mon	12:00	23:00	Please give further details here (please read guidance note 3) PROVISION OF DRINKS ALCOHOLIC AND NON-ALCOHOLIC FOR CONSUMPTION ON PREMISES		
Tue	12:00	23:00			
Wed	12:00	23:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	12:00	23:00			
Fri	12:00	01:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) CHRISTMAS EVE 12:00 TO 01:00 NEW YEARS EVE 12:00 TO 01:00		
Sat	12:00	01:00			
Sun	12:00	22:30			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	Both <input checked="" type="checkbox"/>		
Mon	12:00	23:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	12:00	23:00			
Wed	12:00	23:00			
Thur	12:00	23:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	12:00	01:00 (SATURDAY)	CHRISTMAS EVE 12:00 TO 01:00		
Sat	12:00	01:00 (SUNDAY)	NEW YEARS EVE 12:00 TO 01:00		
Sun	12:00	22:30			

N

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

THE SUPPLY OF ALCOHOL

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	12:00	23:30	
Tue	12:00	23:30	

Wed	10:00	23:30	Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Thur	10:00	23:30	
Fri	10:00 12:00	01:30	
Sat	10:00 12:00	01:30	
Sun	10:00 12:00	23:00	

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

- I have enclosed the premises licence **yes**
- I have enclosed the relevant part of the premises licence **If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below**

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

P

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

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

INSTRUCT STAFF TO BE VIGILANT ~~AND~~ AT ALL TIMES. AWARE OF WHAT IS HAPPENING ON THE PREMISES AND ~~TO~~ OUTLINE WHAT TO DO IF A SITUATION SHOULD ARISE.

b) The prevention of crime and disorder

AS IN A)
ALSO MAKE SURE THAT THE BAR AREA ISNT LEFT UNATTENDED. THAT ALL UNUSED STOCK IS STORED APPROPRIATELY.

c) Public safety

AS IN ~~B)~~ A)
INSTRUCT STAFF TO USE THEIR JUDGEMENT ABOUT SERVING CUSTOMERS.

d) The prevention of public nuisance

AS A) and C)
MAKE SURE THAT ALL MEMBERS OF THE PUBLIC LEAVE THE PREMISES AT THE CORRECT TIME. THAT LIVE MUSIC IS AT REASONABLE LEVEL AND FINISHES ~~WITH~~ BEFORE AT A REASONABLE TIME

e) The protection of children from harm

CHILDREN WILL NOT BE ALLOWED ON THE PREMISES UNACCOMPANIED AND NOT ALLOWED ON THE PREMISES AT ALL AFTER 7pm.
INSTRUCT STAFF TO BE VIGILANT ABOUT CUSTOMERS WHO LOOK UNDER 18 REQUESTING TO BE SERVED ALCOHOL.


Please tick ✓ yes

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

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

Part 5 – Signatures (please read guidance note10)

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

X Signature 

Date.....

Capacity CURRENT PREMISES LICENCE HOLDER

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note12). If signing on behalf of the applicant please state in what capacity.

Signature 

Date.....

Capacity

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)	
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)	

Lancashire Constabulary

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

Tel: 01257 246215

Fax: 01257 246217

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

Date 12/04/2007

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



**Lancashire
Constabulary**

police and communities together

Dear Sir

RE: PREMISES LICENCE REPLY:- LICENSING ACT 2003 - REF Vary Prem.

Premises SPINNERS ARMS, 23, CHURCH STREET, ADLINGTON

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

1. The Police are concerned regarding E on the form. We feel that the latest time for any Live Music should be midnight, other than the two public holidays requested. This is to prevent Crime and Disorder, Public Nuisance and the Protection of Children from Harm (noise).
2. We feel recorded music can continue until the times requested but at a reduced volume after midnight (other than the two public holidays when it can continue until closing time). This is also in relation to the Licensing Objectives listed above.
3. The following conditions need to be added re entertainment:-
 - a) Windows and doors to be kept closed during amplified entertainment
 - b) No noise from entertainment to be heard at the nearest noise sensitive location
4. There are no representations to be made regarding the times for alcohol.

Yours faithfully

Police Sergeant 1506

Streetscene, Neighbourhoods & Environment

Please ask for: Mrs S Briggs
 Direct Dial: (01257) 515725
 E-mail address: sue.briggs@chorley.gov.uk
 Your Ref: SpinnersArms
 Our Ref: ES/SB/195642
 Doc ID: EHFQ0036
 Date: 2 April 2007

Civic Offices
 Union St
 Chorley
 Lancashire
 PR7 1AL

Director of Streetscene, Neighbourhoods & Environment
 John Lechmere MCIH



GREEN APPLE
 ENVIRONMENT
 AWARD 2006

S M Entwistle
 Norwood
 Copthurst Lane
 Heapey
 Chorley
 Pr6 8LR



Certificate number: 114804
 Environmental Services Unit

Dear Mr/Ms Entwistle

Licensing Act 2003
The Spinners Arms, 23 Church Street, Adlington, Chorley

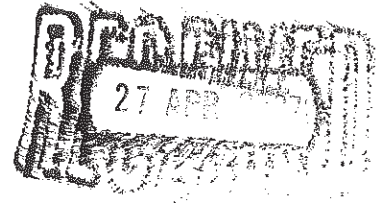
I acknowledge receipt of your application to vary the existing conditions and have the following recommendations to make. All windows and doors to remain shut during periods of regulated entertainment, other than for ingress and egress from the premises.

Yours Sincerely

Mrs S Briggs

Environmental Health Officer

Licensing Authority,
CBC, Union St,
Chorley.



Dear Sir / Madam,

I write to express reservations concerning a licensing application by Mrs Entwistle, of the Spinner's Arms, Church St, Adlington

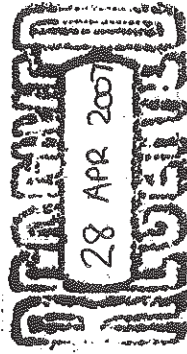
Church St residents already suffer disturbance from drunks passing right under our bedroom windows (most of us have tiny or non-existent gardens) and distressingly loud and late night music from the pubs on

Though I have no objections to live music per se, it becomes unacceptable if it is too loud, even more so if it goes on too late. Consequently, although the Spinner's is generally a good pub, I'd like to register a protest against any extension of opening hours. We don't need racket from both ends of the street; it is bad enough as it is.

Yours faithfully,

CC

Cllr June Molyneux

Chorley Borough Council
Licensing Dept.

Dear Sir/Madam.

Re Application for Live Music / Extended Hours at
The Spinners Arms, Church Street Adlington.

I am led to believe that the above public house has applied for a live music licence and extended opening hours. I object to this due to the close proximity of the Spinners Arms to residential property.

Live music from noon to late night (some nights music to 1.00 am and closure at 1.30 am) would be intolerable for the residents. In addition there could be a noise / behaviour problem by clientele leaving the public house after 11.00 pm as the bedrooms of some of the houses overlook the public house. There has been a problem in the past by clientele leaving licenced premises throwing bottles etc onto peoples gardens and the private road leading to the rear of the properties, also there could be a major problem with car parking as the Spinners Arms has Very Little car parking space.

It could be argued that the music would be in the public house and therefore would not disturb residents, but will they have sound proof windows? Windows / doors not to be opened when music is playing especially as there are tables / benches outside and the no smoking ban will soon be applicable? Would the clientele sit quietly

when drinking outside late at night?

who would ensure these conditions are adhered to?

If this application is granted I can foresee that there would be many problems for the residents including devaluation of the properties. I therefore request that you reject this application.

Yours faithfully

Re notification of
Variation of the Premises Licence in respect
of the premises known as
The Spinners Arms.

Please note I have only been aware of an application for live music / extended hours at the Spinners Arms in the last few days and it is likely that most of the residents are not aware of the situation due to the system of notification ie a notice published in the Chorley Guardian (which I didn't see) and a notice somewhere within the Spinners Arms.

I checked the outside windows of the Spinners Arms on the 25th and found only two pieces of what appeared to be white plain paper so I wrote my objection with the information available (verbal). On the 27th April before delivering my objection I re-checked the windows of the public house and found a blue Public notice for Licensing Application where there was previously a white paper.

This must be an unsatisfactory system of notification for such important information that could affect the daily lives of residents surely a better system within the law could be devised.

27.04.07

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