

Statutory Licensing Sub-Committee A

Agenda and Reports

For consideration on

Thursday, 31st May 2007

In the Council Chamber, Town Hall, Chorley

At 2.00 pm



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Chief Executive's Office

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Date: 22 May 2007

Chief Executive: Donna Hall

Chorley
Council

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PR7 1DP

Dear Councillor

Statutory Licensing Sub-Committee A - Thursday, 31st 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 Thursday, 31st May 2007 commencing at 2.00 pm.

AGENDA

1. **Declarations of Any Interests**

Members are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda. If the interest arises **only** as result of your membership of another public body or one to which you have been appointed by the Council then you only need to declare it if you intend to speak.

If the personal interest is a prejudicial interest, you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

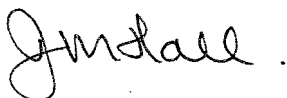
2. **Licensing Act 2003 (Premises and Premises Certificate) Regulations - Application to Vary a Premises Licence in respect of the Brook House Hotel, 662 Preston Road, Clayton-le-Woods, Chorley Number PL (A) 0055 (Pages 1 - 52)**

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

Attached for Members information is the Hearing Procedure

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

Yours sincerely



Continued....

Chief Executive

Distribution

1. Agenda and reports to all Members of the Statutory Licensing Sub-Committee A (Councillor Mrs Iris Smith (Chair), Councillors Doreen Dickinson and Miss Margaret Iddon 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 (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

01257 515823

کیجئے:

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	31 May 2007

APPLICATION TO VARY A PREMISES LICENCE IN RESPECT OF BROOK HOUSE HOTEL, 662 PRESTON ROAD, CLAYTON-LE-WOODS, CHORLEY NUMBER PL(A)0055

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. There 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

- 1 Alcohol shall not be sold or supplied except during permitted hours.

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 taking 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 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.

Embedded condition

Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.

Special condition

The supply retail sale of alcohol shall cease to non-residents at 00:00 hours Sunday - Thursday and 01:00 hours Friday - Saturday.

ANNEX 2 – Conditions consistent with the operating scheduleGeneral

The premises are a residential hotel. There are two manageresses as well as the owner. One manageress is the current licence holder with the applicant/owner. When the premises are open for licensable activities, usually one or the other will be on the premises.

Public Safety

Full fire certificate checked annually. Fire inspection checks are carried out every quarter. Two trained first aiders on site. Emergency lighting systems, regular fire drills and staff training.

The prevention of public nuisance

All staff are trained in licensing law. The premises operate for the benefit of residents and persons attending functions and are not open to the general public except those dining in the restaurant.

The protection of children from harm

Children are only on the premises as residents accompanied by adults or at functions accompanied by adults.

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

There are no proposed new licensable activities. The variation is to incorporate an addition to the lounge bar of an extension in the south-easterly direction to include both a new conservatory and outside patio area. In relation to the conservatory, the hours are to remain the same, namely:

Supply of alcohol (M)

11.00 to 00.00 Monday to Thursday

11.00 to 01.00 Friday and Saturday

11.00 to 00.00 Sunday

Non-standard timings None

In relation to the outside patio area, the hours are to be:

11.00 to 23.00 Monday to Sunday

No music nor performances nor other entertainment will take place outside the property other than the sale of food and alcohol.

PROPOSED CHANGES TO TIMES AND DAYS

There are no proposed changes to times and days. The variation is to incorporate an addition to the lounge bar of an extension in the south-easterly direction to include both a new conservatory and outside patio area. In relation to the patio area the hours requested are:

11.00 to 23.00 Monday to Sunday

There are no proposed changes to the hours the premises are open to the public, which are currently:

Non-residents

11.00 to 01.00 Monday to Thursday

11.00 to 02.00 Friday to Saturday

11.00 to 01.00 Sunday

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

i) General

The variation requested is a small variation in comparison with the size of the hotel. We are installing CCTV together with extra lighting at the premises but we are not open for any additional hours. The variation will only add around 16 more covers to the restaurant.

ii) Prevention of crime and disorder

As referred to above, we have installed extra lighting at the property and we are installing CCTV. Within the hotel, the bar has moved so the whole of the restaurant can now be viewed.

iii) Public Safety

We confirm that the car park area is sufficiently large to house additional cars that would be at the premises as a result of the variation.

iv) The prevention of public nuisance

We have installed a gate and fence to split the property from the neighbour's property. There is also a hedge separating the hotel from the neighbouring property which will cut down any noise from any customers to the neighbours and will also stop them from seeing the customers. Our application is only to have the outside area used between 11am and 11pm and there is enough room in the car park to

allow all of the new customers to park in the car park and as such, the roads around the hotel will not be blocked.

- v) The protection of children from harm

Not applicable

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 one objection:

The Police

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

1. The police make representations regarding this application with regards to the four Licensing Objectives. They feel that there should be background music only in the new conservatory, and that the doors and windows should be closed at 23.00 hrs. There should be no music outside and the latest time for the use of the new patio area outside the conservatory should be no later than 23.00 hours.
2. There should be a condition stating "No music from amplified entertainment to be heard at the nearest noise sensitive location".

At this present time the function room is not licensed for alcohol or entertainment, this needs addressing now by submission of a new plan.

The solicitors acting on behalf of the applicants have confirmed in their letter dated 15 May 2007 that they have agreed to the requirements of the Police and a new plan has been submitted (copy letter attached).

12. Relevant Representations – Interested Parties.

There are 2 representations from interested parties to the application to vary. In addition, a petition has been received opposing the variation signed by 11 residents, two of which have also written a separate joint letter.

The objections are relevant to the Licensing Objectives:

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

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 eg 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 (eg commercial, residential)
- arrangements to ensure adequate availability of taxis and private hire vehicles, public transport
- whether appropriate car parking is readily accessible to premises and whether the use/parking of vehicles would cause a demonstrable adverse impact on the amenity of residents
- whether the licensable activities are likely to cause adverse impact especially on local residents and whether appropriate measures will be put in place to prevent any adverse impact
- in relation to the grant of a new premises licence whether the premises will give rise to a negative cumulative impact on one or more of the licensing objectives

- In assessing the impact of the activity proposed the Licensing Authority may consider a number of factors inter alia,
- the type and scale of activity, the number and nature of clientele likely to attend
- the levels of noise from the premises, which may be acceptable later in the evening
- the proposed hours of operation
- the levels of public transport accessibility for customers and the likely means of public or private transport that will be used, access to private hire/taxis
- the means of access to the premises eg 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 of consuming alcohol
- arrangements to prevent children being exposed to drugs, drug taking, or drug dealing
- arrangements to prevent children being exposed to gambling, or activities of an adult or sexual nature
- steps to be taken to prevent children being exposed to violence or disorder
- arrangements for training staff in relation to the protection of children
- steps to be taken to prevent children purchasing cigarettes from vending machines and preventing access to Amusement with Prize Machines (except in accordance with the Gaming Legislation).

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

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

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

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

CHILDREN AND CINEMAS

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

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

CHILDREN AND PUBLIC ENTERTAINMENT

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

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

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, eg 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 ie 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 eg 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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Licensing Act 2003
Premises Licence **PL(A)0055**

Part 1 - Premises Details

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

Brook House Hotel
 662 Preston Road, Clayton-le-woods, Chorley, Lancashire, PR6 7EH. Telephone 01772 336403

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

- LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**
- a performance of live music
 - any playing of recorded music
 - 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
 - entertainment of a similar description to that falling within entertainment facilities for making music or 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
E. Performance of live music (Indoors)	Function Room and conservatory. Monday to Sunday Non Standard Timings: 11.00 - 01.00 Christmas Eve & New Year's Eve.	11:00	00:00
F. Playing of recorded music (Indoors)	Sunday to Thursday Friday and Saturday Friday and Saturday Played at background level only. Non Standard Timings: 11.00 - 01.00 Christmas Eve & New Year's Eve.	11:00 11:00 00:00	00:00 00:00 01:00
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday Non Standard Timings: 11.00 - 01.00 Christmas Eve & New Year's Eve.	11:00	00:00
I. Provision of facilities for making music (Indoors)	Monday to Sunday Non Standard Timings: 11.00 - 01.00 Christmas Eve & New Year's Eve.	11:00	00:00





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Licensing Act 2003
Premises Licence **PL(A)0055**

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

Activity (and Area if applicable)	Description	Time From	Time To
J. Provision of facilities for dancing (Indoors)	Monday to Sunday	11:00	00:00
K. Provision of facilities for entertainment of a similar description to that falling within I or J (Indoors)	Monday to Sunday Non Standard Timings: Permitted for one extra hour on Christmas Eve & New Year's Eve.	11:00	00:00
L. Late night refreshment (Indoors)	Monday to Thursday Friday and Saturday Sunday Non Standard Timings: 23.00 - 02.00am on New Year's Eve and 23.00 - 01.00am on Christmas Eve.	23:00 23:00 23:00	00:00 01:00 00:00
M. The sale by retail of alcohol for consumption ON the premises only	Non-Residents Monday to Thursday Friday and Saturday Sunday	11:00 11:00 11:00	00:00 01:00 00:00

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Non-Residents Monday to Thursday	11:00	01:00
Friday and Saturday	11:00	02:00
Sunday	11:00	01:00

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 the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE
 Shaun Martin Brelsford
 [REDACTED]
 Amanda Jane Brelsford
 [REDACTED]

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



Licensing Act 2003

Premises Licence

PL(A)0055

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

Clare SEEFUS

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. PERS00248

Issued by South Ribble

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

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

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.



Licensing Act 2003

Premises Licence

PL(A)0055

ANNEXES continued ...

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.

Embedded condition

Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.

Special Condition

The supply retail sale of alcohol shall cease to non-residents at 00.00hours Sunday-Thursday and 01.00hours Friday-Saturday.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

a) General

The premises are a residential hotel. There are two manageresses as well as the owner. One manageress is the current licence holder with the applicant/owner. When the premises are open for



Licensing Act 2003

Premises Licence

PL(A)0055

ANNEXES continued ...

licensable activities, usually one or other will be on the premises.

b) The prevention of crime and disorder

All staff are trained in licensing law. The premises operate for the benefit of residents and persons attending functions and are not open to the general public except those dining in the restaurant.

c) Public safety

Full fire certificate checked annually. Fire inspection checks are carried out every quarter. Two trained first aiders on site. Emergency lighting systems, regular fire drills and staff training.

d) The prevention of public nuisance.

The hotel is set in its own grounds away from the road and neighbouring properties. Functions in conservatory and function room, which are away from neighbouring properties. DJ is instructed to limit level of music noise, for benefit of residents as well as neighbours. Litter is cleaned away from grounds after each function.

e) The protection of children from harm

Children are only on the premises as residents accompanied by adults or at functions accompanied by adults.

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

None.





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Licensing Act 2003
Premises Licence Summary **PL(A)0055**

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION	
Brook House Hotel	
662 Preston Road, Clayton-le-woods, Chorley, Lancashire, PR6 7EH.	Telephone 01772 336403

WHERE THE LICENCE IS TIME LIMITED THE DATES
Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE
<ul style="list-style-type: none"> - a performance of live music - any playing of recorded music - 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 - entertainment of a similar description to that falling within entertainment facilities for making music or 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
E. Performance of live music (Indoors)	Function Room and conservatory. Monday to Sunday Non Standard Timings: 11.00 - 01.00 Christmas Eve & New Year's Eve.	11:00	00:00
F. Playing of recorded music (Indoors)	Sunday to Thursday Friday and Saturday Friday and Saturday Played at background level only. Non Standard Timings: 11.00 - 01.00 Christmas Eve & New Year's Eve.	11:00 11:00 00:00	00:00 00:00 01:00
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday Non Standard Timings: 11.00 - 01.00 Christmas Eve & New Year's Eve.	11:00	00:00
I. Provision of facilities for making music (Indoors)	Monday to Sunday Non Standard Timings: 11.00 - 01.00 Christmas Eve & New Year's Eve.	11:00	00:00





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Licensing Act 2003
Premises Licence Summary **PL(A)0055**

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

Activity (and Area if applicable)	Description	Time From	Time To
J. Provision of facilities for dancing (Indoors)	Monday to Sunday	11:00	00:00
K. Provision of facilities for entertainment of a similar description to that falling within I or J (Indoors)	Monday to Sunday	11:00	00:00
	Non Standard Timings: Permitted for one extra hour on Christmas Eve & New Year's Eve.		
L. Late night refreshment (Indoors)	Monday to Thursday	23:00	00:00
	Friday and Saturday	23:00	01:00
	Sunday	23:00	00:00
	Non Standard Timings: 23.00 - 02.00am on New Year's Eve and 23.00 - 01.00am on Christmas Eve.		
M. The sale by retail of alcohol for consumption ON the premises only	Non-Residents		
	Monday to Thursday	11:00	00:00
	Friday and Saturday	11:00	01:00
	Sunday	11:00	00:00

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Non-Residents		
Monday to Thursday	11:00	01:00
Friday and Saturday	11:00	02:00
Sunday	11:00	01:00

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 the premises only

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Shaun Martin Brelsford
 Amanda Jane Brelsford

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

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

Clare SEEFUS



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Licensing Act 2003

Premises Licence Summary

PL(A)0055

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

Children are only permitted on the premises as residents accompanied by an adult or at a function accompanied by an adult.



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

Application to vary a premises licence 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.

Shaun Martin Brelsford and
I/We ~~Amanda Jane Brelsford~~being the premises licence holder, apply to vary a
(Insert name(s) of applicant)
premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

PL(a)0055

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference, or description Brook House Hotel, 662 Preston Road, Clayton-Le-Woods	
Post town Chorley	Post code PR6 7EH

Telephone number at premises (if any) 01772 336403

Non-domestic rateable value of premises £ 12,000.00

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 [Redacted] Postcode [Redacted]

Part 3 - Variation

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

Please tick Yyes

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)

The variation incorporates an addition to the lounge bar of an extension in the South Easterly direction to include both a new conservatory and outside patio area. In relation to the conservatory, we wish for the hours under the License to remain the same. In relation to the patio area, we wish for this patio area to be allowed to be used between 11a.m. and 11p.m. daily. No music nor performances nor other entertainment will take place outside the property other than the sale of food and alcohol.

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

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick [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				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)	Both		
Tue						
Wed				State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
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					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

Sun			
-----	--	--	--

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [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 performance of live music (please read guidance note 4)		
Thur						
Fri				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)		
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [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 playing recorded music (please read guidance note 4)		
Thur						

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

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
			State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed					
Thur					
			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)		
Fri					
Sat					
Sun					

H

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

Tue			Please give further details here (please read guidance note 3)
Wed			
Thur			
Fri			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Sat			
Sun			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)

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 [Y] (please read guidance note 2)		Indoors	
					Outdoors	
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)			
Wed						
Thur			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Fri						
Sat						
Sun						

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick [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			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Thur					
Fri			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)		
Sat					
Sun					

K

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

Tue			<p>Please give further details here (please read guidance note 3)</p> <p>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)</p> <p>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)</p>
Wed			
Thur			
Fri			
Sat			
Sun			

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	
Mon			<p>Please give further details here (please read guidance note 3)</p> <p>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</p> <p>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)</p>		
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

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	Y	
Day	Start	Finish		Off the premises		
Mon	11am	00.00	State any seasonal variations for the supply of alcohol (please read guidance note 4) The outside patio area will only be used during the months when it is warm enough to sit outside. Please be aware that the times listed refer only to the conservatory area and the rest of the hotel. In relation to the outside area, please see Part 3.	Both		
Tue	11am	00.00				
Wed	11am	00.00				
Thur	11am	00.00		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	11am	01.00		None		
Sat	11am	01.00				
Sun	11am	00.00				

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) None

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) (The timings to the left are for non-residents only)	
Day	Start	Finish		
Mon	11am	01.00		
Tue	11am	01.00		

Wed	11am	01.00	<p>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p> <p><i>*amended to 01.00, please see email attached.</i></p>
Thur	11am	02.00	
Fri	11am	02.00	
Sat	11am	02.00	
Sun	11am	01.00	

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

None

- I have enclosed the premises licence Please tick ✓ 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)

The variation requested is a small variation in comparison with the size of the hotel. We are installing OCTV together with extra lighting at the premises but we are not open for any additional hours. The variation will only add around 16 more covers to the restaurant.

b) The prevention of crime and disorder

As referred to above, we have installed extra lighting at the property and we are installing OCTV. Within the hotel, the bar has moved so the whole of the restaurant can now be viewed.

c) Public safety

We confirm that the car park area is sufficiently large to house additional cars that would be at the premises as a result of the variation.

d) The prevention of public nuisance

We have installed a gate and fence to split the property from the neighbours property. There is also a hedge separating the hotel from the neighbouring property which will cut down any noise from any customers to the neighbours and will also stop them from seeing the customers. Our application is only to have the outside area used between 11am and 11pm and there is enough room in the car park to allow all of the new customers to park in the car park and as such, the roads around the hotel will not be blocked.

e) The protection of children from harm

Not applicable.

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 note 10)

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.

Signature Southern
 Date 05/04/07
 Capacity Solicitor

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 note 12). If signing on behalf of the applicant please state in what capacity.

Signature Southern
 Date 05/04/07
 Capacity Solicitor

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)	

Janet Brereton

From: Steven Jackson [sjackson@southernslaw.info]
Sent: 14 May 2007 19:40
To: Janet Brereton
Subject: Brelsford - Brook House Hotel

Dear Ms. Brereton,

Following our telephone conversation of today's date, I write to confirm that the reference in the variation application in "Section O" to the premises being open until 02.00 on Thursday's was a typographical error. Our clients have no wish to alter their opening times and for the sake of clarification, the times the premises will be open to the public on Thursday will be from 11am until 1am.

With apologies for the error,

Regards,
Steve Jackson
SOUTHERNS

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Southern's offices and contact details are:

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6A Hargreaves Street, Burnley, Lancashire. BB11 1ES Tel: 01282-438446 Fax: 01282-446525

17&23, Carr Road, Nelson, Lancashire. BB9 7JS Tel: 01282-603663 Fax: 01282-608340

73, Albert Road, Colne, Lancashire. BB8 0BP Tel: 01282-863113 Fax: 01282-857727

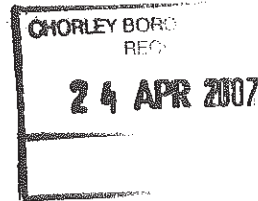
Or Find us at:

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15/05/2007



23 April 2007

To: Mr Andy Doherty
Director for Legal Services
Chorley Borough Council
Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

Re: Licensing Application by the Brook House Hotel.

Dear Mr Doherty,

Overview

It has always been a very peaceful neighbourhood until just recently.

My property backs onto the car park of the Brook House Hotel
A carpark I might add that has recently been doubled in size in March 2007 without Planning Permission, by Brook House Hotel.

The hotel did apply permission to build a "Conservatory" only; which was passed and this was duly erected February/March 2007.

However, this "Conservatory" was changed very quickly into a Brasserie serving coffees, meals and drinks until the late hours along with an outside beer garden/patio area complete with tall umbrella for drinkers and smokers to sit out under with their drinks.

All this within a few feet of both my neighbours' and my bungalow rear hedge.

Since the above developments have been done, there has been a very significant increase in noise pollution through traffic and people; an increase in parking overspill onto the main A6 and Well Orchard along with intrusion from floodlighting and lighting into the rear of our properties plus trouble from drunken people

fighting around the brasserie and carpark to which the Police were called over the Easter weekend.

The Brook House Hotel has already broken licensing laws by serving people drinks in the Conservatory/brasserie; Serving people drinks outside in the patio/beergarden area at the rear of both mine and my neighbours property and they have also not got planning permission for the large carpark they have created.

We have tried to talk with the applicants on the telephone over all the issues raised but have only succeeded in the owners hanging up the telephone on us.

We have, as you can well understand, have little confidence that the Brook House Hotel applicants will abide by any licensing conditions that may or may not be granted as they have already proved to have a complete disregard for both planning and licensing laws, as laid down by Chorley Borough Council, or the feelings of their neighbours.

We formally therefore wish to oppose any alteration to the existing licence arrangements that the Brook House Hotel currently have, and give a number of examples to expand on the above reasons in the overview:-

Noise Pollution.

Nuisance of Noise from people using the Brasserie and outside patio/beer garden. This can start as early as 10am and go on well into the night. This is 7 days a week.

This problem increases still further when banquetting facilities are catered for by the Brook House- this could be weddings or Christenings or other special occasions- There are adults shouting and swearing in addition to children running around both screaming and fighting. It's a nightmare.

On the recent Easter weekend, there was a fight developed which spilled out of the brasserie into the carpark behind my property. This was on Saturday 7th April 2007. The Police attended this incident after midnight.

There is also the issue of car doors being slammed throughout the day and night- because of this brasserie and the increased number of people using to what amounts to be

almost an all day public house. It really has become very noisy

Smoke Pollution

The Hotel are allowing people who sit out in their beer garden/patio area to smoke. This is a danger to public health as well as being detrimental to the health of neighbours.

This will get worse after the 1st July when the smoking inside rules will apply everywhere

Vehicle Pollution

The Brook House Hotel are allowing coaches to visit their hotel and park in their now bigger carpark right behind my house. As an example- a coach arrived from Scotland on the night of 6th April 2007. after 11pm.

This was a commercial diesel coach- long and large. He spent 15 minutes manoeuvring the vehicle up against my boundary hedge. In the morning before breakfast- the driver fired up the coach with enormous amounts of diesel fumes coming over my fence into my property and sat there for 20 minutes copiously revving the engine and waiting for his passengers to join him. He did the same procedure the following day as well.

The increased amount of traffic coming in and out of the hotel and brasserie- also cause more exhaust pollution which endangers neighbours health due to the proximity of the carpark. This will increase still further when the Brook House get the Takeaway from the brasserie up and running which I believe is their intention.

Nuisance Parking

There have been a number of occasions when the vehicles visiting the Brasserie and Hotel have been unable to gain access to the carpark and because of this have parked along the pavement on the main A6 trunk road. More vehicles have been parked in Well Orchard on these occasions causing a danger and an obstruction and a nuisance to residents in Well Orchard. One such occasion again was over the weekend of Easter 2007- Friday the 6th through Monday the 9th April. for your information.

Light Nuisance

The hotel have erected a number of lights that shine directly into both my neighbour's and my rear bedrooms of the bungalow. There are floodlights on the outside of Brookhouse and two circular orbs to the entrance to the brasserie and patio beer garden. In addition there is an old style street light shining directly into our bungalow rear bedroom. All this lighting invades our privacy, stops us sleeping and is as a result, a great nuisance.

Conclusion

As this is a truly residential area I can see no good coming of any extra licence they might apply for.

It is for the above reasons that I trust that the Chorley Borough Council will refuse any licence or extension to any licence to the Brook House Hotel.

Yours Sincerely,

Thursday, 03 May 2007

Your Ref. KO

Keith Ogden Esq.
Acting Licensing Manager,
Chorley Borough Council,
Union St.
Chorley, PR7 1AL

Dear Mr. Ogden,

Brook House Hotel – Licence Variation.

Thank you for your letter dated 23 April 2007. and for the notes 'Guidance for Interested Parties: Making Representations'.

We are both aged 74 and slightly disabled. ~~She~~ caught M.R.S.A. at Chorley Hospital and has had to have part of her hip removed. She also has very high blood pressure, and stress from this problem could easily cause her to have a stroke. Our G.P. has offered to write to you confirming. I broke my ankle off and had to have it put back on. It will never be right again.

Our objections are under the following headings:

(a) The Prevention of Crime and Disorder

We came to live here on 2nd Sept. ²⁰⁰⁵ ~~2006~~ as a quiet place to spend our last days. It is only in the last few weeks i.e. since the opening of the Brassiere / Beer Garden that we have had any problems of disorder, fights, shouting etc. We understand that you are aware that the Police had to be called to a fight on Easter Sunday and in our previous letter we referred to a vehement argument / fight Easter Saturday evening. You can imagine the sort of language this involves.

(b) Public Safety.

The Beer Garden southerly boundary is also our boundary fence. This fence consists of an interwoven fence impregnated with creosote approx 2 metres high covered with ivy and other types of creeping plant. It only takes one cigarette stub to set fire to this fence which could rapidly spread to our bungalow. The purpose of the Beer Garden is to provide facilities for smokers. The danger is obvious.

(c) Prevention of public nuisance.

As the Beer Garden is so very close to our formerly private garden and to our spare bedroom window, it is obvious that even the noise of the public talking amongst themselves, children playing, etc constitutes a nuisance.

The tables and chairs in the beer garden are made of aluminium. The staff drag them in and out, and the public are constantly moving them around causing a noise nuisance.

We bought this property partially on account of the beautiful garden which is a perfect sun trap. We call it 'The Lancashire Riviera'. We have tables and chairs and like to eat out there. We have friends who now ring up to ask "Is it quiet today? If it is we will come and bring a picnic and eat in the garden". Sadly now at weekends we have to say "No. It's noisy"

Obviously if we can hear people in the beer garden, then they can hear us, so we have lost the privacy which was one of our reasons for coming to live here.

(d) Protection of Children from harm.

Sadly our son is currently going through divorce. He has two little girls, aged 8 and 4 years who currently live with their mother. Obviously we expect the Court will grant the usual sort of access, probably alternate weekends. Our son's present accommodation is not ideal for such young children so we wish them to come here.

We are terrified that the girl's Mother will use the existence of the Beer Garden and its second hand smoke to stop us from having our lovely granddaughters to stay.

The window of our spare bedroom, which is the one the little girls use, is only six metres from the Beer Garden. Well within ear shot. You can imagine the language. The girls go to bed at 8.00 p.m. and the little one has a nap in the afternoon.

The hotel are asking for a Licence until 1.00 am for the brassiere and beer garden at weekends, when the girls will be with us. This would be an absolutely intolerable nuisance.

We have consulted Lindsay Hoyle, our M.P. and shown him the drawings of the situation. He has assured us that he will write to you supporting our opposition to this application. His immediate reaction was exactly the same as ours. The beer garden should be at the front of the hotel as far as possible from any of the neighbours, and the access to the brassiere should be through the existing main entrance. The doorway on the brassiere should be used solely as an emergency exit and the new beer garden used as a non public ornamental garden.

We must remind you that as we pointed out in our previous letter that imposing conditions such as times etc. is liable to be completely pointless as their track record shows they just ignore these sorts of rules.

We would like to invite both you and your committee to visit us by appointment and to inspect the situation from our perspective.

We wish to formally oppose the granting of this licence variation.

Yours truly,

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 08/05/2007

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
LICENCE.**

Premises BROOK HOUSE RESTAURANT, 662, PRESTON ROAD, CLAYTON
LE WOODS

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

1. The Police make representations regarding this application with regards to the four Licensing Objectives. We feel that there should be background music ONLY in the new conservatory, and that the doors and windows should be closed at 23.00 hrs. There should be no music outside and the latest time for the use of the new patio area outside the conservatory should be no later than 23.00 hours.
2. There should be a condition stating 'No music from amplified entertainment to be heard at the nearest noise sensitive location'.
2. At this present time the function room is not licensed for alcohol or entertainment, this needs addressing now by submission of a new plan.

Yours faithfully

Police Sergeant 1506

(Licensing)

Jayne Day

From: Walmsley, Christine (ENV) [Christine.Walmsley@ts.lancscc.gov.uk]
Sent: 17 April 2007 10:51
To: Howard Bee
Subject: chorley licensing act 2003 Zixencrypt

We have received an application from the following,
10/04/07 - S M & J Brelsford, 662 Preston Road, Clayton-le-Woods,
Chorley,
PR6 7EH for
Brook House Hotel same address.
Ms Claire Seefus DPS.

10/04/07 - Motorway services Ltd, Charnock Richard Motorway services,
Charnock Richard Chorley, PR7 5LR
Ms Patrica Anne Tracey DPS.

08/07/05 - Salmon Caterers Ltd, Rivington Hall Barn, Rivington Lane,
Horwich, BL6 7SB for
Rivington Hall Barn same address.
Mr Kevin William Salmon DPS.

We have no objections.

Chris Walmsley
Trading Standards
58-60 Guildhall St
Preston
PR1 3NU

Tel. 01772 533528

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16 MAY 2007

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The Licensing Manager,
Chorley Council Licensing Section,
Civic Offices,
Union Street,
CHORLEY,
Lancashire PR7 1AL

15th May 2007

Our Ref: SAJ/CD/BRE04313

Also at:
PO Box 21
Mackenzie House
68 Bank Parade
Burnley
Lancashire
BB11 1UB
Tel: 01282 422711
Fax: 01282 470320
DX: 23860 Burnley

17 & 23 Carr Road
Nelson
Lancashire
BB9 7JS
Tel: 01282 603663
Fax: 01282 608340
DX: 14656 Nelson

Dear Sirs,

Re: Brook House Hotel
Premises Licence PL(A)0055

Further to our previous correspondence in the above matter, we have received from Lancashire County Council their letter of the 8th May with representation. In relation to each, we reply as follows:-

1. Our client is happy for a restriction to be placed on the Licence such as background music only be played in the new conservatory and that the doors and windows should be closed at 11 p.m. They are also happy for no music to be played outside and the latest time for the use of the new patio area outside the conservatory should be no later than 11 p.m.
2. Our client is happy for the following condition to be placed on the Licence "No music from amplified entertainment to be heard at the nearest noise sensitive location".
3. The Lancashire Constabulary wanted an amended plan showing the areas which should be licensed. Our client has provided a further copy of the plan and we enclose the same herewith.

We confirm we have forwarded a copy of this letter together with the enclosure to the constabulary.

Yours faithfully,
SOUTHERNS

Enc.

Partners:
Geoffrey Rodwell
J. Stewart Hunter BA (Hons)
Andrew M. Buchanan, LLB
John H. Rusius BA
Richard G. Taylor, BA
(Solicitor-Advocate
Higher Courts Criminal)
Sarah A. Bentley, LLB
Mark H. Williams, LLB
Neil J. Cronin, LLB
Kirsten H. Morgan, LLB

Associate Solicitors:
Gary A. Taylor LLB
Steven A. Jackson LLB

Consultants:
J. Clive Currie, MA (Oxon.)

Non-Practising Consultant:
Muriel B. Jobling, MBE, DL, LLB, (Lond.)

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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 16/05/2007

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 LIC.

Premises BROOK HOUSE HOTEL, 662, PRESTON ROAD, CLAYTON LE
WOODS

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

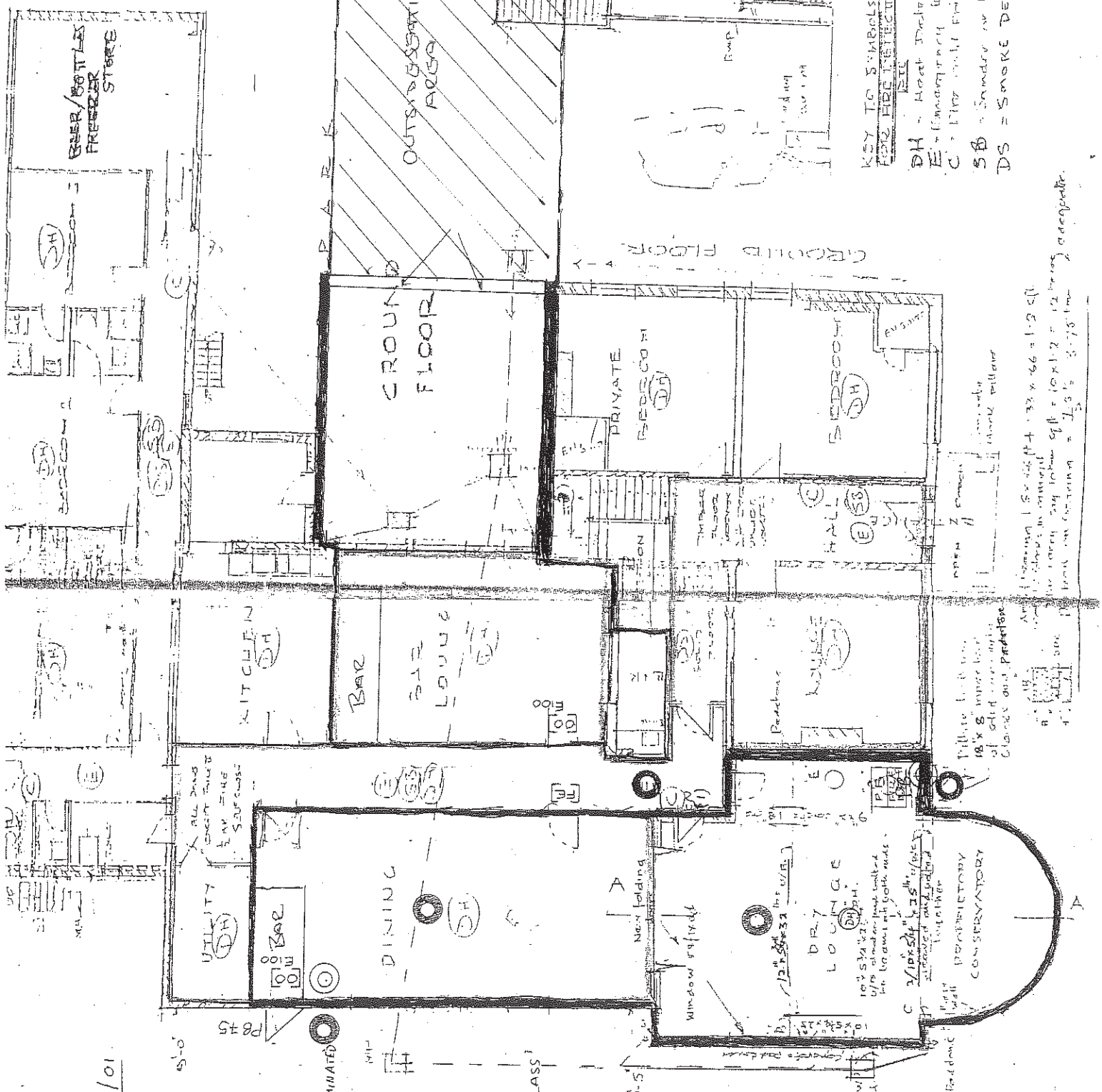
The Police have today received a letter from Southern Solicitors agreeing to the conditions requested, together with an updated plan of the licensed area.

This is acceptable and the Police now formally withdraw their representations

Yours faithfully






Police Constable 290

(Licensing)



662 PRESTON ROAD
CLAYTON BROOK.
DRWG NO. C54/A01/12/01

KEY

-  MAINTAINED 3 HOUR EMERGENCY LIGHT.
-  [O] MAINTAINED 3 HR ILLUMINATED EXIT BOX WITH SIGN.
-  [FE] FIRE EXIT SIGN
-  PB 75 PUSH BAR WITH SIGN. 'PUSH BAR TO OPEN'
-  FIRE ALARM 'BREAK GLASS' CALL POINT.

SOLICITOR

Fill to level 18' x 8' in area of old conservatory glass and partitions.

Area 1 15' x 12' = 180 sq ft
Area 2 10' x 12' = 120 sq ft
Total area = 300 sq ft