

Licensing Act 2003 Sub- Committee

Agenda and Reports
for consideration on

Wednesday, 17th September
2008

in the Council Chamber, Town Hall, Chorley
at **4.00 pm**, or on the rising of the Licensing and
Public Safety Committee, whichever is the later



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8 September 2008

Dear Councillor

**LICENSING ACT 2003 SUB-COMMITTEE - WEDNESDAY, 17TH
SEPTEMBER 2008**

You are invited to attend a meeting of the Licensing Act 2003 Sub-Committee to be held in the Council Chamber, Town Hall, Chorley on Wednesday, 17th September 2008 commencing at 4.00 pm, or on the rising of the Licensing and Public Safety Committee, whichever is the later.

AGENDA

1. **Apologies for absence**
2. **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.

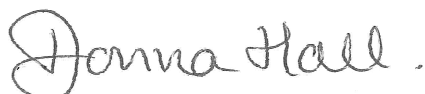
3. **Application for Premises Licence in respect of the Clubhouse at Duxbury Park Golf Course, Chorley (Pages 1 - 38)**

To consider the enclosed report of the Director of Corporate Governance and determine the application by Glandale Golf Limited.

A copy of the procedure notes for Licensing Hearings is also attached.

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

Yours sincerely



Donna Hall
Chief Executive

Gordon Bankes
Democratic Services Officer
E-mail: gordon.bankes@chorley.gov.uk
Tel: (01257) 515123
Fax: (01257) 515150

Distribution

1. Agenda and report to all Members of the Licensing Act 2003 Sub-Committee (Councillor Iris Smith (Chair) and Councillors David Dickinson and Ralph Snape) for attendance.
2. Agenda and report to Gordon Bankes (Democratic Services Officer), Zeynab Patel (Solicitor), Chris Moister (Head of Legal Services), Janet Brereton (Legal Assistant (Licensing and Registration)), Stephen Culleton (Licensing Manager) and Bob Beeston (Licensing Enforcement Officer) for attendance.
3. Agenda and reports to Councillor Hasina Khan (Reserve Member for attendance at the start of the meeting).

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:



Report of	Meeting	Date
Director of Corporate Governance	General Licensing Sub-Committee	17 Sept 2008

APPLICATION FOR A PREMISES LICENCE IN RESPECT OF NO. 19 DUXBURY PARK, THE CLUBHOUSE, DUXBURY PARK GOLF COURSE, DUXBURY HALL ROAD, CHORLEY PR7 4AT MADE UNDER SECTION 17 OF THE LICENSING ACT 2003

PURPOSE OF REPORT

1. To enable Members to determine the application for a premises licence made by Glendale Golf Limited for No 19 Duxbury Park, The Clubhouse, Duxbury Park Golf Course, Duxbury Hall Road, Chorley in light of representations that have been made towards the application under Section 18 of the Licensing Act 2003.

RECOMMENDATION(S)

2. It is recommended that Committee consider the application and make a decision.

EXECUTIVE SUMMARY OF REPORT

3. An application has been received by Chorley Council by Glendale Golf Limited for No 19 Duxbury Park, The Clubhouse, Duxbury Park Golf Course, Duxbury Hall Road, Chorley for a Premises Licence as detailed in the report.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

4. Not applicable.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5. Not applicable

CORPORATE PRIORITIES

6. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	4
Involving people in their communities	4	Ensure Chorley Borough Council is a performing organization	



BACKGROUND

7. On 24 July 2008 an application for the grant of a premises licence was received from Glendale Golf Limited for No 19 Duxbury Park, The Clubhouse, Duxbury Park Golf Course, Duxbury Hall Road, Chorley PR7 4AT.

The application was made in accordance with Section 17 of the Licensing Act 2003 and advertisements were placed in the local paper and on the premises in the prescribed manner.

8. The application is detailed below.

Performance of Plays (A)

(indoors and outdoors)

Monday to Sunday 12:00 until 24:00

Seasonal variations – this would be during British Summer Time only

Exhibitions of Films (B)

(Indoors and outdoors)

Monday to Sunday 12:00 until 24:00

Seasonal variations – this would be during British Summer Time only

Performance of Live Music (E)

(Indoors and outdoors)

Monday to Sunday 12:00 until 24:00

Playing of recorded music (F)

(Indoors and outdoors)

Monday to Sunday 05:00 until 01:30

Seasonal variations – this would be during British Summer Time only

Performance of Dance (G)

(Indoors and outdoors)

Monday to Sunday 12:00 until 24:00

Seasonal variations – this would be during British Summer Time only

Anything of a similar description to that falling within (e), (f) or (g) (H)

(Indoors and outdoors)

Monday to Sunday 12:00 until 24:00

Late night refreshment (L)

(Indoors and outdoors)

Monday to Sunday 23:00 until 01:00

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

Monday to Sunday 10:00 until 01:00

The opening hours of the premises (O)

Monday to Sunday 05:00 until 02:00

(This would only be during British Summer Time during all other times it would be from 07:00)

ANNEX 1 - MANDATORY CONDITIONS

Alcohol

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

Exhibition of films

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

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

Door Supervision

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

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULEa) **General**

None

b) **The prevention of crime and disorder**

1. Only persons who are 18 years of age and over shall be able to sell or supply alcohol.
2. Customers shall be allowed 30 minutes drinking up time after the last sale of alcohol for consumption on the premises.

c) **Public safety**

1. An incident book shall be kept and maintained and shall record the time, date and comprehensive details of all incidents of crime and disorder.
2. Adopt any relevant trade codes of practice covering irresponsible drinks promotions, for example BBPA's guidelines on drinks promotions or the Portmans Groups recommendation.
3. All external entertainment providers are required to show Public Liability insurance and PAT documents before operation.
4. All appropriate appliances owned by the venue are routinely PAT tested.

d) **The prevention of public nuisance**

- 1 Amplified music and speech will not be played at volumes that are likely to disturb persons in the neighbourhood.
- 2 Ventilation is by artificial means.
- 3 Loudspeakers will not be sited or directed where they will cause disturbance to neighbouring premises.
- 4 Staff will be trained so that their behaviour does not disturb residents when they arrive or depart from the premises.
- 5 Any taxi/mini cab companies collecting customers from the premises will be informed not to cause any excessive noise.
- 6 Clear legible notices will be displayed within the car park requesting customers respect the needs of residents and to leave the area quietly.

e) **The protection of children from harm**

- 1 Children under 18 years shall not be permitted access to cigarette machines
- 2 No person under the age of 16, unless they are accompanied by a person over 18 years shall be permitted on the premises at any time after 10pm if the premises are being used for the sale or supply of alcohol.
- 3 The premises shall have in place a written check 21 policy. This policy shall be actively promoted and state that any person to which the sale or supply of alcohol is being made, who looks or appears to be under 21 years of age shall be asked to provide identification that they are 18 years of age or over. The following are the only forms of identification acceptable:
 - (a) passport;
 - (b) photo driving licence;
 - (c) PASS accredited holographic proof of age card; or

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

None.

9. Relevant Representations – Responsible Authorities

The Police have no representation to this application and no other representations have been received by any other Responsible Authority.

10. Relevant Representations – Interested Parties.

There have been 2 representations from interested parties who live in the vicinity and these representations relates to the public safety and the prevention of public nuisance.

The representations are attached in Appendix B for Member's information.

A plan of where the surrounding streets and the premises is attached in Appendix C for Members information.

11. Members must have regard to section 18(3) of the Licensing Act 2003 which states that:-

Where relevant representations are made, the authority must-

- (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and

- (b) having regard to the representation, take such of the steps mentioned in subsection (4) if any as it considers necessary for the promotion of the licensing objectives.

The steps are –

- (a) To grant the licence subject to:
- (i) the conditions mentioned in subsection (2)(a) modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and;
 - (ii) any condition which must under section 19, 20 or 21 be included in the licence.
- (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
- (c) to refuse to specify a person in the licence as the premises supervisor;
- (d) to reject the application.

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.

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

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

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

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

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

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

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

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

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

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

Crime and Disorder

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

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

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

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

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

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

- crime prevention measures

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

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

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

Licensing Hours

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

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

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

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

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

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

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

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

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

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

Children and Cinemas

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

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

Children and Public Entertainment

Paragraph 12.1 Where there is entertainment specifically provided for children (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 i.e. CCTV, door supervisors;
- the frequency of an activity;
- the design and layout of the premises;
- measures taken or proposed to be taken to prevent noise or vibration escaping from the premises eg sound proofing, air conditioning and sound limitation devices;
- measures taken to prevent unreasonable disturbance by customers/staff arriving and leaving the premises, goods deliveries etc;
- measures taken to lessen the impact of parking in the vicinity;
- control of operating hours for all or parts of the premises (eg gardens, last admission times and 'wind down' periods);
- measures to be taken to prevent drunkenness on the premises;
- measures to ensure collection and disposal of litter and waste outside their premises.

Paragraph 13.7 The Licensing Authority when considering an application will take into account previous substantiated nuisance complaints particularly when a statutory notice has been served. Applicants may wish to have regard to the Good Practice Guide on the Control of Noise from Pubs & Clubs produced by the Institute of Acoustics and the British Beer and Pub Association.

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

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

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

Paragraph 13.11 The Licensing Authority, will in accordance with the Guidance, focus on matters within the control of the individual Licence holder. The Licensing Authority accepts that the difficulty that a licence holder has in preventing anti-social behaviour by individuals once they are behind the direct control of the Licence Holder. However, the licensing objection of preventing public nuisance will not be achieved if customers from premises regularly conduct themselves in an anti-social manner to the detriment of local

residents or businesses. In addition, the Council has a duty to do all it can to prevent crime and disorder in the Borough under the Crime & Disorder Act 1998.

Public Safety

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

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

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

- the occupancy capacity of the premises;
- age, design and layout of the premises including means of escape;
- nature of the licensable activities to be provided, in particular the sale and supply of alcohol;
- hours of operation;
- customer profile (eg age);
- Use of special effects 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.

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.

IMPLICATIONS OF REPORT

12. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	4	No significant implications in this area	

LEGAL IMPLICATIONS

13. The legal implications are addressed within the report.

ANDREW DOCHERTY
CORPORATE DIRECTOR OF GOVERNANCE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Jayne Day	5708	4 September 2008	LEGREP/0409LM1

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LICENSING ACT 2003 - Section 17

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



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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I / we (name(s)) <u>Glendale Golf Ltd</u>	
wish to apply for a premises licence under section 17 the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.	
Part 1 - Premises details	
Name of Premises No 19 Duxbury Park, The Clubhouse	
Postal address of premises, if any, or if none, ordnance survey map reference or description No 19 Duxbury Park The Clubhouse Duxbury Park Golf Course Duxbury Hall Road Chorley PR7 4AT	
Post Town Chorley	Postcode PR7 4AT
Daytime telephone number (if any) 01257 460461	
None-domestic rateable value of club premises £ 100 (A) / not allocated.	
Part 2 – Applicant details	
Please state whether you are applying for a premises licence as:-	
Please tick <input checked="" type="checkbox"/> yes	
a) an individual or individuals*	Please complete section (A)
b) a person other than an individual*	
i) as a limited company	<input checked="" type="checkbox"/> Please complete section (B)
ii) as a partnership	Please complete section (B)

iii) as an unincorporated association; or		Please complete section (B)
iv) other (for example a statutory corporation)		Please complete section (B)
c) a recognised club		Please complete section (B)
d) a charity		Please complete section (B)
e) the proprietor of an educational establishment		Please complete section (B)
f) a health service body		Please complete section (B)
g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital		Please complete section (B)
h) the chief officer of police of a police force in England and Wales		Please complete section (B)
* If you are applying as a person described in (a) or (b) please confirm:-		Please tick <input checked="" type="checkbox"/> yes
<ul style="list-style-type: none"> • I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or • I am making the application pursuant to: <ul style="list-style-type: none"> - a statutory function; or - a function discharged by virtue of Her Majesty's prerogative 		<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
(A) INDIVIDUAL APPLICANTS		
(Delete as applicable)	Mr	Mrs
	Miss	Ms
Other title (for example, Rev)		
Surname		
First name(s)		
Please tick <input checked="" type="checkbox"/> yes		
I am 18 years old or over	<input type="checkbox"/>	Date of birth
	Day	Month
	Year	
Current postal address, if different from premises address		
Post town		Post code
Daytime contact telephone number		
Email address (optional)		

SECOND INDIVIDUAL APPLICANT											
(Delete as applicable)			Mr		Mrs		Miss		Ms		
Other title (for example, Rev)											
Surname											
First names											
Please tick <input checked="" type="checkbox"/> yes					Day		Month		Year		
I am 18 years old or over			Date of birth								
Current postal address, if different from premises address											
Post town						Post code					
Daytime contact telephone number											
Email address (optional)											
(B) OTHER APPLICANTS											
Please provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give name and address of each party concerned.											
Name Glendale Golf Ltd					Name						
Address The Coachhouse Duxbury Hall Road Chorley PR7 4AT					Address						
Registered number (where applicable)											
Description of applicant (for example partnership, company, unincorporated association etc.) Limited Company											
Telephone number (if any) 01257 460461											
Email address (optional)											

Part 3 – Operating Schedule									
	Day		Month		Year				
When do you want the premises licences to start?	1	2	0	9	2	0	0	8	
	Day		Month		Year				
If you wish the licence to be valid only for a limited period, when do you want it to end?									
Please give a general description of the premises (please read guidance note 1)									
If 5,000 or more people are expected to attend the premises at any one time, please state number expected to attend									

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

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

Provision of regulated entertainment

Please tick ✓ yes

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 entertainments (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)	
The supply of late night refreshment (if ticking yes, fill in box L)	✓
The supply of alcohol (if ticking yes, fill in box M)	✓
In all cases complete boxes N, O and P	

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Very keen to promote the Arts & Culture in Chorley and would like to work with a partner or Chorley Council to develop such an event.
Mon	12:00	24:00	
Tue	12:00	24:00	State any seasonal variations for performing plays (please read guidance note 4) This would be during British Summer Time only
Wed	12:00	24:00	
Thur	12:00	24:00	Non-standard timings. Where you intend to use the premises for the performance of plays at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri	12:00	24:00	
Sat	12:00	24:00	
Sun	12:00	24:00	

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 <input checked="" type="checkbox"/> (please read guidance note 2) Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Very keen to promote the Arts & Culture in Chorley and would like to work with a partner or Chorley Council to develop such an event.
Mon	12:00	24:00	
Tue	12:00	24:00	State any seasonal variations for the exhibition of films (please read guidance note 4) This would be during British Summer Time only
Wed	12:00	24:00	
Thur	12:00	24:00	Non-standard timings. Where you intend to use the premises for the exhibition of a films at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri	12:00	24:00	
Sat	12:00	24:00	
Sun	12:00	24:00	

C

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

D

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2) Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) We plan to have live music to improve the atmosphere in the clubhouse, with occasional jazz nights etc.
Mon	12:00	24:00	
Tue	12:00	24:00	State any seasonal variations for performance of live music (please read guidance note 4)
Wed	12:00	24:00	
Thur	12:00	24:00	
Fri	12:00	24:00	
Sat	12:00	24:00	Non-standard timings. Where you intend to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 5)
Sun	12:00	24:00	

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2) Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) We plan to play recorded music when the premises are open, to provide background music. Music shall stop 30 mins after alcohol is served and 30 mins before the premises close.
Mon	05:00	01:30	
Tue	05:00	01:30	State any seasonal variations for the playing of recorded music (please read guidance note 4) This would be during British Summer Time only, at all other times it would start from 07:00
Wed	05:00	01:30	
Thur	05:00	01:30	
Fri	05:00	01:30	
Sat	05:00	01:30	Non-standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)
Sun	05:00	01:30	

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - please tick ✓ (please read guidance note 2) Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both ✓
Day	Start	Finish	Please give further details here (please read guidance note 3) Very keen to promote the Arts & Culture in Chorley and would like to work with a partner or Chorley Council to develop such an event.
Mon	12:00	24:00	
Tue	12:00	24:00	State any seasonal variations for performing of dance (please read guidance note 4) This would be during British Summer Time only
Wed	12:00	24:00	
Thur	12:00	24:00	
Fri	12:00	24:00	Non-standard timings. Where you intend to use the premises for the performance of dance entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat	12:00	24:00	
Sun	12:00	24:00	

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 that the club will be providing
Day	Start	Finish	Will the entertainment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2) Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both ✓
Mon	12:00	24:00	
Tue	12:00	24:00	Please give further details here (please read guidance note 3) Very keen to promote the Arts & Culture in Chorley and would like to work with a partner or Chorley Council to develop such an event.
Wed	12:00	24:00	
Thur	12:00	24:00	
Fri	12:00	24:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Sat	12:00	24:00	
Sun	12:00	24:00	
			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 from 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
Day	Start	Finish	Will the facilities for making music be indoors or outdoors or both - please tick ✓ (please read guidance note 2) Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			
			Please give further details here (please read guidance note 3)
Tue			
Wed			
			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)
Thur			
Fri			
			Non-standard timings. Where you intend to use the premises for provision of facilities for making music at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

J

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

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)		
Day			Start	Finish	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input checked="" type="checkbox"/>
Mon			23:00	01:00	Please give further details here (please read guidance note 3)
Tue			23:00	01:00	State any seasonal variations for provision of late night refreshment (please read guidance note 4)
Wed			23:00	01:00	Non-standard timings. Where you intend to use the for provision of late night refreshment at different times from those listed in the column on the left, please list (please read guidance note 5)
Thur			23:00	01:00	
Fri			23:00	01:00	
Sat			23:00	01:00	
Sun			23:00	01:00	

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick ✓ (please read guidance note 7) On the premises <input type="checkbox"/> Off the premises <input type="checkbox"/> Both <input checked="" type="checkbox"/>	
Day	Start	Finish	State any seasonal variations (please read guidance note 4)	
Mon	08:00	01:00		
Tue	08:00	01:00		
Wed	08:00	01:00		
Thur	08:00	01:00		Non-standard timings. Where you intend to use the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri	08:00	01:00		
Sat	08:00	01:00		
Sun	08:00	01:00		

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

Name **David Prescott**

Address
**12 Broadriding Road
Shevington
Wigan
WN6 8EX**

Post Code **WN6 8EX**

Personal Licence number (if known) *PL 1785*

Issuing licence authority (if known) **Wigan**

N

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

(This area is currently blank for item N)

O

Hours premises are open to the public			State any seasonal variations (please read guidance note 4) This would only be during British Summer Time during all other times it would be from 07:00
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	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)
Mon	05:00	02:00	
Tue	05:00	02:00	
Wed	05:00	02:00	
Thur	05:00	02:00	
Fri	05:00	02:00	
Sat	05:00	02:00	
Sun	05:00	02:00	

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

<p>a) General – all four licensing objectives (b, c, d, e) (Please read guidance note 9)</p>
<p>b) The prevention of crime and disorder</p> <ol style="list-style-type: none"> 1. Only persons who are 18 years of age and over shall be able to sell or supply alcohol. 2. Customers shall be allowed 30 minutes drinking up time after the last sale of alcohol for consumption on the premises.
<p>c) Public safety</p> <ol style="list-style-type: none"> 1. An incident book shall be kept and maintained and shall record the time, date and comprehensive details of all incidents of crime and disorder. 2. Adopt any relevant trade codes of practice covering irresponsible drinks promotions, for example BBPAs guidelines on drinks promotions or the Portmans Groups recommendation. 3. All external entertainment providers are required to show Public Liability insurance and PAT documents before operation 4. All appropriate appliances owned by the venue are routinely PAT tested.
<p>d) The prevention of public nuisance</p> <ol style="list-style-type: none"> 1. Amplified music and speech will not be played at volumes that are likely to disturb persons in the neighbourhood. 2. Ventilation is by artificial means. 3. Loudspeakers will not be sited or directed where they will cause disturbance to neighbouring premises. 5. Staff will be trained so that their behaviour does not disturb residents when they arrive or depart from the premises. 6. Any taxi/mini cab companies collecting customers from the premises will be informed not to cause any excessive noise. 7. Clear legible notices will be displayed within the car park requesting customers respect the needs of residents and to leave the area quietly.
<p>e) The protection of children from harm</p> <ol style="list-style-type: none"> 1.Children under 18 years shall not be permitted access to cigarette machines 2. No person under the age of 16, unless they are accompanied by a person over 18 years shall be permitted on the premises at any time after 10.00pm if the premises are being used for the sale or supply of alcohol. 3. The premises shall have in place a written check 21 policy. This policy shall be actively promoted and state that any person to which the sale or supply of alcohol is being made, who looks or appears to be under 21 years of age shall be asked to provide identification that they are 18 years of age or over. The following are the only forms of identification acceptable: <ol style="list-style-type: none"> (a) Passport; (b) Photo driving licence; (c) PASS accredited holographic proof of age card; or (d) Any other form of identification agreed with Chorley Police Licensing Unit.

CHECKLIST:	please tick ✓
I have made or enclosed payment of the fee	✓
I have enclosed the plan of the premises	✓
I have sent copies of this application and plan to the responsible authorities and others where applicable	✓
I have completed and enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable	✓
I understand that I must now advertise my application	✓
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 4 - Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorized agent. (Please read guidance note 11) If signing on behalf of the applicant please state in what capacity.

Signature _____ Date 22/7/08

Capacity Manager

For joint applications signature of 2nd applicant, 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.

Contact name (where not previously given) and postal 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)	

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Licensing Authority
Chorley Borough Council
Licensing Section
Civic Buildings
Union Street
Chorley
PR7 1AL

19th August 2008

Dear Sirs,

Re: Application for Premises Licence by Glendale Golf Limited

I am writing to present my objections to the application for a Premises Licence in respect of the premises known as Nineteen, or Duxbury Park Golf Course.

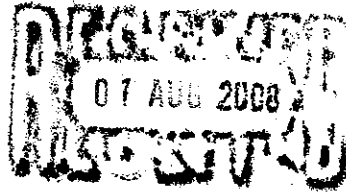
The sale of alcohol between the hours of 8:00am-1:00am, Monday to Saturday, will surely have a detrimental effect on those who reside on the nearby Duxbury Estate. The only road to Duxbury Park Golf Course is a single-track lane which already receives frequent daily use from early morning into the evening. Many motorists disregard the low speed limit and speed bumps, driving dangerously and causing considerable noise throughout this time.

As a resident of Duxbury Estate, whose home is bordered by this lane, I feel that granting a Premises Licence at Duxbury Park Golf Course will lead to even greater use of the access road, over a longer period of time, and this will significantly increase the levels of noise pollution suffered by myself and other residents of the estate. In the case of myself and my family, the noise caused by cars travelling over the speed bumps at high speed can be heard in our home, even over the sound of the television. I already feel that this detracts from our quality of life and do not wish to see it deteriorate further.

Furthermore, the sale of alcohol, especially in conjunction with the dangerous driving carried out by many golfers and other road users on a daily basis, can only increase the already present risk of a road traffic accident, potentially involving not only road users, but the many adults and children who reside within the estate, and the many pedestrians who use the road daily for access to Duxbury Park.

I thank you for your understanding and your careful consideration of my representations to this application. If you require any further information, please do not hesitate to contact me.

Yours faithfully,
Janet SL Farnworth



30-7-08

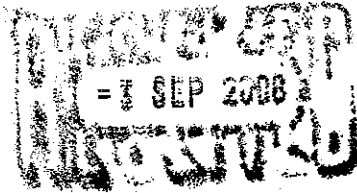
DEAR SIR

WITH REGARD TO THE APPLICATION
FOR A LICENCE TO SELL ALCOHOL AT NWEYSEN,
DUXBURY PARK GOLF COURSE BY GLENDALE
GOLF LIMITED I WOULD LIKE TO MAKE THE
FOLLOWING OBJECTION

IT IS CURRENTLY UNSAFE TO WALK ON THE
'PATH' / ROAD TO THE GOLF COURSE BECAUSE OF THE
SPEED OF CARS GOING TO + FROM THE COURSE

WHILST THERE IS A 10MPH LIMIT, THIS IS TOTALLY
IGNORED - AND THIS IS WITHOUT ANY ALCOHOL BEING SOLD
TO SELL ALCOHOL FROM 8.00am TO 01.00am IS
TOTALLY LUDICROUS + WOULD CREATE AN EXCESS OF
NOISE FROM CARS LEAVING AT ANY TIME UP TO 2.00am

Yours SINCERELY



30-8-08

DEAR SIR OR MADAME,

AS I CANNOT BE AT
YOUR HEARING RE APPLICATION FOR A PREMISES
LICENSE AT 19, DUXBURY PARK - THE CLUBHOUSE
I THOUGHT I WOULD SEND YOU MY VIEWS FOR
YOUR CONSIDERATION.

CURRENTLY, WE GET A NUMBER OF VEHICLES GOING
TO THE WOODS/PARKS UP TO 2-3-4.00 AM FOR
WHATEVER REASON & THESE WAKE UP US
PARTICULARLY BECAUSE OF THE SPEED HUMPS -
BUT DONT EVEN THINK OF REMOVING THESE OR
CARDS WILL BE GOING DOWN AT HARBOR DOWN
SPEEDS! I HAVE NO OBJECTION TO THE

CLUBHOUSE HAVING A LICENSE UNTIL 11.00
BUT 01.00 AM IS RIDICULOUS.

DUXBURY PARK IS A QUIET
RESIDENTIAL ESTATE & SHOULD BE KEPT S

Yours Sincerely



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 its 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 THE APPLICATION AND RELEVANT REPRESENTATIONS**
- 3. QUESTIONS TO LICENSING OFFICER FOR CLARIFICATION FROM:**
 - Sub-Committee
 - The Applicant and/or Legal Representative
- 4. THE APPLICANT AND/OR LEGAL REPRESENTATIVE MAKES REPRESENTATIONS REGARDING HIS/HER APPLICATION**
- 5. QUESTIONS TO THE APPLICANT AND/OR LEGAL REPRESENTATIVE FROM:**
 - Sub-Committee
 - Interested Parties Representative
- 6. INTERESTED PARTIES REPRESENTATIONS**
- 7. QUESTIONS TO INTERESTED PARTIES FROM:**
 - Sub-Committee
 - The Applicant/ Legal representative
- 8. INTERESTED PARTIES INVITED TO BRIEFLY SUMMARISE**
- 10. THE APPLICANT/ LEGAL REPRESENTATIVE) INVITED TO SUM UP (IF THEY WISH)**
- 11. DECISION MAKING**

All parties retire whilst Sub-Committee makes decision.
- 12. NOTICE OF DECISION**

Parties re-admitted and Chair announces decision and reasons.

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