

# Licensing Act 2003 Sub- Committee

Agenda and Reports

For consideration on

Wednesday, 1st October  
2008

In Committee Room 1, Town Hall, Chorley at  
**11.00am**, or on the rising of the General Licensing  
Sub-Committee, whichever is the later



This page is intentionally left blank

22 September 2008

Dear Councillor

**LICENSING ACT 2003 SUB-COMMITTEE - WEDNESDAY, 1ST OCTOBER 2008**

You are invited to attend a meeting of the Licensing Act 2003 Sub-Committee to be held in Committee Room 1, Town Hall, Chorley on Wednesday, 1st October 2008 commencing at 11.00am. or on the rising of the General Licensing Sub-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. **Any other item(s) that the Chair decides is/are urgent**

4. **Minutes (Pages 1 - 2)**

To confirm as a correct record the minutes of the meeting of the Licensing Act 2003 Sub-Committee held on 3 September 2008 (enclosed)

5. **Minutes (Pages 3 - 4)**

To confirm as a correct record the minutes of the meeting of the Licensing Act 2003 Sub-Committee held on 3 September 2008 (enclosed)

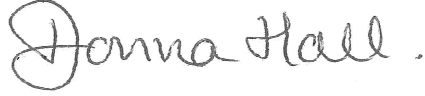
6. **Exclusion of the Public and Press**

To consider the exclusion of the press and public for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

7. **Application for the Grant of a Personal License under Section 120 of the Licensing Act 2003 (Pages 5 - 24)**

Report of Corporate Director (Governance) enclosed

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 reports to all Members of the Licensing Act 2003 Sub-Committee (Councillor Edward Smith (Chair) and Councillors David Dickinson and Pat Haughton for attendance
2. Agenda and reports to Councillor Hasina Khan (Reserve Member)
2. Agenda and reports to Gordon Bankes (Democratic Services Officer), Chris Moister (Corporate Governance), Janet Brereton (Legal Assistant (Licensing and Registration)), Stephen Culleton (Licensing Manager), Alex Jackson (Senior Lawyer), Bob Beeston (Licensing Enforcement Officer) and Zeynab Patel (Solicitor) 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:

**Licensing Act 2003 Sub-Committee****Wednesday, 3 September 2008**

**Present:** Councillor Edward Smith (Chair) and Councillors Thomas McGowan and Ralph Snape

**Also in attendance:** Zeynab Patel (Solicitor), Stephen Culleton (Licensing Manager) and Tony Uren (Democratic Services Officer).

**08.LAS.01 DECLARATIONS OF ANY INTERESTS**

None of the Sub-Committee declared an interest in the one agenda item under discussion.

**08.LAS.02 APPLICATION TO VARY A PREMISES LICENCE IN RESPECT OF BRINDLE COMMUNITY HALL, WATER STREET, BRINDLE, CHORLEY MADE UNDER SECTION 34 OF THE LICENSING ACT 2003**

The Director of Corporate Governance submitted a report on an application by the Committee of Brindle Community Hall to vary the Premises Licence granted in respect of the Community Hall. The Committee sought to include in their licence the outdoor areas, including the playing field, old tennis courts and parking area. In addition, the Committee wished to extend the opening hours by one additional hour on Sundays to Thursdays, an additional 30 minutes on Fridays and Saturdays and an additional 30 minutes on New Years Eve.

The Chair and a member of the Brindle Community Hall Committee attended the meeting to support their arguments for the variation of the Licence and four neighbouring residents also attended to expand on their grounds of objection.

(At this point, the applicants, objectors and Licensing Manager left the meeting room.)

At the conclusion of the formal hearing procedures, the Sub-Committee gave due and careful consideration to the application, balancing the applicants' current and proposed licence provisions and policies adopted in relation to organised events against the local residents' claims of past disturbances and concerns should evening events increase and expand into the outdoor areas.

After considering and balancing all the relevant factors, the Sub-Committee **RESOLVED to vary the Premises Licence in respect of Brindle Community Hall essentially to allow (i) the opening hours, sale of alcohol and entertainment activity (music, dancing, etc) within the Community Hall to be extended by 30 minutes to 11.30pm on Sundays to Thursdays and to 12.30am on Fridays and Saturdays; (ii) the sale of alcohol and entertainment activity (music, dancing, etc) within the outdoor areas until 11.00pm on Mondays to Sundays; the sale of alcohol and entertainment activity both within the Community Hall and all outdoor areas until 1.30am on New Years Day, subject in all instances to the imposition of stipulated conditions to control and regulate the level of amplified sound and to minimise the risk of noise nuisances and disturbances to neighbouring residents.**

(The applicants were notified of the Sub-Committee's decision by letter on 5 September 2008, together with their right of appeal to the Magistrates Court within 21 days.)

Chair

**Licensing Act 2003 Sub-Committee****Wednesday, 3 September 2008**

**Present:** Councillor Edward Smith (Chair) and Councillors Thomas McGowan and Ralph Snape

**Also in attendance:** Zeynab Patel (Solicitor), Stephen Culleton (Licensing Manager) and Tony Uren (Democratic Services Officer)

**08.LAS.03 DECLARATIONS OF ANY INTERESTS**

Councillor Thomas McGowan advised the meeting that the premises to be considered during the next item was located within the Ward he represented, but, as he was unfamiliar with the business, he wished to remain in the meeting to participate in the determination of the application. The applicants' representative present at the meeting, raised no objection to Councillor McGowan remaining in the meeting.

**08.LAS.04 QUEENS ARMS, 52 CHAPEL STREET, CHORLEY - APPLICATION FOR PREMISES LICENCE**

The Director of Corporate Governance submitted a report on an application from Cobbetts LLP on behalf of Pub Support Company for a new Premises Licence to be granted in respect of the Queens Arms Public House, Chapel Street, Chorley under the provisions of the Licensing Act 2003, following the surrender of the previous licence by the licence holder on 10 May 2008. The application broadly mirrored the previous licence in terms of the permission sought for the sale of alcohol and regulated entertainment, together with the conditions that were attached to the premises by the Licensing and Safety Committee at the review hearing on 3 April 2007.

The Regional Manager of Scottish and Newcastle Brewery, a representative of the Pub Support Company and the prospective Manager of the Public House attended the meeting to support their arguments for the Premises Licence.

The Members noted that, whilst no representations had been received from any of the responsible authorities or the Environmental Health Section of the Neighbourhoods Directorate, one representation had been received from a neighbouring resident.

(At this point, the applicants and the Licensing Manager left the meeting room.)

At the conclusion of the formal hearing procedures, the Sub-Committee gave due and careful consideration to the application, balancing the applicants' wishes to re-open the public house and assurances in relation to the future management of the business against the need to protect neighbouring residents' residential amenities.

After considering and balancing all the relevant factors, the Sub-Committee **RESOLVED to grant a new Premises Licence in respect of the Queens Arms Public House, Chapel Street, Chorley essentially to allow (i) the opening of the premises and the sale of late night refreshments from 10.00am to midnight on Sundays to Thursdays and from 10.00am to 1.00am on Friday and Saturdays; (ii) the sale of alcohol and regulated entertainment from 10.00am to 11.15pm on Sundays to Thursdays and from 10.00am to midnight on Fridays and Saturdays; (iii) the sale of alcohol from 10.00am to 1.00am on Christmas Eve and Boxing Day; and (iv) the opening of the premises for the sale of alcohol and regulated entertainment from 11.00am on New Year's Eve to 11.00pm on the following day, subject to an additional condition requiring suitable alarms to be fitted to fire doors.**

(At the conclusion of the meeting, the applicants were notified of the decision, which was confirmed in writing on 5 September 2008.)

Chair



By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank