

# Statutory Licensing Sub-Committee B

**Wednesday, 7 September 2005**

**Present:** Councillor Miss Iddon (Chair) (Chair), Councillors A Gee and McGowan

**Also in attendance:** Councillors D Dickinson

## **05.SLB.01 DECLARATIONS OF ANY INTERESTS**

There were no declarations of interest by any members of the Sub-Committee in the application under consideration on the meeting's agenda.

## **05.SLB.02 TUT 'N' SHIVE, MARKET STREET, CHORLEY.**

The Director of Legal Services submitted a report on an application to vary a premises licence in respect of the Tut 'N' Shive Pubic House, Market Street, Chorley.

The report clarified the current licensable activities permitted at the premises.

A copy of the application to vary the existing premises licence and allow the following licensable activities during the times indicated was attached to the submitted report:

### Provision of regulated entertainment

Films – Indoors

11.00 – 00.00 Monday – Wednesday  
11.00 – 02.00 Thursday only  
11.00 – 03.00 Friday and Saturday  
11.00 – 00.30 Sunday

Non-Standard timings

When hours for sale of alcohol are extended hereunder these hours are also extended (box M on the application)

Indoor Sporting Events – Indoors

01.00 – 00.00 Monday – Wednesday  
11.00 – 02.00 Thursday only  
11.00 – 03.00 Friday and Saturday  
11.00 – 00.30 Sunday

Non-Standard timings

When hours for sale of alcohol are extended hereunder these hours are also extended (box M on the application)

Live Music – Indoors

11.00 – 00.00 Monday – Wednesday  
11.00 – 02.00 Thursday only

11.00 – 03.00 Friday and Saturday  
11.00 – 00.30 Sunday

Live music and amplified voice

Non-Standard timings

When hours for sale of alcohol are extended hereunder these hours are also extended (box M on the application)

Recorded Music – Indoors

11.00 – 00.00 Monday – Wednesday  
11.00 – 02.00 Thursday only  
11.00 – 03.00 Friday and Saturday  
11.00 – 00.30 Sunday

Recorded music, including juke box, with or without a DJ, during normal business hours or as part of functions and including participation as included in part b1 of the application

Non-Standard timings

When hours for sale of alcohol are extended hereunder these hours are also extended (box M on the application)

Performance of Dance – Indoors

11.00 – 00.00 Monday – Wednesday  
11.00 – 02.00 Thursday only  
11.00 – 03.00 Friday and Saturday  
11.00 – 00.30 Sunday

Non-Standard Timings

When hours for sale of alcohol are extended hereunder these hours are also extended (box M on the application)

Provision of facilities for making music

11.00 – 00.00 Monday – Wednesday  
11.00 – 02.00 Thursday only  
11.00 – 03.00 Friday and Saturday  
11.00 – 00.30 Sunday

To be used as and when required at any time when premises are open for the sale of alcohol.

Non-Standard timings

When hours for sale of alcohol are extended hereunder these hours are also extended (box M on the application)

Provision of facilities for dancing

11.00 – 00.00 Monday – Wednesday  
11.00 – 02.00 Thursday only  
11.00 – 03.00 Friday and Saturday  
11.00 – 00.30 Sunday

To be used as and when required at any time when premises are open for the sale of alcohol.

#### Non-Standard timings

When hours for sale of alcohol are extended hereunder these hours are also extended (box M on the application)

#### Provision of Late Night Refreshment – Indoors

23.00 – 00.00 Monday – Wednesday  
23.00 – 02.00 Thursday only  
23.00 – 03.00 Friday and Saturday  
23.00 – 00.30 Sunday

#### Non-Standard timings

When hours for sale of alcohol are extended hereunder these hours are also extended (box M on the application)

#### Supply of Alcohol – On and Off the Premises

11.00 – 00.00 Monday – Wednesday  
11.00 – 02.00 Thursday only  
11.00 – 03.00 Friday and Saturday  
11.00 – 00.30 Sunday

#### Non-Standard timings

To be extent that the variation in part B1 paragraph 3 is not granted or does not permit: to permit the sale of alcohol and such regulated entertainment as authorised hereunder until 03.00 on Friday, Saturday, Sunday and Monday, at bank holiday weekends, Christmas Eve, Boxing Day.

Christmas Day 12.00 – 23.00

New Years Eve 10.00 to New Years Day – terminal hour as proposed.

#### Hours premises are open to the public

11.00 – 00.45 Monday – Wednesday  
11.00 – 02.45 Thursday  
11.00 – 03.45 Friday and Saturday  
11.00 – 01.15 Sunday

The report also outlined the additional measures that the applicants had indicated would be taken to promote the achievement of the four relevant licensing objectives.

The Police, as a responsible authority, had lodged an objection to the application to vary the premises licence, as they considered that the hours sought for Friday and Saturday for the sale of alcohol until 3.00am, with a closing time of 3.45am, were excessive and would undermine the prevention of crime and disorder. There had been no further representations from other interested parties.

An Officer from the Lancashire Constabulary Southern Division and the Licensee of the Tut 'n' Shive premises attended the meeting.

Both the Police Officer and the Licensee confirmed that, prior to the meeting, an agreement had been reached whereby the applicant would be prepared to revise the

application for a variation of the premises licence by (a) restricting the supply of alcohol on and off the premises to between 11.00 hours and 02.30 hours on Friday and Saturday; and (b) restricting the hours the premises are open to the public to between 11.00 hours and 02.30 hours on Thursday and to between 11.00 hours and 03.00 hours on Friday and Saturday. The applicant had also confirmed his willingness to provide, as a condition of the licence, three trained door staff on the premises on Thursday whenever one bar was operated and five training door staff whenever both bars were operated.

The Police Officer confirmed that, in the light of the applicant's revision of his application to vary the premises licence on the lines outlined, the Police's objection had been withdrawn.

The Sub-Committee members raised a number of pertinent issues with the applicant and the Police Officer and considered all the written and verbal evidence in the context of the provisions of the Council's adopted Statement of Licensing Policy and Government guidelines. After taking account of all representations and relevant factors, the Sub-Committee arrived at the following unanimous **DECISION**:

"The Licensing Sub-Committee has considered carefully the applicants and the interested parties' representations.

We acknowledge that the parties have reached an agreement and we will, therefore, grant the amended application as sought and the conditions to be imposed are those offered up in the operations schedule and the additional conditions agreed by the parties.

We have amended the following conditions:

Condition 5 should read:

'No fewer than 5 door supervisors should be on duty on each of the following days – Thursday, Friday and Saturday.'

Condition No 8 should read:

'Door supervisors will actively discourage persons from leaving the premises with bottles or glasses.'

We agree to removing those embedded restrictions inherent in the Licensing Act 1964 as applied for."

Chair