

## Chief Executive's Office

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Date: 18 August 2005

**Chorley**  
Borough Council

Town Hall  
Market Street  
Chorley  
Lancashire  
PR7 1DP

**Chief Executive:**  
Jeffrey W Davies MA LLM

Dear Councillor

A meeting of the Statutory Licensing Committee is to be held in the Council Chamber, Town Hall, Chorley on Wednesday, 24th August, 2005 commencing at the rise of the Licensing and Safety Committee.

### AGENDA

1. **Apologies for absence**
2. **Declarations of Any Interests**

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

3. **Minutes (Pages 1 - 8)**

To confirm as a correct record the minutes of the meetings of the Statutory Licensing Sub Committee A held on 8 and 29 June 2005 (enclosed)

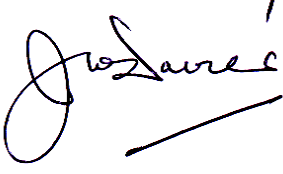
4. **Licensing Act 2000 - Membership Of Statutory Licensing Sub Committees A and B**

The Committee to determine the allocation of the reserve Members of the Sub Committees

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

Continued....

Yours sincerely



Chief Executive

### **Distribution**

1. Agenda and reports to all Members of the Statutory Licensing Committee (Councillor R Snape (Chair), Councillor Iddon (Vice-Chair), Councillors Bedford, Mrs D Dickinson, D Dickinson, A Gee, T Gray, Hoyle, M Lees, Lennox, McGowan, Mrs Smith, E Smith, Walker and Mrs Walsh) for attendance.
2. Agenda and reports to Director of Legal Services and Licensing Manager for attendance.
3. Agenda and reports to Executive Leader (Councillor J Wilson) Deputy Leader (Councillor Edgerley) Leader of Conservative Group (Councillor P Goldsworthy) and Leader of Liberal Democrat Group (Councillor K Ball) for information.
4. Agenda and reports to all remaining Chief Officers for information.
5. Agenda to all remaining Members of the Council for information.

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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:

**STATUTORY LICENSING SUB-COMMITTEE A****8 June 2005**

Present: Councillor R Snape (Chairman), Councillors M Lees and Mrs I Smith.

**05.SLA.1 APPLICATION TO VARY PREMISES LICENCE IN RESPECT OF ST CHADS PARISH CENTRE 235 TOWN LANE, WHITTLE-LE-WOODS**

The Director of Legal Services submitted a report requesting the Sub-Committee to determine an application to vary a premises licence in respect of St Chads Parish Centre, 235 Town Lane, Whittle-le-Woods.

The current licensable activities was:

Monday - Saturday	11.00 - 23.00
Sunday and Good Friday	12.00 - 22.30
Christmas Day	12.00 - 15.00 and 19.00 - 22.30
New Year's Eve	11.00 - 11.00 (next morning by virtue of the deregulation order)

- regulated entertainment for private members club or private hire during the above hours
- the current licence was also subject to a number of embedded conditions in relation to those embedded in the Licensing Act 1964.

Under Section 4 of the Licensing Act 2003 the Licensing Authority must have regard to its Statement of Licensing Policy and the four licensing objectives.

In this respect the Sub-Committee received additional steps they would take to promoting the licensing objectives in relation to:

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- The protection of children from harm

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

- Regulated Entertainment
  1. Live Music - Indoors  
Monday - Sunday inclusive 11.00 - 01.00.  
Live entertainers will be engaged to perform live music in the premises, live bands etc primarily at private family functions.
  2. Provision of facilities for making music - Indoors  
Mondays to Sunday inclusive 11.00 - 01.00.  
Karaoke by means of amplified equipment.
  3. Recorded Music - Indoors  
Mondays - Sundays inclusive 11.00 - 01.00 playing of recorded music will take place on the premises in the form of discos at family functions.
  4. Provision of facilities for dancing - Indoors  
Monday - Sunday inclusive 11.00 - 01.00  
Dancing provided in function room to enable dancing on the premises designated dance floor area 25' by 20'.

- Supply of Alcohol - On or off the premises  
Monday - Sunday inclusive 11.00 - 01.00  
New Years Eve - deregulated hours.
- Late Night Refreshment - Indoors  
Monday - Sunday inclusive 23.00 - 01.00  
Occasionally functions accompanied by buffet or HA PA Supper after 11.00pm.

The report also outlined the additional measures that the applicant had indicated which would be taken to provide and ensure the achievement of the four relevant licensing objectives.

The application had been brought to the Sub-Committee following an objection from an Interested Party, occupants, of a neighbouring property, based on the noise and the lateness of the noise from the premises.

The Sub-Committee received representations in respect of the application from the applicant, his representative as well as the interested party to the application.

No objections had been received from responsible authorities. The Committee considered all the representations together with the Article 8, rights of both the applicant, and the interested party and included the proportionality principle.

The Sub-Committee Members raised a number of pertinent issues with the applicant and his representative as well as the interested party and considered all the written and verbal evidence in the context of the provision of the Councils 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.

**RESOLVED - That the Licensing Sub-Committee have considered carefully the applicants and the interested parties representations.**

**We have considered the guidance issued under Section 182 of the Licensing Act 2003 together with the Council's Statement of Licensing Policy in particular those paragraphs referred to in the report.**

**The Sub-Committee has had regard to the fact that no responsible authorities have made representation to the application. Whilst the Committee take account of the interested parties representations on disturbance they have suffered, the Committee also take account that there have been no representations from Environmental Health in particular.**

**The Sub-Committee also took account that the Statement of Licensing Policy indicates that fixed predetermined closing times will be avoided unless necessary to promote the licensing objectives.**

**The Sub-Committee also took account of the applicants representations that the hours sought were not to be operated 7 days per week but would provide flexibility for occasional events.**

**The Licensing Sub-Committee mindful of residential amenity, were of the view that the steps put forward by the applicant to promote the licensing objectives, in particular, prevention of public nuisance were such that they would address the main objectives for the interested party.**

**The Sub-Committee were of the view that the conditions offered up in the application were within the direct control of the licence holder and would minimise the impact of licensable activities.**

**The Sub-Committee also considered human rights implications, in particular Article 8 and Article 1 of the 1<sup>st</sup> Protocol, the proportionality principle.**

**In considering all the above factors, the Sub-Committee, balancing the interests of the interested party and the applicant, resolved to grant the application subject to those conditions set out in the operating Schedule and Paragraph 9 of the report.**

Chairman

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**STATUTORY LICENSING SUB-COMMITTEE A****29 JUNE 2005**

Present: Councillor R Snape (Chairman), and Councillors Mrs M Lees and Mrs I E Smith.

Also in attendance: Councillors Mrs D Dickinson, T Gray and Miss M Iddon.

**05.SLA.02 DECLARATION OF ANY INTERESTS**

None of the Members present declared a personal interest in respect of the item included on the meeting's agenda.

**05.SLA.03 LICENSING ACT 2003 - APPLICATION TO VARY PREMISES LICENCE IN RESPECT OF ST BEDE'S PARISH CENTRE, BROWNLEY STREET, CLAYTON-LE-WOODS**

The Director of Legal Services submitted a report regarding an application to vary a premises licence in respect of St Bede's Parish Centre, Brownley Street, Clayton-le-Woods.

The report stated that the current licensable activities were as follows:

- The supply of alcohol by retail (on and off the premises) on
  - Monday - Saturday - 11.00 hours - 23.00 hours
  - Sunday and Good Friday - 12.00 noon - 22.30 hours
  - Christmas Day - 12.00 noon - 15.00 hours and 19.00 hours - 22.30 hours
  - New Year's Eve - 11.00 hours - 11.00 hours (next morning by deregulation order).
- Regulated entertainment for private members club or private hire during the above hours.
- The current licence was also subject to a number of embedded conditions in relation to those embedded in the Licensing Act 1964.

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:

- Regulated Entertainment
  - 1) Live Music - Indoors
    - Monday - Sunday inclusive 11.00 hours - 01.00 hours
    - Live entertainers will be engaged to perform live music in the premises, live bands etc.
  - 2) Recorded Music - Indoors
    - Monday - Sunday inclusive 11.00 hours - 01.00 hours
    - The playing of recorded music will take place on the premises in the form of discos at family functions etc.
  - 3) Provision of facilities for making music - Indoors
    - Monday to Sunday inclusive 11.00 hours - 01.00 hours
    - Karaoke by means of amplified equipment

- 4) Provision of facilities for dancing - Indoors  
Monday - Sunday inclusive 11.00 hours - 01.00 hours  
Dancing provided in function room to enable dancing on the premises
- Supply of Alcohol - On or Off the Premises  
Monday - Sunday inclusive 11.00 hours - 01.00 hours  
New Years Eve - deregulated and facility may be provided beyond hours stated
  - Late Night Refreshment - Indoors  
Monday - Sunday inclusive 23.00 hours - 01.00 hours  
Occasionally functions accompanied by buffet or Hot Pot Supper after 23.00 hours and it is desirable to have the facility to supply hot tea/coffee as an alternative to alcohol if requested.

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

While there had been no representations from Responsible Authorities, an objection had been lodged by the occupants of a neighbouring property. The applicant and his representative attended the meeting. The applicant's representative indicated that, following subsequent negotiations between the applicants and the interested parties, the interested parties would be prepared to withdraw their objection in the event of the applicant being prepared to revise his application for a variation of the premises licence by (a) restricting licensable activities to between 11.00 hours and 23.00 hours on Sundays to Thursdays and between 11.00 hours and 00.30 hours on Fridays and Saturdays; (b) prohibiting 18<sup>th</sup> birthday parties; and (c) erecting signage on the premises requesting customers to leave quietly.

The applicant confirmed his willingness to revise the application for a variation of the premises licence generally in line with the amendments suggested by the objectors. However, the applicant's representative indicated that, in so far as 18<sup>th</sup> birthday parties, they would be prepared to agree not to knowingly hold 18<sup>th</sup> birthday parties on the premises.

The Sub-Committee Members raised a number of pertinent issues with the applicant and his representative 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**:

"We have carefully considered the representations made by Mr Sumner, the applicant's representative, and note that the application has been amended in the light of the interested parties representations.

We also note that the interested parties have not attended today and we have had sight of an e-mail from the interested parties dated 28 June 2005 in which the interested parties confirm they have no objections to the amended hours.

We note that there appears to be an outstanding issue regarding 18<sup>th</sup> birthday parties. However, the applicant has offered up a condition which states that the licence holder will not knowingly permit bookings for 18<sup>th</sup> birthday parties on the premises.

Therefore, we grant the application for variation for the following hours:

Regulated entertainment	Sunday - Thursday 11.00 to 23.00. Friday and Saturday 11.00 to 00.30 hours
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Alcohol on or off premises      Sunday - Thursday 11.00 to 23.00  
Friday and Saturday 11.00 to 00.30 hours

Late Night Refreshment      Friday and Saturday 23.00 hours to 00.30 hours

The premises to be closed at the following times:

Sunday to Thursday Midnight  
Friday and Saturday 01.30 hours

The conditions set out in the operating schedule will be imposed on the licence together with the extra condition relating to 18<sup>th</sup> birthday parties.

We also grant the variation to remove the conditions relating to children under 14 and the restrictions in conditions numbers 3 and 5 on the liquor licence.”

Chair

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