

29 July 2013

Licensing Act 2003 Sub-Committee

You are invited to attend a meeting of the Licensing Act 2003 Sub-Committee to be held in Council Chamber, Town Hall, Chorley on Wednesday, 7th August 2013 commencing at 2.00 pm.

AGENDA

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

Members are reminded of their responsibility to declare any pecuniary interest in respect of matters contained in this agenda.

If you have a pecuniary 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. **Procedure (Pages 3 - 6)**

A general procedure guidance note is enclosed for information.

4. **Application for a premises licence under Section 17 of the Licensing Act 2003 - Red Lion, 196 Blackburn Road, Wheelton, Chorley, PR6 8EU (Pages 7 - 104)**

Report of the Director of People and Place (enclosed).

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

Yours sincerely



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Distribution

1. Agenda and reports to all Members of the Licensing Act 2003 Sub-Committee – Councillors Marion Lowe (Chair), and Pauline Phipps and Alan Platt for attendance.
2. Agenda and reports to Zeynab Patel (Solicitor), Stephen Culleton (Public Protection Officer), Dianne Scambler (Democratic and Member Services Officer) and Matthew Swift (Public Protection Officer) for attendance.

If you need this information in a different format, such as larger print or translation, please get in touch on 515151 or chorley.gov.uk

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. PUBLIC PROTECTION OFFICER OUTLINES THE APPLICATION AND RELEVANT REPRESENTATIONS

3. QUESTIONS TO PUBLIC PROTECTION 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

9. THE APPLICANT/ LEGAL REPRESENTATIVE INVITED TO SUM UP (IF THEY WISH)

10. DECISION MAKING

All parties retire whilst Sub-Committee makes decision.

11. NOTICE OF DECISION

Parties re-admitted and Chair announces decision and reasons.

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Report of	Meeting	Date
Director of People & Places	Licensing Act 2003 Sub-Committee	7 August 2013

DETERMINATION OF APPLICATION FOR A PREMISES LICENCE MADE UNDER SECTION 17 OF THE LICENSING ACT 2003, FOR THE PREMISES THE RED LION.

PURPOSE OF REPORT

1. To enable Members to determine the application for a premises licence made by Mr Philip Entwistle of Special Ale Services Limited, Norwood Copthurst Lane Whittle-le-Woods, Chorley, in light of representations that have been made towards the application under Section 18 of the Licensing Act 2003.

RECOMMENDATION(S)

2. Members are recommended to consider the application and any representations made by other persons and after considering those representations determine the application for the premises licence for The Red Lion, 196 Blackburn Rd Wheelton, Chorley.

EXECUTIVE SUMMARY OF REPORT

3. The Council received an application on the 25 June 2013 made under Section 17 of the Licensing Act 2003 for the Grant of a Premises Licence for The Red Lion; the application is attached as appendix 1. Officers are satisfied that the application has been made in the correct manner. Officers have received 25 representations objecting to the application from other persons. None of the representations received have been determined to be not relevant towards the application under Section 18 of the Licensing Act 2003 and therefore do not form part of the report. 25 representations have been accepted as relevant representation to the application and are to be considered under the licensing objectives for:
 - a) The Prevention of Crime and Disorder.
 - b) The Prevention of Public Nuisance.

The Council has received 1 representation in support of the application.

Officers are aware that an interested person has promoted a view of the Premises Licence application for the Red Lion to many addresses throughout Wheelton, a copy of the leaflet is attached as appendix 2, Member should be aware that not all of the issues raised within the information at appendix 2 are licensing considerations.

Confidential report Please bold as appropriate	Yes	No
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CORPORATE PRIORITIES

4. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	X	A strong local economy	x
Clean, safe and healthy communities	X	An ambitious council that does more to meet the needs of residents and the local area	x

BACKGROUND

- 5. Officers received an application for the grant of a premises licence for The Red Lion at Wheelton made in the normal way on the 25th June 2013 By Mr Philip Entwistle on behalf of Special Ale Service Ltd.
- 6. To assist Members a plan of the area identifying the properties of the persons making representation is reproduced at appendix 3, although the vicinity test no longer needs to be satisfied under the Licensing Act 2003.
- 7. The premises has benefited from a Premises licence granted under the Licensing Act 2003, from the 24 November 2005 (the second appointed day) following an application for a conversion and variation from a Justices Licence empowered under the Licensing Act 1964, the Councils records show that those permissions existed from 1993. On or about the 4th January 2013 the Council received a notice served under Section 28 of the Licensing Act 2003 to surrender the Premises Licence in force at that time following a contractual agreement between Enterprise Inns and Special Ale services Ltd. A copy of the licence in force at that time is attached as appendix 4.

On the 18th June 2013 following an application made by Special Ale Services Ltd for the transfer of the premises licence and change of Designated Premises Supervisor, the applicant was informed that the licence could not be transferred as it no longer existed. Hence the application to be determined today which is highlighted below.

The Council has received 1 complaint from a resident in Jan 2009, this related to a group of noisy adults that were in the vicinity of the licensed premises. Following an investigation by the Licensing & Enforcement officer and the Environmental Health Officer no breaches of licensing conditions were found.

8. Outline and history of the Application

“The premises is located just off the A674 in the village of Wheelton. It is a long established Village Pub, traditionally built and is in keeping with the locality. The premises have had 8 Designated Premises Supervisors in the last 8 years and 5 Premises Licence holders in the same period. The Application seeks the following authority;

For Members Information;

LIVE MUSIC ACT; (Live music is not now regarded as a licensable activity on any premises between the hours of 08.00 – 23.00 hrs, where the music is unamplified to an audience of not more than 200 and amplified music is played to an audience of not more than 200 where the premises has a premises licence or is a work place. It is the Premises Licence holder’s responsibility to ensure that the occupancy at premises does not exceed these figures to remain exempt under the provisions of the above Act. Where Live music permission is sought for audiences in excess of these limits or outside of the times given, it would be appropriate that consideration is given to conditions to manage such authorisation, at all other times conditions can only be attached to a premises licence to address such authorisations following a review of a premises licence).

Changes that the Live Music Act made to licensing under the 2003 Licensing Act are outlined below.

1. *It removed the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons on premises authorised by a premises licence or club premises certificate to supply alcohol for consumption on the premises (at a time when those premises are open for the purposes of being used for the supply of alcohol for consumption on the premises), subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate.*
2. *It removed the licensing requirement for amplified live music taking place between 8am and 11pm in front of audiences of no more than 200 people in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment).*
3. *It removed the licensing requirement for unamplified live music taking place between 8am and 11pm in any place, subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate relating to premises authorised to supply alcohol for consumption on the premises.*
4. *It removed the licensing requirement for the provision of entertainment facilities.*
5. *It widened the licensing exemption for live music that is integral to a performance of Morris dancing or dancing of a similar type, so that the exemption applies to both live or recorded music instead of just unamplified live music in that instance.*

9. Regulated Entertainment

E, Live music, Monday to Sunday 09.00 – 01.00 indoors.

F, Recorded Music, Monday to Sunday 09.00 – 01.00 indoors.

H, Anything of a similar description to that Falling within (e), (f) or (g) Monday to Sunday 09.00 – 01.00, indoors.

I, Late night refreshment Monday to Sunday. 23.00 – 01.00 indoors.

J, Supply of alcohol Monday to Sunday 09.00 – 01.00 on the premises.

L, Hours the premises are open to the public Monday to Sunday 09.00 – 01.00.

P, (This section describes the steps to be taken by the Premises Licence holder to promote the 4 licensing objectives),

a) General

- Staff will be trained on the requirements of the Licensing Act 2003 when they are recruited and given training in drugs awareness as part of their induction.

b) The Prevention of Crime and Disorder

- Providing a 30 minute extension of opening hours after the end of the sale of alcohol will promote this objective as the last drink will be consumed less quickly, with access to the pubs toilet facilities. A staggered departure from the premise of the customers will reduce noise and conducive problems.

c) Public Safety

- Fire extinguisher/blanket certificate renewed annually, gas and electricity certificate. Accident book, first aid kit, health and safety poster in place. A Daily incident log book will be kept to detail all incidents of note at the premises or in the vicinity.

d) The Prevention of Public Nuisance

- Live music will end at 23.00 except on New Years Eve and New years Day. All windows and doors will be kept closed when and where necessary to reduce noise levels. A notice will be placed prominently at the exits asking customers to leave quietly; staff will be vigilant and monitor this. The garden will be closed at or before 23.00 hrs.

e) The protection of Children from Harm

- The restrictions set out in the Licensing Act 2003 will apply Photographic proof of age will be required to be shown by anyone seeking to purchase alcohol who appears to be under 20 years of age. Children will only be allowed on the premises if accompanied by a responsible adult.

10. Representations from Responsible Authorities

There are no representations from the responsible authorities.

Following the nature of the representations that have been made, the Councils Environmental Health Officer was approached by officer to ensure the application had been received. They were satisfied with the application and confirmed that there were no recent records of complaint made towards the former licenced premises known as The Red Lion.

11. Representation received from other persons.

In order to assist members with the representations that have been received they are presented as appendix 5, A-Z none are placed in order or in preference to any other.

Members should note that the representations that have been accepted as relevant to the application may also contain comments that are not relevant to the application under section 18.6 of the Act, Members are advised not to have consideration for comments that cannot be directly associated to at least one of the Licensing Objectives. The premises from which the relevant objections have been received can be identified on the map by correlation of the appendix number. Members are reminded to consider all the relevant representations that have been accepted having consideration for the Councils Statement of Licensing Policy and the Secretary of States Section 182 Guidance revised in May 2013, and the relevant sections of the Live Music Act 2013.

In accordance with the Licensing Act 2003 Hearing Regulations 2005, Officers have invited the persons who have made representation to attend todays hearing and / or to provide in writing additional information to further inform the Council in their absence, the responses to that request are attached to the original representation received and bear the same appendix reference.

The council have received 26 representations from other persons, which includes 1 in support of the application.

The issues raised by the representations relate to the licensing objective for:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance

All parties to this application have been invited to attend the hearing under the Licensing Act 2003 (Hearing) Regulations 2005, and to make representation.

The representations received are attached as appendix 5; A-Z.

The Committee has the following options:

- (i) to reject the application in part or whole
- (ii) to grant the application
- (iii) to modify the conditions of the licence

POLICY AND LEGAL CONSIDERATIONS

12. 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, Revised June 2013.

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.

13. The Licensing Authority shall determine the application, having had considered the representations that have been made, and having regard to its Statement of Licensing Policy and to the guidance issued by the Secretary of State under section 182 of the Act, April 2012:

Section 18 Licensing Act 2003 is the authority the Licensing – sub - committee can rely upon with regards to this matter, which is reproduced below.

Section 18 Determination of application for premises licence

(1) This section applies where the relevant licensing authority—

(a) receives an application for a premises licence made in accordance with section 17, and
 (b) is satisfied that the applicant has complied with any requirement imposed on him under subsection (5) of that section.

(2) Subject to subsection (3), the authority must grant the licence in accordance with the application subject only to—

(a) such conditions as are consistent with the operating schedule accompanying the application, and

(b) any conditions which must under section 19, 20 or 21 be included in the licence.

(3) 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 representations, take such of the steps mentioned in subsection (4) (if any) as it considers appropriate for the promotion of the licensing objectives.

- (4)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 appropriate 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.
- (5)For the purposes of subsection (4)(a)(i) the conditions mentioned in subsection (2)(a) are modified if any of them is altered or omitted or any new condition is added.
- (6)For the purposes of this section, “relevant representations” means representations which—
- (a)are about the likely effect of the grant of the premises licence on the promotion of the licensing objectives,
- (b)meet the requirements of subsection (7),
- (c)if they relate to the identity of the person named in the application as the proposed premises supervisor, meet the requirements of subsection (9), and
- (d)are not excluded representations by virtue of section 32 (restriction on making representations following issue of provisional statement).
- (7)The requirements of this subsection are—
- (a)that the representations were made by an interested party or responsible authority within the period prescribed under section 17(5)(c),
- (b)that they have not been withdrawn, and
- (c)in the case of representations made by an interested party (who is not also a responsible authority), that they are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
- (8)Where the authority determines for the purposes of subsection (7)(c) that any representations are frivolous or vexatious, it must notify the person who made them of the reasons for its determination.
- (9)The requirements of this subsection are that the representations—
- (a)were made by a chief officer of police for a police area in which the premises are situated, and
- (b)include a statement that, due to the exceptional circumstances of the case, he is satisfied that the designation of the person concerned as the premises supervisor under the premises licence would undermine the crime prevention objective.
- (10)In discharging its duty under subsection (2) or (3)(b), a licensing authority may grant a licence under this section subject to different conditions in respect of—
- (a)different parts of the premises concerned;
- (b)different licensable activities.

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.

- The prevention of crime and disorder
- Public safety

- Prevention of public nuisance
- The protection of children from harm.

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 appropriate 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

14. 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.

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

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

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

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

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

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

15. 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 appropriate 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 (e.g. 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 e.g. 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

16. Paragraph 10.1 The policy does not seek to prevent or limit the access of children to licensed premises unless it is appropriate 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 appropriate 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 appropriate 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 (i.e. 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 appropriate, suitable measures to promote this objective. Applicants may wish to consider, where appropriate:

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

Paragraph 10.6 Applicants may volunteer prohibitions and restrictions on their Operating Schedules as a result of their own risk assessments determining that the presence of children is undesirable or inappropriate. Where no relevant representations are made to the Licensing Authority these volunteered prohibitions and restrictions will become

conditions attached to the licence or certificate. The Licensing Authority may impose conditions where relevant representations are made if it considers it appropriate and/or appropriate including those drawn from the Model Pool of Conditions.

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.

PREVENTION OF PUBLIC NUISANCE

17. 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, e.g. 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 e.g. 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 (e.g. 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 appropriate may attach conditions to a licence to prevent public nuisance including those drawn from the Model Pool of Conditions. 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.

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 (e.g. age)
- Use of special effects e.g. 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. .

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 appropriate, impose conditions to secure the public safety objective including those drawn from the Model Pool of Conditions. 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

18. 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.
- Members are recommended to consider the application and any representations made by relevant authorities or other persons and after considering those representations determine the application for the purpose of the premises licence for The Red Lion Wheelton Chorley.

19. Members will be aware that on the 25th April 2012 Government amended various sections of the Licensing Act 2003 by virtue of the Police Reform & Social Responsibility Act 2011, to date Members have not yet had the opportunity to review the Councils Statement of

Licensing Policy in light of the Changes that have been made. The following headings have been reproduced from that Act to inform members of those changes that are relevant to this matter but have not been addressed within the Councils Statement of Licensing Policy:

PART 2 – LICENSING CHAPTER 1 - AMENDMENTS OF THE LICENSING ACT 2003

- 103 Licensing authorities as responsible authorities.
 - 104 Primary Care Trusts and Local Health Boards as responsible authorities.
 - 105 Premises licences: who may make relevant representations.
 - 106 Premises licences: who may apply for review.
- The Live Music Act 2012

IMPLICATIONS OF REPORT

20. This report has implications in the following areas and the relevant Directors’ comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	x	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

COMMENTS OF THE HEAD OF GOVERNANCE

21. The Licensing Act 2003 has been amended by the Police Reform and Social Responsibility Act 2011. The changes relevant to this application are the removal of the requirement for representations to be made by interested parties in the vicinity of the premises. Representations can now be considered if made by other persons as long as they relate to the licensing objectives and are not frivolous or vexatious. The persons making the representations no longer need to be in the vicinity of the proposed premises.

The Applicant has the right of appeal to the magistrates court within 21 days of being notified of the decision against a refusal of a licence or the imposition of conditions which they argue are unreasonable. Persons who have made representations enjoy a similar right of appeal in relation to a decision favourable to the applicant.

JAMIE CARSON
DIRECTOR OF PEOPLE & PLACES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Stephen Culleton	5665	25 July 2013	***

7 1AL

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/We SPECIAL ALE SERVICES LTD

(Insert name(s) of applicant)

apply for a premises licence under section 17 of 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

Postal address of premises or, if none, ordnance survey map reference or description THE RED LION 196 BLACKBURN ROAD WHEELTON CHORLEY			
Post town	CHORLEY	Postcode	PR6 8UE

Telephone number at premises (if any)	01254 830241
Non-domestic rateable value of premises	£ 3049.20

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company 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 in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England 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 yes

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 a statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name SPECIAL ALE SERVICE LTD
Address NORWOOD CHPTHURST LANE WHITTLE LE WOODS CHORLEY PR6 8LR
Registered number (where applicable) 05278903
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY
Telephone number (if any) 01257 263376
E-mail address (optional) PHILIPENTWISTLE@BTINTERNET.COM

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	1	062013

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
 THIS PREMISES IS A PUBLIC HOUSE, SITUATED IN A SMALL VILLAGE
 LOCATION

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

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

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

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	0900	0100			
Tue	0900	0100	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) N/a		
Wed	0900	0100			
Thur	0900	0100	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) AS WE HAVE JUST TAKEN OVER THE PREMISES WE HAVE NOT DECIDED WHAT NIGHTS WE WILL HAVE LIVE MUSIC AS OF YET, MOST LIKELY A THURS OR FRI NIGHT		
Fri	0900	0100			
Sat	0900	0100			
Sun	0900	0100			

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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	0900	0100			
Tue	0900	0100	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Wed	0900	0100			
Thur	0900	0100	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	0900	0100			
Sat	0900	0100			
Sun	0900	0100			

G

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

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing comedy standup</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	0900	0100		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	0900	0100	<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed	0900	0100			
Thur	0900	0100	<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri	0900	0100			
Sat	0900	0100	<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun	0900	0100			

I

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)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	0900	0100	<u>Please give further details here</u> (please read guidance note 3) ON QUIZ NIGHT WE USUALLY SERVE REFRESHMENTS		
Tue	0900	0100			
Wed	0900	0100	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) N/a		
Thur	0900	0100			
Fri	0900	0100	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5) QUIZ NIGHT WILL PROBABLY BE WEDNESDAY NIGHTS		
Sat	0900	0100			
Sun	0900	0100			

J

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 checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) N/a		
Mon	0900	0100			
Tue	0900	0100			
Wed	0900	0100			
Thur	0900	0100			
Fri	0900	0100			
Sat	0900	0100			
Sun	0900	0100	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

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

Name MOHAMMAD FAZIL HASHEMY	
Address 12 Hibernia Street Bolton BL3 5PG	
Postcode	BL3 5PG
Personal licence number (if known) PA1549	
Issuing licensing authority (if known) BOLTON	

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) N/a
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5) N/a
Mon	0900	0100	
Tue	0900	0100	
Wed	0900	0100	
Thur	0900	0100	
Fri	0900	0100	
Sat	0900	0100	
Sun	0900	0100	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

STAFF WILL BE TRAINED ON THE REQUIREMENTS OF THE LICENSING ACT 2003 WHEN THEY ARE RECRUITED AND GIVEN TRAINING IN DRUGS AWARENESS AS PART OF THEIR INDUCTION

b) The prevention of crime and disorder

Providing a 30 minute extension of opening hours after the end of the sale of alcohol will promote this objective as the last drink will be consumed less quickly, with access to the pubs toilet facilities. A staggered departure from the premises of the customers will reduce noise and conducive problems

c) Public safety

Fire extinguisher/blanket certificate renewed annually, gas and electricity certificate. Accident book, first aid kit, health and safety poster in place. A daily incident log book will be kept to detail all incidents of note at the premises or in the vicinity.

d) The prevention of public nuisance

Live music will end at 23.00 except on New Years Eve and New Years Day. All windows and doors will be kept closed when and where necessary to reduce noise levels. A notice will be placed prominently at the exits asking customers to leave quietly, staff will be vigilant and monitor this. The garden will be closed at or before 2300

e) The protection of children from harm

The restrictions set out in the Licensing Act 2003 will apply. Photographic proof of age will be required to be shown by anyone seeking to purchase alcohol who appears to be under 20 years of age. Children will only be allowed on the premises if accompanied by a responsible adult.

Checklist:

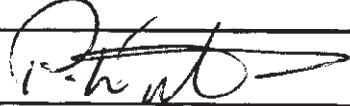
Please tick to indicate agreement

- 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 the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated 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 SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 authorised agent (see guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	18-06-2013
Capacity	Director

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Consent of individual to being specified as premises supervisor

I [full name of prospective premises supervisor]
 Mr / Mrs / Ms / Miss / Other please state MOHAMMAD FAZIL HASHEMI

of [home address of prospective premises supervisor]
12 HIBERNIA STREET
BOLTON
BL3 5PG

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

[type of application] DESIGNATED PREMISES SUPERVISOR

by

[name of applicant] MOHAMMAD FAZIL HASHEMI

relating to a premises licence'

[number of existing licence, if any] and expiry date

for

[name and address of premises to which the application relates]
THE RED LION
196 BLACKBURN ROAD
WHEELTON
CHORLEY PR6 8EU

and any premises licence to be granted or varied in respect of this application made by

[name of applicant] SPECIAL ALE SERVICES LTD

concerning the supply of alcohol at

[name and address of premises to which application relates]
THE RED LION
196 BLACKBURN ROAD
WHEELTON
CHORLEY PR6 8EU

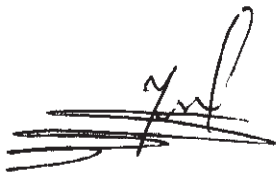
I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number
[insert personal licence number, if any] PA1549

Personal licence issuing authority
Bolton Council
THE LICENSING TEAM
VICTORIA SQUARE
BOLTON
BL1 1RU

[insert name and address and telephone number of personal licence issuing authority, if any]

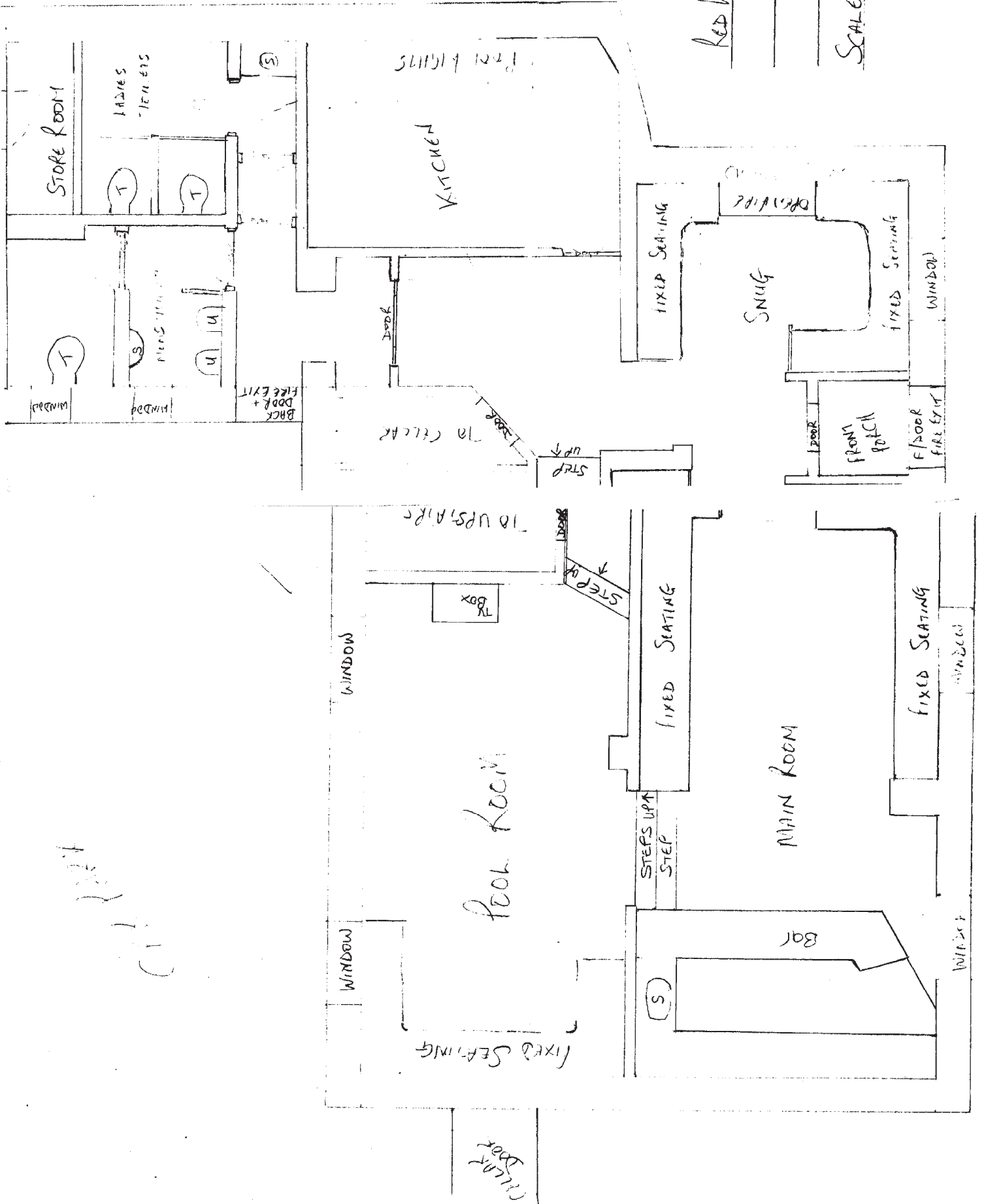
Signed



Name (please print) TOGHANNAZ FAZIL HASHEMY

Date 21.06.13

S = SINKS.
T = TOILETS
U = URINALS



Red Lion Public House

SCALE 1:50

Handwritten notes on the left side of the plan.

Handwritten note on the right side of the plan.

Chorley Council
Official Receipt

Date 25/06/2013 Time 04:37:58PM
Term 01 Cashier 025

Premises Licence

Reference : 4120/60203
Fund : Misc Income
Audit Num : CHCA01030383
Amount : £ 100.00
Paytype : Cheque

>>> THANK YOU FOR YOUR PAYMENT <<<

Please check this receipt and keep it in a
safe place. This is your proof of payment

Chorley Council
Customer Services
PO Box 352
Chorley
PR7 1WX
www.chorley.gov.uk

Red Lion - Wheelton

Licence Application



Act Now

to avoid the risk of

Noise, Nuisance and Anti Social Behaviour ?

It's a sad reflection of our times that so many of our local pubs are struggling to remain viable. The response however should not be to risk making these establishments a potential focus for activities they were never designed to cater for and creating problems and nuisance where none existed before.

The current licence application for Red Lion is not appropriate in its current form and we need to let those within the Council know that before making a decision on this application.

The current licence application seeks permission for drink, live and recorded music from 9 am till 1 am every day of the week.

I hope you will agree that whilst wanting to support the provision of local facilities, businesses and amenities this application is simply not appropriate for the following reasons:

- The pub sits at the heart of the village amidst and immediately adjacent to very many family homes with young children and accommodation for older residents at Ryecroft and Ryefield
- The pub sits immediately opposite the village War Memorial gardens, a place of peace and a place where we remember our family and friends lost in conflict
- A planning application for a new facility with such uses across such hours would be unlikely to be approved in this location
- There are already recognised local parking issues in the village and the pub is located close to a significant pinch point for vehicles including, and in particular, public service vehicles. More visiting vehicles will inevitably have to park throughout the village as the car park has space for less than 10 cars. This will potentially cause more widespread disturbance as visitors leave in the early hours of the morning
- There are school and nursery facilities close by where any activity not wholly confined within the premises could have an impact
- The village and in particular the highway immediately adjacent the Red Lion act as a pick up point for a large number of local schools which means that twice each day large numbers of school children of all ages are in attendance waiting for or leaving local school buses.

- Levels of background noise in this location are currently low and the effect of introducing regular music events will seriously impact on the residential amenity of the area and potentially be harmful to the quality of family life for local residents. The building is old and will inevitably 'leak' noise through it's windows and each time the doors are opened
- Increased numbers of customers leaving the premises to smoke outside at the front entrance will add further noise nuisance and potential litter to this central location

Please act now and record your objection to this application in its current form. An e-mail or letter will be fine but MUST mention that this application goes against the Council's licensing objectives and that you are concerned about the level of public nuisance that might be created. Contact Chorley Council and let them have your comments by 24th July

by email to:

Stephen.culleton@chorley.gov.uk

or in writing to:

Mr S Culleton, Licensing Team, Chorley Borough Council, Civic Offices, Union Street, Chorley.

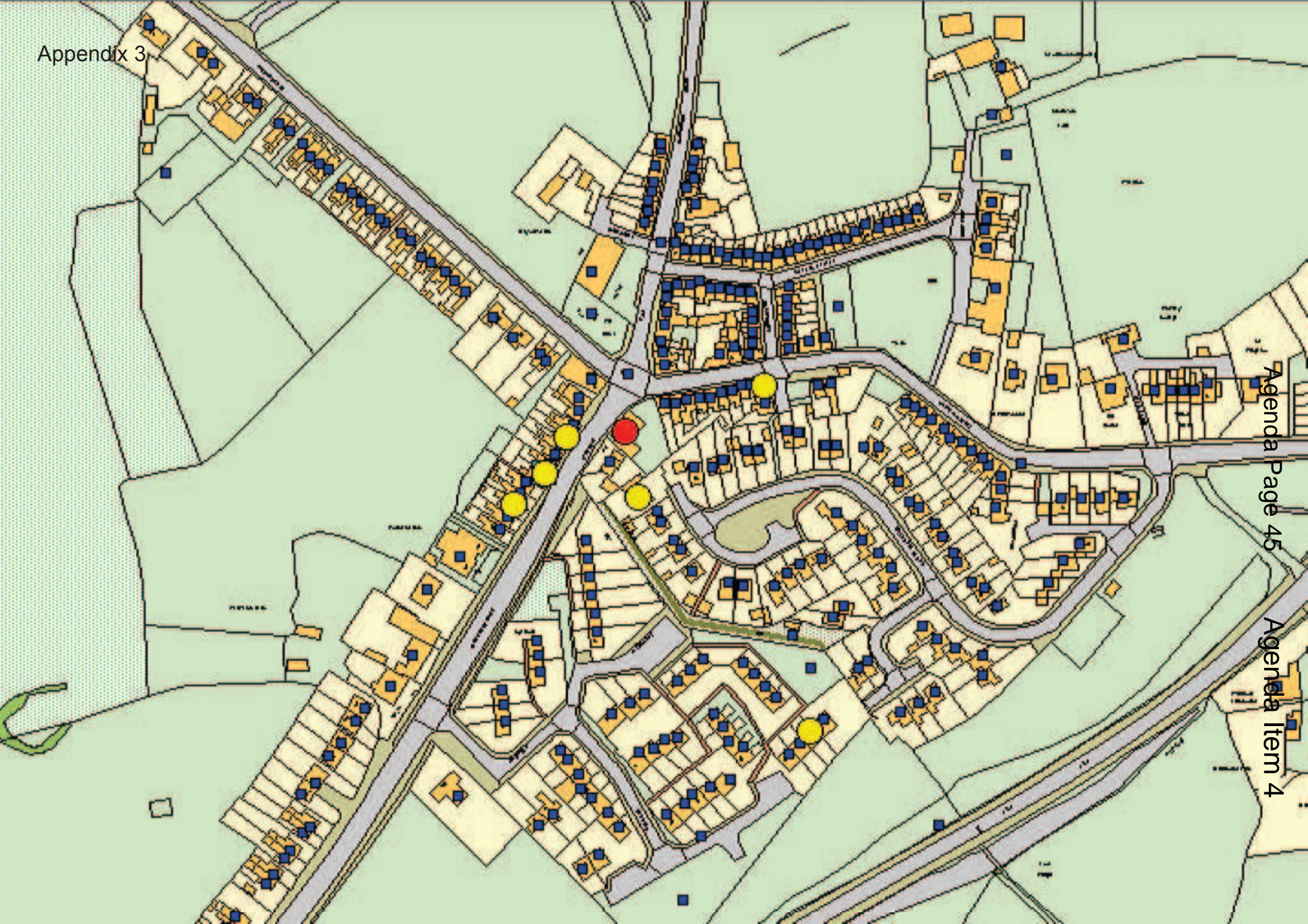
You can view the application:

<http://planning.chorley.gov.uk/online-applications/advancedSearchResults.do;jsessionid=219FE5EF3AAC11063529638D685E9AA3?action=firstPage>

or search the Chorley Council web site for - Licence application Number: 13/01310/LAPLA

Copy your letter to your local councillor: marie.gray@chorley.gov.uk;
chris.france@chorley.gov.uk; alison.hansford@chorley.gov.uk

You can also copy any response to the Chair of the Licensing committee at Chorley Council:
marion.lowe@chorley.gov.uk



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Licensing Act 2003 Premises Licence

PLA0205

Part 1 – Premises Details

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

The Red Lion

196 Blackburn Road Wheelton Chorley PR6 8EU

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- | | |
|---------------------------------|--|
| - Exhibition of Film | - Entertainment Facilities - Making Music |
| - Indoor Sporting Event | - Entertainment Facilities - Similar Description |
| - Performance of Live Music | - Late Night Refreshment |
| - Performance of Recorded Music | - The sale by Retail of Alcohol |

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and area if applicable)	Days and times
Exhibition of Film (Indoors)	Monday to Sunday 09:00 - 01:00
Indoor Sporting Event (Indoors)	Monday to Sunday 09:00 - 01:00
Performance of Live Music (Indoors)	Monday to Sunday 09:00 - 01:00
Performance of Recorded Music (Indoors)	Monday to Sunday 09:00 - 01:00
Entertainment Facilities - Making Music (Indoors)	Monday to Sunday 09:00 - 01:00
Entertainment Facilities - Similar Description (Indoors)	Monday to Sunday 09:00 - 01:00
Late Night Refreshment (Indoors)	Monday to Thursday 23:00 - 23:30 Friday to Saturday 23:00 - 23:30
The sale by Retail of Alcohol (On and off the premises)	Monday to Sunday 09:00 - 01:00 09.00 New Year's Eve until 01.00 2nd January inclusive

THE OPENING HOURS OF THE PREMISES

Monday to Sunday 09:00-01:30

WHERE THE LICENCE AUTHORISES THE SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

The sale by retail of alcohol for consumption both ON and OFF the premises.



Licensing Act 2003 Premises Licence

PLA0205

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Ms Enterprise Inns Plc

3 Monkspath Hall Road Solihull West Midlands
Mobile phone number: 07881676285

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

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

Ms Alicia Ruth Sampson

The Red Lion 196 Blackburn Road Wheelton Chorley PR6 8EU
Mobile phone number: 07881676285

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence Number:

Issuing Authority:

ANNEXES

ANNEX 1 – MANDATORY CONDITIONS

MANDATORY DRINKS CODE

Section 19:

The Premises licence holder shall ensure that no supply of alcohol is 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 (section 19 of the Licensing Act 2003).

The Premises licence holder shall ensure that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence (section 19 of the Licensing Act 2003).

ALCOHOL PROMOTIONS

(1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -



Licensing Act 2003
Premises Licence

PLA0205

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in Section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -

- (i) the outcome of a race, competition or other event or process, or
- (ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

DISPENSING ALCOHOL

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

FREE TAP WATER

The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

AGE VERIFICATION

(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

ALCOHOL MEASURES

The responsible person shall ensure that-

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

- (i) beer or cider: 1/2 pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

EXHIBITION OF FILMS

Section 20:

1a) The Premises licence holder shall ensure that the admission of children to the exhibition of any film shall be



Licensing Act 2003 Premises Licence

PLA0205

restricted in accordance with section 20 of the Licensing Act 2003 (the Act)

1b) Unless section 20(3) (b) of the Act applies, admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the film classification board specified in this licence

1c) Where section 20(3) (b) of the Act applies, admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the licensing authority

1d) Where no film classification board is specified in this licence admission of children to the exhibition of any film shall be restricted in accordance with any recommendation made by the licensing authority.

1e) For the purposes of this condition:-

"children" means persons aged under 18; and

"film classification board" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984

(authority to determine suitability of video works for classification)

DOOR SUPERVISORS

The Premises licence holder shall ensure that each individual present on the premises to carry out a security activity [as defined by paragraph 2(1) (a) of the Schedule 2 to the Private Security Industry Act 2001] must be licensed by the Security Industry Authority.

ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

Note – Some conditions may apply to one or more of the objectives

General

Staff will be trained on the requirements of the Licensing Act 2003 when they are recruited and given training in 'drugs awareness' as part of their induction.

Prevention of Crime and Disorder

Providing a 30 minute extension of opening hours after the end of the sale of alcohol will promote this objective as the last drink will be consumed less quickly, with access to the pubs toilet facilities. A staggered departure from the premises of the customers will reduce noise and conducive problems. The DPS will be a member of the local Pubwatch scheme.

Public Safety

Fire extinguisher/blanket certificate renewed annually, gas and electricity certificate. Accident book, first aid kit, health and safety posters in place. A daily incident log book will be kept to detail all incidents of note at the premises or in the vicinity.

Prevention of Public Nuisance

Live music will end at 23.00 except on New Year's Eve and New Year's Day.
Recorded music indoors will end at 01.00 except on New Year's Eve and



Licensing Act 2003
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PLA0205

New Year's Day.

Recorded music volume will be reduced to background level during the wind down period to create a mood change.

All windows and doors will be kept closed when and where necessary to reduce noise levels.

A notice will be placed prominently at the exits asking customers to leave quietly, staff will be vigilant and monitor this.

The garden will be closed at or before 23.00.

Protection of Children From Harm

The restrictions set out in the Licensing Act 2003 will apply.

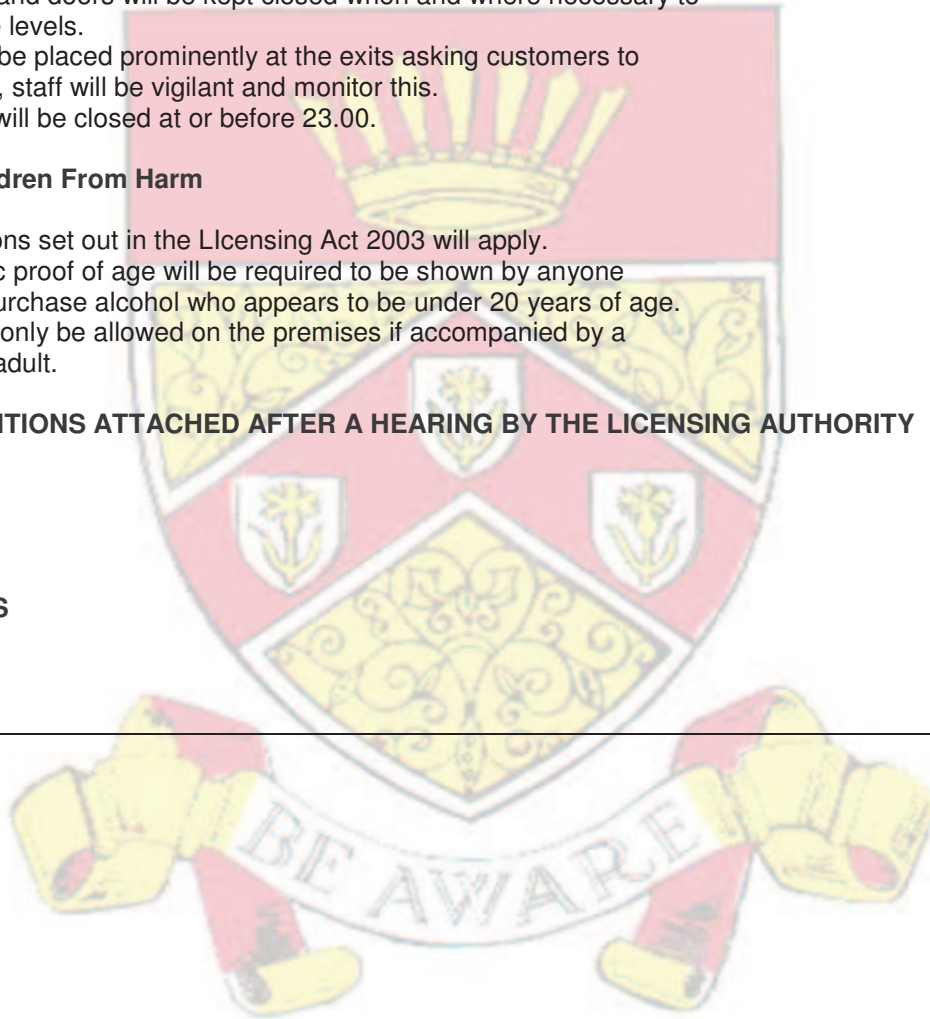
Photographic proof of age will be required to be shown by anyone seeking to purchase alcohol who appears to be under 20 years of age.

Children will only be allowed on the premises if accompanied by a responsible adult.

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

None

ANNEX 4 – PLANS



Licensing Act 2003
Premises Licence

PLA0205

Summary of Licence

Premises Details

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

The Red Lion

196 Blackburn Road Wheelton Chorley PR6 8EU

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- Exhibition of Film
- Indoor Sporting Event
- Performance of Live Music
- Performance of Recorded Music
- Entertainment Facilities - Making Music
- Entertainment Facilities - Similar Desc
- Late Night Refreshment
- The sale by Retail of Alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

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Entertainment Facilities - Making Music (Indoors)	Monday to Sunday 09:00 - 01:00
Entertainment Facilities - Similar Description	Monday to Sunday 09:00 - 01:00



Licensing Act 2003
Premises Licence

PLA0205

(Indoors)	
Late Night Refreshment (Indoors)	Monday to Thursday 23:00 - 23:30 Friday to Saturday 23:00 - 23:30
The sale by Retail of Alcohol (On and off the premises)	Monday to Sunday 09:00 - 01:00 09.00 New Year's Eve until 01.00 2nd January inclusive

THE OPENING HOURS OF THE PREMISES
Monday to Sunday 09:00-01:30

WHERE THE LICENCE AUTHORISES THE SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES
The sale by retail of alcohol for consumption both ON and OFF the premises.

Part 2

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE
Ms Enterprise Inns Plc 3 Monkspath Hall Road Solihull West Midlands

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

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL
Ms Alicia Ruth Sampson

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



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A

Stephen Culleton

From: Gill Harrison <gillharrison@live.co.uk>
Sent: 18 July 2013 06:53
To: Stephen Culleton
Subject: Licence application Number 13/01310/LAPLA

Dear Steven,

I am writing to support the above application. I have received an anonymous flyer listing reasons to protest against the Red Lion Public House's wish to extend their licencing hours. I am a resident of Wheelton and I disagree with all the comments made on the flyer. I think the application might help to keep our local pub going by generating a bit of new custom. The village is quiet during the day so parking would not be a problem. I very much doubt that noise levels would increase and I'm sure our deceased hero's from the wars wouldn't mind as they probably used the pub themselves. Also, the children should be in school/ nursery for 9:00 am and I doubt that there would be a hectic rush of customers to the pub at that time. As a night shift worker who works weekends it would be very nice to be able to pop in there occasionally before I go off to sleep! Thank You. Gillian Harrison.

RECEIVED 19 JUL 2013

217 Blackburn Road

Wheelton. PR6 8EY

18/07/2013.

Mr S Culleton.

Licencing Team.

Re: Licence application Number: 13/01310/LAPLA

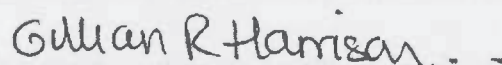
Dear Mr Culleton,

I am writing to support the above application. I have received an anonymous flyer (Please see attached) listing reasons to protest against the Red Lion Public House's wish to extend their licencing hours. I am a resident of Wheelton of some twenty odd years and I disagree with all the comments made on the flyer. I think the application might help to keep our local pub going by generating a bit of new custom. The village is quiet during the day so parking would not be a problem. I very much doubt that noise levels would increase and I'm sure our deceased hero's from the wars wouldn't mind as they probably used the pub themselves. Local children should be in school/ nursery for 9:00 am and I doubt that there would be a hectic rush of customers to the pub at that time. As for the smokers, it would be nice to do away with them altogether but I think we have done away with hanging, unless there is a new law pending. As a night shift worker who works weekends it might be very nice to be able to pop in there occasionally before I go off to sleep!

However, should the proprietor of The Red Lion pub be focussing on sales of tea, coffee etc. to passing walkers, I do understand that rival businesses might feel threatened and be unhappy about this application. Personally, I think that the walkers of the Chorley area should make the decision about where and what they imbibe and a bit of rivalry might improve services in the village. All in all, I think this protest might just be a storm in a teacup. Whether this new competition is legal grounds to deny the application would be up to you and your team to decide.

Thank You.

Yours Sincerely,



Gillian Harrison.

Red Lion - Wheelton

Licence Application



Act Now

to avoid the risk of

Noise, Nuisance and Anti Social Behaviour ?

It's a sad reflection of our times that so many of our local pubs are struggling to remain viable. The response however should not be to risk making these establishments a potential focus for activities they were never designed to cater for and creating problems and nuisance where none existed before.

The current licence application for Red Lion is not appropriate in its current form and we need to let those within the Council know that before making a decision on this application.

The current licence application seeks permission for drink, live and recorded music from 9 am till 1 am every day of the week.

I hope you will agree that whilst wanting to support the provision of local facilities, businesses and amenities this application is simply not appropriate for the following reasons:

- The pub sits at the heart of the village amidst and immediately adjacent to very many family homes with young children and accommodation for older residents at Ryecroft and Ryefield
- The pub sits immediately opposite the village War Memorial gardens, a place of peace and a place where we remember our family and friends lost in conflict
- A planning application for a new facility with such uses across such hours would be unlikely to be approved in this location
- There are already recognised local parking issues in the village and the pub is located close to a significant pinch point for vehicles including, and in particular, public service vehicles. More visiting vehicles will inevitably have to park throughout the village as the car park has space for less than 10 cars. This will potentially cause more widespread disturbance as visitors leave in the early hours of the morning
- There are school and nursery facilities close by where any activity not wholly confined within the premises could have an impact
- The village and in particular the highway immediately adjacent the Red Lion act as a pick up point for a large number of local schools which means that twice each day large numbers of school children of all ages are in attendance waiting for or leaving local school buses.

- Levels of background noise in this location are currently low and the effect of introducing regular music events will seriously impact on the residential amenity of the area and potentially be harmful to the quality of family life for local residents. The building is old and will inevitably 'leak' noise through it's windows and each time the doors are opened
- Increased numbers of customers leaving the premises to smoke outside at the front entrance will add further noise nuisance and potential litter to this central location

Please act now and record your objection to this application in its current form. An e-mail or letter will be fine but MUST mention that this application goes against the Council's licensing objectives and that you are concerned about the level of public nuisance that might be created. Contact Chorley Council and let them have your comments by 24th July

by email to:

Stephen.culleton@chorley.gov.uk

or in writing to:

Mr S Culleton, Licensing Team, Chorley Borough Council, Civic Offices, Union Street, Chorley.

You can view the application:

<http://planning.chorley.gov.uk/online-applications/advancedSearchResults.do;jsessionid=219FE5EF3AAC11063529638D685E9AA3?action=firstPage>

or search the Chorley Council web site for - Licence application Number: 13/01310/LAPLA

Copy your letter to your local councillor: marie.gray@chorley.gov.uk;
chris.france@chorley.gov.uk; alison.hansford@chorley.gov.uk

You can also copy any response to the Chair of the Licensing committee at Chorley Council:
marion.lowe@chorley.gov.uk

B

Matthew Swift

From: Cllr Alison Hansford
Sent: 24 July 2013 16:04
To: Matthew Swift
Subject: Red Lion Representation

Hello Matthew

I am quite happy with this now i think it covers everything needed in relation to the comments & concerns I had.

The only thing I inserted I'm not sure if it should be in as I couldn't remember if I put it in before when you said it would be covered elsewhere was food hygiene as I thought food came under this application. If its wrong just omit it for me please.

Enjoy your weekend & thank you

Alison

Cllr.A.M.Hansford

07572417247

01254831178

I wish to make the following representation to the application for a premises licence for the premises at 196 Blackburn Road, Wheelton, PR6 8EU, made by Special Ale Services Ltd.

I understand that the application requests the same licensable hours as issued in the licence previously held at the premises. Whilst I do not in principal oppose the granting of a premises licence to the applicant and I fully support rural businesses, I do feel that the hours applied for do not promote the licensing objectives. I feel that the hours should be reduced to 10.30 am - 11.30pm with a half hour extension for drinking time only Monday to Friday and on Saturday & Sunday this would be 10.00am -12.30pm with the half hour drinking time again.

The Red Lion is situated in a densely populated area and in compliance with the prevention of public nuisance this will ensure local residents are not disturbed later into the evening from people leaving the premises & area.

I have no problem with the proposed hours for New Years Eve / Day.

Furthermore, I do not feel that the information contained within Section M of the application does enough to promote the licensing objectives of;

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

As such I believe it is appropriate to make the following amendments to the operating schedule to ensure that the objectives are robustly underpinned.

Staff trained in drug awareness, I feel doesn't go far enough and this should include a zero tolerance drug policy with notices displayed. Hourly checks of the toilets would also include looking for drug use.

All staff would be trained on starting their role then refresher training carried out annually.

Upon leaving the premises all customers will leave the area quietly and there would be signage along with requests to ask people to dispose of any litter in appropriate place within the curtilage of the premises.

All refuse & bottles should be disposed of by the licensee or their representative so as not to disturb residents & no disposal between the hours of 11.00pm - 7.00am on any day.

Under comments regarding doors & windows these should not be closed as & when appropriate but at specific identified times such as 10.00pm, the beer garden should not be used after 10.30pm, doors and windows should also be closed during the course of all regulated entertainment.

There is also I feel along with a first aid kit, a need for a trained first aider on site at all times along with health and safety and food hygiene training of which none is mentioned.

Photographic proof of people under the age of 20 should be changed in favour of adopting the nationally recognised Challenge 21 or Challenge 25 campaign, notices should also be displayed on the premises to promote whichever policy is in place.

A child should be accompanied by a responsible adult as suggested and no child under the age of 14 will be allowed to remain on the premises after 9pm.

Only toughened glass or plastic cups are to be used in the beer garden, signs shall also be posted at the exits requesting that customers do not take glasses and bottles away from the premises.

Sent from my iPad

C

Matthew Swift

From: Stephen Culleton
Sent: 26 July 2013 11:48
To: Matthew Swift
Subject: FW: 13/01310/LAPLA - Objection to Red Lion Application (Tamsin Dunlop aged 8)

Paul Carter
Public Protection Co-ordinator
Chorley Council

☎ 01257 515738 | 🌐 chorley.gov.uk

From: Kim Wisdom [<mailto:ksfw195@gmail.com>]
Sent: 24 July 2013 22:04
To: Stephen Culleton
Cc: Cllr Marie Gray; Cllr Christopher France; Cllr Kim Snape; Cllr Marion Lowe
Subject: 13/01310/LAPLA - Objection to Red Lion Application (Tamsin Dunlop aged 8)

Please can red lion not play music when it is late. My friend's grandma's and grandpa's in Ryecroft find it annoying when it is noisy and goes on and on till really late (one o'clock in the morning when I am meant to be asleep). When I go to bed, because I live opposite red lion it keeps me awake so I can't get any sleep at all. My teacher says I look really tired when I go to school for I have bags under my eyes.

Tamsin Dunlop aged eight

D

Matthew Swift

From: Stephen Culleton
Sent: 26 July 2013 11:48
To: Matthew Swift
Subject: FW: Licence Application Number 13/01310/LAPLA - Red Lion, Wheelton

Paul Carter
Public Protection Co-ordinator
Chorley Council

☎ 01257 515738 | 🌐 chorley.gov.uk

From: Kim Wisdom [<mailto:ksfw195@gmail.com>]
Sent: 24 July 2013 21:34
To: Stephen Culleton
Cc: Cllr Marie Gray; Cllr Christopher France; Cllr Kim Snape; Cllr Marion Lowe
Subject: Licence Application Number 13/01310/LAPLA - Red Lion, Wheelton

Dear Mr Cullerton,

As local residents (195 Blackburn Road, Heapey) we OBJECT to this licence application in its current form.

We understand that the current application is seeking permission for the supply of alcohol and the provision of live and recorded music from 09:00 to 01:00 the following day on every legally available day of the year on the basis of a TENs (Temporary Event Notices) application.

Neither the applicant nor the landlord has made any attempt to liaise with the local community in advance of submitting this application so that our concerns might be heard and, if practicable, addressed.

We understand that relevant representation may be made on:

- A) the prevention of crime and disorder
- B) public safety
- C) the prevention of public nuisance
- D) the protection of children from harm

Our principal representation is on C), the prevention of public nuisance.

The Red Lion pub sits at the heart of our village. it is adjacent to and amongst many family homes with young children, and dedicated homes for elderly residents. As a consequence of late evening, heavily amplified music on a number of occasions under the regime of more recent tenants of the Red Lion, we and our now late primary school age daughter have already endured quite a few disrupted nights' sleep before work and school the following morning and we know others have been similarly inconvenienced. The lateness and extent of the applicant's proposals and the lack of restriction on amplification are, consequently, unacceptable in that they raise the very real risk of public nuisance to many of us enjoying our own homes and family life.

One of the most annoying aspects of the noise is the irregular pulsing caused when patrons open the front door to congregate at the entrance to smoke/chat. This is so irregular that it is impossible to attenuate to.

We also live directly opposite the Red Lion bus stop, so an additional nuisance has been intoxicated pub customers congregating at the bus stop to catch the last bus home towards Chorley, or failing that telephoning/waiting for taxis/lifts. Whilst it is good that they are not drink-driving, we could really do without all the accompanying shouting and raucous laughter towards midnight and beyond. There is no escape for us as we cannot move our home/beds.

B) Public Safety

Lack of parking is a major issue within this village, never designed for cars, is already compounded by the Physiotherapy Clinic directly opposite the Red Lion, most especially when they offer evening clinics. The Red Lion car park has extremely limited capacity & we would query where vehicle-borne patrons would park without causing additional nuisance to local residents & particularly the local bus companies & school services, which stop outside and opposite the Red Lion. We would suggest that you seek the opinion of the Police/Highways Authority and bus companies regarding the parking situation & public safety.

Yours sincerely

David Dunlop & Kim Wisdom

E

RECEIVED 19 JUL 2013

The Licensing Officer
Licensing Authority
Chorley Borough Council
Civic Offices
Union Street
Chorley
PR7 1AL

58 Millbrook Close
Wheelton
Chorley
PR6 8JY

19 July 2013

Dear Sir/Madam

Re: 13/01310/LAPLA - The Red Lion, 196 Blackburn Road, Wheelton, Chorley, PR6 8EU –application by Special Ale Services Ltd.

Further to the above application I would like to formally object to it being granted in full. My objections are based upon the Revised Guidance Sect. 182. **Please note I am objecting to the granting of this licence as an individual not as a Parish Councillor for Wheelton.**

To set my objections in context I have no wish to see the Red Lion closed as a Public House or even potentially as a restaurant, but as someone who lives immediately behind the Red Lion I have witnessed first hand over many years the excessive persistent noise nuisance emanating from the pub and its beer garden with customers leaving in the early hours of the morning screaming, shouting, swearing and banging car doors. I have also had to listen to music playing loudly from cars whilst the owners sit in the beer garden, excessive noise and swearing all on either a Saturday or Sunday afternoon(s) and early evening especially between April and October. The applicant for the above licence states in his application (Part3 Operating Schedule) that the premises is a public house situated in a small village; in the temporary events application he also recognises that the pub is situated in a residential area-these two points emphasise the unique nature of the village and the pubs location. One other major factor comes to play here and that is the physical design of the car park and its surrounding stone walls-this acts almost as a amphitheatre for funnelling and amplifying noise upwards and outwards (Please see appendix 1 as to how this occurs). This should be considered when considering this application.

Specifically I object to the licence being granted for the following reasons:

1. Public Nuisance –Sect 182 parts 2.14, 2.18, 2.19 and 2.22

There has been persistent noise nuisance from the premises as early as 12 noon in the afternoon during the summer when the beer garden is being used but unmonitored until midnight plus- again unmonitored by previous landlords. This as mentioned above consists of music being played from car stereos, shouting, swearing and general

abuse. High level noise nuisance occurs when customers leave the public house shouting, swearing and banging car doors whilst shouting good bye to each other. I accept that the ambient background noise is lower in a village, but this then exacerbates what happens at the premises. Clearly under the Guidance (2.18) this level of noise nuisance "is disproportionate and unreasonable" to myself as a local resident, it stops my family going to sleep and even wakes them up later as others leave the premises thereby affecting our well being. Similarly, the constant low level nuisance mainly emanating from the use of the beer garden causes my family great concern and stress when they should be enjoying the benefits of using their own garden without such noise nuisance surrounding them from the Red Lion establishment.

Given the applicant would like the premises to be open from 9.00 am until 1.00 am **I would ask that the licence be restricted to the hours of 11.00 am until 11.00 pm (including closing time) weekdays. At weekends the licence be available from 10.00 am until 11.30 pm.**

Similarly if Special Ale Services Ltd are going to trade their product from the premises, where will the barrels be stored, because if stored in the car park area that will reduce the already meagre parking facilities as well as possibly meaning a repositioning of the beer garden nearer to my property increasing the likelihood of greater noise nuisance.

2. Safety and prevention of Public Nuisance. Sect 182 part 2.22

In the above application Section M (a) it is stated that staff will be required to be trained in the parts of the 2003 Act that are relevant to them. However, part of the same act says that the licensee and staff have a responsibility for ensuring drunken clients do not become a nuisance, perform anti-social acts etc., which can be provoked after leaving licenced premises. Clearly, from the above information, noise is most prevalent late at night and affects those who are trying to go to sleep in their own homes. Under b) Prevention of Crime and Disorder the applicant states that an extra 30 mins will allow for adequate dispersion of customers leaving the premises at closing times – local knowledge clearly demonstrates that does not apply to this locality as there has never been to my knowledge any monitoring of drunken customers leaving the premises at such times. In many cases they leave as a group. The applicant states in d) that live music will end at 11.00 pm (except on New Years Eve and Day) and that all doors and windows will be kept closed when and where necessary. It is my understanding that all windows should have been shut when any music was played and already imposed I understand from a previous planning application some years ago. Even with a Temporary Events Licence, windows have been left open with the resulting noise nuisance. It is suggested that a notice, strategically placed at the exits for customers to be quiet as they leave, will solve the issue of late night noise; there is a commitment that staff will be vigilant and monitor this. History, as with every other previous licensee, has suggested otherwise. If live music is to end at 11.00 pm and the Beer Garden is to shut at 11.00 pm – how are these two potentially different groups going to migrate to different parts of the site without making a significant noise. The Act recognises that Temporary Events Licences can generate more noise than normal, however given that noise is a common factor in causing nuisance and exacerbating public safety this needs to be carefully considered by yourselves.

I would ask that the live music be restricted to the hours of 8.00 to 10.30 pm and the beer garden closes at 10.30 pm every day of the week

3. Physical space at the Red Lion

In the Temporary Events application it is clearly stated that the licensee believes that the premises has the capacity for 100 customers, I and most locals would state that, that is a wildly optimistic figure. I have to make the assumption that he is using those figures for his permanent licence. Why is it he only has car parking spaces for max 7 cars yet can have 100 customers maximum at any one time? See **Appendix 2**

When another local public house applied to have an extension built they were required to have 31 car parking spaces

In an already overcrowded area for parking and at a strategically important cross roads why is it the Law wont allow the Council to consider residents safety at this point just as much as customers. I appreciate more than most, it is considered under two different elements of legislation i.e. planning and licensing, but it appears incongruous to me that safety only appears to apply to the customer rather than residents.

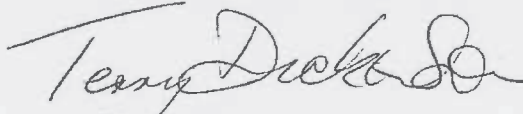
If the applicant is also trading as a brewer what timing restrictions are to be placed on him for storage, retrieval and dispatch of his kegs of beer etc?

I would ask that the licence be considered only in conjunction with an order for a minimum number of car parking spaces and this determines the number of customers he can have pro rata

As can be seen I am trying to be constructive by offering solutions that benefit my neighbours, other residents and my family, because by the applicants own admission Wheelton is a residential area and why should we have to suffer persistent low level and extreme noise nuisance. I have been reluctant to make any official complaint to the Borough Council in the past because of being a Parish Councillor but I genuinely feel enough is enough of having sleepless nights and not being able to enjoy the peace and well being of my own garden. Appendix 3 shows how over time I have collected some data-but I could easily have added much more.

I do not want to see the Red Lion close but neither do I want to have disturbed days and nights because of its existence.

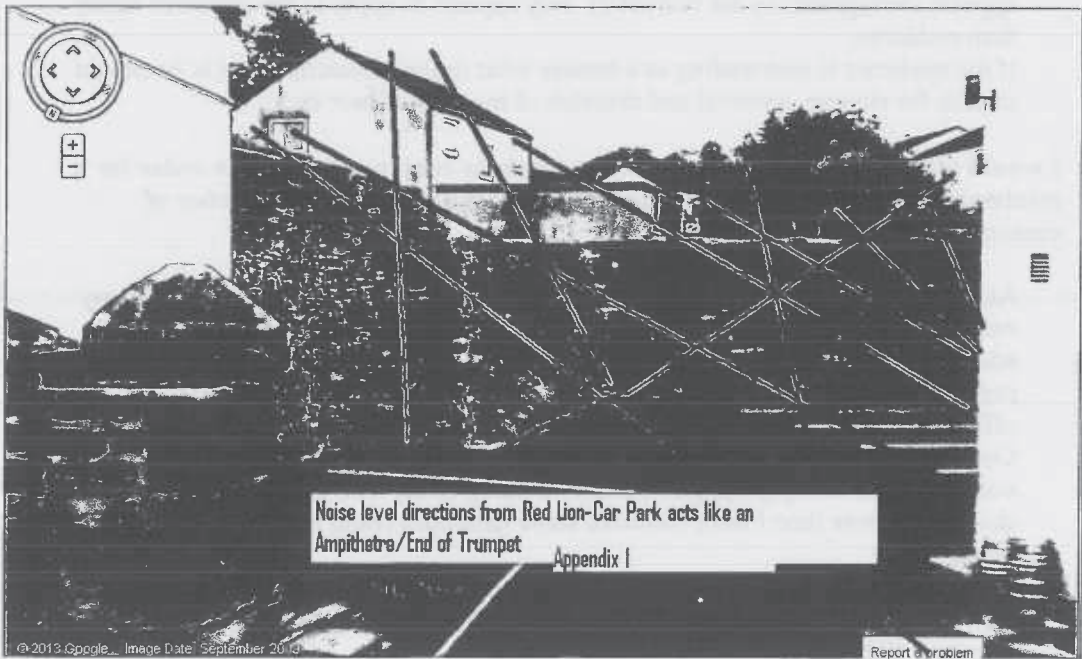
I am signing this on behalf of my family, not just myself, and would hope you take into account the above points when considering this application.

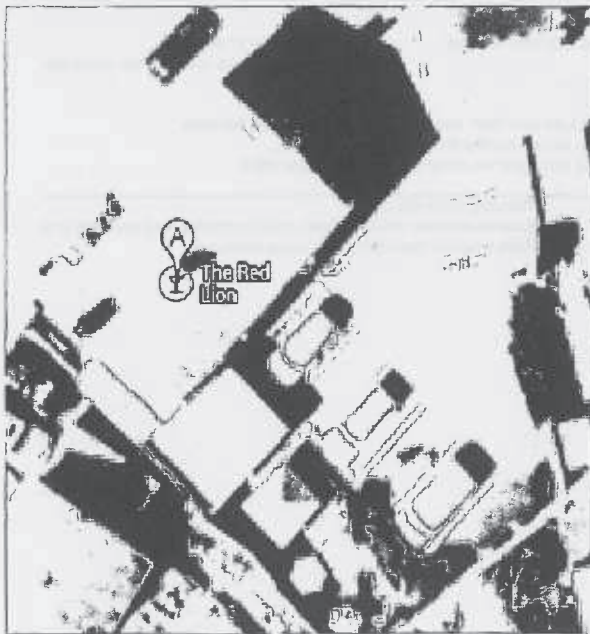


Terry Dickenson
Resident

Cc: Stephen Culleton CBC, Licensing Team ✓

Cllr Chris France
Cllr Alison Hansford
CC Kim Snape



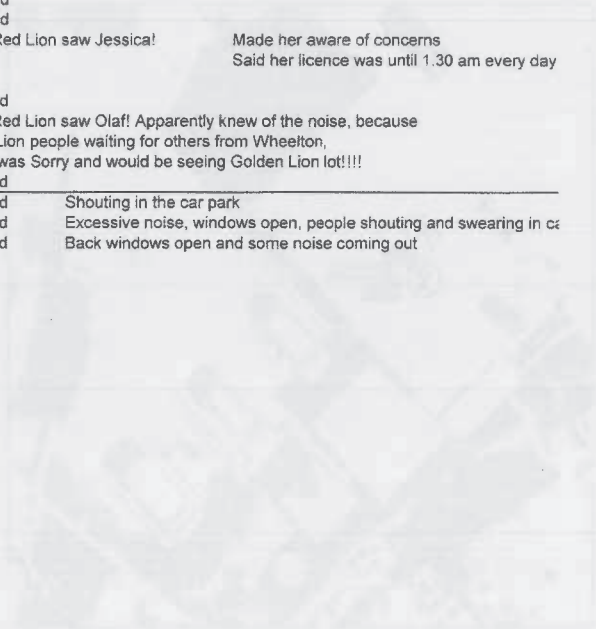


Appendix 2 Car Park

APPENDIX 3

Noise nuisance at Red Lion

Date	Type of Nuisance	Time noticed	Any Meeting
21-Jul	Loud shouting/talking	2.30 am	Recorded
03-Aug	Loud shouting/talking	1.46 am	Recorded
04-Aug	Loud shouting	1.15 am	Recorded
05-Aug			Visited Red Lion saw Jessica!
14-Sep	Loud shouting/talking	1.15 am	Made her aware of concerns
15-Sep	Loud shouting by two adults	10.30 pm	Said her licence was until 1.30 am every day
19/09/2008	Loud shouting, abuse and jeering	12.37 pm	Recorded
20/09/2008	Above moved into street after leaving, shouting abuse	1.45 am	Visited Red Lion saw Olaf! Apparently knew of the noise, because Golden Lion people waiting for others from Wheeton, Said he was Sorry and would be seeing Golden Lion lot!!!!
29-Nov-08	Shouting and loud noises	1.45 am	Recorded
07/06/2013	Loud shouting/talking	1.20 am	Recorded
15/06/2013	Very loud shouting and music	12 midnight	Recorded
11/07/2013	Low level noise	11.00 pm	Recorded



F

59 MILLBROOK CLOSE
WHEELTON
CHORLEY
LANCS
PR6 8JY

TEL. 01254 830295

CHORLEY BOROUGH COUNCIL

CUSTOMER SERVICES

18 JUL 2013

The Licensing Authority
Chorley Council Licensing Section
Civic Offices
Union Street
Chorley
PR7 1AL

17th. July 2013

Dear Sirs,

Licensing Application , The Red Lion 196 Blackburn Road Wheelton Chorley.

I write in connection to the above application by Special Ale Services Ltd., and as a resident directly adjoining the property I wish to lodge with you my submission and objections relevant to this application.

The Red Lion premises, comprising building and yard are situated in a residential village location. The yard area is surrounded on three sides by walls and gables varying in height from approximately 4 to 8 metres. As the building is at the lowest accessible point of Wheelton village, any sounds emanating from the structure or the yard area are magnified and amplified to levels which are unacceptable to adjoining residents, the yard and car park area acting as an amphitheatre.

Historically there have been numerous occasions where cars parked have been parked in the yard with radios blaring whilst their occupants are consuming beverages in the outside "beer garden" area.

The application requests a license for live music performances and recorded music between the hours of 0900 and 0100 seven days a week. As this is a densely residential area, I consider the allowance of such hours to be a risk of serious disturbance to myself, my family and local residents. This disturbance will in fact be greater late at night and into the early hours of the morning as the ambient noise levels will be lower.

In the past, these noise levels have been such that my family have been unable to open the windows of our house especially during the Summer months, and in fact can be heard over and above our normal TV listening levels.

In Section H of the application, a request for a license for a comedy stand-up 7 days a week with an availability from 0900 until 0100 hours is requested. If the comedian is good at his art, the likelihood of loud applause and cheering is probable, and will add to the levels of noise to be endured.

In Section I, a request for late night refreshment from 0900 to 0100 hours, seven days a week has been applied for. Does this mean therefore, that we have to accept the odours of cooking and the attendant noise as people eat outside on a warm evening, or congregate in the car park and "beer garden".

In Section J, the application for the supply of alcohol from 0900 until 0100 hours, 7 days per week implies the availability during the whole of this period. If opened during this period it is probable that there would be an increase in the number of persons using the premises, with the attendant increase in vehicular traffic and parking noise that this would entail.

In Section M, item b, the applicant states that providing a 30 minute extension to opening hours after the end of alcohol sales will promote the prevention of crime and disorder. Historically this has meant that up to and after 01 30am, 7 days a week, persons have been leaving The Red Lion with all attendant noise and disturbance. The Licensing Authority are requested to consider that this extension would cause serious nuisance and should not be allowed.

In Section M, item d, it is stated that live music will end at 2300 hours and that doors and windows will be kept closed "when and where necessary". I fail to see how this closure can be achieved on a hot Summer night in a crowded building, with the additional heat generated by amplification and sound equipment. The building windows appear to be of single glazed, sash construction. Historically, this has failed to retain the sound of loud music, with particular reference to drum and bass, which sounds, transmit forcibly.

All of the applications submitted indicate that the activities will be carried out indoors. The Special Events Licenses recently issued by Chorley Borough Council allow for a maximum premises occupation of 100 person in total. Having in the past visited The Red Lion, I find it unlikely that it can accommodate that number. This implies by default, that customers would overspill into the yard / car park area and indeed also onto Blackburn Road. I can find no limit placed on numbers, on the current application. I would be pleased to be advised of the capacity of the building.

With regards to noise, it is known that the applicant has at his previous premises held certain activities which involve the storage of large quantities of barrels. I should be pleased if The Licensing Authority could establish whether it is intended now or at any time in the future to undertake similar activities at The Red Lion and respond accordingly.

The Statement of Licensing Policy shows consideration as to 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. I would object to the license under that clause for the following reasons:

- 1 The car park has a capacity of approximately six vehicles.
- 2 The entry to the car park is located on a busy three way junction with a busy bus route and a blind corner to the left of the entrance. To the right of the entrance, Victoria Street is normally occupied by residents vehicles.
- 3 The front of the building also has vehicles normally parked on the pavement.
- 4 All of the roadways entering the three way junction have double yellow parking restrictions.
- 5 On the opposite side of the road there is a bus stop.

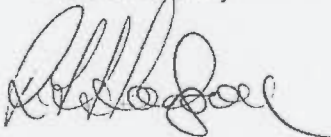
The village of Wheelton has, particularly at evenings and weekends serious parking congestion to the extent that parking restrictions are frequently ignored, causing dangerous situations to occur. The opening hours of The Red Lion as proposed, would significantly cause a demonstrable adverse impact on the amenity of residents.

In his application, the applicant states in Part 3, that "this premises is a public house situated in a small village location". In view of this, I would object to the license under the objective of crime and disorder. Whilst in Section M the applicant has considered his responses I fail to see how the historical evidence of disorder can be ignored. Beer bottles have been thrown onto my property over the boundary wall and instances of persons urinating on private property have also been recorded. There have been instances of Red Lion customers shrieking and howling late at night in the bus stop adjacent to neighbouring properties.

I would suggest that licensing this kind of behaviour is not conducive to a public house situated in a small village situation.

In conclusion I consider that this application goes against the Councils licensing objectives and should be rejected or seriously modified in order to consider our observations. The impact of a license as applied for, would be injurious to my family, their health and well-being. This license would also be detrimental to a small rural residential village which would have difficulty in accepting premises with license hours more in keeping with a city centre position. I object to the number of hours for opening, the lateness of those opening hours and the entertainment proposed within those hours and would ask that the Licensing Authority give due diligence to the points raised in this submission.

Yours sincerely



Robert F. Hodgson
Local Resident.

G

RECEIVED 15 JUL 2013

The Old Bakery
2 Victoria Street
Wheelton
Chorley
Lancs
PR6 8HG
Tel: 07989 565560

11 July 2013

Mr S Culleton
The Licensing Authority
Chorley Council Licensing Section
Civic Offices
Union Street
Chorley
PR7 1AL

Dear Mr Culleton

**License Application – Special Ale Services - Late Night entertainment
At the Red Lion Public House, Lower Wheelton, PR6 8HG**

We understand that the above has made an application for a late night entertainment license.

We have to strongly oppose this application for the following reasons, of which there are many:

We would make it clear however, that we have no problem with it being a normal Village Pub, which it always has been. The only problems we have ever encountered have been when live music events and late night parties have gone on, so to have to endure it permanently would be abhorrent.

1. Due to acoustics of the village and the situation of the pub at the bottom of a hill, the noise is worse than it would be on a straight road. The reverberation means that even voices in the beer garden can be heard quite clearly from our house, and others close by. The last live music event (June 2013) before the establishment closed, made us feel as if we were attending a music festival, we endured it knowing it was likely to be a leaving/closing party.
2. In the past, when there have been live events in the summer time, due to the noise levels, we have had to close our doors and windows and go inside unable to entertain family/friends as the noise and language overheard is too rowdy.

Page 2

3. In the past, there have been acts of vandalism (unproven, but coincidental), i.e. stolen milk from steps, smashed milk bottles, an ornamental tree was set alight, stolen stone pots. We have also endured scratched and bumped vehicles.
4. It would be difficult to entertain in our own homes and would dramatically interfere with our quality of life, as we have to close all doors and windows and turn our own television/music up louder, which is not always appropriate.
5. It would affect property values and saleability.
6. People move(d) to the area because of its quiet village atmosphere, this goes against village life completely.
7. We work long hours and often need to go to bed early, a late license would significantly disturb us and have adverse effects on our health. Of the same nature, there are small children living close by who would have to endure loud thudding music whilst in bed, also elderly people both across the road and behind the pub, some of which are in sheltered accommodation who would suffer greatly from the noise.
8. When the venue closes, this is when the anti-social element could escalate, i.e. there are no means of dispersing the crowds, no buses at that time, so there would be an increase in taxi traffic, and people hanging around. The local police station has now also closed and the nearest deployment in an emergency would be four miles away.
9. Car park is very small, (accommodating only 8 vehicles at a push) the overspill already interferes with residents parking which is already insufficient without extra vehicle activity.
10. The extra traffic would cause congestion and therefore more likely to be hazardous to pedestrians, of which there is a lot being a semi-rural location.

All the above points are relevant to us as residents of the village and neighbours to the public house.

There is no scale to the most and least important points above, they are all equally as important and serious as each other to us. We are already anxious as to the outcome and this information has really unsettled us. It would be a living nightmare to have this later license agreed, you may think this is over dramatic, but we would invite you round to hear it for yourself if indeed this was to proceed.

Yours sincerely



Pauline Manton & Stephen Loughlin

H

Copy To
COUNCILLOR MARIE GRAY.

211 BRACKBURN RD

HEAPEY

CHORLEY

LANCS.

PRG SEP.

22-7-13

RECEIVED 23 JUL 2013

Re. RED LION PUBLIC HOUSE WHEELTON
LICENCE APPLICATION NO 13/01310/LAPLA.

Dear Sir/Madame

We live very close to the RED LION PUB and feel very strongly about the proposed licence application that seeks permission for a live & recorded music licence from 0.900 HRS TO 0.100 HRS the following day plus seven days per week and 52 weeks per year.

The granting of such an open licence as stated would seriously increase noise and nuisance and anti-social behaviour & traffic problems to a point where crime & disorder, public safety, public nuisance & possible harm to the village children could ensue.

We therefore submit this our objection to the licence application 13/01310/LAPLA.

Two very concerned residents

MR W B Walker

MRS. M Walker

|

Paul Carter

From: Cllr Marion Lowe
Sent: 25 July 2013 18:21
To: Stephen Culleton
Subject: FW: Licence Application 13/01310/LAPLA - Consultation response
Attachments: Licence Objection - Red Lion.doc

Categories: Red Category

From: keith molloy [<mailto:kmolloy123@btinternet.com>]
Sent: 23 July 2013 20:18
To: stephen.cullen@chorley.gov.uk
Cc: Cllr Marie Gray; Cllr Alison Hansford; Cllr Christopher France; anthony.bushell@lancashire.pnn.police.uk; Cllr Marion Lowe
Subject: Licence Application 13/01310/LAPLA - Consultation response

Dear Mr Culleton

Please find attached a document which outlines our objections as residents of Wheelton, Chorley to the granting of Licence Application 13/01310/LAPLA for the Red Lion Inn, 196, Blackburn Road, Wheelton, Chorley in it's present format.

In raising these objections we believe that the application, if granted, will not comply with Chorley Borough Council's Licensing Policy Objectives in respect of Public Safety and Public Nuisance. Please could you confirm that you have received this correspondence and that our objections have been noted within the required timescale? Could you also please let us know the outcome and decision on this application once considered.

Keith and Eirian Molloy
185 Blackburn Road
Heapey
Chorley
Lancs
PR88EP

tel 01254 831578
mob 07866 989826

J

KEITH AND EIRIAN MOLLOY,
185, BLACKBURN ROAD,
HEAPEY,
CHORLEY.
PR6 8EP.
23RD JULY, 2013.

MR S CULLETON,
LICENSING SECTION,
CHORLEY BOROUGH COUNCIL,
CIVIC CENTRE,
UNION STREET,
CHORLEY.

Dear Sir,

RE. Licence Application 13/01310/LAPLA: Red Lion Inn, 196, Blackburn Road.

We wish to formally object to the granting of the above application as we believe it will negatively impact on aspects of both public nuisance and public safety, as contained in the Council's current Licensing Policy.

As village residents of almost 21 years, we recognise the value and importance of a successful and thriving public house in supporting our village community and we would want to offer our support to such a venture. However, our village is primarily occupied by working people with young families and older people and we strongly feel that the current application neither caters for nor respects the community directly surrounding it.

Furthermore, we are aware that certain licensable activities have recently been deregulated by Government and that small venues, offering live music up to 11pm, no longer require a specific licence. That suggests to us that the Government intend live music, **provided after 11pm**, to be the exception, rather than the norm on 7 days a week. Granting the current application, from 9am-1am, 7 days a week would clearly be going against current Government policy.

With regard to the specific concerns around public nuisance and public safety, which would inevitably occur if the activities in the current application were to be taking place across the specified hours, we would like to state the following:

Public Nuisance Issues

- The pub sits at the heart of the village amidst and immediately adjacent to very many family homes with young children and accommodation for older residents at Ryecroft and Ryefield

- Levels of background noise in this location are currently low and the effect of introducing regular music events will seriously impact on the residential amenity of the area and potentially be harmful to the quality of family life for local residents. The building is old , has poor acoustic insulation and will inevitably 'leak' noise through it's windows and also each time the doors are opened. This is a particular concern as music events at the pub in recent months have proved to be excessively loud and intrusive; an escalation of such activity has the potential to lead to statutory noise nuisance complaints, which the Council have the opportunity to mitigate by imposing suitable licensing conditions.
- The pub sits immediately opposite the village War Memorial gardens, a place of peace and a place where we remember our family and friends lost in conflict
- A planning application for a new facility with such uses across such hours would be unlikely to be approved in this location
- Increased numbers of customers leaving the premises to smoke outside at the front entrance will add further noise nuisance and potential litter to this central location. This already happens and is likely to deteriorate.

Public Safety Issues

- There are already recognised local parking issues in the village and the pub is located close to a significant pinch point for vehicles including, and in particular, public service vehicles. More visiting vehicles will inevitably have to park throughout the village as the car park has space for less than 10 cars. This will potentially cause more widespread disturbance as visitors leave in the early hours of the morning and potential conflict with village residents.
- There are school and nursery facilities close by where any activity not wholly confined within the premises could have an impact
- The village, and in particular the highway immediately adjacent the Red Lion, acts as a pick up point for a large number of local schools which means that twice each day large numbers of school children of all ages are in attendance, waiting for or leaving local school buses. The pub's location simply does not lend itself to safe access and egress of more vehicles in close proximity to such established uses.

Thank you for your consideration in this matter.

Yours faithfully,

Keith Molloy and Eirian Molloy

Cc marie.gray@chorley.gov.uk
alison.hansford@chorley.gov.uk
chris.france@chorley.gov.uk
anthony.bushell@lancashire.pnn.police.uk
marion.lowe@chorley.gov.uk

K

Stephen Culleton

From: jean sidebotham <jeansidebotham@hotmail.com>
Sent: 21 July 2013 14:24
To: Stephen Culleton
Cc: Cllr Marie Gray; Cllr Christopher France; Cllr Alison Hansford; Cllr Marion Lowe
Subject: Red Lion, Wheelton

Dear Mr Culleton

Licence Application No: 13/01310/LAPLA - Red Lion, Wheelton

We wish to raise strong objections to this application. As we understand it the application seeks permission for drink, live and recorded music from 9am to 1am every day of the week. We feel that this is wholly inappropriate in a small mainly residential village. We are happy to support local businesses and a village pub is entirely acceptable but only with a 'traditional' pub licence and with normal opening hours. We would ask that you take into account the following points when considering this application:

- The Red Lion is situated in the centre of the village and is surrounded on all sides by residential properties many of which are family homes with young children. It is also in quite close proximity to accommodation for elderly residents at Ryecroft and Ryefield. We feel that the noise levels from the premises if permitted to play music until 1am would be totally unacceptable and would be harmful to the quality of family life for many people.
- There would be an increased number of people standing outside the building to smoke and this would further increase the noise levels and litter in this area
- The granting of this licence would almost certainly attract people from outside Wheelton and there are already significant parking issues in the village. The Red Lion has parking for only about 10 cars it is inevitable that a large number of vehicles would be parked on the road outside the premises which is immediately opposite a bus stop
- This area of the village is a pick up point for a number of schools and twice each day there are large numbers of children of all ages in the vicinity either waiting for or leaving school buses. The increased parking and the difficulties this would create for bus drivers trying to manoeuvre large vehicles through the village would present a very real and unacceptable danger to these children

This application is contrary to the Council's licensing objectives and we are extremely concerned about the level of public nuisance which might be created if it were to be granted.

Regards.

Jean & Ken Sidebotham
(Residents on Millbrook Close, Wheelton)

L

Stephen Culleton

From: Peter Droogan <droog48@gmail.com>
Sent: 17 July 2013 13:56
To: Stephen Culleton
Subject: RED LION WHEELTON LICENSE APPLICATION

This proposal of live music and extended hours is selfish and unnecessary . This proposal should be rejected , if only for the noise level alone .

Parking is a nightmare already . School buses would struggle also .

Mr Sharp ,
10 a , Victoria Street , Wheelton ,PR6 8HG

M

Stephen Culleton

From: Jenny & James Simmonite <jjsimmonite@hotmail.com>
Sent: 22 July 2013 18:53
To: Stephen Culleton
Cc: Cllr Marie Gray; Cllr Christopher France; Cllr Alison Hansford; Cllr Marion Lowe
Subject: The Red Lion, Lower Wheelton, License application number 13/01310/LAPLA

Dear Stephen

Further to the License application by The Red Lion, Lower Wheelton, application number 13/01310/LAPLA, I would like to record my objection to the application in its current form. This application goes against the Councils licensing objectives and I am concerned about the level of public nuisance that would be created. Especially:

- * The pub sits immediately adjacent to many family homes with young children, and accommodation for older residents.
- * The pub is opposite peaceful War Memorial gardens
- * There are already recognized local parking issues in the village - and The Red Lion sits in the middle of a black spot for traffic. The Red Lion has less than 10 parking spaces to offer.
- * Twice a day large numbers of school children leave from outside the Red Lion to attend various local schools on a number of buses/coaches; impacting the busy narrow road outside the Red Lion.
- * Smokers using the front door of the pub will leave litter and allow noise to leak out of the building
- * This is a quiet village, but the pub building is old and will inevitably leak noise and music through windows and doors.

I trust that you will consider my objection.

Regards

Jenny Simmonite
179 Blackburn Road
Lower Wheelton
PR6 8EP

N
Stephen Culleton

From: Martin W <martin@martinswal.mail1.co.uk>
Sent: 22 July 2013 20:02
To: Stephen Culleton
Cc: Cllr Marie Gray
Subject: Red Lion Wheelton Ref 13/01310/LAPLA

Ref 13/01310/LAPLA

I want to object against the proposal by the Red Lion, Wheelton to open from 9-1 with live music. We can hear the noise of the music from the pub when we are in our bedroom and having that going on till 1am would severely affect our quality of life in the village. There are areas within a few miles providing late night drinking and music, these are not facilities needed or wanted in a village. Those areas are also policed to deal with the alcohol related public nuisance which would be created. This application goes against the councils licensing objectives and should not be approved.

M Walmsley
3a Kenyon Lane
Heapey
Chorley
PR6 8EX

O
Stephen Culleton

From: 6016, head <head@moornook.lancs.sch.uk>
Sent: 22 July 2013 21:09
To: Stephen Culleton
Subject: Licensing application at The Red Lion (ref 13/01310/LAPLA)

Dear Mr Culleton,

I wish to object to the Licensing application at The Red Lion (ref. 13/01310/LAPLA).

Address: The Red Lion, 196 Blackburn Rd, Wheelton, Chorley Application PDF :
<http://91.194.152.202/AnitePublicDocs/00450617.pdf>

I have lived at 193 Blackburn Road for 26 years. My house is very close to the pub and the occasional live music at the pub in the past has caused me a great deal of concern. My bedroom is at the front of the property and it is impossible to sleep because of the music and people coming out to smoke and talk outside the pub. It must be very distressing to the old people and the many families with small children. Parking is quite difficult on Blackburn Road especially at the junction where the pub lies. More visiting vehicles will have to park throughout the village as the car park only has space for about 10 cars. I enjoy the quiet levels of background noise and regular music would seriously impact on the quality of my families life. This application goes against the Councils licensing objectives and I am greatly concerned about the levels of public nuisance that might be created.

I hope you will give serious consideration to my objection.

Yours Faithfully,

Mrs Heather Horne

This e-mail is confidential and privileged. If you are not the intended recipient do not disclose, copy or distribute information in this e-mail or take any action in reliance on its content.

This email has been checked for known viruses.

P
Stephen Culleton

From: Yuta Buckley <yuta.buckley@gmail.com>
Sent: 22 July 2013 21:27
To: Stephen Culleton
Cc: Cllr Marie Gray; Cllr Christopher France; Cllr Alison Hansford
Subject: Red Lion - Wheelton Licence Application

My husband and I want to voice our concern re the licence application of the Red Lion Pub, Wheelton.

We own the holiday cottage opposite on Blackburn Road, Neppy Meadow Cottage. We bring in visitors through out the year and therefore trade to the village. If this all day licence would be passed our business will suffer and an impact on the village trade also.

There is also the concern of parking at a busy corner near to the service bus both a for school children and the general public if the licence is granted from 9am in the morning. What is the need to have a licence from 9.00am? we work in the health service and from our frontline experience increased licensing hours has only added to our work load dealing with alcohol dependence, only alcohol dependants start drinking in the morning.

In a quiet village an attraction is to be able to get away from noise late at night that people in towns often have to suffer. To allow a late licence will significantly affect the quality of life for the local residents and also devalue their properties.

We would like the Red Lion Pub to stay open as a viable business but not at the expense of the village and we would request the applicants to be more imaginative in their business plan.

Please do not allow some individual to exploit this pretty Lancashire village for their own benefit. There are not many Mill villages left and Wheelton does not need this application to be passed.

If this licence was to be passed we are not sure how that would fit in with the Council's licensing objectives and we feel this would potentially lead to a public nuisance as such actions have done in other areas we are aware of.

Regards, Dr N Buckley & Mrs Y Buckley

Q

Stephen Culleton

From: alison screeton <allyscree@yahoo.co.uk>
Sent: 18 July 2013 00:55
To: Stephen Culleton
Subject: Objection to license application for the Red Lion Wheelton

Dear Mr Culleton,

As a long term resident of Wheelton village, and living in close proximity to the Red Lion public house, I wholeheartedly object to the current license application for permission to drink and have live and recorded music from 9am until 1am every day of the week. The idea is abhorrent and I can't think of one resident that will support this totally inappropriate application.

Wheelton is a village much loved by its residents and the pub in the past has been an asset and a quiet retreat for some of the people living here. This radical change is totally unnecessary and will cause havoc with increased traffic (already a grave problem) and turn the area into a noisy, disgusting backwater. This current application cannot and must not be allowed. Furthermore it goes against the Council's licensing objectives and I and my neighbours are concerned about the level of public nuisance it will create.

Yours sincerely,
Mrs H.C Screeton
189 Blackburn Rd
Lower Wheelton
PR6 8EP

R
Stephen Culleton

From: Ally Southworth <allyscree@gmail.com>
Sent: 17 July 2013 10:37
To: Stephen Culleton
Subject: Fwd: Red Lion Wheelton - objection to current license application

----- Forwarded message -----

From: Ally Southworth
Date: Wednesday, 17 July 2013
Subject: Red Lion Wheelton - objection to current license application
To: Stephen.culleton@chorley.gov.uk

Dear Mr Culleton,

As a long term resident of Wheelton village, and living in close proximity to the Red Lion public house, I wholeheartedly object to the current license application for permission to drink and have live and recorded music from 9am until 1am every day of the week. The idea is abhorrent and I can't think of one resident that will support this totally inappropriate application.

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Yours sincerely,
Mrs H.C Screeton
189 Blackburn Rd
Lower Wheelton PR6 8EP

S
Stephen Culleton

From: moria.finch@virginmedia.com
Sent: 18 July 2013 10:46
To: Stephen Culleton
Cc: Cllr Marie Gray; Cllr Christopher France; Cllr Alison Hansford
Subject: Red Lion Wheelton - Licence Application

Good morning Stephen,

I write on behalf of many of the residents of Ryecroft/Ryefield Heapey. We are situated approximately 40 metres from the Red Lion public house. We live in sheltered accommodation and many of our residents, besides being elderly, are very poorly indeed. The last thing they want is a public house emitting live music, recorded music, or indeed any other environmental noise into the early hours of the morning.

This is a village pub and should be in keeping with the surrounding area, which is peace and quiet. In addition to the noise situation, parking, whether it be private or by taxis coming and going would lead to an even bigger problem. The last thing a quiet village needs is members of the public coming in from the surrounding areas knowing they can purchase alcohol and hear music all day, every day and until the early hours of the morning. This would undoubtedly lead to public nuisance/anti-social behaviour. Surely, this goes against the Council's licensing objectives and therefore is a very considerable risk to the residents of Wheelton/Heapey.

I sincerely hope that the Council will consider all our objections favourably.

With kind regards.

Moira Finch
25 Ryecroft
Heapey.

T

Stephen Culleton

From: Jane Hipkins <jane@jhipkins.wanadoo.co.uk>
Sent: 17 July 2013 23:18
To: Stephen Culleton
Cc: Cllr Marion Lowe
Subject: objection to licence application for red lion wheelton

Dear Mr Culleton, we are writing to object to the terms of the licence application for the Red Lion in Wheelton.

The terms of the application go against the Council's stated licensing objectives - the needs of the licence applicant should be weighed against the needs of the immediate community, predominately families and a specialist elderly housing estate.

The proposed terms are wholly inappropriate for this specific public house, in this location. Having viewed the current licence application, we have grave concerns about the licensee seeking permission to extend the opening hours 7 days a week until 1am, including potentially live music on a regular basis.

Public nuisance, particularly noise, has been an ongoing issue at the Red Lion, complaints to the police being made as recently as June 2013. If implemented, the terms of the current application would only magnify these issues.

The premises, comprising a two room pub at the centre of a semi-rural village will not accommodate the activities and operating hours proposed without significantly impacting on the surrounding area. The fabric of the building cannot reasonably control the excessive noise levels created by the applicants proposed events. Furthermore, the location of the premises amplifies noise significantly. The extended operating hours proposed would add the extra impact of end of business disturbance into the early hours of the morning.

The inadequate parking facilities would further stretch the village's limited parking availability. Of equal concern is the prospect of pub users returning to their vehicles in the early hours of the morning spread across a wider area causing noise and disruption to even more residents. Historically this issue has been a particular problem, prolonging nuisance and thus is another point against the extended operating hours applied for.

Smoking currently takes place on the public pavement at the front of the premises. Creating both litter and noise issues at the centre of the village, adjacent and opposite to residential properties. Again extended operating hours would magnify the nuisance created. This point is used during term time as a collection/drop off point for school bus services and the likely nuisance caused to parents and particularly children, predominately primary age, should be noted.

The outside drinking area (beer garden) and car park are enclosed within a bowl created by the old mill wall which significantly amplifies noise and disturbance, causing a nuisance to a large number of the surrounding community. Extended opening times, with later use of the car park in particular would again cause disproportionate nuisance to the village .

Although we support the need for a village pub, we believe the terms of this current application are plainly unsuitable for the Red Lion. Further we would hope the council would protect the community of Wheelton's right to a reasonable standard of family life.

Yours sincerely

Mr A and Dr J Hipkins
55 Millbrook Close
Wheelton
PR6 8JY

email jane@jhipkins.wanadoo.co.uk

U
Stephen Culleton

From: Sarah <sarah_rowbottom@yahoo.co.uk>
Sent: 16 July 2013 23:15
To: Stephen Culleton
Cc: Cllr Marie Gray; Cllr Christopher France; Cllr Alison Hansford; Cllr Marion Lowe
Subject: Red Lion, Wheelton, Licence Application

Dear Stephen,

I live at 197 Blackburn Road, Heapey, PR6 8EP, which is opposite the Red Lion Pub.

I am pleased that the pub is re-opening as it is at the heart of the village and a local amenity. I have been to the pub and it is a lovely local pub, or at least it has been according to the management. The pub has changed hands several times recently and the last manager was excellent. Unfortunately there have been other managers who have not run the pub as well or as considerately. This has led to noise disturbances late into the evening on occasions and lots of rubbish including cigarette ends and crisp packets left in front of the building.

I am very concerned to hear that this present licence application is for such long hours, from 9 a.m. to 1 a.m., I believe. I do not feel this is appropriate for a local pub in a small village. I am also aware that the application seeks permission for live and recorded music every day of the week for these times. The pub is across the road from us and my son and I sleep in the front of our house (he is 7.) Until now the incidences of late drinking and noise have been limited, but the opportunity for more of these will obviously increase if the current licence application is granted. I feel that the extended hours will attract more people to drink there from out of the area, which may be a good thing for the licensee, but will mean extra cars, more noise and disturbance and potentially more late night drunken revellers. I have on occasion felt compelled to go out and ask people to be considerate because of the high noise levels of smokers at the front of the pub singing and shouting well after midnight and I would not like to have to do that more frequently. People who have been drinking have much less awareness of any disturbance they are causing and can also be quite volatile. However the noise has woken my son at times, or myself, and I would find this unacceptable on week days when we have to be up early for work and school. When music is played it reverberates through our house, even with the double glazed windows closed, especially when the door is opening constantly. On hot evenings, when windows are open, this is much worse.

The parking at the pub is very limited (maximum of 10 spaces) and the village has parking issues as it is. There are also congestion problems at the corner next to the pub and there have been issues with buses being unable to get through because of poor parking. This week there was a minor traffic incident involving a bus and a car, caused partly by a car parked badly in front of the pub.

I have lived in this village for almost ten years, moving to my current house from a smaller house on the same road. I was aware that I was moving closer to the Red Lion, but having lived in the village for a while I had seen no need for concern, because it is, (or has been for the most part) a quiet local pub. This new application would not only change the pub but also the character of the village. Wheelton is a pleasant and friendly village with a good community and it is generally a peaceful area, making it a popular place to live and to visit. The recently opened café at the Soft Furnishers has been a boon to the locality, well supported by locals and visitors alike. The Red Lion can also be an asset but this application is completely out of place, more suited to a less residential area, such as a town centre.

I feel that this licence application goes against the Council's own licensing objectives and would lead to great public nuisance. I am therefore strongly objecting to this licence application in its current form.

Yours sincerely,

V
Stephen Culleton

From: Cllr Alison Hansford
Sent: 17 July 2013 10:50
To: Stephen Culleton
Subject: Fwd: License application no: 13/01310/LAPLA Red Lion, Wheelton

Further residents comments re red lion received today

Alison

Sent from my iPad

Begin forwarded message:

From: Alison Clitheroe <alison.clitheroe@hotmail.co.uk>
Date: 17 July 2013 08:43:21 BST
To: "stephen.culleton@chorley.gov.uk" <stephen.culleton@chorley.gov.uk>
Cc: "marie.gray@chorley.gov.uk" <marie.gray@chorley.gov.uk>, "chris.france@chorley.gov.uk" <chris.france@chorley.gov.uk>, "alison.hansford@chorley.gov.uk" <alison.hansford@chorley.gov.uk>
Subject: License application no: 13/01310/LAPLA Red Lion, Wheelton

Dear Sirs

I am writing to object to the license application of the Red Lion, Wheelton. If granted, I believe this license will allow the owner to host live and recorded music sessions from 9am to 1am every day of the week in addition to selling alcohol during these times. Surely this is against the Councils licensing objectives?

I have lived directly across from the Red Lion for over 30 years and even as a quiet village pub, it has caused varying degrees of disturbance to my family. Having said that, never before have i felt the need to complain or voice my opinion until now.

Over the years, the disturbances from visitors leaving the premises and loud music has increased considerably. Every time the front door opens (for entry/exit or cigarette smoking) the music bellows across the street - there is no way that I could even contemplate sleeping with my bedroom window open. When there is a music event taking place, I have to implement ear plugs in order to get to sleep but even so I am often woken by people leaving the venue in the early hours. Please understand, I do not want the pub to close but I also do not want my daily life affected by it not to mention the resulting devalue of my property.

I have a 9 year old son who sleeps at the back of my property. He is a very good sleeper but even he has been woken by the increase of late night activity and noise over recent months.

Lack of parking in the village will also be an issue given the inadequate size of the current car park, this also needs to be taken into consideration.

I strongly object to the license being granted and Trust you will consider the points mentioned above whilst making your decision.

Regards

Alison Clitheroe

Sent from my iPad

Stephen Culleton

From: Alison Clitheroe <alison.clitheroe@hotmail.co.uk>
Sent: 17 July 2013 08:43
To: Stephen Culleton
Cc: Cllr Marie Gray; Cllr Christopher France; Cllr Alison Hansford
Subject: License application no: 13/01310/LAPLA Red Lion, Wheelton

Dear Sirs

I am writing to object to the license application of the Red Lion, Wheelton. If granted, I believe this license will allow the owner to host live and recorded music sessions from 9am to 1am every day of the week in addition to selling alcohol during these times. Surely this is against the Councils licensing objectives?

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Lack of parking in the village will also be an issue given the inadequate size of the current car park, this also needs to be taken into consideration.

I strongly object to the license being granted and Trust you will consider the points mentioned above whilst making your decision.

Regards

Alison Clitheroe

Sent from my iPad

W

on system 10/7/13

Weaver's Cottage
1 Victoria Street
Wheeton
Chorley
Lancs
PR6 8HG
Tel: 01254 832922
Mob: 07791 607553

8 July 2013

Mr S Culleton
The Licensing Authority
Chorley Council Licensing Section
Civic Offices
Union Street
Chorley
PR7 1AL

Dear Mr Culleton

**License Application – Special Ale Services - Late Night entertainment
At the Red Lion Public House, Lower Wheelton, PR6 8HG**

We understand that the above has made an application for a late night entertainment license.

We have to strongly oppose this application for the following reasons, of which there are many:

We would make it clear however, that we have no problem with it being a Village Pub, which it always has been. The only problems we have ever encountered have been when live music events and late night parties have gone on, so to have to endure it permanently would be abhorrent.

- Due to acoustics of the village and the situation of the pub at the bottom of a hill, the noise is worse than it would be on a straight road. The reverberation means that even voices in the beer garden can be heard quite clearly from our house, and others close by. The last live music event (June 2013) before the establishment closed, made us feel as if we were attending a music festival, we endured it knowing it was likely to be a leaving/closing party.
- Car park is very small, (accommodating only 8 vehicles at a push) the overspill already interferes with residents parking which is already insufficient without extra vehicle activity.
- The extra traffic would cause congestion and therefore more likely to be hazardous to pedestrians, of which there is a lot being a semi-rural location.

Cont'd./.

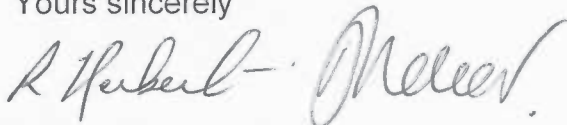
Page 2

- In the past, when there have been live events in the summer time, we have had to bring our family/visitors indoors, because the noise and language that is heard is too rowdy. We have witnessed fights outside, and have even caught a male urinating near to our steps.
- It would be difficult to entertain in our own homes and would dramatically interfere with our quality of life, as we have to close all doors and windows and turn our own television/music up louder, which is not always appropriate.
- It would bring the value of the properties down, something which I am investigating at present, and awaiting actual figures for.
- People move(d) to the area because of its quiet village atmosphere, this goes against village life completely and would affect property saleability.
- We work shifts, and often need to go to bed around 9pm, to be up for 5am, this would significantly disturb us and have adverse effects if the late night license was to be approved. Of the same nature, there are small children living close by who would have to endure loud thudding music whilst in bed, also elderly people both across the road and behind in sheltered accommodation who would suffer greatly from the noise.
- In the past, there have been other acts of vandalism (unproven, but coincidental), i.e. stolen milk from steps, smashed milk bottles, an ornamental tree was set alight, stolen stone pots.
- When the venue closes, this is when the anti-social element could escalate, i.e. there are no means of dispersing the crowds, no buses at that time, so there would be an increase in taxi traffic, and people hanging around. The local police station has now also closed and the nearest deployment in an emergency would be four miles away.

All the above points are relevant to us as residents of the village and neighbours to the public house.

There is no scale to the most and least important points above, they are all equally as important and serious as each other to us. We are already anxious as to the outcome and this information has really unsettled us. It would be a living nightmare to have this license agreed, you may think this is over dramatic, but we would invite you round to hear it for yourself if indeed this was to proceed.

Yours sincerely



Richard & Jayne Herbert

X

RECEIVED 04 JUL 2013

203 Blackburn Road
Heapey
CHORLEY
PR6 8EP

01 July 2013

Licensing Authority
Chorley Council Licensing Section
Civic Offices
Union Street
Chorley
PR7 1AL

Dear Sirs

I understand that "Special Ale Service Ltd" have applied for a licence for the "Supply of alcohol and provision of late night entertainment." at the Red Lion public house at 196 Blackburn Road, Wheelton.

It is my belief that the main applicant is Mr Philip Entwistle, who has run the Top Lock pub in Heapey very successfully for a number of years, and I welcome his involvement with the Red Lion.

However, I do not believe that a small, rural village such as Wheelton benefits from late night music. Many residents live very close to the Red Lion and have been badly affected in the past by late night noise from this pub.

In addition, although the pub has its own car park, drivers find the access to the car park difficult to negotiate. This results in most cars being parked on the public road, close to the pub. This can cause some difficulties for residents, who wish to park close to their own houses, but also creates a noise nuisance very late at night when pub-goers are leaving the area.

I therefore make a relevant representation, as a local resident and in respect of the Licensing Objective of "the prevention of public nuisance", that the licensee be asked to keep noise to a minimum and to refrain from the playing of live music at the premises, after 10.30 pm, Sun – Thurs, and after 11.00 pm Fri - Sat.

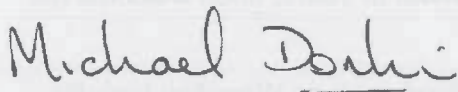
I have noted the following clauses in the Statement of Licensing Policy published by Chorley Council:

1. The Licensing Authority considers that stricter controls regarding noise nuisance may be necessary in more densely populated areas.
2. 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 premises will be considered on its individual merits.

3. Where relevant representations are received, the Licensing Authority may have regard to whether the licensable activities are likely to cause adverse impact especially on local residents
4. 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.
5. 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.

Yours faithfully,



MICHAEL DONKIN

Stephen Culleton

From: Michael Donkin <michael@203.me.uk>
Sent: 17 July 2013 14:04
To: Stephen Culleton
Cc: Cllr Marie Gray; Cllr Christopher France; Cllr Alison Hansford
Subject: Licence Application 13/01310/LAPLA

Dear Mr Culleton

Ref: Red Lion, 196 Blackburn Road, Wheelton, PR6 8EU

We note that the Red Lion has applied for a licence to operate, and to provide the following:

- The sale by Retail of Alcohol
- Late night refreshment
- Other entertainment
- Performance of Recorded Music
- Performance of Live Music

We welcome the involvement of Mr Phil Entwistle in this venture as we believe that he has run the Top Lock public house very well over many years.

However, it is with great concern that we note the licence application is to allow for opening hours of 09.00 am to 01.00 am, seven days a week. We feel that whilst the pub may not actually be open for all of these hours, as local residents we would prefer them not to have the option of disrupting the peace and quiet of this small, rural village at a whim. We would see opening hours of 12.00 noon to 12.00 midnight on Friday and Saturday, (12.00 noon to 11.00 pm on other days), as being much more feasible, with music allowed only until 11.00 pm on Friday and Saturday, (and only until 10.30 pm on other days of the week). The Top Lock happily keeps to roughly these hours, with no music ever played after 11.00 pm.

I did approach the Licensing Officer of the Council some years ago, in relation to the noise emanating from this pub. At that meeting, which I do not believe was with yourself, I was firmly and bluntly told that I had bought a house beside a pub and that I had to accept the consequences. Obviously I pointed out that when I bought my house the licensing laws of the time dictated that the pub close at 11.00 pm (10.30 pm on Sundays), and the Government did not force smokers onto the street. Unfortunately this comment did not go down at all well with the then Licensing Officer. Nor with someone else as my house window was broken the next night, which would seem very coincidental.

That notwithstanding, with this new licence application we have an ideal opportunity to address the issues. The pub clearly needs to be allowed to trade and it is a great facility for the local community. But, it should surely be the case that such trade is carried on with respect to the needs of the local residents of the village being considered first and foremost, over and above non-locals who visit the pub.

It is the case that the live music events at this pub attract large numbers of people in cars. They park on the street because access to the pub car park is narrow and presumably difficult to exit. We also believe that Mr Entwistle will move the many beer barrels that he currently has stored in the beer garden of the Top Lock into the car park of the Red Lion, further restricting the use of that car park. Not only does this impact negatively on the already limited on-street parking, but the noise when all of the pub leavers slam their car doors, (several times each for unknown reasons), is very disturbing in the middle of the night.

The application as it stands is contrary to the Council's licensing objectives in respect of the late night disturbance likely to be imposed upon local residents,

Yours faithfully

Michael Donkin
203 Blackburn Road
Chorley
PR6 8EP

Disclaimer: This email is intended only for the individual addressee(s) named above and may contain information that is confidential, privileged or unsuitable for those with no sense of humour. If you are not the intended recipient any dissemination, distribution or copying of this email is considered socially unacceptable behaviour, even if your receipt of this message simply constitutes an irritating faux pas on my part. No animals were harmed in the creation or transmission of this email, although if next door's cat makes a mess of my garden again it is living on borrowed time, let me tell you. This email has not been checked for any viruses, spelling mistakes, anthrax spores or weapons of mass destruction; so don't blame me if your computer just crashed or if the baby is sneezing. It is normal for some settling of the contents during transit to have occurred.

Y

Stephen Culleton

From: fran carpenter <francarps@live.co.uk>
Sent: 22 July 2013 21:39
To: Stephen Culleton
Cc: Cllr Christopher France
Subject: Red lion Wheelton

This application is not in line with the council's objectives and is not suitable for the location. Concern is felt regarding public nuisance and disruption.
Carpenter.

Sent from Samsung Mobile

Z

Matthew Swift

Subject: FW: Licence application number 13/01310/LAPLA**From:** T HOSKER [<mailto:thosker@btinternet.com>]**Sent:** 23 July 2013 21:18**To:** Stephen Culleton**Cc:** Cllr Marie Gray; Cllr Christopher France; Cllr Alison Hansford**Subject:** Licence application number 13/01310/LAPLA**I would like to object to licence application number 13/01310/LAPLA Red Lion Wheelton.**

The application goes against the Council's licencing objectives and I am concerned about the level of public nuisance that will be created.

As a resident with a young family I object strongly to this application and wish to have my objection registered.

Thank you

Mrs Jayne Hosker
48 Millbrook Close
Wheelton
Chorley
PR6 8JY

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