

## Chief Executive's Office

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Your Ref:  
Our Ref: GKB/AJS  
Doc ID:  
Date: 13 September 2005

**Chorley**  
Borough Council

Town Hall  
Market Street  
Chorley  
Lancashire  
PR7 1DP

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

Dear Councillor

A meeting of the Statutory Licensing Sub-Committee B is to be held in the Council Chamber, Town Hall, Chorley on Thursday, 22nd September, 2005 commencing at 10.00 am.

### AGENDA

1. **Declarations of Any Interests**

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

2. **Licensing Act 2003 (Premises and Club Premises Certificate) Regulations 2003 - Application to vary premises license in respect of The Gillibrand Arms, Collingwood Road, Chorley (Pages 1 - 50)**

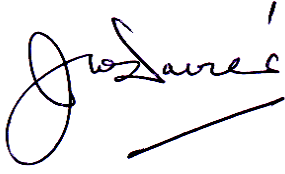
Report of Director of Legal Services (enclosed)

Attached for Members information is the Hearing Procedure

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

Continued....

Yours sincerely



Chief Executive

**Distribution**

1. Agenda and reports to all Members of the Statutory Licensing Sub-Committee B (Councillor Iddon (Chair), Councillors Mrs D Dickinson and Walker for attendance.
2. Agenda and reports to Councillor David Dickinson (Reserve Member) to be present at the start of the meeting.
3. Agenda and reports to Director of Legal Services and Licensing Manager for attendance.
4. Agenda and reports to Executive Leader (Councillor J Wilson) Deputy Leader (Councillor Edgerley) Leader of Conservative Group (Councillor P Goldsworthy) and Leader of Liberal Democrat Group (Councillor K Ball) for information.
5. Agenda and reports to all remaining Chief Officers for information.
6. Agenda to all remaining Members of the Council for information.

**This information can be made available to you in larger print or on audio tape, or translated into your own language. Please telephone 01257 515118 to access this service.**

આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون

01257 515823

کیجئے:

**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 it's best endeavours to substitute another member, taken from the membership of the Licensing Act 2003 Sub-Committee reserve list.
- the Sub-Committee may disallow cross-examination in exceptional circumstances; this decision will be taken on a case by case basis with a presumption to allow. However, parties are advised that the Sub-Committee wishes to discourage hostile cross examination.
- late representations and evidence will usually only be considered with the agreement of all parties present.
- decisions will generally be taken regardless of whether the applicant/other party is present unless the Sub-Committee consider it necessary in the public interest to adjourn the hearing to a specified date. All notices and representations from absent parties will be considered.
- the Sub-Committee will generally allow parties a maximum of 30 minutes per party to make all relevant Statements. However, the Sub-Committee recognises that in certain circumstances this may be insufficient due to the complexity of the issues involved. In this situation the Sub-Committee will consider representations from those parties involved in the hearing as to the length required to make all relevant statements. The Licensing Authority respectfully requests that all parties keep points pertinent and the discussion moving in the interests of cost and efficiency.

- the Sub-Committee recognises that Regulation 14 requires all hearings should take place in public unless the licensing authority “considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing taking place in public” in which the applicant, those assisting the applicant or other interested parties can be excluded. In the absence of any criteria in the Licensing Act 2003, the guidance issued under section 182 of the Act or the licensing Regulations, the Licensing Authority has adopted the existing criteria in Schedule 12A of the Local Government Act 1972 for excluding the press and public. The public and press will be excluded when the Sub-Committee is considering an application for a personal licence, where Lancashire Police have lodged an objection notice due to an existing relevant offence(s). Generally, the public and the applicant will be excluded when the Sub-Committee is determining a decision. Once a decision has been made all parties will be readmitted and the Chair will announce the decision and give reasons.
- all parties will be notified of the decision in accordance with any periods set down by the Licensing Act 2003 or where none are prescribed within 5 working days.
- the Sub-Committee has the right to exclude any parties behaving in a disruptive manner at the hearing at its own discretion.

## HEARING PROCEDURE

### PREMISES/CLUB PREMISES LICENCE APPLICATIONS

**1. CHAIR OF SUB-COMMITTEE:**

- opens meeting
- introduces Members and Officers
- confirms details of all parties in attendance
- outlines procedure to be followed

**2. LICENSING OFFICER OUTLINES APPLICATION AND RELEVANT REPRESENTATIONS**

**3. QUESTIONS TO LICENSING OFFICER FOR CLARIFICATION FROM:**

- Sub-Committee
- Applicant

**4. APPLICANT OR REPRESENTATIVE OUTLINES APPLICATION**

**5. QUESTIONS TO APPLICANT FROM:**

- Sub-Committee
- Interested Representative

**6. LANCASHIRE POLICE REPRESENTATIONS**

**7. QUESTIONS TO LANCASHIRE POLICE FROM:**

- Sub-Committee
- Applicant

**8. LANCASHIRE FIRE & RESCUE REPRESENTATIONS**

**9. QUESTIONS TO LANCASHIRE FIRE & RESCUE FROM:**

- Sub-Committee
- Applicant

**10. ENVIRONMENTAL HEALTH (ENVIRONMENT) REPRESENTATIONS**

**11. QUESTIONS TO ENVIRONMENTAL HEALTH FROM:**

- Sub-Committee
- Applicant

**12. ENVIRONMENTAL HEALTH (HEALTH & SAFETY) REPRESENTATIONS**

**13. QUESTIONS TO ENVIRONMENTAL HEALTH FROM:**

- Sub-Committee
- Applicant

**14. PLANNING SERVICES REPRESENTATIONS****15. QUESTIONS TO PLANNING SERVICES FROM:**

- Sub-Committee
- Applicant

**16. SOCIAL SERVICES REPRESENTATIONS****17. QUESTIONS TO SOCIAL SERVICES FROM:**

- Sub-Committee
- Applicant

**18. TRADING STANDARD REPRESENTATIONS****19. QUESTIONS TO TRADING STANDARDS FROM:**

- Sub-Committee
- Applicant

**20. INTERESTED PARTIES REPRESENTATIONS****21. QUESTIONS TO INTERESTED PARTIES FROM:**

- Sub-Committee
- Applicant

**22. INTERESTED PARTIES INVITED TO BRIEFLY SUMMARISE****23. RESPONSIBLE AUTHORITIES INVITED TO BRIEFLY SUMMARISE****24. APPLICANT (OR REPRESENTATIVE) INVITED TO SUM UP****25. DECISION MAKING**

All parties retire whilst Sub-Committee makes decision.

**26. NOTICE OF DECISION**

Parties re-admitted and Chair announces decision and reasons.

Report of	Meeting	Date
Director of Legal Services	Statutory Licensing Sub-Committee	22 September 2005

## APPLICATION TO VARY PREMISES LICENCE IN RESPECT OF THE GILLIBRAND ARMS, COLLINGWOOD ROAD CHORLEY

### PURPOSE OF REPORT

1. For members to determine an application for the vary a premises licence.

### CORPORATE PRIORITIES

2. There are no specific implications for corporate policies arising from this report.

### RISK ISSUES

3. The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy		Information	
Reputation		Regulatory/Legal	✓
Financial		Operational	
People		Other	

4. There is a right of appeal to the Magistrates Court by the applicant in respect of a decision to refuse to vary the premises licence or where the conditions of licence are modified. There is also the right of appeal to the Magistrates Court by a person who has made relevant representations against a decision to grant the variation or to modify the conditions of licence.

### CURRENT PREMISES LICENCE

5. The premises licence was converted under the grandfather provisions. The current licensable activities are as follows:

supply of alcohol by retail (on or off the premises)

Monday – Saturday	11.00 – 23.00
Sunday and Good Friday	12.00 – 22.30
Christmas Day	12.00 – 15.00 and 1900 – 22.30

New Years Eve – 1 January 36 hours continuous

Current conditions are those embedded conditions under the Licensing Act 1964 and Public Entertainments Licence.

There are additional conditions, which are included in the protection of children from harm objective -

Continued....



Children under the age of 14 years are not permitted into the bar areas during permitted hours but with the following exceptions –

1. The child is the Licence holders child or is resident on the premises but not employed there.
2. Is in a bar solely for the purpose of passing to or from some part of the premises which is not a bar and from there is no other convenient means of access or egress.

## THE APPLICATION

6. A copy of the application to variation is attached to this report in full in Appendix 1. In summary the application is to conduct the following licensable activities and at the times set out below.

7. Regulated Entertainment

a) Live Music -Indoors

12.00 – 22.30 Monday – Thursday  
 12.00 - 00.30 Friday  
 10.00 - 00.30 Saturday  
 10.00 - 23.30 Sunday

Non Standard Times

New Years Eve : from 10.00 until 02.00 the following day  
 24, 26, 27 and 28 December: from 10.00 until 00.30 the following day  
 Sunday and Monday of Easter, Spring, May, August Bank Holiday: from 10.00 until 00.30 the following day  
 St. Patrick's Day, St George's Day: from 10.00 until 00.30 the following day

b) Recorded Music – Indoors

12.00 – 22.30 Monday – Thursday  
 12.00 - 00.30 Friday  
 10.00 - 00.30 Saturday  
 10.00 - 23.30 Sunday

Music may be provided by DJ and at other times a music system

Non Standard Times

New Years Eve: from 10.00 until 02.00 the following day  
 24, 26, 27 and 28 December: from 10.00 until 00.30 the following day  
 Sunday and Monday of Easter, Spring, May, August Bank Holiday: from 10.00 until 00.30 the following day.  
 St. Patrick's Day, St George's Day: from 10.00 until 00.30 the following day

c) Provision of facilities for dancing – Indoors

12.00 – 22.30 Monday – Thursday  
 12.00 - 00.30 Friday  
 10.00 - 00.30 Saturday  
 10.00 - 23.30 Sunday



People may dance in the lounge and function room areas of the premises

Non Standard Times

New Years Eve: from 10.00 until 02.00 the following day

24, 26, 27 and 28 December: from 10.00 until 00.30 the following day

Sunday and Monday of Easter, Spring, May, August Bank Holiday: from 10.00 until 00.30 the following day.

St. Patrick's Day, St George's Day: from 10.00 until 00.30 the following day

8. Supply of Alcohol –On and Off the Premises

10.00 – 23.30 Monday – Thursday

10.00 – 00.00 Friday and Saturday

10.00 – 23.30 Sunday

Non Standard Times

New Years Eve: from 11.00 until 00.00 on 2 January

24, 26, 27 and 28 December: from 10.00 until 00.00 the following day

Sunday and Monday of Easter, Spring, May, August Bank Holiday: from 10.00 until 00.00 the following day.

St. Patrick's Day, St George's Day: from 10.00 until 00.00 the following day

9. Hours Premises are open to public

10.00 – 00.30 Monday – Thursday

10.00 - 01.00 Friday and Saturday

10.00 - 00.30 Sunday

Non Standard Times

New Years Eve: from 10.00 on 31 December until 01.00 on 2 January

24, 26, 27 and 28 December: from 10.00 until 01.00 the following day

Sunday and Monday of Easter, Spring, May, August Bank Holiday: from 10.00 until 01.00 the following day.

St. Patrick's Day, St George's Day: from 10.00 until 01.00 the following day

10. ADDITIONAL STEPS TO BE TAKEN TO PROMOTE LICENSING OBJECTIVES

The applicant has indicated that following additional steps will be taken to promote the licensing objectives:

i) Prevention of crime and disorder

All members of staff concerned with sales of alcohol will be trained in relation to sales of alcohol to persons under the age of 18 years.

A drugs policy is in force and operational at the premises.

A maximum capacity of 200 to be applicable to the premises.

Not having any irresponsible drinks promotions which may encourage binge drinking.

ii) Public Safety

Annual testing and inspection of the Gas Installation, Electrical Installation and Emergency Lighting at the premises by a qualified person(s).

iii) The Prevention of Public nuisance

Signs posted at the exits reminding customers to leave quietly and with respect to local residents.

The front beer patio will be closed to customers at 22.00 each day.

Doors and windows to be kept closed when entertainment is in progress.

iv) Protection of children from harm

All members of staff concerned with sales of alcohol will be trained in relation to sales of alcohol to persons under the age of 18 years.

Any S34 gaming machines at the premises are positioned within sight of the bar servery in order that full supervision can be given as to those playing on such.

Children under the age of 16 years only allowed to remain in the function room.

No persons under 16 years to be allowed access to the premises after 8.30pm and persons who are between 16 and 18 years of age to be accompanied by a person over the age of 18 years.

11. Other Activities that may give rise to concern in respect of children

None

12. Conditions/ Restrictions to be removed on variation.

To remove the condition in relation to consumption being within 20 minutes of the terminal time for the sale of alcohol.

Remove the condition in relation to children under 14 years not being allowed in the bar.

Remove the conditions in relation to the former Public Entertainment Licence.

13. Relevant Representations – Responsible Authorities

None received

14. Relevant Representations – Interested Parties.

There has been one relevant representation received to the application to vary from an interested party who resides close to the premises. The objection is relevant to the following licensing objectives - Prevention of Public Nuisance

A copy of the representation in full is attached to this report in Appendix 2. In summary,

The area is residential, objector lives 70 yards away.

Car park entrance close to objector.

Customers leaving the premises will gather outside and generate noise

Cars generate access noise.

Music/noise from the premises can be heard in the objector's property.

15. Policy Considerations.

Section 4 of the Licensing Act 2003 provides that a Licensing Authority must have regard to its Statement of Licensing Policy and to the guidance issued by the Secretary of State under section 182 of the Act.

As members will be aware the four licensing objectives are as follows:

- the prevention of crime and disorder
- public safety
- prevention of public nuisance
- the protection of children from harm.

The Licensing Act 2003 provides that where relevant representations are received the Licensing Authority must hold a hearing to consider them unless the parties agree that a hearing is unnecessary.

The Licensing Authority in determining the application, having have regard to the representations, may take the following steps it considers it necessary for the promotion of the licensing objectives.

- i) reject the application in whole or in part
- ii) modify the conditions.

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

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

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

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

Paragraph 1.6 The Council will use its powers to promote best practice in relation to the operation of licensed premises. It is also committed to partnership working with police, fire, local businesses, licensed trade, residents and others to ensure that they have a clear understanding of the legislation.

Paragraph 1.7 The Council has had regard to the guidance issued by the Secretary of State under Section 182 of the Act when developing this statement of Licensing Policy. The Council may deviate from the guidance but would need good reasons, which it can justify, to do so.

Paragraph 1.8 The Act covers the licensing of individuals for the retail sale of alcohol (personal licences) the licensing of premises for the retail sale of alcohol, provision of regulated entertainment or late night refreshment (premises licence), the supply of alcohol or the provision of regulated entertainment to certain clubs (club premises certificates) and the holding of certain licensable activities on a temporary basis (temporary event notices).

Paragraph 1.9 The scope of this policy covers new applications, renewal of personal licences, transfers and variations of licences and certificates including temporary event licences. It also includes the review of licences and certificates which could lead to a range of sanctions including the revocation of a licence or a certificate.

Paragraph 2.1 The Act requires the Council to carry out its licensing function so as to promote the four licensing objectives:

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 5.1 Each application will be determined on its individual merits.

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

## **LICENSING HOURS**

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

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

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

## PREVENTION OF PUBLIC NUISANCE

Paragraph 13.1 Licensed Premises have significant potential to adversely impact on communities through public nuisances arising from their operation.

Paragraph 13.2 The Licensing Authority is aware of the importance of the licensed trade to the local economy as well as in cultural and social terms. The Licensing Authority is also concerned to protect the amenity of residents and businesses in the vicinity of licensed premises. 'Vicinity' is not defined in the Act or Guidance issued by the Secretary of State. Whether or not incidents can be regarded, as 'in the vicinity' of licensed premises is a question of fact and will depend on the particular circumstances of the case.

Paragraph 13.3 The Licensing Authority will interpret 'public nuisance' in its widest sense and include such matters as noise emanating from the premises, light, litter, odour and anti social behaviour where these matters impact on those living or working in an area.

Paragraph 13.4 Activities that involve public entertainment, drinking or eating, have the potential to impact adversely on their surrounding areas due to noise, litter, and odours. There is also the potential for disturbance caused by those attending licensable activities. Late at night the impact of licensed activities is likely to be more objectionable to residents living close to a licensed activity, as the ambient noise levels are often lower so noise disturbance becomes more noticeable.

Paragraph 13.5 The policy allows for later opening hours except where there will be an adverse impact on the licensing objectives. In general the Licensing Authority will expect more comprehensive measures to be proposed at late night venues and/or where there has been a history of public nuisance.

Paragraph 13.6 On receipt of relevant representations, the Licensing Authority will assess the likelihood of it causing an adverse impact, by generally considering the following factors where relevant:

- the location of the premises (in particular proximity to residential and other noise sensitive premises, 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 it necessary and/or appropriate may attach conditions to a licence to prevent public nuisance including those drawn from the Model Pool of Conditions - see Appendix 3. In particular, it may attach a condition requiring the use of door supervisors licensed by the Security Industry Authority

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

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

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

16. Human Rights Act Implications

The Human Rights Act 1998 makes it unlawful for a local authority to act in a way that is incompatible with the European Convention on Human Rights. The Council will have particular regard to the following convention Rights;

- Article 6 that in the determination of civil rights and obligations everyone is entitled to a fair public hearing within a reasonable time by an independent and impartial tribunal established by law;
- Article 8 that everyone has the right to respect for his home and family life;
- Article 1 of the First Protocol that every person is entitled to the peaceful enjoyment of his/her possessions including for example, possession of a licence.

**ASSOCIATED PAPERS**

17 Application form and relevant representation.

ROSEMARY LYON  
DIRECTOR OF LEGAL SERVICES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
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H.Bee	5665	13 September 2005	LEGREP/90294AJS
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# Lancashire Constabulary

Licensing Unit, Police Station, St Thomas's Road, Chorley, PR7 1DR

Tel: 01257 246215

Fax: 01257 246217

e-mail: southern-licensing@lancashire.pnn.police.uk

27 July 2005

Licensing Officer  
Chorley Borough Council  
Town Hall  
Market Street  
Chorley  
PR7 1DP



Recd.  
27 July

28 day limit

26<sup>th</sup> Aug

Dear Sir

**RE: PREMISES LICENCE REPLY:- LICENSING ACT 2003 - REF Variation.**

Premises Gillibrand Arms, Collingwood Road, Chorley

There are no police representations to be made in respect of this application:-

Yours faithfully

Police Constable 1457

(Licensing)

CHORLEY 307

11 AUG 2005

[REDACTED]  
CHORLEY,  
Lanc's. [REDACTED]

Dear Sir or Madam,

We are writing to you to lodge our objection to the application by the GILLIBRAND ARMS, COLLINGWOOD ROAD, CHORLEY, PR7 2PN, for an extension to their licence for - LIVE MUSIC, RECORDED MUSIC & DANCING. The reason being that our home, above address, is only 70 yds. from the GILLIBRAND ARMS and when they have a "music night", we can hear the music in our living room, so much so that we have to increase the volume on our T.V.

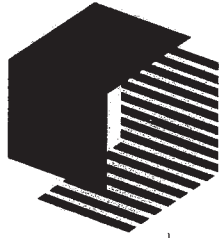
Also, with no T.V. or radio on when we go to bed the music then sounds even louder and makes sleep impossible, which means we have

to go to bed later than we really want to.

We are also objecting to the application by the "GILLIBRAND ARMS" for an extension to their licensing hours, our reasons being that at "closing time" customers leaving the "GILLIBRAND ARMS" can sometimes be very boisterous in saying their "Goodnights" also there is the problem of car doors slamming, engines being started and revved, the occasional car horn being sounded as they leave the car park. Since the Mountbatten entrance/exit from this car park was blocked off, all traffic enters and exits from Whitworth Drive and is only 20yds from our home, so we would find any prolonging of the above disturbances unacceptable.

*Yours Sincerely*

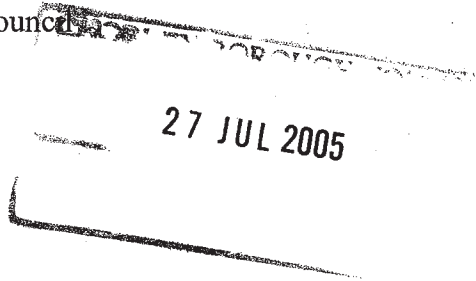




## ROSCOES

### Solicitors

Chorley Borough Council  
Licensing Unit  
Town Hall  
Chorley  
Lancashire  
PR7 1DP



St Andrew's House  
Wellington Street (St Johns)  
Blackburn BB1 8DB  
Tel: 01254 667733  
Fax: 01254 681166  
DX: 17964 Blackburn 1  
Internet: www.roscoes.co.uk

Our Ref: NDH/TM/T3/1260/Gillibrand  
Your Ref:  
Please ask for: Lindsay Howarth  
Email: lindsay.howarth@roscoes.co.uk  
Date: 26 July 2005

Dear Sirs

**The Gillibrand Arms, Chorley**  
**Application for Conversion and Variation of Premises Licence - Licensing Act 2003**

We enclose herewith a certified copy of the Public Entertainment Licence relating to the above premises, which we omitted to enclose with our letter to you of 14 July 2005. Please could you place this document with the Application Form enclosed with that letter.

We apologise for this omission.

Yours faithfully

*Roscoes*

**Licensing Department**  
**ROSCOES**

Enc

Please note we do not accept service by email

**PARTNERS:**

J A Eatough LLB  
D J Kitchen LLB APIL  
W L Newbury LLB  
A D Clare BA  
J J Ward

J R Whittingslow LLB  
J M B Windle BA  
D L Baron BA LLB  
D L Harrison LLB APIL

**ASSOCIATES:**

C J Boyle LLB

**CONSULTANT:**

J F Harrison

Also at:

8, 9 & 10 Walton's Parade  
Off Fishergate Hill  
Preston PR1 3JX  
Tel: 01772 888444

178 Station Road  
Bamber Bridge  
Preston PR5 6TP  
Tel: 01772 626626



INVESTOR IN PEOPLE



**Lexcel**  
PRACTICE MANAGEMENT STANDARDS  
THE LAW SOCIETY



**CHORLEY BOROUGH COUNCIL**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

**PUBLIC ENTERTAINMENTS LICENCE**

1. The **CHORLEY BOROUGH COUNCIL** (hereinafter called "*The Licensing Authority*") hereby grant a Licence in pursuance of the above mentioned Act to Mark Alan Taylor, The Gillibrand Arms, Collingwood Road, Chorley. PR7 2PT (hereinafter called "*the Licensee*") for the use of the premises (hereinafter called "*the premises*") known as, The Gillibrand Arms, Collingwood Road, Chorley. PR7 2PT in the County of Lancashire for the purpose of public entertainment within the meaning of Part 1 and the First Schedule of the said Act being Public Music, Singing and Dancing, subject to the provisions of the said Act and to the special terms, conditions and restrictions relating to the premises specified in the Public Entertainment Special Conditions of Use dated 23 April 2004. The maximum occupancy figure of the premises shall not exceed 200 (two hundred) persons.
  
2. The premises shall not be used for the purpose for which they have been licensed except at the following times :  
 Monday to Saturday 11.00am until 11.00pm  
 Sunday 12 noon until 10.30pm
  
3. The period during which this Licence shall remain in force shall be 01 December 2003 until 30 November 2004.
  
4. This Licence is liable to be revoked by the Licensing Authority in the event of the use of the premises in contravention of the said Act or the Conditions of Licence.

Dated this 23 April 2004

*Rosemary Lyon*

Signed \_\_\_\_\_

Director of Legal Services

WE HEREBY CERTIFY THAT THIS  
 IS A TRUE COPY OF THE ORIGINAL  
 Licence DATED THE 26 DAY OF July 05  
 ROSCOES SOLICITORS, BLACKBURN



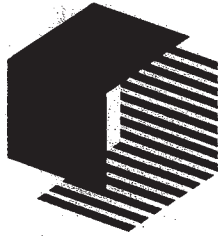
Yours faithfully

*Roscoes*

**Licensing Department**  
**ROSCOES**

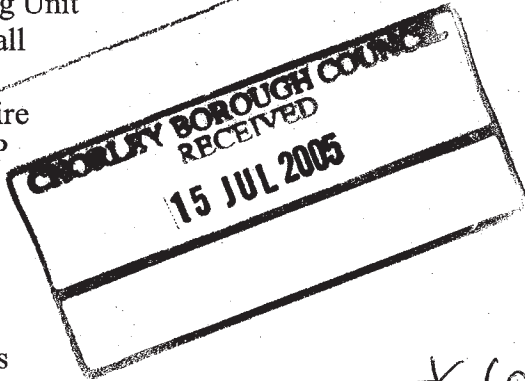
Enc

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**ROSCOES**  
*Solicitors*

Chorley Borough Council  
Licensing Unit  
Town Hall  
Chorley  
Lancashire  
PR7 1DP



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Internet: www.roscoes.co.uk

Our Ref: NDH/TM/T3/1260/Gillibrand  
Your Ref:  
Please ask for: Lindsay Howarth  
Email: lindsay.howarth@roscoes.co.uk  
Date: 14 July 2005

Dear Sirs

*\* copy of PA Recd. contacted 18/7/05*

**The Gillibrand Arms, Chorley**

**Application for Conversion and Variation of Premises Licence - Licensing Act 2003**

We act on behalf of Nigel Green and Carolyn Green and are instructed by them to deal with the application for the conversion of an existing Justices Licence into a Premises Licence together with a subsequent variation of the Premises Licence and in respect of the premises known as The Gillibrand Arms, Collingwood Road, Chorley, PR7 2PN.

We enclose herewith the following in connection with this application:-

1. Application Form – Parts A and B completed and signed by the Applicant
2. Certified copies of the existing Justices Licence.
3. Signed Consent Form of the proposed Designated Premises Supervisor
4. Signed Consent Form of Existing Licensee
5. Plan showing the layout of the premises
6. Cheque to the value of £250.00 in payment of the Council's fees.

Copies of the Application form, Licences, Certificates and plan have also been served on the other responsible authorities.

Please note that public notice in respect of the Variation Application has been forwarded to the Applicant for immediate display at the premises and that such notice will also appear in Lancashire Evening Post on 19 July 2005.

Please acknowledge safe receipt of the enclosed application and documentation and, if you have any queries upon receipt, then please do not hesitate to contact Lindsay Howarth in our Licensing Team.

**PARTNERS:**

J A Eatough LLB  
D J Kitchen LLB APIL  
W L Newbury LLB  
A D Clare BA  
J J Ward

J R Whittingslow LLB  
J M B Windle BA  
D L Baron BA LLB  
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**(Part A) Application for an existing licence to be converted to a premises licence under the Licensing Act 2003 and (Part B) application to vary the premises licence simultaneously**

**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.

We **Nigel Green** and **Carolyn Green** apply to convert an existing licence to a premises licence under Schedule 8 to the Licensing Act 2003 for the premises described in Part A1 below

APPLICATION NUMBER: 004568.

**Part A1 – Premises Details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> The Gillibrand Arms Collingwood Road Chorley	
<b>Post town</b> Chorley	<b>Post code</b> PR7 2PN

Telephone number of premises (if any) 01257 234697

Non-domestic rateable value of premises £9100.00

**Part A2 - Applicant Details**

Please state the capacity in which you applying to convert your existing licence

Please tick

- 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  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr  Mrs  Miss  Ms  Other title (for example, Rev)

Surname  
Green

First names  
Nigel

Please tick

I am 18 years old or over

Yes

Current postal address if different from premises address

Gillibrand Arms  
Collingwood Road  
Chorley

Post Town

Chorley

Postcode

PR7 2PT

Daytime contact telephone number

01257 234697

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Mr  Mrs  Miss  Ms  Other title (for example, Rev)

Surname  
Green

First names  
Carolyn

Please tick

I am 18 years old or over

Yes

Current postal address if different from premises address

Gillibrand Arms  
Collingwood Road  
Chorley

Post Town

Chorley

Postcode

PR7 2PT

Daytime contact telephone number

01257 234697

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 case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part A3 - Operating Schedule**

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

General description of premises (please read guidance note 1)

Large community pub. Games / pool room, function room, lounge and central servery with three access points

To the front of the premises there is a beer patio

Please tick **Yes**

**What existing licensable activities are authorised by your existing licence(s)?**

**Provision of regulated entertainment**

- a) plays
- b) films
- c) indoor sporting events
- d) boxing or wrestling entertainment
- e) live music
- f) recorded music
- g) performances of dance
- h) anything of a similar description to that falling within (e), (f) or (g)

**Provision of entertainment facilities for:**

- i) making music
- j) dancing
- k) entertainment of a similar description to that falling within (i) or (j)

**Provision of late night refreshment**

**Sale by retail of alcohol**

- a) for consumption on the premises
- b) for consumption off the premises

Please state who you wish to be specified to be the premises supervisor under the new licence

Name: Nigel Green

Address: Gillibrand Arms, Collingwood Road, Chorley

Personal Licence number, if known,:

State any limitations on the hours during which you are permitted by your licence(s) or any additional authorities to conduct licensable activities, including the sale of alcohol.

**Alcohol Sales:**

11am to 11pm Monday to Saturday

12 noon to 10.30pm Sunday and Good Friday

12 noon to 3pm and 7pm to 10.30pm on Christmas Day

11am on 31<sup>st</sup> December to 11pm on 1<sup>st</sup> January (36 hours continuous)

**Entertainment:**

See attached Public Entertainment Licence

Describe the conditions subject to which your existing licence(s) has/have been granted (please read guidance note 2):

**a) General – all four licensing objectives (b,c,d,e)**

The consumption of alcohol is to cease 20 minutes after the terminal time of sale with the exception of the items referred to in attached Sheet No. 1

See attached Justices' Licence and Public Entertainment Licence

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

See attached Justices Licence and Public Entertainment Licence

**c) Public safety**

See attached Justices Licence and Public Entertainment Licence

**d) The prevention of public nuisance**

See attached Justices Licence and Public Entertainment Licence

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

See attached Justices' Licence and Public Entertainment Licence

Children under the age of 14 years are not permitted into the bar areas during permitted hours but with the following exceptions:

1. The child is the Licence Holder's child or is resident on the premises but not employed there
2. Is in a bar solely for the purpose of passing to or from some part of the premises which is not a bar and from there there is no other convenient means of access or egress.

Please tick

Yes

- ? I have made or enclosed payment of the fee
- ? I have enclosed my existing licence(s) or a certified copy of each licence
- ? I have enclosed a plan of the premises
- ? I have sent copies of this application to the chief officer of police (please read guidance note 3)
- ? I have enclosed the consent form completed by the proposed premises supervisor, if relevant
- ? I have enclosed the consent of the justices' licence holder to my application, if relevant
- ? I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE [AMOUNT], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part A4 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant's solicitor or other duly authorised agent.** (Please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature .....   
 Date ..... 14/7/05  
 Capacity .....

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent.** (Please read guidance note 6). **If signing on behalf of the applicant please state in what capacity.**

Signature .....   
 Date ..... 14/7/05  
 Capacity .....

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 7)	
Roscoes St Andrew's House Wellington Street (St Johns) Blackburn Lancashire	
<b>Post town</b> Blackburn	<b>Post code</b> BB1 8DB
<b>Telephone number</b> 01254 667733	
<b>E-mail address (optional)</b> lindsay.howarth@roscoes.co.uk	

**IF YOU WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S) UNDER SECTION 34 OR 37 OF THE LICENSING ACT 2003, NOW COMPLETE PART B OF THIS FORM.**

**IF YOU DO NOT WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S), YOU SHOULD LEAVE PART B BLANK.**

PART B - Application to vary a premises licence under the Licensing Act 2003

We Nigel Green and Carolyn Green being the proposed premises licence holder of an existing licence to be converted under the terms of Schedule 8 to the Licensing Act 2003 apply to vary it under section 34/section 37 of the Licensing Act 2003 (delete as applicable) for the premises described in Part A above.

Part B1 - Variation

Do you want the proposed variation to have effect from the second appointed day?

Please tick

If not when do you want the variation to take effect from

Day		Month		Year			

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Please describe briefly the nature of the proposed variation. (please read guidance note 8)  
To vary the hours for the sales of alcohol and the provision of entertainment.

[Empty text box for describing the proposed variation]



**Part B2 - Operating Schedule**

Please complete those parts of the operating schedule which would be subject to change if this application to vary were successful.

What licensable activities do you now intend to conduct on the premises and/or at what varied times do you intend to conduct them ?

(please see section 1 of the Licensing Act 2003 and Schedule 1 to the Licensing Act 2003)

Please tick **Yes**

**Provision of regulated entertainment**

- 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 entertainment facilities for:**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)   
(if ticking yes, fill in box K)

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

**Sale by retail of alcohol** (if ticking yes, fill in box M)

Please complete Part B3 on this form.

**A**

Plays			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 9).	Indoors	
Standard days and timings (please read guidance note 8)				Outdoors	
Day	Start	Finish		Both	
Mon			<b>Please give further details here</b> (please read guidance note 10)		
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 11)		
Thur					
Fri			<b>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</b> (please read guidance note 12)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 8)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 9).</b>	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<b>Please give further details here (please read guidance note 10)</b>		
Tue					
Wed			<b>State any seasonal variations for the exhibition of films (please read guidance note 11)</b>		
Thur					
Fri			<b>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 (please read guidance note 12)</b>		
Sat					
Sun					

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 8)			<b>Please give further details (please read guidance note 10)</b>
Day	Start	Finish	
Mon			
Tue			<b>State any seasonal variations for indoor sporting events (please read guidance note 11)</b>
Wed			
Thur			<b>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 (please read guidance note 12)</b>
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainment</b>			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 9).	Indoors	
Standard days and timings				Outdoors	
Day	Start	Finish		Both	
Mon			<b>Please give further details here</b> (please read guidance note 10)		
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 11)		
Thur					
Fri			<b>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</b> (please read guidance note 12)		
Sat					
Sun					

**E**

<b>Live music</b>			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 9).	Indoors	x
Standard days and timings (please read guidance note 8)				Outdoors	
Day	Start	Finish		Both	
Mon	12.00	23.30	<b>Please give further details here</b> (please read guidance note 10) Music may be amplified or non amplified and will be mainly solos, duos or trios bands/acts		
Tue	12.00	23.30			
Wed	12.00	23.30	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 11)		
Thur	12.00	23.30			
Fri	12.00	00.30	<b>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</b> (please read guidance note 12)		
Sat	10.00	00.30	New Years Eve: from 10.00 until 02.00 the following day 24 <sup>th</sup> , 26 <sup>th</sup> , 27 <sup>th</sup> and 28 <sup>th</sup> December: from 10.00 until 00.30 the following day Sunday and Monday of Easter, Spring, May, August Bank Holiday: from 10.00 until 00.30 the following day		
Sun	10.00	23.30	St Patrick's Day, St George's Day: from 10.00 until 00.30 the following day		

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 9).</b>	Indoors	x
Day	Start	Finish		Outdoors	
				Both	
Mon	12.00	23.30	<b>Please give further details here (please read guidance note 10)</b> Music may be provided by DJ and at other times a music system		
Tue	12.00	23.30			
Wed	12.00	23.30	<b>State any seasonal variations for playing recorded music (please read guidance note11)</b>		
Thur	12.00	23.30			
Fri	12.00	00.30	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)</b> New Years Eve: from 10.00 until 02.00 the following day 24 <sup>th</sup> , 26 <sup>th</sup> , 27 <sup>th</sup> and 28 <sup>th</sup> December: from 10.00 until 00.30 the following day Sunday and Monday of Easter, Spring, May, August Bank Holiday: from 10.00 until 00.30 the following day St Patrick's Day, St George's Day: from 10.00 until 00.30 the following day		
Sat	10.00	00.30			
Sun	10.00	23.30			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 8 )			<b>Will the performance of dance take place indoors or outdoors or both – please tick [U] (please read guidance note 9).</b>	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<b>Please give further details here (please read guidance note 10)</b>		
Tue					
Wed			<b>State any seasonal variations for the performance of dance (please read guidance note11)</b>		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)</b>		
Sat					
Sun					

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 9).	Indoors	
				Outdoors	
Mon				Both	
Tue			Please give further details here (please read guidance note 10)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 11)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sun					

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 8)			Please give a description of the facilities for making music you will be providing			
Day	Start	Finish	Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 9).	Indoors		
				Outdoors		
Both						
Mon			Please give further details here (please read guidance note 10)			
Tue						
Wed				State any seasonal variations for the provision of facilities for making music (please read guidance note 11)		
Thur						
Fri						
Sat				Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sun						

**J**

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 1)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 9).		
Day	Start	Finish		Indoors	x
				Outdoors	
Both					
Mon	12.00	23.30	Please give further details here (please read guidance note 10) People may dance in the lounge and function room areas of the premises		
Tue	12.00	23.30			
Wed	12.00	23.30	State any seasonal variations for providing dancing facilities (please read guidance note 11)		
Thur	12.00	23.30			
Fri	12.00	00.30	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)  New Years Eve: from 10.00 until 02.00 on the following 24 <sup>th</sup> , 26 <sup>th</sup> , 27 <sup>th</sup> and 28 <sup>th</sup> December: from 10.00 until 00.30 the following day The Sunday and Monday of Easter, Spring, May, August Bank Holiday: from 10.00 until 00.30 the following day St Patrick's Day, St George's Day: from 10.00 until 00.30 the following day		
Sat	10.00	00.30			
Sun	10.00	23.30			

**K**

<b>Provision of facilities for entertainment of a similar description to that falling within I or J</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick [U] (please read guidance note 9).	Indoor	
				Outdoor	
				Both	
Mon			Please give further details here (please read guidance note 10)		
Tue					
Wed					
Thur					
			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within J or K (please read guidance note 11)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within J or K at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sun					

**L**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 9).		Indoors	
Day	Start	Finish		Outdoors		
				Both		
Mon			Please give further details here (please read guidance note 10)			
Tue						
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 11)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the provision of late night entertainment at different times, to those listed in the column on the left, please list (please read guidance note 12)			
Sat						
Sun						

**M**

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 13)	On the premises	
Day	Start	Finish		Off the premises	
			Both		<b>x</b>
State any seasonal variations for the supply of alcohol (please read guidance note 11 )					
Mon	10.00	23.30			
Tue	10.00	23.30			
Wed	10.00	23.30			
Thur	10.00	23.30			
Fri	10.00	00.00			
Sat	10.00	00.00			
Sun	10.00	23.30			

**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 12)**  
 New Years Eve: from 11.00 on 31 December until 00.00 on 2 January  
 24<sup>th</sup>, 26<sup>th</sup>, 27<sup>th</sup> and 28<sup>th</sup> December: from 10.00 until 00.00 the following day  
 Sunday and Monday of Easter, Spring, May, August Bank Holiday: from 10.00 until 00.00 the following day  
 St Patrick's Day, St George's Day: from 10.00 until 00.00 the following day

**IN ALL CASES PLEASE COMPLETE BOXES N, O, P AND Q BELOW**

**N**

**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 14)**

Any S.34 gaming machines at the premises are positioned within sight of the bar servery in order that full supervision can be given as to those playing on such



**O**

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variation (please read guidance note 11)
Day	Start	Finish	
Mon	10.00	00.30	<p><b>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 12)</b></p> <p>New Years Eve: from 10.00 on 31 December until 01.00 on 2 January                      24<sup>th</sup>, 26<sup>th</sup>, 27<sup>th</sup> and 28<sup>th</sup> December: from 10.00 until 01.00 the following day                      Sunday and Monday of Easter, Spring, May, August Bank Holiday: from 10.00 until 01.00 the following day                      St Patrick's Day, St George's Day: from 10.00 until 01.00 the following day</p>
Tue	10.00	00.30	
Wed	10.00	00.30	
Thur	10.00	00.30	
Fri	10.00	01.00	
Sat	10.00	01.00	
Sun	10.00	00.30	

**P**

Please identify any of the conditions, terms or restrictions currently imposed on the converted licence which you believe could be removed as a consequence of the proposed variation you are seeking

- Remove the condition in relation to consumption of alcohol within 20 minutes of the terminal time of sale
- Remove the condition in relation to children under 14 years not being allowed in the bar
- Remove the conditions in relation to the former Public Entertainment Licence

**Q** Please describe any additional steps that you intend to take in order to promote the four licensing objectives if the proposed variation is granted:

**a) General – all four licensing objectives (b, c, d, e) (please read guidance note 15)**

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

- All members of staff concerned with sales of alcohol will be trained in relation to sales of alcohol to persons under the age of 18 years
- A Drugs Policy is in force and operational at the premises
- A maximum capacity of 200 to be applicable to the premises
- Not having any irresponsible drinks promotions which may encourage binge drinking

**c) Public safety**

- Annual testing and inspection of the Gas Installation at the premises by a qualified engineer
- Annual testing and inspection of the Electrical Installation at the premises by a qualified engineer
- Annual testing and inspection of the Emergency Lighting at the premises by a qualified engineer
- A maximum capacity of 200 to be applicable to the premises

**d) The prevention of public nuisance**

- Signs posted at the exits reminding customers to leave quietly and with respect for local residents
- The front beer patio will be closed to customers at 22.00 each day
- Doors and windows to be kept closed when entertainment is in progress

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

- All members of staff concerned with sales of alcohol will be trained in relation to sales of alcohol to persons under the age of 18 years
- Any S.34 gaming machines at the premises are positioned within sight of the bar servery in order that full supervision can be given as to those playing on such
- Children under the age of 16 years only allowed to remain in the function room
- No persons under 16 years to be allowed access to the premises after 8.30pm and persons who are between 16 and 18 years of age to be accompanied by a person over the age of 18 years.

**Part B3 – Premises Supervisor**

**Full name of proposed designated premises supervisor**

Nigel Green

**Address of proposed designated premises supervisor**

Gillibrand Arms  
Collingwood Road  
Chorley

PR7 2PT

**Personal licence number of proposed designated premises supervisor, if any, and issuing authority of the personal licence, if applicable**

Please tick

Yes

- I enclose the consent form completed by the proposed premises supervisor
- I will give a copy of Part B3 of this application to the chief officer of police (section 37 of the Licensing Act 2003)
- I have sent copies of this application to vary (except Part B3) to responsible authorities and others where applicable (section 34 of the Licensing Act 2003)
- I understand that I must now advertise my application to vary (section 34 of the Licensing Act 2003)
- I understand that if I do not comply with the above requirements my application will be rejected

**Part B4 – Signatures** (please read guidance note 16)


**Signature of applicant (the proposed current premises licence holder) or applicant’s solicitor or other duly authorised agent. (See guidance note 17) If signing on behalf of the applicant please state in what capacity.**

Signature ..... 

Date ..... 14/7/05

Capacity .....

**Where the premises licence is jointly held signature of 2<sup>nd</sup> applicant (the proposed current premises licence holder) or 2<sup>nd</sup> applicant’s solicitor or other authorised agent. (please read guidance note 18) If signing on behalf of the applicant please state in what capacity.**

Signature ..... 

Date ..... 14/7/05

Capacity .....

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 19)	
Roscoes St Andrew's House Wellington Street (St Johns) Blackburn Lancashire	
<b>Post town</b> Blackburn	<b>Post code</b> BB1 8DB

**Notes for Guidance**

**PART A**

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and provide a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where the conditions to which your existing licence(s) is granted do not relate solely to any one of the four licensing objectives, please describe such conditions in the general box.
3. The law requires you to send a mandatory copy of this application to the chief officer of police for that area at the same time as sending to the relevant licensing authority.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
7. This is the address we shall use to correspond with you about this application.

**PART B**

**This application cannot be used to vary the licence to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act.**

8. Please give timings in 24 hour clock and only give details for days of the week when you intend the premises to be used for the activity.
9. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
10. Please state 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.
11. For example (but not exclusively), where the activity will occur on additional days during the summer.
12. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e Christmas Eve.
13. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
14. Please give information about anything to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gambling machines.
15. Please list here steps you will take to promote all four licensing objectives together.
16. The application form must be signed.
17. A applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
18. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
19. This is the address which we shall use to correspond with you about this application.

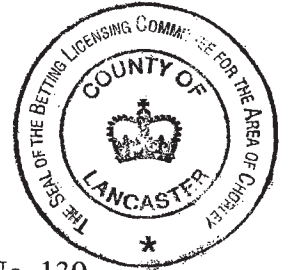
**RE: The Gillibrand Arms, Chorley****Sheet No. 1**

1. The sale or supply to or, consumption by, any person of intoxicating liquor if that person is resident on the premises or any annexed building which is habitually used for, occupied and managed in relation to residents.
2. The supply or consumption of intoxicating liquor for consumption on the premises to any private friends of a person residing there and who are bona fide entertained by him at his own expense.
3. The supply or consumption of intoxicating liquor for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence and, if the liquor is supplied, at the expense of the employer or of the person carrying on or in charge of the business on the premises.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE ORIGINAL JUSTICES LICENCE CURRENTLY IN MY POSSESSION.

Dated this 29th day of June, 2005.

*J Butterhead*  
Designated Officer



Justices' Licence  
Intoxicating Liquor

Licence No. 139

**COUNTY OF LANCASHIRE  
PETTY SESSIONAL DIVISION OF CHORLEY**

**LICENSING ACT 1964**

At the Licensing Session held at the Court House, St Thomas's Road, Chorley, on The 6th day of April, 2005 for the Division of Chorley in the County of Lancashire.

The Licensing Justices for the said Licensing district hereby grant  
To Nigel Green  
Of Collingwood Road, Chorley

(hereinafter called the licensee this Justices' Licence authorising him to sell by retail at the premises known as Gillibrand Arms,  
Of Collingwood Road, Chorley

intoxicating liquor of all descriptions for consumption (either ON or) OFF the premises.

The owner(s) of the premises in respect of which this licence is granted  
Are Daniel Thwaites & Co., Limited,  
Of Star Brewery, Blackburn

This licence (is granted subject to the conditions endorsed hereon and) shall be in force from the date hereof until the fourth day of April, year 2007.

Given under the official stamp of the Licensing Justices which is hereto affixed under their authority by me.

*[Signature]*  
Clerk to the Licensing Justices

CONDITIONS subject to which the within-mentioned licence is granted:-



WE HEREBY CERTIFY THAT THIS  
IS A TRUE COPY OF THE ORIGINAL  
*1/6/05* DATED THE *23* DAY OF *July* 2005  
ROSCOES SOLICITORS, BLACKBURN



**PROTECTION ORDERS**

Before the Magistrates' Court for the Division above mentioned sitting at the Court House, St Thomas's Road, Chorley, on the \_\_\_\_\_ day of \_\_\_\_\_ year

The said Court, being satisfied that  
of  
and  
of

are/is a person(s) to whom the Licensing Justices could grant a transfer of the within written licence, hereby grant to him/her/them the same authority as that conferred by the said licence upon the holder(s) thereof until the conclusion of the second licensing session begun after the date hereof unless such licence shall be sooner transferred or removed.

Given under the official stamp of the Court, which is hereby verified by me

Clerk to the Justices

Before the Magistrates' Court for the Division above mentioned sitting at the Court House, St Thomas's Road, Chorley, on the \_\_\_\_\_ day of \_\_\_\_\_ year

The said Court, being satisfied that  
of  
and  
of

are/is a person(s) to whom the Licensing Justices could grant a transfer of the within written licence, hereby grant to him/her/them the same authority as that conferred by the said licence upon the holder(s) thereof until the conclusion of the second licensing session begun after the date hereof unless such licence shall be sooner transferred or removed.

Given under the official stamp of the Court, which is hereby verified by me

Clerk to the Justices

Before the Magistrates' Court for the Division above mentioned sitting at the Court House, St Thomas's Road, Chorley, on the \_\_\_\_\_ day of \_\_\_\_\_ year

The said Court, being satisfied that  
of  
and  
of

are/is a person(s) to whom the Licensing Justices could grant a transfer of the within written licence, hereby grant to him/her/them the same authority as that conferred by the said licence upon the holder(s) thereof until the conclusion of the second licensing session begun after the date hereof unless such licence shall be sooner transferred or removed.

Given under the official stamp of the Court, which is hereby verified by me

Clerk to the Justices



**TRANSFERS**

of the within-mentioned Justices' Licence

At the Licensing Session held at the Court House, St Thomas's Square, Chorley, on the day of \_\_\_\_\_ year \_\_\_\_\_, for the Division of Chorley, in the County of Lancashire.

The Licensing Justices for the said Division grant to  
of  
and  
of

(hereinafter called the licensee(s)) a justices' licence by way of transfer of the licence within contained in substitution for the last mentioned licensee(s), and the licence so granted shall have effect from this day until the fourth day of April, year \_\_\_\_\_.

Given under the official stamp of the Licensing Justices, which is hereto affixed under their authority by me.

Clerk to the Licensing Justices

At the Licensing Session held at the Court House, St Thomas's Road, Chorley on the day of \_\_\_\_\_ year \_\_\_\_\_, for the Division of Chorley, in the County of Lancashire.

The Licensing Justices for the said Division grant to  
of  
and  
of

(hereinafter called the licensee(s)) a justices' licence by way of transfer of the licence within contained in substitution for the last mentioned licensee(s), and the licence so granted shall have effect from this day until the fourth day of April, year \_\_\_\_\_.

Given under the official stamp of the Licensing Justices, which is hereto affixed under their authority by me.

Clerk to the Licensing Justices

At the Licensing Session held at the Court House, St Thomas's Road, Chorley on the day of \_\_\_\_\_ year \_\_\_\_\_, for the Division of Chorley, in the County of Lancashire.

The Licensing Justices for the said Division grant to  
of  
and  
of

(hereinafter called the licensee(s)) a justices' licence by way of transfer of the licence within contained in substitution for the last mentioned licensee(s), and the licence so granted shall have effect from this day until the fourth day of April, year \_\_\_\_\_.

Given under the official stamp of the Licensing Justices, which is hereto affixed under their authority by me.

Clerk to the Licensing Justices



Form of Consent

Given by the person who holds the existing licence

I, **Nigel Green**, being the holder of an existing Justices Licence granted by the Licensing Justices for the area of Chorley on 6 April 2005 hereby consent to the application by **Nigel Green and Carolyn Green** under paragraph 2 of Schedule 8 to the Licensing Act 2003 for the grant of a new licence under paragraph 4 of that Schedule to succeed the said existing licence(s) held by me in respect of **The Gillibrand Arms, Collingwood Road, Chorley PR7 2PN.**

Signed ....  .....

Dated ..... *19/7/05* .....

Form of Consent

By the person whom the applicant wishes to be the Premises Supervisor

I, **Nigel Green** hereby consent to being named as the premises supervisor in a new licence granted under paragraph 4 of Schedule 8 to the Licensing Act 2003 to **Nigel Green and Carolyn Green** in respect of the application to convert an existing justices' licence held by the applicant for **The Gillibrand Arms, Collingwood Road, Chorley, PR7 2PN** if that application is successful.

Signed .....  .....

Dated ..... 14/7/05 .....