

## Chief Executive's Office

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Date: 20 October 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 Tuesday, 1st November, 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 Sirloin, Station Road, Hoghton (Pages 1 - 70)**

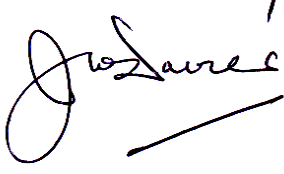
Report of Director of Legal Services (enclosed)

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 A Gee for attendance.
2. Agenda and reports to Councillor E Smith (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 Deputy Leader (Councillor Edgerley) and Leader of Conservative Group (Councillor P Goldsworthy) for information.
5. Agenda 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 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. 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	1 November 2005

## APPLICATION TO VARY PREMISES LICENCE IN RESPECT OF THE SIRLOIN STATION ROAD HOGHTON

### PURPOSE OF REPORT

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

### CORPORATE PRIORITIES

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

### RISK ISSUES

- 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	

- 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

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

Supply of alcohol 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

The premises have the two following conditions attached to the existing licence -

Intoxicating liquor shall not be sold, supplied or consumed in the part of the premises described as the restaurant other wise than to persons taking table meals there and for consumption by such to a person as an ancillary to his meal.

That windows of the first floor extension including the restaurant shall be double glazed and non – opening.

Current conditions/restrictions are those embedded conditions under the Licensing Act 1964.

The premises benefits from a Public Entertainments Licence the converted times are

Wednesday and Saturday 11am – 23.00pm

Public Entertainment converted activities are –

- Live Music (E)
- Recorded music (F)
- Performance of dance (G)
- Anything of a similar description to that falling within E/F/G
- Making music (I)
- Dancing (J)
- Anything of a similar description to that falling within I/J

The premises has the following Public Entertainment special conditions of use –

The self closer on the external door should be replaced/repaired and adjusted to ensure that it does not stick in the open position.

The internal door-glazing panel shall be fitted with double or secondary acoustic glazing to a specification agreed with the Council

The condition relate to the licensed area, which comprises of bar/lounge area/pool room/rear function room/cellar area/ancillary toilet accommodation and all means of escape there from.

The maximum number of persons permitted in the licensed area at any one time shall not exceed 100 persons.

All Public Entertainments Licence conditions and restrictions are converted.

## THE APPLICATION

5. 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.

Please note following discussions with the police, the applicant amended the application. The amended application is listed below and Lancashire Police have formally withdrawn their objection the letters agreeing these changes are included in this report. However there still remains representations from interested parties which are listed below.

6. Regulated Entertainment

- i) Live Music            Indoors (E)
- 11.00 -00.00        Monday - Sunday

Live music will consist only of a vocalist ,harpist and perhaps pianist at lunchtimes and on other special occasions such as weddings



Non Standard Timings

Further hours amplified entertainment should be allowed on New Years Eve and Boxing Day, with a further 12 days agreed 7 days in advance by the Police and Council

ii) Recorded Music Indoors (F)

11.00 - 01.00 Monday - Sunday

Non Standard Timings

A further hours amplified entertainment should be allowed on New Years Eve and Boxing Day, with a further 12 days agreed 7 days in advance by the Police and Council

iii) Provision of facilities for dancing Indoors (J)

11.00 – 00.30 Monday – Thursday  
 11.00 – 01.30 Friday and Saturday  
 11.00 – 23.30 Sunday

Dancing of all kinds is likely to occur at special occasions such as weddings.

Non Standard Timings

Should New Years Eve fall on a day other than a Friday or a Saturday it will require hours as if it had fallen on a Friday or a Saturday i.e.11.00 to 01.30 hours the following morning.

7. Late Night Refreshment Indoors (L)

23.00 - 00.30 Monday - Thursday  
 23.00 - 01.30 Friday and Saturday  
 23.00 - 23.30 Sunday

Non Standard Timings

Should New Years Eve fall on a day other than a Friday or a Saturday it will require hours as if it had fallen on a Friday or a Saturday i.e.11.00 to 01.30 hours the following morning.

8. Supply of Alcohol – On or Off the Premises (M)

11.00 – 00.30 Monday  
 11.00 – 01.30 Friday and Saturday  
 11.00 – 23.30 Sunday

Non Standard Timings

Should New Years Eve fall on a day other than a Friday or a Saturday it will require hours as if it had fallen on a Friday or a Saturday i.e.11.00 to 01.30 hours the following morning.

9. Hours premises are open to the Public

11.00 – 01.00 Monday – Thursday  
 11.00 – 02.00 Friday and Saturday  
 11.00 – 00.00 Sunday

### Non Standard Timings

Should New Years Eve fall on a day other than a Friday or a Saturday it will require hours as if it had fallen on a Friday or a Saturday i.e.11.00 to 02.00 hours the following morning.

#### 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

Incident logbooks are used to record any accidents or incidents of non-service.

Toughened drinking glasses are used as much as possible.

We have an operational drugs policy and are part of the pub watch scheme in the local area.

We have a strict rule on under age drinking in that those who appear to be below the age of 21 must provide photographic evidence to prove that they are over 18 in order to be served alcohol.

Those appearing to be drunk and disorderly will be refused service of alcohol.

ii) Public Safety

The Designated Premises Supervisor is a fully qualified first aider.

Emergency Lighting, gas installation and fire alarms are checked annually.

Pre-opening safety checks are carried out daily.

Free drinking water is available throughout the hours of opening.

Disabled toilets are located down stairs and there is a ramp to the ground floor

iii) The Prevention of public nuisance

The premises are located in a residential area therefore all doors are kept closed , except for access to the public , in order to reduce noise pollution.

There are notices inside the premises requesting that customers leave in an orderly manner .

Local taxi firms will be informed of any changes in opening hours.

Playing of recorded music after 00.00 must be at a reduced level as not to disturb neighbours i.e. music is inaudible to the nearest noise sensitive location,

iv) The protection of children from harm

Children must be accompanied by an adult at all times.

There is a separate dining room (first floor) and a separate non –smoking area.

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

Children must be accompanied by an adult at all times

There is a separate dining room (first floor) and a separate non –smoking area.

## 12. Conditions/ Restrictions to be removed on variation.

Intoxicating liquor shall not be sold, supplied or consumed in the part of the premises described as the restaurant other wise than to persons taking table meals there and for consumption by such to a person as an ancillary to his meal.

Present times for the supply of alcohol

## 13. Relevant Representations – Responsible Authorities

None

## 14. Relevant Representations – Interested Parties.

There are four relevant representations received to the application to vary from Interested Parties The objections are relevant to the Licensing Objective –  
Prevention of Public nuisance .  
Prevention of Crime and Disorder

A copy of the representations are in full in the attached report in Appendix 2.

## 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 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 necessary 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**

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 area are given in Appendix 4.

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 e.g. 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 necessary and these may include conditions from the model pool of conditions at Appendix 3. Certain premises may be required to install CCTV system to an evidential standard should the Council be satisfied it is necessary 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**

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 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**

Paragraph 10.1 The policy does not seek to prevent or limit the access of children to licensed premises unless it is necessary 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 necessary 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 necessary 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 necessary and 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 necessary and/or appropriate including those drawn from the Model Pool of Conditions shown at in Appendix 3.

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.

### **CHILDREN AND CINEMAS**

Paragraph 11.1 Where the exhibition of films is permitted the Licensing Authority requires admission to children to be restricted in accordance with the British Board of Film Classification (BBFC) or any other body designated under section 4 of the Video Recordings Act 1984 .

Paragraph 11.2 Where it is proposed to exhibit films not classified by the BBFC, the Licensing Authority will, provided 28 days notice has been given, classify the films concerned using the guidelines published by the BBFC.

### **CHILDREN AND PUBLIC ENTERTAINMENT**

Paragraph 12.1 Where there is entertainment specifically provided for children (e.g. children's disco) the Licensing Authority would recommend as a minimum:

- an adult member of staff to be stationed in the vicinity of each of the exits, a minimum of one member of staff per 50 children or part thereof
- no standing to be permitted in any part of an auditorium during the performance
- no child unless accompanied by an adult to be permitted in the front row of any balcony.

Paragraph 12.2 Where relevant representations are made, the Licensing Authority may, if it considers it necessary and/or appropriate attach conditions to licences and permissions to prevent harm to children, these may include those drawn from the Model Pool of Conditions at Appendix 3 relating to the Protection of Children from Harm.

### **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 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.

## **PUBLIC SAFETY**

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. A copy is attached at Appendix 6.

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 necessary and/or appropriate, impose conditions to secure the public safety objective including those drawn from the Model Pool of Conditions attached at Appendix 3. Any conditions imposed will relate to the particular circumstances of the individual premises and will not duplicate other requirements of the law.

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.

<b>Report Author</b>	<b>Ext</b>	<b>Date</b>	<b>Doc ID</b>
Howard Bee	5665	20 October 2005	LEGREP/90720LM

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# Lancashire Constabulary

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

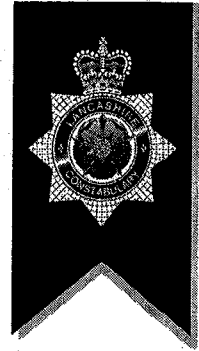
Tel: 01257 246215

Fax: 01257 246217

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

31 August 2005

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



Dear Sir

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

Premises SIRLOIN INN, STATION ROAD, HOGHTON

There are the following police representations to be made in respect of this application:-

1. The Police are concerned regarding E and F on the form. We feel that the latest time for any amplified entertainment should be no later than 0000 hrs Monday to Sunday to prevent crime and disorder, the prevention of public nuisance and the protection of children from harm(noise).
2. There will be no objections to the public house playing recorded music at a reduced volume after 0000 in the wind down period so long as not to disturb neighbours etc., with a condition that any music is 'inaudible to the nearest noise sensitive location'.
3. A further hours amplified entertainment should be allowed on New Years/Xmas Eve and Boxing Day, with a further 12 days agreed 7 days in advance by the Police and Council.
4. If the above is adhered to we have no objections.

Yours faithfully

Police Sergeant 1506

(Licensing)

# 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

21 September 2005

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



Dear Sir

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

Premises Sirloin Inn, Station Road, Hoghton

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

The police have now been provided with an e mail from Turners Solicitors which confirms full acceptance of the 4 recommendations as outlined in our previous representation letter dated 30<sup>th</sup> August 2005.

In view of this the police will now withdraw the previous representation.

Yours faithfully

Police Sergeant 1506

(Licensing)

**Howard Bee**

---

**From:** Andrea Forrest [Andrea@turnerslaw.co.uk]  
**Sent:** 20 September 2005 15:28  
**To:** Southern Licensing  
**Cc:** Howard Bee  
**Subject:** Sirloin Inn, Station Road, Hoghton

Dear Sir

We write in relation to your representations in your letter dated 31 August 2005.

We can confirm that our client has confirmed in writing their acceptance of the representations 1 – 4 inclusive.

We trust this will conclude the matter from your point of view and that you will withdraw the objections.

Andrea Forrest  
Turners Solicitors

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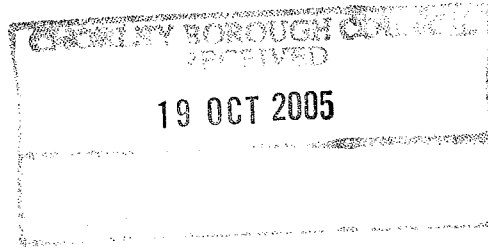
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# TURNERS

S O L I C I T O R S

Our ref: RNM/BAW/Sirloin  
Your ref:  
Date: 18 October 2005  
Please ask for: Mrs Mellalieu  
Direct e-mail: [jayne@turnerslaw.co.uk](mailto:jayne@turnerslaw.co.uk)

Mr Howard Bee  
Licensing Manager  
Chorley Borough Council  
Civic Buildings  
Union Street  
CHORLEY PR7 1AL



Dear Sir

**Re: The Sirloin, Station Road, Houghton, Preston**

We return on behalf of our clients the form in respect of the hearing.

Yours faithfully  
TURNERS

29a Ribblesdale Place  
Preston, PR1 3NA  
Tel: 01772 562222  
Fax: 01772 203418  
DX: 17129 Preston 1  
e-mail: [info@turnerslaw.co.uk](mailto:info@turnerslaw.co.uk)

**PARTNERS**

Rowan N. Mellalieu  
Paul Darlington  
Graham J. Heaney  
Mark Mosley

**ASSOCIATES**

Dorinda M. Fildes  
Roger J. Spensley

**LEGAL EXECUTIVES**

Shelley A. Harvey  
Heather E. Wood

**OFFICE MANAGER**

David Mellis



**MEMBERS OF:**

Law Society Family Law Panel  
Law Society Personal Injury Panel  
Law Society Mediation Panel  
Solicitors Family Law Association  
Family Mediation Consortium  
Accident Line Headway Cycle Aid

**AND AT**

Old Posthouse, Market Place,  
Garstang, PR3 1ZA  
Tel: 01995 604536  
Fax: 01995 606631  
e-mail: [law@turnersgarstang.demon.co.uk](mailto:law@turnersgarstang.demon.co.uk)



**LICENSING ACT 2003  
Regulation 8**

**Notice of actions following receipt of notice of hearing**

To: The Licensing Manager - Mr H Bee  
Civic Buildings  
Union Street  
Chorley  
PR7 1AL

1/ We, Turners  
of \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Hereby confirm that I have received the Notice of Hearing dated 17.10.05

for SIL LOIN

and notify you as follows:

[I ~~do not~~] intend to attend the hearing]

[I ~~do not~~] intend to be represented at the hearing [by]:

TURNERS

[I consider the hearing to be unnecessary because:

OF REPRESENTATIONS LODGED]

[I request that \_\_\_\_\_ should appear at the hearing and set out below the point or points on which this person may be able to assist the authority in relation to this application, representations or notice of the party making the request

Dated 18.10.05 Signed Turners

Delete words in square brackets which do not apply

Please see Regulation 8 overleaf



5 THE CROSSINGS,  
HOGHTON,  
PRESTON,  
PR5 0DH

01254 851961

31<sup>st</sup>. August 2005

Dear Mr. Bee,

Application to extend Licencing and Music hours The Sirloin Hoghton

With reference to the above recent application.

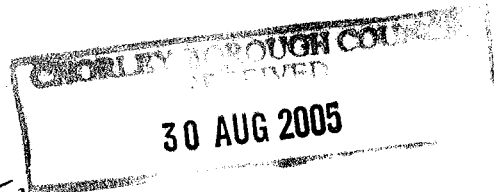
We consider the existing hours of opening and the two days when there is a Licence for music to be acceptable but would not be in favour of any extention to these hours. From our situation the problems of noise is directly related to the time when the car park is cleared and any extention in licencing hours would increase this inconvenience,

Yours sincerely

Mr. & Mrs. A. T. Nuttall.

*A.T. Nuttall*  
*C. Nuttall.*

Station Road,  
Houghton,  
Nr. Preston



PR 5 000

25<sup>th</sup> August, 2005.

Dear Sir / Madam,

Sirloin Inn -  
Extended licensing -  
Application

We are not in agreement with the extension of opening, drinking and entertainment hours at the Sirloin because young people coming out of the pub, not knowing what they are doing, shouting etc. would wake up residents at a later hour.

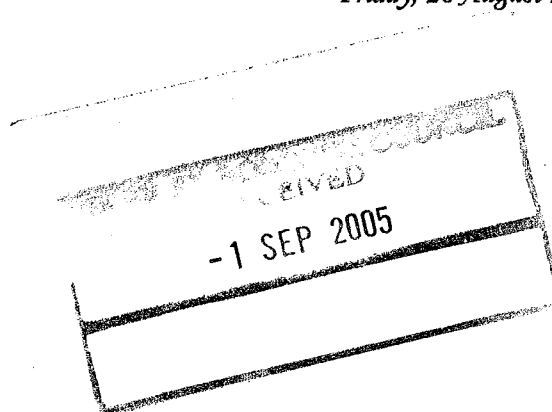
We noted with interest on the T.V. that residents in the West End of London, who are in an area of clubs and entertainment, have had enough of the present noise and bedlam caused by the late night hoodlums and drunkards without having to put up with an extension.

We live in an area which is in the country and to have a pub blasting out noise until the early hours of the morning when residents are leaving for work and school early is not acceptable.

We have seen on the T.V. recently youths, after having drunk, playing about on a station platform and throwing an innocent man on the railway line. The Sirloin is next to a railway crossing.

After people committed the serious crime of putting a horse trough on the railway line towards Preston we found that the fence at the bottom of our garden stopped being vandalised. Fortunately the train that hit the horse trough was not derailed but the driver was injured.

Yours faithfully  
S. McRae, R.F. McRae

**Doctor PLS and Mrs MA Dixon***Neuadd Wen**Station Road**Hoghton**Preston Lancashire**Friday, 26 August 2005**PR5 0DD**The Licencing Authority**Chorley Borough Council**Town Hall**Chorley.**Dear Sirs.*

*Re Application by Sirloin Inn Station Road Hoghton for extension to its opening hours. Also for provision of dancing, recorded music and live music every day.*

*The above application would mean that from Monday to Thursday closing time would be 01-00am, Friday and Saturday 02-00am and Sunday 12-00 am.*

*The Sirloin Inn is on a small road adjacent to the level crossing where Hoghton Station and the Goods yard were originally situate. These latter have been shut for many years and the original station buildings have been pulled down and executive housing built in their place. The railway crossing is an unmanned barrier which comes down a few minutes before a train is due. Station Road has been replaced as the main road by Blackburn Old Road that crosses the railway by a bridge.*

*The whole of Station Road has about 20 houses on it – mostly detached – and five small cul-de-sacs with the aforementioned executive housing and many of them homes with children.*

*The Sirloin Inn had a restaurant built by the previous Landlord Brian Nelson, which was itself the subject of a Public Enquiry and Planning Permission was eventually granted but with many clauses related to an efficient air conditioning system and non opening restaurant windows. In the event the restaurant was not successful and the Inn did very little business.*

*The Restaurant and Inn were leased to Candifloss Limited. This was well received by the local population especially by those who had been fortunate to dine at the sister Restaurant in Longridge.*

However there was much surprise and consternation when a Music Licence was applied for. This seemed unsuitable for the Establishment which was essentially portayed as an up market Restaurant. Despite objections a six month licence was granted again subject to conditions. It took Candifloss Limited nearly 12 months to satisfy these and in fact one or two had still not been completed when the Music Licence came up for renewal again.

In early 2004 a deck was built at the rear of the building complete with tables and chairs and advertising to make its presence known. However Planning Permission had not been applied for or granted and it was not until the end of the year that retrospective Planning Permission was granted, again despite several objections.

There was further action from the Inn with big adverts to come and watch TV, lately an ATM, and more recently still big billboards at both ends of Station Road.

From the point of view of the writers of this letter, the Restaurant was always acceptable but all the other attempts to make this a "City" public house were not. Our grand daughter's bedroom is about 80 yards from the rear decking with noisy drinkers in fine weather and subject to the shouts, loud revving of car engines and slamming of car doors, as well as motor bikes trying to do wheelies. At warm weekends this is far more pronounced and can make sitting out in our garden untenable. This is not helped by the frequent swearing and drunken shouting. Recently a bottle was thrown over the wall from the Inn and narrowly missed smashing on my Jaguar car.

On several occasions Environmental Health have had to be telephoned because of the very late night noise from the Inn. The excuse has always been that this was a Private Party.

An additional disturbance has been due to the lack of curtains in the Restaurant so that customers can look down into our lounge. The fact that kitchen windows are left open also means that we are assailed by food smells.

As can be seen from the above there have been many problems since Candifloss Limited took over the lease.

In our opinion, if Candifloss Limited is allowed an extension to their hours, plus all the extras that they want, the situation at our house and neighbouring properties will be catastrophic. In addition an area of high rated properties on a quiet country road will be subject to the noise and problems and the disturbances of a City Public House.

We urge the Committee to reject the application for an extension to the present hours.

Yours faithfully,

Peter L S Dixon

M. A. Dixon

4 The Crossings  
Hoghton  
PRESTON  
PR5 0DH

The Licensing Team  
Chorley Borough Council  
Town Hall  
CHORLEY  
PR7 1DR

2 September 2005

-5 SEP 2005

Dear Sirs,

**Re: Application for a variation to the Premises Licence  
The Sirloin, Station Road, Hoghton, Preston PR5 0DD**

We wish to register our opposition to the above application, on the grounds that it will cause an increase in public nuisance.

We have endured regular disturbance and nuisance from The Sirloin for quite some time, and our previous correspondence in September 2003 and May 2004 refer (encl.).

Our house backs directly onto the car park of The Sirloin and the nuisance from the premises, including its decking area and car park, can last from early evening right through until people leave late at night - even though there are notices posted in the car park asking patrons to leave quietly.

We would also like to point out that the nuisance we experience occurs regularly throughout the periods that The Sirloin is open, and not just around closing time. We are therefore extremely concerned that it will continue until the early hours - past 01.00 through the week and 02.00 at weekends, if the application is allowed.

The proposed variation of hours and removal of embedded restrictions in the Regulated Entertainment Licence is an additional concern - especially as any entertainment in the 1<sup>st</sup> floor restaurant area causes noise to be carried directly into nearby houses, including ours.

We fail to see how the proposed variation could possibly benefit or improve the local community, and trust the Licensing Team will carefully consider all of the representations against it.

Yours faithfully,

*RJ McDermott*  
*DM McDermott*

RJ & DM McDermott

RE: Sirloin Inn, Hoghton

**Rob McDermott**

---

**From:** Janet Brereton [janet.brereton@chorley.gov.uk]  
**Sent:** Tuesday, May 04, 2004 15:40  
**To:** 'Rob McDermott'  
**Subject:** RE: Sirloin Inn, Hoghton

Dear Mr McDermott

The public entertainment licence for the premises was granted by the Licensing Committee last year, however, it has not yet been issued. This is due to the work required by the Council's Building Control and the Council's Environmental Services Officer not being fully completed. The licence, when issued, will be subject to the conditions agreed by the Council's Licensing Committee and have not been in any way changed. Mr Keogh, the licensee, has informed me that he has almost completed all the work asked for and the premises will be inspected once the work is done. Provided everything is satisfactory a licence will then be issued.

Following your e-mail, I have made enquiries with the licensee, Mr Keough, regarding the event held on 2 May. He has assured me that it was a private party and as such a public entertainment licence is not required.

The person you need to speak to in Environmental Services is David Bradley, Principal Environmental Health Officer. His telephone number is 01257 515732 and his e-mail address is david.bradley@chorley.gov.uk

If you have any further questions regarding this matter, please do not hesitate to contact me.

Regards  
Janet Brereton  
Licensing  
01257 515164

-----Original Message-----

**From:** Rob McDermott [mailto:rmcd@booth-dispensers.co.uk]  
**Sent:** 04 May 2004 11:26  
**To:** Janet Brereton  
**Subject:** Sirloin Inn, Hoghton

Dear Ms Brereton,

In September last year an application for a Public Entertainment Licence was made by the Sirloin Inn, Station Road, Hoghton. You may recall that my wife and I along with a number of other local residents objected on the basis of additional noise and nuisance.

The licence was granted, and I understand that it is subject to the Council's standard conditions and a number of additional conditions identified by the Council's Environmental Services Unit.

On Sunday last (2nd May), an event took place in the first floor restaurant area involving a mobile DJ / disco, with music and singing until approx 01.20 am on the Monday morning. The windows of the restaurant were open for the duration of the event and the noise carried straight into our house until the event was finished and the participants had departed. This is the 2nd such event, and I am concerned about the prospect of more.

I would be grateful if you could confirm whether the conditions of the

04/05/04

RE: Sirloin Inn, Hoghton

original licence have been altered in any way. I would also be grateful if you could send me contact details of the responsible person within the Environmental Services Unit.

Kind regards,

Rob McDermott  
Sales Director, Booth Dispensers Ltd  
T: +44 (0)1253 785400  
F: +44 (0)1253 785404  
M: +44 (0)7753 819313  
E: [rmcd@booth-dispensers.co.uk](mailto:rmcd@booth-dispensers.co.uk)

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04/05/04



Licence No C31

**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 Wayne Keough, The Sirloin Inn, Station Road, Hoghton, Preston, Lancashire PR5 0DD (hereinafter called "*the Licensee*") for the use of the premises (hereinafter called "*the premises*") known as The Sirloin Inn, Station Road, Hoghton, Preston PR5 0DD 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 1 June 2005. **The maximum occupancy of the premises is 100 (one hundred) persons.**
  
2. The premises shall not be used for the purpose for which they have been licensed except at the following times:

Wednesdays	11am until 11pm
Saturdays	11am until 11pm
  
3. The period during which this Licence shall remain in force shall be 1 June 2005 until 31 May 2006
  
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 1 June, 2005

Signed

Rosemary A Lyon  
Director of Legal Services

**NOTES**

Any breach or contravention of the said Act or the Conditions of Licence is punishable under the provisions of Part 1 and Paragraph 12 of the First Schedule to this Act.

By Paragraph 17 of the First Schedule to the said Act any person aggrieved by any of the terms, conditions or restrictions subject to which this Licence is granted may appeal to a Magistrates' Court acting for the Petty Sessions area within which the premises are situated within 21 days of the date of notification of the said terms, conditions or restrictions.

Specify type of use or uses e.g., public music, singing and dancing in the premises or in each part thereof.

No exhibition, demonstration or performance of hypnotism (as defined in Section 6 of the Hypnotism Act 1952) shall be given on any person at the place licensed.

**PUBLIC ENTERTAINMENT SPECIAL CONDITIONS OF USE**

<b>Premises</b>	<b>The Sirloin Inn</b>
<b>File</b>	<b>C31</b>
<b>Date</b>	<b>01 June 2005</b>

8 These conditions relate to the licensed area, which comprises of Bar/Lounge area, pool room, rear function room, cellar area, ancillary toilet accommodation and all means of escape therefrom.

The maximum number of persons permitted in the licensed area at any one time **shall not exceed 100 (one hundred) persons.**

**ADDITIONAL CONDITIONS**

<b>Premises</b>	<b>The Sirloin Inn</b>
<b>File</b>	<b>C31</b>
<b>Date</b>	<b>01 June 2005</b>

- 1 The self closer on the external door should be replaced/repared and adjusted to ensure that it does not stick in the open position.
- 2 The internal door glazing panel shall be fitted with double or secondary acoustic glazing to a specification agreed with the Council.

*Out of  
time*

4 The Crossings  
Hoghton  
Preston  
PR5 0DH

Your Ref: JMB/X43

9 September 2003

Dear Sirs

**Application for a Public Entertainment Licence  
The Sirloin Inn, Station Road, Hoghton, Preston**

We wish to register our opposition to the above application, due for consideration at the Council's Licensing and Safety Committee meeting on Wednesday 10 September.

Our house backs directly onto the car park of the Sirloin and we already suffer some disturbance and noise, especially when people sit outside the rear of the pub, and when the staff leave the back doors open. People also stay in the car park outside their cars chatting and laughing loudly, often until the early hours of the morning. It seems as though some also like to use the car park as the local race track and they can often be heard revving engines and squealing brakes until well after normal closing time.

We remember that when a music event took place earlier this year, there was a significant increase in noise from the pub and car park which carried right into our house and caused disturbance until after it had finished and all the people had left.

Whilst we do accept that some noise from licensed premises is inevitable, we feel strongly that granting a Public Entertainment Licence to the Sirloin would cause increases in noise, nuisance and rowdy behaviour beyond acceptable levels to local residents. After all, this is not a town or city centre location, it is a quiet and peaceful village.

We hope that the committee understands the concerns of local residents like us, and rejects the application.

Yours faithfully,

RJ & DM McDermott

**TURNERS**

S O L I C I T O R S

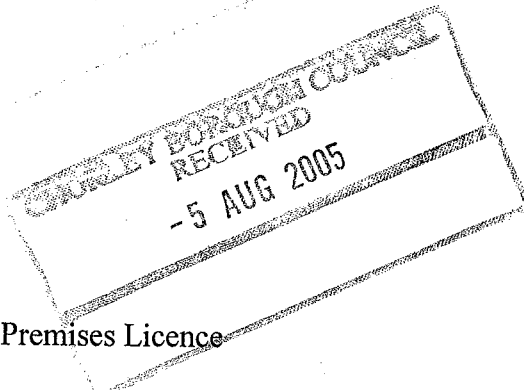
Our ref: RNM/JM/THE SIRLOIN  
 Your ref:  
 Date: 4<sup>th</sup> August 2005  
 Please ask for: Mrs Mellalieu/*Contact: Andrea Forrest (Licensing)*  
 Direct e-mail:

Chorley Borough Council,  
 Town Hall  
 Chorley  
 PR7 1DR

Dear Sirs,

We enclose an application for premises licence for the following establishment:

The Sirloin Inn  
 Station Road  
 Hoghton  
 PR5 0DD



Enclosed as follows:

1. Application Forms for Premises Licence
2. Plan
3. All other relevant documentation associated with this application
4. Cheque in the sum of £120.00
5. Certificate of Service

We can confirm that the notice of the application will appear in the paper within 10 days of the date of this letter.

We wait to hear from you further.

Yours faithfully,  
 TURNERS

Cc:

1. Lancashire Constabulary, Licensing Unit: C Division, Chorley Police Station, St. Thomas's Road, Chorley, Lancashire, PR7 1DR
2. Environmental Services Unit, Civic Offices, Union Street, Chorley, PR7 1AL
3. Environment Agency, Lutra House, PO Box 519 South Preston, PR5 8GD
4. Planning Services Unit, Civic Offices, Union Street, Chorley, PR7 1AL
5. Lancashire Fire & Rescue Service, Fire Safety, Fire Station, Weld Bank Lane, Chorley, Lancashire, PR7 3NQ
6. Dave McHale, Quality & Review Manager, Lancashire County Council, Social Services Directorate, PO Box 162, East Cliff County Offices, Preston, PR1 3EA

29a Ribblesdale Place  
 Preston, PR1 3NA  
 Tel: 01772 562222  
 Fax: 01772 203418  
 DX: 17129 Preston  
 e-mail: info@turnerslaw.co.uk

PARTNERS

Rowan N. Mellalieu  
 Paul Dartington  
 Graham J. Heaney  
 Mark Mosley

ASSOCIATES

Donna M. Fildes  
 Roger J. Spensley

LEGAL EXECUTIVES

Shelley A. Harvey  
 Heather E. Wood

OFFICE MANAGER

David Mellis



MEMBERS OF:

Law Society Family Law Panel  
 Law Society Personal Injury Panel  
 Law Society Mediation Panel  
 Solicitors Family Law Association  
 Family Mediation Consortium  
 Accident Line Headway Cycle Aid

AND AT

Old Posthouse, Market Place,  
 Garstang, PR3 1ZA  
 Tel: 01995 604536  
 Fax: 01995 605631  
 e-mail: law@turnersgarstang.demon.co.uk

(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.

I/We Candifloss Limited

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

**Part A1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
The Sirloin Station Road Hoghton			
Post town	Preston	Post code	PR5 0DD

Telephone number of premises (if any)	01254 852293
Non-domestic rateable value of premises	£3100

**Part A2 - Applicant Details**

Please state the capacity in which you are 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)**

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

**SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)**

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



**(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 Candifloss Limited
Address The Sirloin Station Road Hoghton Preston PR5 0DD
Registered number (where applicable) 03670296
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

**Part A3 - Operating Schedule**

General description of premises (please read guidance note 1)

Situated in a residential area, the premises hold a public house and a restaurant on the ground and first floor, respectively. The public house has a capacity of 150 whilst the restaurant may hold 60. Both floors are well lit. There is one gambling machine located on the ground floor in the public house.
---

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

--

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

**Provision of regulated entertainment**

**Please tick Yes**

- 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
- h) 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

Wayne Keough

Address

The Sirloin Inn  
Station Road  
Hoghton  
Preston  
PR5 0DD

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.

To include any embedded existing licensable activity by virtue of Schedule 8, Paragraph 6 (5) of the Licensing Act 2003.

Gaming Act 1968 (Section 34) Certificate to permit the use of two gambling machines on the premises.

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)**

Intoxicating liquor shall not be sold, supplied or consumed in the part of the premises described as the restaurant otherwise than to persons taking table meals there and for consumption by such to a person as an ancillary to his meal

That the windows of the first floor extension including the restaurant shall be double glazed and non-opening.

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

[Empty box for response to section b)

**c) Public safety**

[Empty box for response to section c)

**d) The prevention of public nuisance**

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


**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, 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	3/8/05
Capacity	Director / Company Secretary

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	
Capacity	

<p><b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 7)</b>                  Turners Solicitors                  29A Ribblesdale Place</p>			
Post town	Preston	Post code	PR1 3NA
Telephone number	01772 562222		
E-mail address (optional)			

**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**

I/We Candifloss Limited

*[Insert name of applicant]*

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**

Please tick

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

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

Day			Month			Year	

**Please describe briefly the nature of the proposed variation. (Please read guidance note 8)**

To vary the hours of opening Monday to Thursday inclusive to be 1100 hrs to 0100 hrs the following morning, Friday and Saturday to be 1100 hrs to 0200 hrs the following morning and Sunday to be 1100 hrs to 0000 hrs.

To vary the hours for sales of alcohol Monday to Thursday inclusive to be 1100 hrs to 0030 hrs the following morning, Friday and Saturday to be 1100 hrs to 0130 hrs the following morning and Sunday to be 1100 hrs to 2330 hrs.

To include the provision of Late Night Refreshment Monday to Thursday inclusive to be 2300 hrs to 0030 hrs the following morning, Friday and Saturday to be 2300 hrs to 0130 hrs the following morning and Sunday to be 2300 hrs to 2330 hrs.

To include the provision of regulated entertainment Monday to Thursday inclusive 1100 hrs to 0030 hrs the following morning, Friday and Saturday to be 1100 hrs to 0130 hrs the following morning and Sunday to be 1100 hrs to 2330 hrs.

To remove any embedded restrictions which are placed on the licence by virtue of Schedule 8, Paragraph 6 (8) of the Licensing Act 2003, save as otherwise indicated.

To include any embedded existing licensable activity by virtue of Schedule 8, Paragraph 6 (5) of the Licensing Act 2003.

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

**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)

**Provision of regulated entertainment**

**Please tick Yes**

- 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:**

- 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 Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 9)	Indoors	<input type="checkbox"/>	
Day				Start	Finish	
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						
			Outdoors	<input type="checkbox"/>		
			Both	<input type="checkbox"/>		



**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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 10)		
Mon					
Tue			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 11)		
Wed					
Thur			<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</b> (please read guidance note 12)		
Fri					
Sat					
Sun					

**C**

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

**D**

<b>Boxing or wrestling entertainment</b> Standard days and timings (please read guidance note 8)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 9)</b>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 10)		
Mon					
Tue			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 11)		
Wed					
Thur			<b><u>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</u></b> (please read guidance note 12)		
Fri					
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 9)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 10) Live music will consist only of a vocalist, harpist and perhaps pianist at lunchtimes and on other special occasions such as weddings.		
Mon	1100	0030			
Tue	1100	0030	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 11)		
Wed	1100	0030			
Thur	1100	0030	<b><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></b> (please read guidance note 12) Should New Years Eve fall on a day other than a Friday or a Saturday it will require hours as if it had fallen on a Friday or a Saturday i.e. 1100 hrs to 0130hrs the following morning.		
Fri	1100	0130			
Sat	1100	0130			
Sun	1100	2330			

**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</b> (please read guidance note 9)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 10)		
Mon	1100	0030			
Tue	1100	0030			
			<b><u>State any seasonal variations for playing recorded music</u></b> (please read guidance note 11)		
Wed	1100	0030			
Thur	1100	0130			
			<b><u>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</u></b> (please read guidance note 12) Should New Years Eve fall on a day other than a Friday or a Saturday it will require hours as if it had fallen on a Friday or a Saturday i.e. 1100 hrs to 0130hrs the following morning.		
Fri	1100	0130			
Sat	1100	0130			
Sun	1100	2330			

**G**

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 9)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 10)		
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 11)		
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</b> (please read guidance note 12)		
Sat					
Sun					

H

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)</p>			<p><b><u>Please give a description of the type of entertainment you will be providing</u></b></p>		
Day	Start	Finish	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 9)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 10)</p>		
Wed					
Thur			<p><b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 11)</p>		
Fri					
Sat			<p><b><u>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</u></b> (please read guidance note 12)</p>		
Sun					

I

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 8)			<b><u>Please give a description of the facilities for making music you will be providing</u></b>					
			<b>Will the facilities for making music be indoors or outdoors or both – please tick</b> (please read guidance note 9)		Indoors	<input type="checkbox"/>		
			Outdoors	<input type="checkbox"/>				
			Both	<input type="checkbox"/>				
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 10)					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for the provision of facilities for making music</u></b> (please read guidance note 11)		
Thur								
Fri								
Sat						<b><u>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</u></b> (please read guidance note 12)		
Sun								



J

Provision of facilities for dancing Standard days and timings (please read guidance note 8)			Will the facilities for dancing be indoors or outdoors or both – please tick (please read guidance note 9)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1100	0030	<b>Please give further details here</b> (please read guidance note 10) Dancing of all kinds is likely only to occur at special occasions such as weddings.	Both	<input type="checkbox"/>
Tue	1100	0030			
Wed	1100	0030	<b>State any seasonal variations for providing dancing facilities</b> (please read guidance note 11)		
Thur	1100	0030			
Fri	1100	0130	<b>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</b> (please read guidance note 12) Should New Years Eve fall on a day other than a Friday or a Saturday it will require hours as if it had fallen on a Friday or a Saturday i.e. 1100 hrs to 0130hrs the following morning.		
Sat	1100	0130			
Sun	1100	2330			

**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)			<b><u>Please give a description of the type of entertainment facility you will be providing</u></b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Will the entertainment facility be indoors or outdoors or both – please tick</u></b> (please read guidance note 9)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 10)		
Wed					
Thur			<b><u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u></b> (please read guidance note 11)		
Fri					
Sat			<b><u>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 i or j at different times to those listed in the column on the left, please list</u></b> (please read guidance note 12)		
Sun					

L

<b>Late night refreshment Standard days and timings (please read guidance note 8)</b>			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 9)</b>	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here (please read guidance note 10)</b>		
Mon	2300	0030			
Tue	2300	0030			
Wed	2300	0030			
			<b>State any seasonal variations for the provision of late night refreshment (please read guidance note 11)</b>		
Thur	2300	0030	<b>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 (please read guidance note 12)</b> Should New Years Eve fall on a day other than a Friday or a Saturday it will require hours as if it had fallen on a Friday or a Saturday i.e. 2300 hrs to 0130hrs the following morning.		
Fri	2300	0130			
Sat	2300	0130			
Sun	2300	2330			

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 13)</b>	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol (please read guidance note 11)</b>		
Mon	1100	0030			
Tue	1100	0030			
Wed	1100	0030			
Thur	1100	0030			
Fri	1100	0130			
Sat	1100	0130			
Sun	1100	2330			
			<b>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)</b> Should New Years Eve fall on a day other than a Friday or a Saturday it will require hours as if it had fallen on a Friday or a Saturday i.e. 1100 hrs to 0130hrs the following morning.		

**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)**  
Children must be accompanied by an adult at all times.

There is a separate dining room (first floor) and a separate non-smoking area.

**O**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 11)
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
Mon	1100	0100	
Tue	1100	0100	
Wed	1100	0100	
Thur	1100	0100	
Fri	1100	0200	
Sat	1100	0200	
Sun	1100	0000	
			<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</b> (please read guidance note 12) Should New Years Eve fall on a day other than a Friday or a Saturday it will require hours as if it had fallen on a Friday or a Saturday i.e. 1100 hrs to 0200hrs the following morning.

**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

Intoxicating liquor shall not be sold, supplied or consumed in the part of the premises described as the restaurant otherwise than to persons taking table meals there and for consumption by such to a person as an ancillary to his meal.

Present times for the supply of alcohol.

**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**

Incident log books are used to record any accidents or incidents of non-service.

Toughened drinking glasses are used as much as possible.

We have an operational drugs policy and are part of the Pub Watch Scheme in the local area.

We have a strict rule on under age drinking in that those who appear to be below the age of 21 must provide photographic evidence to prove that they are over 18 in order to be served alcohol.

Those appearing to be drunk and disorderly will be refused service of alcohol.

**c) Public safety**

The Designated Premises Supervisor is a fully qualified first aider.

Emergency lighting, gas installation and fire alarms are checked annually.

Pre-opening safety checks are carried out daily.

Free drinking water is available throughout the hours of opening.

Disabled toilets are located downstairs and there is a ramp to the ground floor door.

**d) The prevention of public nuisance**

The premises are located in a residential area therefore all doors are kept closed, except for access to the public, in order to reduce noise pollution.

There are notices inside the premises requesting that customers leave in an orderly manner.

Local taxi firms will be informed of any changes in opening hours.

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

Children must be accompanied by an adult at all times.

There is a separate dining room (first floor) and a separate non-smoking area.

**Part B3 – Premises Supervisor**

**Full name of proposed designated premises supervisor**

Wayne Keough

**Address of proposed designated premises supervisor**

The Sirloin Inn  
 Station Road  
 Hoghton  
 PR5 0DD

**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	A. K. [Signature]
Date	3/8/05
Capacity	Director

**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	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 19)

Turners Solicitors  
29A Ribblesdale Place

Post town	Preston	Post code	PR1 3NA
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**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 you 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**

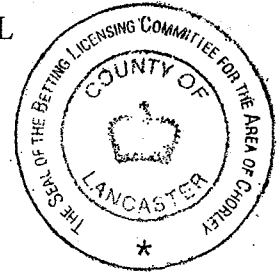
**This application cannot be used to vary the licence to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act.**

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 e.g. 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. An 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.

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

Dated this 11<sup>th</sup> day of July, 2005.

*J Butterfield*  
Designated Officer.



Justices' Licence  
Intoxicating Liquor

Licence No. 80A

**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 5<sup>th</sup> day of March, 2003 for the Division of Chorley in the County of Lancashire.

The Licensing Justices for the said Licensing district hereby grant  
To Wayne Russell Keogh  
Of Station Road, Hoghton

(hereinafter called the licensee this Justices' Licence authorising him to sell by retail at the premises known as The Sirloin Inn Of Station Road, Hoghton, PR5 0DD

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  
William Brian Nelson  
Of "The Willows", The Straits, Hoghton, Preston, PR5 0DA

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.

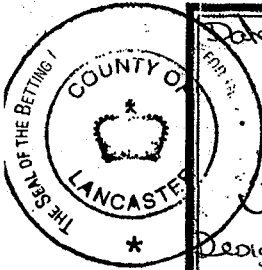
*[Signature]*  
Clerk to the Licensing Justices

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

WE HEREBY CERTIFY THIS TO BE  
A TRUE COPY OF THE ORIGINAL  
*Turners*  
Dated *4/8/05*

1. Intoxicating liquor shall not be sold, supplied or consumed in the part of the premises described as the restaurant otherwise than to persons taking table meals there and for consumption by such to a person as an ancillary to his meal **and**
2. That the windows of the first floor extension including the restaurant shall be double glazed and non-opening.

Dated this 11th day of July 2005



J Beckett  
Designated Officer

GAMING ACT 1968, s.34

No. 80 A  
WE HEREBY CERTIFY THIS TO BE  
A TRUE COPY OF THE ORIGINAL  
SIGNED Turner  
DATED 4/8/05

**PERMIT**  
for the use of  
**Machines for Gaming by way of Amusement with Prizes**

THE LICENSING JUSTICES for the Licensing District of Chalvey

in the County of Lancashire  
within which licensing district the undermentioned premises are situated **HEREBY GRANT** to Wayne Russell Keogh  
of Station Road, Houghton  
this [renewal of the] **PERMIT** for the use of machines for gaming under s. 34 of the Gaming Act 1968 on the premises known as

The Sirlion Inn

of which premises the above mentioned holds a justices' on-licence.

[THIS PERMIT is issued subject to the condition that the number of machines which may be made available on the premises for gaming shall be limited to TWO \*]

THIS PERMIT shall be in force from the 5th day of March 2003  
and, subject to paragraphs 18 to 20 of Schedule 9 to the said Act, shall cease to be in force at the end of the 4th day of March 2006

Receipt of the fee of £32.00 is acknowledged.

DATED this 5th day of March 2003

[GIVEN under the official [seal] [stamp] of the Licensing Justices, which is hereto affixed under their authority by me\*\*

*[Signature]*  
Clerk to] the Licensing Justices

Condition

That any machine in respect of which the condition mentioned in s 34(5a) of this Act are observed is located in a bar.

NOTE: This permit is NOT TRANSFERABLE and shall cease to have effect if the holder of the permit ceases to be the holder of the justices' on-licence in respect of the premises to which it relates (save as provided by para. 20 of Schedule 9 to the Act in the event of the death of the holder).  
IT IS IMPORTANT THAT YOU READ THE NOTES ON THE REVERSE OF THIS FORM.

\*Insert number  
†Not less than three years from the date of the permit  
\*\*Where there is no official seal or stamp the permit must be signed by the majority of the licensing justices present when the permit is granted

**Form of consent given by the person who holds the existing licence**

I/We, Wayne Russell Keough

*[insert full name(s) of existing licence holder(s)]*

being the holder of an existing licence/existing licences

Justices' On Licence granted 5<sup>th</sup> day of March 2003 by Licensing Justices of Chorley  
Gaming Act 1968 S34 Permit granted 5<sup>th</sup> March 2003 by the Licensing Justices of Chorley

*[insert name of licence(s), the date of grant of the licence(s) and by whom the grant(s) was/were made]*

hereby consent(s) to the application by Candifloss Limited

*[insert full name or names of applicant]*

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 Sirloin Inn  
Station Road  
Hoghton  
PR5 0DD

*[insert name and address of premises]*

Signed Wayne Keough

Dated 3/8/05

**Form of consent given by the person whom the applicant wishes to be the premises supervisor**

I, Wayne Russell Keough

*[insert first names and surname of prospective premises supervisor]*

hereby consents to being named as the premises supervisor in a new licence granted under paragraph 4 of Schedule 8 to the Licensing Act 2003 to

Candifloss Limited

*[insert full name of applicant]*

in respect of the application to convert an existing justices' licence ~~held by the applicant~~ / where the holder of the licence has consented to the application being made by the applicant

*[delete as applicable]*

for

The Sirloin Inn  
Station Road  
Hoghton  
PR5 0DD

*[insert name and address of existing licensed premises]*

if that application is successful.

Signed

*Wayne Keough*

Dated

*3/8/05*

**Certificate of Service**

**Proof of Service : Rule 67 Magistrates' Courts Rules 1981**

I, Jayne Mitchell

of Turners Solicitors, 29a Ribblesdale Place, Preston, PR1 3NA

can confirm that on this day, namely 4<sup>th</sup> August 2005, served the following by first class post in connection with the application relating to The Sirloin Inn

1. **Lancashire Constabulary**, Licensing Unit: C Division, Chorley Police Station, St. Thomas's Road, Chorley, Lancashire, PR7 1DR
2. **Environmental Services Unit**, Civic Offices, Union Street, Chorley, PR7 1AL
3. **Environment Agency**, Lutra House, PO Box 519 South Preston, PR5 8GD
4. **Planning Services Unit**, Civic Offices, Union Street, Chorley, PR7 1AL
5. **Lancashire Fire & Rescue Service**, Fire Safety, Fire Station, Weld Bank Lane, Chorley, Lancashire, PR7 3NQ
6. **Dave McHale, Quality & Review Manager**, Lancashire County Council, Social Services Directorate, PO Box 162, East Cliff County Offices, Preston, PR1 3EA

Signed J. Mitchell.....

Dated 4/8/05.....

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