

Chief Executive's Office

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Date: 10 November 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 A is to be held in the Council Chamber, Town Hall, Chorley on Monday, 21st November, 2005 commencing at 2.00 pm.

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 Certificates) Regulations 2003 - Application to vary premises license in respect of The Rose and Crown ,Southport Road , Ulnes Walton (Pages 1 - 46)**

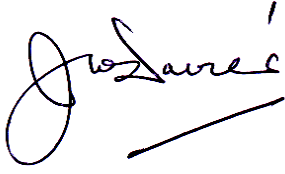
Report of Director of Legal Services (enclosed)

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 A (Councillor R Snape (Chair), Councillors M Lees and Mrs Smith) for attendance.
2. Agenda and reports to Councillor David Dickinson (Reserve Member) to be present at the start of the meeting.
3. Agenda and reports to Director of Legal Services and Licensing Manager for attendance.
4. Agenda and reports to 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 it's best endeavours to substitute another member, taken from the membership of the Licensing Act 2003 Sub-Committee reserve list.
- the Sub-Committee may disallow cross-examination in exceptional circumstances; this decision will be taken on a case by case basis with a presumption to allow. However, parties are advised that the Sub-Committee wishes to discourage hostile cross examination.
- late representations and evidence will usually only be considered with the agreement of all parties present.
- decisions will generally be taken regardless of whether the applicant/other party is present unless the Sub-Committee consider it necessary in the public interest to adjourn the hearing to a specified date. All notices and representations from absent parties will be considered.
- the Sub-Committee will generally allow parties a maximum of 30 minutes per party to make all relevant Statements. However, the Sub-Committee recognises that in certain circumstances this may be insufficient due to the complexity of the issues involved. In this situation the Sub-Committee will consider representations from those parties involved in the hearing as to the length required to make all relevant statements. The Licensing Authority respectfully requests that all parties keep points pertinent and the discussion moving in the interests of cost and efficiency.

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

HEARING PROCEDURE

PREMISES/CLUB PREMISES LICENCE APPLICATIONS

1. CHAIR OF SUB-COMMITTEE:

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

2. LICENSING OFFICER OUTLINES APPLICATION AND RELEVANT REPRESENTATIONS

3. QUESTIONS TO LICENSING OFFICER FOR CLARIFICATION FROM:

- Sub-Committee
- Applicant

4. APPLICANT OR REPRESENTATIVE OUTLINES APPLICATION

5. QUESTIONS TO APPLICANT FROM:

- Sub-Committee
- Interested Representative

6. LANCASHIRE POLICE REPRESENTATIONS

7. QUESTIONS TO LANCASHIRE POLICE FROM:

- Sub-Committee
- Applicant

8. LANCASHIRE FIRE & RESCUE REPRESENTATIONS

9. QUESTIONS TO LANCASHIRE FIRE & RESCUE FROM:

- Sub-Committee
- Applicant

10. ENVIRONMENTAL HEALTH (ENVIRONMENT) REPRESENTATIONS

11. QUESTIONS TO ENVIRONMENTAL HEALTH FROM:

- Sub-Committee
- Applicant

12. ENVIRONMENTAL HEALTH (HEALTH & SAFETY) REPRESENTATIONS

13. QUESTIONS TO ENVIRONMENTAL HEALTH FROM:

- Sub-Committee
- Applicant

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

- Sub-Committee
- Applicant

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

- Sub-Committee
- Applicant

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

- Sub-Committee
- Applicant

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

- Sub-Committee
- Applicant

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

All parties retire whilst Sub-Committee makes decision.

26. NOTICE OF DECISION

Parties re-admitted and Chair announces decision and reasons.

Report of	Meeting	Date
Director of Legal Services	Statutory Licensing Sub-Committee	21 November 2005

APPLICATION FOR A PREMISES LICENCE TO BE GRANTED IN RESPECT OF ROSE AND CROWN, SOUTHPORT ROAD, ULNES WALTON

PURPOSE OF REPORT

- For members to determine an application to 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

- Not Applicable

THE APPLICATION

- A copy of the application to be granted 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 remain representations from interested parties, which are listed below.

- Regulated Entertainment

Continued....



i) Films – Indoors (B)

9.00 – 00.00 Monday - Sunday

Non-Standard timings

When hours for sale of alcohol are extended hereunder these hours are also extended

ii) Indoor sporting events (C)

9.00 – 00.00 Monday – Sunday

Non-Standard timings

When hours for sale of alcohol are extended hereunder these hours are also extended

iii) Live Music – Indoors (E)

9.00 - 00.00 Monday – Sunday

Live music and amplified voice as stated in B1

Non-Standard timings

When hours for sale of alcohol are extended hereunder these hours are also extended

iv) Recorded Music – Indoors (F)

9.00 - 00.00 Monday - Sunday

Recorded music, including jukebox, with or without a DJ, during normal business hours or as part of functions and including audience participation as specified in B1

Non-Standard timings

When hours for sale of alcohol are extended hereunder these hours are also extended

v) Performance of dance – Indoors (G)

9.00 - 00.00 Monday –Sunday

Non-Standard timings

When hours for sale of alcohol are extended hereunder these hours are also extended

vi) Provision of facilities for making music – Indoors (I)

9.00 - 00.00 Monday – Sunday

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

Non-Standard timings

When hours for sale of alcohol are extended hereunder these hours are also extended

vii) Provision of facilities for dancing – Indoors (J)

9.00 - 00.00 Monday – Sunday

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

Non-Standard timings

When hours for sale of alcohol are extended hereunder these hours are also extended

8. Late night refreshment Indoors (L)

23.00 – 00.00	Monday – Thursday
23.00 – 02.00	Friday and Saturday
23.00 – 01.00	Sunday

Non-Standard timings

When hours for sale of alcohol are extended hereunder these hours are also extended

9. Supply of alcohol both on and off the premises (M)

9.00 – 00.00	Monday – Thursday
9.00 – 01.00	Friday and Saturday
9.00 – 00.00	Sunday

Non Standard Timings

To the extent that part 3 paragraph 4 is not granted or does not permit: the sale of alcohol and such regulated entertainment as authorised hereunder until 01.00 on Friday, Saturday, Sunday and Monday at bank holiday weekends, Christmas Eve, Boxing Day and also to the extent that part 3 paragraph 4 is not granted to open to the same hour on up to 12 occasions per annum at the Licensee’s discretion upon 7 days notice prior to the Police (if required by them)

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

To permit the premises to open for licensable activities to show the broadcast of televised sporting events of national or international interest outside normal operating hours such opening times for this purpose to be confirmed upon 7 days prior notice in writing to the police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.

10. Hours Premises are open to the public (O)

9.00 - 00.30 Monday - Thursday
 9.00 - 02.30 Friday and Saturday
 9.00 - 01.30 Sunday

The premises will close 30 minutes after the end of the non-standard timings identified.

11. 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) General

Applicant has undertaken own risk assessment to take the following proposed steps.

The types of regulated entertainment proposed materially do no more than re-instate the normal pub entertainment that was previously unregulated in B1.

No new steps have been identified in relation to the four licensing objectives save as below.

ii) Prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below

- 1 Any person exercising a security activity (as defined by paragraph 2(1)(a) of Schedule 2 of the Private Security Industry Act 2001) shall be licensed by the Security Industry Authority.
- 2 Such a person will be employed at the premises at the discretion of the designated premises supervisor/holder of the Premises Licence.
- 3 Any person as defined in condition (1) will clearly display his name badge at all times whilst on duty.
- 4 No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
- 5 Where CCTV is installed with recording facilities such recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the police.
- 6 Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
- 7 The maximum occupancy of the building (including staff and performers) will be restricted to 150 persons.

iii) Public Safety

No further risks have been identified which need to be addressed, save as below

- 1 To comply with the reasonable requirements of the fire officer from time to time.
- 2 To comply with the reasonable requirements of the building control officer.

iv) The Prevention of public nuisance

No further risks have been identified which need to be addressed, save as below

- 1 Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly
- 2 Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
- 3 Recorded music to be played at a reduced volume after 00.00, 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'

v) The protection of children from harm

- 1 The restrictions set out in the licensing act 2003 will apply. No unusual or additional risks of harm to children have been identified.
- 2 No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority Certification.
- 3 Children under the age of 16 shall not be permitted to enter the premises after 21.00.

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

None.

13. Conditions/ Restrictions to be removed on variation.

Not Applicable

14. Relevant Representations – Responsible Authorities

There are no representations to the application,

15. Relevant Representations – Interested Parties.

There have been two relevant representations received for the grant of the application from two interested parties who reside close to the premises. The objections are relevant to the prevention of public nuisance licensing objective.

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

16. 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 had 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.

17. 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

18. Application form and relevant representation.

ROSEMARY LYON
DIRECTOR OF LEGAL SERVICES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
J Day	5161	26 October 2018	LEGREP/90840AJS

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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

23 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 Rose and Crown, Southport Road, Ulnes Walton.

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

The police have now been provided with an e mail from The Union Pub Co which confirms full agreement with the recommendations outlined in our previous representation and amends the hours for sale of alcohol to 01.00hrs Fri and Sast and midnight Sunday.

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

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

14 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 ROSE AND CROWN INN,120, SOUTHPORT ROAD,ULNES WALTON

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

1. The Police are concerned regarding B, C, E, F, G and M 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 premises 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. Due to the nature of the existing business and the local area, the timing for the supply of alcohol is too late.
4. With regards to the non-standard timings the police make representations, we feel there should be a maximum 12 events per year with 7 days notice being given to the police and relevant council, any further changes to those applied for then must be as 'temporary event notices'.

Yours faithfully

[Redacted]

Uc

Ulnes Walton.
Leyland.
Lancs.

[Redacted]

4th September 2005.

RE - Application by -
ROSE + CROWN PUB
SCOTTFORT ROAD
ULNES WALTON

FOR EXTENDED HOURS :-

MON - THURS. - TIL 12 MIDNIGHT

FRI + SAT - TIL 2 AM

SUN - TIL 1 AM.

Entertainment during all opening hours

We object to the above application
because of the noise and disruption
this will cause

[Redacted]

[Redacted]

RECEIVED
- 5 SEP 2005

[REDACTED]
Ulmes Walton
Leyland
[REDACTED]

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

4th September 2005

RE: - Extended Licensing Hours
Rose & Crown Public House
Southport Road
Ulmes Walton

To Whom It May Concern:

We have just discovered that the Rose & Crown Public House, Ulmes Walton has applied to extend its opening hours from Monday to Sunday. As residents who live near to the pub we wish to raise our objections to any extended opening and raise our concerns with the Council of the problems that are likely to be generated due to an extension in opening hours.

In recent months, the Rose & Crown Pub has gone from a relatively quiet pub, to one which has become increasingly busy and noisy. We're glad the pub is becoming more successful and we're not too concerned with the increased noise levels from the occasional outdoor music event at the pub or from the music played inside the pub, as this has normally tailed off by 11pm. But there have been nuisance problems with people leaving the pub after last orders, particularly on Saturday nights, together with the occasional fight/disturbance. Earlier this year there was even a fight inside the pub which spilled over into street, requiring a large police presence with support from a police helicopter before the situation became controlled. However, we feel that any problems are not in the main caused by local residents but by non-locals using the pub, judging by the large number of cars left overnight at the pub car park at weekends.

Due to the recent increase in nuisance behaviour, we are now reluctant to walk our dog after 11 pm at weekends and I'm sure other residents feel the same. While we have sympathy with the pub wanting to increase its trade, it doesn't need a psychic to predict further increases in noise and nuisance behaviour after 11pm if the opening hours are extended as the pub wishes.

If the application from the Rose and Crown is accepted, any problems that do occur, we will hold the council responsible.

Yours faithfully

[Redacted signature area]

Environmental Services

Please ask for: Mr P Lee
 Direct Dial: (01257) 515545
 E-mail address: paul.lee@chorley.gov.uk
 Your Ref: JP/W&D/20738
 Our Ref: ESU/129483/LiceAct
 Doc ID: EHFQ 36
 Date: 1 September 2005

Civic Offices
 Union Street
 Chorley
 Lancashire
 PR7 1AL

Head of Environmental Services:

John Lechmere MCIEH

John Gaunt & Partners
 Omega Court
 372 Cemetery Road
 Sheffield
 S11 8FT

CHANGES
 AGREED



Dear Sirs,

LICENSING ACT 2003 – APPLICATION FOR CONVERSION / VARIATION TO PREMISES LICENSE
RE: ROSE AND CROWN INN, 120 SOUTHPORT ROAD, ULNES WALTON, LEYLAND, PR26 8LP

Records held by the Environmental Services department show that since 1993 one complaint has been received regarding noise from the premises.

As this complaint was only received on 22nd August 2005, it is an open complaint and as such I do not have any evidence to suggest that noise from the premises is causing a statutory nuisance, therefore I have no environmental concerns at present.

I have however spoken to the licensee and have agreed with her the following conditions which I would ask be applied to the licence in order to reduce the likelihood of disturbance to nearby residential properties:

- 1) All windows must be kept closed for the entire duration of any activity permitted by the licence.
- 2) All internal (lobby) doors must be kept closed for the entire duration of any activity permitted by the licence save for allowing normal access to and from the premises.

Yours Sincerely

Mr P Lee
 Environmental Health Officer

cc Legal Services (Chorley Borough Council)

JOHN GAUNT
 &
PARTNERS

Our Ref: JP/W&D/20738
 Contact: Jonathan Pupius
 Tel: 0114 266 3400

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

31 AUG 2005

30 August 2005

Dear Sirs

**Premises – Rose & Crown Inn , 120 Southport Road, Ulnes Walton , Leyland,
 Lancashire, PR26 8LP
 Applicant – Janet Elaine Barker**

We act for Wolverhampton & Dudley Tenanted and Wendy Melling.

On our client's behalf, we enclose by way of service on you Notice of Application for the grant of a Premises Licence for Rose & Crown Inn together with our cheque in your favour in the sum of £190.00 being the fee payable. Kindly acknowledge safe receipt.

In support of the application, we enclose a plan of the premises, the consent of the proposed DPS and originals or certified copies of the following documents:

Justices on Licence
 AWP Permit
 Public Entertainment Licence

The plans identify the licensed area edged in red. For the purpose of clarification we confirm that all proposed licensable activities extend to the public areas within this area.

We confirm that we have served copies of the enclosed application and supporting documents on the relevant authorities being the Police, Fire Authority, Local Enforcement of Health & Safety at work, Environmental Health Authority, Planning Authority, the relevant authority for Protection of Children from Harm and Weights and Measures.

You may have already received, or you should shortly receive, the application for the Personal Licence for the Designated Premises Supervisor and any other related Personal Licence application to these premises.

It is not the intention of this application to alter the nature of the operation at these premises.

Should you have any queries, please do not hesitate to telephone us. Please quote our reference on all correspondence.

Thank you for your assistance.

Yours faithfully



John Gaunt & Partners
Email: jpupius@john-gaunt.co.uk

Omega Court 372 Cemetery Road Sheffield S11 8FT
Telephone: 0114 266 8664 (Main) 0114 266 3400 (Reform)
 Email: post@john-gaunt.co.uk Fax: 0114 266 0101 DX: 717212 Sheffield 27

Web: www.john-gaunt.co.uk www.licensing-reform.co.uk

Partners: John Gaunt Katharine Redford Tim Shield Michelle Hazlewood
 Associates: David Hollis Craig Burman Practice Manager: Susie Glossop

glass - the gaunt licence application support service for reform

Solicitors Regulated by the Law Society



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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Janet Elaine Barker apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I am making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Rose & Crown Inn, 120 Southport Road, Ulnes Walton	
Post town Leyland	Post code PR26 8LP

Telephone number of premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

- 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)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - Statutory function or
 - A function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Surname First names

I am 18 years old or over

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

Second Individual Applicant (if applicable)

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

Surname First names

I am 18 years old or over

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS

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

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

Part 3 - Operating Schedule

When do you want the premises licence to start?

Day Month Year

On the second appointed date (presently fixed at 24/11/2005)

2	4	1	1	2	0	0	5
---	---	---	---	---	---	---	---

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

Day Month Year

--	--	--	--	--	--	--	--

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

N/A

Please give a general description of the premises (please read guidance note 1)

UPC with PEL

Established public house providing entertainment and food as identified on the deposited plans trading with a PEL also with rights to provide "regulated entertainment" inherent in LA 1964.

These premises are entitled to sell to residents and supply their bona fide guests 24 hours a day pursuant to section 63(2) LA 1964.

These premises are entitled to provide private entertainment.

One AWP Machine under s.34 Gaming Act 1968 Permit

The premises have an existing external area available to patrons for consumption of off supplies.

The current permitted licensing hours for these premises apply for on and off sales are:

Monday to Saturday: 11:00 – 23:00

Sundays and Good Friday: 12:00 – 22:30

New Years Eve: 11:00 – New Years Day – terminal hour as existing

Christmas Day: 12:00 – 15:00 and 19:00 – 22:30

The current permitted licensing hours authorised under the PEL are:

Monday to Saturday: 11:00 – 23:00

Sundays and Good Friday: 12:00 – 22:30

This application seeks to retain the premises current entitlements as above and to specifically authorise under the Licensing Act 2003 the following activities:

1. To permit regulated entertainment comprising: Live music and amplified voice, recorded music by juke box and music systems, comperes for functions and quizzes and similar forms of entertainment, indoor pub games comprising a sporting event in the presence of an audience, exhibition of a film principally video entertainment on screens and TV screens and amusement machines.
2. To the extent that paragraph 4 below is not granted or does not permit: to permit sale of alcohol and such regulated entertainment until 02:00 the following morning on Friday, Saturday, Sunday and Monday at bank holiday weekends, Christmas Eve, Boxing Day and also to the extent that paragraph 4 below is not granted to open to the same hour on up to 20 occasions per annum at my discretion upon 7 days prior notice to the police (if required by them).
3. To permit the premises to open for licensable activities to show the broadcast of televised sporting events of national or international interest outside normal operating hours as identified in box M such opening times for this purpose to be confirmed upon 7 days prior notice in writing to the police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.
4. To allow the sale of alcohol and such regulated entertainment as specified in the appropriate boxes below.
5. To permit provision of refreshment after 23:00

For the avoidance of doubt this application is also made for existing premises so that the provisions of schedule 8 paragraph 11 Licensing Act 2003 have effect (so that any hours granted should not be less than the hours already authorised). It is not intended that the style and method of operation of these premises should change.

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

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

Please tick ✓ yes

Provision of regulated entertainment

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

Provision of entertainment facilities for:

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

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

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

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
Tue				Please give further details here (please read guidance note 3)	
Wed					
Thur			State any seasonal variations for performing plays (please read guidance note 4)		
Fri					
Sat			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 (please read guidance note 5)		
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both - please tick {Y}(please read guidance note 2).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	09:00	00:00		Both	
Tue	09:00	00:00		Please give further details here (please read guidance note 3) As stated in Part 3 above	
Wed	09:00	00:00			
Thur	09:00	00:00	State any seasonal variations for the exhibition of films (please read guidance note 4) N/A - save as below		
Fri	09:00	02:00			
Sat	09:00	02:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)		
Sun	09:00	01:00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3) As stated in Part 3 above
Day	Start	Finish	
Mon	09:00	00:00	State any seasonal variations for indoor sporting events (please read guidance note 4) N/A – save as below
Tue	09:00	00:00	
Wed	09:00	00:00	
Thur	09:00	00:00	Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)
Fri	09:00	02:00	
Sat	09:00	02:00	
Sun	09:00	01:00	

D

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick {Y}(please read guidance note 2).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	09:00	00:00	Please give further details here (please read guidance note 3) Live music and amplified voice as stated in part 3 above.	Both	
Tue	09:00	00:00			
Wed	09:00	00:00	State any seasonal variations for the performance of live music (please read guidance note 4) N/A – save as below		
Thur	09:00	00:00			
Fri	09:00	02:00	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 (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)		
Sat	09:00	02:00			
Sun	09:00	01:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	09:00	00:00	Please give further details here (please read guidance note 3) Recorded music, including juke box, with or without a DJ, during normal business hours or as part of functions and including audience participation as specified in part 3 above.	Both	
Tue	09:00	00:00			
Wed	09:00	00:00	State any seasonal variations for playing recorded music (please read guidance note 4) N/A – save as below		
Thur	09:00	00:00			
Fri	09:00	02:00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)		
Sat	09:00	02:00			
Sun	09:00	01:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	✓
Day	Start	Finish		Outdoors	
				Both	
Mon	09:00	00:00	Please give further details here (please read guidance note 3) As stated in Part 3 above		
Tue	09:00	00:00			
Wed	09:00	00:00	State any seasonal variations for the performance of dance (please read guidance note 4) N/A – save as below		
Thur	09:00	00:00			
Fri	09:00	02:00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)		
Sat	09:00	02:00			
Sun	09:00	01:00			

H

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

I

Provision of facilities for making music. Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
			The normal facilities for making music will be on offer as conveniently available and as appropriate for this type of venue		
			Will the facilities for making music be indoors or outdoors or both – please tick {Y} (please read guidance note 2).		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish			
Mon	09:00	00:00	Please give further details here (please read guidance note 3)		
Tue	09:00	00:00	To be used as and when required at any time when the premises are open for the sale of alcohol		
Wed	09:00	00:00	State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
Thur	09:00	00:00	N/A – save as below		
Fri	09:00	02:00	Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	09:00	02:00			
Sun	09:00	01:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick {Y} (see guidance note 2).		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish			
Mon	09:00	00:00	Please give a description of the facilities for dancing you will be providing		
Tue	09:00	00:00	To be used as and when required at any time when the premises are open for the sale of alcohol		
Wed	09:00	00:00	Please give further details here (please read guidance note 3)		
Thur	09:00	00:00	As stated in Part 3 above		
Fri	09:00	02:00	State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Sat	09:00	02:00	N/A – save as below		
Sun	09:00	01:00	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
			When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)		

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both - please tick {Y} (please read guidance note 2).	Indoor
				Outdoor
Mon			Please give further details here (please read guidance note 3)	Both
Tue				
Wed				
Thur				State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)
Fri				
Sat				Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick {Y} (please read guidance note 2).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	23:00	00:00	Please give further details here (please read guidance note 3)	Both	
Tue	23:00	00:00		As stated in Part 3 above	
Wed	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	00:00		N/A - save as below	
Fri	23:00	02:00	Non standard timings. Where you intend to use the premises for the provision of late night entertainment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	23:00	02:00			
Sun	23:00	01:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)		

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
				Off the premises	
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	09:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	09:00	00:00			
Wed	09:00	00:00			
Thur	09:00	00:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	09:00	02:00			
Sat	09:00	02:00	To the extent that part 3 paragraph 4 is not granted or does not permit: to permit sale of alcohol and such regulated entertainment as authorised hereunder until 02:00 on Friday, Saturday, Sunday and Monday at bank holiday weekends, Christmas Eve, Boxing Day and also to the extent that part 3 paragraph 4 is not granted to open to the same hour on up to 20 occasions per annum at my discretion upon 7 days prior notice to the police (if required by them). New Years Eve: 10:00 to New Years Day – terminal hour as proposed To permit the premises to open for licensable activities to show the broadcast of televised sporting events of national or international interest outside normal operating hours such opening times for this purpose to be confirmed upon 7 days prior notice in writing to the police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.		
Sun	09:00	01:00			

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

Name: Wendy Melling.....

Address: Rose & Crown Inn, 120 Southport Road, Ulmes Walton, Leyland, Lancashire

.....

Postcode: PR26 8LP

Personal Licence number (if known):

Issuing licensing authority (if known):

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 8)

NONE save for the presence of AWP machines already authorised the use of which is not permitted by persons under the age of 18

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4) Please see box M above
Day	Start	Finish	Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) The premises will close 30 minutes after the end of the non-standard timings identified in box M above.
Mon	09:00	00:30	
Tue	09:00	00:30	
Wed	09:00	00:30	
Thur	09:00	00:30	
Fri	09:00	02:30	
Sat	09:00	02:30	
Sun	09:00	01:30	

P

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

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

I have undertaken my own risk assessment to take the following proposed steps.

The types of regulated entertainment proposed materially do no more than reinstate the normal pub entertainment that was previously unregulated as identified in B1 above.

No new steps have been identified in relation to the four licensing objectives save as below.

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below

1. Any person exercising a security activity (as defined by paragraph 2(1)(a) of schedule 2 of the Private Security Industry Act 2001) shall be licensed by the Security Industry Authority.
2. Such a person will be employed at the premises at the discretion of the designated premises supervisor/holder of the Premises Licence.
3. Any person as defined in condition (1) will clearly display his name badge at all times whilst on duty.
4. No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
5. Where CCTV is installed with recording facilities such recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the police.
6. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
7. The maximum occupancy of the building (including staff and performers) will be restricted to 150 persons.

c) Public safety

No further risks have been identified which need to be addressed, save as below

1. To comply with the reasonable requirements of the fire officer from time to time.
2. To comply with the reasonable requirements of the building control officer.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed, save as below

1. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
2. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.

e) The protection of children from harm

The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.

No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.

Children under the age of 16 shall not be permitted to enter the premises after 21:00.


Please tick ✓ Yes

- I have made or enclosed payment of the fee
- I have enclosed my the plan of the premises
- I have enclosed a plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON 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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (Please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners 

Date: 30th August 2005.....

Capacity: Solicitors.....

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

Signature: John Gaunt & Partners

Date:.....

Capacity: Solicitors.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 19) John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT

Notes for Guidance

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

SCHEDULE 2

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

I, WENDY MELLING

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

JANET ELAINE BARKER

in respect of the application to convert an existing justices' licence held by the applicant and where the holder(s) of the licence have consented to the application being made by the applicant for

ROSE & CROWN, 120 SOUTHPORT RD, LINES WALTON,
LEYLAND, PR26 8LP.
if that application is successful.

Signed: 

Dated: 17/7/05

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

Dated this 3rd day of August, 2005

Designated Officer



Justices Licence
Intoxicating Liquor

Licence No: 85

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 4th day of May, 2005 for the Division of Chorley
in the County of Lancashire.

The Licensing Justices for the said Licensing district hereby grant
To Wendy Melling and Janet Elaine Barker
Of 120 Southport Road, Ulmes Walton

(hereinafter called the licensee this Justices' Licence authorising him to sell by retail
at the premises known as Rose & Crown,
Of 120 Southport Road, Ulmes Walton

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

The owner(s) of the premises in respect of which this licence is granted
Are Burton Brewery & Co (Foreshaws) Limited,
Of Burtonwood, Nr Warrington

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

Clerk to the Licensing Justices

CONDITIONS subject to which the within ~~now~~ licence is granted:-

We hereby certify that this is a true copy of the within

Dated: 30/08/05

(signature)

John Gaunt and Partners Solicitors
77 Corporation Street





Licence No G31

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 Wendy Melling C/o Rose and Crown, 120 Southport Road, Limes Walton, Leyland, Preston PR26 8LP (hereinafter called "the Licensee") for the use of the premises (hereinafter called "the premises") known as, Rose and Crown, 120 Southport Road, Limes Walton, Leyland, Preston, PR26 8LP 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 Inspection Report dated 28 September 2004

The maximum occupancy figure of the premises shall not exceed 150 (One hundred and fifty) persons.

2. The premises shall not be used for the purpose for which they have been licensed except at the following times:

Monday to Saturday
11.00am until 11.00pm
Sunday
12 noon until 10.30pm

3. The period during which this Licence shall remain in force shall be 30 September 2004 until 30 September 2005.

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

Rosemary Lyon

Signed

Director of Legal Services

.....(signature).....

Dated 30/08/05

We hereby certify that this is a true copy of the original

John Gault and Partners
379 Cornhill

No. 25

GAMING ACT 1968, s.34

We hereby certify that this is a true copy of the original

PERMIT

Dated 30/08/05

for the use of

Machines for Gaming by way of Amusement with Prizes

(signature) John Gaunt and Partners Smith

THE LICENSING JUSTICES for the Licensing District of Croydon

in the County of Surrey within which licensing district the undermentioned premises are situated HEREBY

GRANT to Wendy Melville of 44 The Oaks, Eaves Green, Croydon

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 Rose & Crown

Salisbury Rd, Venice Walk 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 10th day of December, 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 9th day of December, 2006.

Receipt of the fee of £32.00 is acknowledged.

DATED this 10th day of December, 2003

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

Clerk to the Licensing Justices

THAT ANY MACHINE IN RESPECT OF WHICH THE CONDITION MENTIONED IN SECTION 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

**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

JOHN GAUNT
&
PARTNERS

Information on plans

Plans of the premises must accompany the application and unless the relevant Licensing Authority has previously agreed in writing with the applicant following request that an alternative scale is acceptable to it, the plans should be drawn on a standard scale (1:100):

Under the Licensing Act 2003 (Schedule 8 Paragraph 2 (6)(b)), the plan is required to be in the specified form (In accordance with the Regulations), of the premises to which the relevant existing licence or licences relate - unless, therefore, any of the existing (current) Licences specifically licence any external area, no external areas need to be shown on the plans, a view to which the DCMS appears to agree.

The plans identify the licensed area edged in red. For the purpose of clarification we confirm that all proposed licensable activities extend to the public areas within this area.

John Gaunt & Partners

March 2005

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Email: post@john-gaunt.co.uk Fax: 0114 266 0101 DX: 717212 Sheffield 27

Web: www.john-gaunt.co.uk www.licensing-reform.co.uk

Partners: John Gaunt Katharine Redford Tim Shield Michelle Hazlewood
Associates: David Hollis Craig Burman Practice Manager: Susie Glossop

glass - the gaunt licence application support service for reform

Solicitors Regulated by the Law Society

