

LICENSING ACT 2003 SUB-COMMITTEE

MONDAY, 8TH OCTOBER 2018, 1.00 PM
COUNCIL CHAMBER, TOWN HALL, CHORLEY

AGENDA

APOLOGIES

1 DECLARATIONS OF ANY INTERESTS

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

If you have a pecuniary interest you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

2 PROCEDURE

(Pages 3 - 6)

General procedure points and hearing procedure for the meeting.

3 APPLICATION FOR A PREMISES LICENCE UNDER SECTION 17 OF THE LICENSING ACT 2003 FOR THE PRIDE OF AGGI

(Pages 7 - 34)

Report of the Director of Customer and Digital (enclosed).

4 ANY URGENT BUSINESS PREVIOUSLY AGREED WITH THE CHAIR

GARY HALL
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Licensing Act 2003 Sub-Committee Councillor Marion Lowe (Chair) and Councillors Steve Holgate and John Walker.

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

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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 Home Office 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 but the Licensing Authority may exclude the public from all or part of a hearing where it

considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing taking place in public. In the absence of any criteria in the Licensing Act 2003, the guidance issued under section 182 of the Act or the Licensing Hearings 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 and Regulations made thereunder 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 LICENCE/CLUBPREMISES CERTIFICATE 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
- Other Persons
- The Applicant and/or Legal representative

4. THE APPLICANT AND/OR LEGAL REPRESENTATIVE MAKES REPRESENTATIONS REGARDING HIS/HER APPLICATION**5. QUESTIONS TO THE APPLICANT AND/OR LEGAL REPRESENTATIVE FROM:**

- Sub Committee
- Other Persons' Representative

6. OTHER PERSONS REPRESENTATIONS**7. QUESTIONS TO OTHER PERSONS FROM:**

- Sub Committee
- Applicant/Legal representative

8. OTHER PERSONS INVITED TO BRIEFLY SUMMARISE**9. THE APPLICANT/LEGAL REPRESENTATIVE INVITED TO SUM UP (IF THEY WISH)****10. DECISION MAKING**

All parties retire whilst Sub-Committee makes decision

11. NOTICE OF DECISION

Parties re-admitted and Chair announces decision and reasons

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Report of	Meeting	Date
Director of Customer and Digital	Licensing Act Sub Committee	8 th October 2018

Confidential report	Yes	No
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APPLICANT DETAILS

Applicant Name:	Mr Darren Tickle	Premises Name:	Pride of Aggi
Address:	10 Babylon Lane, Adlington, PR6 9NN		
Application:	Application for a premises licence to be granted under the Licensing Act 2003		

REASON FOR REFERRAL

- To advise members of an application for a premises licence to be granted under Section 17 of the Licensing Act 2003, to which relevant representations have been received
- To request that members determine the application in accordance with the provisions of the Licensing Act 2003.

CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

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

LICENSING OBJECTIVES

- Members are reminded of the Licensing Objectives, as follows:
 - Prevention of Crime and Disorder
 - Public Safety
 - Prevention of Public Nuisance
 - Protection of Children from Harm
- Members are reminded that the duty of the licensing authority is to take steps necessary to promote the licensing objectives in the interests of the wider community and not those of the individual licence holder.

APPEALS

- An appeal against the decision of the Council may be made to the Magistrates' Court within 21 days of receipt of the determination notice which will be delivered to all relevant parties.

LEGAL CONSIDERATIONS

- Members must have regard to the following:
 - The Guidance issued under Section 182 of the Licensing Act 2003. In particular, Section 9.31 to 9.44 may guide members.
 - The Council's Statement of Licensing Policy effective from 2016.
 - The Licensing Act 2003.

THE APPLICATION

8. On 14th August 2018, an application for a premises licence to be granted was received. This application, which is appended at Appendix 1, sought to authorise the following licensable activities:

Licensable Activity	Proposed Hours
Provision of Live Music (Indoors)	Sunday- Thursday: 23:00- 23:30hrs Friday- Saturday: 23:00- 00:00hrs
Provision of Recorded Music (Indoors)	Sunday- Thursday: 23:00- 23:30hrs Friday- Saturday: 23:00- 00:30hrs
Provision of Performances of Dance (Indoors)	Monday- Thursday: 12:00- 23:30hrs Friday- Sunday: 12:00- 00:30hrs
Provision of Any Similar Entertainment (Indoors)	Sunday- Thursday: 23:00- 23:30hrs Friday- Saturday: 23:00- 00:30hrs
Sale of Alcohol (On and Off Sales)	Sunday- Thursday: 12:00- 23:30hrs Friday- Saturday: 12:00- 00:30hrs

9. The application sought to authorise licensable activities for the following non-standard timings:

*The day proceeding all bank holidays to be as per Friday and Saturday operating hours.
All licensable activities (excluding Provision of Live Music) shall be permitted from the terminal hour on New Year's Eve until 12:00hrs on New Year's Day.
The terminal hour for Provision of Live Music on New Year's Eve shall be 01:00hrs on New Year's Day.*

10. Following consultation with Lancashire Constabulary, the applicant agreed to amend the non-standard timings, in relation to New Year's Eve and all activities to 01:30hrs on New Year's Day.
11. Members will note at Section 18 of Appendix 1, the applicant has provided a comprehensive operating schedule of the measure intended to promote the licensing objectives.
12. Following consultation with Lancashire Constabulary, the applicant agreed to include the following in the operating schedule:

The premises shall operate and maintain a CCTV system which shall be in use during all times licensable activities are taking place at the premises and comply as follows:

- a) The system shall cover all entrances and exits of the premises, in addition to covering all internal and external areas of the premises used to supply or consume licensed products*
- b) The focus of the camera(s) shall be so as to enable clear identification of persons on the premises*
- c) The system will be capable of time and date stamping recordings and retaining said recordings for at least 28 days*
- d) The Data Controller shall make footage available to a Police Officer or authorised officer where such a request is made in accordance with the principles of the Data Protection Act or any subsequent or alternative legislation*
- e) Signage advising that CCTV is in operation will be displayed*

13. Members may wish to consider whether it is appropriate to impose both measures mentioned at 5.3 and 5.5 when determining the application.

REPRESENTATIONS

14. On 21st August 2018, a representation was received from a resident of Babylon Lane. The representation, which is appended at Appendix 2, concerns the likely effect of the grant of the licence on the Prevention of Public Nuisance objective. It shall be for members to determine how much weight should be placed on it.
15. In accordance with Regulation 7(d) of the Licensing Act 2003 (Hearings) Regulations 2005, the Authority has requested the resident provides clarification on the following point:
 - How noise associated with the premises might cause an impact on you and, by extension, public nuisance.

IMPLICATIONS OF REPORT

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

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

COMMENTS OF THE STATUTORY FINANCE OFFICER

17. No comments

COMMENTS OF THE MONITORING OFFICER

18. For the purpose of the Licensing Act 2003 Public Nuisance retains a broad common law meaning and may include in appropriate circumstances low-level nuisance affecting a few people living locally in addition to a major disturbance affecting the whole community.

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.

Conditions which are proportionate may be imposed on the grant of a licence which promote one or more of the four licensing objectives referred to in paragraph 4 of the report.

The applicant may appeal the refusal of the grant of a licence or appeal against the imposition of a condition on a licence which they consider to be unreasonable. Any person who has made a representation may also appeal against the grant of a licence or argue that different or additional conditions should have been imposed. Such appeals must be made to the local magistrates' court within 21 days of notification of the decision.

The requirement for the licensing authority to consider the s.182 guidance and its own policy are addressed within the body of the report.

CONCLUSIONS

19. The decision should be based on the individual merits of the application and the representation. In accordance with Regulation 26(2) of the Licensing Act 2003 (Hearings) Regulations 2005, a decision must be made within the period of 5 working days beginning with the day or the last day on which the hearing was held.

20. In accordance with Section 18, the Authority must, having regard to the representation made, take such steps mentioned below (if any) as it considers appropriate for the promotion of the licensing objectives:

- to grant the licence subject to:
 - the conditions offered in the operating schedule, modified in any way as the authority considers appropriate for the promotion of the licensing objectives, and
 - the mandatory licensing conditions;
- to exclude any licensable activities from the licence;
- to refuse to specify a person in the licence as the premises supervisor;
- to reject the application.

Asim Khan
 DIRECTOR OF CUSTOMER AND DIGITAL

APPENDICES

Appendix	Description
Appendix 1	Application for the grant of Premises Licence
Appendix 2	Valid Representation

BACKGROUND PAPERS

Document	Date	Place of Inspection
The Council’s Statement of Licensing Policy	2016 - 2021	The Council’s Statement of Licensing Policy
Secretary of State Section 182 Guidance	April 2018	Secretary of State Section 182 Guidance

Report Author	Ext	Date
Nathan Howson	5665	17 th September 2018



Chorley
Application for a premises licence
Licensing Act 2003

For help contact
contact@chorley.gov.uk
 Telephone: 01257 515151

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Is your business registered outside the UK? Yes No

Note: completing the Applicant Business section is optional in this form.

Business name

VAT number

Legal status

Your position in the business

Home country

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

Continued from previous page...

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

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

Section 4 of 21

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes
- No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes
- No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality [Documents that demonstrate entitlement to work in the UK](#)

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

A commercial premises situated in a terrace row. This new venture with be a small micro bar with the business being carried

Continued from previous page...

out on the ground floor only. The first floor contains a few offices and is not being used as a dwelling. There will be a small outside area at the rear of the property to accommodate a smoking area. The property benefits from a cellar which will contain the usual bar supply equipment and stock. There are two other commercial premises within the row and three on the other side of the road with a public house nearby.

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="23:30"/>
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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Will the performance of live music take place indoors or outdoors or both?

- Indoors
 Outdoors
 Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

Flexibility to have small bands performing occasionally and live microphone nights with amplified and unamplified facility.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

The day proceeding all bank holidays to be as per Friday and Saturday operating hours.

New years Eve licensable activities and open to the public continue from normal finishing times until 12:00 hrs New Years day excluding live music. Live music until 01:00 (1am)

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

Continued from previous page...

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The day proceeding all bank holidays to be as per Friday and Saturday operating hours.

New years Eve licensable activities and open to the public continue from normal finishing times until 12:00 hrs New Years day excluding live music. Live music until 01:00 (1am)

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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End

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End

SATURDAY

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End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

Continued from previous page...

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.

Usually recorded background music with facility to have the occasional DJ for small parties. Amplified and unamplified.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

The day proceeding all bank holidays to be as per Friday and Saturday operating hours.

New years Eve licensable activities and open to the public continue from normal finishing times until 12:00 hrs New Years day excluding live music. Live music until 01:00 (1am)

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The day proceeding all bank holidays to be as per Friday and Saturday operating hours.

New years Eve licensable activities and open to the public continue from normal finishing times until 12:00 hrs New Years day excluding live music. Live music until 01:00 (1am)

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

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End

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THURSDAY

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FRIDAY

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SATURDAY

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Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

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Will the performance of dance take place indoors or outdoors or both?

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

- Indoors
 Outdoors
 Both

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.

Performance of dance.

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

The day proceeding all bank holidays to be as per Friday and Saturday operating hours.

New years Eve licensable activities and open to the public continue from normal finishing times until 12:00 hrs New Years day excluding live music. Live music until 01:00 (1am)

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The day proceeding all bank holidays to be as per Friday and Saturday operating hours.

New years Eve licensable activities and open to the public continue from normal finishing times until 12:00 hrs New Years day excluding live music. Live music until 01:00 (1am)

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

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THURSDAY

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FRIDAY

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End

SATURDAY

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SUNDAY

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End

Give a description of the type of entertainment that will be provided

Any combination of requested licensable activities.

Will this entertainment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

Any combination of requested licensable activities.

Continued from previous page...

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

The day proceeding all bank holidays to be as per Friday and Saturday operating hours.

New years Eve licensable activities and open to the public continue from normal finishing times until 12:00 hrs New Years day excluding live music. Live music until 01:00 (1am)

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The day proceeding all bank holidays to be as per Friday and Saturday operating hours.

New years Eve licensable activities and open to the public continue from normal finishing times until 12:00 hrs New Years day excluding live music. Live music until 01:00 (1am)

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

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End

WEDNESDAY

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End

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THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises
 Off the premises
 Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

The day proceeding all bank holidays to be as per Friday and Saturday operating hours.

New years Eve licensable activities and open to the public continue from normal finishing times until 12:00 hrs New Years day excluding live music. Live music until 01:00 (1am)

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The day proceeding all bank holidays to be as per Friday and Saturday operating hours.

New years Eve licensable activities and open to the public continue from normal finishing times until 12:00 hrs New Years day excluding live music. Live music until 01:00 (1am)

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

Name

First name

Family name

Continued from previous page...

Date of birth

/
 dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

None

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

The day proceeding all bank holidays to be as per Friday and Saturday operating hours.
New years Eve licensable activities and open to the public continue from normal finishing times until 12:00 hrs New Years day excluding live music. Live music until 01:00 (1am)

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The day proceeding all bank holidays to be as per Friday and Saturday operating hours.
New years Eve licensable activities and open to the public continue from normal finishing times until 12:00 hrs New Years day excluding live music. Live music until 01:00 (1am)

Continued from previous page...

Section 18 of 21

LICENSING OBJECTIVES

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

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

List here steps you will take to promote all four licensing objectives together.

Complying with the mandatory conditions along with conditions offered in this application.

b) The prevention of crime and disorder

The premises shall operate and maintain a CCTV system which shall be in use during all times licensable activities are taking place. The system will cover the entrance/exit and internal area of the premises used to supply alcohol. The focus of the camera's will be to enable clear identification of persons on the premises. The system will be capable of time and date recordings and retaining for 28 days. The data controller shall make footage available to police or authorised person on reasonable request. Signage that CCTV is in operation will be displayed. An incident book will be kept and available for inspection on request.

c) Public safety

CCTV system in operation.
 Fire alarm system fitted with smoke detectors
 Toughened glassware to be used
 Staff to be aware of the sobriety of the customers, refuse service and ask them to leave the premises when required

d) The prevention of public nuisance

No bins to be emptied after 9:30pm
 Outside area which will be open during licensable hours only to be used for smoking after 10:30pm
 Signs at entry/exit and rear smoking area asking patrons to respect the neighbours and to leave quietly.

e) The protection of children from harm

A documented challenge 25 scheme will be operated at the premises which will be actively promoted and advertised. Any person attempting to purchase alcohol who looks under 25 years of age will be asked to provide photographic identification to prove that they are 18 years of age or over. Failure to provide such identification will result in no sale of alcohol to that person. The following will be accepted as proof of age:- Proof of age standards scheme card (Pass), photo driving licence, passport or HM forces warrant card. A documented training scheme shall be introduced for all staff in a position to sell alcohol. As part of the scheme the designated premises supervisor or premises licence holder shall carry out regular age verification training reviews for all staff. The scheme will be made available for inspection by any authorised officer on request. An incident book and refusals register will be kept and maintained at the premises indicating the date, time and reason for any refusal or any incidents of crime or disorder and will be available for inspection by any authorised officer on request.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises licence fees are dependant on the business rateable value band that applies to the premises: Band A £100 Band B £190 Band C £315 Band D £450 Band E £635

* Fee amount (£)

DECLARATION

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15)

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/chorley/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

Continued from previous page...

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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Nathan Howson

From: Elizabeth Hardy
Sent: 23 August 2018 09:05
To: Carl Gore; Nathan Howson
Subject: FW: Comments for Licensing Application 18/00866/LAPLA

From: contact@chorley.gov.uk [<mailto:contact@chorley.gov.uk>]
Sent: 21 August 2018 15:52
To: [REDACTED]
Subject: Comments for Licensing Application 18/00866/LAPLA

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 3:52 PM on 21 Aug 2018 from [REDACTED].

Application Summary

Address: Pride Of Aggi 10 Babylon Lane Adlington Chorley PR6 9NN
Proposal: Premises Licence with Alcohol
Case Officer: [REDACTED]

[Click for further information](#)

Customer Details

Name: Mrs [REDACTED]
Email: [REDACTED]
Address: [REDACTED] Babylon Lane, Adlington, Chorley PR6 9NN

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment: [REDACTED]
[REDACTED]
- The Prevention of Public Nuisance
[REDACTED]

Comments: 3:52 PM on 21 Aug 2018 I am extremely concerned about the licence that has been applied for against this property.
My husband and I, have young children aged 1 and 6 and currently reside next door. [REDACTED]
[REDACTED]
There would be the noise disturbance throughout the day and at unsociable hours. [REDACTED]
[REDACTED] It would disturb all of our sleep but essentially our young children's sleep on a daily basis [REDACTED]

[REDACTED]