

LICENSING ACT 2003 SUB-COMMITTEE

WEDNESDAY, 27TH MARCH 2019, 2.00 PM

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

General procedure points and hearing procedure for the meeting.

(Pages 3 - 6)

3 DETERMINATION OF APPLICATION TO VARY A PREMISES LICENCE- APPLEJAX NIGHTCLUB, 1 BACK MOUNT STREET, CHORLEY

Report of Director (Customer and Digital) enclosed.

(Pages 7 - 42)

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 Hasina Khan and Sheila Long.

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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 its best endeavours to substitute another member, taken from the membership of the Licensing Act 2003 Sub-Committee reserve list.
- the Sub-Committee may disallow cross-examination in exceptional circumstances; this decision will be taken on a case by case basis with a presumption to allow. However, parties are advised that the Sub-Committee wishes to discourage hostile cross examination.
- late representations and evidence will usually only be considered with the agreement of all parties present.
- decisions will generally be taken regardless of whether the applicant/other party is present unless the Sub-Committee consider it necessary in the public interest to adjourn the hearing to a specified date. All notices and representations from absent parties will be considered.
- the Sub-Committee will generally allow parties a maximum of 30 minutes per party to make all relevant statements. However, the Sub-Committee recognises that in certain circumstances this may be insufficient due to the complexity of the issues involved. In this situation the Sub-Committee will consider representations from those parties involved in the hearing as to the length required to make all relevant statements. The Licensing Authority respectfully requests that all parties keep points pertinent and the discussion moving in the interests of cost and efficiency.
- the Sub-Committee recognises that Regulation 14 requires all hearings should take place in public, 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
- Responsible Authorities/ 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
- Responsible Authorities/Other Persons' Representative

6. RESPONSIBLE AUTHORITIES/ OTHER PERSONS REPRESENTATIONS**7. QUESTIONS TO RESPONSIBLE AUTHORITIES/ OTHER PERSONS FROM:**

- Sub Committee
- Applicant/Legal representative

8. RESPONSIBLE AUTHORITIES/ 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	27 th March 2019

Confidential report	Yes	No
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APPLICANT DETAILS

Applicant Name:	Val Pubs Ltd	Premises Name:	Applejax Nightclub
Address:	1 Back Mount Street, Chorley, PR7 1EA		
Application:	Application to vary a premises licence under Licensing Act 2003		

REASON FOR REFERRAL

- To advise members of an application to vary a premises licence under Section 34 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, Sections 9.12, 9.30-9.44 may aid members in their decision.**
 - The Council's Statement of Licensing Policy effective from 2016.
 - The Licensing Act 2003.

CURRENT PREMISES LICENCE

- 8. The premises has benefitted from a premises licence since its conversion from a Justices On-Licence in 2005. A copy of the most recent premises licence is appended at Appendix 1. Members will note that there are a number of activities which are authorised by this licence and a summary is provided in the table at paragraph 13 of this report.
- 9. For each activity, non-standard timings provide that the terminal hour for that activity shall be equal to that of Saturday on Bank Holiday Sundays, Christmas Eve, Boxing Day, New Year’s Eve.
- 10. At Annex 2 of the premises licence, members will note the current conditions of the licence.

PROPOSED VARIATION

- 11. On 07.02.19, an application to vary the premises licence was received. This application is appended at Appendix 2. This application seeks to delete the current operating schedule and replace it with an updated version.
- 12. It further seeks to make changes to permitted hours for licensable activities, as summarised below:

13.

Activity	Currently Authorised	Proposed Variation
Performance of Live Music	Sun-Wed 20:00- 01:30 Thurs- Sat 20:00- 04:00	Sun- Wed 17:00-01:30 Thurs- Sat 17:00- 04:00
Playing of Recorded Music	Sun-Wed 20:00- 01:30 Thurs- Sat 20:00- 04:00	Mon- Sun 17:00-06:00
Performance of Dance	Sun-Wed 20:00- 01:30 Thurs- Sat 20:00- 04:00	Mon- Sun 17:00-06:00
Entertainment of a Similar Description	Sun-Wed 20:00- 01:30 Thurs- Sat 20:00- 04:00	Mon- Sun 17:00-06:00
Sale of Alcohol	Sun-Wed 20:00- 01:00 Thurs- Sat 20:00- 03:30	Mon- Sun 17:00-05:30
Late Night Refreshment	Sun-Wed 20:00- 01:00 Thurs- Sat 20:00- 03:30	No change

- 14. It seeks to amend the non- standard timings for all activities (excluding Late Night Refreshment) to allow the permitted hours on the days preceding bank holidays, Boxing Day and New Year’s day to be as those for Saturday hours.

REPRESENTATIONS

- 15. During the statutory consultation period, the applicant and Lancashire Constabulary held a meeting and agreed the following conditions, in addition to those offered in the operating schedule:
 - 1. *On each occasion that the premises opens there shall be two SIA registered door supervisors on duty from 22:00 hrs. Provision of SIA registered door supervisors in addition to this shall be at the discretion of the DPS or manager on the night based on a dynamic risk assessment on numbers expected and numbers in attendance.*
 - a. *Door supervisors shall be required to wear an identifiable arm band whilst on duty)*
 - 2. *No person aged under 18 yrs shall be permitted in the premises after 22:30 hrs.*

3. *A written drugs policy shall be in place covering*
 - a. *searches, seizure, recording and secure storage of suspected drugs*
 - b. *procedures in respect of informing police of any seizures considered of significant size*
 - c. *procedures in relation to any seizures requiring collection and disposal by police.*
4. *A written dispersal policy shall be in place setting out plans for an orderly dispersal of customers.*
5. *There shall be no entry to the venue for the last 30 minutes of opening.*
6. *There shall be a qualified first aider on site during all times when the premises are open to the public.*
7. *There shall be a method in place to accurately monitor and record the number of customers in the premises when it is open to the public*

16. Members may wish to consider whether it is appropriate to impose the measures provided at paragraph 15.

17. On 07.03.19, a representation was received from the Chief Officer of Police, acting in the capacity as a Responsible Authority, as to the likely effect on the licensing objectives in the event the variation was granted. A copy of this representation is appended as Appendix 3.

18. In accordance with Regulation 6 of the Licensing Act 2003 (Hearings) Regulations,, the Chief Officer of Police has been asked to provide clarification on the following particular points:

- *The measures which, in the view of the RA, would be appropriate to promote the objectives.*
- *Further information in respect of the incidents referred to in the representation and, specifically, how these incidents are tied to the premises and the carrying on of licensable activity at the premises.*

IMPLICATIONS OF REPORT

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

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

COMMENTS OF THE STATUTORY FINANCE OFFICER

20. No comments

COMMENTS OF THE MONITORING OFFICER

21. The powers available to the sub-committee are described in the body of the report.

The licence holder and the police have a right of appeal against the decision of the licensing authority to the local magistrates' court within 21 days of notice of the decision.

The duty of the sub-committee to have regard to any relevant representations, national guidance issued by the Home Office under Section 182 of the Licensing Act 2003 and also to the Council's adopted licensing policy is referred to in the body of the report.

Aspects of the Human Rights Act 1998 are engaged, namely the right to a fair trial and the protection of property.

CONCLUSIONS

22. 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.

23. In accordance with Section 35, 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:
 - Modify the conditions of the licence
 - To reject the whole or part of the application.

24. In rejecting the whole or part of the application, members are permitted to reduce the permitted hours for an activity. Members are not permitted to reduce hours further than are currently authorised by the licence.

Asim Khan
 DIRECTOR OF CUSTOMER AND DIGITAL

APPENDICES

Appendix	Description
Appendix 1	Current Premises Licence
Appendix 2	Application to Vary a Premises Licence
Appendix 3	Representation- Chief Officer of Police

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	15 th March 2019

Licensing Act 2003
Premises Licence PLA0281

Part 1 – Premises Details

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

Applejax Night Club
 1 Back Mount Street Chorley PR7 1EA

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- Performance of Live Music
- Performance of Recorded Music
- Performance of Dance
- Other entertainment
- Entertainment Facilities - Dancing
- Entertainment Facilities - Similar Description
- Late Night Refreshment
- The sale by Retail of Alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and area if applicable)	Days and times
Performance of Live Music (Indoors)	Wednesday 20:00 - 01:30 Thursday to Saturday 20:00 - 04:00 Sunday 20:00 - 01:30 Bank Holiday Sunday, Christmas Eve, Boxing Day and New Years Eve 20.00 - 04.00
Performance of Recorded Music (Indoors)	Wednesday 20:00 - 01:30 Thursday to Saturday 20:00 - 04:00 Sunday 20:00 - 01:30 Bank Holiday Sunday, Christmas Eve, Boxing Day and New Years Eve 20.00 - 04.00
Performance of Dance (Indoors)	Wednesday 20:00 - 01:30 Thursday to Saturday 20:00 - 04:00 Sunday 20:00 - 01:30 Bank Holiday Sunday, Christmas Eve, Boxing Day and New Years Eve 20.00 - 04.00
Other entertainment (Indoors)	Wednesday 20:00 - 01:30 Thursday to Saturday 20:00 - 04:00 Sunday 20:00 - 01:30 Bank Holiday Sunday, Christmas Eve, Boxing Day and New Years Eve 20.00 - 04.00 Entertainment of a similar description to that falling within E, F, or G (Indoors)

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Premises Licence

Entertainment Facilities - Dancing (Indoors)	Wednesday 20:00 - 01:30 Thursday to Saturday 20:00 - 04:00 Sunday 20:00 - 01:30 Bank Holiday Sunday, Christmas Eve, Boxing Day and New Years Eve 20.00 - 04.00
Entertainment Facilities - Similar Description (Indoors)	Wednesday 20:00 - 01:30 Thursday to Saturday 20:00 - 04:00 Sunday 20:00 - 01:30 Bank Holiday Sunday, Christmas Eve, Boxing Day and New Years Eve 20.00 - 04.00 Provision of facilities for entertainment of a similar description to that falling within I or J
Late Night Refreshment (Indoors)	Wednesday 23:00 - 01:00 Thursday to Saturday 23:00 - 03:30 Sunday 23:00 - 01:00 Bank Holiday Sunday, Christmas Eve, Boxing Day and New Years Eve 23.00 - 3.30
The sale by Retail of Alcohol (On and off the premises)	Wednesday 20:00 - 01:00 Thursday to Saturday 20:00 - 03:30 Sunday 20:00 - 01:00 Bank Holiday Sunday, Christmas Eve, Boxing Day and New Years Eve 20.00 - 03.30

THE OPENING HOURS OF THE PREMISES
Wednesday 20:00-01:30 Thursday to Saturday 20:00-04:00 Sunday 20:00-01:30 Bank Holiday Sunday, Christmas Eve, Boxing Day & New Years Eve 20.00 - 04.00

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

Licensing Act 2003
Premises Licence **PLA0281**

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE	
Val Pubs Ltd	57 St Thomas's Road Chorley PR7 2JE Email address: xxxxxxxxxxxxxxxxxxxx Mobile phone number: xxxxxxxxxxxx

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

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

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL	
Licence Number: PRPA18660	Issuing Authority: Preston City Council

ANNEXES

ANNEX 1 – MANDATORY CONDITIONS

MANDATORY DRINKS CODE

No supply of alcohol may be made under the premises licence - (a) at a time when there is no designated premises supervisor in respect of the premises licence; or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

ALCOHOL PROMOTIONS

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

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.

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



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(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective ;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

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

DISPENSING ALCOHOL

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

FREE TAP WATER

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

AGE VERIFICATION

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either;
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

ALCOHOL MEASURES

The responsible person shall ensure that-

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - (i) beer or cider: 1/2 pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.



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EXHIBITION OF FILMS

- 1a) The Premises licence holder shall ensure that the admission of children to the exhibition of any film shall be restricted in accordance with section 20 of the Licensing Act 2003 (the Act)
- 1b) Unless section 20(3) (b) of the Act applies, admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the film classification board specified in this licence
- 1c) Where section 20(3) (b) of the Act applies, admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the licensing authority
- 1d) Where no film classification board is specified in this licence admission of children to the exhibition of any film shall be restricted in accordance with any recommendation made by the licensing authority.
- 1e) For the purposes of this condition:-
"children" means persons aged under 18; and
"film classification board" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984
(authority to determine suitability of video works for classification)

DOOR SUPERVISORS

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

SCHEDULE Mandatory Licensing Condition

MINIMUM DRINKS PRICING

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a); .
(b) "permitted price" is the price found by applying the formula $P = D + (D \times V)$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and



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(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(b).

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

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

Prevention of Crime and Disorder

The DPS will continue the partnership of crime and disorder policy and will actively work with the police and local authority on any initiatives in this respect.

A policy of refusing to serve customers who appear to be inebriated will continue to be enforced.

The company will refuse to sell alcohol to any individual who appears to be intending to consume alcohol in a public area.

The company voluntarily agrees to display when reasonably required by the local authority crime prevention notices.

The company will only engage in drinks promotions where it is satisfied that such promotions do not conflict with the licensing objectives.

To ensure that members of the public and police officers on duty can be sure that alcohol is only being served in accordance with the authorised hours, signage will be implemented that will display the hours during which alcohol can be served.

Where the DPS or company's employees suspect that a criminal offence is being planned, committed or has been committed a report to the police will be made by telephone.

The company voluntarily subscribes to the Portman code of practice.

No drugs will be allowed on the premises and if a situation ever arises where the DPS or staff believe drugs are on the premises the police will be notified and the offender will be permanently barred from the premises.

Digital CCTV recording is in operation 24 hours a day, 7 days a week.

All personnel have attended and new staff will be required to attend drugs awareness and conflict management courses.

A stop and search on entry policy is in force. All door staff carry interlinked radio earpieces for constant monitoring and emergency response.

The manager carries on his person radio connected to the town's CCTV system so any trouble in town can be noted. The manager is a member and regular attendee of Pubwatch and attends regularly the local authority's licensing liaison panel.

Public Safety

The DPS will fully co-operate with police where known criminals are concerned. The premises will not allow on to the premises any known offender or any person known to be barred from other licensed



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premises.

The DPS will ensure that a safe number of consumers are in the premises at any one time. A computer recorded door entry system ensures constant monitoring of people in the building so overcrowding cannot occur.

Means of escape are clearly displayed throughout the premises.

The Lancashire fire and rescue fire safety record book is available in the premises and all staff have a working knowledge of it and its advice forms part of this operating schedule. Where appropriate its advices are adopted in this schedule.

A general risk assessment will be conducted on not less than a 2 yearly basis.

Entrances, exits (including emergency exits) and aisles will be kept free from obstruction.

A first aid kit will be kept on the premises and fully stocked. The contents of the first aid box will be reviewed regularly. No obvious fire risks will be maintained on the premises. Smoking in clearly monitored within the premises, ashtrays are supplied and emptied regularly. Highly flammable materials will not be allowed onto the premises.

Measures will be taken to ensure the safe evacuation of disabled persons in the event of an emergency evacuation.

Glass and spillages are cleared away immediately.

Coats are required to be kept in the cloakroom so that discarded clothing cannot present a hazard.

further conditions in case notes

Prevention of Public Nuisance

Customers will be reminded by way of notices around the building that by way of courtesy to local residents is expected and anyone failing to obey this request will not be served alcohol in future and in appropriate cases will be barred from the premises.

Drunken or rowdy customers are not admitted to the premises and those that behave in this fashion are required to leave the premises.

Bottles and glasses cannot be removed from the premises.

Drinking of alcohol will not be permitted outside the premises.

Doors and windows will remain shut during any live performance that may take place and will cease at midnight at the latest.

Where further noise reduction is deemed necessary such will be implemented with consultation with the local authority.

Taxis are called to ensure people are taken away from the premises quickly and quietly at closing time.

Protection of Children From Harm

7. There shall be no admission of persons under 18 years of age whilst alcohol is being sold, is available to purchase, or consumed on the premise.

8. Children under the age of 16 years shall not be permitted access to cigarette machines.

9. Children under the age of 16 years shall be restricted to non-smoking areas of the premise.

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

NONE

ANNEX 4 – PLANS

The plans as held by the Licensing Authority refer.



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Premises Licence PLA0281

Summary of Licence

Premises Details

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

Applejax Night Club
 1 Back Mount Street Chorley PR7 1EA

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- Performance of Live Music
- Performance of Recorded Music
- Performance of Dance
- Other entertainment
- Entertainment Facilities - Dancing
- Entertainment Facilities - Similar Desc
- Late Night Refreshment
- The sale by Retail of Alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and area if applicable)	Days and times
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Performance of Dance (Indoors)	Wednesday 20:00 - 01:30 Thursday to Saturday 20:00 - 04:00 Sunday 20:00 - 01:30 Bank Holiday Sunday, Christmas Eve, Boxing Day and New Years Eve 20.00 - 04.00
Other entertainment (Indoors)	Wednesday 20:00 - 01:30 Thursday to Saturday 20:00 - 04:00 Sunday 20:00 - 01:30 Bank Holiday Sunday, Christmas Eve, Boxing Day and New Years Eve 20.00 - 04.00

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	Entertainment of a similar description to that falling within E, F, or G (Indoors)
Entertainment Facilities - Dancing (Indoors)	Wednesday 20:00 - 01:30 Thursday to Saturday 20:00 - 04:00 Sunday 20:00 - 01:30 Bank Holiday Sunday, Christmas Eve, Boxing Day and New Years Eve 20.00 - 04.00
Entertainment Facilities - Similar Description (Indoors)	Wednesday 20:00 - 01:30 Thursday to Saturday 20:00 - 04:00 Sunday 20:00 - 01:30 Bank Holiday Sunday, Christmas Eve, Boxing Day and New Years Eve 20.00 - 04.00 Provision of facilities for entertainment of a similar description to that falling within I or J
Late Night Refreshment (Indoors)	Wednesday 23:00 - 01:00 Thursday to Saturday 23:00 - 03:30 Sunday 23:00 - 01:00 Bank Holiday Sunday, Christmas Eve, Boxing Day and New Years Eve 23.00 - 3.30
The sale by Retail of Alcohol (On and off the premises)	Wednesday 20:00 - 01:00 Thursday to Saturday 20:00 - 03:30 Sunday 20:00 - 01:00 Bank Holiday Sunday, Christmas Eve, Boxing Day and New Years Eve 20.00 - 03.30

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

THE OPENING HOURS OF THE PREMISES

Wednesday 20:00-01:30
 Thursday to Saturday 20:00-04:00
 Sunday 20:00-01:30

 Bank Holiday Sunday, Christmas Eve, Boxing Day & New Years Eve 20.00 - 04.00

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

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

Part 2

Licensing Act 2003
Premises Licence

PLA0281

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Val Pubs Ltd

57 St Thomas's Road Chorley PR7 2JE

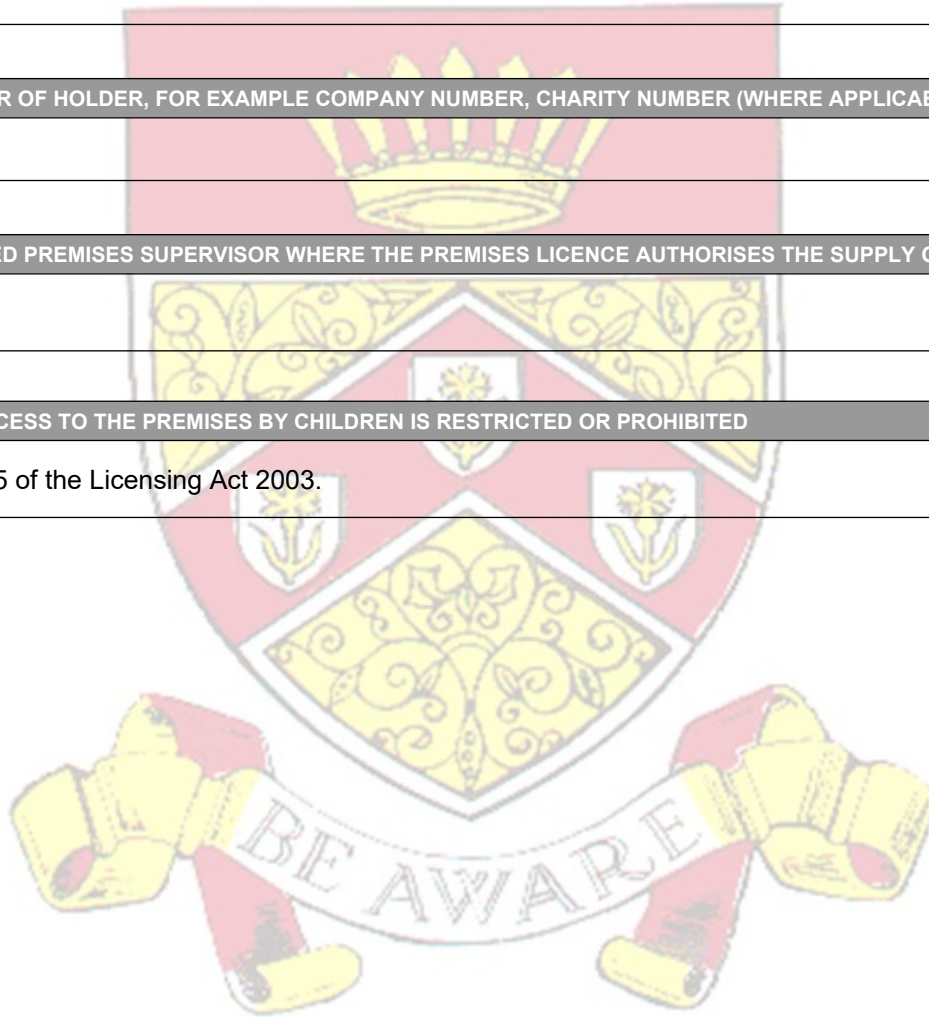
REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Mr Asim Gulzar

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

Regulated by S.145 of the Licensing Act 2003.





Chorley
 Application to vary a premises licence
 Licensing Act 2003

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

* required information

Section 1 of 18

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.

Applicant Business

Is the applicant's business registered in the UK with Companies House? Yes No

Registration number

Business name If the applicant's business is registered, use its registered name.

VAT number Put "none" if the applicant is not registered for VAT.

Legal status

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

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

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

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

Is your business registered outside the UK? Yes No

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

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 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

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.

A two floor late night venue licensed for the sale of alcohol and other licensable activities including live music and recorded music.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Provide 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...

SUNDAY

Start

End

Start

End

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 select 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.

Music may be amplified or unamplified.

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.

Days preceding bank holidays as per Saturday hours for licensable activities and opening times.
Boxing day and New Years day as per Saturday hours for licensable activities and opening hours.

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

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

Days preceding bank holidays as per Saturday hours for licensable activities and opening times.
Boxing day and New Years day as per Saturday hours for licensable activities and opening hours.

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="17:00"/>	End	<input type="text" value="06:00"/>
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THURSDAY

Start	<input type="text" value="17:00"/>	End	<input type="text" value="06:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="17:00"/>	End	<input type="text" value="06:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="17:00"/>	End	<input type="text" value="06:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="17:00"/>	End	<input type="text" value="06:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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 select 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.

Recorded music, may be amplified or 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.

Days preceding bank holidays as per Saturday hours for licensable activities and opening times.
 Boxing day and New Years day as per Saturday hours for licensable activities and opening hours.

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

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

Days preceding bank holidays as per Saturday hours for licensable activities and opening times.
 Boxing day and New Years day as per Saturday hours for licensable activities and opening hours.

Continued from previous page...

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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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SATURDAY

Start

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Start

End

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

Where taking place in a building or other structure select 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.

Performance of dance.

Continued from previous page...

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.

Days preceding bank holidays as per Saturday hours for licensable activities and opening times.
 Boxing day and New Years day as per Saturday hours for licensable activities and opening hours.

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

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

Days preceding bank holidays as per Saturday hours for licensable activities and opening times.
 Boxing day and New Years day as per Saturday hours for licensable activities and opening hours.

Section 11 of 18

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

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes
 No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

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WEDNESDAY

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THURSDAY

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Continued from previous page...

FRIDAY

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SATURDAY

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

SUNDAY

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

Provide a description of the type of entertainment that will be provided.

Anything falling outside other regulated entertainment not previous mentioned such as karaoke and live mic nights.

Will this entertainment take place indoors or outdoors or both?

- Indoors
 Outdoors
 Both

Where taking place in a building or other structure select 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.

Anything falling outside other regulated entertainment not previous mentioned such as karaoke and live mic nights. Amplified and unamplified.

State any seasonal variations for entertainment.

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

Days preceding bank holidays as per Saturday hours for licensable activities and opening times.
Boxing day and New Years day as per Saturday hours for licensable activities and opening hours.

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

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

Days preceding bank holidays as per Saturday hours for licensable activities and opening times.
Boxing day and New Years day as per Saturday hours for licensable activities and opening hours.

Continued from previous page...

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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End

SUNDAY

Start

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Start

End

Continued from previous page...

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.

Days preceding bank holidays as per Saturday hours for licensable activities and opening times.
 Boxing day and New Years day as per Saturday hours for licensable activities and opening hours.

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

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

Days preceding bank holidays as per Saturday hours for licensable activities and opening times.
 Boxing day and New Years day as per Saturday hours for licensable activities and opening hours.

Section 14 of 18

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.

Provide 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 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

WEDNESDAY

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THURSDAY

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

FRIDAY

Start	<input type="text" value="17:00"/>	End	<input type="text" value="06:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="17:00"/>	End	<input type="text" value="06:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="17:00"/>	End	<input type="text" value="06:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations.

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

Days preceding bank holidays as per Saturday hours for licensable activities and opening times.
 Boxing day and New Years day as per Saturday hours for licensable activities and opening hours.

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

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

Days preceding bank holidays as per Saturday hours for licensable activities and opening times.
 Boxing day and New Years day as per Saturday hours for licensable activities and opening hours.

Continued from previous page...

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

In order to tidy up the premises licence and bring it up to date the following conditions to be removed and replaced by volunteered conditions more in keeping with the current operation of the premises.

The DPS will continue the partnership of crime and disorder policy and will actively work with the police and local authority on any initiatives in this respect.

The company will refuse to sell alcohol to any individual who appears to be intending to consume alcohol in a public area.

To ensure that members of the public and police officers on duty can be sure that alcohol is only being served in accordance with the authorised hours, signage will be implemented that will display the hours during which alcohol can be served.

Where the DPS or company's employees suspect that a criminal offence is being planned, committed or has been committed a report to the police will be made by telephone.

The company voluntarily subscribes to the Portman code of practice.

No drugs will be allowed on the premises and if a situation ever arises where the DPS or staff believe drugs are on the premises the police will be notified and the offender will be permanently barred from the premises.

Digital CCTV recording is in operation 24 hours a day, 7 days a week.

All personnel have attended and new staff will be required to attend drugs awareness and conflict management courses.

A stop and search on entry policy is in force. All door staff carry interlinked radio earpieces for constant monitoring and emergency response.

The manager carries on his person radio connected to the towns CCTV system so any trouble in town can be noted. The manager is a member and regular attendee of Pubwatch and attends regularly the local authority's licensing liaison panel.

The DPS will fully co-operate with police where known criminals are concerned. The premises will not allow on to the premises any known offender or any person known to be barred from other licensed premises.

The DPS will ensure that a safe number of consumers are in the premises at any one time. A computer recorded door entry system ensures constant monitoring of people in the building so overcrowding cannot occur.

The Lancashire fire and rescue fire safety record book is available in the premises and all staff have a working knowledge of it and its advice forms part of this operating schedule. Where appropriate its advices are adopted in this schedule.

No obvious fire risks will be maintained on the premises. Smoking in clearly monitored within the premises, ashtrays are supplied and emptied regularly. Highly flammable materials will not be allowed onto the premises.

Measures will be taken to ensure the safe evacuation of disabled persons in the event of an emergency evacuation. Glass and spillages are cleared away immediately.

Coats are required to be kept in the cloakroom so that discarded clothing cannot present a hazard.

further conditions in case notes

Customers will be reminded by way of notices around the building that by way of courtesy to local residents is expected and anyone failing to obey this request will not be served alcohol in future and in appropriate cases will be barred from the premises.

Drunken or rowdy customers are not admitted to the premises and those that behave in this fashion are required to leave the premises.

Bottles and glasses cannot be removed from the premises.

and will cease at midnight at the latest.

Where further noise reduction is deemed necessary such will be implemented with consultation with the local authority.

Taxis are called to ensure people are taken away from the premises quickly and quietly at closing time.

7. There shall be no admission of persons under 18 years of age whilst alcohol is being sold, is available to purchase, or consumed on the premise.

8. Children under the age of 16 years shall not be permitted access to cigarette machines.

9. Children under the age of 16 years shall be restricted to non-smoking areas of the premise.

Continued from previous page...

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

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.

To complying with the mandatory conditions, the existing conditions already on the premises licence not being requested to be removed and additional conditions offered in this application.
A partnership approach with responsible authorities.

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.
Toughened glassware to be used
First aid kit and fire safety equipment on the premises.
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

In addition to the conditions already forming part of the premises licence no bins to be emptied after 9:30pm
Open bottles and glasses cannot be removed from the premises.
Signs asking customers to respect the neighbours and leave the venue 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

Continued from previous page...

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 17 of 18

NOTES ON REGULATED ENTERTAINMENT

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 18 of 18

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.

<http://chorley.gov.uk/Documents/Licensing/Licensing%20Fees%20v1.pdf>

* Fee amount (£)

190.00

DECLARATION

* I understand it is an offence, liable on summary conviction to a fine not exceeding level 5 on the standard scale, under section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application.

* I understand that I must now advertise my application.

* I understand that if I do not comply with the requirements my application will be rejected.

(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. (refer to guidance) 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

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

Christopher Carney

* Capacity

Licensing Consultant

* Date

07 / 02 / 2019

dd mm yyyy

Add another signatory

Continued from previous page...

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/change-1> to upload this file and continue with your application.

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

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

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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**Lancashire
Constabulary**

police and communities together

Licensing Unit, Preston Ops Centre,
Lancaster Rd North, Preston, PR1 2SA
Telephone (01772) 209785
centrallicensing@lancashire.police.pnn.uk

5th February 2019

Dear Sir/Madam,

APPLEJAX – Back Mount Street, Chorley

This representation is submitted after a lengthy consultation process involving face to face meeting with Applejax management and their consultant Mr. Cairney and a lengthy exchange of emails.

In considering a police response to parts of this application to vary closing times I have taken into account Chorley Council policy in relation to licensing objectives, in particular

5.1.4 The Licensing authority wishes to encourage applications for restaurants and other predominantly seated venues which do not adversely impact upon the licensing objectives in contrast to those that predominantly offer vertical drinking. If applications are made they must demonstrate how the licensing objectives are to be promoted.

Although this is not a new application it recognises that vertical drinking establishments are likely to have an adverse impact on the licensing objectives.

5.1.5 The current staggered closing times of licensed premises that has developed since 2005 in the Town Centre initially helped to reduce the problems associated with large numbers of people leaving premises at the same time but a significant number of premises within this area have now similar closing times which has increased the risk of increased levels of crime, disorder and nuisance.

Although this is around staggered closing times it references the problem of large numbers of people leaving a premises and in this case we are looking at the impact of large numbers of people leaving a single premises at 6am every Saturday and Sunday morning.

I have also taken into account the four Licensing Objectives as set out in Licensing Act 2003

1. The prevention of crime and disorder
2. Public safety
3. The prevention of public nuisance
4. The protection of children from harm.

There is currently no Cumulative Impact Policy for Chorley but the guidance is clear that this does not prevent a responsible authority from making representations on a variation on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.

I have also taken into account information held on police systems regarding AppleJax and the area immediately around it.

During this process there has been substantial compromise on both sides leading to a number of appropriate new and amended conditions being agreed and agreement to the removal of many obsolete conditions from the licence.

The only area where we have been unable to come to a compromise agreement has been around hours. Applejax want to open until 6am on every Friday and Saturday throughout the year whilst Police have offered opening until 6am on up to 24 days based around public holidays and pay day weekends when there will likely be enhanced police presence in Chorley to deal with the additional crime and disorder that will inevitably flow from extending hours for a vertical drinking establishment from 4am to 6am.

During discussion Applejax raised the hours of the neighbouring premises The White Hart which I would submit is a pub rather than a club type premises, has more restrictive licensing conditions and should not be considered as a comparator for Applejax.

During discussion with Police, Applejax has also represented that they plan to use other bars in Chorley as feeder bars for Applejax and that opening Applejax until 6am would allow for a crowd to move through bars in the Chorley Night Time Economy with Applejax concentrating on being a final destination for a crowd that will arrive in drink in the early hours of the morning.

Whilst I recognise the desire of Applejax to be profitable and to have licence conditions that maximise their profitability, this cannot be at the expense of a negative impact on the licensing objectives. Nevertheless we have sought a compromise whereby the days supported by police and offered to Applejax were as follows

New Years Day
Good Friday
Saturday before Easter Monday
Saturday before MayDay
Saturday before Spring Bank Holiday
Saturday before August Bank Holiday
Christmas Day
Boxing Day
New Years Eve
9 Days

First pay day Saturdays for January – December
12 Days

St Patricks Saturday
Halloween Saturday
Valentines Saturday
3 Days

Applejax has operated as a nightclub within Chorley for many years. It has been largely dormant since the latter part of 2018. The recent history is that in September 2019 the ownership passed from Mr Peter Verhaege to Myst Leisure Ltd with a new proposed DPS Mr Darren Ofsarnie. Myst Ltd did not trade the club and it became apparent that Myst Ltd. had pulled out of the premises leaving a number of debts. It has subsequently operated via a number of TENs through to 6am during the Christmas and New Year period of 2018 where the applicant was Mr. Asim GULZAR.

10pm 15/12/2018 – 6am 16/12/2018

10pm 21/12/2018 – 6am 27/12/2018

10pm 29/12/2018 – 6am 01/01/2019

These were not objected to by police and followed consultation between the event organisers and Lancashire Police. They fell within the Christmas / New Year period when police resources had already been diverted to work extended hours to police the night time economy throughout Lancashire. They represented an opportunity for the venue to make some revenue after an extended period of closure. It is not unusual for premises to seek extended hours around Christmas and New Year festivities and it is normal for police not to have objections as it is something we prepare for and specially resource with increased number of officers on patrol during the night time. In relation to the extended opening hours TENs for AppleJax over Christmas and the New Year, they did not pass without incident. There were three incidents as follows :

23/12/2018 Early hours Male member of staff Charlie WINYARD assaulted by customer requiring butterfly stitches to eye at hospital.

25/12/2018 04:03 hrs MALE ARRESTED OUTSIDE DRUNK AND DISORDERLY HAVING BEEN EJECTED BY STAFF.

30/12/2018 04:03 hrs Call from AppleJax to police “2 MALES FIGHTING WE HAVE SPLIT THEM UP BUT THEY ARE VERY AGGRESSIVE . NO ONE INJURED . NO WEAPONS . ONE MALE 18 YRS OLD ONE MALE 30 YRS . THEY ARE BOTH REFUSING TO MOVE ON. WE NEED THE POLICE HERE TO ASSIST”

All three are of concern but I note that the call to Police on 30th December 2018 indicated that things had escalated at the premises to the point where they needed police assistance and the incident on 23rd December 2018 indicated that there was sufficient violence at the venue that a member of staff was hospitalised.

Without casting any aspersions on the current management, a review of police systems back to January 2016 shows a steady level of incidents around violence, drugs, drunkenness and nuisance directly associated with Applejax operating until 4am.

On 17th January 2019 the premises licence was transferred to VAL PUBS Ltd which currently has a sole director Mr Asim GULZAR and it is Mr. GULZAR who is currently the DPS.

Further TEN applications seeking to run AppleJax until 6am on various dates in February and March were received .

16/02/19 – 17/02/19 2200-0600 Valentines

23/02/19 – 24/04/19 2200-0600

02/03/19 – 03/03/19 2200-0600 Pay Day Weekend

They were withdrawn after Police objection leaving the club free to run on its original licence until 4am

The current application has the potential to create a premises within Chorley where customers can drink uninterrupted for 13 hours.

The current premises licence PLA0281 contains conditions from 5th December 2018

The current licence conditions refer to opening and sale of alcohol as follows

Sale of alcohol –

Sunday to Wednesday 20:00 - 01:00

Thursday to Saturday 20:00 - 03:30

Bank Holiday Sunday, Christmas Eve, Boxing Day and New Years Eve 20.00 - 03.30

Opening Hours

Sunday to Wednesday 20:00-01:30

Thursday to Saturday 20:00-04:00

Bank Holiday Sunday, Christmas Eve, Boxing Day & New Years Eve 20.00 - 04.00

These were also the hours in the previous licence.

What has already been suggested by the police is a reasonable compromise, allowing Applejax to offer extended hours of drinking on days when there will be a public appetite for it and when there is likely to be sufficient additional police resources available to deal with the inevitable consequences.

The police representation is that extending drinking hours at Applejax until 6am on every Friday and Saturday will have a serious impact on the licencing objectives in terms of crime, disorder, nuisance and public safety whilst their adoption of the police proposal would allow them to serve a customer demand for later drinking in circumstances that will allow for the impact to be managed without an unacceptable impact on the licensing objectives.

Should you have any queries in relation to any of the matters outlined above then please do not hesitate to contact the Licensing Unit.

Yours Sincerely,

PS 777 Richard Horton
Licensing Sergeant