

# Statutory Licensing Sub-Committee B

Thursday, 6 April 2006

**Present:** Councillor Miss Margaret Iddon (Chair), Councillors Doreen Dickinson and David Dickinson

**Also present at the commencement of the meeting:** Councillor John Walker

## 06.SLB.01 DECLARATIONS OF ANY INTERESTS

No interests were declared.

## 06.SLB.02 LICENSING ACT 2003 (PREMISES AND CLUB PREMISES CERTIFICATE) REGULATIONS 2003 - APPLICATION TO VARY PREMISES LICENSE IN RESPECT OF THE JACKSON ARMS, 67 CUNLIFFE STREET, CHORLEY

The Deputy Director of Legal Services submitted a report requesting the Sub-Committee to determine an application to vary premises license in respect of The Jackson Arms, 67 Cunliffe Street, Chorley.

The report outlined the current premises license and the details of the application to vary the premises license.

The Sub-Committee raised a number of pertinent issues with the two interested parties attending the meeting as well as to the applicant and their legal representative. There had been no representations from the Police.

The Sub-Committee considered all the written and verbal evidence in the interest of the provision of the Council's adopted Statement of Licensing Policy and Government Guidelines.

After taking account of the representation and relevant factors, the Sub-Committee arrived at the following unanimous **DECISION**.

The Licensing Committee have considered carefully the applicants representations and the interested parties representations.

We have considered the guidance issued under Section 182 of the Act together with the Council's Statement of Licensing Policy in particular those paragraphs referred to in the report.

The Committee has had regard to the fact that no responsible authorities have made representations to the application. Whilst the committee took account of the interested parties representations on past disturbances they have suffered, there have been no representations from Environmental Health and Lancashire Police.

The Committee also took account that the Statement of Licensing Policy indicates that predetermined closing times will be avoided unless necessary to promote the licensing objectives.

The Committee accepts the difficulty that a licence holder has in preventing anti-social behaviour by individuals once they are beyond the direct control of the licence holder. However the committee are of the view that the licensing objective of preventing public nuisance will not be achieved if customers from a premise regularly conduct themselves in an anti-social manner to the detriment of local residents.

The Committee recognised that the applicant has offered up conditions in his operating schedule to minimise the impact on licensing objectives. The Committee is also mindful of the interested parties residential amenity. The Committee has to achieve a balanced approach to these difficult issues however the Committee take the view that additional measures are required.

The Committee also considered human rights implications in particular Article 8 and Article 1 of the 1<sup>st</sup> protocol of the proportionality principle.

In considering all the above factors the Committee resolved to vary the licence in the following amended form.

Regulated Entertainment

i) Films - Indoors (B)

10.00 - 00.00 Sunday - Thursday  
10.00 - 01.00 Friday and Saturday

Video Entertainment on TV screens and amusement machines

Non-Standard Timings

New Years Eve 10.00 31.12 to New Years Day 10.00 01.01  
Good Friday and Christmas Day to be classed as normal working days  
Christmas Eve 01.00  
Boxing Day 01.00  
Sunday prior to a Bank Holiday Monday 01.00

ii) Indoor Sporting Events (C)

10.00 - 00.00 Sunday - Thursday  
10.00 - 01.00 Friday and Saturday

Non-Standard Timings

New Years Eve 10.00 31.12 to New Years Day 10.00 01.01  
Good Friday and Christmas Day to be classed as normal working days  
Christmas Eve 01.00  
Boxing Day 01.00  
Sunday prior to a Bank Holiday Monday 01.00

iii) Live Music Indoors (E)

12.00 - 23.15 Monday - Sunday

Live acoustic and amplified music and voice

iv) Recorded Music - Indoors (F)

10.00 - 23.30 Monday - Sunday - at reduced volume from 23.00 so as to be inaudible at the nearest noise sensitive location

Recorded music, including jukebox and karaoke, with or without a DJ during normal business or as part of functions including audience participation.

v) Performance of dance

12.00 - 23.30 Monday to Sunday

To have dance performance with or without audience participation within stipulated hours

Non Standard Hours

Good Friday and Christmas Day to be classed as normal working days

vi) Anything of a similar description to that falling within E, F or G - Indoors (H)

10.00 - 00.00 Sunday - Thursday

10.00 - 01.00 Friday and Saturday

Comperes for quiz and similar events, comedians and similar speciality acts using amplified voice.

Non-Standard Timings

New Years Eve 10.00 31.12 to New Years Day 10.00 01.01

Good Friday and Christmas Day to be classed as normal working days

Christmas Eve 01.00

Boxing Day 01.00

Sunday prior to a Bank Holiday Monday 01.00

vii) Provision of facilities for making music - Indoors (I)

12.00 - 23.15 Monday - Sunday

Non-Standard Timings

New Years Eve 10.00 31.12 to New Years Day 10.00 01.01

Good Friday and Christmas Day to be classed as normal working days

Christmas Eve 01.00

Boxing Day 01.00

Sunday prior to a Bank Holiday Monday 01.00

viii) Provision of facilities for dancing - Indoors (J)

12.00 - 23.30 Monday - Sunday

Non-Standard Timings

New Years Eve 10.00 31.12 to New Years Day 10.00 01.01

Good Friday and Christmas Day to be classed as normal working days

Christmas Eve 01.00

Boxing Day 01.00

Sunday prior to a Bank Holiday Monday 01.00

Late Night Refreshment - Indoors (L)

23.00 - 00.15 Sunday - Thursday

23.00 - 01.15 Friday and Saturday

Non-Standard Timings

New Years Eve 10.00 31.12 to New Years Day 10.00 01.01

Good Friday and Christmas Day to be classed as normal working days

Christmas Eve 01.15

Boxing Day 01.15  
Sunday prior to a Bank Holiday Monday 01.15

Supply of alcohol - On and Off the premises (M)

10.00 - 00.00 Sunday - Thursday  
10.00 - 01.00 Friday and Saturday

Non-Standard Timings

New Years Eve 10.00 31.12 to New Years Day 10.00 01.01  
Good Friday and Christmas Day to be classed as normal working days  
Christmas Eve 01.00  
Boxing Day 01.00  
Sunday prior to a Bank Holiday Monday 01.00

Hours premises are open to the public (O)

10.00 - 00.30 Sunday - Thursday  
10.00 - 01.30 Friday and Saturday

New Years Eve deregulated  
Christmas Eve 01.30  
Boxing Day 01.30  
Sunday prior to Bank Holiday Monday 01.30

- 1) There shall be placed at all exits where they can be seen and easily read by the public notices requiring customers to leave the premises and the area quietly.
- 2) The licence holder or his representative shall conduct regular assessments of the noise coming from the premises on every occasion the premises are used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents.
- 3) All doors and windows shall be kept closed at all times when regulated entertainment is taking place except for access or egress.
- 4) Signs to be erected requiring no bottles/glasses to be taken off the premises except to any outside drinking area.
- 5) Customers shall not be permitted to congregate and consume alcohol sold or supplied by the premises within the vicinity of those premises saving any outside area which is designated for the consumption of alcohol.
- 6) Any outside area which is so designated shall cease to be used at 22.00.
- 7) In relation to under age sales/consumption of alcohol the premises shall adopt an approved policy such as the PASS scheme to prevent the sale/supply of alcohol to persons under the age of 18.
- 8) There shall be no admittance to the premises after 23.00 hours and in relation to non standard timing no admittance to the premises after 00.00.
- 9) No bottles or refuse to be emptied or collected between the hours of 22.00 and 08.00.
- 10) Signs to be placed inside and outside the premises asking patrons to park with respect for the residents.

Whilst not a condition the Committee would strongly recommend the licensee to instigate the use of a noise limiter in respect of amplified entertainment.

Chair