

Report of	Meeting	Date
Director of Property and Planning	Licensing Act Sub Committee	Wednesday 2 nd April 2025

Confidential report	Yes	No
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APPLICANT DETAILS

Applicant:	McDonald's Restaurants Limited	Premises Name:	McDonald's Restaurant
Address:	Woodale Road, Clayton-le-Woods, Chorley, PR6 7TY		
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:

Housing where residents can live well		A green and sustainable borough	
An enterprising economy with vibrant local centres in urban and rural areas		Healthy, safe and engaged communities	x

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 or applicant.

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 2021.
 - The Licensing Act 2003.

Site location and history

8. The application relates to the site of the former public house, The Beaumont, which has been vacant for a number of years. The site abuts Clayton Green Road on the south side, with residential properties to the south and south west and commercial to the north and north east. A location plan is appended as [Appendix 1](#).
9. Planning permission was granted for the use of the site on 12.11.24. Condition 16 of this planning permission restricted the use of the premises between the hours of operation of 06:00 and 00:00hrs.

Application for a premises licence

10. On 07.02.25, an application for a premises licence in respect of McDonald's Restaurant, Woodale Road, Clayton-le-Woods, Chorley PR6 7TY was made by McDonald's Restaurants Limited. A copy of the application is appended at [Appendix 2](#).
11. The application seeks to authorise the following licensable activities:

Licensable Activity	Proposed times during which activities are to take place
The Provision of Late Night Refreshment	Mon- Sun: 23:00-00:00hrs

12. The Sub Committee will note that The Provision of Late Night Refreshment is only a licensable activity between the hours of 23:00 and 05:00hrs. An authorisation under the Licensing Act 2003 is not required to sell hot food or drink outside of these hours.
13. Section 18 of the application sets out the steps the applicant intends to take to promote the licensing objectives.

Advertisement of the application and relevant representations

14. The application was advertised in accordance with the regulations in that notices were displayed at the premises for the whole 28-day consultation period, a notice was posted in a local newspaper and the application has been published on the Council's website.
15. On 24.02.25, a representation was received from Bernie and Graham Shepherd of Blackcroft, Clayton-le-Woods. This representation relates to The Prevention of Public Nuisance objective and is appended at [Appendix 3](#).
16. On 05.02.25, a representation was received from PS 2700 Lovick, for and on behalf of the Chief Constable of Lancashire Constabulary. This representation relates to The Prevention of Crime and Disorder and The Prevention of Public Nuisance objectives and is appended at [Appendix 4](#).
17. On 13.03.25, PS Lovick provided additional documentary information in support of his representation and a copy is appended at [Appendix 5](#).
18. The Sub Committee will recall that only representations which are relevant to the carrying on of licensable activities at the premises to which the application relates should be taken into account. Representations which relate to premises located elsewhere within the district are not relevant for licensing purposes.

Implications of the 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 Monitoring Officer

20. The Licensing Sub-Committee is required to give appropriate weight to the application, any representations (including supporting information), the Guidance issued pursuant to section 182 of the Licensing Act 2003 (Sections 9.31 & 9.44 as confirmed by the Licensing officer within his report) and the Council's statement of licensing policy.

It should be noted that clear reasons must be given for the decision, and any additional or modified conditions should be practical and enforceable.

The applicant, the premises licence holder and any person who made relevant representations would have the right of appeal to a magistrates' court within 21 days from notification of the decision, if they felt aggrieved by the decision.

Conclusions

21. 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.
22. 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.

22. The Sub Committee is requested to determine the matter.

Gayle Wootton
Director of Planning and Property

Appendices

Appendix	Description
Appendix 1	Site Plan
Appendix 2	Copy of application for a premises licence
Appendix 3	Representation- Bernie and Graham Shepherd
Appendix 4	Representation- Lancashire Constabulary
Appendix 5	Information in support of representation- Lancashire Constabulary

Background Papers

Document	Date	Place of Inspection
The Council's Statement of Licensing Policy	2021-2026	The Council's Statement of Licensing Policy
Secretary of State Section 182 Guidance	February 2025	Revised Guidance issued under section 182 of the Licensing Act 2003

Report Author	Ext	Date
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