

Report of	Meeting	Date
Director of People and Places	Licensing Act 2003 Sub-Committee	8 August 2012

APPLICATION TO VARY A PREMISES LICENCE UNDER SECTION 34 OF THE LICENSING ACT 2003, FOR THE CARDWELL ARMS, CHORLEY ROAD, ADLINGTON, CHORLEY, PR6 9LH.

PURPOSE OF REPORT

- To enable Members to determine an application for a variation of the premises licence for the Cardwell arms, Chorley road, Adlington, Chorley, PR6 9LH.

RECOMMENDATION(S)

- Members are recommended to consider the application and any representations received and after considering those representations determine the outcome for the application to vary the Premises Licence.

Confidential report Please bold as appropriate	Yes	No
--	-----	----

BACKGROUND

- The Council has received an application from Ford & Warren Solicitors on behalf of Punch Taverns PLC, under Section 34 of the Licensing Act 2003 to vary a premises licence. The application is attached as appendix 1.
- The application seeks to vary the existing licensable provisions as shown below;

Licensable Activity	Current times		Proposed times	
Recorded Music	Mon – Fri	11:00 – 00:00	Mon – Thurs	11:00 – 00:00
	Saturday	11:00 – 01:00	Fri & Sat	11:00 – 02:00
	Sunday	12:00 – 00:00	Sunday	12:00 – 00:00
	11:00 – 01:00 New Years Eve 11:00 – 00:00 Sundays of Bank Holiday weekends.		No changes are proposed to the Non-standard timings.	
Sale by retail of alcohol	Mon – Fri	11:00 – 00:00	Mon – Thurs	11:00 – 00:00
	Saturday	11:00 – 01:00	Fri & Sat	11:00 – 02:00
	Sunday	12:00 – 00:00	Sunday	12:00 – 00:00
	11:00 New Year's Eve until 23:00 New Years Day continuous. 11:00 – 00:00 Sundays of Bank Holiday weekends.		No changes are proposed to the Non-standard timings.	

- In-line with the requested amendments to vary the licensable activities the opening hours of the premises are also subject to variation as shown;

Days	Current hours	Proposed hours
Monday	11:00 – 00:30	No change
Tuesday	11:00 – 00:30	No change
Wednesday	11:00 – 00:30	No change
Thursday	11:00 – 00:30	No change
Friday	11:00 – 00:30	11:00 – 02:30
Saturday	11:00 – 01:30	11:00 – 02:30
Sunday	12:00 – 01:30	No change
Non-standard timings	11:00 New Years Eve until 1 hour after cease of alcohol on New Years Day. 11:00 – 01:00 Sunday of Bank Holidays	No change

Representations from the Responsible Authorities

6. There have been no representations received from any responsible authorities in relation to this application.

Representations from Other People

7. One representation has been received from a member of the public who opposes the granting of this variation. He did not give his address in his initial e-mail or when he responded to an e-mail from Public Protection Officers to obtain more details about his representation. It is inferred that he is a local resident given his knowledge of the area. The representation in anonymised form is attached as appendix 2. The representation seems to be chiefly concerned with the licensing objectives of;
- a. The Prevention of Public Nuisance,
 - b. The Prevention of Crime and Disorder,
8. Where representations have been received by the Council within the prescribed time, the person(s) making representation were invited to contact the Public Protection Team to discuss the application and offer any remedies they believe would alleviate their concerns. The local resident contacted the Public Protection Team to state that he has nothing further to add to the representation and did not wish to discuss the issue further as he did not wish to make himself a target for vandalism or assault. The correspondences are attached as Appendix 3.
9. All parties to this application have been invited to attend the hearing under the Licensing Act 2003 (Hearing) Regulations 2005, to make representation.
10. Members are asked to determine the application, having had considered the representations that have been made, and having regard to the Authorities Statement of Licensing Policy and to the guidance issued by the Secretary of State under section 182 of the Act.
11. The Committee has the following options:
- a. to reject the application in part or whole
 - b. to grant the application
 - c. to modify the conditions of the licence

IMPLICATIONS OF REPORT

12. 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	

Jamie Carson
DIRECTOR OF PEOPLE & PLACES

Appendix 1 – Application to vary premises licence

Appendix 2 – Representation

Appendix 3 – Response RE: Representation liaison

Report Author	Ext	Date	Doc ID
Matthew Swift	5726	23 rd July 2012	***