

Flint Bishop Barnett

S O L I C I T O R S

St. Michael's Court, St. Michael's Lane, Derby DE1 3HQ
Tel: 01332 340211 Fax: 01332 207601 Web: www.fbbsolicitors.com
Email: info@fbandb.com DX: 729320 Derby 24

Licensing Unit
Chorley Borough Council
Town Hall
Chorley
Lancashire
PR7 1DP

Date: 19 April 2006
Your Ref:
Our Ref: AX/UPC
Please ask for: Andrew Cochrane
njrennie@fbandb.com
Direct Dial: 01332 226151
Direct Fax: 0870 1918678

Dear Sirs

Re: Application to Vary a Premises Licence – Ley Inn, Chorley

I enclose herewith the following documents for the purpose of an application to vary a Premises Licence:

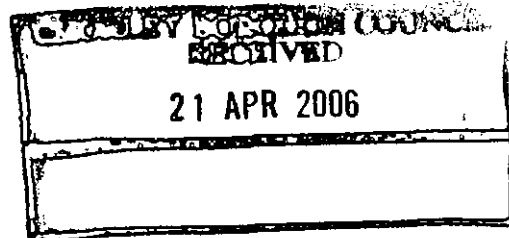
1. Application to Vary a Premises Licence
2. The existing Premises Licence
3. Copy of the plan
4. Cheque for payment of the fee.

Kindly acknowledge receipt

Yours Faithfully



FLINT BISHOP & BARNETT
Encs



Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/We Peter Gordon Milnes

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PL(A)0310

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Back Lane Clayton-le-Woods Chorley Lancashire PR6 7EX			
Post town	Chorley	Post code	PR6 7EX

Telephone number at premises (if any)	01772 330215
Non-domestic rateable value of premises	£54000

Part 2 – Applicant details

Daytime contact telephone number	01772 330215		
E-mail address (optional)			
Current postal address if different from premises address			
Post Town		Postcode	

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day Month Year

--	--	--	--	--	--	--	--	--	--

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

We wish to remove condition (1) of Annex 3 of the Premises Licence, being a condition which limits the use of outside areas designed for consumption of alcohol after 22.00hrs. We would wish for this part of the premises to be available for use during the hours which the premises are open to the public.

We propose additional conditions in Section P

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

--

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- | | |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|--|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>		
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
			Please give a description of the facilities for dancing you will be providing	
Day	Start	Finish		
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment <u>take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)	
Day	Start	Finish		
Mon				
Tue				
Wed				
Thur				Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri				
Sat				
Sun				

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking
Annex 3 (1) no outside areas designed for consumption of alcohol should be used after 22.00hrs.

Please tick yes

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

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

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

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

No children will be allowed in the premises or the beer garden or the childrens play area as shown on Plan KDH-2840 dated June 2005 after 2200hrs.

The premises licence holder will liaise with the Environmental Health Officer of Chorley Borough Council or such other person as may be deemed appropriate from time to time by the Licensing Authority to ensure that appropriate and reasonable measures are taken to prevent a nuisance being caused to local residents by persons present in the beer garden or the childrens' play area of the premises as shown on Plan KDH-2840 (June 2005 and Annexed to the Premises Licence)

e) The protection of children from harm

--

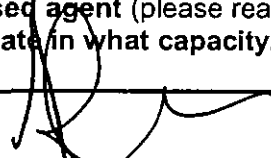
Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO 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

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	18/04/06 18/04/06
Capacity	Solicitor

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Andrew Cochrane
Partner
Flint Bishop & Barnett Solicitors
St Michael's Court
St Michael's Lane
Derby
DE1 3HQ

Post town	Derby	Post code	DE1 3HQ
------------------	-------	------------------	---------

Telephone number (if any)	(01332) 226151
----------------------------------	----------------

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

Notes for Guidance

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.

1. 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.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Lancashire Constabulary

Licensing Unit, Police Station, St Thomas's Road, Chorley, PR7 1DR

Tel: 01257 246215

Fax: 01257 246217

e-mail: southern-licensing@lancashire.pnn.police.uk



**Lancashire
Constabulary**

police and communities together

Licensing Officer
Chorley Borough Council
Town Hall
Market Street
Chorley
PR7 1DP

Dear Sir

RE: PREMISES LICENCE REPLY:- LICENSING ACT 2003 - REF Variation.

Premises Ley Inn, Back Lane, Clayton Le Woods, Chorley

There are the following police representations to be made in respect of this application:-

It is felt that the proposed variation to extend the use of the outside area in line with the current licensing hours is excessive.

The police feel that by removing the condition relating to the use of the outside area of the premises will cause noise and disturbance to local residents therefore undermining the prevention of public nuisance condition and in a worse case scenario lead to incidents of crime and disorder between local residents and customers.

Yours faithfully

Police Sergeant 1506

(Licensing)

Howard Bee

From: Sue Briggs [sue.briggs@chorley.gov.uk]
Sent: 18 May 2006 10:58
To: Howard Bee
Cc: Dave Bradley
Subject: Ley Inn

Hi Howard, Dave has asked me to forward an objection on his behalf in relation to The Ley Inn's application to vary the existing license to allow use of the beer garden/childrens play area later than 2200 hours.

He objects to this application to vary on the grounds that extending the use of the beer garden and play area after this time will adversely affect the occupants of nearby residential properties.

Regards on behalf of Dave Bradley

Susan Briggs

01257 515725

sue.briggs@chorley.gov.uk

Chorley Borough Council is rated "Excellent and Improving" for its customer services by the independent Audit Commission.

Howard Bee

From: Sue Briggs
Sent: 19 May 2006 14:22
To: Howard Bee
Cc: Dave Bradley
Subject: Ley Inn

Howard I confirm as requested that Dave intends to produce evidence of noise from The Ley Inn on CD recordings. Sue

Susan Briggs

01257 515725

sue.briggs@chorley.gov.uk

1st May 2006

Licensing Office
Chorley Borough Council
Town Hall
Market Street
Chorley
PR7 *IDP*

3- MAY 2006

Dear Sirs,

**Re: Ley Inn – Clayton-le-Woods
Notice of Application for Variation of a Premises Licence**

I wish to register my concerns relating to the proposed Application for outside consumption of Alcohol in the grounds of the Ley Inn during the hours of 11.00 a.m. – 12.30 a.m. Sunday – Thursday and 11.00 a.m. – 1.30 a.m. Friday and Saturday.

I have no objections to people consuming alcohol in the outside areas during acceptable hours; however, I am concerned regarding noise levels associated with late night outside drinking in a residential area. As my property is located two meters from the boundary fence of the Ley Inn I am also concerned that the late night outside drinking may affect the resale value of my property.

Consequently, I wish to register my objection to the above application on the grounds that late night outside drinking is anti-social and not in the best interests of a residential area.

Yours faithfully,

H. Bee

1 May 2006

H. Rea

1 May 2006

The Licensing Officer
Chorley Borough Council
Civic Offices
Union Street
Chorley
Lancs.
PR7 2SW

- 9 MAY 2006

**Ref. Application to Vary a Premises Licence for the Ley Inn
at Back Lane, Clayton-le-Woods, Chorley.**

Dear Sir


As residents of Stackcroft, Clayton-le-Woods, living adjacent to the Ley Inn Pub, separated from the outside areas designated for the consumption of alcohol only by our garden fence, we wish to vigorously oppose the Application to Vary the Premises Licence used outdoors.

At the Licensing Sub Committee hearing on 1st November 2005 the Committee were mindful of the interested parties' residential amenity, and felt that they had achieved a balanced approach when they made the condition that *"No outside areas designated for the consumption of alcohol should be used after 22.00 hours."*

We feel that the above outcome was a fair decision, but to Vary the Licence to use the beer garden between the hours of:-

11.00 a.m. and 12.30 a.m. Sunday to Thursday
11.00 a.m. and 1.30 a.m. Friday and Saturday

would only serve to exacerbate our ongoing problems - on busy days and at the weekends, especially during the summer - of noise, disturbance, foul language and loutish behaviour, all emanating from the beer garden.



We would also like to add that not all the conditions attached to the premises license after the sub committee hearing of November 2005 have been met to date. However Mr Milnes assures us that work is in progress to meet these conditions.

- We have, in general terms, lost the use of our garden, and are unable to ventilate our lounge and bedroom areas because of the above scenario.
- We have asked the Brewery to move the children's play area and beer garden farther away from our property, as the Ley Inn has particularly extensive grounds, but were refused this measure. The only concession the Brewery were prepared to make was to suggest the erection of a fence hopefully to reduce the noise nuisance.
- Mr Milnes has clearly told us that we can expect "more noise" from his premises when the "no smoking" laws come into effect in June 2007.
- Mr Milnes has advised us that the pub is often frequented by around **300 plus customers** on a busy night; he intends to construct an outdoor, canopied, heated, floodlit area to accommodate his smoking patrons, (which he estimates number approximately 50% of his customers.)

We are greatly concerned that any Extension to the current Licence would further invade our privacy and disrupt our lives. We feel that we are being denied the right to reasonable enjoyment of our own property, and would earnestly urge you to REJECT any Variation to the present outside designated areas Licence.

Yours sincerely

The Licensing Officer
 Chorley Borough Council
 Civic Offices
 Union Street
 Chorley
 Lancashire
 PR7 1AL.

8th May, 2006

Dear Sir,

Re; Ley Inn Public House, Back Lane, Clayton-le-Woods, Chorley.

You will be aware that Mr. Milnes, the licensee of this public house was granted a licence by the Licensing Sub-Committee at a hearing held at the Chorley Town Hall on 1st November 2005. During recent discussions with Mr. Milnes we became aware of his intention to apply to extend still further the scope of the licence approved in November. The close proximity of our homes to the grounds of the Ley Inn means that we are extremely concerned at the prospect of any extension to the closing time of the Beer Garden.

As the granting of the licence to the Ley Inn was made barely six months ago, in our opinion it would be premature to allow a further extension of opening time until we have experienced at least a full year under the provisions of this licence. We know from our own personal past experience that the Beer Garden is utilised more extensively during the summer months and lighter evenings.

Mr. Milnes has expressed a willingness to install acoustic fencing in the appropriate area and if this is done, and he complies with all the terms stipulated at that hearing in November 2005, he should be able to show over a full year that local residents can live close to the Ley Inn without severe disruption of their home life.

Until that time we shall be totally opposed to any application for a change to the scope of the licence awarded in November 2005.

Yours sincerely,

The Licensing Officer
Chorley Borough Council
Civic Offices
Union Street
Chorley
Lancashire
PR7 1AL.

10, May, 2006

Dear Sir,

Re: Ley Inn Public House, Back Lane, Clayton-le Woods, Chorley.

It has come to my notice that Mr. Milnes the Licensee intends to apply for variations to extend his current licence to enable him to serve alcohol in the Beer Garden after 10.00pm . This being the case, I wish to register my opposition to the granting of any such extension.

At the Licensing Sub-Committee hearing at Chorley Town Hall on November 1st 2005, the committee granted the licence subject to the following condition. "No outside areas designated for the consumption of alcohol shall be used after 22.00pm"

It would appear that Mr. Milnes is now seeking to have the ruling of the Sub-Committee overturned by applying to keep the Beer Garden open:

Sunday – Thursday	11.00am	-	Midnight
Friday and Saturday	11.00am	-	01 30 am

I am sure that you are aware of the close proximity of our homes to the Ley Inn Pub and the Beer Garden and therefore I feel that the decision of the Sub-Committee was both reasonable and fair. I am deeply concerned that if this extension were granted the noise from the Beer Garden would continue into the early hours of the morning, further disrupting our lives.

Yours faithfully,

16 MAY 2006

*File Copy
Sent 25/5/06*

**Notice of hearing of representations in respect of
an application to vary the premises licence**

To The Applicant

The Chorley Borough Council being the licensing authority, on the 21st April 2006 received an application to vary the Premises Licence from Flint Bishop and Barnett on behalf of the Premise Licence holder Peter Gordan Milnes, In respect of premise known as the Ley Inn Back Lane Clayton Le Woods Chorley.

The Council received representations from the Police, Environmental Services and 4 interested parties on the likely effect of the Grant to Vary the Premises Licence on the promotion of the Licensing Objectives.

The Council now GIVES YOU NOTICE that representations will be considered at a hearing to be held at Chorley Borough Council Town Hall

On 13th June at 10am 2006 following which the Council will issue a Notice of Determination of the Application.

[The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) of the Act.]

The particular points on which the Council considers that it will want clarification at the hearing from the applicant are as follows:

Licensing objectives:- The prevention of crime and disorder
The prevention of public nuisance

For the applicant to describe any additional steps that he/she intends to make in promoting the above licensing objective(s)

For the objector to describe the likely effect of the grant of the variation of the premises licence on promoting the above licensing objective(s)

You should complete the enclosed form and return it to:

Mr. H. Bee, The Licensing Manager, Licensing Department, Civic Buildings, Union Street, Chorley, Lancs. PR7 1AL.

within five (5) working days before the day or the first day on which the hearing is to be held.

Date _____ Signed _____

Designation _____
the officer appointed for this purpose

Notes:

Right of attendance assistance and representation

15 Subject to regulations 14(2) and 25, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

Representations and supporting information

16 At the hearing a party shall be entitled to-

- (a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representations or notice (as applicable),
- (b) if given permission by the authority, question any other party; and
- (c) address the authority.

Failure of parties to attend the hearing

- 20 -
- (1) If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
 - (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may -
 - (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
 - (b) hold the hearing in the party's absence
 - (3) Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
 - (4) Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

Procedure at hearing

21 Subject to the provisions of the Regulations, the authority shall determine the procedure to be followed at the hearing.

22 At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.

23 A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.

24 The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for a regulation 16.

25 The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may —

- (a) refuse to permit that person to return, or
- (c) permit him to return only on such conditions as the authority may specify,

but such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

**Notice of hearing of representations in respect of
an application to vary the premises licence**

To The Objector

The Chorley Borough Council being the licensing authority, on the 21st April 2006 received an application to vary the Premises Licence from Flint Bishop and Barnett on behalf of the Premise Licence holder Peter Gordan Milnes, In respect of premise known as the Ley Inn Back Lane Clayton Le Woods Chorley.

The Council received representations from the Police, Environmental Services and 4 interested parties on the likely effect of the Grant to Vary the Premises Licence on the promotion of the Licensing Objectives.

The Council now GIVES YOU NOTICE that representations will be considered at a hearing to be held at Chorley Borough Council Town Hall

On 13th June at 10am 2006 following which the Council will issue a Notice of Determination of the Application.

[The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) of the Act.]

The particular points on which the Council considers that it will want clarification at the hearing from the applicant are as follows:

Licensing objectives:- The prevention of crime and disorder
The prevention of public nuisance

For the applicant to describe any additional steps that he/she intends to make in promoting the above licensing objective(s)

For the objector to describe the likely effect of the grant of the variation of the premises licence on promoting the above licensing objective(s)

You should complete the enclosed form and return it to:

Mr. H. Bee, The Licensing Manager, Licensing Department, Civic Buildings, Union Street, Chorley, Lancs. PR7 1AL.

within five (5) working days before the day or the first day on which the hearing is to be held.

Date 25/05/06 Signed M Howard
Designation LICENSING MANAGER
the officer appointed for this purpose

Notes:

Right of attendance assistance and representation

- 15 Subject to regulations 14(2) and 25, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

Representations and supporting information

- 16 At the hearing a party shall be entitled to-
- (a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representations or notice (as applicable),
 - (b) if given permission by the authority, question any other party; and
 - (c) address the authority.

Failure of parties to attend the hearing

- 20 -
- (1) If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
 - (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may -
 - (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
 - (b) hold the hearing in the party's absence
 - (3) Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
 - (4) Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

Procedure at hearing

- 21 Subject to the provisions of the Regulations, the authority shall determine the procedure to be followed at the hearing.
- 22 At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.
- 23 A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.
- 24 The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for a regulation 16.
- 25 The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may —
- (a) refuse to permit that person to return, or
 - (c) permit him to return only on such conditions as the authority may specify,

but such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

Licensing Act 2003
Premises Licence **PL(A)0310**

Part 1 - Premises Details

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

The Ley Inn
 Back Lane, Clayton le Woods, Chorley, Lancashire, PR6 7EX. Telephone 01772 330215

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- provision of 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)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Sunday to Thursday	11:00	00:00
	Friday and Saturday	11:00	01:00
Non Standard Timings: Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 11.00 - 01.00.			
C. Indoor sporting event	Sunday to Thursday	11:00	00:00
	Friday and Saturday	11:00	01:00
Non Standard Timings: Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 11.00 - 01.00.			
E. Performance of live music (Indoors)	Sunday to Thursday	11:00	00:00
	Friday and Saturday	11:00	01:00
Non Standard Timings: Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 11.00 - 01.00.			



**Licensing Act 2003
 Premises Licence**

PL(A)0310

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued...

Activity (and Area if applicable)	Description	Time From	Time To
F. Playing of recorded music (Indoors)	Sunday to Thursday	11:00	00:00
	Friday and Saturday	11:00	01:00
	Non Standard Timings: Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 11.00 - 01.00.		
G. Performance of dance (Indoors)	Sunday to Thursday	11:00	00:00
	Friday and Saturday	11:00	01:00
	Non Standard Timings: Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 11.00 - 01.00.		
I. Provision of facilities for making music (Indoors)	Sunday to Thursday	11:00	00:00
	Friday and Saturday	11:00	01:00
	Non Standard Timings: Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 11.00 - 01.00.		
J. Provision of facilities for dancing (Indoors)	Sunday to Thursday	11:00	00:00
	Friday and Saturday	11:00	01:00
	Non Standard Timings: Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 11.00 - 01.00.		
L. Late night refreshment (Indoors)	Sunday to Thursday	23:00	00:00
	Friday and Saturday	23:00	01:00
	Non Standard Timings: Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 23.00 - 01.00.		
M. The sale by retail of alcohol for consumption ON and OFF the premises	Sunday to Thursday	11:00	00:00
	Friday and Saturday	11:00	01:00
	Non Standard Timings: Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 11.00 - 01.00. New Year's Eve permitted from 10.00am until terminal hour New Year's Day..		



Licensing Act 2003
Premises Licence **PL(A)0310**

THE OPENING HOURS OF THE PREMISES			
Description	Time From	Time To	
Sunday to Thursday	11:00	00:30	
Friday and Saturday	11:00	01:30	
Non Standard Timings:			
Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 11.00 - 01.30.			
New Year's Eve permitted from 10.00am until terminal hour.			

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

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

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Peter Gordan Milnes The Ley Inn, Back Lane, Clayton Le Woods, Chorley, PR6 7EX.
Telephone 01772 330215

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

Peter Gordan MILNES The Ley Inn, Back Lane, Clayton Le Woods, Chorley, PR6 7EX.
Telephone 01772 330215

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 No. PA0293 Issued by Chorley

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

Alcohol

- 1 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.



Licensing Act 2003
Premises Licence

PL(A)0310

ANNEXES continued...

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

Exhibition of films

- 1 Where the film classification body is specified in the licence, unless (2) applies, admission of children must be restricted in accordance with any recommendations made by that body
- 2 Where -
- a) The film classification body is not specified in the licence,
 - or
 - b) The relevant licensing authority has notified the holder of the licence that this condition is applied to the film in question,

Admission of children must be restricted in accordance with any recommendation made by that licensing authority.

Door Supervision

- 1 Any individual employed on the premises to carry out a security activity must be licensed by the Security Industry Authority.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

a) General

The Licensee shall give the police and licensing authority seven days notice in writing for the 12 'event days'.

b) The prevention of crime and disorder

- 1) Any person exercising a security activity as defined by SIA 2001 will be employed at the premises at the discretion of the designated premises supervisor/holder of the Premises Licence.
- 2) Any person exercising a security activity will clearly display his name badge at all times whilst on duty.
- 3) No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
- 4) Where CCTV is installed with recording facilities such recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the police.
- 5) Alcoholic and other drinks may not be removed from the premises in open containers save for



Licensing Act 2003
Premises Licence

PL(A)0310

ANNEXES continued...

consumption in any external area provided for that purpose.

6) A personal licence holder shall be on the premises during the hours which intoxicating liquor is being sold, supplied or consumed by customers except in the case of an emergency.

c) Public safety

1) To comply with the reasonable requirements of the fire officer from time to time.

2) To comply with the reasonable requirements of the building control officer.

d) The prevention of public nuisance

1) Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.

2) Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.

e) The protection of children from harm

1) The restrictions set out in the Licensing Act 2003 will apply.

2) No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority Certification.

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

1) No outside areas designed for consumption of alcohol shall be used after 22.00 hours.

2) All doors and windows to be kept closed when regulated entertainment and/or provision of entertainment facilities for making music and dancing is taking place except in the event of an emergency.

3) The Licensee shall ensure that notices requesting customers to leave in a quiet and orderly manner are displayed and maintained at the exits to the premises and in the car park.

4) A personal licence holder shall be on the premises during the hours which intoxicating liquor is being sold, supplied or consumed by customers except in the case of an emergency.

5) The Licensee shall ensure that all emergency exit doors are fitted with suitable devices to indicate any unauthorised opening.



Licensing Act 2003
Premises Licence

PL(A)0310

ANNEXES continued...

- 6) The Licensee shall give the police and the licensing authority seven days notice in writing of the twelve non-standard timings. Whilst not a condition of the licence we would strongly recommend that a sign be placed in a prominent position in the children's play area to the effect that children should be supervised at all times.
- 7) 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. A written record shall be made of those assessments in a log book kept for that purpose and shall include, the time and date of checks, the person making them and the results including any remedial action.



Licensing Act 2003
Premises Licence Summary **PL(A)0310**

Premises Details

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

The Ley Inn
 Back Lane, Clayton le Woods, Chorley, Lancashire, PR6 7EX. Telephone 01772 330215

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Sunday to Thursday	11:00	00:00
	Friday and Saturday	11:00	01:00
Non Standard Timings: Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 11.00 - 01.00.			
C. Indoor sporting event	Sunday to Thursday	11:00	00:00
	Friday and Saturday	11:00	01:00
Non Standard Timings: Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 11.00 - 01.00.			
E. Performance of live music (Indoors)	Sunday to Thursday	11:00	00:00
	Friday and Saturday	11:00	01:00
Non Standard Timings: Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 11.00 - 01.00.			



**Licensing Act 2003
 Premises Licence Summary**

PL(A)0310

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued...

Activity (and Area if applicable)	Description	Time From	Time To
F. Playing of recorded music (Indoors)	Sunday to Thursday	11:00	00:00
	Friday and Saturday	11:00	01:00
	Non Standard Timings: Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 11.00 - 01.00.		
G. Performance of dance (Indoors)	Sunday to Thursday	11:00	00:00
	Friday and Saturday	11:00	01:00
	Non Standard Timings: Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 11.00 - 01.00.		
I. Provision of facilities for making music (Indoors)	Sunday to Thursday	11:00	00:00
	Friday and Saturday	11:00	01:00
	Non Standard Timings: Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 11.00 - 01.00.		
J. Provision of facilities for dancing (Indoors)	Sunday to Thursday	11:00	00:00
	Friday and Saturday	11:00	01:00
	Non Standard Timings: Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 11.00 - 01.00.		
L. Late night refreshment (Indoors)	Sunday to Thursday	23:00	00:00
	Friday and Saturday	23:00	01:00
	Non Standard Timings: Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 23.00 - 01.00.		
M. The sale by retail of alcohol for consumption ON and OFF the premises	Sunday to Thursday	11:00	00:00
	Friday and Saturday	11:00	01:00
	Non Standard Timings: Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 11.00 - 01.00. New Year's Eve permitted from 10.00am until terminal hour New Yaer's Day..		



Licensing Act 2003
Premises Licence Summary **PL(A)0310**

THE OPENING HOURS OF THE PREMISES			
Description	Time From	Time To	
Sunday to Thursday	11:00	00:30	
Friday and Saturday	11:00	01:30	
Non Standard Timings:			
Christmas Eve, Boxing Day, Friday, Saturday, Sunday and Monday of Bank Holiday weekends, up to 12 'event days' per year provided seven days notice is given to the Police and Licensing Authority 11.00 - 01.30.			
New Year's Eve permitted from 10.00am until terminal hour.			

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

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

NAME (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Peter Gordan Milnes The Ley Inn, Back Lane, Clayton Le Woods, Chorley, PR6 7EX.

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

Peter Gordan MILNES

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

Restricted.

