



Licensing Committee Agenda

Wyre Borough Council
Date of Publication: 17 May 2022
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**Licensing Committee meeting on Tuesday, 24 May 2022 at 6.00 pm
in the Council Chamber - Civic Centre, Poulton-le-Fylde**

1. **Election of Chairman**
2. **Election of Vice Chairman**
3. **Apologies**
4. **Declarations of Interest**

Members will disclose any pecuniary and any other significant interests they may have in relation to the matters under consideration.

5. **Confirmation of minutes** (Pages 3 - 6)

To confirm as a correct record the minutes of the meeting of the Licensing Committee held on 29 March 2022.

6. **Application for a new Premises Licence - Thornton Cleveleys Football Club, Gamble Road, Thornton Cleveleys, FY5 4JH** (Pages 7 - 120)

Report of the Corporate Director Environment.

7. **Application for a new premises licence - 18 Breck Road, Poulton-le-Fylde** (Pages 121 - 192)

Report of the Corporate Director Environment.

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Licensing Committee Minutes

The minutes of the Licensing Committee meeting of Wyre Borough Council held on Tuesday, 29 March 2022 at the Council Chamber - Civic Centre, Poulton-le-Fylde.

Licensing Committee members present:

Councillors Robinson, Cartridge, Baxter, Leech, Smith, S Turner, A Turner, Williams and A Vincent

Apologies for absence:

Councillors Cropper, C Birch, George and Matthew Vincent

Other councillors present:

None.

Failure to attend:

Councillor Armstrong

Officers present:

Daphne Courtenage, Assistant Democratic Services Officer
Mary Grimshaw, Legal Services Manager (and Monitoring Officer)
Patrick Cantley, Senior Licensing Officer
Wayne Clarke, Senior Compliance/Licensing Enforcement Officer

No members of the public or press attended the meeting.

48 Declarations of Interest

None.

49 Confirmation of minutes

The minutes of the meeting of the Licensing Committee held on the 22 February 2022 were **approved** as a correct record.

50 Exclusion of the public and press

In accordance with Paragraph 11 of the Access to Information Rules in Part 4 of the Council's Constitution, the Chief Executive had determined that the reports submitted under item 5 of this agenda were "Not for Publication"

because they contained “exempt information”, as defined in Schedule 12A of the Local Government Act 1972.

The Committee passed the following resolution: “That the public and press be excluded from the meeting whilst agenda item 5 was being considered, as it referred to exempt information as defined in category 1 (information relating to any individual) of Part 1 of Schedule 12(a) of the Local Government Act 1972, as amended by the Local Government (Access to Information) Variation Order 2006 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

51 Application for the grant of a Wyre dual driver's licence

The Corporate Director Environment submitted a report to provide members of the Licensing Committee with information to assist them in their decision making process at the hearing.

The applicant and their solicitor were both present at the hearing.

The Senior Licensing Officer introduced the report.

The applicant's solicitor spoke on behalf of the applicant to the committee, stating the reasons for the application to hold a Wyre dual driver's license, and referred to the applicant's history with the committee.

Members of the committee asked questions of the applicant, which he answered.

Following questions, the applicant, their solicitor, the Senior Licensing Officer and the Senior Licensing Enforcement Officer left the room whilst the committee members considered the decision in closed session.

In reaching its decision the committee had regard to:

1. Sections 51(1)(a), 53(1)(a),(b) and 59(1)(a) of Part II of the Local Government (Miscellaneous Provisions) Act 1976
2. The Wyre Council Hackney Carriage and Private Hire Licensing Policy on Convictions (Sections 3.1, 6.1 and 7) and other relevant matters

The applicant and his solicitor, the Senior Licensing Officer and the Senior Licensing Enforcement Officer were brought back into the room and the Licensing Committee reconvened and the Chair announced the committee's decision.

Decision

The committee resolved not to grant a three year dual driver's licence.

Reasons for the decision

Due to the applicant's history with the committee and insufficient evidence to the contrary, the committee found they could not be satisfied that the

applicant was a fit and proper person to hold a Wyre dual driver's licence.

Full reasons for the decision would be sent to the driver.

The meeting started at 6.00 pm and finished at 6.31 pm.

Date of Publication: XXX

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Report of:	Meeting	Date
Mark Billington, Corporate Director Environment	Licensing Committee	24 th May 2022

**Application for a new Premises Licence -
Thornton Cleveleys Football Club, Gamble Road, Thornton Cleveleys, FY5 4JH.**

1. Purpose of report

- 1.1 To assist Members in their decision making process in respect of the application for a new premises licence, submitted by Thornton Cleveleys Football Club, under section 17 of the Licensing Act 2003.

2. Outcomes

- 2.1 Members determine whether or not to grant the application for a premises licence having taken into account the relevant representations submitted by interested parties.

3. Recommendation

- 3.1 Members consider the application and representations before determining whether granting a licence, in the terms applied for, would adversely impact on one or more of the Licensing Objectives.
- 3.2 Members should note subsection 1.17 of guidance issued under section 182 of the Licensing Act 2003 which states *“each application must be considered on its own merits and in accordance with the licensing authority’s statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case”*.

4. Background

- 4.1 On 31st March 2022, an application was submitted by Thornton Cleveleys Football Club for a new premises licence in respect of Thornton

Cleveleys Football Club, Gamble Road, Thornton Cleveleys, FY5 4JH (**Appendix 1**). The premises is situated in close proximity to a number of residential properties (**Appendix 2**).

4.2 The application seeks authorisation for the following activities –

- Live music (inside and outside) all days between 23:00 and Midnight. Further details list that *live music for functions or fun days / tournaments at the premises may be amplified. Music will not be amplified outside past 22:00.*
- Recorded music (inside and outside) Sunday to Thursday 23:00 hours to midnight and Friday to Saturday 23:00 hours to 01:00 hours (on the following day). Further details list that *There may be times for events where music is required outdoors, ie, during tournaments or fun days. No music to be played outside past 22:00.*
- Sale of alcohol for consumption on and off the premises Sunday to Thursday 10:00 hours to 23.30 hours and Friday and Saturday 10:00 hours to 00:30 hours (on the following day). Non-standard timings outline *We intend to mostly be opening at 09:00 closing by 00:00, however, where the premises are booked for private functions or bank holidays there would be a requirement for an extension until 01:00.*

4.3 The opening hours specified on the application are 09:00 hours to midnight from Sunday to Thursday and from 09:00 hours to 01:00 hours (on the following day) on Friday and Saturday. Non-standard timings explain *Bank holidays and private functions there may be a need to extend opening until 01:30.*

4.4 The applicant has applied for live or recorded music as part of this application in the manner previously outlined. However, deregulation amended the 2003 Act so that no licence is required for the following activities in the following instances:

Live music:

No licence permission is required for: – a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.

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.

Recorded Music: no licence permission is required for: – 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.

Should this licence be granted then the activities Live and Recorded music would be permitted to take place at the premises between 08:00 hours and 23:00 hours on any day, as long as the audience is below 500.

- 4.5 A copy of the application has been served on all responsible authorities. None of the responsible authorities have submitted a relevant representation.
- 4.6 The applicant advertised the application in a local newspaper within the first 10 working days of consultation as is required by legislation. They also displayed a 'blue notice' at the premises from the first day of the consultation period and until its conclusion on 28th April 2022.
- 4.7 27 representations have been received from interested parties and have subsequently been brought to the attention of the applicant. The representations are concerned that the possible effect of granting the licence would undermine the licensing objectives of 'Prevention of crime and disorder' & 'Prevention of public nuisance'. A copy of representations is contained at **Appendix 3** of this report.
- 4.8 Section 18(3) of the Licensing Act 2003, as amended, requires the Licensing Authority to hold a hearing to consider an application and any relevant representations, within twenty working days following the end of the statutory twenty-eight day consultation period, which ended on 28th April 2022.

5. Key issues and proposals

- 5.1 This premises is currently under construction. However, when completed it will abut residential property as indicated by the attached location of premises document contained at **Appendix 2**.
- 5.2 As stated at part 4.7 of this report 27 representations have been received from interested parties and have been brought to the attention of the applicant. The representations are concerned that the possible effect of granting the licence would undermine the licensing objectives 'Prevention of crime and disorder' & 'Prevention of public nuisance'. A copy of the representations is contained at **Appendix 3** of this report.

This appendix also includes an email from the applicants in relation to a mediation meeting that they organised for residents concerned by the proposed application.

- 5.3 Lancashire Police have not objected to this application. However, they have mediated with the applicant and subsequently agreed a number of additional conditions to further promote the prevention of crime and disorder objective (**Appendix 4**).
- 5.4 Environmental Health have not objected to this application. However, they have mediated with the applicant and subsequently agreed a number of

conditions to address their concerns about the potential for public nuisance arising from licensable activities at the venue. (**Appendix 5**).

- 5.5** Objectors have been advised of the changes that had been agreed with the Police and Environmental Health as part of the response to their representations. The relevant correspondence is contained at **Appendix 3**.
- 5.6** There have been no other relevant representations submitted by Responsible Authorities.
- 5.7** A list of all of the conditions offered in the application, or subsequently agreed with the Responsible Authorities, which would form Annex 2 to any licence granted, is included for reference at **Appendix 6**.
- 5.8** When considering the application Members should take into account the Council's own Statement of Licensing Policy. The following sections are relevant to this application.

9.3 Conditions imposed at a hearing

13. The Licensing Objectives

13.1 – 13.1.8 Prevention of crime and disorder (including Key messages)

13.3 – 13.3.4 all in relation to Prevention of public nuisance and including associated key messages.

Appendix 8.

- 5.10** Members are also directed to the Statutory Guidance issued under section 182 of the Licensing Act 2003 and in particular the following sections: 1.16, 9.3, 9.4, 9.37 - 9.40, 9.42 - 9.44, 10.8-10.10, 16.36 - 16.41 which are reproduced at **Appendix 7**.
- 5.11** After having regard to all the representations, the council's Statement of Policy and the Statutory Guidance, the Committee must consider whether granting the application in the terms applied for, would undermine any of the licensing objectives.
- 5.12** If members are satisfied that the licensing objectives would not be undermined, they should grant the licence in the terms applied for.
- 5.13** If, however members are concerned that granting the application would have the potential to undermine one or more of the licensing objectives, they must consider what, if any, steps would be appropriate to secure the promotion of the licensing objectives.

It may take any of the following steps:

- Grant a licence subject to such conditions that the authority considers appropriate for the promotion of the licensing objectives.

- Exclude from the scope of the licence, any of the licensable activities to which the application relates (this can include revising the permitted hours for licensable activities).
- Reject the whole or part of the application.

5.14 All parties to the application have been invited to attend the hearing and have been sent a copy of this report and notice of the hearing procedure.

Financial and legal implications	
Finance	There are no financial implications directly associated with this application.
Legal	Any party to the hearing has the right of appeal to the Magistrates Court within 21 days if they are aggrieved by the decision. The hearing should be conducted following the principles of natural justice and in accordance with the Council's own hearing procedure.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with an x.

risks/implications	✓ / x
community safety	✓
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Patrick Cantley	01253 887281	patrick.cantley@wyre.gov.uk	6 th May 2022

List of background papers:		
name of document	date	where available for inspection
Licensing Act 2003	6 th May 2022	Licensing Act 2003 (legislation.gov.uk)
S.182 Guidance	6 th May 2022	Revised Guidance issued under section 182 of the Licensing Act 2003 (publishing.service.gov.uk)
Wyre Council – Statement of licensing policy 2021 - 2026	6 th May 2022	https://www.wyre.gov.uk/downloads/file/1020/licensing-act-policy-2021-2026

List of appendices

- Appendix 1 – Copy of application
- Appendix 2 – Location of premises
- Appendix 3 – Relevant representations and email relating to mediation meeting
- Appendix 4 – Lancashire Constabulary consultation response and mediation
- Appendix 5 – Environmental Health consultation response and mediation
- Appendix 6 – Offered and mediated conditions for annex 2
- Appendix 7 – Extract from S.182 Guidance
- Appendix 8 – Extract from Statement of Licensing Policy 2021 - 2026

Appendix 1 - Redacted copy of application and plans.

REDACTED
COPY

Application for a premises licence to be granted under the Licensing Act 2003

ON
WEB

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 Thornton Cleveleys Football Club

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Thornton Cleveleys Football Club Gamble Road			
Post town	Thornton Cleveleys	Postcode	FY5 4JH

Telephone number at premises (if any)	TBC
Non-domestic rateable value of premises	£TBC

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Thornton Cleveleys Football Club
Address Gamble Road Thornton Cleveleys FY5 4JH
Registered number (where applicable) X-LAN5638
Description of applicant (for example, partnership, company, unincorporated association etc.) FA Registered Football Club
Telephone number (if any) TBC
E-mail address (optional) TBC

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	1	0 5 2 0 2 2

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
 It is a family sports club that will be used for functions and sporting events.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

n/a

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

- | Provision of regulated entertainment | Please tick any that apply |
|---|-------------------------------------|
| 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 checked="" 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 late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A – N/A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play 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			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
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 - N/A

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed			<u>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</u> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

C – N/A

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			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
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 - N/A

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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed			<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)		
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Live music for functions or fun days/tournaments at the premises may be amplified. Music will not be amplified outside past 22:00.		
Mon	23:00	00:00			
Tue	23:00	00:00			
Wed	23:00	00:00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	23:00	00:00			
Fri	23:00	00:00	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)		
Sat	23:00	00:00			
Sun	23:00	00:00			

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 checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) There may be times for events where music is required outdoors, ie, during tournaments or fun days. No music to be played outside past 22:00.		
Mon	23:00	0000			
Tue	23:00	0000			
Wed	23:00	0000	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur	23:00	0000			
Fri	23:00	0100	<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)		
Sat	23:00	0100			
Sun	23:00	0000			

G – N/A

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance 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 performance of dance</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

H – N/A

<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>Please give a description of the type of entertainment you will be providing</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					

I – N/A

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment 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	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	1000	23:30			
Tue	1000	23:30			
Wed	1000	23:30			
Thur	1000	23:30			
Fri	1000	00:30			
Sat	1000	00:30			
Sun	1000	23:30			
			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)		
			We intend to mostly be opening at 0900 closing by 0000, however, where the premises are booked for private functions or bank holidays there would be a requirement for an extension until 0100.		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name:	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	[REDACTED]
Issuing licensing authority (if known)	[REDACTED]

K

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).

Family sports club and bar that will be supporting both the seniors and junior sections of football. I don't foresee any activity that will be of risk to children.

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	0900	0000	
Tue	0900	0000	
Wed	0900	0000	
Thur	0900	0000	<p><u>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</u> (please read guidance note 5)</p> <p>Bank holidays and private functions then there may be a need to extend opening until 0130.</p>
Fri	0900	0100	
Sat	0900	0100	
Sun	0900	0000	

M Describe the steps you intend to take to promote the four licensing objectives:

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

b) The prevention of crime and disorder

CD3, CD7, CD14, CD17, CD22, CD23, CD24, CD25, CD41.

c) Public safety

PS1, PS2, PS4,

d) The prevention of public nuisance

PN2, PN13, PN14, PN21, PN26, PN28, PN29, PN30.

e) The protection of children from harm

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

[REDACTED]		
Post town	Thornton – Cleveleys	Postcode
Telephone number (if any)	[REDACTED]	[REDACTED]
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)		
[REDACTED]		

Notes for Guidance

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 the 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 the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. 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 or 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, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

PC1, PC3, PC11, PC20.

All staff will be required to go through DBS checks.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	Natalie Morton
Date	04/03/2022
Capacity	Committee Member and proposed DPS

For joint applications, signature of 2nd applicant 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	

Consent of individual to being specified as premises supervisor

—Natalie Anne Morton—

[full name of prospective premises supervisor]

of



[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

—Premises License—

[type of application]

by

—Thornton Cleveleys Football Club—

[name of applicant]

relating to a premises licence

—Application Enclosed—

[number of existing licence, if any]

for

—Thornton Cleveleys Football Club, Gamble Road, Thornton Cleveleys, FY5 4JK—

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

Thornton Cleveleys Football Club

[name of applicant]

concerning the supply of alcohol at

Thornton Cleveleys Football Club
Gamble Road
Thornton Cleveleys
FY5 4JH



[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

PA3194

[insert personal licence number, if any]

Personal licence issuing authority

Blackpool Borough Council

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

N Morton

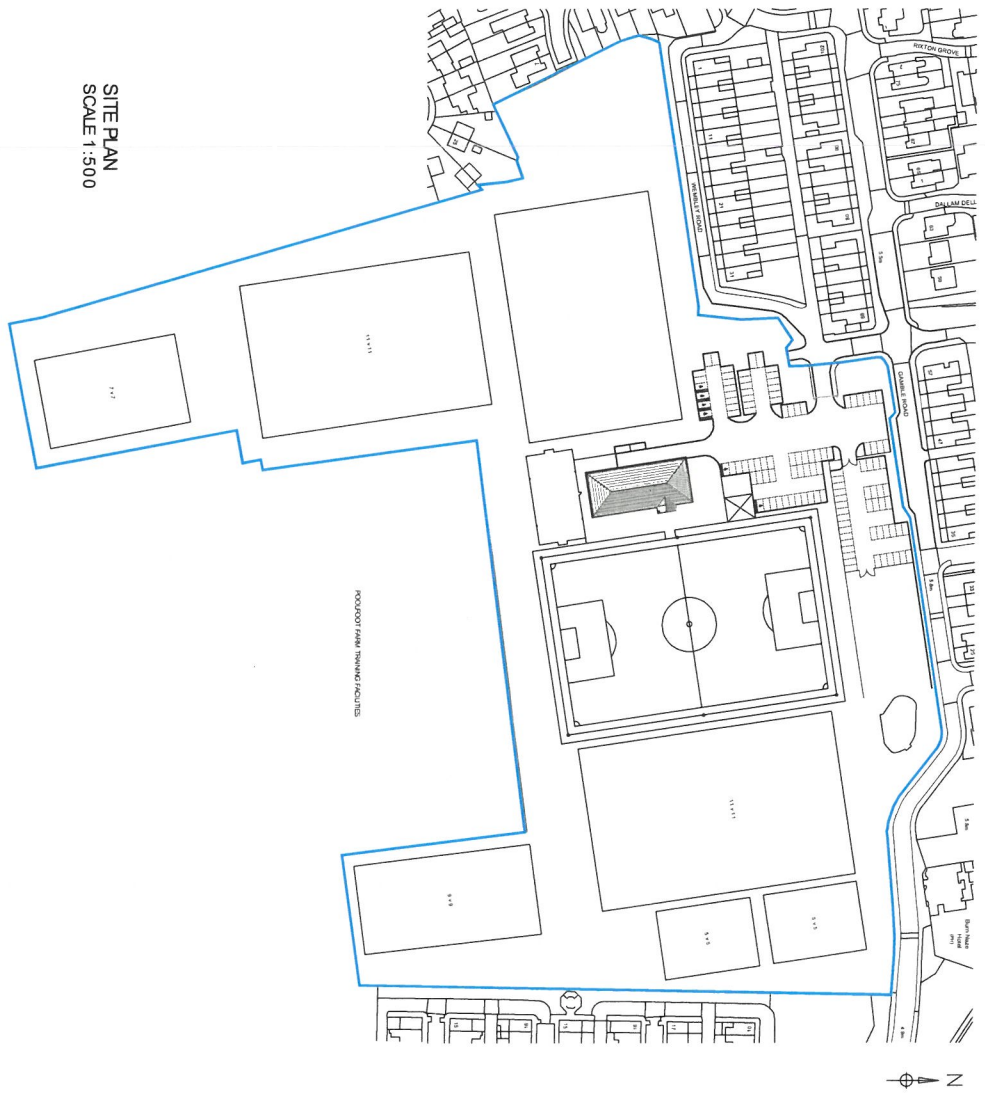
Name (please print)

Natalie Morton

Date

04/03/22

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KEY

- SITE BOUNDARY

- NOTES**
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Keystone Design Associates Ltd.

PROJECT ADDRESS
 GAMBLE ROAD
 THORNTON-CLAYDON, LANCSHIRE

PROJECT TITLE
 PROPOSED CLUB HOUSE

DRAWING TITLE
 SECTION 2/78 SITE PLAN

Client
 MIRA JACKSON

Scale
 1:500 @/A1

Drawn
 JS

Checked
 JS

Date
 17/09/21

Revision
 -

DRAWING No.
 A021/152/BR/35

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MATERIAL SPECIFICATION	
ROOF CLADDING	ROOF CLADDING
CONCRETE	CONCRETE
ROOF CLADDING	ROOF CLADDING
EXTERNAL WALLS	EXTERNAL WALLS
ROUGH FACED RED BRICK	ROUGH FACED RED BRICK
WHITE K RENO	WHITE K RENO
WINDOWS & DOORS	WINDOWS & DOORS
WHITE UPVC DOUBLE GLAZING	WHITE UPVC DOUBLE GLAZING
WHITE UPVC DOOR	WHITE UPVC DOOR
FACIA & EAVES BOARDS	FACIA & EAVES BOARDS
WHITE UPVC FACIA	WHITE UPVC FACIA
RAINWATER GOODS	RAINWATER GOODS
WHITE UPVC GUTTERING	WHITE UPVC GUTTERING
WHITE UPVC DOWNPIPES	WHITE UPVC DOWNPIPES

Author	Shelley A. Adair	Date	17/09/21
By	JG	Date	17/09/21

Keystone Design Associates Ltd.

PROJECT ADDRESS
 GAMBLE ROAD
 THORNTON-CLEVELERS, LANCASHIRE
 PROPOSED CLUB HOUSE

DRAWING TITLE
 PROPOSED CLUB HOUSE

CLIENT
 MIRA JACKSON

Scale
 1:100@A1

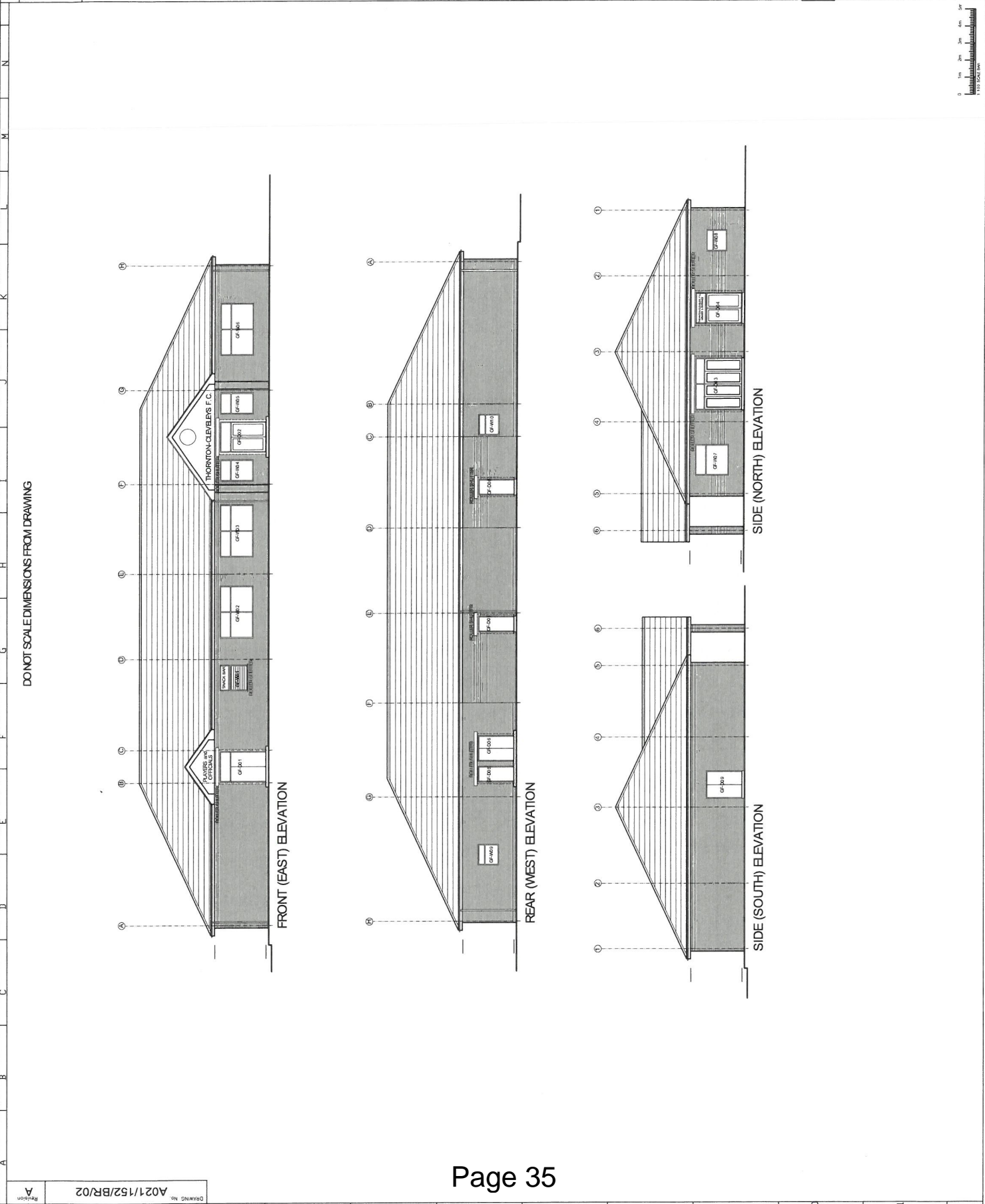
Drawn
 JG

Checked
 JG

Date
 20/07/2021

DRAWING No.
 A021/152/BR02

Revision
 A



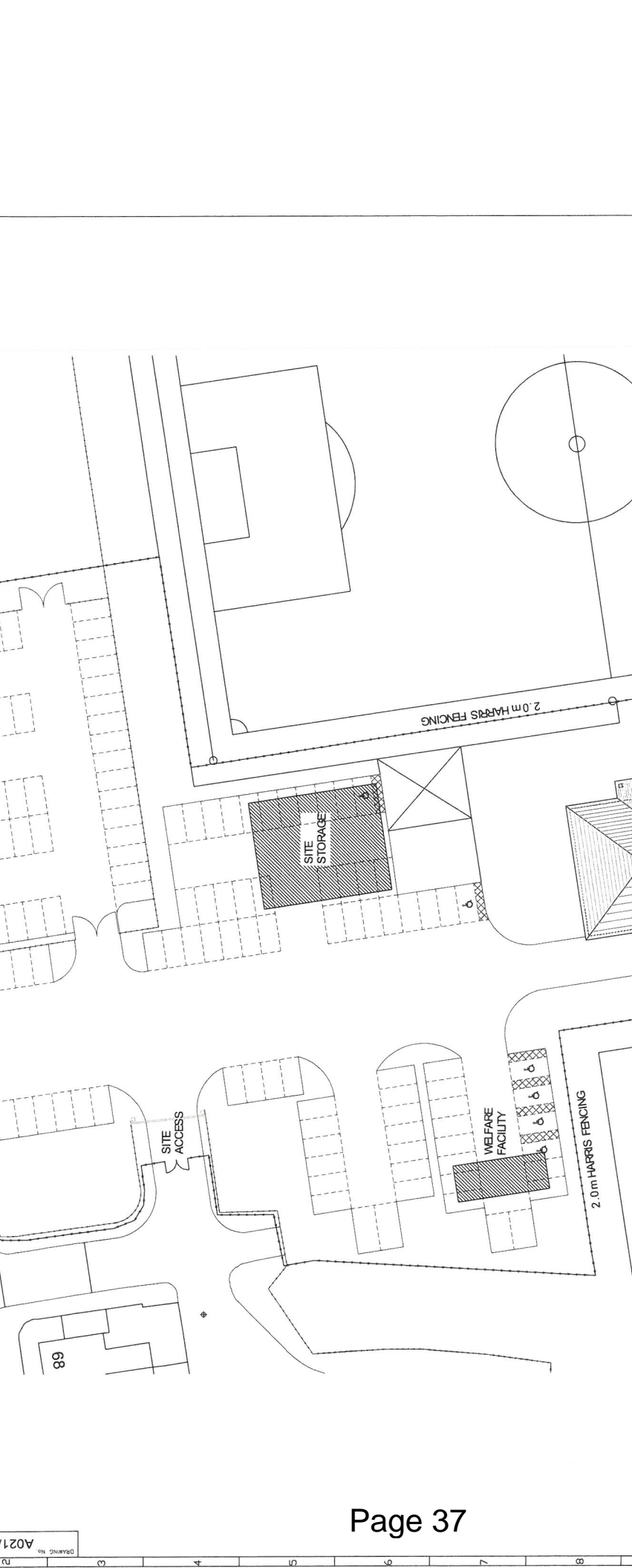
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- 7 THE DIMENSIONS SHOWN ON THIS

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Revisions	Amendments	Date	By

Keystone Design Associates Ltd.
 100, The Old Mill, The Mill Lane, Thornton, Lancashire, L20 9JG
 Tel: 01253 670000
 Fax: 01253 670001
 Email: info@keystonedesign.co.uk

PROJECT ADDRESS
 GAMBLE ROAD
 THORNTON-CLEVELEYS, LANCASHIRE

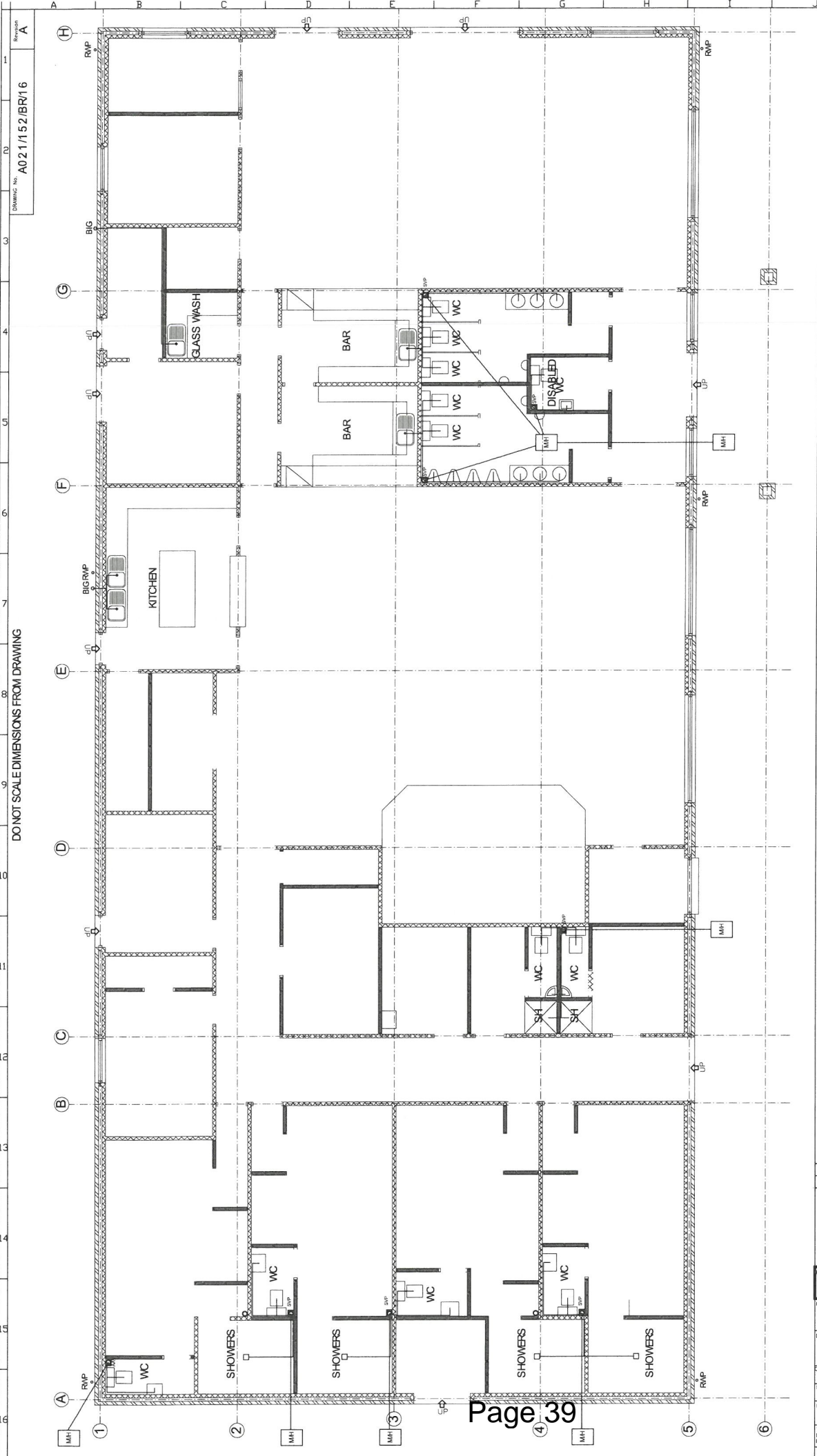
PROJECT TITLE
 PROPOSED CLUB HOUSE

DRAWING TITLE
 PROPOSED CDM PLAN

Client	MIRA JACKSON	Scale	1:250@A1
Drawn	JG	Checked	
		Date	16/09/21
Drawing No.	A021/152/BR31		
Revision			

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- INTERNAL PLUMBING**
1. All plumbing to comply with CP2072.
 2. RWP to have 45mm diameter plastic waste pipe with 75mm deep seal bottle traps.
 3. Mechanical ventilation to be provided in all confined rooms providing 5 air changes/hour discharging to external environment, connected to the light switch with 2 minute overrun and mandatory to kitchen and bathroom areas, pull operated rapid air ducted fans. KITCHEN RATE 40 LITRES/ SEC via wall/ceiling mounted extractor. BATHROOM 20 LITRES/ SEC. UTILITY RM 30 LITRES/ SEC.
 4. All gas and heating appliances to be designed by specialist and installed by GORC registered fitter.
 5. Radiators room marked on drawings to be fitted with thermostatic valves to every room.
 6. Boiler condenser - cold boiler to be seasonally adjusted TRV/ thermo st controlled sealable rating of boiler to be BS1.
 7. Any soil pipes that pass through the floor to be fitted with translucent quaffing collars & boxed off with 12mm plaster board and sound insulated.
 8. Heat recovery fans sfp. cont. 88/14 return 64% efficiency.
 9. All pipes to be clad with 25mm plasterboard to achieve one hour fire resistance and sound insulated with rockwool.
 10. Where waste runs are excessive use anti siphon traps or 50mm pipe and air admittance valves to be fitted in accordance with building regulations approved document L1E.
 11. All Extractors & ventilation rates in accordance with approved document F.

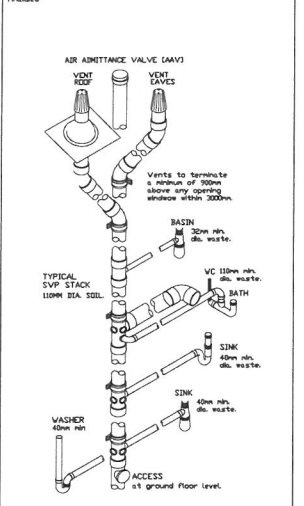
SPECIFICATION

Standards:
All work to be in accordance with British Standards and to manufacturers recommendations. If Contractor wishes to use manufacturers different to that specified they shall only be permitted if prior approval given by Architect/Supervising Officer.

Manufacturers/Supplies: Data Soil pipes to BS416 in PVC-U normal size 110mm. Vastrel to BS200/2492 as appropriate in 450 or 600 normal size 200, 400 and 500. Traps to BS200/2492 as appropriate in 450 or 600. Overflows to BS200/2492 as appropriate in PVC-U or FC.

Access:
All to be installed to BS3776. All soil pipes to have rodding access points at changes of direction and all solvent welded wastes to have cleaning access points at changes of direction.

Details:
Soil pipes to be self colour or painted to specification. Wastes and overflows self colour but to be painted when exposed to view or sunlight.
Hot water system to be confirmed & kitchen layout to be finished.



Rev.	Amendments	Date	By
A	Connected to External Drainage	17/09/21	JG

Keystone Design Associates Ltd.

Registered Civil Engineering Firm
 80 Cleveleys Drive
 Cleveleys, Lancashire
 FY5 3PE
 Tel. No. 01253 848043
 Fax. No. 01253 720297
 Email: info@keystonedesign.co.uk

PROJECT ADDRESS
**GAMBLE ROAD
 THORNTON-CLEVELEYS, LANGASHIRE**

PROJECT TITLE
PROPOSED CLUB HOUSE

DRAWING TITLE
PROPOSED INTERNAL DRAINAGE

Client **MIR A JACKSON** Scales **1:50@A1**

Drawn **JG** Checked **JG** Date **20/07/2021**

DRAWING No **A021/152/BR/16** Revision **A**

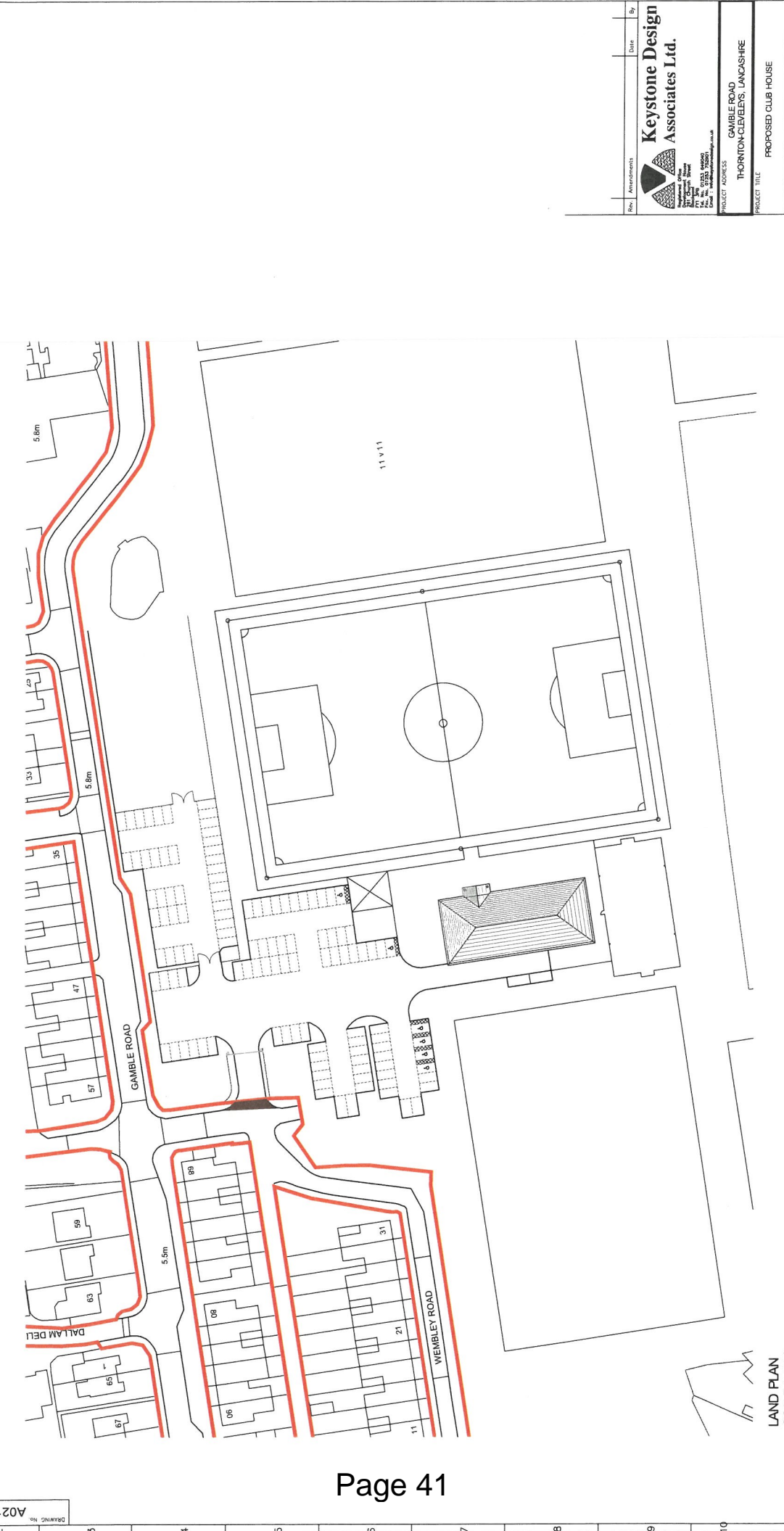
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KEY

- LAND TO BE DEDICATED TO HIGHWAY
- HIGHWAY BOUNDARY



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LAND PLAN
SCALE 1:500

11 11 11

5.8m

5.8m

5.8m

5.5m

33

35

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57

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67

06

08

09

21

31

11

DALLAM DELL

GAMBLE ROAD

WEMBLEY ROAD

A B C D E F G H I J

1 2 3 4 5 6 7 8 9 10

Rev: Amendments Date By

Keystone Design Associates Ltd.

PROJECT ADDRESS: GAMBLE ROAD, THORNTON-CLEVELERS, LANCASHIRE

PROJECT TITLE: PROPOSED CLUB HOUSE

DRAWING TITLE: SECTION 27/8 LAND PLAN

Drawn: MIRA JACKSON Scale: 1:500 @A1

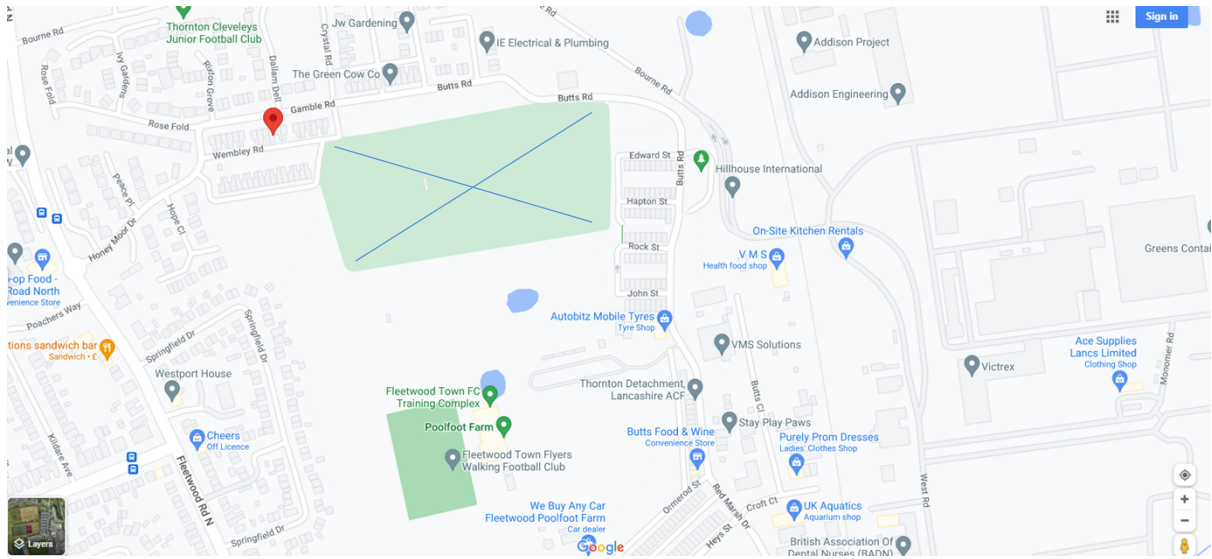
Checked: JG Date: 17/09/21

DRAWING No: A021/152/BR/36 Revision

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Appendix 2 – Location of premises

Animated Layer



X used to indicate where this premises will be located.

Photographic layer



X used to indicate where the premises will be located.

This page is intentionally left blank

Clarke, Wayne

From: leigh ryan [REDACTED]
Sent: 13 April 2022 23:16
To: Licensing
Subject: Gamble Road

relevant,

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Do not click any links or open attachments unless you know the content is safe.

Never disclose your user details or password to anyone.

Please note my objection to the application for new premises licence for Thornton Cleveleys Football club on gamble road.

[REDACTED] and the close proximity of the club to my house makes the application for music and late night entertainment unreasonable.

I have 3 children and work shifts with the NHS, this licence wouldn't enable me to rest/sleep and would disturb my children's sleep. And in the nice weather I would be forced to keep windows closed, not be able to have peace in my garden in nice weather. I already experience noise during events at pool foot.

There will also be an increased risk of disorder late at night, public nuisance and anti social behaviour, lights will shine into my house and there will be littering.

This has always been a quiet area which is what I wanted for my children then poolfoot arrived and causes disturbance occasionally adding another premises open till the early hours is totally unreasonable in a small residential area.

Please allow the residents to have peace and reject the application.

Leigh Ryan
[REDACTED]

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Clarke, Wayne

From: David Gregson [REDACTED]
Sent: 16 April 2022 15:48
To: Wyre Council; Licensing
Subject: Re: Thornton Cleveleys Football Club Gamble Road Thornton FY5 4JG

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Never disclose your user details or password to anyone.

To Wyre Council Licensing Department,

Please be aware of my objection to this application, both for the bar opening times and to the entertainment element.

The close proximity of the club premises makes the application for music and late licencing unreasonable and is likely to have a detrimental effect on the residents day to day lives. The clubhouse is less than 50 metres from some of the properties.

The granting of this licence would lead to the residents being unable to enjoy their gardens or have windows open during fine weather as the music licence applies to inside and outside of the premises, and for functions which would include fun days. The existing Pool foot Farm clubhouse already causes this kind of disturbance and uses a tannoy system to amplify music.

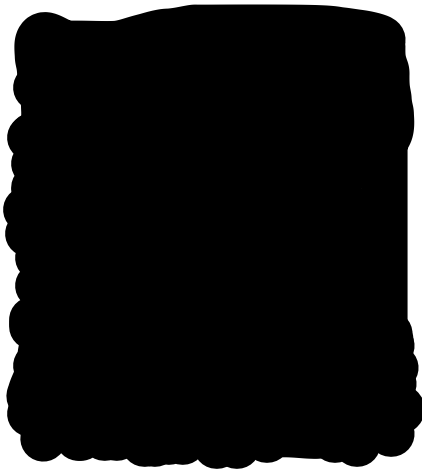
There will be an increased risk of disorder late at night, public nuisance and anti-social behaviour, light disturbance and increased littering.

The application applies for music inside and out (amplified on occasions) and for the bar hours to be midnight as standard and up to 1.30am. This is totally out of keeping with its location. The additional disturbance of people leaving the premises late at night, and at weekends for functions is not acceptable.

I trust that the council will fully consider the rights of the residents for quiet enjoyment of their homes. and reject this.

Yours sincerely

Mr & Mrs Gregson



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(<https://portal.mailanyone.net/index.html#/outer/reportspam?token=dXNlcj1saWNlbnNpbmdAd3lyZS5nb3YudWs7>)

dHM9MTY1MDEyMDQ4NDt1dWlkPTYyNUFENziIOUMwQUU4RUFGODUzNzMxODc3RDVGOEQyO3Rva2VuPWQ4ZWUzNTRhNmRhZGEzM2Y5N2RhOWMwODVkJZDU4ODQxN2EyNzQ4ZGI7).

From: teresa baker [REDACTED]
Sent: 17 April 2022 08:49
To: Licensing
Subject: Thornton Cleveleys Football Club Gamble Road Thornton FY54JG RL

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Never disclose your user details or password to anyone.

To whom it may concern.

Please be aware of my objection to this application, both for the bar opening times and to the entertainment element.

The close proximity of the club premises makes the application for the music and late licencing unreasonable and is likely to have a detrimental effect on the residents day to day lives

The granting of this licence would lead to the residents being unable to enjoy their gardens or have windows open during the fine weather as the music licence applies to inside and outside of the premises, and for functions which would include fun days. The existing Pool Foot Farm clubhouse already causes this kind of disturbance and uses a tannoy system to amplify music.

There will be an increased risk disorder late at night, public nuisance and antisocial behaviour, light disturbance and increased littering.

The application applies for music inside and outside (amplified on occasions) and for the bar hours to be midnight as standard and up to 1.30am. This is totally out of keeping with it's location. The additional disturbance of people leaving the premises late and at weekends for functions is not acceptable.

I trust the council will fully consider the rights for quiet enjoyment of their homes, understand that some residents work weekends and reject this application.

Yours sincerely
Teresa Baker

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Clarke, Wayne

From: denis grant [REDACTED]
Sent: 17 April 2022 11:16
To: Licensing; Wyre Council
Subject: Thornton cleveleys football club license application

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I would like to make an objection to the license applied for by the football club....12 a.m in the week is bad enough let alone 1-1.30 a.m

I have 2 8 yr old children and I'm up at 6 for work and already can hear the noise from poolfoot which is bad enough. And as for outdoor thats a joke. Can you imagine trying to sleep with a band or something 200yards from your house!! Im also already concerned about people throwing pint glasses and the such into the road. Are you going to pay for my tyres etc.

Denis grant



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Clarke, Wayne

From: michelle Cookson [REDACTED]
Sent: 17 April 2022 11:25
To: Wyre Council; Licensing
Subject: Thornton Football Club Objection

h

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Do not click any links or open attachments unless you know the content is safe.

Never disclose your user details or password to anyone.

Good Morning,

Please accept this email as my objection to the proposed opening times and entertainment element.

This club is within very close proximity to my home address and the proposed opening hours and loud music will be a significant disturbance in what is otherwise a peaceful residential area. We already get occasional disturbance from Pool foot farm but this is mostly manageable.

Such late closure, loud music and intoxicated adults will disrupt my day to day life and I am shocked that such a request has even been submitted.

I trust that the council will understand these objections and reject the application.

[REDACTED]

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Clarke, Wayne

From: Gregory Amissa [REDACTED]
Sent: 17 April 2022 21:28
To: Licensing
Cc: Wyre Council
Subject: Thornton Cleveleys Football Club Licence Application

R

This email is from an external email address
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Never disclose your user details or password to anyone.

I wish to put forward our objection, both for the Bar opening times and entertainment element. The club is extremely close to our home. The Poolfoot Football club is bad enough let alone now having another even closer. I would say about 100 metres. What about all the late night drunks, anti-social behaviour etc.

Is this another money orientated gimmick or do you really believe that this will not cause a substantial amount of noise etc for those of us living on this road, Gamble Road. Parking is a nightmare even now when there are football games etc going on. The road becomes a single lane during these times.

I am led to believe a notice was attached to a perimeter fence, sometime earlier this month. Nothing through the post ?

We hope you will reject this application and consider the rights of residents to enjoy peace and quiet in our own homes.

Thank you for your anticipated co-operation in this matter.

[REDACTED]

This email has been scanned for spam & viruses. If you believe this email should have been stopped by our filters, [click here](#) to report it.

To Wyre Council Licensing Department.

Ref: - Thornton Cleveleys Football Club, Gamble Road, Thornton. FY5 4JG

18th April 2022

RL

Please be aware of my objection to this application, both for the bar opening times and to the entertainment element.

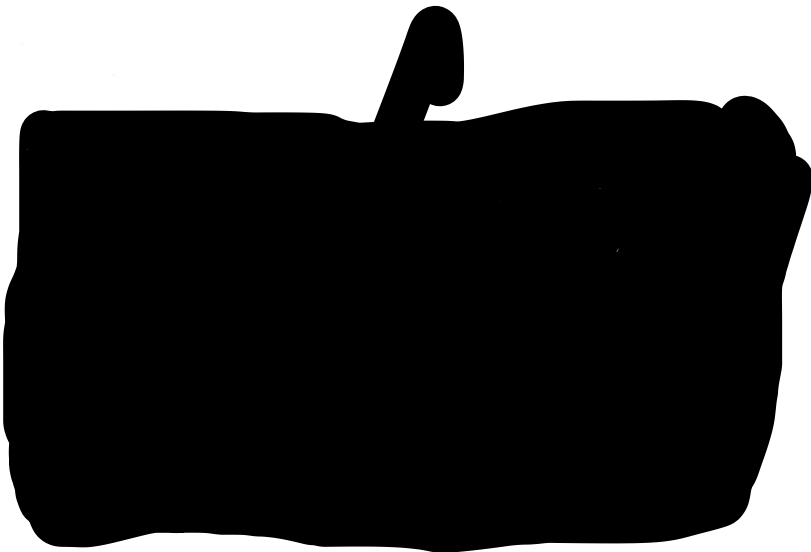
The close proximity of the club premises makes the application for music and late licencing unreasonable and is likely to have a detrimental effect on the resident's day to day lives. The clubhouse is less than 50 metres from some of the properties.

The granting of this licence would lead to the residents being unable to enjoy their gardens or have windows open during fine weather as the music licence applies to inside and outside of the premises, and for functions which would include fun days. The existing Pool Foot Farm clubhouse already causes this kind of disturbance and uses a tannoy system to amplify music.

There will be an increased risk of disorder late at night, public nuisance and anti-social behaviour, light disturbance and increased littering.

The application applies for music inside and out (amplified on occasions) and for the bar hours to be midnight as standard and up to 01:30 am. This is totally out of keeping with its location. The additional disturbance of people leaving the premises late at night and at weekends for functions, is not acceptable.

I trust that the council will fully consider the rights of the residents for quiet enjoyment of their homes and reject this application.



Clarke, Wayne

From: Roberta Millington [REDACTED]
Sent: 13 April 2022 20:02
To: Licensing
Cc: Cllr Swales, Holly; Cllr Ellison, Emma; Cllr Ballard, Howard
Subject: Thornton football club gamble road

Relevant.

This email is from an external email address

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Never disclose your user details or password to anyone.

To whom it may concern,

Please find below my objection to the late night bar and entertainment proposal for the new clubhouse being built.

As a resident of Wembley road, I'm located roughly 50 meters away from the clubhouse. I'm currently a respite support worker for vulnerable adults. I work shifts which are 2.30-10.30pm I arrive home around 11pm and then have to leave my home again at 6.30am to go and do a 7am-3pm shift. If the licence gets approved to 1.30am this would mean I would roughly only get 4hrs sleep a night. I'm sure you would agree this is unfair?

On occasions my sleep has been disturbed via the pool foot farm sound system however this is not a regular occurrence and therefore I have no issues with it.

I am also concerned about drunk anti social behaviour and how it will effect the area I have lived in for 30years.

As there are many family homes around the location I think you would understand the disturbance a late night licence would cause a young family.

I do not wish to sound like a 'party pooper' and I'm excited to see things such as fun days, charity events and parties taking place however I hope the wyre council consider decling the late night proposal and giving them a reasonable hour licence such as 10.30pm.

I trust you will take my objection seriously and fully consider the residents that will be effected in your decision.

Kind regards

[REDACTED]

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Clarke, Wayne

From: Stella Butler [REDACTED]
Sent: 14 April 2022 11:00
To: Licensing
Subject: Re: Thornton-cleveleys Football club, Gamble Road FY54JG

Relevant.

This email is from an external email address

Do not click any links or open attachments unless you know the content is safe.
Never disclose your user details or password to anyone.

Dear sir/madam.

Please be aware of my objection to this application, both for the bar opening times and to the entertainment element.

The close proximity of the club premises makes the application for music and late licensing unreasonable and is likely to have a detrimental effect on the residents day to day lives. The club house is less than 50 metres from some of the properties.

The granting of this license would lead to the residents being unable to enjoy their gardens or have windows open during the fine weather as the music license applies to inside and outside of the premises, and for functions which would include fun days. The existing Pool foot Farm club house already causes this kind of disturbance and uses a tannoy system to amplify music.

There will be an increase risk of disorder late at night, public nuisance and antisocial behaviour, light disturbance and increased littering.


The application applies for music inside and out, amplified on occasions, and for the bar hours to be midnight as standard and up to 1:30am. This is totally out of keeping with this location. The additional disturbance of people leaving the premises late at night and at weekends for functions is not acceptable.

I trust that the council will fully consider the rights of the residents for quiet enjoyment of their homes and reject the application.

Kind regards
[REDACTED]

This email has been scanned for spam & viruses. If you believe this email should have been stopped by our filters, [click here](#) to report it.

Clarke, Wayne

From: Karen Oldham 
Sent: 16 April 2022 15:05
To: Licensing
Subject: Thornton Cleveleys Football Club license Application

Relevant.

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Never disclose your user details or password to anyone.

To Wyre Council Licensing Department

Re Thornton Cleveleys Football Club Gamble Road Thornton FY5 4JG

Please be aware of my objection to this application, both for the bar opening times and to the entertainment element.

The close proximity of the club premises makes the application for music and late licencing unreasonable and is likely to have a detrimental effect on the residents day to day lives. the clubhouse is less than 50 meters from some of the properties.

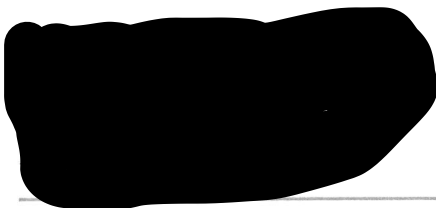
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Kind regards



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Clarke, Wayne

From: Philip and Hazel Grant [REDACTED]
Sent: 19 April 2022 21:43
Subject: Objection to Thornton Football Club licence to Operate

This email is from an external email address

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Never disclose your user details or password to anyone.

Dear Councillor,

relevant

I am writing to you and the Licencing team to strongly object to the proposed extension to Thornton Football Clubs licensing activities.

As a resident [REDACTED], I am deeply concerned the impact this extensive commercial activity could potentially have on my wellbeing and quality of life, let alone the noise and light pollution caused by such commercial activities.

I am aware that many other residents feel the same and will also lodging their concerns with you.

I do hope that my rights to live peacefully and quietly without additional and unnecessary commercial activity will be respected and this application will be rejected.

Best

Philip Grant

This email has been scanned for spam & viruses. If you believe this email should have been stopped by our filters, [click here](#) to report it.

Wilson, Faye

From: Kenneth Simpson [redacted] <[redacted]>
Sent: 20 April 2022 11:39
To: Licensing
Subject: Thornton Cleveleys Football Club

Relevant.

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Never disclose your user details or password to anyone.

I would like to raise an objection to the proposal for late night drinks license for serving alcohol and live entertainment in the new clubhouse and outside the venue.

Our main objection is the late times that these services will be provided, the close proximity of the club makes the application unreasonable for residents in the Gamble Road and surrounding areas. The noise and traffic will inevitably lead to rowdiness and disorder when people are leaving in the early hours of the morning.

The new facilities have already turned Gambol Road into a bus route and a car park, this last Sunday we counted at least 10 large coaches and even a double decker bus passing our front door, there is already a lot of noise when games are in progress and afterwards when the traffic begins to move again!

Our main concern is the possibility of loud noise and possible disorderly behaviour as people leave the venue in the early hours of the morning, I would suggest the the bar close at 11:30pm and the music stopping at midnight would be more acceptable.

[redacted]


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(<https://portal.mailanyone.net/index.html#/outer/reportspam?token=dXNlcj1saWNlbnNpbmdAd3lyZS5nb3YudWs7dHM9MTY1MDQ1MTEyMzt1dWlkPTYyNUZFMklzMDNENEJENDMxRkU2QTkyNTg3MUNBNEQ2O3Rva2VuPTAwY2FiNTQ4NDk3ZjNiZjY1ZDI3MThjYzgzNTUzMmQ3N2U1YTNhMzY7>).

Wilson, Faye

From: Wyre Council
Sent: 20 April 2022 13:01
To: Licensing
Subject: FW: Thornton Cleveleys Football Club Licence Application - Objection

Importance: High

Please see email received

From: Wilson, Cheryl (U 
Sent: 19 April 2022 11:08
To: Wyre Council <mailroom@wyre.gov.uk>; Licensing <Licensing@wyre.gov.uk>
Cc: Cllr Swales, Holly <Holly.Swales@wyre.gov.uk>; Cllr Ellison, Emma <Emma.Ellison@wyre.gov.uk>; Cllr Ballard, Howard <Howard.Ballard@wyre.gov.uk>
Subject: Thornton Cleveleys Football Club Licence Application - Objection
Importance: High

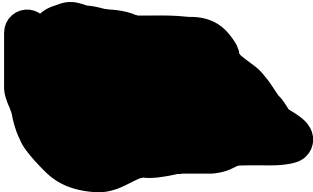
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To whom it may concern,

My details:



Relevant.

With respect to Thornton Cleveleys Football Club Licence Application please accept this email as mine and my family's strong objection.

This is in relation to both the bar *opening times and to the entertainment aspect.

The close proximity of the club premises to my property lends itself to an unreasonable request for the above (*) and will constitute a nuisance noise.

This will have a detrimental effect on our day to day lives (they are already causing a nuisance restricting driveways and parking cars on grass at side of my house).

The above would also lead to us being unable to enjoy our gardens (already a nuisance during the day listening to the foul language coming from the pitch!)

The existing Pool Foot Farm clubhouse already causes this kind of disturbance ... Tannoy to amplify the music! We don't need more noise and disturbance.

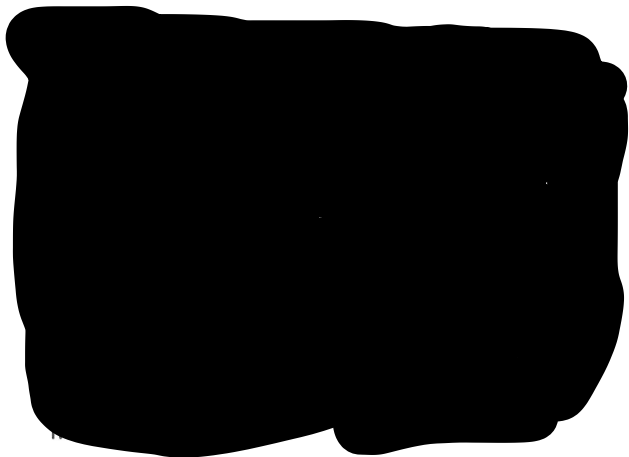
In conjunction with this nuisance noise there will be increased risk of disorder late at night, public nuisance and anti-social behaviour (putting more pressure on our already overly stretched Police force!)

The application I believe applies for music inside and out (amplified!) and for bar hours up to 01:30hrs. This is totally not in keeping with this location.

The additional disturbance of people leaving the premises late at night and at weekends for functions is totally unacceptable!

I am putting my trust in the council to fully consider our rights as residents (of 20 years) and allow us to enjoy the quiet environment of our homes that we have become accustomed to and **reject this application.**

Cheryl Wilson



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From: Ian Manassie [REDACTED]
Sent: 20 April 2022 15:45
To: Licensing
Subject: Thornton Cleveleys Football Club Licence Application - Objection

Relevant.

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Never disclose your user details or password to anyone.

I would like to register my objection to the application for the application for the licence by Thornton Cleveleys Football Club.

In general it is going to be too noisy and is too close to domestic housing and in particular the late hours that the application is for and the noise if they are granted a license to have music outside is just not fair for the local residents.

Last year music from Poolfoot during the football championships was loud and the sound carried particularly in the wind. There is considerable noise comes from Poolfoot and Thornton Cleveleys just when football matches are being played which I am prepared to put up with but not fun days etc with loud music and excessive alcohol drinking.

The parking is already causing issues around Gamble Road on match days with cars parking on the road making it hard for vehicles to get through and cars even parking on grassed areas which is simply not on.

I do hope the council will look at the residents peace and quiet and after all we were already here settled in our houses and refuse this application.

Thank you

Ian and Angela Manassie

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Sent from my iPad

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(<https://portal.mailanyone.net/index.html#/outer/reportspam?token=dXNlcj1saWNlbnNpbmdAd3lyZS5nb3YudWs7dHM9MTY1MDQ2NTgwNzt1dWlkPTYyNjAxQzBFQjJkQzZBNEQyM0MwNTg1NOZFNUJCRTICO3Rva2VuPTJiYTliYzZkYjAzMjg3ZTI2MTJIMGU5NTg5OWRIOTU5MDQ1MTU5OTI7>).

Wilson, Faye

From: Christopher Ensor-Oxley <[REDACTED]>
Sent: 25 April 2022 10:02
To: Licensing
Cc: Wyre Council
Subject: Concern/Objection - Premises Licence (Licensing Act 2003) Application by - Thornton Cleveleys FC Gamble Rd

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Attn: Patrick Cantley - Licensing Manager

We are elderly vulnerable persons residing on Gamble Road near the new Thornton Cleveleys FC premises and have concerns / objections to both alcohol / music licences in relation to the impact this will have on a residential neighbourhood which will change the "fabric" of the area due to the potential volume / influx of visitors entering / leaving / attending the venue creating associated noise, rowdiness, littering, anti-social behaviour, traffic congestion which will affect the safety / security of the local residential community.

Any Licence issued should take into consideration the effect to the surrounding community and how the Applicants will manage their customers whilst at the venue, and when entering / leaving their premises and the effects to quality of residency within the neighbourhood.

Will you kindly acknowledge that the above will be taken into consideration.

Thank you

[Handwritten signature]

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R

To Wyre Council Licensing Department,

Re: Thornton Cleveleys Football Club Gamble Road Thornton FY5 4JG

11 April 2022

Please be aware of my objection to this application, both for the bar opening times and to the entertainment element.

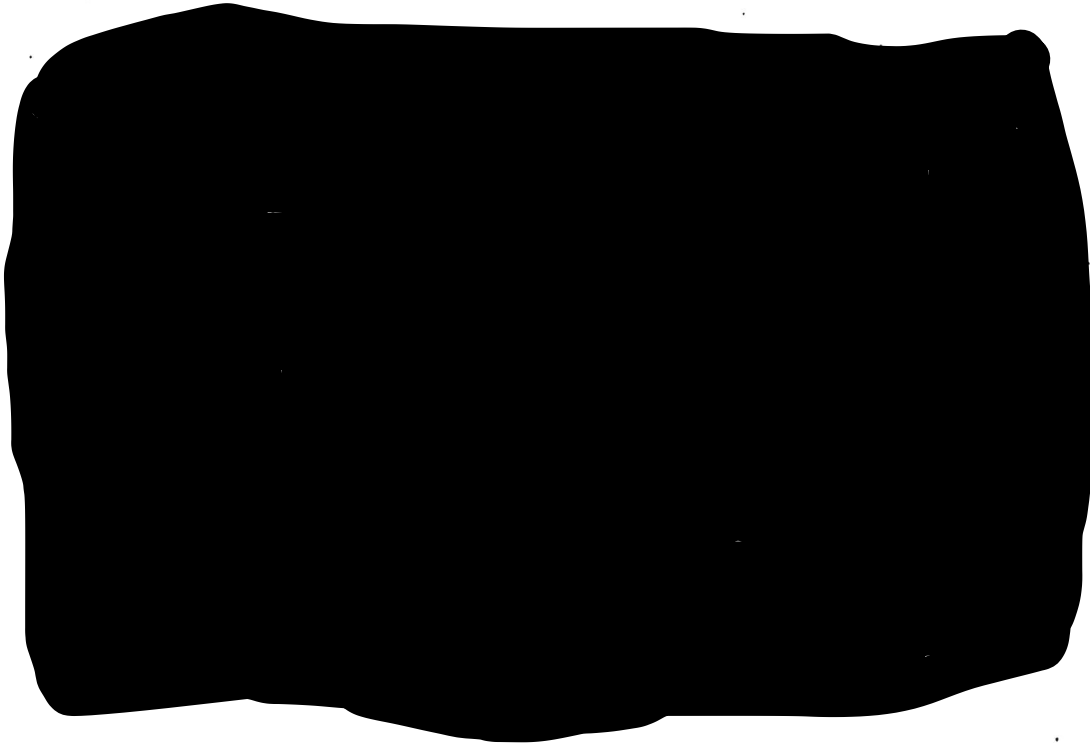
The close proximity of the club premises makes the application for music and late licencing unreasonable and is likely to have a detrimental effect on the residents day to day lives. The clubhouse is less than 50 metres from some of the properties.

The granting of this licence would lead to the residents being unable to enjoy their gardens or have windows open during fine weather as the music licence applies to inside and outside of the premises, and for functions which would include fun days. The existing Pool foot Farm clubhouse already causes this kind of disturbance and uses a tannoy system to amplify music.

There will be an increased risk of disorder late at night, public nuisance and anti-social behaviour, light disturbance and increased littering.

The application applies for music inside and out (amplified on occasions) and for the bar hours to be midnight as standard and up to 1.30am. This is totally out of keeping with its location. The additional disturbance of people leaving the premises late at night, and at weekends for functions is not acceptable.

I trust that the council will fully consider the rights of the residents for quiet enjoyment of their homes, and reject this application.



Clarke, Wayne

From: Stephen Clegg [REDACTED]
Sent: 18 April 2022 02:15
To: Licensing
Cc: Wyre Council
Subject: Thornton Football Club licence application

R

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Do not click any links or open attachments unless you know the content is safe.
Never disclose your user details or password to anyone.

Good morning to whom it may concern

I am registering my objection to Thornton Football Club applying for a licence from 9 am until 1 am to serve alcohol and have music outdoors.

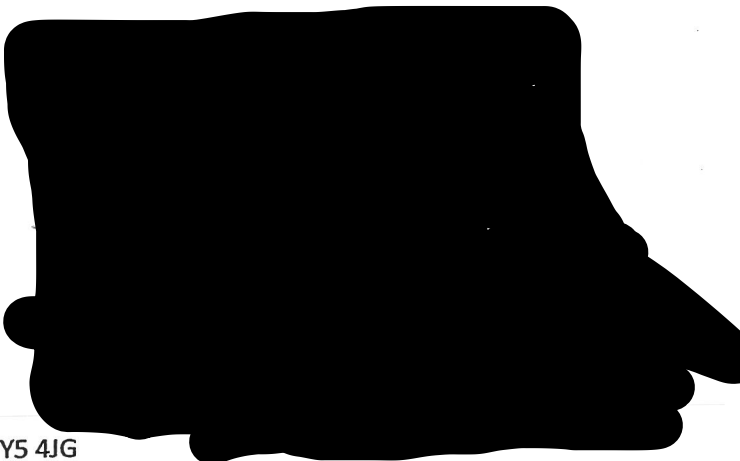
I feel the outdoor music and drinking will have a detrimental effect on the neighbouring families and homes with constant noise and disturbance.

The clubhouse is within 100 metres of the Fleetwood training ground which already facilitates outdoor music and entertainment, why does the area need two venues next door to one another.

Yours sincerely

Stephen Clegg RGN

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R.

To Wyre Council Licensing Department,

Re: Thornton Cleveleys Football Club Gamble Road Thornton FY5 4JG

11 April 2022

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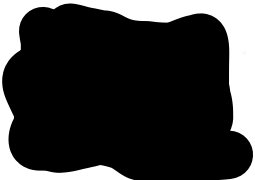
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To Wyre Council Licensing Department,

Relevant

Re: Thornton Cleveleys Football Club Gamble Road Thornton FY5 4JG

11 April 2022

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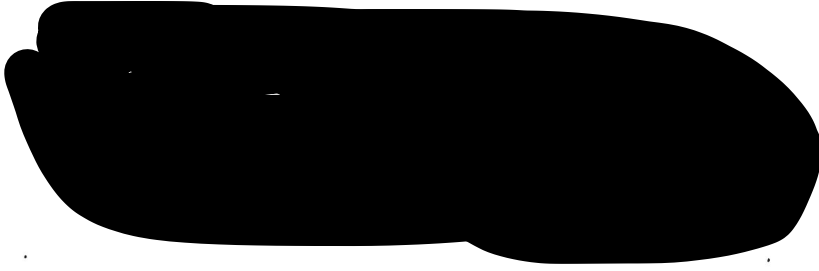
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S McLellan





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11 April 2022

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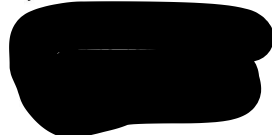
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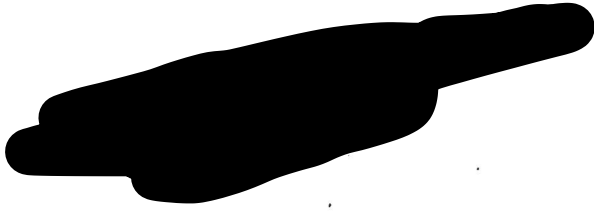
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✓



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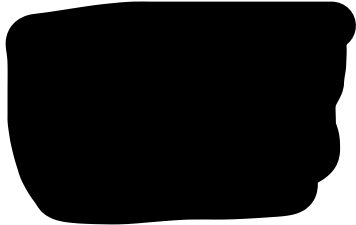
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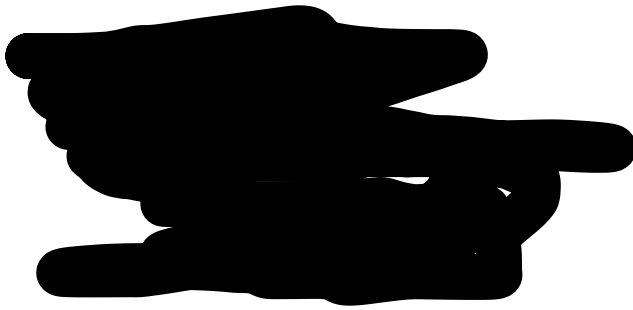
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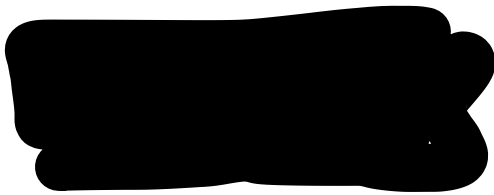
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Re: Thornton Cleveleys Football Club Gamble Road Thornton FY5 4JG

11 April 2022

Please be aware of my objection to this application, both for the bar opening times and to the entertainment element.


The close proximity of the club premises makes the application for music and late licencing unreasonable and is likely to have a detrimental effect on the residents day to day lives. The clubhouse is less than 50 metres from some of the properties.

The granting of this licence would lead to the residents being unable to enjoy their gardens or have windows open during fine weather as the music licence applies to inside and outside of the premises, and for functions which would include fun days. The existing Pool foot Farm clubhouse already causes this kind of disturbance and uses a tannoy system to amplify music.

There will be an increased risk of disorder late at night, public nuisance and anti-social behaviour, light disturbance and increased littering.

The application applies for music inside and out (amplified on occasions) and for the bar hours to be midnight as standard and up to 1.30am. This is totally out of keeping with its location. The additional disturbance of people leaving the premises late at night, and at weekends for functions is not acceptable.

I trust that the council will fully consider the rights of the residents for quiet enjoyment of their homes, and reject this application.



To Wyre Council Licensing Department,

Re: Thornton Cleveleys Football Club Gamble Road Thornton FY5 4JG

11 April 2022

Please be aware of my objection to this application, both for the bar opening times and to the entertainment element.

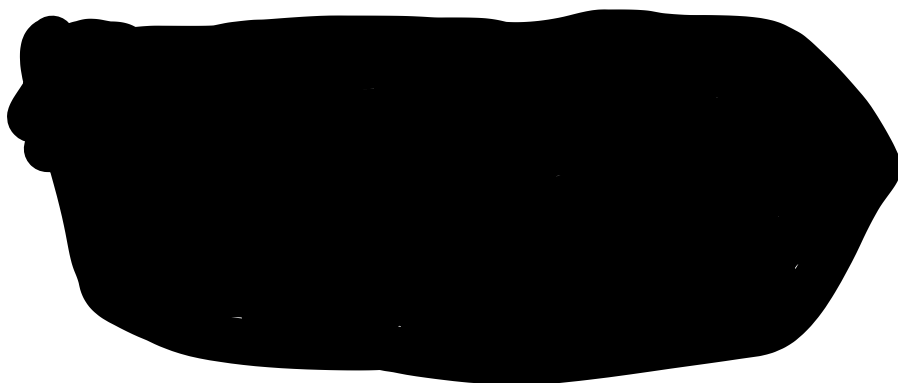
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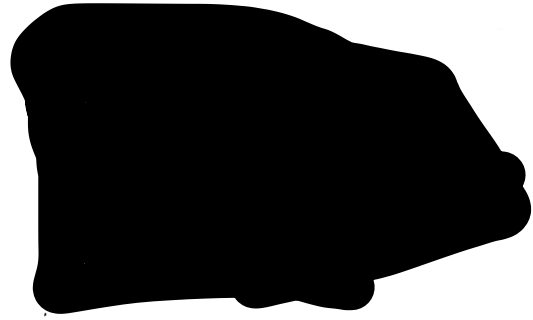
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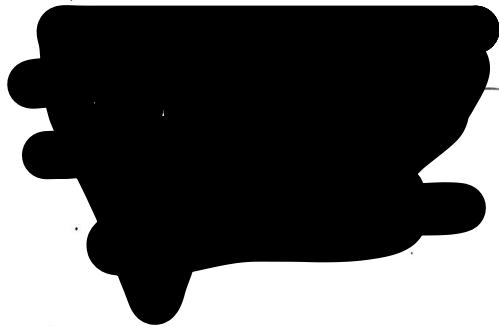
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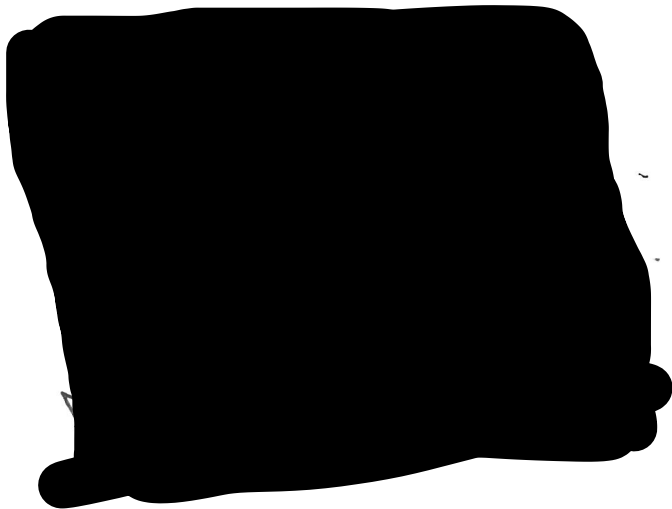
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I trust that the council will fully consider the rights of the residents for quiet enjoyment of their homes, and reject this application.



From: Cllr Ellison, Emma <Emma.Ellison@wyre.gov.uk>
Sent: 28 April 2022 18:45
To: Licensing <Licensing@wyre.gov.uk>
Subject: TCFC License Application

Afternoon

I would like to support the local residents and object to the current application that has been put forward to Wyre.

The proximity to the nearby houses coupled with the fact its next door to an already licensed premise is going to cause a major noise issue for residents. We already have plenty of complains about noise, antisocial behaviour and speeding around the area that comes from Poolfoot and no action seems to have been taken so residents often find they can't open windows or sit outside or sleep due to the noise. Two events right next to each other on the same night will bring complete chaos and be a nightmare in the area.

I have received approx 30 objections to the application and hope you will look at each one closely, as I have advised them to email the department as well and they all have the same concerns that were raised about poolfoot and have unfortunately become the case.

Regards
Cllr Emma Ellison

Get Outlook for Android

Email from J Beavers at TCFC advising the Licensing Authority of mediation meeting.

-----Original Message-----

Sent: 28 April 2022 16:19
To: Licensing <Licensing@wyre.gov.uk>
Subject: Thornton Cleveleys Football Club

Hi
I'm the Vice Chairperson of Thornton Cleveleys Football Club.

Myself Joanne Beavers, the Chairman (Steve Abbott), John Beavers (first team manager) and Lee Morton (junior coach) met with the local residents last Saturday 23rd April. The local councillors Howard, Hollie and Andrea all were in attendance to.

We let the residents raise all their concerns with us and answered anything they had spoken about.

For example: car parking is a nightmare - we explained we will have a car park and also have a lot of land to make into an over flow car park this will be due to funds but we do have the land. They seemed reassure but we did explain majority of the cars parked around the old Burn Naze pub are not our cars they belong to PoolFoot.

Why did we need a license to 1am on a Friday & Saturday - this is mainly for functions and will not be occurring every weekend. It may be 1 per month but it depends on how popular the clubhouse becomes. I agreed I would be a liaison officer with the residents and we would look at putting a notice board at the front and they can see if we have a function on that night. We also agreed no drinking after 9pm outside and all windows and doors would be shut by 10pm. Again they seemed reassured.

Outside music why is this needed- again we reassured the residents this would only happen in the day time for Functions i.e fundraising event, tournaments etc and again this would be stopped no later than 9pm.

As per our previous club we was shut at 11 on in the week and no later than midnight at weekends and bank holidays unless there was a function.

I reassured them we never had any complaints in our old premises.

1 lady mentioned she gets noise at the back and in front of her house we did ask how long ago this was and she mentioned last month so we explained we have been vacated from our old premises over 18 months ago. 1 resident mentioned it could be the same music echoing around her house from PoolFoot.

We totally understand their reservations are due to PoolFoot farm and we explained we want the club to be a community base for meetings etc and we are happy to work with them. We agreed to monthly meetings with them and any concerns they can bring them to us.

A lot of them thought we had just bought the land but didn't realise how long we had actually owned it for again their frustrations due to having 2 football clubs.

We left the meeting and left them reassured.

Communication with the neighbours is our key and we will take on board anything they raise and rectify where we can.

Any problems please let me know, please could you update me tomorrow the next steps following it closing tonight.

Many thanks
Inanne Beavers

Appendix 4 - Mediation agreement between Lancashire Police and the applicant.

eWyre Council Licensing Service			
Notification of Mediation Agreement			
Premises Details			
Name of Premises:	Thornton Cleveleys Football Club		
Premises Address:	Gamble Road, Thornton Cleveleys		
Post Code:	FY5 4JH		
Responsible Authority			
Service / Department	Lancashire Constabulary		
Officer (Print Name)	PC 4107 Emma Pritchard		
Signature			
Proposed changes to Application Operational Schedule			Mark one
Adequate changes proposed during the representation period. No representation made.			X
Some changes proposed. Representation will follow for remaining concerns.			
Some changes made after representation submitted. Continue to hearing.			
Full and adequate proposals made after representation. Representation withdrawn.			
Applicant's consent to amend Licence Application			
I the undersigned am the applicant and hereby authorize Blackpool Licensing Service to amend my application as detailed below. I understand that these amendments may be included as conditions on the Premises Licence should one be issued.			
Applicant's Name (Please <u>print</u> clearly)	Natalie Morton (on behalf of Thornton Cleveleys Football Club)		
Applicant's Usual Signature			
Date of signing	12	04	2022u
Amendments			
1	<p>The following conditions to be added to the operating schedule:</p> <p>1. A Challenge 25 proof of age policy shall be implemented and adhered to. Any person who looks or appears to be under the age of 25 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:</p> <ul style="list-style-type: none"> · A recognised proof of age scheme accredited under the British Retail Consortiums Proof of Age Standards Scheme (PASS). · Photo driving licence. · Passport. · Official ID card issued by HM Forces or European Union bearing a photograph and date of birth of the holder. 		

If no suitable identification is provided the sale of alcohol to them will be refused. Suitable signage will be displayed to specify the Challenge 25 policy is in place

2. All staff to have received suitable training in relation to the proof of age scheme. Refresher training on underage sales to be provided to all staff every six months. Records to evidence this will be made available to an authorised officer upon request
3. The DPS will risk assess the requirement for door supervisors at the premises and shall employ door supervisors in such numbers and at such times as is deemed necessary by the risk assessment.
4. CCTV must be installed internally and externally at the premises and must comply with the following:
 - i. Appropriate signage alerting customers to CCTV recording must be displayed in conspicuous positions on the premises.
 - ii. The CCTV system must be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises must be covered by the system. The system will incorporate a camera covering each of the main entrance doors and each camera must be capable of providing an image which is regarded as identification standard in all lighting conditions.
 - iii. The system must record all hours the premises are open to the public.
 - iv. Recordings must display the correct date and time.
 - v. Digital recordings must be held for a minimum period of 21 days. The system must as a minimum record images of the head and shoulders of all persons entering the premises.
 - vi. A staff member who is conversant with the operation of the CCTV system will be on the premises at all times the premises are open to the public. This staff member will be able to show police recent data or footage with the absolute minimum of delay when requested
5. Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the licensed premises.
6. Appropriate measures will be taken to ensure no drink is to be removed from the grounds or curtilage of the licensed premises in an unsealed container.
7. Another member of staff shall be nominated to act for the DPS in their absence whose identity is known by all staff when such absence occurs.
8. At least one personal licence holder must be contactable at all times the premises is open, (their identity will be known to all other staff engaged in the supply or sale of alcohol) except in the case of emergency.
9. An authorisation of sales, signed and dated by the DPS, shall be kept at the premises showing all persons authorised by them to make sales of alcohol at the premises.
10. Security/staff arrangements will be sufficient to discourage the sale and consumption of drugs and shall ensure such arrangements include regular documented checks of toilets.

11. Records of incidents involving the use, and/or detection of drugs shall be maintained and those records shall be available for inspection. Confiscated and found drugs shall be transferred to the police in accordance with procedures agreed with Lancashire Constabulary.
12. No drinks shall be taken into the outside area after 21:00hrs. Any removable furniture shall be cleared away no longer than 30 minutes after this time.
13. Any outside area of the venue will be regularly checked by a competent person.
14. Functions which specifically target young people aged 17-18 years (for example birthday parties) will not be allowed to take place on the premises.
15. An incident book will be maintained in which shall be recorded:-
 - i. All incidents of crime and disorder
 - ii. Refused sales to suspected under-age and drunken persons
 - iii. A record of any person asked to leave the premises or removed from the premises
 - iv. Details of occasions on which the police are called to the premises
 - v. A record of persons searched on suspicion that drugs are being carried and the reason for such suspicionThe book will be available for inspection by a police officer.
16. The licence holder or designated premises supervisor shall make attempts to ensure members of the public leave quietly so as not to disturb neighbours.
17. Except for pre-arranged private functions and ticketed events, children under 16 shall vacate the premises by 22:00hours.

The following conditions to be removed from the operating schedule:

Please see the attached signed mediation agreement in order to add conditions to the operating schedule for this new premises licence.

As a result of this I can now confirm on behalf of the Police that we have no objection to the granting of this licence,

With thanks,

Emma

PC 4107 Emma Pritchard
West Licensing Department
Bispham Police Station
Blackpool
01253 604073
07815 448093

Appendix 5 - Mediation agreement between Environmental Health and Applicant.

1. The outside area of the venue will be regularly checked by a competent person.
2. Notices will be displayed at the entrance and exits advising customers to leave quietly
3. The Licensee shall ensure that staff departing at night when the business has ceased trading, conduct themselves in such a manner to avoid disturbance to nearby residents
4. No nuisance shall be caused by noise coming from the premises or vibration transmitted through the structure of the premises.
5. There shall be provided at the premises containers for the storage and disposal of waste foods and other refuse from the premises. Those containers shall be constructed, maintained and located so that access to them by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents.
6. Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around licensed premises.
7. The premise licence holder will arrange for litter and cigarette debris dropped in the vicinity of the licensed premise to be collected and removed at the end of operating hours each night.
8. Refuse such as bottles shall be disposed of from the premises at a time when it is not likely to cause a disturbance to residents in the vicinity of the premises.
9. The volume of amplified sound used in connection with any regulated entertainment shall, at all times, be under the control of the Licence Holder or Management and the controlling mechanism shall be operated from a part of the premises inaccessible to the public.
10. There shall be no amplified music emitted to the external licensed area.
11. The designated premises supervisor or the personal licence holder for the premises who is supervising the sale or supply of alcohol at that time, shall not permit customers to congregate and consume alcohol sold or supplied by that premises in a public place within the immediate vicinity of the premises and in an area not so licensed for consumption to the annoyance or obstruction of others and shall prevent the removal of alcohol if it is intended for such a purpose.
12. No light from or on the premises and any other light under the control of the premises shall be provided where that light causes a nuisance to any nearby premises.
13. There shall be no emission from the premises of any offensive smells, which are likely to cause a nuisance.
14. 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 the checks, the person making them and the results including any remedial action.

From: Clayton, Nick <Nick.Clayton@wyre.gov.uk>
Sent: 26 April 2022 15:29
To: Licensing <Licensing@wyre.gov.uk>
Subject: Fw: PPN conditions

Good afternoon,

Following talks with Natalie Morton regarding the premises licence for Thorton Cleveleys Football club. Prevention of public nuisance conditions have not been agreed, please see the email from Natalie Morton below and the attached word document.

As such I do not wish to raise a representation against the application provided the agreed prevention of public nuisance conditions are required as part of the premises licence.

Kind regards

Nick Clayton

From: Natalie Morton <
Sent: 26 April 2022 15:13
To: Clayton, Nick <Nick.Clayton@wyre.gov.uk>
Subject: Re: PPN conditions

This email is from an external email address
Do not click any links or open attachments unless you know the content is safe.
Never disclose your user details or password to anyone.

Yes all fine. Thank you.

Just confirming we will be able to use a PA but no amplified music.

Natalie Morton

TCFC Welfare Officer

On 21 Apr 2022, at 11:33, Clayton, Nick <Nick.Clayton@wyre.gov.uk> wrote:

Hi Natalie

Please can you confirm that the attached conditions are the conditions you are agreeing to, and that they are correct. Once you have confirmed this I will then inform Licensing that we have reached an agreement and that I do not wish to raise a representation against your application.

Kind regards,

Nick

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Appendix 6 – Conditions offered with the application and conditions to be included on the licence following mediation work with Lancashire Police and Environmental Health.

Conditions offered by the applicant

b) The prevention of crime and disorder

At least one personal licence holder will be contactable at all times the premises is open, (their identity will be known to all other staff engaged in the supply or sale of alcohol) except in the case of emergency.

A zero tolerance drugs policy will be adopted at the premises.

No person in possession of a drink in a sealed or unsealed container will be allowed to enter the premises except for the purposes of delivery.

An incident book will be maintained in which will be recorded:

- a) All incidents of crime and disorder.
- b) Refused sales to suspected underage and drunken persons.
- c) A record of any person asked to leave the premises or that are removed from the premises.
- d) Details of occasions on which the police are called to the premises.
- e) A record of persons searched on suspicion that drugs are being carried and their reason for such suspicion. The book will be available for inspection by a police officer.

All members of staff shall receive suitable training with regard to serving drunks and are to receive regular refresher training at intervals of a maximum of 6 months, records to evidence this will be made available to authorised officer upon request.

Any person within the premises who appears to be intoxicated who is behaving in a disorderly manner will be asked to conduct themselves correctly and if they refuse they will be asked to leave the premises and will be escorted off the premises in a calm and appropriate manner.

No entertainment of an adult or sexual nature will take place on the premises.

Any person within the premises who appears to be intoxicated or who is behaving in a disorderly manner will be asked to leave the premises and will be escorted off the premises in a calm and appropriate manner.

c) Public safety

Adequate first aid provision is available at all times the premises are being operated.

Adequate first aid provision is to be available at all times at least one trained first-aider to be on the premises at all times the premises are being operated.

All exit routes and doors on such routes shall be checked on every occasion before the premises is used for purposes of a licensable activity and at regular occasions when the premises are open to the public to ensure that they are free from defect, obstruction, trip hazards and surfaces are not slippery. A record of such inspections, any defects discovered and the remedial action taken shall be made in writing and made available for inspection on demand to an Authorised Officer.

d) The prevention of public nuisance

The outside area of the venue will be regularly checked by a competent person.

Notices will be displayed at the entrance and exits advising customers to leave quietly.

The Licensee shall ensure that staff departing at night when the business has ceased trading, conduct themselves in such a manner to avoid disturbance to nearby residents.

No nuisance shall be caused by noise coming from the premises or vibration transmitted through the structure of the premises.

Where there are any offensive smells created on the premises, provision shall be made for such smells to be vented from the premises so that they do not cause a nuisance to nearby premises.

There shall be provided at the premises containers for the storage and disposal of waste foods and other refuse from the premises. Those containers shall be constructed, maintained and located so that access to them by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents.

Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around licensed premises.

The premise licence holder will arrange for litter and cigarette debris dropped in the vicinity of the licensed premise to be collected and removed at the end of operating hours each night.

e) The protection of children from harm

A Challenge 25 proof of age policy shall be implemented and adhered to. Any person who looks or appears to be under the age of 25 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:

- A recognised proof of age scheme accredited under the British Retail Consortiums Proof of Age Standards Scheme (PASS).
- Photo driving licence.
- Passport.
- Official ID card issued by HM Forces or European Union bearing a photograph and date of birth of the holder.

If no suitable identification is provided the sale of alcohol will be refused.

Suitable signage will be displayed to specify the Challenge 25 policy is in place.

No person under the age of 12 years, unless they are accompanied by a person over 18 years, shall be permitted on the premises at any time between 22:00 hrs and 07:00hrs when the premises are being used for the purposes of a licensable activity other than the supply of alcohol.

Where any premises are to be used for any performance which includes the participation of children, such children shall at all times when they are on the premises remain under the supervision of an adult.

Conditions to be included on the licence following mediation process with Lancashire Police

1. A Challenge 25 proof of age policy shall be implemented and adhered to. Any person

who looks or appears to be under the age of 25 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:

- A recognised proof of age scheme accredited under the British Retail Consortiums Proof of Age Standards Scheme (PASS).
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2. All staff to have received suitable training in relation to the proof of age scheme. Refresher training on underage sales to be provided to all staff every six months. Records to evidence this will be made available to an authorised officer upon request
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 - ii. The CCTV system must be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises must be covered by the system. The system will incorporate a camera covering each of the main entrance doors and each camera must be capable of providing an image which is regarded as identification standard in all lighting conditions.
 - iii. The system must record all hours the premises are open to the public.
 - iv. Recordings must display the correct date and time.
 - v. Digital recordings must be held for a minimum period of 21 days. The system must as a minimum record images of the head and shoulders of all persons entering the premises.
 - vi. A staff member who is conversant with the operation of the CCTV system will be on the premises at all times the premises are open to the public. This staff member will be able to show police recent data or footage with the absolute minimum of delay when requested.
5. Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the licensed premises.
6. Appropriate measures will be taken to ensure no drink is to be removed from the grounds or curtilage of the licensed premises in an unsealed container.
7. Another member of staff shall be nominated to act for the DPS in their absence whose identity is known by all staff when such absence occurs.
8. At least one personal licence holder must be contactable at all times the premises is open, (their identity will be known to all other staff engaged in the supply or sale of alcohol) except in the case of emergency.

9. An authorisation of sales, signed and dated by the DPS, shall be kept at the premises showing all persons authorised by them to make sales of alcohol at the premises.
10. Security/staff arrangements will be sufficient to discourage the sale and consumption of drugs and shall ensure such arrangements include regular documented checks of toilets.
11. Records of incidents involving the use, and/or detection of drugs shall be maintained and those records shall be available for inspection. Confiscated and found drugs shall be transferred to the police in accordance with procedures agreed with Lancashire Constabulary.
12. No drinks shall be taken into the outside area after 21:00hrs. Any removable furniture shall be cleared away no longer than 30 minutes after this time.
13. Any outside area of the venue will be regularly checked by a competent person.
14. Functions which specifically target young people aged 17-18 years (for example birthday parties) will not be allowed to take place on the premises.
15. An incident book will be maintained in which shall be recorded:-
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16. The licence holder or designated premises supervisor shall make attempts to ensure members of the public leave quietly so as not to disturb neighbours.
17. Except for pre-arranged private functions and ticketed events, children under 16 shall vacate the premises by 22:00hours.

**Conditions to be included on the licence following mediation process
with Environmental Health.**

1. The outside area of the venue will be regularly checked by a competent person.
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8. Refuse such as bottles shall be disposed of from the premises at a time when it is not likely to cause a disturbance to residents in the vicinity of the premises.
9. The volume of amplified sound used in connection with any regulated entertainment shall, at all times, be under the control of the Licence Holder or Management and the controlling mechanism shall be operated from a part of the premises inaccessible to the public.
10. There shall be no amplified music emitted to the external licensed area.
11. The designated premises supervisor or the personal licence holder for the premises who is supervising the sale or supply of alcohol at that time, shall not permit customers to congregate and consume alcohol sold or supplied by that premises in a public place within the immediate vicinity of the premises and in an area not so licensed for consumption to the annoyance or obstruction of others and shall prevent the removal of alcohol if it is intended for such a purpose.
12. No light from or on the premises and any other light under the control of the premises shall be provided where that light causes a nuisance to any nearby premises.
13. There shall be no emission from the premises of any offensive smells, which are likely to cause a nuisance.
14. 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 the checks, the person making them and the results including any remedial action.

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Appendix 7 – Relevant extracts from Revised Guidance issued under section 182 of the Licensing Act 2003.

Licence conditions – general principles

1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;*
- must be precise and enforceable;*
- must be unambiguous and clear in what they intend to achieve;*
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;*
 - must be tailored to the individual type, location and characteristics of the premises and events concerned;*
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;*
- should not replicate offences set out in the 2003 Act or other legislation;*
- should be proportionate, justifiable and be capable of being met;*
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and*
- should be written in a prescriptive format.*

Where representations are made

9.3 Where a representation concerning the licensing objectives is made by a responsible authority about a proposed operating schedule and it is relevant (see paragraphs 9.4 to 9.10 below), the licensing authority’s discretion will be engaged. It will also be engaged if another person makes relevant representations to the licensing authority, which are also not frivolous or vexatious (see paragraphs 9.4 to 9.10 below). Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

Relevant, vexatious and frivolous representations

9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to Revised Guidance issued under section 182 of the Licensing Act 2003 I 69 the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

Hearings

9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that

have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.

9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;*
- the representations (including supporting information) presented by all the parties;*
- this Guidance;*
- its own statement of licensing policy.*

9.39 The licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety. Any conditions added to the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.

9.40 Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information.

Determining actions that are appropriate for the promotion of the licensing objectives

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration

of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

Imposed conditions

10.8 The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. In order to promote the crime prevention licensing objective conditions may be included that are aimed at preventing illegal working in licensed premises. This provision also applies to minor variations.

10.9 It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives.

Proportionality

10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises. Conditions that are considered appropriate for the prevention of illegal working in premises licensed to sell alcohol or late night refreshment might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check is retained at the licensed premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

Licence conditions Live Music or recorded music

16.36 Any existing licence conditions (or conditions added on a determination of an application for a premises licence or club premises certificate) which relate to live music or recorded music remain in place, but are suspended between the hours of 08.00 and 23.00 on the same day where the following conditions are met:

- at the time of the music entertainment, the premises are open for the purposes of being used for the sale or supply of alcohol for consumption on the premises;*
- if the music is amplified, it takes place before an audience of no more than 500 people; and*
- the music takes place between 08.00 and 23.00 on the same day.*

16.37 Whether a licence condition relates to live or recorded music will be a matter of fact in each case. In some instances, it will be obvious that a condition relates to music and will be suspended, for example “during performances of live music all doors and windows must remain closed”. In other instances, it might not be so obvious: for example, a condition

stating “during performances of regulated entertainment all doors and windows must remain closed” would be suspended insofar as it relates to music between 08.00 and 23.00 on the same day to an audience of up to 500, but the condition would continue to apply if there was regulated entertainment after 23.00.

16.38 More general licence conditions (e.g. those relating to overall management of potential noise nuisance) that are not specifically related to the provision of entertainment (e.g. signage asking patrons to leave quietly) will continue to have effect.

16.39 Chapter 9 of this Guidance sets out how a licensing authority must determine applications for a new licence or to vary an existing premises licence. Licence conditions imposed, in accordance with paragraphs 9.41 to 9.43, for live or recorded music activities will only apply if the activity meets the criteria of having more than 500 people present, and/or the activities are taking place between 23.00 and 08.00. 16.40 These conditions will, in effect, be suspended between 08.00 and 23.00 if a performance of live music or the playing of recorded music takes place before an audience of 500 people or fewer, but will remain on the face of the licence for when these activities may take place under other circumstances.

16.41 Where a performance of live music or the playing of recorded music on relevant licensed premises is not licensable, it remains possible for anyone to apply for a review of a licence or certificate, if there are appropriate grounds to do so.”

Appendix 8 – Extracts from Statement of Licensing Policy 2021-2026

9.3 Conditions imposed at a hearing

If, after receiving relevant representations, the licensing authority believes it appropriate to do so, it will consider attaching conditions to licences. However, only those which relate specifically to the representations received and are considered appropriate to promote the licensing objectives will be imposed. The authority will not impose disproportionate and over burdensome conditions where there is no need for them. Any conditions considered appropriate will be tailored to the individual style and characteristics of the premises or event. In addition, licence conditions will not seek to replicate offences which are set out in the Licensing Act 2003. For example, a condition that states that a licence holder shall not permit drunkenness and disorderly behaviour or serve alcohol to under 18s is unnecessary as this is already a criminal offence under the Act. Conditions may, however, be attached to a licence which require measures to be taken to meet one or more of the licensing objectives to address a particular problem specific to those premises, even if such measures may also be a general requirement of another regulatory regime.

13. The Licensing Objectives

The matters set out below are included to assist applicants by drawing attention to the issues that they should have in mind when drawing up an operating schedule. Although they may apply to all applications to some degree, they will not necessarily apply equally to all applications.

They cover matters that are likely to be the subject of conditions that may be attached to a licence where the Licensing Authority's discretion has been engaged as a result of relevant representations.

Additional measures may be necessary on an occasional or specific basis such as when a particular event (e.g. popular live band) or promotion (e.g. during major sporting occasions) is planned, which likely, to attract larger audiences and/or audiences of a different nature.

Such events can often have a significant impact on the promotion of the licensing objectives. And so reference must be made in an applicant's operating schedule, to such occasions and the additional measures that are planned to mitigate any adverse impact on the licensing objectives.

Any application regarding licensing hours will be considered on its individual merits and this policy makes no presumption about closing times. In determining applications, the potential effect on the four licensing objectives will be paramount. Any premises that is open after midnight has an increased potential to negatively impact on the licensing objectives, be it through noise, customers entering or leaving the vicinity, customers smoking outside the premises, litter or anti-social behaviour. Applicants should look carefully at the provisions they include in the application to ensure that the objectives are upheld.

Applicants should also refer to section 9 (conditions) for examples of conditions that can assist in promoting the licensing objectives.

Key message 07

If representations are made, appropriate licence conditions may be applied. These may be stricter if the application seeks to allow licensable activities after midnight, depending on the operating style of the premises. The location and nature of the

premises will be taken in account, together with the applicant's proposals as to how they will promote the licensing objectives.

13.1 Prevention of crime and disorder

The extent to which conditions should be introduced to control the matters detailed below will be dependent on the individual style and characteristics of the premises, proposed events and activities. In general, more comprehensive measures should be in place at late night venues or in premises with a history of crime and disorder issues.

13.1.1 Underage drinking

The consumption of alcohol by persons under the age of 18 is recognised as a source of potential crime and disorder which also puts young people's health at risk. Children and young people may obtain alcohol from both on and off licensed premises and therefore both carry equal responsibility to prevent such sales. Operating schedules should specific measures to ensure that the law and practice relating to age restricted sales is adhered to. This should include ensuring that staff have sufficient training and supervision to ensure that no alcohol is served to someone who is under age. Particular attention should be given to the training of new members of staff to ensure that they are fully aware of their legal responsibilities and compliance required under the Act. Refresher training should also be carried out periodically to keep staff abreast of changes to legislation.

Key message 08

All premises licensed to sell alcohol are expected to have a policy in place and implement the Challenge 25 standard.

13.1.2 Drunkenness on premises

Operating schedules should contain measures to prevent drunkenness on licensed premises. This should include ensuring that staff have sufficient training and supervision to ensure that no alcohol is served to someone who is drunk or to someone on behalf of someone who is drunk.

Key message 09

Licensees are encouraged to actively participate in any voluntary scheme to promote the responsible consumption of alcohol.

13.1.3 Pub watch schemes

Wyre Council values the contribution that pubwatch and other best practice schemes make to the reduction of crime and disorder in licensed premises. Where such schemes exist, licensees are encouraged to become active members including implementing any banning orders issued under the scheme.

The pubwatch scheme is run independently by licensees and supported by council and police officers. It is a valuable resource and also helps premises support the licensing objectives, whilst addressing the issues of safety for customers and employees on licensed premises.

Key message 10

Wyre actively supports local pubwatch schemes and expects participation from licensees in areas where the schemes are run.

13.1.4 Drugs

The Licensing Authority recognises that drug use is not something that is relevant to all licensed premises. However applicants should offer appropriate conditions as part of the application to assist in the prevention of drug use in their premises.

Key message 11

The licensing authority expects all licensees to operate a zero tolerance policy with regard to illegal drugs or legal highs.

Management of premises have a duty to inform and co-operate with the police and take all reasonable steps to prevent the entry, use and exchange of illegal drugs on licensed premises. This should include regular checks of toilet areas, recording of incidents and suitable means to store, dispose of or transfer confiscated and found drugs to the police.

Prominent notices stating that the management has adopted a zero tolerance policy towards drugs should be displayed in appropriate areas, including toilet areas.

13.1.5 Door Supervisors

The licensing authority recognises that good security plans and the provision of door staff can prevent crime and assist in controlling young people unlawfully gaining entry or accessing alcohol.

When deciding if a condition requiring door supervisors is appropriate, the licensing authority will consider the location and capacity of premises and the hours of operation. Generally speaking premises in town centre locations with several licensed premises close by would warrant the employment of door supervisors.

Key message 12

An adequate number of licensed door supervisors will be on duty as appropriate, in accordance with the risk assessment.

13.1.6 CCTV

CCTV can be an important means of deterring and detecting crime at, and immediately outside licensed premises. Applicants are encouraged to consider the installation of CCTV at licensed premises to assist with the protection of staff and the promotion of the licensing objectives.

Key message 13

The applicant should identify in the operating schedule what systems of security, supervision by staff, and/or CCTV will be in place to promote the licensing objectives.

CCTV systems should be fully operational at all times the premises is open and retain footage for at least 28 days. A member of staff should be on site and able to access and downloaded footage whenever the premises are open.

13.1.7 Glasses and bottles

Glass-related injuries, whether accidental or deliberate, can lead to death or major injury and be life changing. As such, the licensing authority encourages the use of toughened glassware or polycarbonate in premises.

It is important that that glasses and bottles are frequently collected to ensure that empty containers do not accumulate in or around the licensed premises. Staff must also prevent the removal of bottles or glasses from the curtilage and grounds of licensed premises, to prevent them being used to cause harm.

Licensees should also be alert to the possibility of breakages of glasses and bottles in outside areas. Consideration should therefore be given to the use of polycarbonate or 'plastic' drinking vessels coupled with other management controls to reduce the likelihood of broken glass in these areas, particularly in gardens that have children's areas attached.

In addition where events such as televised sporting contests or outside functions are to be held, the licensing authority recommends that operators consider the use of polycarbonate glasses in such instances, to promote public safety.

Key message 14

When replacing stock, glassware made from glass which produces shards when broken should be phased out, in favour of toughened glassware.

13.1.8 Open Containers

Drinks purchased in licensed premises or clubs may only be taken from site for consumption elsewhere, if the licence/certificate permits off sales, subject to any relevant conditions, such as off sales must be in sealed containers only. No bottles or glasses (sealed or unsealed) may be taken from a premises whose licence permits on sales only.

Key message 15

The condition 'No drink shall be removed from the licensed premises in an unsealed container', should be considered for inclusion in the operating schedule for any premises licence or club certificate that permits off sales.

13.3 Prevention of public nuisance

Licensed premises have a significant potential to impact adversely on communities through public nuisances, which can arise from their operation. The licensing authority recognises the need to prevent public nuisance to residents, visitors and other businesses, whilst balancing the rights of licensed premises to develop their business potential. In considering what constitutes a public nuisance the Licensing Authority will make a judgement as to whether the effect of the licensable activities on those living or working in the surrounding area is unreasonable. It is accepted that such disturbance could affect small numbers of people and does not need to cause a major disturbance to the whole community. Issues which could be considered as public nuisance are mainly noise, light pollution and litter.

13.3.1 Disturbance by patrons leaving the premises

Whilst it is accepted that once patrons have left the curtilage of a licensed premises, there are limits on what the premises or its staff are able to do to address any associated noise and disturbance, those managing the premises should nevertheless put in place appropriate measures to minimise such nuisance and disturbance. Management, staff and door supervisors are encouraged to be proactive in assisting customers to leave the premises in an orderly manner, to reduce the nuisance to neighbours arising from noise or poor behaviour, especially after midnight. Residents are particularly impacted by late night venues and premises should look at procedures and staff training to minimise nuisance and disorder in the locality. Where a review is brought as a result of late night disturbance being caused

to local residents, the Licensing Authority will consider the need to reduce licensable hours in order to promote the prevention of public nuisance objective.

Key message 17

Operators of any premises licensed under the Act should consider placing notices at exits to ask patrons to respect neighbours. Door supervisors employed at premises must encourage patrons leaving the curtilage of the premises to do so in an orderly manner.

13.3.3 Noise Nuisance

Conditions relating to noise nuisance will normally concern the measures necessary to control the levels of noise emanating from the premises. Any conditions necessary to promote the licensing objectives will be tailored to the style and characteristic of particular premises and may include restrictions which ensure that the volume of amplified sound used in connection with entertainment, is under the control of the licensee or management and that the controlling mechanism is operated from a part of the premises inaccessible to the public. Where applications lead to representations about noise, all appropriate conditions will normally be focused on the most sensitive periods. For example music is more problematical when it is played from late evening until the early hours of the morning when nearby residents are attempting to get to sleep. Outdoor areas used for consumption of food or drink or for smoking may lead to noise issues for nearby residents. Wherever possible designated areas that are away from nearby residents should be used for smoking.

Key message 18

Outside areas used by patrons should be monitored through the evening, with particular attention to hours after 22.00hrs. Door supervisors should monitor, limit numbers or corral customers in specific areas, where possible.

13.3.4 Beer Gardens

It is important to note that the consumption of alcohol is not itself a licensable activity. However the consumption of alcohol in areas which are not included in the licence plan (e.g. beer gardens or similar) in any premises licensed for the sale of alcohol 'for consumption ON the premises' only would be unlawful. It should also be noted that any use of outside areas can cause nuisance to neighbours and operators must make sure that staff regularly check that patrons using any outside area are not causing a nuisance. Staff should be tasked with ensuring that glasses and bottles are collected regularly and not permitted to build up. Should nuisance issues in an outside area of a premises lead to a review of the licence, members may consider it appropriate to restrict the hours of use of this area.

Key message 19

If an outside area falls within the licensed area applicants are expected to consider the following condition for inclusion in the operating schedule: 'Any outside area used for the consumption of alcohol will cease to be used by patrons after 22.00hrs'

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Report of:	Meeting	Date
Mark Billington, Corporate Director Environment	Licensing Committee	24 th May 2022

Application for a new Premises Licence - 18 Breck Road, Poulton-le-Fylde.
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1. Purpose of report

- 1.1 To assist Members in their decision making process in respect of the application for a new premises licence, submitted by Business Suite Limited, under section 17 of the Licensing Act 2003.

2. Outcomes

- 2.1 Members determine whether or not to grant the application for a premises licence having taken into account the relevant representation submitted by an interested party.

3. Recommendation

- 3.1 Members consider the application and representation before determining whether granting a licence, in the terms applied for, would adversely impact on one or more of the Licensing Objectives.
- 3.2 Members should note subsection 1.17 of guidance issued under section 182 of the Licensing Act 2003 which states *“each application must be considered on its own merits and in accordance with the licensing authority’s statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case”*.

4. Background

- 4.1 On 25th March 2022, an application was submitted by Business Suite Limited for a new premises licence in respect of 18 Breck Road, Poulton-

le-Fylde, FY6 7AA (**Appendix 1**). The premises is situated in close proximity to Poulton-le-Fylde town centre (**Appendix 2**)

- 4.2** The application seeks authorisation for the following activities –
- Late night refreshment all days between 23:00 hours and 00:30 hours (on the following day) & non-standard timings of 23:00 hours to 01:30 hours (on the following day) for each of the following occasions; Maundy Thursday; any Friday, Saturday and Sunday which immediately precedes a Bank Holiday; Halloween; Christmas Eve; Boxing Day; New Year's Eve; and, New Year's Day.
 - Sale of alcohol for consumption on and off the premises all days between 10:00 hours and 00:30 hours (on the following day) & non-standard timings of 10:00 hours to 01:30 hours (on the following day) for each of the following occasions; Maundy Thursday; any Friday, Saturday and Sunday which immediately precedes a Bank Holiday; Halloween; Christmas Eve; Boxing Day; New Year's Eve; and, New Year's Day.
- 4.3** The opening hours specified on the application are 08:00 hours to 01:00 hours (on the following day) and are applicable every day excluding non-standard timings of 08:00 hours to 02:00 hours (on the following day) for each of the following occasions; Maundy Thursday; any Friday, Saturday and Sunday which immediately precedes a Bank Holiday; Halloween; Christmas Eve; Boxing Day; New Year's Eve; and, New Year's Day.
- 4.4** The applicant has not applied for live or recorded music as part of this application. However, the activities Live and Recorded music are permitted to take place on alcohol licensed premises between 08:00 hours and 23:00 hours on any day as long as the audience is below 500.
- 4.5** A copy of the application has been served on all responsible authorities. None of the responsible authorities have submitted a relevant representation.
- 4.6** The applicant advertised the application in a local newspaper within the first 10 working days of consultation as is required by legislation. They also displayed a 'blue notice' at the premises from the first day of the consultation period and until its conclusion on 22nd April 2022.
- 4.7** One representation has been received from an interested party and it has been brought to the attention of the applicant. The representation is concerned that the possible effect of granting the licence would undermine the licensing objectives of 'Prevention of public nuisance'. A copy of the representation and associated correspondence is contained at **Appendix 3** of this report.
- 4.8** Section 18(3) of the Licensing Act 2003, as amended, requires the Licensing Authority to hold a hearing to consider an application and any

relevant representations, within twenty working days following the end of the statutory twenty-eight day consultation period, which ended on 22nd April 2022.

5. Key issues and proposals

5.1 The premises is a mid-terrace building. The front of it faces on to Breck Road, Poulton-le-Fylde and its rear has a self-contained yard that customers will be able to make use of. The rear yard backs on to the gardens of residential premises located on Prudy Hill, Poulton-le-Fylde. A plan of the location and photograph showing the rear yard in proximity to residential property is included at **Appendix 2**.

5.2 As stated at part 4.7 of this report one representation has been received from an interested party and it has been brought to the attention of the applicant. The representation is concerned that the possible effect of granting the licence would undermine the licensing objective 'Prevention of public nuisance'. A copy of the representation and associated correspondence is contained at **Appendix 3** of this report.

This appendix also includes an email, from 21st April 2022, where request was made to look into passing a bylaw that would make it a condition of application, for those seeking a premises licence, to notify affected neighbours.

5.3 Lancashire Police have not objected to this application. However, they have mediated with the applicant and subsequently agreed a number of additional conditions to further promote the prevention of crime and disorder objective (**Appendix 4**).

5.4 Environmental Health have not objected to this application. However, they have mediated with the applicant and subsequently agreed a number of conditions to address their concerns about the potential for public nuisance arising from licensable activities at the venue. (**Appendix 5**).

5.5 An email was sent to the objector to advise them of the changes that had been agreed with the Police and Environmental Health during the consultation period. The relevant correspondence is contained at **Appendix 3**.

5.6 There have been no other relevant representations submitted by Responsible Authorities.

5.7 A list of all of the conditions offered in the application, or subsequently agreed with the Responsible Authorities, which would form Annex 2 to any licence granted, is included for reference at **Appendix 6**.

5.8 When considering the application Members should take into account the Council's own Statement of Licensing Policy. The following sections are relevant to this application.

9.3 Conditions imposed at a hearing

13.3 – 13.3.4 all in relation to Prevention of public nuisance and including associated key messages.

18 Cumulative impact policy and including key message 25. **Appendix 8.**

5.10 Members are also directed to the Statutory Guidance issued under section 182 of the Licensing Act 2003 and in particular the following sections: 1.16, 9.3, 9.4, 9.37 - 9.40, 9.42 - 9.44, 10.8-10.10, 16.36 - 16.41 which are reproduced at **Appendix 7.**

5.11 After having regard to all the representations, the council’s Statement of Policy and the Statutory Guidance, the Committee must consider whether granting the application in the terms applied for, would undermine any of the licensing objectives.

5.12 If members are satisfied that the licensing objectives would not be undermined, they should grant the licence in the terms applied for.

5.13 If, however members are concerned that granting the application would have the potential to undermine one or more of the licensing objectives, they must consider what, if any, steps would be appropriate to secure the promotion of the licensing objectives.

It may take any of the following steps:

- Grant a licence subject to such conditions that the authority considers appropriate for the promotion of the licensing objectives.
- Exclude from the scope of the licence, any of the licensable activities to which the application relates (this can include revising the permitted hours for licensable activities).
- Reject the whole or part of the application.

5.14 All parties to the application have been invited to attend the hearing and have been sent a copy of this report and notice of the hearing procedure.

Financial and legal implications	
Finance	There are no financial implications directly associated with this application.
Legal	Any party to the hearing has the right of appeal to the Magistrates Court within 21 days if they are aggrieved by the decision. The hearing should be conducted following the principles of natural justice and in accordance with the Council’s own hearing procedure.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers

on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with an x.

risks/implications	✓ / x
community safety	✓
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Patrick Cantley	01253 887281	patrick.cantley@wyre.gov.uk	3 rd May 2022

List of background papers:		
name of document	date	where available for inspection
Licensing Act 2003	4 th May 2022	Licensing Act 2003 (legislation.gov.uk)
S.182 Guidance	4 th May 2022	Revised Guidance issued under section 182 of the Licensing Act 2003 (publishing.service.gov.uk)
Wyre Council – Statement of licensing policy 2021 - 2026	4 th May 2022	https://www.wyre.gov.uk/downloads/file/1020/licensing-act-policy-2021-2026

List of appendices

- Appendix 1 – Copy of application
- Appendix 2 – Location and photograph of rear yard
- Appendix 3 – Relevant representation and associated correspondence
- Appendix 4 – Lancashire Constabulary consultation response and mediation
- Appendix 5 – Environmental Health consultation response and mediation
- Appendix 6 – Offered and mediated conditions for annex 2
- Appendix 7 – Extract from S.182 Guidance
- Appendix 8 – Extract from Statement of Licensing Policy 2021 - 2026

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25-3-22 D.C.
WPST00042543

* required information

Section 1 of 21

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?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

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

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

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

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 sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

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.

Registration number

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 Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Private Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality

Documents that demonstrate entitlement to work in the UK

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

It is intended that the premises will be a wine bar, coffee shop and delicatessen offering customers a selection of food (including cheeses, cooked & cured meats, and sandwiches) alongside a range of both alcoholic and non-alcoholic drinks, including quality world coffees. The offering will be targeted at customers of an ABC1 demographic and aged 25 years and over.

Continued from previous page...

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

- Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Continued from previous page...

Section 13 of 21

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

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

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

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick 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.

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

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

From 23:00 to 01:30 on each of the following occasions: Maundy Thursday; any Friday, Saturday and Sunday which immediately precedes a Bank Holiday; Halloween; Christmas Eve; Boxing Day; New Year's Eve; and, New Year's Day.

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

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.

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

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

From 10:00 to 01:30 on each of the following occasions: Maundy Thursday; any Friday, Saturday and Sunday which immediately precedes a Bank Holiday; Halloween; Christmas Eve; Boxing Day; New Year's Eve; and, New Year's Day.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Continued from previous page...

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

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

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 etc gambling machines etc.

None currently anticipated.

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

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

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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

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

From 08:00 to 02:00 on each of the following occasions: Maundy Thursday; any Friday, Saturday and Sunday which

Continued from previous page...

immediately precedes a Bank Holiday; Halloween; Christmas Eve; Boxing Day; New Year's Eve; and, New Year's Day.

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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.

Upon commencement of their employment, all staff who are involved in the sale of alcohol will be trained in relation to the licensing objectives so as to reduce crime and disorder, promote public safety, prevent public nuisance and promote the protection of children from harm. Refresher training will be provided at least once every twelve months and all training will be documented and made available to an authorised officer upon request.

The premises will be an active member of any local "pub watch" or equivalent scheme where such a scheme is in existence.

b) The prevention of crime and disorder

A CCTV system shall be installed at the premises and will meet the following criteria:

- The system will display on any recording the time and date of said recording;
- The system will be recording whenever the premises is open to the public;
- Any recordings will be retained for a minimum of 28 days after they are made and will be produced to an authorised officer upon request, so long as said request is in accordance with the principles of the Data Protection Act or any subsequent or alternative legislation;
- As a minimum, the CCTV will capture a "head and shoulders" image of any person who enters the premises through a public entrance.

Appropriate signage alerting customers to the use of CCTV shall be displayed in a conspicuous position at the premises.

A competent person trained in the use of and operation of the CCTV will be in attendance at the premise at all times that licensable activities are taking place. Said person will be able to fully operate the CCTV system and be able to download data in a recognised format when requested.

An incident register of any occurrences or ejections from the premises will be maintained at the premises and details of any public order offences will be recorded. Said register will be made available upon request to an authorised officer.

Prior to any occasion on which licensable activities are to be carried on at the premises, a risk assessment will be carried out to determine whether door supervisors are required. An appropriate number of door supervisors will be utilised in accordance with said risk assessment.

The premises will have a written zero tolerance drugs policy which is enforced at all times.

c) Public safety

Any sales of alcohol knowingly made for consumption off the premises will be made in a sealed container. This condition will not apply to any external area under the control of and operated by the Premises Licence Holder.

d) The prevention of public nuisance

The management of the premises will ensure that the area immediately outside the entrance to the premises is kept clean,

Continued from previous page...

tidy and free from litter. At the end of each trading session, an inspection will be carried out of the external areas and of the area in the immediate vicinity of the premises and any necessary remedial action will be taken. A record of said inspections will be maintained and will be produced to an authorised officer upon request.

The premises will have a written dispersal policy designed to encourage patrons to leave the venue and the area quickly and quietly.

Notices will be placed in a prominent position at public exits requesting that customers leave the premises and the area quietly.

Customers will not be permitted to take any drinks outdoors after 21:00 each evening. Notices to this effect will be displayed prominently at the entrance to the external area.

e) The protection of children from harm

There shall be no persons under the age of 18 permitted on the premises after 21:00 unless attending a pre-arranged private function.

A "Challenge 25" Policy shall be adopted and enforced at the premises whereby any person who appears to be under the age of 25 shall be required to provide identification to prove that they are over the age of 18 before they are permitted to purchase alcohol. The only forms of acceptable identification will be:

- A Passport;
- A UK Photocard Driving Licence;
- Official ID card issued by HM Forces or EU bearing a photograph and the date of birth of the holder;
- Any other form of identification agreed with a representative of the Police Licensing Unit.

All staff who are involved in the sale of alcohol will be trained in relation to the "Challenge 25" policy upon the commencement of their employment, following which they will undertake refresher training at least once every twelve months. Said training will be documented and will be made available to an authorised officer upon request.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is A British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

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 21 of 21

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.

Rateable value of premises - Application fee Band A £1-£4,300 - £100 Band B £4,301-£33,000 - £190 Band C £33,001-£87,000 - £315 Band D £87,001-£125,000 - £450 Band E £125,000 and above - £635

* Fee amount (£)

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

* [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 (please read guidance note 15).

* 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 (please see note 15).

Ticking this box indicates you have read and understood the above declaration

Continued from previous page...

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...

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

* Capacity

Date (dd/mm/yyyy)

Add another signatory

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/wyre/apply-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 LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

BUSINESS SUITE FLOOR PLANS



**Consent of Individual to being Specified as
Designated Premises Supervisor**

I, Christopher James Thomas Lambe,  hereby give my consent to be specified as the Designated Premises Supervisor in relation to an application for a premises licence by Business Suite Limited relating to premises situate at 18 Breck Road, Poulton Le Fylde, Lancashire, FY6 7AA and any premises licence to be granted or varied in respect of this application made by Business Suite Limited concerning the supply of alcohol at 18 Breck Road, Poulton Le Fylde, Lancashire, FY6 7AA.

I also confirm that I am entitled to work in the United Kingdom and that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal Licence Number: _____

Personal Licence Issuing Authority: _____

Signed:  _____

(Christopher James Thomas Lambe)


Dated: 22/03/22

BUSINESS SUITE FLOOR PLANS



Consent of Individual to being Specified as

Designated Premises Supervisor

I, Christopher James Thomas Lambie,  hereby give my consent to be specified as the Designated Premises Supervisor in respect to an application for a premises licence by Business Site Limited relating to premises situate at 18 Breck Road, Poulton Le Fyde, Lancashire, FY6 7AA and any premises licence to be granted or varied in respect of this application made by Business Site Limited concerning the supply of alcohol at 18 Breck Road, Poulton Le Fyde, Lancashire, FY6 7AA.

I also confirm that I am entitled to work in the United Kingdom and that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal Licence Number: _____

Personal Licence Issuing Authority: _____

Signed: 

(Christopher James Thomas Lambie)

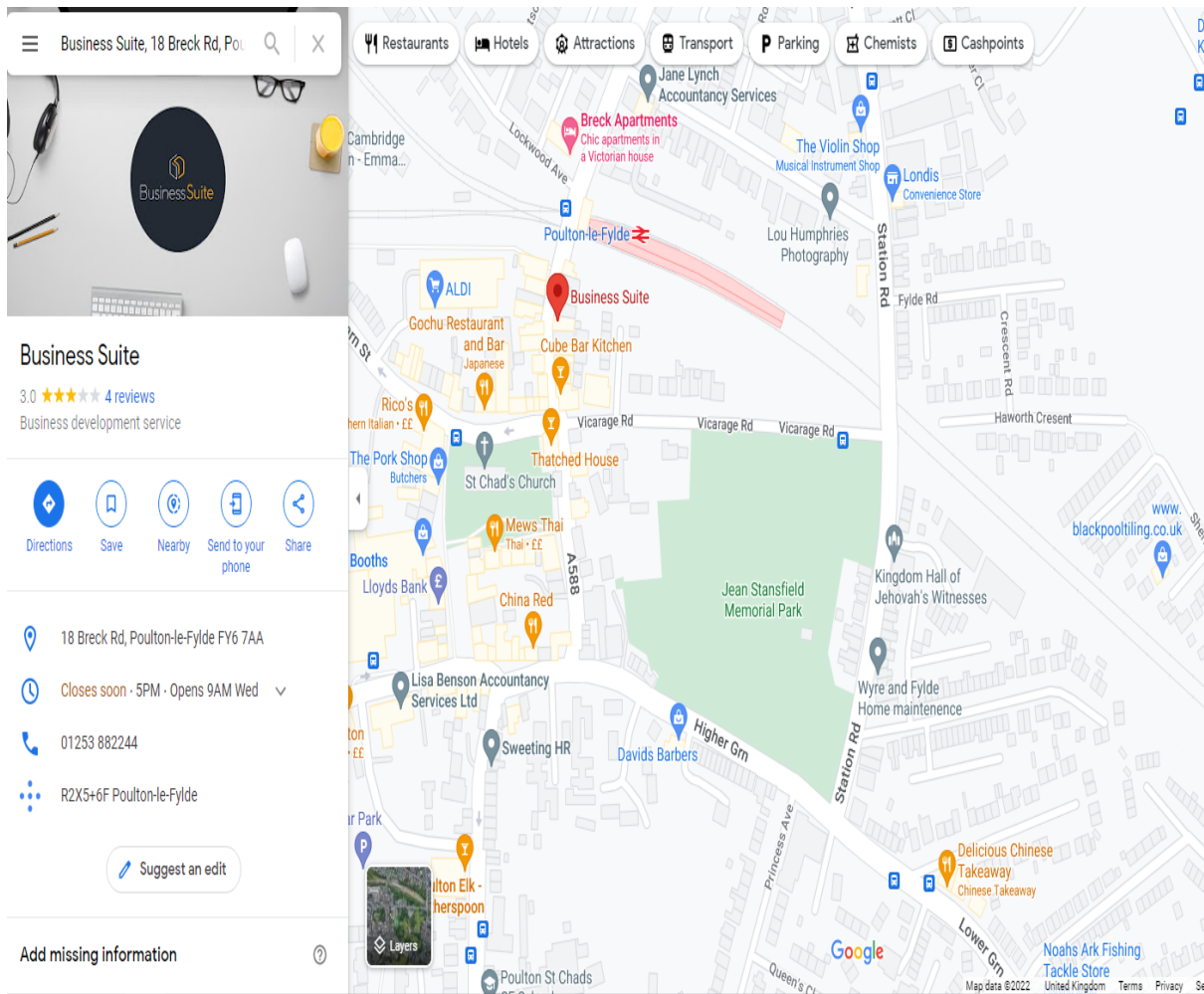
Dated: 22/03/12

Appendix 2 – Picture of rear yard and aerial location layers from google maps





Red outline used to indicate location of this premises.



Red arrow to indicate the premises in relation to Poulton-le-Fylde town centre.

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Appendix 3 – Relevant representation and associated correspondence.

**THIS FORM MUST BE RETURNED
AND RECEIVED BY THE LICENSING
MANAGER BY (date)**

22nd April 22



Licensing Act 2003

Representation made in respect of a New or variation to a Premises Licence or Club Premises Certificate by Other Persons

PLEASE READ THE FOLLOWING BEFORE COMPLETING THE REPRESENTATION FORM

Under the Licensing Act 2003 a responsible authority or any other person may make representations about an application. Representations may be in the nature of an objection to or in support of an application.

However, all representations must relate to the licensing objectives and may not be frivolous or vexatious.

The four licensing objectives are:-

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children

Representations must be in writing setting out the likely effects that the grant of the application would have on the promotion of at least one of the licensing objectives, and must clearly relate to the premises for which application is being made. For example, representations on the basis of general noise and disturbance, without evidence of a causal link to specific premises, are unlikely to be persuasive.

It will be for the person making the representation to show reasons why the grant of the application is likely to effect on them or their business, based on how the licensing objectives would be affected.

The law does not require a representation to be in a standard format however, the licensing authority is obliged to decide whether your representation is valid within the requirements of the Act and Regulations. Under the provisions of the Licensing Act 2003 (Hearings Regulations) 2005, the Licensing Authority requests that you clarify the grounds upon which you are making your representations.

To assist you, the attached representation form should be completed. By doing this it will ensure that you have supplied sufficient information for the regulations to be satisfied.

You may wish to keep a copy of the completed form for your records and you may use your copy as an aide memoir at the Licensing Committee hearing.

Please list any additional information or details to support your application and attach any documentary or other information that you may wish to use. If you have not disclosed this information beforehand you will not be able to introduce it at the hearing unless all the other parties consent.

You may be represented by someone nominated in writing by you. This can be a legal or other representative.

Copies of all representations will be forwarded to the applicant. Only under exceptional circumstances will the Licensing Authority not disclose ANY personal details.

Please be aware that you will be invited to attend in person to a hearing should the licence application have to be determined by the Council's Licensing Committee. Your representation will also be included in the papers presented to the committee and therefore will pass into the public domain. It is therefore possible that details of your representation may be picked up by journalists.

You can also call any other person in support of your representations but you must declare on the form who they are and how they are going to assist you. Someone making a representation could ask, for example, a legal representative or friend to act on their behalf, however that the representative will act as an advocate for the person who made the representation - they can only present and explain the representation, and will not be able to present their own views on the application or add matters not referred to in the representation.

If you decide to withdraw your representation this can be accepted no later than 24 hours before the hearing, or in person at the hearing.

Due to the rigid time scales for arranging hearings, it is essential that the form is returned during the 28 day representation period which ends on the date specified on the front page of this document.

Please return the enclosed form **as quickly as possible** along with any additional information to:

The Licensing Manager

Wyre Council

Wyre Civic Centre

Breck Road

Poulton Le Fylde

Lancashire



FY6 7PU or send as an email attachment to licensing@wyre.gov.uk

Please note

- Any representations must relate to the specific premises which is the subject of the application.
- Any representation must refer to one or more of the licensing objectives and
- It would strengthen your representation greatly if evidence in support of your case could be provided



Representation Form (Other Persons)

Your Name/Company Name/Name of representative body.	Peter Le Marinel
If representative body please give detail of how you represent residents or businesses	Cllr Breck Ward
Postal address	
Contact telephone number	
Email address	Peter.lemarinel@wyre.gov.uk

Name of the premises you are making a representation about.	The Business Centre
Address of the premises you are making a representation about.	18 Breck Road.

Your representation must relate to one of the four Licensing Objectives. Please state Yes or No.(see note below)	Please detail the reason for your representation and any evidence to support it Please use separate sheets if necessary
The Prevention of harm to children	

To prevent Public Nuisance	<p>The Application includes outside seating and asks for this to be 9pm, The Topsy Cow has outdoor drinking until 7pm, the Business Centre backs onto residential properties on Prudy Hill and if the License is granted this will cause an unacceptable noise level.</p> <p>I would also point out that the Application is for a Wine Bar and Bistro and this will be a change of use under Planning Regulations from its current use.</p>
To prevent crime and disorder	
Public Safety	

<p>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Committee to take into account.</p>	<p>The USE of ALL outside areas, for ANY reason, that are open to the public, should cease at 7pm.</p>
---	--

--	--

I wish to call the following people in support of my representation. Anybody you wish to speak to the committee must be declared here.

Person	How they will assist you

Have you made any representations in respect of these premises before	Yes	No X
Date on which previous representations were made		

<p>I understand that the Licensing authority is obliged to give notice of a hearing to all parties to the hearing and this must include a copy of this representation. All representations are treated as public documents.</p>	<p>You must initial this box to state that you understand and permit this</p> <p>PLM</p>	
<p>I agree to attend any hearing before either the Licensing committee or magistrates court (in the event of an appeal against the Council's decision) in support of my representation</p>	<p>YES</p> <p>X</p>	<p>NO</p>

Signed:	
---------	--

	Peter Le Marinel Cllr Breck Ward
Date:	22/04/2022
Print name:	Peter Le Marinel

From: Cantley,Patrick

Sent: 28 April 2022 15:47

To: Cllr Le Marinel, Peter <Peter.LeMarinel@wyre.gov.uk>

Cc: Clarke, Wayne <Wayne.Clarke@wyre.gov.uk>; Fletcher, Stuart <Stuart.Fletcher@wyre.gov.uk>; Grimshaw, Mary <Mary.Grimshaw@wyre.gov.uk>; malcolm.ireland@harrison-drury.com; Wilson, Faye <Faye.Wilson@wyre.gov.uk>

Subject: 18 Breck Road, Poulton-le-Fylde. Representation against application for grant of a premises licence. Licensing Act 2003.

Dear Councillor,

The representation you submitted against the listed application has been received and accepted by the Licensing Authority at Wyre Borough Council. I note your concern that granting this licence, in its current format, may result in the licensing objective 'Prevention of public nuisance' being undermined on the basis that the outside area of the premises will cause nearby residential properties to suffer from nuisance by noise. I can accept this point as relevant.

Please note that there are aspects of your representation that cannot be accepted as relevant because they fall outside of the parameters afforded by the Licensing Act 2003. This means that you cannot rely on these points should this matter progress to a licensing hearing.

What is not relevant?

I acknowledge your point that a nearby premises has a written condition restricting the use of its outside area. However, that condition is applicable to the other premises, the licence authorising licensable activities there and is in place to support the responsible person at that premises in promoting the licensing objectives. This application relates to a different premises and it must be considered in its own right before any determination can be made in respect of it. The decision making process for matters of this type is underpinned by legislation and associated statutory

guidance that make it clear each case must be considered on its own merit. More specifically, the steps that may be taken in determining an application like this are contained within section 18 (4) of the Licensing Act 2003.

I also note your mention of the status of planning at this premises and must be clear that this point cannot be accepted as a relevant either. Please also note this application was circulated to all responsible authorities on 25th March 2022 and was therefore sent to the planning department of Wyre Council at that time. To my knowledge I am not aware of the planning authority taking opportunity to comment in respect of this matter during the consultation process.

Things to consider –

At this stage your representation is the only relevant representation that the licensing authority has received in relation to this application. If your concern cannot be mitigated by measures already in place (conditions offered when the application was submitted and those subsequently being included on the licence following mediation with Lancashire Police and Environmental Health at Wyre Council) then this matter will have to be determined at a licensing committee hearing. I have attached emails and mediation agreements to this. Please feel free to refer to them and once you have had opportunity to do so please let me know whether these measures are sufficient to mitigate your concern. If they are acceptable then the only way in which a hearing can be avoided is if you advise the authority in writing that you have withdrawn your representation because you don't consider a hearing to be necessary. However, if you still feel that a hearing is required please note that this matter will be put before the next committee in May.

Kind regards,

Patrick

From: [Licensing](#)

Sent: 22 April 2022 14:25

To: [Cllr Berry, Roger](#); [Cllr Le Marinel, Peter](#)

Cc: [Cllr Henderson, David](#); [Greenwood, Neil](#); [Licensing](#); [Grimshaw, Mary](#); [Seddon, Mandy](#); [Clarke, Wayne](#)

Subject: RE: Licensing

Dear All,

Thank you for your emails.

I can confirm a site notice is displayed in the front window of the premises in compliance with the advertising requirements and has been since the first day of the consultation period. Therefore, I am satisfied that required procedure has not been undermined and the consultation period remains valid.

Please note that legislation, associated regulations and statutory guidance already requires the following of applicants for matters of this type –

- Prominently display a site notice a A4 size pale blue paper and ensure all text is printed legibly in size 16 font or larger. This must be displayed from the first day of consultation for the entire consultation period.
- Publish a newspaper notice in a local newspaper or similar circular within the first 10 working days of the consultation period.

In addition to the responsibilities placed on applicants the relevant Licensing Authority display either a notice detailing the specifics of the application on their website or a redacted version of the full application. The relevant Licensing Authority are also required to ensure the circulation of the application to Responsible Authorities only (unless the applicant submits their application in the normal post and then this responsibility falls to them to circulate the application). Ward Members are not included on the list of Responsible Authorities but I note here in Wyre that applications are habitually circulated to the relevant ward members as and when they are received. Thus, if we received an application for a premises in Garstang the application is subsequently circulated to the relevant Councillor(s).

The current licensing framework is far more inclusive than its predecessor where licences were considered and determined within a Magistrates Court setting and without a public consultation process. Thus, the manner in which licensing matters are now considered affords far greater opportunity for those that are potentially going to be affected by a licensed premises to have their say on the matter. Additionally, the right to raise concerns in respect of premises covered under the 2003 Act can occur at the application stage or at any stage following the grant of a licence / certificate where there is reasonable justification to do so. In addition to this, sections 105 to 108 of the Police Reform and Social Responsibility Act 2011 amended the Licensing Act 2003 to remove the vicinity test for applications and licences. As a direct consequence, opportunity now exists for interested parties, irrespective of location, to comment or object.

I have thoroughly considered the content of your emails and fully understand and respect the concerns you raise. However, Licensing Authorities are typically required are required to approach matters of this type from a position of neutrality. I would also point out that the statutory guidance, issued under section 182 of the 2003 Act, makes it clear that a Licensing Authority should only exercise the function of Responsible Authority in exceptional circumstances. Standard applications cannot be habitually treated as an exceptional circumstance because that would mean adopting a standard approach when the framework is underpinned by a case by case approach to matters like this. Therefore, taking one size fits all type of approach flies in the face of standard practice and is neither proportionate or justifiable. As I say this I am conscious that there is feeling that Poulton-le-Fylde is at

saturation point for premises of this type. Of course this potentially raises the question of is there a requirement for a cumulative impact policy. However, as I understand it there is an absence of evidence at this time to support the necessity of one and it is therefore necessary to consider –

- There can be confusion about the difference between the “need” for premises and the “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.
- The concept of “Cumulative impact” is outlined within statutory guidance and used by licensing authorities within their statements of licensing policy since the commencement of the 2003 Act. ‘Cumulative impact assessments’ were introduced in the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018. Cumulative impact is the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area. In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.

Again, I would reiterate that whilst I understand and appreciate the concerns being raised there is still not sufficient evidence in place to make taking this step justifiable or proportionate. On this basis it is not appropriate for the Licensing Authority to depart from the mandated framework.

I am afraid this is also applicable in relation to the request to giving consideration to implementing bylaws that specify applicants must letter drop when they submit an application. This is not required in the 2003 Act or associated regulations and it is not something that Wyre Borough Council can seek to make bylaws in respect of. I would also point out that if we sought to then there is high potential that we would expose ourselves to reputational risk. .

I appreciate that what I have put in this response may not be what you want to hear and of course should you wish to discuss it further I am happy to talk directly with any of you in person because that is what I am here for. I would also like to be clear that I don't have much tolerance for badly run premises and will fully involve the Licensing Authority in conjunction with partner agencies as and where there is necessity to do so.

Kind regards,

Patrick

From: Cllr Berry, Roger <Roger.Berry@wyre.gov.uk>
Sent: 22 April 2022 10:40
To: Cllr Le Marinel, Peter <Peter.LeMarinel@wyre.gov.uk>; Cantley,Patrick <Patrick.Cantley@wyre.gov.uk>
Cc: Cllr Henderson, David <David.Henderson@wyre.gov.uk>; Greenwood, Neil <Neil.Greenwood@wyre.gov.uk>; Licensing <Licensing@wyre.gov.uk>
Subject: Re: Licensing

Hi Peter, I think it would help if you could let us know the precise circumstances as to how the resident did not see the notice which should have been placed in a prominent position so that it could be read by the public. Additionally of course Licensing does inform councillors of applications but I think we need to check if they send us notice of all applications or just some they think might be controversial. Look forward to hearing from you. Regards Roger

Get [Outlook for Android](#)

From: Cllr Le Marinel, Peter <Peter.LeMarinel@wyre.gov.uk>
Sent: Thursday, April 21, 2022 3:18:06 PM
To: Cantley,Patrick <Patrick.Cantley@wyre.gov.uk>; Cllr Berry, Roger <Roger.Berry@wyre.gov.uk>
Cc: Cllr Henderson, David <David.Henderson@wyre.gov.uk>; Greenwood, Neil <Neil.Greenwood@wyre.gov.uk>; Licensing <Licensing@wyre.gov.uk>
Subject: Re: Licensing

Thank you Patrick for your swift response, I would like to ask that enquiries are made by the Council, into the feasibility of a by-law and how the Council can implement this, centrally mandated procedures, as we know, are not always the correct ones and I think as much help, support and protection as possible should be afforded to residents that have to suffer the consequences.

Best, Peter.

Cllr Peter Le Marinel

Breck Ward

Armed Forces Champion

Wyre Council

From: Cantley,Patrick <Patrick.Cantley@wyre.gov.uk>
Sent: 21 April 2022 15:05
To: Cllr Le Marinel, Peter <Peter.LeMarinel@wyre.gov.uk>; Cllr Berry, Roger

<Roger.Berry@wyre.gov.uk>

Cc: Cllr Henderson, David <David.Henderson@wyre.gov.uk>; Greenwood, Neil <Neil.Greenwood@wyre.gov.uk>; Licensing <Licensing@wyre.gov.uk>

Subject: RE: Licensing

Hello,

I can quickly answer this. The advertising requirements for applications of this type are underpinned by Regs. 25 and 26 of The Licensing Act (Premises licences and club premises certificates) Regulations 2005. Section 8 of [Guidance issued under Section 182 of the Licensing Act 2003](#) also covers the topic.

In essence, the legislation and associated regulations prescribe the process that is required of an applicant when lodging their application. At no point does it specify that an applicant is required to do a letter drop to local residents.

I am not sure it would be possible to create a bylaw of this type on the basis it would be fairly contrary to a centrally mandated procedure that is already in place.

Many thanks,

Patrick

From: Cllr Le Marinel, Peter <Peter.LeMarinel@wyre.gov.uk>

Sent: 21 April 2022 14:51

To: Cllr Berry, Roger <Roger.Berry@wyre.gov.uk>

Cc: Cllr Henderson, David <David.Henderson@wyre.gov.uk>; Cantley, Patrick <Patrick.Cantley@wyre.gov.uk>; Greenwood, Neil <Neil.Greenwood@wyre.gov.uk>

Subject: Licensing



Hi Roger, I trust you are well. A quick question, do you know why when a License Application is made, the neighbours that will be affected are not routinely sent a letter telling them of the proposed Application? It seems to me very wrong that they are not informed when it could really adversely affect them and their families. I know that the Applicant has to put a letter in the window of the premises, or somewhere that it can be seen, but without doubt, most people would not see it and could well then be adversely affected after the License has been granted.

I would also be grateful if you could look into the procedure of the Council passing a by-law, making it a condition of an Application, that affected neighbours have to be notified.

Kindest regards, Peter.

Cllr Peter Le Marinel
Breck Ward
Armed Forces Champion
Wyre Council

Appendix 4 - Mediation agreement with Lancashire Police.

Wyre Council Licensing Service			
Notification of Mediation Agreement			
Premises Details			
Name of Premises:	18 Breck Road		
Premises Address:	18 Breck Road, Poulton-le-Fylde		
Post Code:	FY6 7AA		
Responsible Authority			
Service / Department	Lancashire Constabulary		
Officer (Print Name)	PC 4107 Emma Pritchard		
	Signature		
Proposed changes to Application Operational Schedule			Mark one
Adequate changes proposed during the representation period. No representation made.			<input checked="" type="checkbox"/>
Some changes proposed. Representation will follow for remaining concerns.			<input type="checkbox"/>
Some changes made after representation submitted. Continue to hearing.			<input type="checkbox"/>
Full and adequate proposals made after representation. Representation withdrawn.			<input type="checkbox"/>
Applicant's consent to amend Licence Application			
I the undersigned am the applicant and hereby authorize Blackpool Licensing Service to amend my application as detailed below. I understand that these amendments may be included as conditions on the Premises Licence should one be issued.			
Applicant's Name (Please <u>print</u> clearly)	Harrison Drury Solicitors (on behalf of Business Suite Limited)		
Applicant's Usual Signature			
Date of signing	14	04	2022
Amendments			
1	The following conditions to be added to the operating schedule:		
1	At least one personal licence holder will be contactable while the supply or sale of alcohol is being undertaken (whose identity will be known to all other staff engaged in the supply or sale of alcohol) except in the case of emergency.		
2	Another member of staff shall be nominated to act for the DPS in their absence whose identity is known by all staff when such absence occurs.		
3	An authorisation, signed and dated by the Designated Premises Supervisor, shall be kept at the premises showing all persons authorised by them to make sales of alcohol at the premises.		

- 4 Security/staff arrangements will be sufficient to discourage the sale and consumption of drugs and shall ensure such arrangements include regular checks of toilet areas.
- 5 Clearly visible notices shall be displayed advising those attending that:
 - a) It is a condition of entry that customers agree to be searched and
 - b) Police will be informed if anyone is found in possession of controlled substances or weapons.
- 6 Records of incidents involving the use, and/or detection of drugs shall be maintained and those records shall be available for inspection. Confiscated and found drugs shall be transferred to the police in accordance with procedures agreed with Lancashire Constabulary.
- 7 Appropriate measures will be taken to ensure staff prevent the removal of bottles or glasses from the curtilage and grounds of the licensed premises (with the exception of authorised off-sales).
- 8 Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the licensed premises.
- 9 Functions which specifically target young people aged 17-18 years (for example birthday parties) will not be allowed to take place on the premises.
- 10 A minimum of one SIA licensed member of door staff will be on duty from 20:00hours every Friday and Saturday, Sunday before Bank Holiday, Christmas Eve, Boxing Day and New Year's Eve. At all other times the licence holder will determine an appropriate number of door staff, having regard to a risk assessment maintained by the premises licence holder. The document must be available for inspection if required.
- 11 Whenever the outside area of the venue is being used by customers, it will be checked by a competent person at intervals of no more than 30 minutes.
- 12 Appropriate measures will be taken to ensure that all customers consuming alcohol in the outside area are seated.
- 13 A monitor displaying CCTV coverage of the outside area shall be kept in the main bar area in a place visible to both staff and customers.

2 **The following conditions to be removed from the operating schedule:**

Prior to any occasion on which licensable activities are to be carried on at the premises, a risk assessment will be carried out to determine whether door supervisors are required. An appropriate number of door supervisors will be utilised in accordance with said risk assessment.

From: Pritchard, Emma <Emma.Pritchard@lancashire.police.uk>
Sent: 19 April 2022 17:18
To: Licensing <Licensing@wyre.gov.uk>
Cc: Cantley,Patrick <Patrick.Cantley@wyre.gov.uk>; 'Malcolm Ireland'
<malcolm.ireland@harrison-drury.com>
Subject: New Premises Licence Application - 18 Breck Road Poulton

This email is from an external email address
Do not click any links or open attachments unless you know the content is safe.
Never disclose your user details or password to anyone.
Please see attached mediation agreement in order to add conditions (in addition to those already offered by the applicant) to the operating schedule for the new premises licence application 18 Breck Road, Poulton-Le-Fylde, FY6 7AA.

As a result of this I can now confirm on behalf of the Police that we have no objection to the granting of this premises licence,

With thanks,

Emma

PC 4107 Emma Pritchard
West Licensing Department
Bispham Police Station
Blackpool
01253 604073
07815 448093

This message may contain information which is confidential or privileged. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments, without retaining a copy.
Lancashire Constabulary monitors its emails, and you are advised that any e-mail you send may be subject to monitoring.
This e-mail has been scanned for the presence of computer viruses.

This email has been scanned for spam & viruses. If you believe this email should have been stopped by our filters, [click here to report it.](#)

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Appendix 5 – Mediation between Environmental Health and the applicant.

From: Clayton, Nick <Nick.Clayton@wyre.gov.uk>
Sent: 26 April 2022 14:34
To: Licensing <Licensing@wyre.gov.uk>
Cc: Cantley,Patrick <Patrick.Cantley@wyre.gov.uk>
Subject: Re: 18 Breck Road, Poulton: Application for a Premises Licence Ref Harrison Drury:MA:BUSI0003.0001

Good afternoon,

Following discussion between Malcolm and myself, Prevention of Public Nuisance conditions have now been agreed for 18 Breck Road's premises licence application (please see the attached word document). As such I do not wish to raise a representation against the application provided the agreed conditions are required as part of the premises licence.

Additionally, it is my understanding a representation has been raised that argues that the cut off point for the outdoor area should be reduced to 19.00pm as noise from the outdoor area will adversely impact nearby residents. I would like to address this point; throughout this process I have been fully aware of the proximity of residential premises and of the need to safeguard them.

I believe that the conditions agreed which are summarised below;

- limiting the number of people who can use the outdoor area,
- not allowing amplified music or sound (including amplified voices), protecting the noise climate,
- noise monitoring
- monitoring of the outdoor area.
-

These conditions combined with conditions agreed with the police will to my mind address the noise arising from the outdoor area and prevent public nuisance. therefore it is reasonable to allow the outdoor area to be used up to 21.00pm and not stop its use at 19.00pm.

Should you wish to discuss this matter further, then please feel free to contact me.

Kind regards,

Nick

From: Malcolm Ireland <malcolm.ireland@harrison-drury.com>
Sent: 25 April 2022 14:49
To: Clayton, Nick <Nick.Clayton@wyre.gov.uk>
Cc: Kristian Torgersen <Kristian.Torgersen@Harrison-Drury.com>
Subject: FW: 18 Breck Road, Poulton: Application for a Premises Licence Ref Harrison Drury:MA:BUSI0003.0001

This email is from an external email address
Do not click any links or open attachments unless you know the content is safe.
Never disclose your user details or password to anyone.

Hi Nick,

Hope all's well.

Just wanted to check you had picked this up? Feel free to give me a call if you wish to discuss.

Many thanks,

Malc

Malcolm Ireland
Partner
01200 401 131
07436 219 979
https://url6b.mailanyone.net/v1/?m=1niz5x-000CNR-4X&i=57e1b682&c=rZxouSJffHjHaUV8aGgw4jwDOcLDI_hgveKv9QeWW1dPntB9dXleGeJyax1nwEx0tABbbVfHLo2h5f7v_aWXEnKRUwNST5hywZxigDc7_YWqHKVNJL5F9mH2fjPSbWYoncSjNtSS4VvfX18rKt3DIGo4mFgD8gWGpx0sldk6QB6is_xPwGBsVZtnm2Y9er3ASMkbFOrLgTIVAQzrVir9yg Fo 
llo
w
us
:

Make it possible today, please contact us at an office near you:

Preston Office
1a Chapel Street

Clitheroe Office
e

Garstang Office
Cherestanc Squar

Kendal Office
e

Lancaster Office
e

t Winckley Squar e Preston PR1 8BU	21 Church Stree t Clitheroe BB7 2DF	e Garstang PR3 1EF	Bridge Mills Stramongate Kendal LA9 4BD	76 Church Street Lancaster LA1 1ET
01772 258321	01200 422264	01995 607950	01539 628042	01524 548967



FRAUD PREVENTION

ALWAYS VERIFY OUR BANK DETAILS BY CALLING OUR OFFICES BEFORE TRANSFERRING ANY FUNDS.

PLEASE NOTE that our bank details WILL NOT change during the course of a transaction, and we will NOT change our bank details via e-mail. All bank details will usually be found in our first client care letter sent to you at the start of the transaction or on a statement or bill. We will NOT telephone you asking to transfer funds to a different account. If you receive an email or telephone call in this light, please do not act on it but retain any evidence of the communication and contact our offices using the telephone number on our letterhead to check the position. We will not accept responsibility if you transfer money into an incorrect bank account.

We have no authority or intention to create legally binding obligations on behalf of our client in this or any other correspondence in this matter. Pending formal exchange of contracts, neither this communication nor any other correspondence between us shall be deemed to have satisfied the legal formalities for a disposition of land or any interests in land pursuant to Section 2 of the Law of Property (Miscellaneous Provisions) Act 1989.

Email Disclaimer – Harrison Drury's email disclaimer is now provided through a web link – [Click to read our Email Disclaimer](#)

From: Kristian Torgersen <Kristian.Torgersen@Harrison-Drury.com>

Sent: 22 April 2022 11:23

To: Nick.Clayton@wyre.gov.uk

Cc: Malcolm Ireland <malcolm.ireland@harrison-drury.com>

Subject: 18 Breck Road, Poulton: Application for a Premises Licence Ref Harrison Drury:MA:BUSI0003.0001

Hi Nick,

Malcolm is on annual leave today, but he prepared some conditions on the back of your discussion yesterday (see attached) and they have now been approved by the client.

Malcolm said that they should reflect everything that you discussed, but please could you confirm that you are happy with them? They are of course in addition to the ones we have already offered in the application and the ones that have been agreed with the Police.

Kind regards,

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Conditions

1. There shall be no emission from the premises of any offensive smells, which are likely to cause a nuisance.
2. No light from or on the premises and any other light under the control of the premises shall be provided where that light causes a nuisance to any nearby premises.
3. There shall be no amplified sound including but not limited to music or voices emitted to the external licensed area.
4. No more than 45 customers will be permitted to enter or remain in the outdoor area of the premises at any one time.
5. Whenever more than one door supervisor is on duty at the premises, a door supervisor will be specifically tasked with monitoring the external area (when in use) to ensure that customers are behaving in an acceptable way, and that the area is not used for the consumption of alcohol after 21.00hrs.
6. The Licensee shall ensure that staff departing at night when the business has ceased trading, conduct themselves in such a manner to avoid disturbance to nearby residents.
7. The noise climate of the surrounding area shall be protected such that the A-weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises over any 5 minute period with entertainment taking place shall not increase by more than 3dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place.
8. The volume of amplified sound including but not limited to music and voices shall, at all times, be under the control of the Licence Holder or Management and the controlling mechanism shall be operated from a part of the premises inaccessible to the public.
9. Staff will be trained to encourage customers to leave the premises and the area quickly and quietly, in order to minimise any disturbance to residents.

10. Management at the premises will routinely assess the noise emanating from the premises and take steps to reduce the level of noise where it is considered likely to cause a disturbance to residents living in the vicinity. 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 the checks, the person making them and the results including any remedial action.
11. There shall be provided at the premises containers for the storage and disposal of waste foods and other refuse from the premises. Those containers shall be constructed, maintained and located so that access to them by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents.

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Appendix 6 - Offered conditions & conditions agreed between applicant, Environmental Health and Lancashire Police after mediation.

Conditions offered with the application;

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Upon commencement of their employment, all staff who are involved in the sale of alcohol will be trained in relation to the licensing objectives so as to reduce crime and disorder, promote public safety, prevent public nuisance and promote the protection of children from harm. Refresher training will be provided at least once every twelve months and all training will be documented and made available to an authorised officer upon request.

The premises will be an active member of any local “pub watch” or equivalent scheme where such a scheme is in existence.

b) The prevention of crime and disorder

A CCTV system shall be installed at the premises and will meet the following criteria:

- The system will display on any recording the time and date of said recording;*
- The system will be recording whenever the premises is open to the public;*
- Any recordings will be retained for a minimum of 28 days after they are made and will be produced to an authorised officer upon request, so long as said request is in accordance with the principles of the Data Protection Act or any subsequent or alternative legislation;*
- As a minimum, the CCTV will capture a “head and shoulders” image of any person who enters the premises through a public entrance.*

Appropriate signage alerting customers to the use of CCTV shall be displayed in a conspicuous position at the premises.

A competent person trained in the use of and operation of the CCTV will be in attendance at the premise at all times that licensable activities are taking place. Said person will be able to fully operate the CCTV system and be able to download data in a recognised format when requested.

An incident register of any occurrences or ejections from the premises will be maintained at the premises and details of any public order offences will be recorded. Said register will be made available upon request to an authorised officer.

Prior to any occasion on which licensable activities are to be carried on at the premises, a risk assessment will be carried out to determine whether door supervisors are required. An appropriate number of door supervisors will be utilised in accordance with said risk assessment.

The premises will have a written zero tolerance drugs policy which is enforced at all times.

c) Public safety

Any sales of alcohol knowingly made for consumption off the premises will be made in a sealed container. This condition will not apply to any external area under the control of and operated by the Premises Licence Holder.

d) The prevention of public nuisance

The management of the premises will ensure that the area immediately outside the entrance to the premises is kept clean, tidy and free from litter. At the end of each trading session, an inspection will be carried out of the external areas and of the area in the immediate vicinity of the premises and any necessary remedial action will be taken. A record of said inspections will be maintained and will be produced to an authorised officer upon request.

The premises will have a written dispersal policy designed to encourage patrons to leave the venue and the area quickly and quietly.

Notices will be placed in a prominent position at public exits requesting that customers leave the premises and the area quietly.

Customers will not be permitted to take any drinks outdoors after 21:00 each evening. Notices to this effect will be displayed prominently at the entrance to the external area.

e) The protection of children from harm

There shall be no persons under the age of 18 permitted on the premises after 21:00 unless attending a pre-arranged private function.

A "Challenge 25" Policy shall be adopted and enforced at the premises whereby any person who appears to be under the age of 25 shall be required to provide identification to prove that they are over the age of 18 before they are permitted to purchase alcohol. The only forms of acceptable identification will be:

- A Passport;*
- A UK Photocard Driving Licence;*
- Official ID card issued by HM Forces or EU bearing a photograph and the date of birth of the holder;*
- Any other form of identification agreed with a representative of the Police Licensing Unit.*

All staff who are involved in the sale of alcohol will be trained in relation to the "Challenge 25" policy upon the commencement of their employment, following which they will undertake refresher training at least once every twelve months. Said training will be documented and will be made available to an authorised officer upon request.

Conditions to be added to the licence following mediation process with Environmental Health at Wyre Council;

Conditions to be added to the operating schedule:

1 There shall be no emission from the premises of any offensive smells, which are likely to cause a nuisance.

2 No light from or on the premises and any other light under the control of the premises shall be provided where that light causes a nuisance to any nearby premises.

3 There shall be no amplified sound including but not limited to music or voices emitted to the external licensed area.

4 No more than 45 customers will be permitted to enter or remain in the outdoor area of the premises at any one time.

5 Whenever more than one door supervisor is on duty at the premises, a door supervisor will be specifically tasked with monitoring the external area (when in use) to ensure that customers are behaving in an acceptable way, and that the area is not used for the consumption of alcohol after 21.00hrs.

6 The Licensee shall ensure that staff departing at night when the business has ceased trading, conduct themselves in such a manner to avoid disturbance to nearby residents.

7 The noise climate of the surrounding area shall be protected such that the A-weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises over any 5 minute period with entertainment taking place shall not increase by more than 3dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place.

8 The volume of amplified sound including but not limited to music and voices shall, at all times, be under the control of the Licence Holder or Management and the controlling mechanism shall be operated from a part of the premises inaccessible to the public.

9 Staff will be trained to encourage customers to leave the premises and the area quickly and quietly, in order to minimise any disturbance to residents.

Conditions to be added to the licence following mediation process with Lancashire Police;

The following conditions to be added to the operating schedule:

1 At least one personal licence holder will be contactable while the supply or sale of alcohol is being undertaken (whose identity will be known to all other staff engaged in the supply or sale of alcohol) except in the case of emergency.

2 Another member of staff shall be nominated to act for the DPS in their absence whose identity is known by all staff when such absence occurs.

3 An authorisation, signed and dated by the Designated Premises Supervisor, shall be kept at the premises showing all persons authorised by them to make sales of alcohol at the premises.

4 Security/staff arrangements will be sufficient to discourage the sale and consumption of drugs and shall ensure such arrangements include regular checks of toilet areas.

5 Clearly visible notices shall be displayed advising those attending that: a) It is a condition of entry that customers agree to be searched and b) Police will be informed if anyone is found in possession of controlled substances or weapons.

6 Records of incidents involving the use, and/or detection of drugs shall be maintained and those records shall be available for inspection. Confiscated and found drugs shall be transferred to the police in accordance with procedures agreed with Lancashire Constabulary.

7 Appropriate measures will be taken to ensure staff prevent the removal of bottles or glasses from the curtilage and grounds of the licensed premises (with the exception of authorised off-sales).

8 Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the licensed premises.

9 Functions which specifically target young people aged 17-18 years (for example birthday parties) will not be allowed to take place on the premises.

10 A minimum of one SIA licensed member of door staff will be on duty from 20:00hours every Friday and Saturday, Sunday before Bank Holiday, Christmas Eve, Boxing Day and New Year's Eve. At all other times the licence holder will determine an appropriate number of door staff, having regard to a risk assessment maintained by the premises licence holder. The document must be available for Inspection if required.

11 Whenever the outside area of the venue is being used by customers, it will be checked by a competent person at intervals of no more than 30 minutes.

12 Appropriate measures will be taken to ensure that all customers consuming alcohol in the outside area are seated.

13 A monitor displaying CCTV coverage of the outside area shall be kept in the main bar area in a place visible to both staff and customers.

The following conditions to be removed from the operating schedule:

Prior to any occasion on which licensable activities are to be carried on at the premises, a risk assessment will be carried out to determine whether door supervisors are required. An appropriate number of door supervisors will be utilised in accordance with said risk assessment.

Appendix 7 – Relevant extracts from Revised Guidance issued under section 182 of the Licensing Act 2003.

Licence conditions – general principles

1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;*
- must be precise and enforceable;*
- must be unambiguous and clear in what they intend to achieve;*
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;*
 - must be tailored to the individual type, location and characteristics of the premises and events concerned;*
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;*
- should not replicate offences set out in the 2003 Act or other legislation;*
- should be proportionate, justifiable and be capable of being met;*
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and*
- should be written in a prescriptive format.*

Where representations are made

9.3 Where a representation concerning the licensing objectives is made by a responsible authority about a proposed operating schedule and it is relevant (see paragraphs 9.4 to 9.10 below), the licensing authority’s discretion will be engaged. It will also be engaged if another person makes relevant representations to the licensing authority, which are also not frivolous or vexatious (see paragraphs 9.4 to 9.10 below). Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

Relevant, vexatious and frivolous representations

9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to Revised Guidance issued under section 182 of the Licensing Act 2003 I 69 the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

Hearings

9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that

have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.

9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;*
- the representations (including supporting information) presented by all the parties;*
- this Guidance;*
- its own statement of licensing policy.*

9.39 The licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety. Any conditions added to the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.

9.40 Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information.

Determining actions that are appropriate for the promotion of the licensing objectives

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration

of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

Imposed conditions

10.8 The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. In order to promote the crime prevention licensing objective conditions may be included that are aimed at preventing illegal working in licensed premises. This provision also applies to minor variations.

10.9 It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives.

Proportionality

10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises. Conditions that are considered appropriate for the prevention of illegal working in premises licensed to sell alcohol or late night refreshment might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check is retained at the licensed premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

Licence conditions Live Music or recorded music

16.36 Any existing licence conditions (or conditions added on a determination of an application for a premises licence or club premises certificate) which relate to live music or recorded music remain in place, but are suspended between the hours of 08.00 and 23.00 on the same day where the following conditions are met:

- at the time of the music entertainment, the premises are open for the purposes of being used for the sale or supply of alcohol for consumption on the premises;*
- if the music is amplified, it takes place before an audience of no more than 500 people; and*
- the music takes place between 08.00 and 23.00 on the same day.*

16.37 Whether a licence condition relates to live or recorded music will be a matter of fact in each case. In some instances, it will be obvious that a condition relates to music and will be suspended, for example “during performances of live music all doors and windows must remain closed”. In other instances, it might not be so obvious: for example, a condition

stating “during performances of regulated entertainment all doors and windows must remain closed” would be suspended insofar as it relates to music between 08.00 and 23.00 on the same day to an audience of up to 500, but the condition would continue to apply if there was regulated entertainment after 23.00.

16.38 More general licence conditions (e.g. those relating to overall management of potential noise nuisance) that are not specifically related to the provision of entertainment (e.g. signage asking patrons to leave quietly) will continue to have effect.

16.39 Chapter 9 of this Guidance sets out how a licensing authority must determine applications for a new licence or to vary an existing premises licence. Licence conditions imposed, in accordance with paragraphs 9.41 to 9.43, for live or recorded music activities will only apply if the activity meets the criteria of having more than 500 people present, and/or the activities are taking place between 23.00 and 08.00. 16.40 These conditions will, in effect, be suspended between 08.00 and 23.00 if a performance of live music or the playing of recorded music takes place before an audience of 500 people or fewer, but will remain on the face of the licence for when these activities may take place under other circumstances.

16.41 Where a performance of live music or the playing of recorded music on relevant licensed premises is not licensable, it remains possible for anyone to apply for a review of a licence or certificate, if there are appropriate grounds to do so.”

Appendix 8 – Extracts from Statement of Licensing Policy 2021-2026

9.3 Conditions imposed at a hearing

If, after receiving relevant representations, the licensing authority believes it appropriate to do so, it will consider attaching conditions to licences. However, only those which relate specifically to the representations received and are considered appropriate to promote the licensing objectives will be imposed. The authority will not impose disproportionate and over burdensome conditions where there is no need for them. Any conditions considered appropriate will be tailored to the individual style and characteristics of the premises or event. In addition, licence conditions will not seek to replicate offences which are set out in the Licensing Act 2003. For example, a condition that states that a licence holder shall not permit drunkenness and disorderly behaviour or serve alcohol to under 18s is unnecessary as this is already a criminal offence under the Act. Conditions may, however, be attached to a licence which require measures to be taken to meet one or more of the licensing objectives to address a particular problem specific to those premises, even if such measures may also be a general requirement of another regulatory regime.

13.3 Prevention of public nuisance

Licensed premises have a significant potential to impact adversely on communities through public nuisances, which can arise from their operation. The licensing authority recognises the need to prevent public nuisance to residents, visitors and other businesses, whilst balancing the rights of licensed premises to develop their business potential. In considering what constitutes a public nuisance the Licensing Authority will make a judgement as to whether the effect of the licensable activities on those living or working in the surrounding area is unreasonable. It is accepted that such disturbance could affect small numbers of people and does not need to cause a major disturbance to the whole community. Issues which could be considered as public nuisance are mainly noise, light pollution and litter.

13.3.1 Disturbance by patrons leaving the premises

Whilst it is accepted that once patrons have left the curtilage of a licensed premises, there are limits on what the premises or its staff are able to do to address any associated noise and disturbance, those managing the premises should nevertheless put in place appropriate measures to minimise such nuisance and disturbance. Management, staff and door supervisors are encouraged to be proactive in assisting customers to leave the premises in an orderly manner, to reduce the nuisance to neighbours arising from noise or poor behaviour, especially after midnight. Residents are particularly impacted by late night venues and premises should look at procedures and staff training to minimise nuisance and disorder in the locality. Where a review is brought as a result of late night disturbance being caused to local residents, the Licensing Authority will consider the need to reduce licensable hours in order to promote the prevention of public nuisance objective.

Key message 17

Operators of any premises licensed under the Act should consider placing notices at exits to ask patrons to respect neighbours. Door supervisors employed at premises must encourage patrons leaving the curtilage of the premises to do so in an orderly manner.

13.3.3 Noise Nuisance

Conditions relating to noise nuisance will normally concern the measures necessary to control the levels of noise emanating from the premises. Any conditions necessary to promote the licensing objectives will be tailored to the style and characteristic of particular premises and may include restrictions which ensure that the volume of amplified sound used in connection with entertainment, is under the control of the licensee or management and that the controlling mechanism is operated from a part of the premises inaccessible to the public. Where applications lead to representations about noise, all appropriate conditions will normally be focused on the most sensitive periods. For example music is more problematical when it is played from late evening until the early hours of the morning when nearby residents are attempting to get to sleep. Outdoor areas used for consumption of food or drink or for smoking may lead to noise issues for nearby residents. Wherever possible designated areas that are away from nearby residents should be used for smoking.

Key message 18

Outside areas used by patrons should be monitored through the evening, with particular attention to hours after 22.00hrs. Door supervisors should monitor, limit numbers or corral customers in specific areas, where possible.

13.3.4 Beer Gardens

It is important to note that the consumption of alcohol is not itself a licensable activity. However the consumption of alcohol in areas which are not included in the licence plan (e.g. beer gardens or similar) in any premises licensed for the sale of alcohol 'for consumption ON the premises' only would be unlawful. It should also be noted that any use of outside areas can cause nuisance to neighbours and operators must make sure that staff regularly check that patrons using any outside area are not causing a nuisance. Staff should be tasked with ensuring that glasses and bottles are collected regularly and not permitted to build up. Should nuisance issues in an outside area of a premises lead to a review of the licence, members may consider it appropriate to restrict the hours of use of this area.

Key message 19

If an outside area falls within the licensed area applicants are expected to consider the following condition for inclusion in the operating schedule: 'Any outside area used for the consumption of alcohol will cease to be used by patrons after 22.00hrs'

18. Cumulative impact

The authority acknowledges that a concentration of licensed premises in a particular area can result in an increased number of people walking through or congregating in streets during the night, with the potential to increase crime, anti-social behaviour, noise pollution, littering and other disturbance to residents. In such cases the amenity of local residents can be placed under severe pressure but this may not be attributable to any individual premises.

A licensing authority may adopt a Cumulative Impact Policy (CIP) for an area in which issues are being experienced by residents, visitors or agencies, due to the number of licensed premises in that area. Evidence must be obtained as to the nature and location of the issues occurring and a thorough consultation must take place, before the licensing authority can decide whether such a policy is appropriate.

A CIP creates a rebuttable presumption that new or varied applications for premises licences or club premises certificates, which will add to the existing cumulative impact will normally be refused. However in order for this discretion to be triggered, a representation must be received, otherwise an application will be granted, as applied for, under delegated powers.

The licensing authority recognises that such a policy cannot be absolute and if a policy were to be adopted it would still continue to consider each application on its own merit. For licences that were unlikely to add significantly to the problems of saturation, the application, may still be approved, despite being in a CIP area.

Any discussions concerning the possible introduction of such a policy will also look at the alternatives, to see if they might achieve the same objective. In the absence of a Cumulative Impact Policy for Wyre, the licensing authority may still consider representations where a body or person believes that an application (new or varied) will have a negative impact on one or more of the licensing objectives. If cumulative impact is being highlighted as the reason for an objection, the responsible authority or other person should state why the application will impact on the area of concern, what the implications will be and whenever possible produce examples or evidence.

It may be that the type of premises or offering will attract more people into an already busy and problematic area, therefore impacting on the licensing objectives that address disorder and/or nuisance. This can apply to those premises who sell alcohol on or off the premises equally to those that do not (takeaways).

Wyre Council encourages 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. Two areas of concern have been highlighted by residents and councillors and although at this time there is insufficient data to support a Cumulative Impact Policy for these areas, detailed consideration should be given to the addition of licensed premises in these areas.

The first area, Poulton-le-Fylde Town Centre has a large concentration of mainly on licensed premises (pubs, restaurants, bars and late night venues) and whilst these in isolation may not be problematic, large numbers of patrons visiting the area do impact on resources (taxis, public transport, police, street cleaning, food outlets). Therefore if an applicant wishes to add to the number of patrons in the area, or extend their existing opening times, provision should be considered and implemented as to how they can minimise the impact on the area from an additional venue.

Key message 25

Operators who wish to submit a new premises application in Poulton le Fylde town centre should ensure that the application is robust in its promotion of the licensing objectives and contains a number of appropriate conditions that will prevent the premises contributing to disorder or nuisance in this area.

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