

**From:** Taylor, Andrew [Andrew.Taylor.2@lancashire.pnn.police.uk]  
**Sent:** 04 May 2021 09:25  
**To:** Licensing  
**Cc:** Karl Barry, Barrett, Niky, Martin, James, Parkinson, Helen, Crawshaw, Heather  
**Subject:** Valiant's Farm-Premises Licence Application.  
**Attachments:** Valiants.doc

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Good morning,

In relation to the application for a Premises Licence at Valiant's Farm, Lancaster Road, Out Rawcliffe, Preston PR3 6BL please find attached representation from Lancashire Constabulary objecting to the granting of this licence.

A site meeting has been arranged with the applicant and representatives at 1pm on Thursday 6<sup>th</sup> May to begin mediation.

Kind regards  
Andrew



**Constable 2338 Andrew Taylor**

Licensing Officer  
Lancaster Police Station

**External T:** 01524 596631

**Internal T:** 302338

**Mobile:** 07816214595

 **Nightsafe**  
Reducing alcohol  
related violent crime

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## Wyre Council Licensing Service

### Representation made by a Responsible Authority to an application for the grant / ~~variation~~ of a Premises Licence / ~~Club Premises Certificate~~

#### Responsible Authority

Name of Responsible Authority	LANCASHIRE CONSTABULARY		
Name of Officer <i>(please print)</i>	PC 2338 Andrew Taylor		
Signature of Officer	A.Taylor		
Contact telephone number	01524 596631		
Date representation made	28	04	21
Do you consider mediation to be appropriate		Yes	

#### Premises Details

Premises Name	Valiant's Farm
Address	Lancaster Road
	Out Rawcliffe
	Preston
Post Code	PR3 6BL

#### Reasons for making representations

Lancashire Constabulary are in receipt of a Premises Licence application for Valiant's Farm at Out Rawcliffe to be used as a 'multi-function event space'.

I have reviewed this application and the application is to allow the space to be used for Plays, Films, Indoor Sports Events, Boxing, Live Music, Recorded Music, Performance of Dance, Late Night Refreshment and Supply of Alcohol. It appears that the owners are looking to 'rent' out the venue to anyone who wants to put on an event under this licence.

With this in mind Lancashire Constabulary object to the granting of this licence for the following reasons:

##### **The Designated Premises Supervisor.**

The application has come with the name of a Designated Premises Supervisor Arian Braha. Having spoken with Karl Barry, the agent acting on behalf of the applicant, Mr Braha will not actually be the DPS it will be Stephanie Harding. A change will be submitted once she has passed her Personal Alcohol Licence course. This is a concern

to the Police as such a venue would require the DPS to be a responsible person who has experience of running such a venue so that the 4 licensing objectives are being promoted. If Harding is only just applying for her personal alcohol licence she will not have had much experience of running such a venue with all the various events. Are the owners looking to swap the DPS for each event or will Harding be willing to be responsible for every event that takes place there ?

Police are concerned that any licensed space which can be 'rented out' like this application could lead to issues around the accountability of who is responsible. This could lead to crime and disorder, public nuisance, underage alcohol sales, public safety.

**Proposed Conditions.**

Looking at the proposed conditions for this new application it is quite clear that some of the conditions have been lifted directly from the BTID's licence which is the current licence at Valiant's. Normally there would be no problem with this as in licensing conditions are often copied onto other licenses with similar licensable activity. However, what is alarmingly evident is the blatant omission of the wording in key conditions where the applicant has to liaise with any local authorities.

For example:

**BTID condition:**

'The premises shall operate a zero tolerance drugs policy. Said policy will be written and will be approved by Lancashire constabulary, such approval not to be unreasonably withheld'.

**Proposed condition:**

'The premises shall operate and have in place a written zero tolerance drug policy'.

The difference between these two is massive. With BTID the drug policy contains details of drugs dogs and knife arches etc whereas the new app could technically have one paragraph to it and fulfil its obligation.

Another example:

**BTID condition:**

'During any event that involves licensable activities being carried on under the authority of this premises licence, the premises will operate a search policy to deter the carrying of drugs or weapons. Said policy will be written and will be approved by Lancashire constabulary, such approval not to be unreasonably withheld.

Notices will be displayed informing patrons of the search policy at the function'.

**Proposed condition:**

The premises will operate and have in place a search policy to deter drugs and weapons. Notices will be conspicuously displayed informing patrons of the search policy at events.

There is no mention of any liaison with local authorities or Safety Advisory Groups prior to events. This makes it very difficult for Police to offer conditions as clearly different events require differing sets of conditions for example a Beer Festival is very different to a 'Rave' style music event. As the applicant has not specified its use many conditions will have to be similar to BTID with Police prior approval to ensure they are suitable for any specific event.

Police would need to see conditions agreed which are suitable to cover each 'event'



and promote the 4 licensing objectives. To agree these conditions there needs to be an explanation under each heading of the Operating Schedule stating what the applicant wants to use the licence for and what it will NOT be used for. There are some brief explanations under Boxing but not in other activities such as recorded music. This leaves the licence if granted open to be used for 'Raves' or other similar events. Any such events come with lots of issues and potentially undermine all 4 of the licensing objectives.

There would also need to be an event specific 'Event Management Plan' for each event at the premises which would need to meet the approval of the Safety Advisory Group in Wyre and submitted in an agreed time in advance of any such event.

#### **Public Safety/local Roads.**

The location of Valiant's is situated in a quiet rural area with roads leading to and from which are treacherous during the hours of darkness. Street lighting is poor and roads with minimal passing distance. Information from our Police Collision Investigation Unit state they have dealt with several fatal collisions where pedestrians have been knocked over and killed on dark unlit roads at night. To test this theory CIU officers conducted an experiment when one walked across the road at scene where a fatal occurred whilst the other drove the car with the MDT running. The officer driving the car came very close to hitting his colleague and he was looking out for her. A copy of this footage has been burnt to disc and Police would provide this footage as evidence if required. It could be argued that there is already a licence in place at the venue, but this is only for 3 occasions a year. These 3 occasions are months in the planning with travel arrangements and thorough dispersal policies put in place. If there were regular events at this premises under this new licence this would be very difficult to put in place for each time. There cannot be any person left to walk the back roads at night particularly if they were under the influence of alcohol-it would be a tragedy waiting to happen. Each person must be seen to leave the venue in some form of transport for every event-which would be very difficult to do. The applicant has added a condition stating they will contact local taxi firms to arrange sufficient taxis. This would be very difficult to do as there are not sufficient taxis in the whole of Wyre District on any busy night to cover these events along with servicing the busy areas of Poulton and Garstang at any weekends. What research has the applicant done in relation to this condition?

Prior to the applicant submitting this application there was no contact made with Police to discuss what the applicant wants to do.

Since receiving this application there has been some contact made by PC Taylor with Karl Barry the licensing consultant for the applicant and arrangements made to meet at the venue and mediate on this application.

At present this application in its current form does not meet the satisfaction of Lancashire Constabulary and if granted it is believed that all 4 of the Licensing Objectives, prevention of crime and disorder, public safety, public nuisance and protection of children from harm would be undermined and Police therefore object to the granting of this licence.

**It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.**

To be agreed during mediation but to include:

Should this licence be granted Police would ask that all conditions are 'event' specific for each event (to be discussed).

That all policies are to the satisfaction of Lancashire Constabulary such as search/drugs/dispersal policies.

Contact be made with Lancashire Constabulary Ops Planning and Licensing at least 3 months prior to an event to decide whether the event should go through WYSAG.

Traffic management plan must be agreed by Lancashire Highways (not purple guide) as they understand the local roads, national guides are not sufficient for such a remote location.

Any persons under the age of 18 must be accompanied by a parent/guardian.

A personal licence holder should be present at all times during licensable activity.

## APPENDIX 3

From: Clayton, Nick  
Sent: 27 April 2021 16:25  
To: Licensing  
Subject: Valiants licence application

Good afternoon,

I would like to make a provisional objection to Valiants recent licence application; conditions are yet to be agreed for the prevention of public nuisance. Draft conditions have been sent to the applicant's agent and so far, I have not heard anything back. As it stands with their proposed conditions, my objection would have to stand. However, if following the outcome of the ongoing talks conditions are agreed then I will withdraw my objection.

Kind regards,

Nick Clayton | Environmental Health Officer  
Pollution Control

#### APPENDIX 4

**From:** Clark, Simon [REDACTED]  
**Sent:** 21 April 2021 08:05  
**To:** Licensing [REDACTED]  
**Subject:** FW: Premises Licence Application - Valiants Farm Out Rawcliffe - Health and Safety Representation

Hi Licensing Team

Please see the email below following my representation to the applicant – is it possible to condition the premises licence with a requirement to produce an event specific Event Management Plan for each event at the premises?

Ta Simon

**From:** Karl Barry [REDACTED]  
**Sent:** 21 April 2021 07:57  
**To:** Clark, Simon [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Premises Licence Application - Valiants Farm Out Rawcliffe - Health and Safety Representation

Good morning Mr Clark

The premises is primarily a pre booked event space (as opposed to operating as bar), which will have a calendar of events booked around the year.

Elements of an Event Management Plan you refer to, such as gas and electrical safety etc., weren't included in the application under the Licensing Act (2003) to avoid duplication of legislation (as mentioned at 1.19 ('Other relevant legislation') 'Revised Guidance' issued under section 182 of the Licensing Act 2003) that the premises are already bound by. However, my clients had committed to event EMPs in all but name on the grant application and they have no issue with this being a condition on the grant of the premises licence.

Kind regards

Karl Barry

Independent Licensing & Regulatory Compliance Consultant  
[REDACTED]

**From:** Clark, Simon  
**Sent:** 14 April 2021 08:51  
**To:** [REDACTED]  
**Cc:** Licensing  
**Subject:** Premises Licence Application - Valiants Farm Out Rawcliffe - Health and Safety Representation

Dear Mr Barry

As a Responsible Authority (Health and Safety) I have been consulted on your application for a Premises Licence at Valiants Farm Lancaster Road Out Rawcliffe PR3 6BL.

I have the following representation to make in regards to the Public Safety licensing objective:



I understand the venue is predominantly an events led venue and there may be a variety of events being held at the premises under this licence. I note from section 18c of your application that you commit to several actions in relation to event safety including:

- producing a transport management plan for events where vehicular traffic is deemed to be 'significant'
- use of 'monitors' for crowd safety and security
- use of plastic drinks containers
- first aid provision
- emergency vehicle access to site

In essence these form part of what would be described as an Event Management Plan. Since each event may be specific in its nature, size, land/building use and public profile I would expect to see an event specific Event Management Plan covering a wide range of safety aspects that would be identified by a comprehensive risk assessment of that event.

Therefore I would make representation that to meet the public safety objective, the licence be conditioned on the basis that an appropriate and specific Event Management Plan is produced for each event and follows current industry standard guidance for event management including HSG 154 'Managing Crowds Safely'; fire safety provision, electrical safety; gas safety; use of temporary structures.

I would be grateful if you could consider this representation and advise if you are content with it, or please contact me to discuss further if necessary.

Regards

Simon Clark



## **APPENDIX 5**

From: Thow, David

Sent: 16 April 2021 11:38

To: Fletcher, Stuart

Subject: RE: Your scan (Scan to My Email)

As you are aware, the use proposed by this licence application does not benefit from planning permission and there is no application for the use under consideration.

Whilst I appreciate that this is unlikely to give you grounds to refuse the licence, the applicants should be made aware that any use in accordance with this licence would be a breach of planning control and open to enforcement action.

OFFICIAL

APPENDIX 6.



Wyre Borough Council  
Civic Centre  
Breck Road  
Poulton-le-Fylde  
Lancashire  
FY6 7PU

*Please ask for:*  
*Telephone:*  
*Email:*  
*Your Ref:*  
*Our Ref:*  
*Date:*

Michael Birks  
01253 87014  
firesafetyfleetwood@lancsfireandrescue.org.uk  
KB VF 1  
N3300706/MB/fh  
20 April 2021

[licensing@wyre.gov.uk](mailto:licensing@wyre.gov.uk)

Dear Sir / Madam

#### ISSUE OF NEW PREMISES LICENCE

<b>Legislation:</b>	<b>Licensing Act 2003</b>
<b>Name of Applicant:</b>	<b>Karl Barry</b>
<b>Address of Premises:</b>	<b>Valliant's Farm, Lancaster Road, Out Rawcliffe, Preston, PR3 6BL</b>

The above application has been inspected and the Fire Authority has no objection to the Issue of a premises licence.

**These premises are subject to the Regulatory Reform (Fire Safety) Order 2005. The responsible person is required to carry out a fire risk assessment.**

The Fire Authority may inspect the premises to ensure compliance with the Regulatory Reform (Fire Safety) Order 2005, and the Risk Assessment may be required by the Licensing Authority to satisfy the licensing objective relating to public safety.

If you would like to discuss this, or any other matter of fire safety, please call me on 01253 879014.

Yours faithfully

A handwritten signature in black ink, appearing to read "MJ Birks".

Michael Birks  
Fire Safety Inspector  
For Chief Fire Officer

cc. karl.barry@hotmail.co.uk

Fire Safety Protection Department  
Fleetwood Community Fire Station  
Radcliffe Road  
Fleetwood FY7 6UJ