



| Report of: | Meeting | Date | Item no. |
|--------------------------------------------------------------|---------------------|----------------|-----------------|
| Mark Broadhurst, Service Director Health and Wellbeing | Licensing Committee | 31 August 2017 | 8 |

Objection Notice to Temporary Event Notice submitted by Joel Russell Guy in respect of Saturday 9 September 2017 at the Glasshouse, 6 Bispham Road, Cleveleys, FY5 1DG

1. Purpose of report

- 1.1 To provide Members with information to assist them to consider an Objection Notice from a Relevant Person and decide whether or not to serve a Counter Notice to the Temporary Event Organiser in accordance with Section 105 of the Licensing Act.

2. Outcomes

- 2.1 Members must consider the Objection Notice given by the Environmental Health Officer. Members should then consider whether to issue the premises user a counter notice under section 105 of the Licensing Act 2003, to prevent the event from being authorised.
- 2.2 Should the Committee determine not to issue a Counter Notice under section 105, and allow the event to go ahead, it will need to make a further decision on whether it is appropriate to attach conditions under section 106A of the Licensing Act 2003. Any conditions should be imposed on premises licence PL(A)0175 and should not be inconsistent with the carrying out of the licensable activities under the temporary event notice.

3. Recommendation/s

- 3.1 That Members consider the Temporary Event Notice (TEN) and Objection Notice and determine whether to issue a Counter Notice under section 105 of the Licensing Act 2003, or attach such conditions as it deems appropriate under Section 106 (A) of the Licensing Act 2003.

4. Background

- 4.1 TEN's are a means to authorise licensable activities that are not authorised under a premises licence or club premises certificate.

4.2 They are subject to a number of statutory limits and where these limits would be breached, the Licensing Authority would automatically issue a Counter Notice under section 107 of the Licensing Act 2003.

4.3 The Police and local Environmental Health authority have powers to object to a TEN where they are satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.

4.4 Where an Objection Notice is submitted and not withdrawn, the Licensing Authority must hold a hearing to consider the Notice, within 7 working days starting at the end of the 3 day period given to relevant persons to respond to the TEN.

4.5 The Glasshouse currently has the benefit of a premises licence (Appendix 1) authorising the sale of alcohol for consumption on the premises on a Saturday until 23:00, the provision of regulated entertainment until 22:30 and is permitted to remain open to the public until 23:30.

5. Key issues and proposals

5.1 A TEN (Appendix 2) was given under section 100 of the Licensing Act 2003 as follows:

Premises user: Mr Joel Russell Guy (Personal Licence WBCPA2168)

Premises: The whole of the premises known as The Glasshouse, 6 Bispham Road, Thornton Cleveleys, FY5 1DG

Premises licence: PL(A)0175 held by New Metro Ltd

Date of event: Saturday 9 September 2017

Event details: Live music and alcohol on a Saturday night beyond hours
currently licensed

Times requested: Live Music until 23:00
Sale of alcohol until 24:00
Premises to close at 00:15

Max no. of people: 250

5.2 Copies of the TEN were served on the Police and Environmental Health on Friday 18 August 2017.

5.3 On Monday 21 August 2017 Environmental Health submitted an Objection Notice to the application which is attached at Appendix 3.

5.4 Whilst all of the Council's Statement of Licensing Policy should be taken into account when considering this Notice, attention is particularly drawn to the following paragraphs:-

- 7.0 General Approach
- 14.0 The Licensing Objectives
- 14.3.1 Disturbance by patrons leaving the premises
- 14.3.3 Noise Nuisance

5.5 If the Licensing Authority imposes one or more conditions under section 106A, it must give the premises user a notice of the decision accompanied by a separate 'statement of conditions', in the prescribed format, setting out the conditions which will apply to the TEN.

5.6 This must be given no later than 24 hours before the commencement of the activities specified in the TEN. Each party to the hearing must also be given these documents.

| Financial and legal implications | |
|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Finance | There are no financial implications arising directly from the determination of this Notice. |
| Legal | There is a statutory right of appeal to the magistrates' court for any party aggrieved by the decision taken by the Licensing Authority |

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 a 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 |
| data protection | x |

| report author | telephone no. | email | date |
|---------------|---------------|----------------------------|------------|
| Niky Barrett | 01253 887236 | Nicola.barrett@wyre.gov.uk | 22/08/2017 |

| List of background papers: | | |
|-----------------------------------------|--------------|--------------------------------|
| name of document | date | where available for inspection |
| Statement of Licensing Policy 2016-2021 | January 2016 | Licensing Section |

List of appendices

Appendix 1 – Premises Licence PL(A)0175

Appendix 2 – Temporary Event Notice

Appendix 3 – Objection Notice

arm/rg/lic/cr/17/3108nb1



**Licensing Act 2003
Premises Licence**

PREMISES LICENCE NUMBER

PL(A)0175

Part 1 - Premises Details

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

Glasshouse

6 Bispham Road
Town Centre
Thornton Cleveleys
Lancashire
FY5 1DG

Telephone number

WHERE THE LICENCE IS LIMITED THE DATES THAT APPLY

Not Applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

E.Live music-Indoors

F.Recorded music-Indoors

G.Dance-Indoors

M.Sale of Alcohol ON the Premises

LICENSABLE ACTIVITIES-AUTHORISED TIMINGS

| | |
|---------------------------------------------------------|---------------|
| E. Live music-Indoors FRIDAY AND SATURDAY | 19:00 - 22:30 |
| F. Recorded music-Indoors FRIDAY AND SATURDAY | 19:00 - 22:30 |
| G. Dance-Indoors FRIDAY AND SATURDAY | 19:00 - 22:30 |
| M. Sale of Alcohol ON the Premises SUNDAY | 12:00 - 23:00 |
| MONDAY TO SATURDAY | 11:00 - 23:00 |

OPENING HOURS OF THE PREMISES

MONDAY TO SUNDAY 10:00 - 23:30

Part 2

NAME, (REGISTERED), ADDRESS OF HOLDER(S) OF PREMISES LICENCE

NewMetro Limited
Unit 2 Olympic Court
Baordmans Way
Whitehills Business Park
Blackpool
Lancashire
FY4 5GU

EMAIL bonnystmkt@aol.com

**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE, COMPANY NUMBER, CHARITY NUMBER
(WHERE APPLICABLE)**

Company Reg Number 10642955

**NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR
WHERE THE LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Mr Joel Russell Guy

Inglewood, Holmefield Avenue, Thornton Cleveleys, Lancashire, FY5 2QR

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY
THE DESIGNATED PREMISES SUPERVISOR**

Licence No WBCPA2168

Wyre Council

OPERATING CONDITIONS

ANNEX 1 - Mandatory Conditions

- 1.1 No supply of alcohol may be made under this licence
- a. at a time when there is no designated premises supervisor in respect of it or,
 - b. at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

1.2 Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

Mandatory conditions where Door Supervisors are provided

All individuals who carry out security activities must be licensed by the Security Industry Authority (SIA)

Mandatory Licensing Conditions (October 2014)

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Licensing Act 2003 (Mandatory Licensing Conditions) Order May 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted price" is the price found by applying the formula—
$$P = D + (D \times V)$$
where—
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2

The prevention of crime and disorder

The Designated Premises Supervisor, when present, and all members of staff shall ensure that all lawful instructions and /or directions given by the Police are complied with.

There shall be provided at the premises door supervisors who are registered with the Security Industry Authority to such a number as the management of the premises consider are sufficient to control the entry of persons to the premises and for the keeping of order in the premises when they are used for a licensable activity.

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

No drink shall be sold from a bar or by staff service or consumed in or on the premises other than in a container made from non-splintering plastic, paper or shatterproof glass.

A CCTV camera shall be installed at the locations marked, "CCTV CAMERA" on the plan of the premises.

Where CCTV equipment is fitted, it shall be maintained in good working order in accordance with the manufacturer's instructions.

A written record shall be kept every time images are recorded by CCTV and shall include details of the recording medium used, the time and date recording commenced and finished. This record shall identify the person responsible for the recording and shall be signed by him/her. Where the recording is on a removable medium (i.e. videotape, compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 31 days.

There shall be in place for the premises a written policy to prevent the sale or supply of alcohol to persons under 18 years of age. That policy shall require any person who appears to be under the age of 21 years to produce a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS) or if a proof of age card is not available a photo driving licence or passport indicating that they are over 18 years of age.

There shall be displayed on the premises notice(s) to warn members of the public visiting the premises of the incidence of crime, which may affect them. The notice(s) shall be displayed in a position where it is clearly visible to members of the public

There shall be displayed at the entrance to the premises a sign, which is clearly visible to members of the public visiting those premises containing details of the trading hours under the premises licence, the licensable activities permitted on those premises and any maximum occupancy level set for the premises.

Where the premises licence has restrictions relating to the admission of children, a sign detailing those restrictions shall be displayed at the entrance to the premises where it is clearly visible to members of the public visiting those premises.

There shall be in force for the premises a search policy for prospective customers which shall be developed in liaison with and to the satisfaction of the Lancashire Police Local Crime Reduction Officer.

There shall be displayed at the entrance to the premises a notice informing prospective customers of the search policy.

The Licence holder and/or the designated premises supervisor or a person nominated by them shall be a member of and regularly attend at the meetings of any Pub and Club watch scheme for the area within which the premises is located.

When a crime prevention survey has been carried out by the Police their recommendations are to be fully complied with by the Premises Licence Holder, prior to the opening/variation taking effect.

Public safety

The licensees shall provide to the police a drugs policy for the premises which shall as a minimum contain all of the best practises outlined in the guidance published by the Home Office and the London Drug Policy Forum 'Safer Clubbing'

All disabled persons on the premises shall be made aware of the evacuation arrangements

All parts of the premises shall at all times be kept free from defect and no changes, alterations of any kind to the surface finish or coverings including furniture and flooring on any part of the premises shall be made without the prior approval of the Council.

All exits and escape routes to those exits (including external escape routes) from the premises shall be provided with non-slip even surfaces and shall be maintained in good repair, correct working order and kept free from all obstructions when the public are on the premises. External escape routes shall also be kept free from ice and snow.

All doors or gates both inside and outside the premises which are on an escape route shall be fitted only with approved fasteners and shall at all times be properly maintained, free from

obstruction and be capable of being opened easily and fully so that they do not restrict the public leaving the premises and shall open in the direction of the escape route.

Where a door on an escape route opens against the direction of exit travel, it shall be locked in the open position by a tamper-proof fastening when the public uses the premises and there shall be a clearly visible notice in capital letters which contains the following words, "THIS DOOR SHALL BE KEPT LOCKED IN THE OPEN POSITION WHEN THE PREMISES ARE OCCUPIED" displayed in a clearly visible position next to the door.

All exit doors and gates from premises or enclosure(s) surrounding it shall be capable of being opened by any person without the use of a key, card, code or other similar means and be kept free from all fastening devices when the premises are open to the public.

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 in a logbook kept for that purpose. That logbook shall be made available for inspection on demand to an Authorised Officer of the Council, a Fire Officer or a Police Constable.

The method of opening any exit door or gate from the premises or enclosure(s) surrounding it shall be clearly displayed immediately above or below the fastening in white block lettering on a green background in letters not less than 50 mm high.

Where a fire-resisting door is fitted within the premises and that door is required to be kept closed at all times then the door shall be clearly marked on both sides with a sign bearing the words "FIRE DOOR KEEP CLOSED" in block letters not less than 50mm high and clearly visible when the premises are open to the public.

Any chain, padlock or any other device used to lock an exit door when the premises are not in use shall be numbered and shall be removed and stored on a storage hook bearing the same number when the premises are open to the public.

The furniture or seating in premises shall be arranged so that it does not obstruct any exit, route to any exit or to any facility within the premises.

Before the premises are opened for the purposes authorised by the licence an inspection shall be carried out to ensure that the premises are safe for use. Details of the inspection, defects discovered and remedial action taken shall be recorded in writing in a logbook kept for that purpose. That logbook shall be made available for inspection on demand to an Authorised Officer of the Council, a Fire Officer or a Police Constable.

Where any furnishing or fitting in the premises including wall, floor and ceiling linings, requires further periodic treatment to maintain the surface spread of flame qualities, they shall be treated in accordance with the manufacturers specifications. When such treatment is carried out, a written record shall be made in the log book kept for that purpose and a certificate showing the treatment has been carried out shall be obtained and retained for inspection by the Fire Authority

No curtain, hanging or any other decoration shall be positioned so as to obstruct any exit, sign or fire fighting equipment.

At all times when the premises are used for the purpose of the licence, the licence holder, a club official, manager or designated premises supervisor who is responsible for the management of the premises shall at all times be aware of the number of persons on the premises and shall if requested to do so give that information to an authorised person.

A person who is nominated for the purpose of taking control in the event of a fire, fire alarm, emergency or event which may effect the safety of persons attending the premises shall be on and in charge of the premises at all times when any licensable activity is being provided. That person shall be responsible for calling the Fire Service in the event of any fire and that person shall also be responsible for meeting the Fire Service and guiding them to the fire.

Any outbreak of fire of any kind shall be reported to the Fire Service immediately and a written record shall be made in a logbook kept for that purpose.

Clear and unobstructed access shall be available to the premises for use by the emergency services and emergency service vehicles at all times.

There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials.

At all times when the public are present, at least one person who holds a current recognised first aid certificate or award shall be present on the premises. Where more than one such person is present their duties shall be clearly

When the public, members or guests are present, the lighting levels in all parts of the premises shall be capable of providing sufficient illumination for the public, members or guests to leave the premises safely. The lighting level should be maintained by an emergency lighting system which will automatically operate when the electricity supply to the main lighting is interrupted. (Note where the premises are a theatre or cinema, a complete or substantially complete blackout may be permitted for production reasons provided that the exit signs shall be kept lit at all times).

All fire instruction signs shall be illuminated so that they can be easily read at all times when the public, members or guests are present on the premises.

The controls for the emergency lighting shall be protected from unauthorised use and accidental operation and the system designed so that the emergency lighting cannot be altered.

Every battery which is used to power an emergency light or exit sign shall be maintained in a fully charged condition at all times.

No temporary electrical wiring or distribution system shall be installed in the premises unless, the installation is carried out by a suitably qualified and competent person. The premises licence holder or Club Premises Certificate holder shall obtain a certificate from that person that the installation is fit for purpose and complies with British Standard 7671 and where applicable, British Standard 7909. A copy of that certificate shall be produced by the Premises Licence Holder or the Club Premises Certificate Holder if requested to do so by an Authorised officer of the Council or an Officer of Lancashire Constabulary and the Fire Rescue Service.

Where any temporary electrical wiring or distribution system has been installed in any premises by a person who is not competent to do so, the premises licence holder or Club Premises Certificate holder installation shall have the installation inspected and certified in writing by a suitably qualified and competent person that it is fit for purpose and complies with British Standard 7671 and where applicable, British Standard 7909. A copy of that certificate shall be produced by the Premises Licence Holder or the Club Premises

Certificate Holder if requested to do so by an Authorised officer of the Council or an Officer of Lancashire Fire and Rescue Service.

The premises shall be provided with adequate lavatory accommodation which shall at all times when the premises are in use be kept clean, ventilated, disinfected and supplied with hot and cold water, soap, toilet tissue, hand drying and sanitary towel disposal facilities as appropriate.

Prevention of public nuisance

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.

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

All external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency.

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.

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.

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

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.

Where the premises provide food to the public for consumption on or off the premises there shall be provided at or near the exits, sufficient waste bins to enable the disposal of waste food, food containers, wrappings etc.

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.

Annex 3

Noise level from the premises whilst being used for public entertainments purposes shall not exceed the background level measured at the nearest residential property.

ANNEX 4

Plan of the Premises

Plan dated

Premises Licence Summary

| | |
|--------------------------------|------------------|
| PREMISES LICENCE NUMBER | PL(A)0175 |
|--------------------------------|------------------|

| PREMISES DETAILS |
|-------------------------------------------------------------------------------------------------------|
| POSTAL ADDRESS OF PREMISES, OR IF NONE ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION |
| Glasshouse 6 Bispham Road Town Centre Thornton Cleveleys Lancashire FY5 1DG |
| Telephone number |

| WHERE THE LICENCE IS LIMITED THE DATES THAT APPLY |
|----------------------------------------------------------|
| Not Applicable |

| LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE |
|--------------------------------------------------------|
| E.Live music-Indoors |
| F.Recorded music-Indoors |
| G.Dance-Indoors |

M.Sale of Alcohol ON the Premises

AUTHORISED SUPPLIES OF ALCOHOL (ON OR OFF THE PREMISES) AND TIMES OF EACH LICENSABLE ACTIVITY

| | |
|--------------------------------------------------------|---------------|
| E.Live music-Indoors FRIDAY AND SATURDAY | 19:00 - 22:30 |
| F.Recorded music-Indoors FRIDAY AND SATURDAY | 19:00 - 22:30 |
| G.Dance-Indoors FRIDAY AND SATURDAY | 19:00 - 22:30 |
| M.Sale of Alcohol ON the Premises SUNDAY | 12:00 - 23:00 |
| MONDAY TO SATURDAY | 11:00 - 23:00 |

OPENING HOURS OF THE PREMISES

MONDAY TO SUNDAY 10:00 - 23:30


NAME, (REGISTERED) ADDRESS OF HOLDER(S) OF PREMISES LICENCE

NewMetro Limited
 Unit 2 Olympic Court
 Baordmans Way
 Whitehills Business Park
 Blackpool
 Lancashire
 FY4 5GU

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE, COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Company Reg Number 10642955

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Mr Joel Russell Guy

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED, IN ADDITION TO LICENSING CONDITIONS

Restrictions of the Licensing Act 2003 apply

This premises licence summary is issued by Wyre Council as licensing authority under part 3 of the Licensing Act 2003 and regulations made thereunder.

APPENDIX 2

Temporary Event Notice

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

| 1. The personal details of premises user (Please read note 1) | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------|
| 1. Your name | | | |
| Title | Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) | | |
| Surname | GUY | | |
| Forenames | JOEL RUSSELL | | |
| 2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary) | | | |
| Title | Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) | | |
| Surname | | | |
| Forenames | | | |
| 3. Your date of birth | | Day 16 | Month 3 |
| 4. Your place of birth | | FLEETWOOD. | |
| 5. National Insurance Number | | JL 13 76 01 B | |
| 6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below) | | | |
| INGLEWOOD | | | |
| HOLMFIELD AVENUE | | | |
| Post town THORNTON-CLEVELYS | | Post code FY5 2QR. | |
| 7. Other contact details | | | |
| Telephone numbers | | | |
| Daytime | | | |
| Evening (optional) | | | |
| Mobile (optional) | | | |
| Fax number (optional) | | | |
| E-Mail Address (if available) | | | |
| 8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you) | | | |
| MICHAEL WOOSNAM. | | | |
| ROLAND ROBINSONS & FENTONS | | | |
| 87 ADELAIDE STREET | | | |
| Post town BLACKPOOL | | Post code FY1 4LX | |

emailed police + EH 18/8/17
 2 ~~ISSUE 24/8/17~~

| | |
|------------------------------------------------|----------------------|
| 9. Alternative contact details (if applicable) | |
| Telephone numbers: Daytime | 01253 621432 |
| Evening (optional) | |
| Mobile (optional) | |
| Fax number (optional) | |
| E-Mail Address (if available) | mw@eofsolicitors.com |

2. The premises

Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references)
(Please read note 2)

THE GLASSHOUSE.
6 BISPHAM ROAD
CLEVELEYS
FY5 1DQ

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

| | |
|----------------------------------|-------------|
| Premises licence number | PL (A) 0175 |
| Club premises certificate number | |

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

Please describe the nature of the premises below. (Please read note 4)

RESTAURANT BAR.

Please describe the nature of the event below. (Please read note 5)

LIVE MUSIC AND ALCOHOL. ON A SATURDAY NIGHT.
BEYOND HOURS CURRENTLY LICENSED.
MUSIC TO 23.00 ; ALCOHOL SALE TO 24.00 .
PREMISES CLOSE 00-15. ON 10/9/17.

| 3. The licensable activities | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6) | |
| EITHER: The sale by retail of alcohol | <input checked="" type="checkbox"/> |
| OR: The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club | <input type="checkbox"/> |
| The provision of regulated entertainment | <input checked="" type="checkbox"/> |
| The provision of late night refreshment | <input type="checkbox"/> |
| Are you giving a late temporary event notice? (Please read note 7) | <input type="checkbox"/> |
| Please state the dates on which you intend to use these premises for licensable activities (Please read note 8): | |
| 9 th SEPTEMBER 2017. | |
| Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock) (Please read note 9): | |
| LIVE MUSIC 22.30 - 23.00 SALE OF ALCOHOL. 23.00 - 24.00. | |
| Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10) | 250 |
| If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 11) | On the premises only <input checked="" type="checkbox"/> |
| | Off the premises only <input type="checkbox"/> |
| | Both <input type="checkbox"/> |

Please state if the licensable activities will include the provision of relevant entertainment (Please read note 12). If so, please state the times during the event period that you propose to provide relevant entertainment.

| 4. Personal licence holders (Please read note 13) | |
|--------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you) | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| If "Yes" please provide the details of your personal licence below. | |
| Issuing licensing authority | WYRE BOROUGH COUNCIL. |
| Licence number | WBC PA 2168. |
| Date of issue | 15/6/17. |
| Any further relevant details | |

| 5. Previous temporary event notices you have given (Please read note 14) | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|-------------------------------------------|
| Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you) | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| If answering yes, please state the number of temporary event notices you have given for events in that same calendar year | 1 | |
| Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you) | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

| 6. Associates and business colleagues (Please read note 15) | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|-------------------------------------------|
| Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you) | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year | | |
| Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you) | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you) | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year. | | |
| Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you) | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

| 7. Checklist (Please read note 16) | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| I shall (Please mark the appropriate boxes with an "X") | |
| Send at least one copy of this notice to the licensing authority for the area in which the premises are situated | <input checked="" type="checkbox"/> |
| Send a copy of this notice to the chief officer of police for the area in which the premises are situated | <input checked="" type="checkbox"/> |
| Send a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated | <input checked="" type="checkbox"/> |
| If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority | <input type="checkbox"/> |
| If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police | <input type="checkbox"/> |

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| If the premises are situated in one or more local authority areas, send a copy of this notice to each additional local authority exercising environmental health functions | <input type="checkbox"/> |
| Make or enclose payment of the fee for the application (£21) | <input checked="" type="checkbox"/> |
| Sign the declaration in Section 9 below | <input type="checkbox"/> |

8. Condition (Please read note 17)
 It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 18)
 The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:
 (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
 (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

| | |
|------------------------|------------------------------------------|
| Signature | |
| Date | 17/8/17. |
| Name of Person signing | MICHAEL WOOSNAM SOLICITOR FOR APPLICANT. |

For completion by the licensing authority

10. Acknowledgement (Please read note 19)

I acknowledge receipt of this temporary event notice.

| | |
|-------------------------|--------------------------------------|
| Signature | On behalf of the licensing authority |
| Date | |
| Name of Officer signing | |
| Official Stamp | |



**Wyre Council
Representation Form**

Responsible Authority. Please delete as applicable.

~~Police / Fire / Pollution / Health and Safety / Child Protection / Trading Standards / Planning Authority/Health Authority~~

| | |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| Your Name | Mrs Nicola Clark |
| Job Title | Environmental Health Officer (Environmental Protection) |
| Postal and email address | Wyre Council Civic Centre Breck Road Poulton-le-Fylde FY6 7PU nicola.clark@wyre.gov.uk |
| Contact telephone number | 01253 887401 |

| | |
|----------------------------------------------------------------|-------------------------------------------------|
| Name of the premises you are making a representation about. | The Glasshouse |
| Address of the premises you are making a representation about. | 6 Bispham Road Thornton Cleveleys FY5 1DG |

| | | |
|----------------------------------------------------------------------------------------------------|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Which of the four licensing Objectives does your representation relate to? Please state yes or no. | Yes Or No | Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary. |
| The Prevention of harm to children | No | |
| To prevent Public Nuisance | Yes | <p>In my role as a statutory consultee, I have reviewed the application for a Temporary Event Notice (TEN) for 9th September 2017. My professional opinion as a Local Authority Environmental Health Officer with 25 years' experience in the regulation of noise nuisance and anti-social behaviour, is that to grant this application and thus allow the sale of alcohol until 24.00 (premises to close at 00.15) and the playing of live music until 23.00, could result in noise nuisance and anti-social behaviour to local residents, some of whom live adjacent to the premises.</p> <p>Furthermore, this application goes against the decisions made by the Council's Licensing Committee on 3rd August 2017 relating to the application for variation of the premises licence. These decisions included the addition of conditions (as agreed by the Licensee) to the premises licence. One of these conditions was the requirement to use a noise-limiting device, set to a level agreed by the EHO. I can confirm that, to date, this has requirement has not been complied with.</p> |

| | | |
|-------------------------------|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | <p>Finally, as the investigation into the noise complaint against the licensed premises is currently open with the Council's Environmental Protection Service (EPS), I do not consider it appropriate to extend the timings as requested.</p> <p>Therefore, I would ask that this TEN application is refused.</p> <p>NB A 'late' TEN application for 25th and 26th August 2017, has also been made by the applicant but this has been refused by the EPS for the same reasons as noted above.</p> |
| To prevent crime and disorder | No | |
| Public Safety | No | |

| | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</p> | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

N.B If you do make a representation you will be expected to attend the Licensing Sub Committee and any subsequent appeal proceeding.

Signed: Nicola Clark

Date: 22/08/17

Please return this form along with any additional sheets and/or evidence to: The Licensing Unit, Wyre Council, Civic Centre, Poulton le Fylde. FY6 7PU or email to Licensing@wyre.gov.uk

This form must be returned within the Statutory Period