



# Agenda

## Licensing Hearing

Date:	Wednesday 17 July 2019 – 11:00am
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	Councillor Angela Jacques (Convenor) Councillor Brenda Blackshaw Councillor Matthew Lee  Councillor Karen Henshaw (Reserve)

Item		PAGE
1	<b>Declarations of Interest:</b> Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	<b>Procedure for the Conduct of Hearings</b>	2 – 3
3	<b>Application for the variation of a Premises Licence: Lord Derby</b>	4 - 40

Contact: Sharon Wadsworth - Telephone: (01253) 658546 – Email: [democracy@fylde.gov.uk](mailto:democracy@fylde.gov.uk)

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<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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## LICENSING ACT 2003

### THE LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005

#### PROCEDURE FOR THE CONDUCT OF HEARINGS

##### **1. Preliminary**

- 1.1. Under the regulations, the Licensing Authority is required to determine the procedure that it proposes to follow at any hearing under the Act. This document sets out the procedure that Fylde will normally follow.
- 1.2. A panel may decide to follow a different procedure at any hearing. If it does, it will specifically draw attention to any departures from the procedures set out in this document and the reasons for them.
- 1.3. Please refer to the regulations for other rules about procedure

##### **2. Interpretation**

In this procedure, the following words or phrases have the following meanings:

applicant	an applicant for a licence or any person who has a licence which may be reviewed or revoked as a result of the hearing
act	The Licensing Act 2003
licence	Includes any consent or permission under the act
panel	A sub-committee established by Fylde Borough Council under section 10 of the act
regulations	The Licensing Act 2003 (Hearings) Regulations 2003, and any reference to a numbered regulation is to the regulation so numbered in that statutory instrument
witness	A person given permission to appear at the hearing under regulation 8(2)

##### **3. Before the hearing**

- 3.1. At least ten days before the hearing, the panel will meet to consider:
  - 3.1.1. If the circumstances set out in regulation 9(1) apply, whether to dispense with holding a hearing;
  - 3.1.2. What, if any, particular points it considers it will want clarification on at the hearing from a party under regulation 7(1)(d), and
  - 3.1.3. What time limit to set under regulation 24.
- 3.2. If it is not practicable for the panel to meet to consider these matters, the convenor may ascertain the views of panel members separately and give effect to the majority view as if it had been reached in a meeting of the panel.

#### **4. *Opening the hearing***

- 4.1. The convenor will identify all parties to the hearing who are present. The convenor will also identify any persons who are present who intend to assist or represent any party and any witnesses.
- 4.2. The convenor will then explain to the parties the procedure to be followed at the hearing, specifically drawing attention to any departures from the procedures set out in this document and the reasons for them. The convenor will also inform the parties that the proceedings will be recorded.
- 4.3. The panel will then consider any request by a party under regulation 8(2) for another person to appear at the hearing. The convenor will give any party who has made such a request (or their representative) which the panel proposes to deny an opportunity to address the panel about their request. The panel will then re-consider the request.
- 4.4. The convenor may invite any officer to carry out any functions under this paragraph.

#### **5. *Listening to the parties***

- 5.1. Each of the parties will then be invited to:
  - 5.1.1. Open their case by addressing the panel;
  - 5.1.2. Give any further information requested by the panel under regulation 7(1)(d);
  - 5.1.3. Present the evidence of any witness; and
  - 5.1.4. Conclude their case by addressing the panel.
- 5.2. The order in which the parties will be invited to put their cases will be in the discretion of the panel, except that a party who is an applicant will be invited to put their case last.

#### **6. *Questioning the parties***

- 6.1. Members of the panel may, following the conclusion of the case of each party, ask questions of that party or any witness appearing for them.
- 6.2. A party or their representative may only question another party if they have asked for permission from the panel after the panel members have finished questioning that party or their witness. The panel will only give permission if it is satisfied that the questioning will provide useful information about a matter relevant to their determination which is unlikely to be placed before the panel without such questioning

#### **7. *Time limits***

Each party will be limited to the time set by the panel under regulation 24 in which to exercise their rights provided in paragraphs 5 and 6.2. The convenor will require the party or their representative to close their case or cease their questioning immediately this time limit is reached.

#### **8. *Considering the decision***

- 8.1. The panel will consider their decision in private.
- 8.2. No officers will retire with the panel except for the committee administrator. The committee administrator may, if requested to do so, provide procedural, but not legal or technical, advice to the panel. The committee administrator will also assist the panel by drafting and finalising the wording of the panel's decision, if requested by the panel.
- 8.3. The panel may, while it is considering its decision, seek advice from legal or licensing officers. Officers will limit their advice to the specific issue identified by the panel and will leave the room where the panel is considering its decision as soon as that advice has been given and understood.

#### **9. *Announcing the decision***

- 9.1. When the panel has made its decision, the public part of the meeting will resume.
- 9.2. The convenor will read out the decision of the panel, or may invite the committee administrator to do so. The meeting will then close or move on to the next business.

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	LICENSING PANEL	17 JULY 2019	1
<b>APPLICATION FOR THE VARIATION OF A PREMISES LICENCE LORD DERBY, ST ANNES ROAD WEST, LYTHAM ST ANNES</b>			

### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

### SUMMARY

The Licensing Authority has received an application from Spirit Pub Company (Services) Ltd for the variation of a premises licence for the Lord Derby. There have been representations from “other persons” as defined by the Act and as such a hearing must be held to determine the application.

### RECOMMENDATION

1. That the Panel considers the application and determines to either:
  - (a) grant the application
  - (b) modify the conditions of the licence,
  - (c) reject the whole or part of the application.

### SUMMARY OF PREVIOUS DECISIONS

20<sup>th</sup> July 2005 – Application received to convert existing Justices Licence granted under the Licensing Act 1964 to new licence under Licensing Act 2005 and to vary the licence. Following representations from Environmental Pollution, Police and other persons licence number FY PL0216 relating to the premises was approved by a Licensing Panel on 5<sup>th</sup> September 2005 subject to additional conditions. This came into effect on 24<sup>th</sup> November 2005.

30<sup>th</sup> September 2008 – Application received for a variation of the premises licence to vary the layout and design of the premises. This was granted without representations and took effect from 30<sup>th</sup> October 2008

2<sup>nd</sup> October 2008 – Application received for a variation of the premises licence to vary the hours of licensable activities. This application was withdrawn following a number of representations from other persons.

6<sup>th</sup> August 2018 – Application received for a minor variation to vary the licensing plans to reflect refurbishment & redecoration. This was granted without representations and took effect from 21<sup>st</sup> August 2018.

### CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (**Value for Money**)

✓

Delivering the services that customers expect of an excellent council ( <b>Clean and Green</b> )	✓
Working with all partners ( <b>Vibrant Economy</b> )	✓
To make sure Fylde continues to be one of the most desirable places to live ( <b>A Great Place to Live</b> )	✓
Promoting Fylde as a great destination to visit ( <b>A Great Place to Visit</b> )	✓

## REPORT

### Application

1. The application is for the variation of a premises licence to vary the licensing plan at the Lord Derby, St Annes Road West, Lytham St Annes to include the external area within the licensed area incorporating an external bar and bottle bar.
2. The matter has been referred to the panel because relevant representations have been received from “other persons” as defined by the Act.

### Papers

3. The following papers are relevant and have been made available to panel members:
  - The application, including the plan and the operating schedule
  - The Statutory Guidance for Licensing Authorities issued by the Secretary of State under section 182 of the Licensing Act 2003
  - The Council’s Statement of Licensing Policy
  - Copies of relevant representations made by the following responsible authorities:
 

Additional conditions agreed with the Police (see section 9)
  - Copies of relevant representations made by the following interested parties
 

Mr P Maynard, Chairman of the Braxfield (St Annes) management Co Ltd acting on behalf of the residents of Braxfield Court

### Consideration

4. The licensing objectives are:
  - The prevention of crime and disorder;
  - Public safety
  - The prevention of public nuisance; and
  - The protection of children from harm
5. As a relevant representation has been made, it is the duty of the panel to take such of the steps set out below as it considers appropriate for the promotion of the licensing objectives. The steps are:
  - (a) grant the application
  - (b) modify the conditions of the licence,
  - (c) reject the whole or part of the application.
6. The Guidance issued by the Secretary of State and the Council’s Statement of Licensing Policy will be material in considering the application, but cannot override the licensing objectives.
7. The following parts of the Secretary of State’s guidance appear to be particularly relevant to the application and the relevant representations:
 

Section 2	The Licensing Objectives
8.13	Other persons

- |      |   |
|------|---|
| 9.31 | Hearings  |
| 9.42 | Determining actions that are appropriate for the promotion of the licensing objectives. |

However, the parties appearing in the hearing may wish to draw the panel's attention to other parts of the guidance.

8. The following parts of the Council's Statement of Licensing Policy appear to be particularly relevant to the application and the relevant representations:

- |        |  |
|--------|--|
| 7      | General approach to licensing                      |
| 9.5    | Licensing Panel Hearings                           |
| 10.3   | Conditions that the Licensing Authority May Impose |
| 14.3.3 | Beer Gardens                                       |

However, the parties appearing in the hearing may wish to draw the panel's attention to other parts of the policy.

#### **Further Information**

9. Following mediation with the Police (who are a responsible authority) the applicant has agreed a number of conditions as detailed below to be attached to the licence. The Panel is therefore requested to consider attaching the conditions to the licence.

The following conditions to be added to the operating schedule:

1. CCTV will be installed at the premises and will comply with the following:
  - The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary.
  - The system will incorporate a camera covering the entrance doors and will be capable of providing an image which is regarded as identification standard.
  - The system will display on any recording the correct time and date of the recording.
  - The system will make recordings during all hours the premises are open to the public.
  - Digital recordings shall be held for a minimum of 21 days after the recording is made and will be made available to the Police or any authorised persons acting for a Responsible Authority for inspection upon request.
  - 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 recent data or footage with the absolute minimum of delay when requested to a Police Officer or to a Local Authority Enforcement Officer.
  - CCTV cameras will be cited so that the licensed external areas are covered which will include the external bar and bottle bar areas and external seating.
2. The external bar/bottle bar will close from 20.00 hours each day

#### **Procedure**

10. The applicant and the makers of the relevant representations have been invited to attend or be represented at the hearing.
11. The panel is asked to use the attached procedure in the hearing.

IMPLICATIONS	
Finance	No further implications arising directly from the report.
Legal	No further implications arising directly from the report.
Community Safety	No further implications arising directly from the report.
Human Rights and Equalities	No further implications arising directly from the report.
Sustainability and Environmental Impact	No further implications arising directly from the report.
Health & Safety and Risk Management	No further implications arising directly from the report.

LEAD AUTHOR	CONTACT DETAILS	DATE
Joanne Gallagher	joanne.gallagher@fylde.gov.uk Tel 01253 658422	26 <sup>th</sup> June 2019

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
S182 Statement of Licensing Policy	April 2018	<a href="#">S182 Guidance</a>
Fylde Council Statement of Licensing Policy	January 2016	<a href="#">Statement of Licensing Policy</a>

#### Attached documents

Appendix 1 - Application Form  
 Appendix 2 - Current & proposed plans of Premises  
 Appendix 3 - Representations  
 Appendix 4 - Current Licence  
 Appendix 5 - Area Plan



### Application to vary a premises licence under the Licensing Act 2003

#### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/We Spirit Pub Company (Services) Limited

*(Insert name(s) of applicant)*

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

**Premises licence number**

FY PL0216

#### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

Lord Derby

St Annes Road West

Post town

St Annes, Lancashire

Postcode

FY8 1RG

Telephone number at premises (if any)

01253 725656

Non-domestic rateable value of premises

£ 87,500



**Part 2 – Applicant details**

Daytime contact telephone number	01284 714630 or 01284 763222		
E-mail address (optional)	licensing@greeneking.co.uk		
Current postal address if different from premises address	Spirit Pub Company (Services) Limited Westgate Brewery		
Post town	Bury St Edmunds, Suffolk	Postcode	IP33 1QT

**Part 3 - Variation**

Please tick as appropriate

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

☒ Yes☐  
No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☒ No**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

To vary the licensing plan to include the external area within the licensed area incorporating an external bar and bottle bar.

For full and further details please view the licensing plan.

Any part of the variation application that changes the plan/layout at the premises to be of no effect until the work has been completed.

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

**Part 4 Operating Schedule**

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

**Provision of regulated entertainment (Please see guidance note 3)      Please tick all that apply**

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

**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

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<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 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			
Fri			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 (please read guidance note 7)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri			<u>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</u> (please read guidance note 7)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur					
Fri			<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 7)		
Sat					
Sun					



G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)			
Mon						
Tue						
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 6)			
Thur						
Fri						
Sat			<b>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</b> (please read guidance note 7)			
Sun						

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)		
Fri					
Sat			<b><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></b> (please read guidance note 7)		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Thur					
Fri			<b><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></b> (please read guidance note 7)		
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>	
				Off the premises	<input type="checkbox"/>	
				Both	<input type="checkbox"/>	
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 6)			
Mon						
Tue						
Wed						
Thur						<b><u>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</u></b> (please read guidance note 7)
Fri						
Sat						
Sun						

K

<p><b>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</b> (please read guidance note 10).</p>
--

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b><u>State any seasonal variations</u></b> (please read guidance note 6)
Day	Start	Finish	
Mon			
Tue			
Wed			<b><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></b> (please read guidance note 7)
Thur			
Fri			
Sat			
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

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

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

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

As per premises licence granted.

**b) The prevention of crime and disorder**

As per premises licence granted.

**c) Public safety**

As per premises licence granted.

**d) The prevention of public nuisance**

As per premises licence granted.

**e) The protection of children from harm**

As per premises licence granted.

## Checklist:

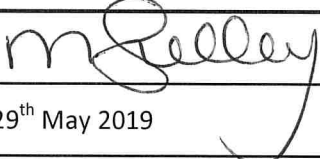
Please tick to indicate agreement

- I have made or enclosed payment of the fee; or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	29 <sup>th</sup> May 2019
Capacity	Licensing Assistant

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 15)

Hannah Loynds  
Spirit Pub Company (Services) Limited  
Westgate Brewery

**Post town** Bury St Edmunds, Suffolk

**Post code** IP33 1QT

**Telephone number (if any)** 01284 763222

**If you would prefer us to correspond with you by e-mail, your e-mail address (optional)**  
licensing@greeneking.co.uk



NOTES

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Contractors are to check all sizes and dimensions before setting out any site or shopwork. Any errors or discrepancies to be reported to the designer.

Do not scale off this drawing.

REVISIONS

DATE

EMERGENCY LIGHTING

- ③ 3HR non- Maintained Emergency flush ceiling fitting. Electrician to supply & fit.
- ⑧ Final Exit, electrician to supply & fit
- ④ New Emergency exit sign fire escape this way. Electrician to supply & fit.
- ④ New Emergency exit sign fire escape this way right. Electrician to supply & fit.
- ④ New Emergency exit sign fire escape this way left. Electrician to supply & fit.

EMERGENCY LIGHTING & FIRE

ALARM

Fire Alarm to BS 5839 Part 1 & Emergency lighting to BS 5266 positions shown are Indicative Electrical Contractor to review on site for compliance and provide full certification on completion.

The proposed music system should be fully integrated with the alarm system so as to ensure that the alarm can be audible above all else.

FIRE ALARM

- Manual call point supplied & fitted by electrician.
- ⊙ Smoke detector linked to fire alarm
- 🔊 Sounder

⊙ Denotes 30 minute fire resistant door fitted with smoke seals and self closing device

FIRE EXTINGUISHERS

- ⊙ Indicates position of CO<sub>2</sub> Fire Extinguisher
- ⊙ Indicates position of 6Kg dry powder Extinguisher
- ⊙ Indicates position of 6 Litre Wet Chemical Fire Extinguisher
- ⊙ Indicates position of 6 Litre Foam Fire Extinguisher
- ⊙ Indicates position of 13A water based fire extinguisher

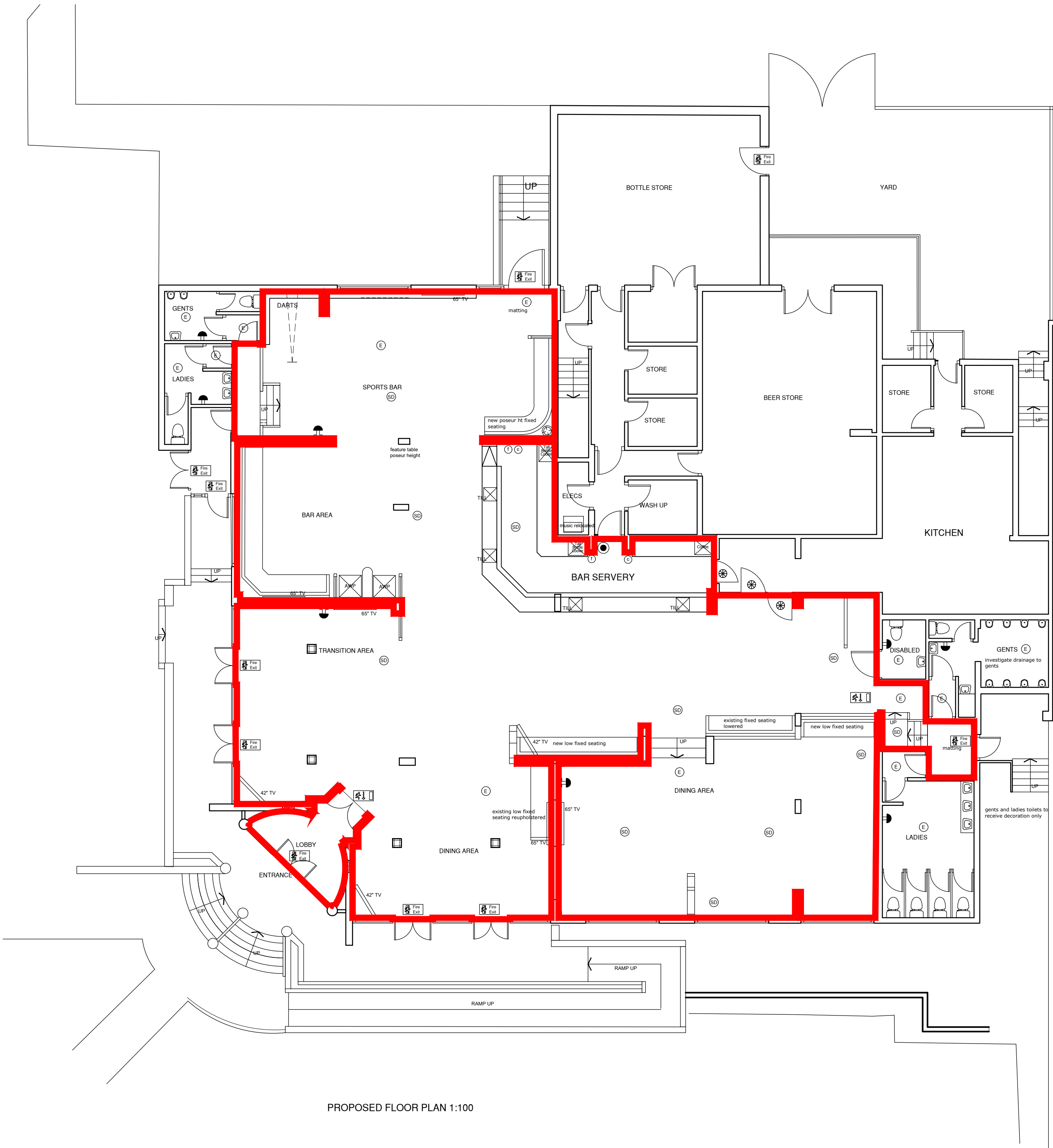
GENERAL NOTES

All fire doors to be fitted with automatic self-closing devices. Door frames to be rebated & fitted with suitable intumescent strips & smoke seals.

Vision panels within fire doors to have suitable F.R. rated glazing installed within intumescent beading.

All doors on escape routes to be either kept unlocked during opening hours or fitted with push-bar opening devices to BS EN 1125 1997 & fitted with 'PUSH BAR TO OPEN' signs

Any input/extract ventilation ductwork to have suitable fire dampers as per specialists details.



INTERNAL LICENSED AREA

**TFA**

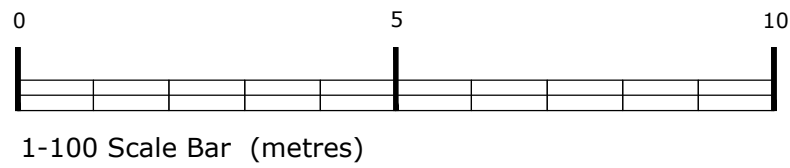
EXISTING PUB - 348 m sq  
PROPOSED PUB - 348 m sq

**COVERS**

EXISTING:  
APPROX - 168

PROPOSED:  
SPORTS BAR - 14  
BAR AREA - 42  
TRANS - 42  
DINING - 108

**TOTAL: 196**



LICENSING

DRAWING DESCRIPTION

LICENSING PLAN

JOB TITLE

THE LORD DERBY  
ST ANNES ROAD WEST  
ST ANNES FY8 1RG

CLIENT

GREENE KING  
FLAMING GRILL

DRAWN BY SM SCALE 1:100@A1

DATE JULY 2018 DRAWING NO. 1946-03

CHECKED

John Dixon & Associates Ltd,  
Hollinwood Business Centre,  
Albert Street,  
Oldham,  
OL8 3QL.

TEL : 0161 682 0964  
FAX : 0161 683 4106  
E-MAIL : info@johndixon.co.uk  
WEB : www.jda-design.com







These drawings are for the purpose of illustrating the proposed layout of the premises and are not to be used for any other purpose. The drawings are the property of the designer and are not to be reproduced or used in any way without the written consent of the designer. The drawings are not to be used for any other purpose. The drawings are the property of the designer and are not to be reproduced or used in any way without the written consent of the designer.

LICENSING KEY

- Red line indicating area of proposed premises under the Licensing Act 2003
- Shaded area indicates area under the Licensing Act 2003
- Blue hatched area indicates area for consumption only
- Emergency light
- Illuminated exit sign over door
- Calling Mounted Smoke Detector
- Calling mounted Heat Detector
- Wall mounted fire blanket in container
- 2kg wall mounted Carbon Dioxide Fire Extinguisher
- 9 litre wall mounted water fire extinguisher
- Wet Chemical fire extinguisher
- Manual fire alarm call point location
- Fire alarm siren
- Emergency Exit sign with sign
- Emergency exit sign indicating direction of means of escape

Rev. Notes Date By

**old**  
danielDickinson  
design

DANIEL DICKINSON DESIGN LTD  
100-102, South Street, Southport, Merseyside, L35 9EF  
t: 01944 636111  
e: info@danielDickinsonDesign.co.uk  
www.danielDickinsonDesign.co.uk

Scope  
LICENSING  
Client  
GREENE KING

Project  
LORD DERBY  
ST ANNES ROAD WEST  
LYTHAM ST ANNES  
FY8 1RG

Drawing Title  
PROPOSED LICENSING  
PLAN

Scale 1:100 Size A0  
Drawn By: dd/OTHERS Date: MAY 19

Drawing No. Revision:  
DD1099-L1

[REDACTED]

---

**From:** Philip Maynard <[REDACTED]>  
**Sent:** 17 June 2019 10:30  
**To:** Joanne Gallagher  
**Subject:** Re: Licensing application: The Lord Derby

Hello Joanne,  
Thanks for your rapid reply: very helpful.

I confirm that I would like you to accept my email(s) as a representation; my name and address details are:

Philip Maynard  
Chairman, Braxfield (St Annes) Management Company Limited  
[REDACTED]

Just to prove that I've read (!) the Police conditions that you kindly included: the last sub-point of the first group says "cited": that should be "sited" (this does involve the coverage of the new areas we are talking about).

And, though it is beyond my remit, I would add a further comment about the Police conditions.

It is probably standard wording, but I'm surprised that the second sub point says merely that the camera "... will **be capable of** providing an image ..." (my emphasis).

Such cameras will usually be able to be set at different video resolutions: using a lower resolution will result in smaller files which are easier and cheaper to store and back up, but which - though the camera could be argued still to be capable of doing so - may not in fact provide an image to the required standard?

I would suggest the requirement:

- The system will incorporate a camera covering the entrance doors and **will provide** an image which is regarded as identification standard.

This wording is more demanding: but if the images are not, in practice, of the required standard, what is the point of them?

And at the risk of completely overstepping the mark, given that this point concerns the coverage from the camera, I would add in here - so that it's all in one place, rather than tacking on at the end - the point about the siting of the camera(s) to cover the external bar, bottle bar and external seating, so as to specify in one point the coverage that is required.

Thanks for your assistance with this.

Phil Maynard

On 17 Jun 2019, at 09:15, Joanne Gallagher <[joanne.gallagher@fylde.gov.uk](mailto:joanne.gallagher@fylde.gov.uk)> wrote:

Hello Mr Maynard,

Thank you for your email.

The Lord Derby is currently licensed for consumption on & off the premises, which allows alcohol to be supplied from the bar inside the premises and consumed in the outside area.

The licensable activity with regards to alcohol sales is regarded as the sale or supply of alcohol and the application has been submitted in order to amend the licensing plan to include the outside area - a new bar has been installed next to the seating area at the front of the building as you face it from St Annes Road West and a van installed which will be the bottle bar. The granting of this licence will enable customers to purchase alcohol from either of these locations without going inside the pub. I've attached a copy of the plan which has been submitted with the application.

The police have agreed 2 additional conditions with the licence holders which will be added to the licence if the variation is granted. These are –

- CCTV will be installed at the premises and will comply with the following:
  - The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary.
  - The system will incorporate a camera covering the entrance doors and will be capable of providing an image which is regarded as identification standard.
  - The system will display on any recording the correct time and date of the recording.
  - The system will make recordings during all hours the premises are open to the public.
  - Digital recordings shall be held for a minimum of 21 days after the recording is made and will be made available to the Police or any authorised persons acting for a Responsible Authority for inspection upon request.
  - 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 recent data or footage with the absolute minimum of delay when requested to a Police Officer or to a Local Authority Enforcement Officer.
  - CCTV cameras will be cited so that the licensed external areas are covered which will include the external bar and bottle bar areas and external seating.
- The external bar/bottle bar will close from 20:00hrs each day.

Please can you confirm if you would like me to accept your email as a representation. In order to do this, I will need you to provide me with your full address and details of your representation will be passed to the licence holder (Greene King/Spirit Pub Company/services Ltd), who may contact you to discuss your representation.

If you have any further questions please do not hesitate to contact me.

Kind regards

Joanne

---

**From:** Philip Maynard [mailto:

**Sent:** 14 June 2019 20:57

**To:** Joanne Gallagher <[joanne.gallagher@fylde.gov.uk](mailto:joanne.gallagher@fylde.gov.uk)>

**Cc:** Michael Jackson <

**Subject:** Fwd: Licensing application: The Lord Derby

Hello Joanne,

Thanks for your email and the attached information.

In your email you repeat the information from the application:

“... to include the external area within the licensed area incorporating an external bar and bottle bar “

But I'm afraid that I don't really see or understand exactly what that means, and what precise change(s) are being proposed?

The application also says “For full and further details please view the licensing plan.”

This licensing plan does not seem to be attached or included with the information that you kindly supplied?

Are you able to provide the plan, and / or provide further details of what is being proposed? Subject to those details of the proposal, it would seem almost self-evident (based on the wording "... external bar and bottle bar ...") that granting the proposals will:

- act against the prevention of public nuisance by the encouragement of additional outdoor consumption of alcohol, in very close proximity to public pavements and to numerous adjacent residential properties;
- act against the protection of children from harm, given the Brewery's ongoing efforts to turn more of the outdoor area of the pub into a children's playground, and thus add even more conspicuous consumption of alcohol within the very area of the children's play facilities.

I can understand the Brewery's encouragement of children into the pub via the play facilities, as it will bring in their parents with them as paying pub customers; I cannot understand any acquiescence of the licensing authority - with their objective of the protection of children from harm - to this business plan, which would seem to use the children as pawns to attract pub customers.

Phil Maynard

Begin forwarded message:

**From:** Joanne Gallagher <[joanne.gallagher@fylde.gov.uk](mailto:joanne.gallagher@fylde.gov.uk)>

**Subject: RE: Licensing application: The Lord Derby**

**Date:** 10 June 2019 at 09:54:44 BST

**To:** "[REDACTED]" <[REDACTED]>

Hello Mr Maynard,

Your email has been forwarded to the licensing team for a response.

Please find a copy of the application form which has been submitted for the variation of the premises licence attached.

As you will see the application is to vary the licensing to include the external area within the licensed area incorporating an external bar and bottle bar.

Anyone can make a representation (objection) against an application. I've attached a form which you can complete and return to us in order to make a representation, which needs to be relevant to one of more of the licensing objectives –

Public Safety

Prevention of Public Nuisance

Protection of Children from harm

Prevention of crime & disorder

Please note that the contact details of any person who has made representations will be passed to the applicant, who may contact you to discuss your representation.

If we receive one or more representations on or before the final date (in this case 27<sup>th</sup> June 2019) then a committee hearing will be arranged with a panel of councillors from our licensing committee no more 20 working days after the final date. Any person who has made a relevant representation will be invited to speak at the hearing and the councillors will make a decision on whether to refuse the application or grant it either with or without additional conditions.

If you have any questions please do not hesitate to contact me.

Kind regards

Joanne

Joanne Gallagher

Technical Enforcement Officer- Licensing

Fylde Borough Council

DDI: 01253 658609

Main: 01253 658609



You can now sign up to the 2019/20 green bin collection service, please visit:

<http://www.fylde.gov.uk/greenwaste>

Visit our website for all the latest information at your fingertips:

<http://www.fylde.gov.uk>

Fylde Borough Council's email disclaimer can be found at:

<http://www.fylde.gov.uk/disclaimer>

Visit <http://www.fylde.gov.uk/privacy-notice/> to see how departments at

Fylde Council use the data that they hold about you and how they keep it safe.

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**From:** Philip Maynard [REDACTED]

**Sent:** 08 June 2019 10:46

**To:** Phil Dent <[phil.dent@fylde.gov.uk](mailto:phil.dent@fylde.gov.uk)>

**Subject:** Licensing application: The Lord Derby

Mr Dent,

My apologies as I think this issue is not your area of responsibility: but I'm hoping that you can pass it on to the appropriate colleague for me?

I have included below part of the text of an email of 3 June to me (as Chairman of the Braxfield Court Management Company) from a director and resident, enquiring about the licensing application mentioned:

There is a notice attached to the Lord Derby sign adjacent to the public footpath advising of an application to the Licensing Department of Fylde Council, for variation of the current License to permit the use of a bar situated within the outside area of the premises.

I have looked on line, and finally found a list of applications, but this has not been updated since early May, and does not include the Lord Derby. The public notice displayed outside the pub does not give any detail of exactly what is being applied for.

The details as quoted are rather vague: also, it does not seem (at that time, at least) as though the details of the application were available from FBC's online information?

I would like to ask that FBC let me have details of the precise nature of the application, and of the ways to lodge any objections to the application being approved.

Any potential objections from the Management Company are of course be subject to first ascertaining the exact details of the application; but the apparent nature of the application (an outside bar ...) leads me to believe that the Company will wish to make objections on several bases, including:

- the likely increase in noise;
- the likely increase in the consumption of alcohol on the streets;
- the likely increase in the consumption of alcohol in immediate proximity of the - growing - children's play area in The Lord Derby's car park.

Thanks in advance for your assistance with is matter.

Phil Maynard

<~WRD000.jpg>

t:

e:

Fylde Borough Council

[www.fylde.gov.uk](http://www.fylde.gov.uk)

## Licensing Act 2003 Premises Licence

# FY PL0216

### Part 1 - Premises Details

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

### Lord Derby

St Annes Road West, St Annes, Lancashire, FY8 1RG.

Telephone 01253 725656

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday to Sunday	10:00am	11:00pm
F. Playing of recorded music (Indoors)	Sunday to Thursday	10:00am	11:30pm
	Friday and Saturday	10:00am	12:30am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Sunday to Thursday	10:00am	11:30pm
	Friday and Saturday	10:00am	12:30am
J. Provision of facilities for dancing (Indoors)	Sunday to Thursday	10:00am	11:30pm
	Friday and Saturday	10:00am	12:30am
L. Late night refreshment (Indoors)	Sunday to Thursday	11:00pm	11:30pm
	Friday and Saturday	11:00pm	12:30am
M. The sale by retail of alcohol for consumption ON and OFF the premises	Sunday to Thursday	10:00am	11:30pm
	Friday and Saturday	10:00am	12:30am
	Non Standard Timings:		

The standard hours for all **licensable activities**, set out above in the Licensable Activities section of this licence are **extended** as follows:

One additional hour following every Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend as well as on Maundy Thursday and Christmas Eve.

## Licensing Act 2003 Premises Licence

# FY PL0216

### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Sunday to Thursday	9:00am	Midnight
Friday and Saturday	9:00am	1:00am
Non Standard Timings:		

The **opening hours** of the premises are **extended** as follows:

One additional hour following every Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend as well as on Maundy Thursday and Christmas Eve.

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

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

## Part 2

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

Spirit Pub Company (Services) Limited Westgate Brewery, Bury St Edmunds, Suffolk, IP33 1QT.  
 Telephone 01283 498400

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

Spirit Pub Company (Services) Limited 05266811

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

Emma Jane WILLDER The Admiral, St Annes Road West, St Annes, Lancashire, FY8 1RG.  
 Telephone 01253725656

### PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. FY PA0489 Issued by Fylde

### ANNEXES

#### ANNEX 1 - MANDATORY CONDITIONS

1.1 No supply of alcohol may be made under this licence

- At a time when there is no designated premises supervisor in respect of it or,
- 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.

1.3 The restrictions on the times during which the licence authorises the sale by retail of alcohol on the



## Licensing Act 2003 Premises Licence

# FY PL0216

### ANNEXES continued ...

premises, set out in part M of the Licensable Activities section of this licence do not prohibit:

- a) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- b) the sale of alcohol to a trader or club for the purposes of the trade or club;
- c) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- d) the taking of alcohol from the premises by a person residing there; or
- e) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- f) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

1.4 The terms, conditions and restrictions detailed in the Fylde Borough Council Places of Public Entertainment, Conditions of Licence (Second Schedule) and attached to this licence must be adhered to all times that regulated entertainment takes place at the premises.

1.5 The maximum number of persons permitted in the premises shall be restricted to 280.

1.6 Noise levels from entertainment's shall not exceed 33dB LA eq: (5 minutes) when measured at any point one metre from the façade of any residential premises.

### **Mandatory Licensing Conditions (wef 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

## Licensing Act 2003 Premises Licence

**FY PL0216**

### ANNEXES continued ...

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 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-

$$P = D + (D \times V)$$

## Licensing Act 2003 Premises Licence

**FY PL0216**

### ANNEXES continued ...

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 - Conditions consistent with the Operating Schedule**

2.1 The style and operation of the premises shall not differ significantly from that of a pub.

2.2 Soft drinks and non-alcoholic refreshment shall be available.

2.3 The premises shall be operated in accordance with the principles of responsible drinking.

2.4 Whenever door staff are used at the premises, they shall be Security Industry authority (SIA) approved and shall operate in accordance with the security industry guidelines.

2.5 A zero tolerance policy towards illegal drugs will be enforced at all times within the premises.

2.6 Whenever a disc jockey is used on any night, then he/she shall ask customers to leave the premises quietly.

## Licensing Act 2003 Premises Licence

# FY PL0216

### ANNEXES continued ...

- 2.7 The CCTV system installed at the premises shall be operated during all hours of trading and appropriate notices shall be displayed.
- 2.8 All instances of crime and disorder shall be reported to the police and shall be kept in an incident logbook.
- 2.9 Staff shall be given appropriate training in respect of public safety to the standards required by relevant legislation.
- 2.10 Free drinking water shall be made available at all times.
- 2.11 Whenever entertainment is being offered within the premises, additional patrols shall be undertaken by members of staff, internally and externally, to limit any noise pollution.
- 2.12 Appropriate notices will be displayed asking customers to respect neighbours when leaving the premises.
- 2.13 Where text pagers and/or radio pagers are in use at the premises, they shall be operated during all hours of trading and shall be monitored by a responsible member of staff.
- 2.14 Whenever the premises are open for an extended period between the cessation of the supply of alcohol and the closure of the premises, soft drinks and non-alcoholic refreshment shall be available.
- 2.15 Whenever children are allowed upon the premises, any entertainment offered within the premises shall be suitable for young persons.
- 2.16 Children shall be required to be supervised by the accompanying adult at all times.
- 2.17 A recognised Proof of Age Policy shall be operated and enforced.

### **Annex 3 - Conditions attached after a hearing by the licensing authority**

- 3.1 All amplified music (bands etc) to finish no later than midnight except on Christmas Eve and New Year's Eve.
- 3.2 All doors and windows on the premises shall be closed after 22.00 hours while licensable activities are taking place.
- 3.3 At all times when recorded or amplified music is being provided on the premises, such music shall be subject to an automatic noise limitation device, the device being set to cut off the sound if the volume reaches a pre-set level, such level to be to the reasonable satisfaction of the environmental health authority.
- 3.4 The premises shall be equipped with a closed circuit television system, which is appropriate to its purpose and is provided and maintained to the satisfaction of the enforcement Authorities.
- 3.5 The premises shall be operated in accordance with the principles outlined by the 'Nightsafe' Scheme, as are relevant to those premises and indicated in the associated leaflet.
- 3.6 The premises shall be operated in participation with the 'Pubwatch' scheme (radio link if applicable).
- 3.7 All staff shall have received suitable training in relation to the proof of age scheme to be applied upon the premises. Records to evidence this shall be made available to an authorised officer upon request.
- 3.8 Appropriate measures shall be taken to ensure that staff prevent the removal of bottles or glasses from the curtilage and grounds of the licensed premises.

## Licensing Act 2003 Premises Licence

# FY PL0216

### ANNEXES continued ...

- 3.9 Only toughened glass vessels shall be used to dispense beverages to customers, where available.
- 3.10 Another member of staff shall be nominated to act for the Designated Premises Supervisor, in their absence, whose identity is known by all other staff when such absence occurs.
- 3.11 Risk assessments carried out by or on behalf of the licence holder which relate to a licensing objective shall be available for inspection by an officer or a Responsible Authority.
- 3.12 Security arrangements shall be sufficient to discourage the sale and consumption of drugs and shall ensure regular checks of toilet areas.
- 3.13 Records of incidents involving the use and/or detection of drugs shall be maintained and those records shall be available for inspection.
- 3.14 Confiscated and found drugs shall be stored, disposed of and transferred in accordance with procedures agreed with the Lancashire Constabulary.
- 3.15 During the final hour of daily trading, appropriate announcements shall be made or images projected to remind patrons of the need to leave the premises without causing annoyance, nuisance or disturbance to local residents and to advise patrons of any taxi free-phone or collection arrangements available upon the premises.
- 3.16 Frequent collection of glasses and bottles shall be undertaken to ensure that empty containers do not accumulate in or around the licensed premises.
- 3.17 A clear, legible and conspicuous notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents shall be displayed at every exit.

### Annex 4 - Plans

See attached plan referenced FYPL 0216

## Licensing Act 2003

# Premises Licence Summary

**FY PL0216**

## Premises Details

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

### Lord Derby

St Annes Road West, St Annes, Lancashire, FY8 1RG.

Telephone 01253 725656

**WHERE THE LICENCE IS TIME LIMITED THE DATES**

Not applicable

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES**

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday to Sunday	10:00am	11:00pm
F. Playing of recorded music (Indoors)	Sunday to Thursday	10:00am	11:30pm
	Friday and Saturday	10:00am	12:30am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Sunday to Thursday	10:00am	11:30pm
	Friday and Saturday	10:00am	12:30am
J. Provision of facilities for dancing (Indoors)	Sunday to Thursday	10:00am	11:30pm
	Friday and Saturday	10:00am	12:30am
L. Late night refreshment (Indoors)	Sunday to Thursday	11:00pm	11:30pm
	Friday and Saturday	11:00pm	12:30am
M. The sale by retail of alcohol for consumption ON and OFF the premises	Sunday to Thursday	10:00am	11:30pm
	Friday and Saturday	10:00am	12:30am
	Non Standard Timings:		

The standard hours for all **licensable activities**, set out above in the Licensable Activities section of this licence are **extended** as follows:

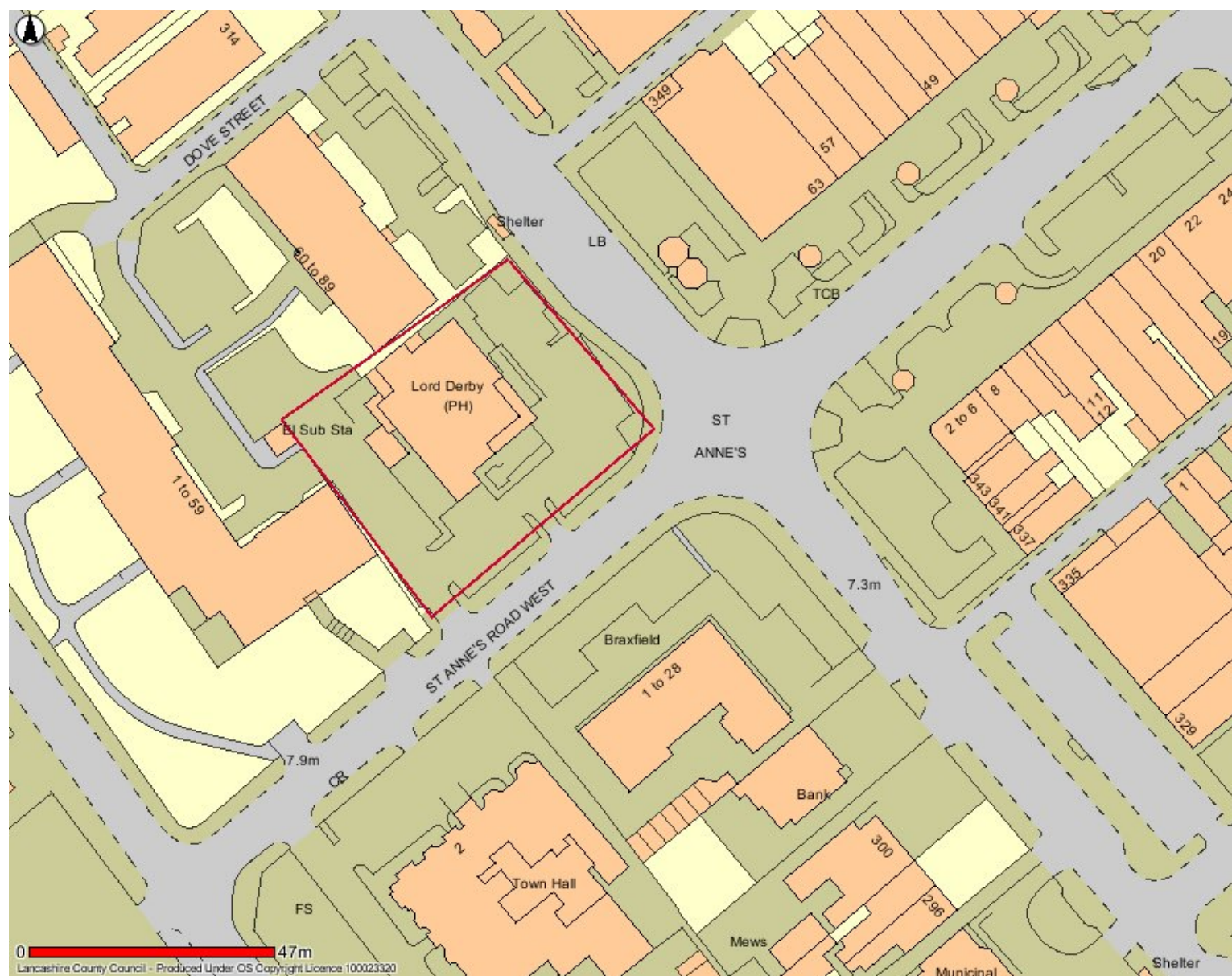
One additional hour following every Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend as well as on Maundy Thursday and Christmas Eve.



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## Appendix 5 - Area Plan



- Districts**
- Other District/Unitary Authority
  - Lancashire Districts

### Lord Derby