



Agenda

Licensing Hearing

Date:	Wednesday, 17 June 2020 – 10am
Venue:	Remote meetings via Zoom
Committee members:	Councillor Angela Jacques (Convenor) Councillor Gavin Harrison Councillor Paul Hodgson Councillor Alan Clayton (Reserve)

Please Note: This meeting is being held remotely via Zoom. To access the meeting please click on the link below.

<https://us02web.zoom.us/j/84849432121?pwd=eStzenpCdUdWcWo2QUt6aG1wU0pnUT09>

Meeting ID: 848 4943 2121

Password: 883696

Item		PAGE
1	Declarations of Interest: 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	Procedure for the Conduct of Remote Hearings	3 - 5
3	Application for the Grant of a Premises Licence - The Rooms, Church Road, Lytham	6 - 40

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

The code of conduct for members can be found in the council's constitution at

<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 REMOTE 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.
- 1.2. During the restrictions associated with the coronavirus pandemic, Fylde's licensing panels will follow the procedure set out in this document instead of their normal procedure, subject to any changes that the panel makes for a particular hearing.
- 1.3. During this period all hearings will be held remotely. Participants and members of the public will access the hearing via the Zoom platform (www.zoom.us).
- 1.4. Any reference in this procedure to a hearing, or to participating in or attending a hearing, is a reference to a hearing held as set out on 1.3.
- 1.5. 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
normal procedure	The procedure set out in the Fylde Council document "Procedure for the Conduct of Hearings"
panel	A sub-committee established by Fylde Borough Council under section 10 of the act
participant	A panel member, party, person representing a party, witness or council officer involved in the hearing
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 legal officer will identify all participants.
- 4.2. The legal officer 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 legal officer 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. Zoom protocols

- 5.1. The legal officer or any other officer nominated by the convenor will act as the host for the Zoom meeting, under the overall direction of the convenor.
- 5.2. Video and audio settings would be monitored and where necessary mandated by the host as set out below, unless otherwise directed by the convenor:

	Video setting	Audio setting	Remarks
Panel member	On	Muted unless speaking	Avoids audio distractions, and (when on speaker view) avoids participant being placed "Centre stage" simply because a door had banged in their house or they have put a coffee cup down indelicately.
Officer	On	Muted unless speaking	Ditto
Representative or party representing themselves	On	Muted unless speaking	Parties can only have one representative for the purposes of this protocol
Party (unless representing themselves)	Off unless speaking	Muted unless speaking	
Witness	Off unless speaking	Muted unless speaking	
Member of the public other than a participant	Off	Muted	

- 5.3. The host will hide participants whose video is off. This ensures that the only participants on screen are panel members, officers, representatives or parties representing themselves and any witness who is addressing the panel at that particular time.

6. *Listening to the parties*

- 6.1. Each of the parties will then be invited to:
- 6.1.1. Open their case by addressing the panel;
 - 6.1.2. Give any further information requested by the panel under regulation 7(1)(d);
 - 6.1.3. Present the evidence of any witness; and
 - 6.1.4. Conclude their case by addressing the panel.
- 6.2. 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.

7. *Questioning the parties*

- 7.1. 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.
- 7.2. 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.

8. *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 6 and 7.2. The convenor will require the party or their representative to close their case or cease their questioning immediately this time limit is reached.

9. *Considering the decision*

- 9.1. The hearing will conclude after all parties have presented their case and responded to any questions. The panel will then deliberate on its decision by whatever means it considers to be appropriate.
- 9.2. The panel may, while it is considering its decision, seek advice from legal or licensing officers, either verbally or in writing. Officers will limit their advice to the specific issue identified by the panel.
- 9.3. When the panel has reached its decision, it may ask the legal, licensing or committee officers to review and offer observations on the draft decision notice.

10. *Communicating the decision*

- 10.1. The decision will be sent in writing to all parties in accordance with the regulations.

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	LICENSING PANEL	17 JUNE 2020	3
APPLICATION FOR THE GRANT OF A PREMISES LICENCE THE ROOMS, CHURCH ROAD, LYTHAM			

PUBLIC ITEM

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

SUMMARY

The Licensing Authority has received an application for the grant of a premises licence for The Rooms, Church Road, Lytham. There has been a representation from the Planning Department, who are a relevant authority as defined in the Licensing Act 2003 together with representations from “other persons” as defined by the Act and as such a hearing must be held to determine the application.

RECOMMENDATION

- That the Panel considers the application and determines to either:
 - grant the application subject to the conditions specified in the operating schedule modified to such extent as the panel considers appropriate for the promotion of the licensing objectives, and any mandatory condition,
 - exclude from the scope of the licence any of the licensable activities to which the application relates,
 - refuse to specify a person in the licence as premises supervisor,
 - reject the application

SUMMARY OF PREVIOUS DECISIONS

There are no previous decisions relating to this matter.

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 (Clean and Green)	✓
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

Application

1. The application is for the grant of a premises licence at The Rooms, Church Road, Lytham.
2. The matter has been referred to the panel because relevant representations have been received from “other persons” as defined by the Act.
3. The application was originally due to be considered at a hearing in March, but had to be postponed because of restrictions imposed as a result of the Coronavirus outbreak. The application will now be heard remotely by Zoom videoconference.

Papers

4. 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:
 - Planning
 - Copies of relevant representations made by the following interested parties
 - Mr & Mrs R I Chadwick
 - Mr M Paxton
 - Mr & Mrs D Entwistle
 - Mr T Hislop
 - Mr A Burn
 - Mrs G A Burn
 - Mrs J Watt
 - Mr & Mrs M Swarbrick
 - Mr G Nash

Consideration

5. The licensing objectives are:
 - The prevention of crime and disorder;
 - Public safety
 - The prevention of public nuisance; and
 - The protection of children from harm
6. 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 subject to the conditions specified in the operating schedule modified to such extent as the panel considers appropriate for the promotion of the licensing objectives, and any mandatory condition;
 - b) exclude from the scope of the licence any of the licensable activities to which the application relates
 - c) refuse to specify a person in the licence as premises supervisor; or
 - d) reject the application
7. 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.

8. The following parts of the Secretary of State's guidance appear to be particularly relevant to the application and the relevant representations:

2.15	Public Nuisance
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.

9. 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
18	Need for licensed premises
10.3	Conditions that the Licensing Authority May Impose

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

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
Andy Hough	andy.hough@fylde.gov.uk Tel 01253 658606	3 rd March 2020

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
S182 Statement of Licensing Policy	April 2018	S182 Guidance
Fylde Council Statement of Licensing Policy	January 2016	Statement of Licensing Policy

Attached documents

Application Form
DPS Consent
Plans of Premises
Representations
Area Plan's

 THE LICENSING PRACTICE LTD Specialists in Local Authority Licensing	3 Cardinal Place, Cleveleys, Lancs. FY52SQ Telephone: 01253 858186 or 01253 7708109 Fax: 01253 858186 E-mail: Licensingpractice@btinternet.com
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Application for a premises licence to be granted 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 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 **Andrew James Baker** apply for premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below the premises) and we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordinance survey map reference or description	
The Rooms 35 Church Road	
Post town Lytham St Annes	Post code FY8 5LL

Telephone number of premises (if any)	01253 736000
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Non domestic rateable value of premises	£5700
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Part A2 - Applicant Details

Please state the capacity in which you are applying to convert your existing licence

Please tick

a) an individual or individuals	<input checked="" type="checkbox"/>	please complete section(A)
b) a person other than an individual	<input type="checkbox"/>	please complete section (B)
i. as a limited company	<input type="checkbox"/>	please complete section (B)
ii. as a partnership	<input type="checkbox"/>	please complete section (B)
iii. as an unincorporated association or	<input type="checkbox"/>	please complete section (B)
iv. other (for example a statutory corporation)	<input type="checkbox"/>	please complete section (B)
c) a recognised club	<input type="checkbox"/>	please complete section (B)
d) a charity	<input type="checkbox"/>	please complete section (B)
e) the proprietor of an educational establishment	<input type="checkbox"/>	please complete section (B)
f) a health service body	<input type="checkbox"/>	please complete section (B)
g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital	<input type="checkbox"/>	please complete section (B)
h) the chief officer of police of a police force in England and Wales	<input type="checkbox"/>	please complete section (B)

Appendix 1 - Application form

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

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

(A) **INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr	✓	Mrs		Miss		Ms		Other title (for example, Rev)	
Surname						First names			
Baker						Andrew James			
Please tick ✓ yes									
I am 18 years old or over									✓
Current postal address if different from premises address									
Post Town						Postcode			
Daytime contact telephone number									
Email address (optional)									

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Mr		Mrs		Miss		Ms		Other title (for example, Rev)	
Surname						First names			
Please tick ✓ yes									
I am 18 years old or over									
Current postal address if different from premises address									
Post Town						Postcode			
Daytime contact telephone number									
Email address (optional)									

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

	Day		Month		Year			
When do you want the premises licence to start?	0	1	0	3	2	0	2	0

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

If 5000 or more people attend the premises at any one time, please state the number expected to attend	N/A
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<p>Please give a general description of the premises (please read guidance note 1)</p> <p>The Rooms is a boutique bed and breakfast hotel of 5 guest rooms over 3 floors. It is an end of terraced property located on a busy main road close to Lytham town centre.</p>

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

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

Please tick ☒ Yes

Provision of regulated entertainment

a) plays	
b) films	
c) indoor sporting events	
d) boxing or wrestling entertainment	
e) live music	
f) recorded music	
g) performances of dance	
h) anything of a similar description to that falling within (e), (f) or (g)	

Provision of late night refreshment (if ticking yes, fill in box I)	<input checked="" type="checkbox"/>
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Sale by retail of alcohol (if ticking yes, fill in box J)	<input checked="" type="checkbox"/>
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In all cases complete boxes K, L and M

BOXES A - H ARE NOT RELEVANT IN THIS APPLICATION.

I

Late Night Refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors, or both – please tick [Y] (please read guidance note 9)	Indoor	
Day	Start	Finish		Outdoors	
Mon			Please give further Details here (please read guidance note 10)	Both	
Tue					
Wed					
Thur			State any seasonal variations for the provision of late night refreshment (please read guidance note 11).		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (Please read guidance note 12).		
Sun					
			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. The terminal hour for this licensable activity is to be extended by 30 minutes every;- <ul style="list-style-type: none"> Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Boxing Day and Lytham Club Day. 		

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick Box Y) [please read guidance note 13]	On the premises <input type="checkbox"/>	<input type="checkbox"/>
				Off the premises <input type="checkbox"/>	<input type="checkbox"/>
				Both <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 11)		
Mon	08.00hrs	22.30hrs			
Tues	08.00hrs	22.30hrs			
Wed	08.00hrs	22.30hrs			
Thur	08.00hrs	22.30hrs	<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> (Please read guidance note 12). See Operating Schedule re supply of alcohol to residents outside of Standard days and timings. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. The terminal hour for this licensable activity is to be extended by one hour every;- <ul style="list-style-type: none"> Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Boxing Day and Lytham Club Day. 		
Fri	08.00hrs	22.30hrs			
Sat	08.00hrs	22.30hrs			
Sun	08.00hrs	22.30hrs			

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

Name: **Andrew James Baker**

Date of Birth:

Address:

Postcode:

Personal licence number (if known) **to be applied for.**

Issuing licensing authority (if known) **Fylde BC**

N

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

None

O

Hours premises are open to the public

Standard days and timings (please read guidance note 8)

Day	Start	Finish
Mon	08.00hrs	22.30 hrs
Tue	08.00hrs	22.30 hrs
Wed	08.00hrs	22.30 hrs
Thur	08.00hrs	22.30 hrs
Fri	08.00hrs	22.30 hrs
Sat	08.00hrs	22.30 hrs
Sun	08.00hrs	22.30 hrs

State any seasonal variations (please read guidance note 11)

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 12)

See Operating Schedule re opening hours in respect of residents outside of Standard days and timings.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

The terminal hour for this licensable activity is to be extended by one hour every;-

- Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend.
- Valentines Night, Christmas Eve, Boxing Day and Lytham Club Day.

P

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

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

The primary purpose of the premises shall be that of a bed and breakfast hotel with cafe/restaurant facilities.

b) The prevention of crime and disorder

After 10:30hrs alcohol shall not be sold or supplied on the premises otherwise than to persons residing there or their private friends. A Guest Book will be maintained behind the bar of the premises, wherein the names of guests (and the residents of whom they are a guest) will be duly recorded.

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

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

No drink will be removed from the premises in an unsealed container save for unfinished bottles of wine which must be re-corked before being taken away from the premises.

Appropriate measures will be taken to ensure staff prevent the removal of bottles or glasses from the curtilage and grounds of the licensed premises or any outside area under the control of the premises licence holder.

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

Off sales from the premises shall be in sealed containers only. Any unfinished bottles of wine must be re-corked before being taken away from the premises.

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

- a. All incidents of crime and disorder
- b. Refused sales to suspected under-age and drunken persons
- c. A record of any person asked to leave the premises or removed from the premises
- d. Details of occasions on which the police are called to the premises

The book will be available for inspection by a police officer.

Any 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 of a Responsible Authority.

All staff who are involved in the sale of alcohol shall be trained in relation to the licensing objectives so as to reduce crime and disorder, promote public safety, prevent public nuisance and promote the protection of children from harm. Said training shall be documented and shall be made available to an authorised officer upon request.

Any person who appears to be intoxicated or who is behaving in a disorderly manner will not be allowed entry to the premises. Any person within the premises who appears to be intoxicated or who is behaving in a disorderly manner will be given care and consideration in leaving the premises.

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

Functions involving alcohol, which specifically target young people aged 18 years old (for example birthday parties) will not be allowed to take place on the premises.

c) Public safety

The Site shall operate in accordance with all relevant legislation which promotes the public safety objective including, but not limited to, the Health and Safety at Work etc Act 1974 and associated regulations, the Food Safety Act 1990, the Regulatory Reform (Fire Safety) Order 2005 and the Disability Discrimination Act 1995.

Adequate first aid provision and fire-fighting will be available at all times on the site.

d) The prevention of public nuisance

The Premises Licence Holder shall operate in accordance with all relevant legislation which promotes the public nuisance objective including but not limited to the Environmental Protection Act 1990 and the Noise Act 1996.

The departure of customers from the premises shall be effectively managed by staff who will request patrons to leave quietly and to avoid causing noise, nuisance or disturbance in the area.

The area around the premises will be kept clean, tidy and free from debris and cigarette butts so as not to cause a nuisance in the area.

There will be placed at all exits from the premises, in a place where they can be seen and easily read by patrons, clear and legible notices requiring customers to leave the premises and the area quietly so as to minimise disturbance in the vicinity.

e) The protection of children from harm

A Challenge 25 proof of age policy shall be implemented and adhered to. All staff to have received suitable training in relation to the Challenge 25 proof of age scheme. Records to evidence this will be made available to an authorised officer upon request.

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

- i. A recognised proof of age card accredited under the British Retail Consortium's Proof of Age Standards Scheme (PASS)
- ii. Photo driving licence
- iii. Citizen card supported by the Home Office
- iv. Official ID card issued by HM Forces or European Union bearing a photograph and date of birth of the holder.

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

All staff who are involved in the sale of alcohol shall be trained in relation to the Challenge 25 policy upon commencement of their employment following which they will undertake refresher training at suitable intervals. Records to evidence this will be made available to an authorised officer upon request.

Suitable signage will be displayed to specify that a Challenge 25 Policy is in place.

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

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

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

Signature 

Date2nd February 2020

Capacity **Authorised Agent**

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date

Capacity

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 19)

**Robin Atkinson or Rodger Wightman
The Licensing Practice ,
3 Cardinal Place,**

Tel: 01253 770810 or 01253 858186

Post town **Cleveleys**

Post code **FY5 2 SQ**

Telephone number (if any) **01253 770810 or 01253 858186**

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



THE LICENSING PRACTICE LTD
Specialists in Local Authority Licensing

3 Cardinal Place, Cleveleys, Lancs. FY52SQ
Telephone: 01253 858186 or 01253 7708109
Fax: 01253 858186
E-mail: Licensingpract@aol.com.

Consent of individual to being specified as premises supervisor

I **Andrew James Baker** of

The Rooms, 35 Church Road, Lytham St Annes. FY8 5LL

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for a new **Premises Licence**

by **Andrew James Baker**

relating to a Premises Licence for

The Rooms, 35 Church Road, Lytham St Annes. FY8 5LL

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

concerning the supply of alcohol at

The Rooms, 35 Church Road, Lytham St Annes. FY8 5LL

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

Personal licence number: **to be applied for**

Personal licence issuing authority: **Fylde Borough Council**

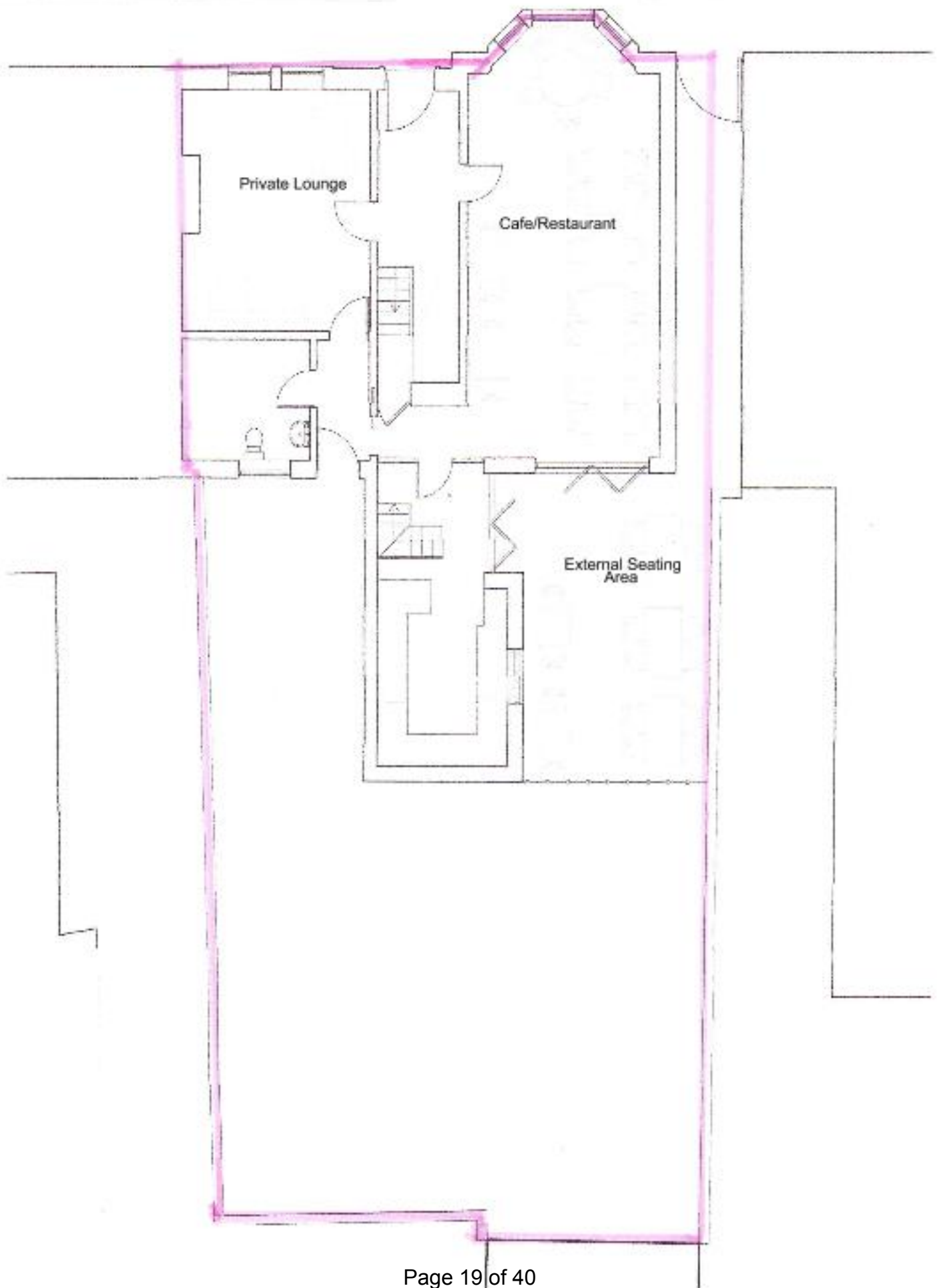
Phone: **01253 658658**

Signed 

Name (please print): **Andrew James Baker**

Date **2nd February 2020.**

THE ROOMS, 35 CHURCH STREET, LYTHAM





Memorandum

To: Licensing

From: R. Thow

Your Ref:

Our Ref: ENQ/20/0044

Date: 05/02/2020

Premises Licence Application

Location- The Rooms, 35 Church Road, Lytham St. Annes

Thank you for your consultation on an application for a new premises licence for the sale of alcohol at the above property.

From the information submitted with the application and the planning history I am aware that the property has permission for use as a guest house. A planning application has also been received for a change of use of part of the property to a restaurant (application no. 20/0047) which includes an area for external dining.

As the application is still under consideration and due a decision by 20th March 2020 I have not as yet received consultation responses to the proposal and so there is no recommendation on the proposal, as yet. However, at this initial stage I have concerns that the use of the external areas, as indicated on the plan submitted with the licence application, has the potential to cause unacceptable levels of noise and disturbance for occupiers of neighbouring residential properties.

As a consequence the Planning Department objects to the issue of a licence on the basis of the potential for loss of amenity for the occupiers of nearby properties.

Ruth Thow.

From: Ruth Thow
Sent: 25 February 2020 11:49
To: Andy Hough
Subject: The Rooms, 35 Church Road, Lytham St. Annes - ENQ/20/0044

Andy

Further to our comments in respect of a licence application for the above site I write to advise that our concerns remain due to the extent of the hours proposed for the sale of alcohol identified in the application. Even if the use of the premises were restricted to internal dining only the sale of alcohol from 08.00-22.30 hrs is likely to result in noise and disturbance for the residential neighbours. As such our objection is upheld.

I hope this assists.

Regards



Ruth Thow
Planning Officer

t: 01253 658458
e: ruth.thow@fylde.gov.uk

Fylde Borough Council

www.fylde.gov.uk



Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

- A person ☐
 A body representing a persons ☐
 A person involved in a business ☒
 A body representing a business ☐

2. Details of Person/Body Making Representation

Mr ☒ Mrs ☒ Miss ☐ Ms ☐ Other ☐

Surname: CHADWICK	First Names: Rc
Postal address:	
Post Code: FY8 5LL	Phone: Mobile: e-mail:

3. Details of the Premises/Club

Name: THE ROOMS	
Postal address: CHURCH ROAD LYTHAM	
Post Code:	Reference Number (If Known):

4. Which of the Licensing Objectives does your representation refer to?

- The prevention of crime & disorder ☐ Public Safety ☐
 The prevention of public nuisance ☐ The protection of children from harm ☐

5. What are your concerns?

Please provide full details of your concerns regarding the premises. Please include or enclose any evidence you may have in support of your concerns:

We understand that The Rooms have applied for a liquor licence. The photo area to the rear of the establishment backs directly on to the rear of the residential care home. We have 32 elderly residents all of whom are usually in bed very early. Our fear is that late night noise might potentially disturb them. We are also concerned that

(Please continue on a separate sheet if necessary)

this might put people off wishing to come in to Hedges House thus affecting

6. Suggested amendments?

Could the licence be amended in any way to remedy your concern? If so, how? occupancy long term.

(Please continue on a separate sheet if necessary)

Signature	Atthadwick
Capacity	OWNER - HEDGES HOUSE
Date	29/2/20

Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Also it will be published in the report available to the Licensing Committee, which will be publicly available.

Please return this completed form to:
The Licensing Team
Town Hall
Lytham St Annes
Lancashire
FY8 1LW



Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

- A person ☒
 A body representing a persons ☐
 A person involved in a business ☐
 A body representing a business ☐

2. Details of Person/Body Making Representation

Mr ☒ Mrs ☐ Miss ☐ Ms ☐ Other ☐

Surname: PAXTON	First Names: M...
Postal address: 	
Post Code: F48 5LN	Phone: Mobile: e-mail:

3. Details of the Premises/Club

Name: THE LOOMS	
Postal address: 35 CHURCH RD LYTHAM	
Post Code: F48 5LN	Reference Number (If Known):

4. Which of the Licensing Objectives does your representation refer to?

- The prevention of crime & disorder ☒ Public Safety ☒
 The prevention of public nuisance ☒ The protection of children from harm ☐

5. What are your concerns?

Please provide full details of your concerns regarding the premises. Please include or enclose any evidence you may have in support of your concerns:

- NOISE OF PATRONS LEAVING THE PREMISES - SHOUTING, CAR DOORS
- THERE IS ALREADY AN ACUTE LACK OF PARKING IN THIS AREA
- IT IS IN A QUIET, RESIDENTIAL AREA WITH NO SIMILAR BUSINESSES NEARBY
- ENOUGH LICENSED PREMISES IN TOWN CENTRE TO CATER FOR LOCALS + VISITORS
- DANGEROUS PRECEDENT FOR FURTHER EXPANSION OF LICENSED PREMISES IN IMMEDIATE AREA

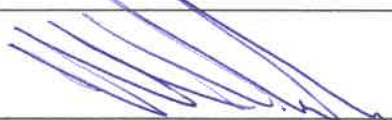
(Please continue on a separate sheet if necessary)

6. Suggested amendments?

Could the licence be amended in any way to remedy your concern? If so, how?

NO

(Please continue on a separate sheet if necessary)

Signature	
Capacity	HOMER OWNER
Date	1/3/2020

Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Also it will be published in the report available to the Licensing Committee, which will be publicly available.

Please return this completed form to:
 The Licensing Team
 Town Hall
 Lytham St Annes
 Lancashire
 FY8 1LW



Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

- A person ☒
- A body representing a persons ☐
- A person involved in a business ☐
- A body representing a business ☐

2. Details of Person/Body Making Representation

Mr ☒ Mrs ☒ Miss ☐ Ms ☐ Other ☐

Surname: ENTWISTLE	First Names: D
Postal address:	
Post Code: FY8 5NN	Phone: Mobile: e-mail:

3. Details of the Premises/Club

Name: THE ROONS	
Postal address: 35. CHURCH RD. LYTHAM.	
Post Code:	Reference Number (If Known):

4. Which of the Licensing Objectives does your representation refer to?

- The prevention of crime & disorder ☒ Public Safety ☒
- The prevention of public nuisance ☒ The protection of children from harm ☐

5. What are your concerns?

Please provide full details of your concerns regarding the premises. Please include or enclose any evidence you may have in support of your concerns:

- ① PARKING IS ALREADY VERY CONGESTED ON ALL THE STREETS ADJACENT TO NO 35. FOR RESIDENTS.
- ② NOISE AT A UNSOCIABLE TIME CONSIDERING IT IS A RESIDENTIAL AREA.
- ③ EXTENSION OF THE RETAIL AREA OF LYTHAM INTO RESIDENTIAL AREAS
- ④ OLD PEOPLE'S HOME - NEXT DOOR. THIS WILL CAUSE DISTURBANCE TO THEM ESPECIALLY AS THERE ARE PLANS TO USE A OUTDOOR AREA AT THE BACK OF THE PREMISES.

(Please continue on a separate sheet if necessary)

6. Suggested amendments?

Could the licence be amended in any way to remedy your concern? If so, how?

AS A RESIDENT OF CECIL ST & LIVE OPPOSITE NO 35. I WOULD LIKE TO OBJECT TO THIS LICENCE APPLICATION IN ITS ENTIRETY.

(Please continue on a separate sheet if necessary)

Signature	D. Shute
Capacity	HOME OWNER
Date	1/3/20.

Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Also it will be published in the report available to the Licensing Committee, which will be publicly available.

Please return this completed form to:
 The Licensing Team
 Town Hall
 Lytham St Annes
 Lancashire
 FY8 1LW



S

Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

A person ☒A body representing a persons ☐A person involved in a business ☐A body representing a business ☐

2. Details of Person/Body Making Representation

Mr ☐Mrs ☐Miss ☐Ms ☐Other ☐

Surname: HISLOP	First Names: T.
Postal address:	
Post Code: FY8 5LL	Phone: Mobile: e-mail:

3. Details of the Premises/Club

Name: THE ROOMS	
Postal address: 35 CHURCH ROAD LYTHAM	
Post Code: FY8 5LL	Reference Number (If Known): ?

4. Which of the Licensing Objectives does your representation refer to?

The prevention of crime & disorder

☐

Public Safety

☐

The prevention of public nuisance

☒

The protection of children from harm

☐

5. What are your concerns?

Please provide full details of your concerns regarding the premises. Please include or enclose any evidence you may have in support of your concerns:

The area of Church Road in Jubb there is an application for a liquor licence is very residential. Population is a mix of families and elderly including hedge house nursing home. Obtaining a liquor licence would attract unwelcome interest in what is a quiet and civilised area.

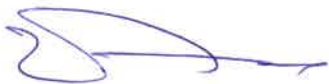
(Please continue on a separate sheet if necessary)

6. Suggested amendments?

Could the licence be amended in any way to remedy your concern? If so, how?

NO.

(Please continue on a separate sheet if necessary)

Signature	
Capacity	NEIGHBOUR
Date	1 MARCH 2020

Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Also it will be published in the report available to the Licensing Committee, which will be publicly available.

Please return this completed form to:
The Licensing Team
Town Hall
Lytham St Annes
Lancashire
FY8 1LW



Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

- A person ☒
 A body representing a persons ☐
 A person involved in a business ☐
 A body representing a business ☐

2. Details of Person/Body Making Representation

Mr ☒ Mrs ☐ Miss ☐ Ms ☐ Other ☐

Surname: <i>BURN</i>	First Names: <i>A</i>
Postal address:	
Post Code: <i>FY8 SLN</i>	Phone: Mobile: e-mail:

3. Details of the Premises/Club

Name: <i>THE ROOMS</i>	
Postal address: <i>35 CHURCH ROAD</i> <i>LYTHAM</i> <i>LANCS</i>	
Post Code: <i>FY8 SLL</i>	Reference Number (If Known):

4. Which of the Licensing Objectives does your representation refer to?

- The prevention of crime & disorder ☐ Public Safety ☐
 The prevention of public nuisance ☒ The protection of children from harm ☐

5. What are your concerns?

Please provide full details of your concerns regarding the premises. Please include or enclose any evidence you may have in support of your concerns:

This is a quiet residential area that does not need a bar and restaurant. There are many bars and restaurants in the centre of Lytham and vacant premises should someone wish to open such an establishment. Setting up a bar in a residential area may set the precedent for others to follow and that could adversely affect the commercial demographic of the town. There is inadequate parking for a restaurant and bar. The noise and potential littering from the patrons would be unacceptable to the residents in the quiet residential area.


(Please continue on a separate sheet if necessary)

6. Suggested amendments?

Could the licence be amended in any way to remedy your concern? If so, how?

No

(Please continue on a separate sheet if necessary)

Signature	
Capacity	<i>Self / HOME OWNER</i>
Date	<i>2. March 2020</i>

Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Also it will be published in the report available to the Licensing Committee, which will be publicly available.

Please return this completed form to:
 The Licensing Team
 Town Hall
 Lytham St Annes
 Lancashire
 FY8 1LW



Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

- A person ☒
 A body representing a persons ☐
 A person involved in a business ☐
 A body representing a business ☐

2. Details of Person/Body Making Representation

Mr ☐ Mrs ☒ Miss ☐ Ms ☐ Other ☐

Surname: BURN	First Names: A
Postal address:	
Post Code: FY8 5LN	Phone: _____ Mobile: _____ e-mail: _____

3. Details of the Premises/Club

Name: THE ROOMS	
Postal address: 35 CHURCH ROAD LYTHAM LANCASHIRE	
Post Code: FY8 5LL	Reference Number (If Known):

4. Which of the Licensing Objectives does your representation refer to?

- The prevention of crime & disorder ☐ Public Safety ☐
 The prevention of public nuisance ☒ The protection of children from harm ☐

5. What are your concerns?

Please provide full details of your concerns regarding the premises. Please include or enclose any evidence you may have in support of your concerns:

This is a quiet residential area that will be adversely affected by the noise & littering from the patrons of the bar & restaurant. There is inadequate car parking for a bar with limited spaces for the residents as it is. This quiet residential area is away from the centre of the commercial area of Lytham and does not need a bar or restaurant. Granting such an application adjacent to a residential care home is unacceptable because of the potential noise & littering.

(Please continue on a separate sheet if necessary)

6. Suggested amendments?

Could the licence be amended in any way to remedy your concern? If so, how?

No.

(Please continue on a separate sheet if necessary)

Signature	GA Burn
Capacity	Neighbour
Date	2/3/2020,

Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Also it will be published in the report available to the Licensing Committee, which will be publicly available.

Please return this completed form to:
 The Licensing Team
 Town Hall
 Lytham St Annes
 Lancashire
 FY8 1LW



8

Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

- A person ☒
- A body representing a persons ☐
- A person involved in a business ☐
- A body representing a business ☐

2. Details of Person/Body Making Representation

Mr ☐ Mrs ☒ Miss ☐ Ms ☐ Other ☐

Surname: <i>Watts</i>	First Names:
Postal address:	
Post Code: <i>LY8 5NT</i>	Phone: Mobile: e-mail:

3. Details of the Premises/Club

Name: <i>The Rooms</i>	
Postal address: <i>35 Church Road Clytham.</i>	
Post Code:	Reference Number (If Known):

4. Which of the Licensing Objectives does your representation refer to?

- The prevention of crime & disorder ☐ Public Safety ☐
- The prevention of public nuisance ☒ The protection of children from harm ☐

5. What are your concerns?

Please provide full details of your concerns regarding the premises. Please include or enclose any evidence you may have in support of your concerns:

My concerns are

- litter
- Noise of people leaving the premises
- Lack of parking (we always struggle to park on our st)
- too many restaurants plus this is a busy area


(Please continue on a separate sheet if necessary)

6. Suggested amendments?

Could the licence be amended in any way to remedy your concern? If so, how?

yes NO Alcohol Licence

(Please continue on a separate sheet if necessary)

Signature	
Capacity	Resident.
Date	1/3/2020

Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Also it will be published in the report available to the Licensing Committee, which will be publicly available.

Please return this completed form to:
 The Licensing Team
 Town Hall
 Lytham St Annes
 Lancashire
 FY8 1LW



9

Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

- A person ☒
 A body representing a persons ☐
 A person involved in a business ☐
 A body representing a business ☐

2. Details of Person/Body Making Representation

Mr ☒ Mrs ☒ Miss ☐ Ms ☐ Other ☐

Surname: <i>Swanburne</i>	First Names: <i>M</i>
Postal address:	
Post Code: <i>EY8 5LN</i>	Phone: Mobile: e-mail:

3. Details of the Premises/Club

Name: <i>The Rooms</i>	
Postal address: <i>35 Church Rd</i> <i>LYTHAM</i>	
Post Code:	Reference Number (If Known):

4. Which of the Licensing Objectives does your representation refer to?

- The prevention of crime & disorder ☐ Public Safety ☐
 The prevention of public nuisance ☒ The protection of children from harm ☐

5. What are your concerns?

Please provide full details of your concerns regarding the premises. Please include or enclose any evidence you may have in support of your concerns:

- Noise of patrons entering & leaving premises, car doors slamming late at night in a residential neighbourhood
 - Litter, bottles & other debris in gardens & on pavements.
 - Lack of parking already for local residents.
 - Other environmental concerns - noise, pollution & smells. Construction equipment, pests & additional litter.
 - Extension of bars & restaurants into a residential area
 - Already enough bars & restaurants in Lytham town centre.
 - Precedent for other bars & restaurants to open in a residential area.
- (Please continue on a separate sheet if necessary)

6. Suggested amendments?

Could the licence be amended in any way to remedy your concern? If so, how?

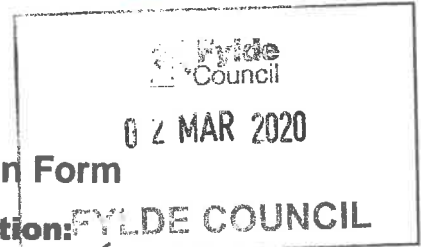
No. This is a residential area not Lytham town centre.

(Please continue on a separate sheet if necessary)

Signature	M. Swales, Stephen Swales
Capacity	Local resident
Date	1 / 3 / 2020

Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Also it will be published in the report available to the Licensing Committee, which will be publicly available.

Please return this completed form to:
 The Licensing Team
 Town Hall
 Lytham St Annes
 Lancashire
 FY8 1LW



Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation?

- ☒ A person
☐ A body representing a persons
☐ A person involved in a business
☐ A body representing a business

2. Details of Person/Body Making Representation

Mr ☒ Mrs ☐ Miss ☐ Ms ☐ Other ☐

Surname: NASH	First Name: G
Postal address:	
Post Code: FY8 5NN	Phone: Mobile: e-mail:

3. Details of the Premises/Club

Name:	
Postal address:	
Post Code:	Reference Number (If Known):

4. Which of the Licensing Objectives does your representation refer to?

- The prevention of crime & disorder ☐ Public Safety ☐
 The prevention of public nuisance ☒ The protection of children from harm ☐

5. What are your concerns?

Please provide full details of your concerns regarding the premises. Please include or enclose any evidence you may have in support of your concerns:

- Potential noise and disruption in what is a residential area
- Lack of parking in what is an area that is already problematic for parking.
- Over population of bars/restaurants in Lytham already.

(Please continue on a separate sheet if necessary)

6. Suggested amendments?

Could the licence be amended in any way to remedy your concern? If so, how?

(Please continue on a separate sheet if necessary)

Signature	G. S. Marsh
Capacity	Resident
Date	02/03/2020

Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Also it will be published in the report available to the Licensing Committee, which will be publicly available.

Please return this completed form to:
 The Licensing Team
 Town Hall
 Lytham St Annes
 Lancashire
 FY8 1LW



- Districts
- Other District/Unitary Authority
 - Lancashire Districts

The Rooms