



# Agenda

## Licensing Hearing

Date:	Friday, 26 January 2024 at 10:30 am
Venue:	Remote Hearing via Zoom
Committee members:	Councillor Sandra Pitman (Convenor) Councillor Paul Hodgson Councillor Mark Bamforth Councillor Gavin Harrison (Reserve)

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

Join Zoom Meeting - <https://us02web.zoom.us/j/84326414541?pwd=K0g4YUNWbExLdkttS0xXOWVYcWxYUT09>

Meeting ID: 843 2641 4541

Passcode: 196717

	<b>PROCEDURAL ITEMS:</b>	<b>PAGE</b>
<b>1</b>	<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.	<b>1</b>
<b>2</b>	<b>Procedure for the Conduct of Hearings</b>	<b>3 - 5</b>
<b>3</b>	<b>Application for the Grant of a Premises Licence - Hunter's Brunch and Bistro, 3 Preston Old Road, Clifton</b>	<b>6 - 38</b>

Contact: Democracy - 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 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. This includes permitting hearings to be conducted online.
- 1.2. Fylde's licensing panels will follow the procedure set out in this document for online hearings, subject to any changes that the panel makes for a particular hearing.
- 1.3. Participants will access the hearing via the Zoom platform ([www.zoom.us](http://www.zoom.us)).
- 1.4. Members of the public will either access the hearing via Zoom or be invited to watch the YouTube livestream, dependent on the level of interest in a particular application.
- 1.5. 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 1.2.
- 1.6. 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	Or invited to view the livestream on the Council's YouTube channel

- 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
HEAD OF ENVIRONMENTAL AND HOUSING SERVICES	LICENSNG PANEL	26 JANUARY 2024	3
<b>APPLICATION FOR THE GRANT OF A PREMISES LICENCE HUNTER’S BRUNCH AND BISTRO, 3 PRESTON OLD ROAD, CLIFTON</b>			

**PUBLIC ITEM**

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

**RELEVANT LEAD MEMBER**

This item is within the remit of Lead Member for Social Wellbeing (Councillor Chris Dixon).

**PURPOSE OF THE REPORT**

The Licensing Authority has received an application for the grant of a new premises licence for Hunter’s Brunch and Bistro, 3 Preston Old Road, Clifton. There have been representations from “other persons” as defined by the Act and as such a hearing must be held to determine the application.

**RECOVERABILITY**

This decision is not recoverable because it relates to:

- A decision relating to the determining of any approval, consent, license, permission or registration.

**RECOMMENDATION**

That the Panel considers the application and determines to either:

- (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,
- (d) reject the application

## REPORT

### Application

1. The application is for a new premises licence for Hunter's Brunch and Bistro, 3 Preston Old Road, Clifton.
2. The matter has been referred to the licensing 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 the 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
  - The Responsible Authorities have been consulted and a summary of their responses is shown below:

Police	Additional conditions agreed, see 9
Fire and Rescue	No objection.
Trading Standards	No representation to make
Child Protection	No response
Planning	No comments to make
Environmental Protection	No response
Health and Safety	Observations passed to applicant
  - Copies of Relevant Representations made by the following interested parties opposed to the application.
    1. Johnny Knight
    2. Andrew Cook
    3. Henry Ismond

### Consideration

4. The Licensing Objectives are:
  - The prevention of crime and disorder
  - Public Safety
  - The prevention of public nuisance
  - The protection of children from harm
5. As relevant representations have 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
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:

- 2.20 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 at the hearing may wish to draw the panel's attention to other parts of the policy.

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
- 18 Need for Licensed Premises
- 10.3 Conditions that the Licensing Panel may impose

However, the parties appearing at 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.

1. *The primary purpose of the premises will be that of a restaurant / bistro / cafe serving food, with additional use for pre-arranged events and functions. The sale of alcohol will be ancillary to these uses.*
2. *The provision of food, including full meals and snacks will form a substantial element of the operation of the premises with sufficient furniture and seating provided and set out in such a way that it does not become a high volume, vertical drinking establishment.*

**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.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

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



### SUMMARY OF PREVIOUS DECISIONS

There are no previous applications relating to this premises.

### BACKGROUND PAPERS REVELANT TO THIS ITEM

Name of document	Date	Where available for inspection
S182 Guidance	August 2023	<a href="#">S182 Guidance</a>
Fylde Council Statement of Licensing Policy	January 2016	<a href="https://new.fylde.gov.uk/wp-content/uploads/2019/05/Final-Statement-of-Licensing-Policy-2016-2021.pdf">https://new.fylde.gov.uk/wp-content/uploads/2019/05/Final-Statement-of-Licensing-Policy-2016-2021.pdf</a>

LEAD AUTHOR	CONTACT DETAILS	DATE
Chris Hambly	<a href="mailto:chris.hambly@fylde.gov.uk">chris.hambly@fylde.gov.uk</a> 01253 658422	2 <sup>nd</sup> January 2024

#### Attached documents

1. Application form
2. Representations
3. Floor Plan
4. Area Plan



**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 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 Lauren Hunter  
 (Insert name(s) of applicant)

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description <b>Hunter’s Brunch &amp; Bistro</b> <b>3 Preston Old Road</b> <b>Clifton</b>			
<b>Post town</b>	Preston	<b>Postcode</b>	<b>PR4 0ZA</b>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£3900</b>

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i as a limited company/limited liability partnership  please complete section (B)
  - ii as a partnership (other than limited liability)  please complete section (B)
  - iii as an unincorporated association or  please complete section (B)

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

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

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

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> Hunter			<b>First names</b> Lauren Olivia		
<b>Date of birth</b> [REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
<b>Nationality</b> UK					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
<b>Daytime contact telephone number</b>		[REDACTED]			
<b>E-mail address (optional)</b>	[REDACTED]				

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>			I am 18 years old or over <input type="checkbox"/> Please tick yes		
<b>Nationality</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
		Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)			

**(B) OTHER APPLICANTS**

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

Name
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**

When do you want the premises licence to start? DD    MM    YYYY

28	12	2023				
----	----	------	--	--	--	--

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

--	--	--	--	--	--	--

Please give a general description of the premises (please read guidance note 1)

Café Bistro

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

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

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

- |  |                            |
|--|----------------------------|
| Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
| a) plays (if ticking yes, fill in box A)                           | <input type="checkbox"/>   |
| b) films (if ticking yes, fill in box B)                           | <input type="checkbox"/>   |
| c) indoor sporting events (if ticking yes, fill in box C)          | <input type="checkbox"/>   |

- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- 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) x

**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	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 4)		
Tue			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Wed			<b><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></b> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	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 4)		
Tue			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Wed			<b><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></b> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					



**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Tue			
Wed			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Both	<input type="checkbox"/>				
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Wed					
Thur			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Thur								
Fri						<b><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></b> (please read guidance note 6)		
Sat								
Sun								

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur								
Fri						<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat								
Sun								

**H**

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 4)</p>		
Wed					
Thur			<p><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 5)</p>		
Fri					
Sat			<p><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 6)</p>		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	1100	2200			
Tue	1100	2200			
Wed	1100	2200			
Thur	1100	2200			
Fri	1100	2300			
Sat	1100	2300			
Sun	1100	2200	<b>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</b> (please read guidance note 6) Terminal hour 0000 hours on Christmas Eve & Boxing Day. Terminal hour of 0100 on New Year's Eve		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

<b>Name</b> Lee Reeves	
<b>Date of birth</b>	██████████
<b>Address</b> ██████████ ██████████	
<b>Postcode</b>	██████████
<b>Personal licence number (if known)</b> PL4163	
<b>Issuing licensing authority (if known)</b> Wigan	



**K**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).**  
 None

**L**

<p><b>Hours premises are open to the public</b>                  Standard days and timings (please read guidance note 7)</p>			<p><b>State any seasonal variations</b> (please read guidance note 5)</p>          <p><b>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</b> (please read guidance note 6)                  Terminal hour 0000 hours on Christmas Eve &amp; Boxing Day.                  Terminal hour of 0100 on New Year's Eve</p>
Day	Start	Finish	
Mon	0800	2200	
Tue	0800	2200	
Wed	0800	2200	
Thur	0800	2200	
Fri	0800	2300	
Sat	0800	2300	
Sun	0800	2200	

**M**

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

Please see below.

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

1. The premises licence holder shall operate and maintain a CCTV system which shall be in use during all times licensable activities are taking place at the premises and comply as follows:

- a) The system shall cover all entrances and exits of the premises, in addition to covering areas of the premises used to store alcohol.
- b) The focus of the camera(s) shall be so as to enable clear identification of persons on the premises.
- c) The system will be capable of time and date stamping recordings and retaining said recordings for at least 28 days.
- d) A staff member who is conversant with the operation of the system shall be on the premises at all times it is open to the public. This staff member shall be able to show the Police recent data or footage with the absolute minimum of delay when requested.
- e) The Designated Premises Supervisor shall inspect the CCTV system at least once a month to ensure it is working in accordance with the above conditions. Date and time of the inspections shall be recorded in a register and shall be made available to the Police and authorised officers on request.

2. Only persons who are 18 years of age and over shall be able to sell or supply alcohol. All such staff members shall receive training in relation to the sale of alcohol, age verification policy and relevant provisions of the Licensing Act 2003. Refresher training shall be provided every 12 months. Records of this training will be kept on the premises and shall be made available for inspection by the Police and authorised officers on request.

3. An incident book shall be kept and maintained on the premises which shall be made available to the Police and/or authorised officers for inspection on request. It shall include the following:

- Any violence or disorder on or immediately outside the premises
- Any incident involving controlled drugs on the premises
- Any other crime or criminal activity
- Any call for Police assistance
- Any first aid or other care given to a customer

4. A written record of all persons authorised to make sales of alcohol by the DPS shall be kept at the premises and shall be made available for inspection by the Police and authorised officers on request.

5. All food and drink for consumption on the premises shall be served by staff to customers seated except in any area reserved for waiting.

**c) Public safety**

None

**d) The prevention of public nuisance**

1. The curtilage of the premises shall be kept clean and tidy.

2. A Notice shall be displayed at the exit advising customers leaving the premises, to do so in a manner that will not cause noise and disturbance to neighbours.

3. There shall be no excessive noise from plant and equipment that could disturb occupiers of premises within the vicinity.

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

1. A written age verification policy shall be operated at the premises. It will be actively promoted and advertised at the premises and any person purchasing alcohol who appears to be under 25 years of age, shall be asked to provide acceptable identification to prove that they are 18 years of age or over. Failure to supply such identification will result in no sale or supply of alcohol to that person.

2. The premises shall maintain a register of refusals to record details of incidents where a member of staff has refused to sell alcohol to a person suspected of being under 18 years of age and shall be available for inspection by the Police and authorised officers on request.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises. x
- I have sent copies of this application and the plan to responsible authorities and others where applicable.

- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. x
- I understand that I must now advertise my application. x
- I understand that if I do not comply with the above requirements my application will be rejected. x
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15). x

**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.**

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

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	M R THORPE
Date	29/11/2023

Capacity	AGENT
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**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) MRT LICENSING SERVICES 102 HARVESTER DRIVE			
Post town	<b>PRESTON</b>	Postcode	<b>PR4 0DW</b>
Telephone number (if any)	07846 128582		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) mike@mrtlicensing.co.uk			

#### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;

- any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
  10. Please list here steps you will take to promote all four licensing objectives together.
  11. The application form must be signed.
  12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
  14. This is the address which we shall use to correspond with you about this application.
  15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships.

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

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

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

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensing activity.

They do this in one of two ways:

- 1) by providing with this application copies or scanned copies of documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on GOV.UK and in guidance.
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

### **Home Office online right to work checking service**

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

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

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

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

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



Johnny Knight (John Knight)



20/12/2023

Fylde Borough Council

Subject: Objection to Alcohol License Application for Hunters Brunch and Bistro in Residential Area

Dear Fylde Borough Council,

I am writing to express my strong objections to the proposed issuance of an alcohol licence for Hunters Brunch and Bistro in our residential neighbourhood. While I understand the importance of supporting local businesses, I believe granting an alcohol licence to this establishment would have adverse effects on the residential character of our community and seriously disrupt local residents.

First and foremost, the business in question has always operated as a cafe in the 7 years I have lived next door. It has also never traded beyond 6 pm in the evenings, excluding a handful of specific occasions.

The cafe is already very noisy during the day; however, this is something I must accept, and I knew this would be the case when I moved in. I work nights from home as a technical support specialist. My hours of work are 7 pm-7 am or 8 pm-8 am. I am constantly on the phone to clients during these hours. We also have a home office contract where I am routinely dealing with the emergency calls, which are always "grade 1 threat to life." If the cafe started to trade in the evenings, have live music acts, and started selling alcohol, the noise level would increase massively. This would not only affect my home life and the life of the person living above the cafe and other surrounding properties, but it would also seriously jeopardise my work. I am seriously concerned about this situation as it is a massive change to the nature of the business, and the consequences of this application being approved will have significant knock-on effects on me, other residents, and the work I do.

Some of the other issues I wish to highlight are as follows:

1. Drunk customers leaving the premises and being disorderly.
2. Customers have nowhere to smoke; the front of the building has a very small area, and drunk customers would be very loud and disruptive to surrounding residents.
3. Car parking is already a problem on Preston Old Road, and bistro customers parking for any length of time will reduce parking available to residents and will also have an impact on customers to the village shop who only require parking for a few minutes.

4. The shop is already struggling to maintain service with other shops opening close by, Sainsbury's at Dobbies, and a Morrisons near the new road. The shop is very important to the pensioners in the village.
5. There are Inadequate/no public toilet facilities in the premises. There is only one room with a toilet in which was always only for staff, customers must access this by going through the kitchen area.

I kindly request that the Licensing Authority carefully considers these objections and takes them into account when reviewing the application for Hunters. Preserving the peaceful and family-friendly nature of our neighbourhood is of utmost importance to all residents.

Thank you for your attention to this matter. I trust that the Licensing Authority will make a decision that reflects the best interests of the community.

Sincerely,

Johnny Knight

From: [REDACTED]  
Sent: Thursday, December 28, 2023 5:04 PM  
To: [mike@mrtlicensing.co.uk](mailto:mike@mrtlicensing.co.uk)  
Subject: Strong Objections to Alcohol licence Application Hunters Bistro Clifton Village.

Dear Mike,  
(Licensing Authority)

I am writing to express my strong objections to the proposed alcohol license for the terraced property currently trading as a café (Hunters Bistro) in our community. As a concerned resident, I am compelled to voice my reservations regarding the potential implications of introducing alcohol service to this establishment.

Our neighborhood cherishes the peaceful coexistence of residential properties and local businesses. Granting an alcohol license to a terraced property, especially one functioning currently as a café, raises significant concerns about the potential increase in noise levels, disturbances, and a shift in the overall character of our community.

Additionally, the limited space and structure of terraced properties may not be conducive to responsibly managing the challenges associated with alcohol service. This includes considerations for safety, noise control, and the potential impact on neighbouring residences.

I respectfully urge the licensing authority to carefully consider these objections before making a decision. Preserving the residential nature of our community is paramount, and introducing alcohol service to this terraced property may compromise the harmony we currently enjoy.

Thank you for your attention to this matter. I trust that you will consider the concerns raised above, in your decision-making process.

Yours Sincerely,

[REDACTED]  
[REDACTED]  
[REDACTED]

Dear Mike

I am writing to express strong concerns about the alcohol license application for Hunters bistro in our residential area. The lack of facilities, including inadequate parking, public toilets, and a designated smoking area, raises significant worries about the potential impact on our community.

Additionally, I am deeply concerned about the potential increase in noise levels associated with alcohol service at Hunters bistro . Our neighbourhood values its peaceful atmosphere, and an influx of patrons may disrupt this tranquility, impacting the quality of life for residents.

Granting an alcohol license without addressing these facility-related and noise concerns may lead to congestion, inconvenience, compromises in public hygiene, and a disturbance in the neighborhood's ambiance. I urge the licensing authority to carefully consider these comprehensive concerns before making a decision.

Thank you for your attention to this matter. I trust you will prioritise the well-being of our community in evaluating the application for Hunters bistro

Sincerely,

██████████

████████████████████

HUNTER'S BRUNCH & BISTRO, 3 PRESTON OLD ROAD  
CLIPTON, PR4 0ZA



\* FIXED SEATING



53.766082N 2.811499W

12/21/2023, 1:48:23 PM

