



# Meeting Agenda

**Licensing Hearing  
Town Hall, St Annes  
29 January 2010, 9:30a.m.**

# **LICENSING PANEL**

## **MEMBERSHIP**

Convenor Councillor Tony Ford

Councillor Susan Fazackerley

Councillor Keith Beckett

Contact: Hazel Wood, St. Annes (01253) 658516, Email:[hazelw@fylde.gov.uk](mailto:hazelw@fylde.gov.uk)



## Licensing Objectives

Fylde Borough Council will carry out its functions under the Licensing Act 2003 with a view to promoting the licensing objectives.

The licensing objectives are:

- 1. The prevention of crime and disorder;**
- 2. Public safety;**
- 3. The prevention of public nuisance; and**
- 4. The protection of children from harm.**

In carrying out its licensing functions, Fylde Borough Council must also have regard to:

- 1. Our licensing statement published under section 5 of the Licensing Act, and**
- 2. Any guidance issued by the Secretary of State under section 182 of the Licensing Act**



## AGENDA

### PART I - MATTERS DELEGATED

| ITEM  | PAGE |
|---|------|
| <b>1. DECLARATIONS OF INTEREST:</b> <i>If a member requires advice on Declarations of Interest he/she is advised to contact the Monitoring Officer in advance of the meeting. (For the assistance of Members an extract from the Councils Code of Conduct is attached).</i> | 4    |
| <b>2. APPLICATION FOR GRANT OF A PREMISES LICENCE: 2 PLEASANT STREET, LYTHAM</b>  | 9    |

**Personal interests**

8.—(1) You have a personal interest in any business of your authority where either—

(a) it relates to or is likely to affect—

- (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) any body—
  - (aa) exercising functions of a public nature;
  - (bb) directed to charitable purposes; or
  - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

- (i) any employment or business carried on by you;
  - (ii) any person or body who employs or has appointed you;
  - (iii) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
  - (iv) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
  - (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
  - (vi) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
  - (vii) any land in your authority's area in which you have a beneficial interest;
  - (viii) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
  - (ix) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or
- (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision;

(2) In sub-paragraph (1)(b), a relevant person is—

- (a) a member of your family or any person with whom you have a close association; or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

**Disclosure of personal interests**

9.—(1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

- (2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- (3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.
- (4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

- (5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- (6) Subject to paragraph 12(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.
- (7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000(d).

**Prejudicial interest generally**

- 10.—**(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- (2) You do not have a prejudicial interest in any business of the authority where that business—
- (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
  - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or
  - (c) relates to the functions of your authority in respect of—
    - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
    - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
    - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
    - (iv) an allowance, payment or indemnity given to members;
    - (v) any ceremonial honour given to members; and
    - (vi) setting council tax or a precept under the Local Government Finance Act 1992.

**Prejudicial interests arising in relation to overview and scrutiny committees**

- 11.—** You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—
- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
  - (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

**Effect of prejudicial interests on participation**

- 12.—**(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—
- (a) you must withdraw from the room or chamber where a meeting considering the business is being held—
    - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
    - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;
 unless you have obtained a dispensation from your authority's standards committee;
  - (b) you must not exercise executive functions in relation to that business; and
  - (c) you must not seek improperly to influence a decision about that business.
- (2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

**LICENSING ACT 2003**

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

**PROCEDURE FOR THE CONDUCT OF HEARINGS**

**1. Preliminary**

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

**2. Interpretation**

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

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

**3. Before the hearing**

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

**4. Opening the hearing**

- 4.1. The convenor will identify all parties to the hearing who are present. The convenor will also identify any persons who are present who intend to assist or represent any party and any witnesses.
- 4.2. The convenor will then explain to the parties the procedure to be followed at the hearing, specifically drawing attention to any departures from the procedures set out in this document

and the reasons for them. The convenor will also inform the parties that the proceedings will be recorded.

- 4.3. The panel will then consider any request by a party under regulation 8(2) for another person to appear at the hearing. The convenor will give any party who has made such a request (or their representative) which the panel proposes to deny an opportunity to address the panel about their request. The panel will then re-consider the request.
- 4.4. The convenor may invite any officer to carry out any functions under this paragraph.

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

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

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

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

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

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

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

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

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

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

# REPORT



| REPORT OF                      | MEETING         | DATE                          | ITEM NO |
|--------------------------------|-----------------|-------------------------------|---------|
| COMMUNITY SERVICES DIRECTORATE | LICENSING PANEL | 29 <sup>TH</sup> JANUARY 2010 | 2       |

## APPLICATION FOR GRANT OF A PREMISES LICENCE: 2 PLEASANT STREET, LYTHAM

### Summary

The Licensing Authority has received an application for the grant of a Premises Licence at 2, Pleasant St, Lytham

There have been representations to the application from the Fire Service, a responsible authority under the Act and from persons living in the vicinity of the premises.

This means that the committee must consider the application.

### Report

#### Application

1. The application is for the grant of a premises licence at 2 Pleasant St, Lytham,
2. The application has been referred to the panel because relevant representations have been received from a responsible authority and interested parties.

#### Papers

3. The following papers are relevant and have been made available to panel members:
  - The application, including the plan and the operating schedule
  - The statutory guidance for licensing authorities issued by the secretary of state under section 182 of the Licensing Act 2003

- The council's statement of licensing policy
- Copies of relevant representations made by the following responsible authorities:

Fire Service

- Copies of relevant representations made by the following interested parties

John Jameson (on behalf of Edna Jameson,  
1 David Hughes, Peter Rogers & Olive Peak)

2 John Mayer

### **Consideration**

4. The licensing objectives are:

- The prevention of crime and disorder;
- Public safety
- The prevention of public nuisance; and
- The protection of children from harm

5. As relevant representations have been made, it is the duty of the panel to take such of the steps set out below as it considers necessary for the promotion of the licensing objectives. The steps are:

- (a) grant the licence subject to the conditions specified in the operating schedule modified to such extent as the panel considers necessary 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 the premises supervisor, and
- (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:

|           |                                     |
|-----------|-------------------------------------|
| 2.1 – 18  | Crime and Disorder                  |
| 2.19      | Public Safety                       |
| 2.32- 9   | Public Nuisance                     |
| 8.5       | Interested Parties                  |
| 9.4 – 6   | Determining Applications - Vicinity |
| 9.19 – 28 | Hearings                            |
| Annex D   | Pool of Conditions                  |

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

8. The following parts of the council's statement of licensing policy appear to be particularly relevant to the application and the relevant representations:

|    |                                   |
|----|-----------------------------------|
| 13 | Applications for Premises Licence |
| 17 | Licence Conditions                |
| 19 | Prevention of Crime and Disorder  |
| 20 | Promotion of Public Safety        |
| 21 | Prevention of Public Nuisance     |
| 24 | Representations                   |
| 25 | Vicinity                          |
| 27 | Hearings                          |

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

### **Further Information**

9. Following a representation from the Planning Department (a Responsible Authority) the applicant has agreed to remove the request for the seasonal variations to 1am on Christmas Eve, Valentines Day, Bank Holidays and New Years Eve.
10. Following concerns raised by the Lancashire Constabulary (also a Responsible Authority), the applicants have agreed to an additional 37 conditions. Those conditions are attached at appendix 1.
11. The Environmental Protection Team have also made representation requesting that *“During the performance of regulated entertainment, specifically live music and/of DJ's, all doors and windows shall remain closed except for access and egress.”*
12. These amendments and additions will require the consideration and approval of the Panel.

## Procedure

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

| REPORT AUTHOR | TEL            | DATE                         | DOC ID |
|---------------|----------------|------------------------------|--------|
| Chris Hambly  | (01253) 648422 | 5 <sup>th</sup> January 2010 |        |

## Attached documents

App1 – Additional Police Conditions

App 2 - Application for Grant of a Premises Licence

App 3 – Representations

App 4 – Area Plan

App 1

**2 PLEASANT STREET****Additional Conditions of Licence**

1. The consumption of alcohol on the ground floor will be by persons taking table meals there only and for consumption by such persons as an ancillary to their meal.
2. The supply of intoxicating liquor for consumption on the ground floor will be by waiter/waitress service only and only to persons seated at tables.
3. Seating in the 1<sup>st</sup> floor bar area will be provided in at least 70% of the total floor area of that part of the premises.
4. At least one personal licence holder will be on the licensed premises 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.
5. Another member of staff shall be nominated to act for the Designated Premises Supervisor, in their absence, whose identity is known by all other staff when such absence occurs.
6. The premises are operated in accordance with the principles outlined by the 'Nightsafe' Scheme, as are relevant to those premises, and indicated in the associated leaflet.
7. The premises shall be operated in participation with the 'Pubwatch' Scheme and the licence holder and/or DPS shall attend regular meetings.
8. Risk assessments carried out by or on behalf of the Licence holder which relate to a licensing objective will be available for inspection by a police officer or a representative of a Responsible Authority..
9. The premises are to be equipped with a closed circuit television system, which is appropriate to its purpose and provided, maintained and monitored to the satisfaction of the enforcement authorities.
10. Where CCTV is installed with recording facilities, such recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the enforcement authorities.
11. The Police Licensing Unit shall be notified on any occasion when the CCTV or radio system is to be inoperative for a period in excess of one working day and shall provide a certificate from a competent person stating the reason for the system being inoperative and the measures which have been taken to satisfy the licence conditions.

12. An adequate number of licensed door supervisors will be on duty as appropriate to any risk assessment and in accordance with guidance under the 'Nightsafe' Scheme.
13. Any individual employed on the premises to carry out a security activity must be licensed by the SIA.
14. All door staff employed at the entrance/exit of the licensed premises will wear a reflective jacket/armband of a design approved by the Lancashire Constabulary and the Local Authority.
15. All doorstaff will comply with SIA requirements relating to the availability of registration documents for inspection.
16. A record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as a door supervisor. The record shall contain the following details:
  - i. Name, address
  - ii. Date of birth
  - iii. SIA licence number
  - iv. Time commenced duty and time terminated dutyThe record shall be available for inspection on demand by an authorised person, the SIA or a Police Constable.
17. The licence holder and/or DPS are to support and rigorously enforce the Challenge 21 Proof of Age policy. Any person who looks or appears to be under the age of 21 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable: photo driving licence; passport; Proof of Age Standards Scheme Card; any other locally or nationally approved form of identification which may be introduced in the future.
18. All staff shall receive suitable training, in particular in relation to the prevention of underage sales and sales to drunken persons. Records of such training will be available to an authorised person upon request.
- ~~19. An under 18 must be accompanied by an appropriate adult.~~
20. Children under the age of 16 years will not be permitted entry to the premises, or be permitted to remain on the premises, after 9pm.
21. Last entry to the premises will be at 11.30pm and no person will be allowed access to the venue after that time.
22. The premises will be cleared and the doors closed by 12.30am.
23. Only toughened glass vessels are used to dispense beverages to customers.

24. The premises shall maintain a drinks pricing policy which complies with any Local Authority resolution, made in accordance with approval from the local Pubwatch or any successor liaison body recognised by the Licensing Authority.
25. There shall be no drinks promotions which would contravene the British Beer and Pub Association Standards for the Management of Responsible Drinks Promotions, including Happy Hours, or the Social Responsibility for the Production and Sale of Alcoholic Drinks in the UK.
26. A drugs prevention strategy for the venue shall be developed and applied. This strategy shall include arrangements for the location of posters and the distribution of other information relating to drugs risks, the dangers associated with drugs and the legal provisions relating to drug use.
27. Where there is reasonable suspicion that drugs are being carried, the DPS shall ensure that the outer clothing, pockets and bags of those entering the venue are searched by a trained staff member of the same sex.
28. Clearly visible notices shall be displayed advising those attending that
  - (a) It is a condition of entry that customers agree to be searched, and
  - (b) Police will be informed if anyone is found in possession of controlled substances or weapons.
29. Security arrangements are sufficient to discourage the sale and consumption of drugs and shall ensure such arrangements include regular checks of toilet areas.
30. Any customers known to have been previously convicted of committing criminal offences relating to drugs shall be excluded from the premises.
31. Records of incidents involving the use and/or detection of drugs shall be maintained and those records shall be available for inspection.
32. Confiscated and found drugs shall be stored, disposed, transferred in accordance with procedures agreed with the Lancashire Constabulary.
- ~~33. The volume of amplified sound used in connection with entertainment shall at all times be under the control of the licensee or management and the controlling mechanism shall be operated from a part of the premises inaccessible to members or their guests.~~
34. The licence holder shall ensure that the arrangement for the storage of empty bottles prevents unauthorised access to those bottles.
35. Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the licensed premises.

- 36. The licence holder shall ensure free cold drinking water is available on request and that an adequate supply of chilled soft drinks and bottled water should be available for sale at the bar(s).
- 37. Off sales from the premises shall be in sealed containers only. Any unfinished bottles of wine must be recorked before being taken away from the premises.

I agree to the above conditions formulating part of the operating schedule for the premises licence at 2 Pleasant Street, Lytham

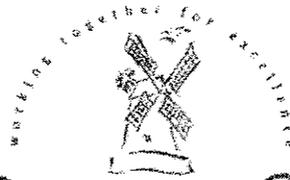
  
 ..... Henry Staals (applicant)

  
 ..... Haruthai Staals (applicant)

2.1.10  
 ..... Date

SARAH SAZ  
 604153

APP 2



# FYLDE BOROUGH COUNCIL

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.

HENRY STAALS

HARUTHAI STAALS

I/We ..... 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 |                      |
| 2 PLEASANT STREET  |                      |
| Post town<br>LYTHAM ST ANNES   | Post code<br>FY8 5JA |

|   |          |
|---|----------|
| Telephone number at premises (if any)   |          |
| Non-domestic rateable value of premises | £ 17,750 |

### Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick ✓ yes

- a) an individual or individuals\*  please complete section (A)
- b) a person other than an individual\*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  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  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:

Please tick  yes

- 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  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

Daytime contact te

E-mail address (optional)

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr

Mrs

Miss

Ms

Other title (for example, Rev)

Surname  
STRAALS

First names  
HARUTHAI

Please tick  
✓ yes

I am 18 years old or over

Current postal address if different from premises address

Post Town

Daytime contact te

E-mail address (optional)

**(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?

| Day | Month | Year |
|-----|-------|------|
| 01  | 02    | 2010 |

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

| Day | Month | Year |
|-----|-------|------|
|     |       |      |

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

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

GROUND FLOOR RESTAURANT FIRST FLOOR BAR  
AND SECOND FLOOR BAR IN CORNER PROPERTY  
PARTLY SEMI-DETACHED WITH 4 PLEASANT STREET.

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

**Provision of entertainment facilities for:**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)  
(if ticking yes, fill in box K)

**Provision of late night refreshment** (if ticking yes, fill in box L)

**Supply of alcohol** (if ticking yes, fill in box M)

**In all cases complete boxes N, O and P**

**A**

| <b>Plays</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the performance of a play take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b> | Indoors  |  |  |
|--|-------|--------|--|--|--|--|
| Day  | Start | Finish |  | Outdoors   |  |  |
| Mon  |       |        | <b>Please give further details here (please read guidance note 3)</b>  | Both   |  |  |
| Tue  |       |        |  |  |  |  |
| Wed  |       |        |  | <b>State any seasonal variations for performing plays (please read guidance note 4)</b>  |  |  |
| Thur   |       |        |  |  |  |  |
| Fri  |       |        |  | <b>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 (please read guidance note 5)</b> |  |  |
| Sat  |       |        |  |  |  |  |
| Sun  |       |        |  |  |  |  |

**B**

| <b>Films</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the exhibition of films take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b> | Indoors   |  |  |
|--|-------|--------|--|---|--|--|
| Day  | Start | Finish |  | Outdoors  |  |  |
| Mon  |       |        | <b>Please give further details here (please read guidance note 3)</b>  | Both  |  |  |
| Tue  |       |        |  |   |  |  |
| Wed  |       |        |  | <b>State any seasonal variations for the exhibition of films (please read guidance note 4)</b>  |  |  |
| Thur   |       |        |  |   |  |  |
| Fri  |       |        |  | <b>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 (please read guidance note 5)</b> |  |  |
| Sat  |       |        |  |   |  |  |
| Sun  |       |        |  |   |  |  |

**C**

| <b>Indoor sporting events</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | Please give further details (please read guidance note 3)   |
|---|-------|--------|---|
| Day   | Start | Finish |   |
| Mon   |       |        | State any seasonal variations for indoor sporting events<br>(please read guidance note 4)   |
| Tue   |       |        |   |
| Wed   |       |        | Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5) |
| Thur  |       |        |   |
| Fri   |       |        |   |
| Sat   |       |        |   |
| Sun   |       |        |   |
|   |       |        |   |
|   |       |        |   |

**D**

| <b>Boxing or wrestling entertainments</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2) | Indoors  |  |
|---|-------|--------|---|----------|--|
| Day   | Start | Finish |   | Outdoors |  |
| Mon   |       |        | Both  |          | Please give further details here (please read guidance note 3)   |
| Tue   |       |        |   |          |  |
| Wed   |       |        |   |          | State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)  |
| Thur  |       |        |   |          |  |
| Fri   |       |        |   |          | 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 (please read guidance note 5) |
| Sat   |       |        |   |          |  |
| Sun   |       |        |   |          |  |
|   |       |        |   |          |  |

**E**

| Live music<br>Standard days and timings<br>(please read guidance note 6) |          |          | Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)                  | Indoors  | <input checked="" type="checkbox"/> |  |
|--|----------|----------|--|--|-------------------------------------|--|
| Day  | Start    | Finish   |  | Outdoors   | <input type="checkbox"/>            |  |
| Mon  | 10.00 AM | midnight | Please give further details here (please read guidance note 3)<br><br>IT IS INTENDED TO HAVE SINGERS WITH MUSICAL INSTRUMENTS ON OCCASIONS | Both   | <input type="checkbox"/>            |  |
| Tue  | "        | "        |  |  |                                     |  |
| Wed  | "        | "        |  | State any seasonal variations for the performance of live music (please read guidance note 4)<br>TO BE EXTENDED TO 01.00AM ON CHRISTMAS EVE, VALENTINES DAY AND BANK HOLIDAYS AND 02.00AM ON NEW YEAR'S EVE          |                                     |  |
| Thur   | "        | "        |  |  |                                     |  |
| Fri  | "        | "        |  | 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 (please read guidance note 5)<br><br>AS ABOVE |                                     |  |
| Sat  | "        | "        |  |  |                                     |  |
| Sun  | "        | "        |  |  |                                     |  |

**F**

| Recorded music<br>Standard days and timings<br>(please read guidance note 6) |       |          | Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)  | Indoors  | <input checked="" type="checkbox"/> |
|--|-------|----------|--|----------|-------------------------------------|
| Day  | Start | Finish   |  | Outdoors | <input type="checkbox"/>            |
| Mon  | 10am  | midnight | Please give further details here (please read guidance note 3)   | Both     | <input type="checkbox"/>            |
| Tue  | "     | "        |  |          |                                     |
| Wed  | "     | "        | State any seasonal variations for playing recorded music (please read guidance note 4)<br><br>AS E   |          |                                     |
| Thur   | "     | "        |  |          |                                     |
| Fri  | "     | "        | Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)<br><br>AS E |          |                                     |
| Sat  | "     | "        |  |          |                                     |
| Sun  | "     | "        |  |          |                                     |

# G

|  |       |        |  |          |  |
|--|-------|--------|--|----------|--|
| <b>Performances of dance</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the performance of dance take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b>  | Indoors  |  |
|  |       |        |  | Outdoors |  |
|  |       |        |  | Both     |  |
| Day  | Start | Finish | <b>Please give further details here (please read guidance note 3)</b>  |          |  |
| Mon  |       |        |  |          |  |
| Tue  |       |        |  |          |  |
| Wed  |       |        | <b>State any seasonal variations for the performance of dance (please read guidance note 4)</b>  |          |  |
| Thur   |       |        |  |          |  |
| Fri  |       |        |  |          |  |
| Sat  |       |        |  |          |  |
| Sun  |       |        | <b>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</b> |          |  |

# H

|   |       |          |  |         |                                     |
|---|-------|----------|--|---------|-------------------------------------|
| <b>Anything of a similar description to that falling within (e), (f) or (g)</b><br>Standard days and timings<br>(please read guidance note 6) |       |          | <b>Please give a description of the type of entertainment you will be providing</b><br>PROVISION OF LARGE SCREEN TELEVISIONS SHOWING SPORTING EVENTS, MUSIC CHANNELS etc |         |                                     |
| Day   | Start | Finish   | <b>Will this entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b>  | Indoor  | <input checked="" type="checkbox"/> |
|   |       |          |  | Outdoor | <input type="checkbox"/>            |
| Mon   | 10 AM | MIDNIGHT |  | Both    | <input type="checkbox"/>            |
| Tue   | "     | "        | <b>Please give further details here (please read guidance note 3)</b><br>A S E   |         |                                     |
| Wed   | "     | "        |  |         |                                     |
| Thur  | "     | "        |  |         |                                     |
| Fri   | "     | "        |  |         |                                     |
|   |       |          | <b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)</b><br>A S E            |         |                                     |

|     |  |  |   |
|-----|--|--|---|
| Sat |  |  | <b>Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</b> |
|     |  |  |   |
| Sun |  |  |   |
|     |  |  |   |

|  |                                     |          |  |  |         |                                     |          |                          |      |                          |
|--|-------------------------------------|----------|--|--|---------|-------------------------------------|----------|--------------------------|------|--------------------------|
| <b>Provision of facilities for making music</b><br>Standard days and timings (please read guidance note 6) |                                     |          | <b>Please give a description of the facilities for making music you will be providing</b><br>A S E   |  |         |                                     |          |                          |      |                          |
|  |                                     |          | <b>Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b>   | <table border="1"> <tr> <td>Indoors</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Outdoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Both</td> <td><input type="checkbox"/></td> </tr> </table> | Indoors | <input checked="" type="checkbox"/> | Outdoors | <input type="checkbox"/> | Both | <input type="checkbox"/> |
| Indoors  | <input checked="" type="checkbox"/> |          |  |  |         |                                     |          |                          |      |                          |
| Outdoors   | <input type="checkbox"/>            |          |  |  |         |                                     |          |                          |      |                          |
| Both   | <input type="checkbox"/>            |          |  |  |         |                                     |          |                          |      |                          |
| Day  | Start                               | Finish   | <b>Please give further details here (please read guidance note 3)</b>  |  |         |                                     |          |                          |      |                          |
| Mon  | 10 AM                               | MIDNIGHT | A S E  |  |         |                                     |          |                          |      |                          |
| Tue  | "                                   | "        |  |  |         |                                     |          |                          |      |                          |
| Wed  | "                                   | "        | <b>State any seasonal variations for the provision of facilities for making music (please read guidance note 4)</b>  |  |         |                                     |          |                          |      |                          |
| Thur   | "                                   | "        | A S E  |  |         |                                     |          |                          |      |                          |
| Fri  | "                                   | "        | <b>Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</b> |  |         |                                     |          |                          |      |                          |
| Sat  | "                                   | "        | A S E  |  |         |                                     |          |                          |      |                          |
| Sun  | "                                   | "        |  |  |         |                                     |          |                          |      |                          |

|   |                                     |        |  |         |                                     |          |                          |      |                          |
|---|-------------------------------------|--------|--|---------|-------------------------------------|----------|--------------------------|------|--------------------------|
| <b>Provision of facilities for dancing</b><br>Standard days and timings (please read guidance note 6) |                                     |        | <b>Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)</b>  |         |                                     |          |                          |      |                          |
|   |                                     |        | <table border="1"> <tr> <td>Indoors</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Outdoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Both</td> <td><input type="checkbox"/></td> </tr> </table> | Indoors | <input checked="" type="checkbox"/> | Outdoors | <input type="checkbox"/> | Both | <input type="checkbox"/> |
| Indoors   | <input checked="" type="checkbox"/> |        |  |         |                                     |          |                          |      |                          |
| Outdoors  | <input type="checkbox"/>            |        |  |         |                                     |          |                          |      |                          |
| Both  | <input type="checkbox"/>            |        |  |         |                                     |          |                          |      |                          |
| Day   | Start                               | Finish | <b>Please give a description of the facilities for dancing you will be providing</b><br>IT IS INTENDED TO ADD A SMALL DANCE FLOOR FOR OCCASIONAL USE IN THE BAR AREAS  |         |                                     |          |                          |      |                          |

|      |      |          |  |
|------|------|----------|--|
| Mon  | 10AM | MIDNIGHT | Please give further details here (please read guidance note 3)   |
| Tue  | "    | "        |  |
| Wed  | "    | "        | State any seasonal variations for providing dancing facilities (please read guidance note 4)   |
| Thur | "    | "        |  |
| Fri  | "    | "        | Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) |
| Sat  | "    | "        |  |
| Sun  | "    | "        |  |

**K**

|   |       |          |   |  |
|---|-------|----------|---|--|
| Provision of facilities for entertainment of a similar description to that falling within I or J<br>Standard days and timings (please read guidance note 6) |       |          | Please give a description of the type of entertainment facility you will be providing   |  |
|   |       |          | AS ABOVE  |  |
| Day   | Start | Finish   | Will the entertainment facility be indoors or outdoors or both – please tick [Y] (please read guidance note 2)  | Indoor <input checked="" type="checkbox"/> |
| Mon   | 10AM  | MIDNIGHT |   | Outdoor                                    |
| Tue   | "     | "        | Please give further details here (please read guidance note 3)  | Both                                       |
| Wed   | "     | "        |   |  |
| Thur  | "     | "        | State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4)  |  |
| Fri   | "     | "        |   |  |
| Sat   | "     | "        | Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5) |  |
| Sun   | "     | "        |   |  |

L

| Late night refreshment<br>Standard days and timings (please read guidance note 6) |       |          | Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2) | Indoors   | <input checked="" type="checkbox"/> |  |
|---|-------|----------|---|---|-------------------------------------|--|
| Day   | Start | Finish   |   | Outdoors  |                                     |  |
| Mon   | 11 PM | MIDNIGHT | Please give further details here (please read guidance note 3)<br><br>THE PREMISES CONTAIN A RESTAURANT AND KITCHEN FACILITY        | Both  |                                     |  |
| Tue   | "     | "        |   |   |                                     |  |
| Wed   | "     | "        |   | State any seasonal variations for the provision of late night refreshment (please read guidance note 4)<br><br>AS E   |                                     |  |
| Thur  | "     | "        |   |   |                                     |  |
| Fri   | "     | "        |   | 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 (please read guidance note 5)<br><br>AS E |                                     |  |
| Sat   | "     | "        |   |   |                                     |  |
| Sun   | "     | "        |   |   |                                     |  |

M

| Supply of alcohol<br>Standard days and timings (please read guidance note 6) |       |          | Will the sale of alcohol be for consumption (Please tick box Y) (please read guidance note 7)  | On the premises  | <input checked="" type="checkbox"/> |
|--|-------|----------|--|------------------|-------------------------------------|
| Day  | Start | Finish   |  | Off the premises | <input checked="" type="checkbox"/> |
| Mon  | 10 AM | MIDNIGHT | State any seasonal variations for the supply of alcohol (please read guidance note 4)<br><br>AS E  | Both             | <input checked="" type="checkbox"/> |
| Tue  | "     | "        |  |                  |                                     |
| Wed  | "     | "        |  |                  |                                     |
| Thur   | "     | "        | 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 5)<br><br>AS E |                  |                                     |
| Fri  | "     | "        |  |                  |                                     |
| Sat  | "     | "        |  |                  |                                     |

|     |   |   |      |
|-----|---|---|------|
| Sun | " | " | AS E |
|-----|---|---|------|

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

Name MR. WIWAT PREEPHOY

BLACKPOOL

PA1173

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

| Hours premises are open to the public<br>Standard timings (please read guidance note 6) |       |                         | State any seasonal variation (please read guidance note 4)  |
|---|-------|-------------------------|---|
| Day   | Start | Finish                  |   |
| Mon   | 10AM  | MIDNIGHT<br>PLUS APPROX | AS E<br>20 MINUTES TO ALLOW CLEARANCE OF PREMISES AFTER CLOSURE OF BARS AND RESTAURANT  |
| Tue   | "     | "                       |   |
| Wed   | "     | "                       | 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 5) |
| Thur  | "     | "                       |   |
| Fri   | "     | "                       | AS E PLUS APPROX 20 MINUTES AS ABOVE  |
| Sat   | "     | "                       |   |
| Sun   | "     | "                       |   |

## 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)

IF PREMISES ARE BUSY OR IN THE EVENT OF ANY EVENTS AFTER MIDNIGHT (IE SEASONAL OR NON-STANDARD) IT WOULD BE INTENDED TO HAVE REGISTERED DOOR SUPERVISERS.

IT IS INTENDED TO HAVE A PERSONAL LICENCE HOLDER ON THE PREMISES WHEN THE BARS ARE OPEN AND TO INSTALL A CCTV SYSTEM. STAFF WOULD BE TRAINED IN THE REQUIREMENTS OF SERVING ALCOHOL.

b) The prevention of crime and disorder

THERE WILL BE PROVISION OF ADEQUATE LIGHTING. IF REGISTERED DOOR SUPERVISERS ARE IN ATTENDANCE A WALKIE-TALKIE LINK TO OTHER LICENSED PREMISES IN THE AREA WILL BE IN PLACE.

IF APPROPRIATE DOOR STAFF WILL CARRY OUT NECESSARY SEARCHES. AGE RESTRICTIONS WILL APPLY TO THE BAR AREA.

c) Public safety

EMERGENCY LIGHTING WILL BE IN PLACE AND THERE ARE ADEQUATE ESCAPE ROUTES. OVERCROWDING WILL NOT BE PERMITTED. THERE WILL BE ADEQUATE FIRST AID PROVISION AND A FIRST-AIDER ON SITE WHEN THE BARS ARE OPEN.

THERE WILL BE ADEQUATE SEATING ON ALL FLOORS.

d) The prevention of public nuisance

IT IS NOT INTENDED TO HAVE LOUD MUSIC AT THE RESTAURANT WILL HAVE A QUIET AMBIENCE WITHOUT SOUND DISTURBANCE FROM ABOVE. THERE WILL BE A LIMIT TO THE VOLUME OF SOUND SYSTEMS. LITTER WILL BE CLEARED TO PRESERVE THE CHARACTER OF THE PREMISES. LOADING WILL TAKE PLACE IN A PRIVATE AREA AT THE REAR. THE KITCHEN WILL HAVE THE NECESSARY FILTERS TO PREVENT ODOURS.

e) The protection of children from harm

CHILDREN WILL ONLY BE PERMITTED TO THE RESTAURANT AREA WHEN THE UPSTAIRS BARS ARE OPEN AND TO THE BAR AREAS ONLY WHEN ALCOHOL IS NOT BEING SERVED.

PROOF OF AGE POLICIES WILL BE IN PLACE.

d) \* CONTINUED :-

DOORS AND WINDOWS WILL BE KEPT CLOSED AS NECESSARY TO PREVENT SOUND DISTURBANCE. THERE WILL BE NO LIGHT POLLUTION. NOTICES WILL BE ON DISPLAY TO ASK PATRONS TO LOUPE QUIETLY.

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 MS [Signature] (RICHARD J. H. STATHAM)

Date 04.12.2009

Capacity SOLICITOR FOR APPLICANT

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 12) If signing on behalf of the applicant please state in what capacity.

Signature MS [Signature] (RICHARD J. H. STATHAM)

Date 04.12.2009

Capacity SOLICITOR FOR APPLICANT

|   |           |
|---|-----------|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) |           |
| INGHAMS<br>SOLICITORS<br>37 RED BANK ROAD   |           |
| Post town   | Post code |
| BLACKPOOL   | FY2 9HX   |
| Telephone number (if any)   |           |
| 01253 353308  |           |
| If you would prefer us to correspond with you by e-mail your e-mail address (optional)  |           |
| richard.stathan@inghamslaw.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. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. 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.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. 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, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

APP 3

**LANCASHIRE FIRE AND RESCUE SERVICE**  
**Licensin Act 2003 Consutation.**

|   |                    |
|---|--------------------|
| PREMISES<br>2 Pleasant Street Lytham St Annes | REFERENCE: LM/FS   |
|   | DATE OF INSPECTION |
|   | 4 January 2009     |

I have inspected the plans and application form for the above premises and object to the issue of a licence under The Licensing Act 2003 unless the following schedule of work is carried out.

**SCHEDULE**

1. This premise is subject to the regulatory reform Fire Order 2005. Under this legislation the responsible person for the premises is required to carry out a Fire Risk Assessment.
2. The operating schedule submitted regarding public safety, as part of the four licensing Objectives, contains no detail of the fire alarm. A suitable and sufficient fire alarm and detection system should be provided. Occupancy is shown for the restaurant area at ground floor. However no reference to occupancy or control measures for remainder of ground floor or first floor is given.
3. Detail of the use and management of the second floor should be contained in the Fire Risk Assessment.
4. Fire fighting Equipment is to be provided in line with the significant findings of the Fire Risk Assessment
5. All fire safety provision should be subject to regular testing and maintenance as per the relevant British Standards.

L. Munday

Inspecting Officer  
WM Munday 697

**Hambly, Chris**

---

**From:** JOHN JAMESON [johnjameson@talktalk.net]  
**Sent:** 04 January 2010 11:17  
**To:** Hambly, Chris  
**Cc:** sarah.salisbury@lancashire.pnn.police.uk  
**Subject:** 1AM RESTAURANT, 2 PLEASANT STREET, LYTHAM

Mr C Hambly,  
Licensing Team,  
Fylde Borough Council,  
Town Hall,  
Lytham St. Annes,  
FY8 1LW

Dear Mr Hambly,

**APPLICATION FOR PREMISES LICENCE - 2 PLEASANT STREET, LYTHAM**

I write on behalf of my mother, Edna Jameson, aged 87 years, who lives in the sheltered accommodation at 9 Pleasant Street, Lytham and her neighbours.

The premises consist of four warden controlled flats owned by Fylde Housing Association and are located less than 20 metres away and opposite the premises subject of this application. The elderly residents of all four premises are aware of this correspondence and can corroborate these observations and they support the application for licensing conditions or restrictions

The premises at 2 Pleasant Street, Lytham, have an unfortunate history. Over the last five years when operated under the title of 1AM, they attracted clientele who repeatedly engaged in unacceptable behaviour well into the small hours of Saturday, Sunday and Monday, with the worst examples occurring when Temporary Event Notices were in force, extending the opening hours to 3am.

The following incidents provide some examples of the problems created;

- There were many instances of loud music being played into the small hours of both Saturday and Sunday mornings, together with noise and disturbance created by customers leaving the premises when they closed, often after 2am.
- It was not unusual for loud music with a deep base tone to be played in the premises until the early hours of Sunday morning, so that the nearby residents suffered loss of sleep, disturbance and general noise when patrons were leaving the premises.
- It became common practice for clientele of the 1AM Restaurant to leave the premises, up to and after 1am, in order to smoke. Whilst doing so when the weather was fine, they sat on the wall of Rotary House, 7 Pleasant Street, Lytham, talking loudly, before returning to the restaurant. Sometimes, they carried on a shouted conversation across the road with the door staff at the restaurant.

- On occasions, customers from 1AM were seen to leave the premises and stand on the car park at the rear of the Post Office where they consumed from a bottle before returning to the restaurant.
- On other occasions, customers leaving to have a smoke were seen to relief themselves on the adjacent office car parks, before returning to 1AM.
- On Sunday, 26<sup>th</sup> August 2007, the loud music continued until well after 2am and one of my mother's neighbours, Mr Rogers, witnessed potential clients seeking to gain admittance as late as 3.17am

The level of anti social behaviour and the rise in crime and disorder created by the operators and patrons of the premises culminated in the Lancashire Constabulary taking the premises licence to review in April or May 2009 when various sanctions were imposed;

Whilst it is appreciated that the current application for a premises licence is being made by completely different operators, independent of the previous management and with a proven record within the licensing trade, the fear is that the premises may again attract the wrong clientele with a return to the previous undesirable behaviour. Those attracted to the premises in the past because of the lack of proper supervision may return when the premises re-open, despite the best efforts of the new operators.

Applicants for premises licenses often give reassurances to those granting the licence that are not given practical effect. For example, in a letter to the residents of Pleasant Street, dated 5th November 2005, written by Antonio Costanza and Max Zampini, who at that time were applicants for a premises licence for 2 Pleasant Street, Lytham, they sought to reassure nearby residents that;

***“Our restaurant caters for all families, and our market for the main bar and champagne suite is aimed at the over r25's. It is not our wish to create a youthful public house environment and we would like to reassure you that we aim to provide a superior dining venue which offers our customers both pre dinner and after dinner drinks”.***

This was not to be the case as subsequent events have demonstrated.

Unfortunately, the current applicants have not sought to communicate with the nearby residents to outline their intentions for the premises. No doubt similar reassurances will be offered by the current applicants, who may well have the best of intentions. However, such assurances should be supported by licensing conditions which will help to prevent a return to the previous unacceptable state.

In May 2009, following the review requested by the police, the Licensing Committee imposed the following sanctions in relation to the premises;

- All windows and doors to remain closed at all times when the premises are open.

- A noise limiter be installed in the premises to restrict noise levels to an acceptable standard to be determined by Fylde Borough Council.
- That the venue will cease all licensing activity at 24.00 and close 30 minutes thereafter.
- The premises will prevent entry after 24.00 hours to any persons not already existing customers.
- Seating to be provided to cover 40% of the available floor space to the first and second floors to reduce the area of vertical drinking.

We ask that licensing conditions be imposed dictating that the above mentioned conditions be applied to the new premises licence.

In addition, we ask that licensing conditions be imposed dictating that;

- Smoking outside the premises after 24.00 hours shall only take place in a designated area under the control of the applicants; and,
- No Temporary Event Notices be granted to allow the premises to extend the opening hours beyond 24.00 hours.
- As the ground floor is to be used for a meet and greet area, that seating be provided to cover 40% of the available floor space to reduce the area of vertical drinking and that similar restrictions be placed on the first and second floors. It is appreciated that the current application does not extend to the second floor but there is nothing to stop a future application being made to use this space for drinking.

I am prepared to attend the Licensing Committee hearing if necessary and would be obliged if you could provide me with the appropriate details.

Could you please acknowledge receipt.

Yours sincerely,

John Jameson  
(For and on behalf of;

Edna Jameson, 9 Pleasant Street, Lytham  
David Hughes, 9a Pleasant Street, Lytham

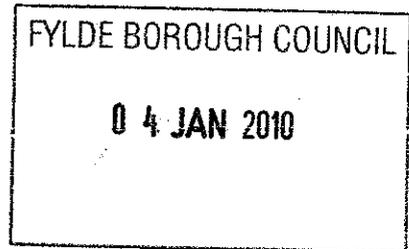
Peter Rogers, 11a Pleasant Street, Lytham  
Olive Peak, 11 Pleasant Street, Lytham)

Copy to Sgt. Salisbury, Lancashire Constabulary – Western Division – Licensing Officer

11 Westby Street  
LYTHAM  
FY8 5JF

29/12/2009

Fylde Borough Council  
Officer in charge of Licencing  
Mr Chris Hambly



Dear Mr Hambly

**1am Pleasant Street Lytham - Licence Application**

The above Licence Application has appeared outside the above premises today 29th December 2009, tightly wrapped around a drainpipe.

I thought they had to be displayed for a minimum of four weeks but the application states you have only until the 4th January 2010 to respond?

I also thought it should be clearly visible, it certainly is not.

Many people are also on holiday at this time of year - not an ideal time for people to be able to respond.

I trust the notice will be re-issued and will be visible for all to read.

As a resident of Westby Street [ have been for 8 years ] I wish to object to the granting of a possible alcohol and entertainments licence for the above premises.

We have suffered many years of noise, nuisance and street brawls and our gardens and ginnels being used as toilets. from people leaving the above premises.

Regards,

John Mayer

A handwritten signature in black ink that reads "John Mayer".

AP 4

**MasterMap polygons**

- Building
- Multiple Surface
- General Surface
- Glasshouse
- Historic Interest
- Inland Water
- Landform
- Slope
- Cliff
- Natural Environment
- Path: Step
- Path
- Rail
- Road or Track
- Roadside
- Structure
- Tidal Water
- Unclassified



**2 Pleasant St, Lytham**

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Date: 05/01/2010



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