



FYLDE BOROUGH COUNCIL



Meeting Agenda

Licensing Panel
Lowther Pavilion, Lytham
21 November 2005, 10:00am

LICENSING COMMITTEE

MEMBERSHIP

CHAIRMAN - Councillor Dawn Prestwich
VICE-CHAIRMAN – Councillor Albert Pounder

Councillors

Christine Akeroyd	Steve Mason
Elizabeth Clarkson	Janine Owen
Peter Colins	Heather Speak
Susan Fazackerley	Martin Taylor
Karen Henshaw	Keith Wright

Contact: Andrew Lee, St. Annes (01253) 658491, Email: andrewl2@fylde.gov.uk



CORPORATE OBJECTIVES

The Council's investment and activities are focused on achieving our five key objectives which aim to :

- Conserve, protect and enhance the quality of the Fylde natural and built environment
- Work with partners to help maintain safe communities in which individuals and businesses can thrive
- Stimulate strong economic prosperity and regeneration within a diverse and vibrant economic environment
- Improve access to good quality local housing and promote the health and wellbeing and equality of opportunity of all people in the Borough
- Ensure we are an efficient and effective council.

CORE VALUES

In striving to achieve these objectives we have adopted a number of key values which underpin everything we do :

- Provide equal access to services whether you live in town, village or countryside,
- Provide effective leadership for the community,
- Value our staff and create a 'can do' culture,
- Work effectively through partnerships,
- Strive to achieve 'more with less'.



AGENDA

PART I - MATTERS DELEGATED TO PANEL

ITEM	PAGE
1. DECLARATIONS OF INTEREST: <i>In accordance with the Council's Code of Conduct, members are reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000.</i>	4
2. APPLICATION FOR PREMISES LICENCE - ATLAS TAKEAWAY, 8 ST DAVIDS ROAD SOUTH, ST ANNES	5 - 53
3. APPLICATION FOR PREMISES LICENCE - 1AM, PLEASANT STREET, LYTHAM	54 - 85

REPORT



REPORT OF	MEETING	DATE	ITEM NO
CONSUMER WELLBEING & PROTECTION	LICENSING PANEL	14 TH NOVEMBER 2005	2

APPLICATION FOR PREMISES LICENCE ATLAS TAKEAWAY, 8 ST DAVIDS ROAD SOUTH, ST ANNES

Summary

The council has received an application for the grant of a premises licence at the Atlas Takeaway, 8 St Davids Road South, St Annes. There has been an objection from the Police who are a responsible authority under the Licensing Act.

There have also been objections 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 the Atlas Takeaway, 8 St Davids Road South, St Annes. The application has been referred to the panel because relevant representations have been received from a responsible authority or an interested party.

Papers

2. 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:

Police

- Copies of relevant representations made by the following interested parties

Mrs M Pinder

Mrs A Vodden

Mrs D A Hummer

Mr M Hummer

Miss L Bacon

Miss T J Chapman

Mrs C Urwin

Mr A A D Grant

Mrs S Senior

Mr G R Cunliffe

Mrs M T Thornley

Mr P Vodden on behalf of St Davids Community Group

Consideration

3. The licensing objectives are:

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

4. 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.
5. 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.
6. The following parts of the secretary of state's guidance appear to be particularly relevant to the application and the relevant representations:

5.69 Considering Applications

6.5 Principle of Flexibility

6.10 Staggered Closing Times

7.5 Conditions attached to a Premises Licence

7.20-30 Crime and Disorder

7.39-41 Public Nuisance

7.45 Public Nuisance

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

7. The following parts of the council's statement of licensing policy appear to be particularly relevant to the application and the relevant representations:
- 6.11- 19 Licensing Hours
- 6.23-6 Licence Conditions
- 7.7-8 Prevention of Crime and Disorder
- 7.23 Prevention of Public Nuisance

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

Procedure

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

REPORT AUTHOR	TEL	DATE	DOC ID
Ian Curtis and Chris Hambly	(01253) 658506/(01253) 658422	24 th October 2005	

Attached documents

Application Form

Police Representation

Persons in the Vicinity Representations

Application for a premises licence to be granted under the Licensing Act 2003

(1) Fylde Borough Council
Town Hall
Lytham, St. Annes, FY8 1LW

Reference number:

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

(2) I/We Said Harrak and Mehdi Alaoui-Harouni

apply for a premises licence under section 17
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 Atlas Takeaway 8 St. David's Road South	
Post town St. Annes-on-Sea	Postcode FY8 1TB

Telephone number at premises(if any)

01253722729

Non-domestic rateable value of premises

£ 1,888.00

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)

(1) Insert name and address of relevant licensing authority and its reference number (optional)

(2) Insert name(s) of applicant

- 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

I am 18 years old or over Please tick ✓ yes
 Date of birth

Day	Month	Year
1	8	1 2 1 9 7 0

Current postal address if different from premises address
 30 Woodstock Gardens
 South Shore

Post town Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr Mrs Miss Ms Other title
 (for example, Rev)

Surname First names

I am 18 years old or over Please tick ✓ yes Date of birth

Day	Month	Year
2	8	0 9 1 9 6 3

Current postal address if different from premises address
 1 Silsden Close
 Layton

Post town Postcode

Daytime contact telephone number

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 licences to start?

Day		Month		Year			
2	4	1	1	2	0	0	5

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

Day		Month		Year			

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

Ground floor takeaway comprising of waiting area with table and chair, counter with display area underneath, kitchen and preparation area with staff room storage areas and cellar underneath.

The kitchen operates off both gas and electric and has a preparation area and sinks for cleaning/washing and behind the kitchen is a staff room with toilet facilities for use by the staff. Underneath the kitchen is a cellar used for storage.

The premises is a takeaway producing a variety of hot food and refreshment.

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 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick ✓ yes

- 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

Plays			Will the performance of a play take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for performing plays (please read guidance note 4)
Wed			Non-standard timings. Where you intend to use the premises for the performance of plays at different times from those listed in the column on the left, please list (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

B

Films			Will the exhibition of films take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)
Wed			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times from those listed in the column on the left, please list (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

LA 17

C

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

D

Boxing or wrestling entertainments			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			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 from those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

E

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

F

Recorded music			Will the playing of recorded music take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	
Standard days and timings (please read guidance note 6)			Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon	16:00	03:00	Please give further details here (please read guidance note 3) Radio music is played through speakers in the waiting area controlled by a radio positioned behind the serving counter.
Tue	16:00	03:00	
Wed	16:00	03:00	State any seasonal variations for the playing of recorded music (please read guidance note 4) None.
Thur	16:00	03:00	
Fri	16:00	04:00	Non-standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times from those listed in the column on the left, please list (please read guidance note 5) Christmas Eve 16:00 to 04:00 and New Years Eve 16:00 to 04:00.
Sat	16:00	04:00	
Sun	16:00	03:00	

LA 17

G

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

H

Anything of a similar description to that falling within (e), (f) or (g)			Please give a description of the type of entertainment you will be providing Will this entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Wed			
Thur			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 from those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

LA 17

Provision of facilities for making music			Please give a description of the facilities for making music you will be providing Radio and speakers
Standard days and timings (please read guidance note 6)			Will the facilities for making music be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon	16:00	03:00	Please give further details here (please read guidance note 3) Radio music is played through speakers in both the kitchen and waiting area.
Tue	16:00	03:00	
Wed	16:00	03:00	State any seasonal variations for the provision of facilities for making music (please read guidance note 4) None.
Thur	16:00	03:00	
Fri	16:00	04:00	Non-standard timings. Where you intend to use the premises for provision of facilities for making music at different times from those listed in the column on the left, please list (please read guidance note 5) Christmas Eve 16:00 to 04:00 and New Years Eve 16:00 to 04:00.
Sat	16:00	04:00	
Sun	16:00	03:00	

J

Provision of facilities for dancing			Please give a description of the facilities for dancing you will be providing
Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			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 from those listed in the column of the left, please list (please read guidance note 5)
Sat			
Sun			

LA 17

K

Provision of facilities for entertainment of a similar description to that falling within I or J			Please give a description of the type of entertainment facility you will be providing
Standard days and timings (please read guidance note 6)			Will the entertainment facility be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)
Wed			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 from those listed in the column on the left, please list (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

L

Late night refreshment			Will the provision of late night refreshment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input checked="" type="checkbox"/>
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	
Mon	16:00	03:00	Please give further details here (please read guidance note 3) Hot and cold takeaway food consisting of pizzas, kebabs, burgers, chips and pastas along with soft drinks.
Tue	16:00	03:00	
Wed	16:00	03:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) None.
Thur	16:00	03:00	
Fri	16:00	04:00	Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times from those listed in the column on the left, please list (please read guidance note 5) Christmas Eve 16:00 to 04:00 and New Years Eve 16:00 to 04:00.
Sat	16:00	04:00	
Sun	16:00	03:00	

M

Supply of alcohol			Will the sale of alcohol be for consumption - please tick box <input checked="" type="checkbox"/> (please read guidance note 7) On the premises <input type="checkbox"/> Off the premises <input type="checkbox"/> Both <input type="checkbox"/>
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 4)
Tue			
Wed			
Thur			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

LA 17

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

Name Mr Mehdi Alaoui-Harouni
 Address 1 Silsden Close, Layton
 Blackpool
 Postcode FY37JT
 Personal Licence number (if known) N/A
 Issuing licensing authority (if known) N/A

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
 None.

O

Hours premises are open to the public			State any seasonal variations (please read guidance note 4) None.
Standard days and timings (please read guidance note 6)			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) Christmas Eve 16:00 to 04:00 and New Years Eve 16:00 to 04:00.
Day	Start	Finish	
Mon	16:00	03:00	
Tue	16:00	03:00	
Wed	16:00	03:00	
Thur	16:00	03:00	
Fri	16:00	04:00	
Sat	16:00	04:00	
Sun	16:00	03:00	

LA 17

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

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

The premises is a takeaway and does not supply alcohol or regulated entertainment save for the playing of recorded music. Customers enter the premises and place their order at the counter and wait for their refreshment and remain in full view of staff at all times.

b) The prevention of crime and disorder

The premises is well lit and open plan and all parts are readily visible to staff. All refreshment that is produced is served in cardboard and plastic containers and all drinks are dispensed in cans or plastic bottles. The premises does not benefit from CCTV however a camera is positioned above the counter showing all customers entering the premises on a TV monitor. The premises can make telephone contact with the Police and there are always at least three members of staff on duty with more at weekends. The premises does not dispense alcohol and any customer who is drunk and becomes abusive or threatening will be asked to leave the premises and reported to the Police if necessary.

c) Public safety

The premises is fire regulation compliant and escape routes meet with Fire Brigade approval. The premises has firefighting equipment and a fire blanket in the kitchen. There is only one table and chair in the waiting area which is non-flammable and does not obstruct any escape routes. The premises is never full to capacity and all cooking equipment is serviced repaired and tested regularly.

d) The prevention of public nuisance

The premises will use it's best endeavours to ensure patrons do not cause excessive noise create a public disturbance or become a nuisance whilst on the premises. Should there be any disturbance outside the premises the Police will be notified immediately.

The premises will ensure that the forecourt and footpath immediately outside the premises is cleared of litter and refuse however the staff have no control over patrons once they have left the premises. Extraction fans and units are fitted to the kitchen to minimise noxious smells caused from cooking. The backing music played at the premises is below normal conversational levels and all deliveries to the premises do not interfere with traffic or surrounding properties.

The premises will erect a sign asking patrons to leave quietly and promptly out of respect for surrounding properties and the premises has the benefit of a freephone taxi service so patrons can be collected promptly.

e) The protection of children from harm

The premises does not provide any adult entertainment, does not serve alcohol has no gaming machine or cigarette machine.

CHECKLIST:


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. (Please read guidance note 11)
If signing on behalf of the applicant please state in what capacity.

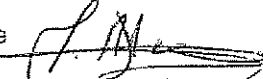
Signature 

Date 26/9/05

Capacity Proprietor

For joint applications signature of 2nd applicant, 2nd applicant's solicitor or other authorised agent.
(Please read guidance note 12)

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

Signature 

Date 26/09/05

Capacity Proprietor

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)	
Andrew Irving Thornton & Co Solicitors 325 Clifton Drive South	
Post town Lytham, St. Annes	Postcode FY8 1HN
Telephone number (if any) 01253782808	
If you would prefer us to correspond with you by e-mail your e-mail address (optional) info@thorntonsolicitors.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 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'.
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.

24th October 2005

Dear Sir/Madam

Re: Application for New Licence
Atlas, St Davids Road South, St Annes

I am in receipt of the premises licence application for the above named premises.

On behalf of the Chief Officer of Police, having reviewed the application the Police now make formal objection on the following grounds:

- The hours of operation are likely to increase instances of crime and disorder in and around the premises, including damage to property/vehicles and violent behaviour.
- The proximity of the premises to local residential property is so close it is likely to have an adverse affect on the people who reside there, in so far as an increase in noise, litter and anti-social behaviour.
- Any increase in incidents and noise nuisance will result in an increase in Police attendance to the premises and locality.

The Police would seek acceptance of the attached conditions by the premises to address many of the issues to our satisfaction, however, the Police cannot agree to a terminal hour of 3am.

Yours faithfully

PC Graham Mattock

Licensing Unit, Blackpool Police Station, Bonny Street, Blackpool, FY1 5RL
Telephone: 01253 604073 Fax: 01253 604119

Late Night Refreshment House – Atlas Takeaway

Crime and disorder

CCTV

1. The premises are to be equipped with a closed circuit television system, which is appropriate to its purpose and provided and maintained to the satisfaction of the enforcement Authorities.

Management and Training

2. Risk assessments carried out by or on behalf of the Licence holder which relate to a licensing objective will be available for inspection by an officer or a Responsible Authority
3. Frequent collection of all litter dropped within the vicinity of the licensed premises to be collected and removed at the licence holder's expense at a frequency of not less than 60 minute intervals during opening hours. This includes washing away to the gutter any spilled food.

Police would agree to a terminal hour of 3am Monday to Sunday but will not agree to the premises opening until 4am, save for New Years Eve.

I/We agree to the above conditions and terminal hours of operation.

Signed.....



FYLDE BOROUGH COUNCIL

Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

A person living in the vicinity of the premises

A body representing a person in the vicinity of the premises

A person involved in a business in the vicinity of the premises

A body representing a business in the vicinity of the premises

2. Details of Person/Body Making Representation

Mr Mrs Miss Ms Other

Surname: PINDER.	First Names: MARGARET.
Postal address: 34, ST DAVIDS STH. ST ANNES, LANCS.	
Post Code: FY8 1TJ.	Phone: 01253 713230. Mobile: e-mail:

3. Details of the Premises/Club

Name: ATLAS	
Postal address: 8, ST DAVIDS STH. LYTHAM ST ANNES	
Post Code: FY8 1TB.	Reference Number (If Known): 2573.

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

The prevention of crime & disorder Public Safety

The prevention of public nuisance The protection of children from harm

5. Witnesses

I will require a witness

To appear at the hearing to provide information on the following points:

6. What are your concerns?

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

LITTER IN MY GARDEN.
NOT ABLE TO SLEEP FOR NOISE.
BAD LANGUAGE, FIGHTING, URINATING,
VOMITING. HALF EATEN FOOD THROWN
AROUND DAMAGE TO MY CAR.

(Please continue on a separate sheet if necessary)

7. Suggested amendments?

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

I SUGGEST THAT 12 PM IS LATE ENOUGH
FOR THESE TAKEAWAYS IN RESIDENTIAL
AREAS

(Please continue on a separate sheet if necessary)

Signature	M. P. [Signature]
Capacity	PERSON LIVING IN THE VICINITY OF THE PREMISES.
Date	15-10-05.

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

MRS M. PINDER
34 ST DAVIDS STH.
ST ANNES
FY81TJ.

Dear Sir.

I ched weekends, it means
2 sleepless nights, I am a pensioner.
I go to bed at 10 PM, my sleep is
constantly disturbed up until 2 AM
when these places close. My fear
is if these persons are allowed to
trade till 4 AM, I will loose more
sleep because of the drunker youths
will be attracted to these areas
even more, and my health will
doubtlessly suffer.

on numerous occasions I have
been forced to phone the police
about fighting, shouting & drunks,
this continuation if aloud will
make this problem worse

Mrs. M. Pinder



FYLDE BOROUGH COUNCIL

Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

2. Details of Person/Body Making Representation

Mr Mrs Miss Ms Other

Surname: VODDEN	First Names: ANN
Postal address: TUDOR HOUSE GUEST HOUSE 32, ST DAVIDS RD SOUTH ST. ANNES ON SEA FY8 1TJ	
Post Code: FY8 1TJ	Phone: 01253 722444 Mobile: 0774 8024476 e-mail: ann@vodden.plus.com

3. Details of the Premises/Club

Name: ATLAS	
Postal address: 8 ST DAVIDS RD SOUTH LYTHAM ST. ANNES	
Post Code: FY8 1TB	Reference Number (If Known): 2573

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

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

5. Witnesses

I will require a witness

To appear at the hearing to provide information on the following points:

6. What are your concerns?

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

Late night noise, nuisance, violence, vandalism, bodily evacuations (urine/vomit) just a selection of the indignities suffered by residents + business owners in this area on weekly basis when the "night time economy" is in full swing. We suffer it already - why make it worse?


(Please continue on a separate sheet if necessary)

7. Suggested amendments?

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

A midnight closure, though not fully ideal for a residential area, would be better than the Ham applied for; visitors to my business choose St Annes because they object to the horrors of the "night time economy" of Blackpool - very strongly. Sleep? forget it.

(Please continue on a separate sheet if necessary)

Signature	
Capacity	KATE BAUER - ELECTOR GUEST HOUSE OWNER IN THIS AREA / RESIDENT
Date	15 th October 2005

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

Licensing Act 2003 - Representation Form -

Addition to No. 6. What are your concerns?

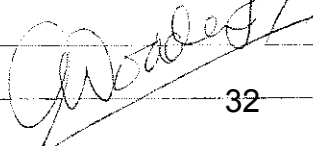
Why are the officers & councillors of St Annes, not at all concerned about the town? Residents & business owners do not wish their town to become a cheap & vulgar off-shoot of Blackpool, that is why we choose to be here.

I can see a need for an evening "economy" to attract visitors & to cater for residents, but a "night-time economy" in the past has only brought the worst kind of result & I fail to see how the word "economy" can be used when I consider the mayhem damage, destruction it has already caused. We, who live in this area have seen it all, heard it all every weekend & we are thoroughly fed up with it.

Turning our area into a ghetto is reckless, mindless, corporate vandalism of the worst kind!

I would urge all concerned to consider these applications most carefully for the sake of rate-paying, law abiding - hard working electors.

Sincerely





FYLDE BOROUGH COUNCIL

Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

2. Details of Person/Body Making Representation

Mr Mrs Miss Ms Other

Surname: HUMMER	First Names: DORIEA ANNE
Postal address: BUSINESS ADDRESS 20 The Crescent ST ANNEA FY8 1SZ	RIBBLEHURST 261 INNER PROMENADE FAIRHAVEN FY8 1AZ
Post Code: FY8 1AZ	Phone: 01253 738679 Mobile: e-mail:

3. Details of the Premises/Club

Name: ATLAS	
Postal address: 8 ST DAVIDS RD SOUTH LYTHAM ST ANNEA FY8 1TB	
Post Code: FY8 1TB	Reference Number (If Known): 2573

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

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

5. Witnesses

I will require a witness

To appear at the hearing to provide information on the following points:

6. What are your concerns?

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

We have had damage to frontage of shop premises plus broken windows 3 (times) + litter + anti social behaviour in doorway
(Please continue on a separate sheet if necessary)

7. Suggested amendments?

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

Sensible earlier closing times
(Please continue on a separate sheet if necessary)

Signature	<i>O De Humm</i>
Capacity	<i>Business Owner</i>
Date	<i>15.10.05</i>

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



FYLDE BOROUGH COUNCIL

Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

2. Details of Person/Body Making Representation

Mr Mrs Miss Ms Other

Surname: <i>Hummer</i>	First Names: <i>Max</i>
Postal address: <i>11 THE CRESCENT SEAFORD ON SEA</i>	
Post Code: <i>F48 1S2</i>	Phone: <i>751490</i> Mobile: e-mail:

3. Details of the Premises/Club

Name: <i>ATLAS</i>	
Postal address: <i>5 ST DAVIDS RD SW LUTHAM SEAFORD</i>	
Post Code: <i>F48 1TB</i>	Reference Number (If Known): <i>2573</i>

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

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

5. Witnesses

I will require a witness

To appear at the hearing to provide information on the following points:

6. What are your concerns?

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

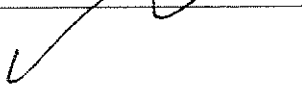
DAMAGE TO MY PARENTS OVER THE LAST
3 YRS 6 WINDOWS BROKEN

(Please continue on a separate sheet if necessary)

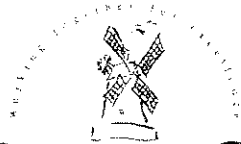
7. Suggested amendments?

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

(Please continue on a separate sheet if necessary)

Signature	
Capacity	PRODUCER
Date	14. OCT 05.

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



FYLDE BOROUGH COUNCIL

Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

2. Details of Person/Body Making Representation

Mr Mrs Miss Ms Other

Surname: BACON	First Names: LINDA
Postal address: THE FRINGE 6. ST DAVIDS RD STH ST ANNES	
Post Code: FY8 1TB	Phone: 726614 Mobile: 07866115901 e-mail:

3. Details of the Premises/Club

Name: ATLAS	
Postal address: 8 ST DAVIDS RD STH ST ANNES	
Post Code: FY8 1TB	Reference Number (If Known): 2573

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

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

5. Witnesses

I will require a witness

To appear at the hearing to provide information on the following points:

N/A

6. What are your concerns?

Please provide full details of your concerns regarding the application. Please include or enclose any evidence you may have in support of your concerns: My main concern is having the shop windows put in!! But the noise from drunken revellers and music from cars makes it almost impossible to sleep. Added to that we have to put up with people littering in our doorways and discarding their takeaway cartons all over the shop fronts, smearing food over the windows or posting it through the letter box.

(Please continue on a separate sheet if necessary)

7. Suggested amendments?

Could the application be amended in any way to remedy your concern? If so, how? Last year the takeaways agreed to close at 1-1-30. Apart from the noise ~~levels~~ levels being much better, there was less littering. The owners of Atlas said that there was no difference in their takings, as their customers were going for something to eat before going to the clubs.

(Please continue on a separate sheet if necessary)

Signature	<i>D Sam</i>
Capacity	owner: The Fringe
Date	13.10.05

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



FYLDE BOROUGH COUNCIL

Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

2. Details of Person/Body Making Representation

Mr Mrs Miss Ms Other

Surname: CHAPMAN	First Names: TRACEY JANIE
Postal address: 7 ST DAVIDS rd St. ST ANNES. 1	
Post Code: FY8 1TF	Phone: 01253 780800 Mobile: e-mail:

3. Details of the Premises/Club

Name: CHICOS ATLAS	
Postal address: 8 St Davids rd St. 9 St Davids rd St.	
Post Code: FY8 1TF	Reference Number (If Known):

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

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

5. Witnesses

I will require a witness

To appear at the hearing to provide information on the following points:

6. What are your concerns?

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

My concern is damage to my property. I have Business Premises and I live above with my 12 year old daughter who gets interrupted by noise, shouting and rudeness and myself. Early hours all the morning. (continued on spare sheet)

7. Suggested amendments?

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

I think 12 o'clock is a suitable time for a takeaway to be open especially in a residential area. I do understand they both run businesses like myself though they have to consider people who are residents.

Signature	<i>[Handwritten Signature]</i>
Capacity	
Date	13/10/05

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

I am concerned, that my child is not getting enough sleep also her sleep is being interrupted when it is an important time in her life to do well at school.

I would like to mention the rubbish e.g. Chip Containers half eaten pizzas etc left outside my shop door and bottles of beer + cans left on the side, of my shop near grid

I have opened my shop to curry sauce, wipt on my window

Achd



FYLDE BOROUGH COUNCIL

Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

2. Details of Person/Body Making Representation

Mr Mrs Miss Ms Other

Surname: URWIN	First Names: CAROL
Postal address: THE MONARCH HOTEL 29 ST ANNES RD EAST LYTHAM ST ANNES	
Post Code: FY8 1TA	Phone: 01253 720464 Mobile: 07792103814 e-mail: carol@urwin1958.freemove.co.uk

3. Details of the Premises/Club

Name: ATLAS	
Postal address: 8 ST DAVID'S RD SOUTH LYTHAM ST ANNES LANCS	
Post Code: FY8	Reference Number (If Known): 2573

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

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

5. Witnesses

I will require a witness

To appear at the hearing to provide information on the following points:

6. What are your concerns?

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

My husband and I already have to contend with our hotel customers complaining about the noise and general behaviour of late night revellers who frequent the above premises especially at weekends. We have lost a considerable amount of custom through this issue. We feel any extended opening hours will only contribute to our already troubled weekends.

(Please continue on a separate sheet if necessary)

7. Suggested amendments?

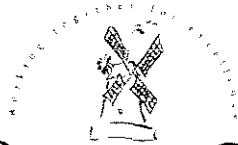
Could the application be amended in any way to remedy your concern? If so, how?

We feel that if the above mentioned closed its doors at a reasonable hour (12 PM midnight) it would solve every one of our problems and we would at least feel assured that we and our guests could have trouble free nights and our business might once again thrive.

(Please continue on a separate sheet if necessary)

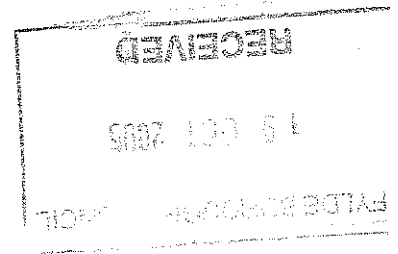
Signature	E A Unwin
Capacity	OWNER / Proprietor
Date	15/10/05.

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



FYLDE BOROUGH COUNCIL

Licensing Act 2003 – Representation Form



1. In what capacity are you making this representation:

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

2. Details of Person/Body Making Representation

Mr Mrs Miss Ms Other

Surname: GRANT	First Names: ANDREW ARTHUR DONALD
Postal address: 15 SPRINGFIELD ROAD, LYTHAM ST ANNES, LANCS.	
Post Code: FY8 1TW	Phone: 01253 714257 Mobile: e-mail:

3. Details of the Premises/Club

Name: ATLAS	
Postal address: 8 ST DAVIDS ROAD BUTH, LYTHAM ST ANNES, LANCS.	
Post Code: FY8 1TB	Reference Number (If Known): 2573

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

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

5. Witnesses

I will require a witness

To appear at the hearing to provide information on the following points:

6. What are your concerns?

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

Even with the present licensing arrangements, at weekends in central St Annes there is noise (including bad language), and damage to cars and property, and physical assaults (I was assaulted in the Crescent in the early hours of 3rd April 2005) up to 2.30 am and beyond. I fear an extension would make things worse.

(Please continue on a separate sheet if necessary)

7. Suggested amendments?

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

(Please continue on a separate sheet if necessary)

Signature	<i>A.A. D. Grant</i>
Capacity	<i>RESIDENT</i>
Date	<i>17.10.2005</i>

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



FYLDE BOROUGH COUNCIL

FYLDE BOROUGH COUNCIL
 19 OCT 2005
 RECEIVED

Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

2. Details of Person/Body Making Representation

Mr Mrs Miss Ms Other

Surname: SENIOR	First Names: SYLVIA
Postal address: 42 ST. DAVID'S RD. SOUTH ST ANNES, LYTHAM ST. ANNES LANCS	
Post Code: FY8 1TJ	Phone: 01253 720646 Mobile: _____ e-mail: _____

3. Details of the Premises/Club

Name: ATLAS	
Postal address: 8 ST. DAVID'S ROAD SOUTH LYTHAM ST. ANNES LANCS	
Post Code: FY8 1TB	Reference Number (If Known): 2573

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

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

5. Witnesses

I will require a witness

To appear at the hearing to provide information on the following points:

6. What are your concerns?

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

NOISE DISTURBANCE - SHOUTING & SWEARING -
DRUNK & DISORDERLY BEHAVIOUR - ROWING & SCREECHING
HALF-EATEN FOOD & LITTER THROWN AROUND & IN OUR
DAMAGE TO PARKED VEHICLES IN THIS ROAD (GARDEN)

(Please continue on a separate sheet if necessary)

7. Suggested amendments?

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

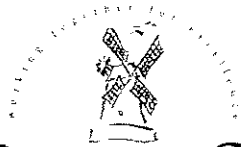
THE TAKEAWAY (ATLAS) SHOULD ONLY OPEN UNTIL
MIDNIGHT - WHAT A DIFFERENCE TO ST. DAVID'S RD. SOUTH
WHEN IT CLOSES EARLY. WHY SHOULD THE RATEPAYERS
HAVE TO PAY FOR A POLICE PRESENCE, IN A RESIDENTIAL
ROAD, JUST BECAUSE A TAKEAWAY WANTS TO OPEN MOST
OF THE NIGHT - TO MAKE MONEY. I STRONGLY OBJECT TO
THE COST OF POLICING THIS.

(Please continue on a separate sheet if necessary)

Signature	S. Senior
Capacity	LIVING IN VICINITY
Date	16th October 2005

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

ccw



FYLDE BOROUGH COUNCIL

Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

2. Details of Person/Body Making Representation

Mr Mrs Miss Ms Other

Surname: CUNLIFFE	First Names: GEOFFREY RAYMOND
Postal address: 54 ST. ANNES ROAD EAST ST. ANNES	
Post Code: FY8 1UX	Phone: 01253 727996 Mobile: e-mail:

3. Details of the Premises/Club

Name: ATLAS TAKEAWAY	
Postal address: 8 ST. DAVID'S ROAD SOUTH ST. ANNES	
Post Code:	Reference Number (If Known): 2573

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

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

5. Witnesses

I will require a witness

To appear at the hearing to provide information on the following points:

[Empty box for witness information]

6. What are your concerns?

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

Damage to property and gardens, litter, roughness, throwing items (stones, cans, bottles), damaging vehicles

(Please continue on a separate sheet if necessary)

7. Suggested amendments?

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

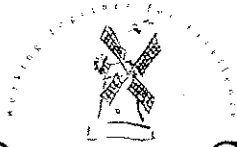
close by midnight

(Please continue on a separate sheet if necessary)

Signature	<i>S.R. Lunt</i>
Capacity	Householder and Ratepayer
Date	17.10.05

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

626



FYLDE BOROUGH COUNCIL

Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

2. Details of Person/Body Making Representation

Mr Mrs Miss Ms Other

Surname: CUNLIFFE	First Names: MARGARET THORNLEY
Postal address: ANBERLEA 54 ST ANNES ROAD EAST ST ANNES	
Post Code: FY8 1UX	Phone: 01253 727996 Mobile: e-mail:

3. Details of the Premises/Club

Name: ATLAS TAKEAWAY	
Postal address: 8 ST DAVIDS ROAD ST ANNES	
Post Code:	Reference Number (If Known): 2573

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

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

5. Witnesses

I will require a witness

To appear at the hearing to provide information on the following points:

6. What are your concerns?

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

Damage to property and gardens, urinating in gardens, Rowdiness, litter
Throwing items at windows - stones etc.
Damage to vehicles

(Please continue on a separate sheet if necessary)

7. Suggested amendments?

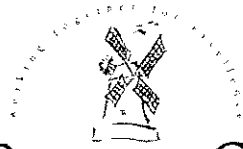
Could the application be amended in any way to remedy your concern? If so, how?

Close before midnight.

(Please continue on a separate sheet if necessary)

Signature	MT Wallyfe
Capacity	Householder - Ratepayer
Date	October 2005

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



FYLDE BOROUGH COUNCIL

Licensing Act 2003 – Representation Form

1. In what capacity are you making this representation:

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

2. Details of Person/Body Making Representation

Mr Mrs Miss Ms Other

Surname: VODDEN	First Names: PETER
Postal address: ST. DAVIDS COMMUNITY GROUP 40 32, ST. DAVIDS ROAD SOUTH LYTHAM ST ANNES	
Post Code: FY8 1TJ	Phone: 01253 722 444 Mobile: 07431 352 080 e-mail: peter@vodden-plus.com

3. Details of the Premises/Club

Name: ATLAS	
Postal address: 8, ST DAVIDS ROAD SOUTH LYTHAM ST. ANNES	
Post Code: FY8 1TB	Reference Number (If Known): 2573

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

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

5. Witnesses

I will require a witness

To appear at the hearing to provide information on the following points:

6. What are your concerns?

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

THE CONCERNS OF THE COMMUNITY GROUP MEMBERS WERE PRESENTED IN DETAIL AS AN ATTACHMENT TO OUR EARLIER REPRESENTATION (REF. NO. 2540).
PLEASE CONTACT ME IF YOU REQUIRE AN ADDITIONAL COPY.

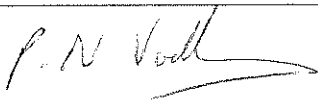
(Please continue on a separate sheet if necessary)

7. Suggested amendments?

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

IT IS OUR BELIEF THAT THERE IS NO REASON TO DEPART FROM THE EXISTING 23:30 hrs LIMIT, WHICH SHOULD HAVE BEEN APPLIED TO THE 2 PREMISES ON ST. DAVIDS ROAD SOUTH.

(Please continue on a separate sheet if necessary)

Signature	
Capacity	CHAIRMAN
Date	24.10.05

Please return this completed form to:

The Licensing Team
Town Hall
Lytham St Annes
Lancashire
FY8 1LW

REPORT

REPORT OF	MEETING	DATE	ITEM NO
CONSUMER WELLBEING & PROTECTION	LICENSING PANEL	21 ST NOVEMBER 2005	3

APPLICATION FOR PREMISES LICENCE 1AM, PLEASANT STREET, LYTHAM

Summary

The council has received an application for a premises licence at 1AM, Pleasant Street, Lytham. There have been objections 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 a premises licence at 1AM, Pleasant Street, Lytham and has been referred to the panel because relevant representations have been received from a responsible authority or an interested party.

Papers

2. 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:

None

- Copies of relevant representations made by the following interested parties

Mr and Mrs P Rogers

Mrs R Haworth

Mr D Hughes

Mrs E Jameson

Mr J Parkinson

Mr D Ferrari

M Arnott

C Smith

Mr G B Hodges

P Dakim

Mr P B Smith

Consideration

3. The licensing objectives are:

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

4. 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.
5. 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.
6. The following parts of the secretary of state's guidance appear to be particularly relevant to the application and the relevant representations:
- | | |
|---------|---|
| 5.69 | Considering Applications |
| 6.5 | Principle of Flexibility |
| 7.5 | Conditions attached to a Premises Licence |
| 7.39-41 | Public Nuisance |
| 7.45 | Public Nuisance |
| 7.67 | Mandatory Conditions |

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

7. The following parts of the council's statement of licensing policy appear to be particularly relevant to the application and the relevant representations:
- | | |
|--------|-------------------------------|
| 6.10 | Licensing Hours |
| 6.23-6 | Licence Conditions |
| 7.23 | Prevention of Public Nuisance |

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

Procedure

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

Further Information

10. Following mediation with the Police, the applicant has agreed to amend the application to incorporate a number of conditions and alter some of the terminal hours. This provisional agreement is appended and it is asked that the Panel consider approval of these conditions.

REPORT AUTHOR	TEL	DATE	DOC ID
Ian Curtis and Chris Hambly	(01253) 658506/(01253) 658422	2 nd November 2005	

Attached documents

Application Form

Persons in the Vicinity Representations

Agreed Conditions between Police and Applicant



THE LICENSING PRACTICE LTD
Specialists in Local Authority Licensing

3 Cardinal Place, Cleveleys, Lancs. FY52SQ
Telephone: 01253 858186 or 01253 7708109 Fax: 01253 858186

E-mail: Licensingpract@aol.com Website: www.licensingpractice.co.uk

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

We **Beniamino Zampini and Antonio Costanzas** apply for 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, ordinance survey map reference or description	
1 AM 2 Pleasant Street	
Post town Lytham St Annes	Post code FY8 5JA

Telephone number of premises (if any)	01253 732475
---------------------------------------	---------------------

Non domestic rateable value of premises	£17,000
---	----------------

Part A2 - Applicant Details

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

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

Please tick

<input checked="" type="checkbox"/>	please complete section(A)
<input type="checkbox"/>	please complete section (B)
<input type="checkbox"/>	please complete section (B)
<input type="checkbox"/>	please complete section (B)
<input type="checkbox"/>	please complete section (B)
<input type="checkbox"/>	please complete section (B)
<input type="checkbox"/>	please complete section (B)
<input type="checkbox"/>	please complete section (B)
<input type="checkbox"/>	please complete section (B)
<input type="checkbox"/>	please complete section (B)

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

Please tick

- 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

Zampini

Beniamino

Please tick yes

I am 18 years old or over

Current postal address if different from premises address

10 Connaught Drive

Post Town

Thornton Cleveleys

Postcode

FY5 4FT

Daytime contact telephone number

01253 853577

Email address (optional)

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Mr Mrs Miss Ms Other title
 (for example, Rev)

Surname

First names

Costanzas

Antonio

Please tick yes

I am 18 years old or over

Current postal address if different from premises address

22 Wembley Avenue

Post Town

Poulton Le Fylde

Postcode

FY6 7JJ

Daytime contact telephone number

07780600978

Email address (optional)

(B) OTHER APPLICANTS

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

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

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year		
2	4	1	1	2	0	0 5

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

Day		Month		Year		

If 5000 or more people 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)

The premises are a 3 storey building formally operated as a licensed restaurant. They comprise a ground floor restaurant with approximately 80 covers, disabled toilet facilities kitchen, wash up area and reception, a first floor wine bar with customer toilets, staff room and office and a second floor champagne bar.

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

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

Please tick Yes

Provision of regulated entertainment

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

√
√
√
√
√

Provision of entertainment facilities for:

- i) making music
- j) dancing
- k) entertainment of a similar description to that falling within (i) or (j)

√
√
√

Provision of late night refreshment

√

Sale by retail of alcohol

- a) for consumption on the premises
- b) for consumption off the premises

√
√

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoor	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed				State any seasonal variations for performing play (please read guidance note 4)	
Thur					
Fri				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)	
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of a films take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	✓
Day	Start	Finish		Outdoor	
Mon	10 00hr	01 00hrs	Please give further details here (please read guidance note 3)	Both	
Tue	10 00hr	01 00hrs		Video entertainment on TV screens and amusement machines including video karaoke	
Wed	10 00hr	01 00hrs	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	10 00hr	01 00hrs	None		
Fri	10 00hr	01 00hrs	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)		
Sat	10 00hr	01 00hrs	1. From 10.00hours on 31st st December until 10.00hours on 1st st January.		
Sun	10 00hr	01 00hrs	2. The terminal hour for this licensable activity is to be extended until 02.00hrs into the morning following every;-		
			<ul style="list-style-type: none"> • Friday, Saturday and Sunday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. • Valentines Night, Christmas Eve, Christmas Day and Boxing Day 		

C

Indoor sporting events Standard days and timings (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 (please read guidance note 4)
Tue			
Wed			
Thur			
			Non standard timings. Where you intend to use the premises for indoor sporting t. (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	✓
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed				State any seasonal variations for the 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 Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3) Occasional amplified/ unamplified music from solos, trios, groups and bands.		
Mon	10.00hrs	01.00hrs			
Tue	10.00hrs	01.00hrs	State any seasonal variations for the performance of live music (please read guidance note 4) None		
Wed	10.00hrs	01.00hrs			
Thur	10.00hrs	01.00hrs	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) 1. From 10.00hours on 31 st December until 10.00hours on 1 st January. 2. The terminal hour for this licensable activity is to be extended until 02.00hrs into the morning following every;- • Friday, Saturday and Sunday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. • Valentines Night, Christmas Eve, Christmas Day and Boxing Day		
Fri	10.00hrs	01.00hrs			
Sat	10.00hrs	01.00hrs			
Sun	10.00hrs	01.00hrs			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3) Provision of all types of amplified recorded music, including jukebox, karaoke and DJ.		
Mon	10.00hrs	01.00hrs			
Tue	10.00hrs	01.00hrs	State any seasonal variations for the playing of recorded music (please read guidance note 4) None		
Wed	10.00hrs	01.00hrs			
Thur	10.00hrs	01.00hrs	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) 1. From 10.00hours on 31 st December until 10.00hours on 1 st January. 2. The terminal hour for this licensable activity is to be extended until 02.00hrs into the morning following every;- • Friday, Saturday and Sunday of each, Easter, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. • Valentines Night, Christmas Eve, Christmas Day and Boxing Day		
Fri	10.00hrs	01.00hrs			
Sat	10.00hrs	01.00hrs			
Sun	10.00hrs	01.00hrs			

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3) Entertainment for patrons to include performance of dance as well as guests dancing.		
Mon	10.00hrs	01.00hrs			
Tue	10.00hrs	01.00hrs	State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed	10.00hrs	01.00hrs	None		
Thur	10.00hrs	01.00hrs	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. (please read guidance note 5)		
Fri	10.00hrs	01.00hrs	<ol style="list-style-type: none"> From 10.00hours on 31stst December until 10.00hours on 1stst January. The terminal hour for this licensable activity is to be extended until 02.00hrs into the morning following every;- <ul style="list-style-type: none"> Friday, Saturday and Sunday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Christmas Day and Boxing Day 		
Sat	10.00hrs	01.00hrs			
Sun	10.00hrs	01.00hrs			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing Variety acts providing entertainment of a similar description to that falling within (e), (f) or (g) above	Will the entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	
				Indoors	✓
				Outdoors	
Day	Start	Finish	Both		
Mon	10.00hrs	01.00hrs	Please give further details here (please read guidance note 3) Includes compere for functions, quizzes, with an audience etc.		
Tue	10.00hrs	01.00hrs	State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Wed	10.00hrs	01.00hrs	None		
Thur	10.00hrs	01.00hrs	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. (please read guidance note 5)		
Fri	10.00hrs	01.00hrs	<ol style="list-style-type: none"> From 10.00hours on 31stst December until 10.00hours on 1stst January. The terminal hour for this licensable activity is to be extended until 02.00hrs into the morning following every;- <ul style="list-style-type: none"> Friday, Saturday and Sunday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Christmas Day and Boxing Day 		
Sat	10.00hrs	01.00hrs			
Sun	10.00hrs	01.00hrs			

Provision of facilities for making music			Please give a description of the facilities for making music you will be providing		
Standard day and timings (please read guidance note 6)			The restaurant and bar areas along with their services are to be made available occasionally to visiting entertainers. From time to time the following facilities may be provided at the premises; in house sound/music system, musical instruments, video or TV screens.		
			Will the facilities for making music be indoors or outdoors or both – please tick (✓) (please read guidance note 2)		Indoors
					Outdoors
					Both
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	10.00hrs	01.00hrs	Visiting artists will bring their own instruments and other equipment. Use of the facilities will be both amplified and un-amplified from time to time.		
Tue	10.00hrs	01.00hrs	State any seasonal variations for the provision of facilities for making music (please read guidance note 4) None		
Wed	10.00hrs	01.00hrs	Non standard timings. Where you intend to use the premises for the provision of facilities for making music at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Thur	10.00hrs	01.00hrs	<ol style="list-style-type: none"> From 10.00hours on 31stst December until 10.00hours on 1stst January. The terminal hour for this licensable activity is to be extended until 02.00hrs into the morning following every;- <ul style="list-style-type: none"> Friday, Saturday and Sunday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Christmas Day and Boxing Day 		
Fri	10.00hrs	01.00hrs			
Sat	10.00hrs	01.00hrs			
Sun	10.00hrs	01.00hrs			

J

Provision of facilities for dancing			Will the facilities for dancing be indoors or outdoors or both – please tick (✓) (please read guidance note 2)		Indoors
Standard timings (please read guidance note 6)					Outdoors
					Both
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	10.00hrs	01.00hrs	Tables, chairs and other furniture will be re-arranged as required to create small areas where guests can dance and dance be performed safely within the restaurant or bar areas.		
Tue	10.00hrs	01.00hrs	State any seasonal variations for providing dancing facilities (please read guidance note 4) None		
Wed	10.00hrs	01.00hrs	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Thur	10.00hrs	01.00hrs	<ol style="list-style-type: none"> From 10.00hours on 31stst December until 10.00hours on 1stst January. The terminal hour for this licensable activity is to be extended until 02.00hrs into the morning following every;- <ul style="list-style-type: none"> Friday, Saturday and Sunday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Christmas Day and Boxing Day 		
Fri	10.00hrs	01.00hrs			
Sat	10.00hrs	01.00hrs			
Sun	10.00hrs	01.00hrs			

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing The restaurant and bar areas along with their services are to be made available to visiting entertainers.							
			Will the entertainment facility be place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	<table border="1"> <tr> <td>Indoors</td> <td>✓</td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors	✓	Outdoors		Both	
Indoors	✓									
Outdoors										
Both										
Day	Start	Finish								
Mon	10.00hrs	01.00hrs	Please give further details here (please read guidance note 3) Visiting artists bring their own instruments and other equipment							
Tue	10.00hrs	01.00hrs								
Wed	10.00hrs	01.00hrs	State any seasonal variations for the provisions of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4) None							
Thur	10.00hrs	01.00hrs	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) 1. From 10.00hours on 31st st December until 10.00hours on 1st st January. 2. The terminal hour for this licensable activity is to be extended until 02.00hrs into the morning following every;- • Friday, Saturday and Sunday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. • Valentines Night, Christmas Eve, Christmas Day and Boxing Day							
Fri	10.00hrs	01.00hrs								
Sat	10.00hrs	01.00hrs								
Sun	10.00hrs	01.00hrs								

L

Late night refreshment 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 (✓) (please read guidance note 2)							
			<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors		Both		
Indoors										
Outdoors										
Both										
Day	Start	Finish								
Mon	10.00hrs	01.00hrs	Please give further details here (please read guidance note 3) Provision of hot food and/or beverages for consumption on the premises from a large catering kitchen providing an extensive menu of main meals, snacks and function catering.							
Tue	10.00hrs	01.00hrs								
Wed	10.00hrs	01.00hrs	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) None							
Thur	10.00hrs	01.00hrs	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) 1. From 10.00hours on 31st st December until 10.00hours on 1st st January. 2. The terminal hour for this licensable activity is to be extended until 02.00hrs into the morning following every;- • Friday, Saturday and Sunday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. • Valentines Night, Christmas Eve, Christmas Day and Boxing Day							
Fri	10.00hrs	01.00hrs								
Sat	10.00hrs	01.00hrs								
Sun	10.00hrs	01.00hrs								

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption on or off the premises or both – please tick (✓) (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
Mon	10.00hrs	01.00hrs	State any seasonal variations for the supply of alcohol (please read guidance note 4) None	Both	✓
Tue	10.00hrs	01.00hrs			
Wed	10.00hrs	01.00hrs			
Thur	10.00hrs	01.00hrs		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) 1. From 10.00hours on 31st st December until 10.00hours on 1st st January. 2. The terminal hour for this licensable activity is to be extended until 02.00hrs into the morning following every;- • Friday, Saturday and Sunday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. • Valentines Night, Christmas Eve, Christmas Day and Boxing Day	
Fri	10.00hrs	01.00hrs			
Sat	10.00hrs	01.00hrs			
Sun	10.00hrs	01.00hrs			

<p>State the name and details of the individual whom you wish to specify on the licence as premises supervisor</p> <p>Name Beniamino Zampini-</p> <p>Address 10 Connaught Drive Thornton Cleveleys</p> <p>Postcode FY5 4FT</p> <p>Personal licence number (if known) WBCPA0206</p> <p>Issuing licensing authority (if known) Wyre Borough Council</p>

N

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

None – Dancing referred to above will not include any nudity or semi-nudity (such as striptease or exotic dancers)

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	10.00hrs	01.30hrs	<p>Non standard timings. Where you intend to open the premises to the public at different times from those listed in the column on the left, please list. (please read guidance note 5)</p> <ol style="list-style-type: none"> From 10.00hours on 31stst December until 10.00hours on 1stst January. The opening hours to be extended until 02.30hrs into the morning following every;- <ul style="list-style-type: none"> Friday, Saturday and Sunday and of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Christmas Day and Boxing Day
Tue	10.00hrs	01.30hrs	
	10.00hrs	01.30hrs	
Thur	10.00hrs	01.30hrs	
Fri	10.00hrs	01.30hrs	
Sat	10.00hrs	01.30hrs	
Sun	10.00hrs	01.30hrs	

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)

None

a) The prevention of crime and disorder

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

Another member of staff will be nominated to act for the Designated Premises Supervisor, in their absence, whose identity is known by all other staff when such absence occurs.

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

The premises will be operated in accordance with the principles outlined by the 'Nightsafe' Initiative, in so far as they are relevant to the premises.

There will be no promotions that encourage illegal, irresponsible or immoderate consumption of alcohol.

The maximum number of persons allowed in these premises will be 270 persons made up as follows:-
Ground Floor Restaurant 100 persons
First Floor Bar 80 persons
Second floor bar 90 persons

Staff will be given suitable training in relation to the proof of age scheme to be applied upon the premises. Any records to evidence this will be made available to an authorised officer upon request.

Adequate provisions will be made to prevent unauthorised access to the storage of empty bottles.

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

No drink will be removed from the premises in a unsealed container and off sales will terminate at 2300hrs.

All beer glasses will be progressively replaced with those of toughened glass and from 31st December 2006, only toughened glass vessels are to be used to dispense beer to customers.

Appropriate measures will be taken to ensure staff prevent the removal of bottles or glasses from the curtilage and grounds of the licensed premises.

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

During the final hour of daily trading appropriate announcements will be made or images are projected to remind patrons of the need to leave the premises without causing annoyance, nuisance or disturbance to local residents and to advise patrons of any taxi free-phone or collection arrangements available upon the premises.

Public safety

Adequate first aid provision will be available at all times.

All exits and escape routes to those exits (including external escape routes) from the premises will be maintained in good repair, correct working order and kept free from all obstructions when the public are on the premises.

All doors or gates both inside and outside the premises which are on an escape route will be fitted only with approved fasteners and will at all times be properly maintained, free from obstruction and be capable of being opened easily and fully so that they do not restrict the public leaving the premises.

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

Any chain, padlock or any other device used to lock an exit door when the premises are not in use will be removed when the premises are open to the public.

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

Printed notices will be prominently displayed in the premises detailing the essential steps that must be taken if a fire is discovered or the fire alarm goes off or other emergency arises and how to call the Fire Service.

Any outbreak of fire of any kind will be reported to the Fire Service immediately.

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

When members of the public are present, the lighting levels in all parts of the premises will be capable of providing sufficient illumination for them to leave the premises safely. The lighting level will be maintained by an emergency lighting system which will automatically operate when the electricity supply to the main lighting is interrupted.

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

b) The prevention of public nuisance

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

The volume of amplified sound used in connection with entertainment will at all times be under the control of the licensee or management and the controlling mechanism will be operated from a part of the premises inaccessible to the public.

Regular assessments of the noise coming from the premises will be conducted on every occasion the premises are used for regulated entertainment and steps will be taken to reduce the level of noise where it is likely to cause a disturbance to local residents.

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

There will be placed at exits from the premises, in a place where they can be seen and easily read by patrons, notices requiring customers to leave the premises and the area quietly.

c) The protection of children from harm

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

All staff will receive suitable training in relation to the proof of age scheme to be applied upon the premises. Records to evidence this will be made available to an authorised officer upon request.

A notice or notices will be displayed in the premises where they can be clearly seen and read and will indicate that it is unlawful for persons under 18 to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age.

- | | 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 *[Handwritten Signature]*

Date **4th October 2005**.....

Capacity **Authorised Agent**

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

Signature

Date

Capacity

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

Robin Atkinson
The Licensing Practice Limited,
3 Cardinal Place,

Tel: 01253 770810

Post town

Cleveleys

Post code

FY5 2 SQ

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

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

The Licensing Team
Town Hall
Lytham St Annes
Lancashire
FY8 1LW

2005 OCT 27 A 12:41

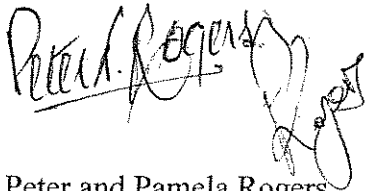
To whom it may concern

We occupy one of the block of four apartments diagonally opposite the entrance to 'IAM' at 2 Pleasant St Lytham, and write for and on behalf of our neighbours to object most vehemently to the licensing application of those premises.

'IAM' opened to the public at 8 pm on Wednesday 19 October 2005. The noise from ghetto blaster speakers was continuous and unbearable until 3.35 am the following morning. It was impossible to sleep. Pleasant Street was awash with screeching drunks, male and female. Car engines were revved up, horns were used and private car parks of Solicitors and local businesses were being used presumably without consent. The second evening was similar; drunks were about up to 1.30 am. Many of the entries and indeed Pleasant Street itself is used as a public lavatory by revellers. Policing, deterrent to binge drinking and drink driving are unheard of in this vicinity.

Prior to opening, the windows of 'IAM' were festooned with posters stating 'IAM' was not to be a late night venue, and that 'A' = Antonio, 'M' = Max and 'I' = their first venture. The application for licensing for alcohol etc 10am to 1am plus 30 mins and the rest, drinking up time Monday to Sunday and a further hour extra on Bank Holidays, and any other night an excuse can be thought up for was already lodged. The word integrity or rather lack of it springs to mind.

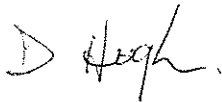
The very last thing Lytham wants, especially Pleasant Street is yet another Italian type, Bistro, eatery, disco joint, Champagne Bar, Boddingtons Bitter or otherwise, dope joint etc etc. We would have thought this to be blatantly obvious to the Licensing Team.



Peter and Pamela Rogers
11A Pleasant Street
Lytham
FY8 5JA



11 Pleasant Street
Lytham
FY8 5JA
MRS. R. HAWORTH.



9A Pleasant Street
Lytham
FY8 5JA
MR. D. HUGHES.



9 Pleasant Street
Lytham
FY8 5JA
MRS. E. JAMESON.

21st October 2005.

25th October 2005

The Licensing Team
Town Hall
Lytham St Annes
Lancashire
FY8 1LW

9 North Colleton St
Lytham

Dear Sir/Madam,

Re : License Application 2599

I am writing to object to the above application for 1 AM, 2 Pleasant Street, Lytham.

My particular objection is the proposed extended hours of opening and the playing of music until 1 am. There are several restaurants in the area and we are already subjected to noise from these local establishments until midnight.

The property in question is single glazed, which, from experience of when it was previously a restaurant, does not contain the noise made within. Additionally, due to the heat experienced on the 3rd floor, and during the summer months, the windows are almost permanently open, making noise levels in the surrounding area intolerable.

I am also particularly concerned that should this license be approved, other local establishments would wish to follow suit.

I truly believe that local residents should be able to sleep in peace by 10.00 pm each evening and that this should be the latest the license is granted for.

Yours faithfully,

Mr J Parkynson

25th October 2005

The Licensing Team
Town Hall
Lytham St Annes
Lancashire
FY8 1LW

D. FERRARI
5 NORTH CLIFTON ST.
LYTHAM
FY8 5HW.

Dear Sir/Madam,

Re : License Application 2599

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Yours faithfully,



DAVID FERRARI

25th October 2005

The Licensing Team
Town Hall
Lytham St Annes
Lancashire
FY8 1LW

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I truly believe that local residents should be able to sleep in peace by 10.00 pm each evening and that this should be the latest the license is granted for.

Yours faithfully,



M. ARMOTT,
3 NORTH BRITTON STREET,
LYTHAM,
FY8 5HW

25th October 2005

The Licensing Team
Town Hall
Lytham St Annes
Lancashire
FY8 1LW

Dear Sir/Madam,

Re : License Application 2599

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I truly believe that local residents should be able to sleep in peace by 10.00 pm each evening and that this should be the latest the license is granted for.

Yours faithfully,

CS

15 North chelton st
lytham

26 October 2005

Licensing Department
Town Hall
Lytham St Annes
Lancs.
FY8 1LW

2005 OCT 27 A 12:41

Bank House Cottage
7 Clifton Mews
North Clifton Street
Lytham
FY8 5HW

Dear Sirs

REF: License Application Number 2599, 2 Pleasant Street, Lytham

We have been informed that the owners at the above address have made application for a license for the sale of liquor, to offer music including live music up to the hour of 1.00am (0100 hrs) in the morning.

We must protest in the strongest terms against this request for the following reasons.

1. As we see it, much of the uniqueness of Lytham has been retained by the successful integration over the years of commercial businesses with the resident community. In our opinion this has been managed in the past with great sensitivity and common sense by everyone concerned in both the public and private sectors of the community. In essence, Lytham still has the qualities and heart of a village, whilst having grown in stature.

It is our belief that issuing this type of license is in danger of severely damaging the qualities of the area as described above. Just as importantly, the relationships and balance which currently exist between the two resident communities (residential and businesses) would be put under strain.

2. Lytham has a great reputation for it's wonderful array of dining and drinking establishments. In addition to the resident population, people are drawn from a wide geographical area to regularly sample what is on offer in a safe and relaxed atmosphere where midnight (at the latest) appears to be an adequate closing time for both business owners and customers.

As we understand it, no other licensed business within the town has this type of license! Sanctioning this license could therefore create a precedent for others to follow. The results of this could have huge short and long-term detrimental effects on the reputation of the town. We are all aware of the effects these days on other town centres created by extended, late night drinking where the atmosphere is classed as anything but safe and secure for ordinary people!

Should the late license be granted to 2 Pleasant Street, customers from other venues wishing to drink after normal hours would also be inevitably drawn to the club. This will only serve to increase the problems generated by individuals who have consumed excess amounts of alcohol.

The eradication of unsocial behaviour is after all one of central Governments key issues. We would hope therefore that Fylde Borough Council would be sympathetic to this view by using their power to minimise its' encouragement in the Lytham area.

3. Will the future policing of Lytham, Pleasant Street and car park area in particular be considered by the licensing department? We wonder if the police will be prepared to commit to more resources being directed at this establishment?

If late night clubbing is permitted at this address the management will only be concerned and responsible for activities within the club – not out with the building! The area around Pleasant Street car park will then be in danger of becoming an external (uncontrolled) extension of the clubs activities. This in turn will no doubt disrupt the neighbourhood and its residents to one degree or another. It may well be 2.00am (0200 hrs) or after before revellers finally clear the area and peace and quiet is allowed to prevail.

4. As far as we know the applicants property is not custom built for the purposes being sought! The ramifications are therefore very concerning with regard to noise control from within the building from disco and live music. We wonder what controls there are in minimising sound emissions from this kind of venue? Are all walls, doors and windows sealed and sound proofed? Is there appropriate air conditioning in the building to stop windows and doors being opened?

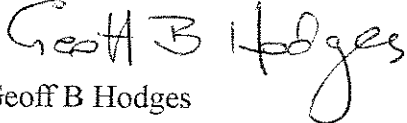
This is a conservation area. There are possibly restrictions in place which may not allow alterations or building work to take place to permit the property to become 'customised'. Are the licensing department able to assure us that these issues have been fully researched and taken into consideration? We also would like to know that building and fire regulations will be met.

5. As this license application has many ramifications for the area and it's residents we would like to know if all the residents and businesses in the area been adequately informed of the proposals? In particular, residents and businesses in the Pleasant Street, North Clifton Street, South Westby Street, George Street, Westby Street and Park Street. These areas will be affected to one degree or another by the proposals and may wish to be given the opportunity to object!

According to well established residents in the area, last time the building was used for similar purposes as is proposed i.e., food, drink and music, it caused great nuisance and aggravation as is being suggested above.

The Council is therefore being asked with respect to reject the application.

Yours sincerely


Geoff B Hodges

25th October 2005

The Licensing Team
Town Hall
Lytham St Annes
Lancashire
FY8 1LW

ONE NORTH CLIFTON ST
LYTHAM
FY8 5HW

Dear Sir/Madam,

Re : License Application 2599

I am writing to object to the above application for 1 AM, 2 Pleasant Street, Lytham.


My particular objection is the proposed extended hours of opening and the playing of music until 1 am. There are several restaurants in the area and we are already subjected to noise from these local establishments until midnight.

The property in question is single glazed, which, from experience of when it was previously a restaurant, does not contain the noise made within. Additionally, due to the heat experienced on the 3rd floor, and during the summer months, the windows are almost permanently open, making noise levels in the surrounding area intolerable.

I am also particularly concerned that should this license be approved, other local establishments would wish to follow suit.

I truly believe that local residents should be able to sleep in peace by 10.00 pm each evening and that this should be the latest the license is granted for.

Yours faithfully,



PATRICIA DAKIN

27 October 2005

To: The Licensing Team
Town Hall
Lytham St. Annes
Lancs. FY8 1LW

Subject: Objection to Late License Application for 1AM

Reference: 2599

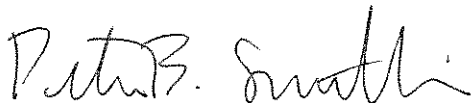
As a tenant of a house across from the entrance to 1AM, I object to any late licenses being granted to 1AM. Most of the buildings in the line of sight of 2 Pleasant Street are private homes. The character of this neighborhood is distinctly residential after Lytham retail businesses close. Late night live music, entertainment and drinking would mean an unacceptable level of noise, disruption, and activity when people are trying to sleep. Late licenses for 1AM would ruin the quality of life for residents of the area around 2 Pleasant Street.

I have lived on South Westby Street since January 2000. I can recall two occasions when the Pleasant Street Brasserie (an earlier occupant of 2 Pleasant Street) had live music: both times the noise carried across the parking lot and could be easily heard indoors with windows and doors shut. I was unable to sleep until the entertainment stopped. I object to any late licenses for 1AM because the noise from the club and its patrons will keep me awake, along with disturbing anyone else within earshot.

I also noticed a marked rise in litter and petty vandalism when an establishment operated evening hours from 2 Pleasant Street. This deterioration of the quality of life in our neighborhood will only worsen if 1AM is allowed to remain open later than other pubs and clubs in Lytham. The council already does a rotten job of keeping this part of Lytham clean. I can't imagine what the car park and surrounding areas will look like if 1AM is allowed to become the late night meeting place for the area.

Thank you for your time in considering my objections to late licenses as referenced at 1AM, 2 Pleasant Street. Please feel free to contact me for any additional information. Please do not make my name and contact details public.

Yours Sincerely,



Peter B. Smith
7 South Westby Street
Lytham FY8 5JE

Hambly, Chris

From: Mattock, Graham [Graham.Mattock@lancashire.pnn.police.uk]
Sent: 01 November 2005 15:40
To: Fylde Licensing (Licensing2003@fylde.gov.uk)
Subject: FW: 1AM, 2 Pleasant Street, Lytham

Based on the below, the Police have no objections to this application

*Graham Mattock
Events, Licensing & Contingency Planning
Western Division
Ext 404006
Direct Dial (01253) 604006*

From: Licensing Practice [mailto:licensingpractice@btinternet.com]
Sent: 29 October 2005 19:06
To: Mattock, Graham
Cc: Licensingpract
Subject: 1AM, 2 Pleasant Street, Lytham

1 AM, 2 Pleasant Street, Lytham

Hi Graham,

I refer to our telephone conversation of last week regarding the application for a premises licence at 1AM and to your further discussions with Rodger Wightman regarding these premises. As you know, the application in this case is for the sale of alcohol, hot food and regulated entertainment to cease at 01.00 hrs and for the premises to be closed by 01.30 on Mondays through to Sundays.

As I understand it, you would be happy with the a licence being granted for the sale of alcohol, hot food and regulated entertainment to cease at 00.00 hrs but are prepared to allow these activities to continue until 01.00 hrs on Friday and Saturday evenings only, provided that the conditions set out in your recent letter and repeated below are adhered to.

I have now had the opportunity of again discussing this compromise solution with my clients and am pleased to confirm that, if the licence is granted on this basis ie.

Sunday to Thursday the sale of alcohol, hot food and regulated entertainment to cease at 00.00 hrs and premises to close by 00.30 hrs.

Friday & Saturday the sale of alcohol, hot food and regulated entertainment to cease at 01.00 hrs and premises to close by 01.30 hrs.

they are agreeable to the following 8 conditions, which you have requested, being added to the operating schedule submitted for these premises :-

Nightsafe

The premises shall be operated in participation with the 'Pubwatch' scheme.

Premises Operation

An adequate number of Licensed door supervisors will be on duty as appropriate to any risk assessment and in accordance with the guidance under the 'Nightsafe' Scheme.

01/11/2005

CCTV

The premises are to be equipped with a closed circuit television system, which is appropriate to its purpose and provided and maintained to the satisfaction of the enforcement Authorities.

Sale of beverages

Only toughened glass vessels are used to dispense beer to customers.

Management and Training

Risk assessments carried out by or on behalf of the Licence holder which relate to a licensing objective will be available for inspection by an officer or a Responsible Authority

Drugs

Security arrangements are sufficient to discourage the sale and consumption of drugs and shall ensure such arrangements include regular checks of toilet areas

Records of incidents involving the use and/or detection of drugs shall be maintained and those records shall be available for inspection

Confiscated and found drugs shall be stored, disposed, transferred in accordance with procedures agreed with the Lancashire Constabulary.

Hopefully, we can agree on the above and that police representation at a hearing will not be necessary in this case. I would therefore, be grateful if you could confirm that this mediation process has enabled a solution to be achieved that means you will not be entering a formal representation in respect of this application. I will then notify Fylde BCs Licensing Office.

Regards

Robin Atkinson

The Licensing Practice Limited

(Tel: 770810)

01/11/2005

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.