

Agenda



LICENSING HEARING

Date:	Monday, 20 June 2016 at 1:00pm
Venue:	Town Hall, St Annes, FY8 1LW
Panel members:	Councillor Barbara Nash (Convenor) Councillor Angela Jacques Councillor Frank Andrews Councillor David Donaldson (Reserve)

Item		Page
1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Procedure for the Conduct of Hearings	3 - 5
3	Application for Grant of a Premises Licence: Bradleys Sports Bar & Cafe	6-39

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

The code of conduct for members can be found in the council's constitution at
<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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LICENSING ACT 2003

THE LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005

PROCEDURE FOR THE CONDUCT OF HEARINGS

1. Preliminary

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

2. Interpretation

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

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

3. *Before the hearing*

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

4. *Opening the hearing*

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

5. *Listening to the parties*

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

6. *Questioning the parties*

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

7. *Time limits*

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

8. *Considering the decision*

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

9. *Announcing the decision*

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

DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	LICENSING COMMITTEE	20 th JUNE 2016	3
APPLICATION FOR GRANT OF A PREMISES LICENCE BRADLEYS SPORTS BAR AND CAFE, MILL FARM, WESHAM			

PUBLIC ITEM

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

SUMMARY

The Licensing Authority has received an application for the grant of a premises licence for Bradleys Sports Bar and Cafe, part of the Mill Farm project. There have been representations from the Medlar with Wesham Town Council and nearby residents, who are “other persons” as defined by the Act. As such a hearing must be held to determine the application.

RECOMMENDATION

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

SUMMARY OF PREVIOUS DECISIONS

There are no previous decision relating to this matter.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services (Value for Money)	√
Delivering the services that customers expect of an excellent council (Clean and Green)	√
Working with all partners (Vibrant Economy)	√
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	√
Promoting Fylde as a great destination to visit (A Great Place to Visit)	√

Report

Application

1. The application is for the grant of a premises licence for Bradleys Sports Bar and Café.
2. The matter has been referred to the panel because relevant representations have been received from “other persons”.

Papers

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

None received

- Copies of relevant representations made by the following interested parties

Medlar with Wesham Town Council

Richard and Linda Nulty

Jed and Jennifer Bilsborrow

Roy Whiston

Joanne and Phil Connelly

Elaine Hartley

Ian Mowbray

Consideration

4. The licensing objectives are:
 - The prevention of crime and disorder;
 - Public safety
 - The prevention of public nuisance; and
 - The protection of children from harm

5. As relevant representations have been made, it is the duty of the panel to take such of the steps set out below as it considers appropriate for the promotion of the licensing objectives. The steps are:
 - (a) grant the application subject to the conditions specified in the operating schedule modified to such extent as the panel considers appropriate for the promotion of the licensing objectives, and any mandatory condition,
 - (b) to exclude from the scope of the licence any of the licensable activities to which the application relates
 - (c) refuse to specify a person in the licence as premises supervisor
 - (d) reject the application
6. The Guidance issued by the Secretary of State and the Council's Statement of Licensing Policy will be material in considering the application, but cannot override the licensing objectives.
7. The following parts of the secretary of state's guidance appear to be particularly relevant to the application and the relevant representations:

2.14	Public Nuisance
8..12	Other persons
9.30	Hearings
9.41	Determining actions that are appropriate for the promotion of the licensing objectives.

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

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

6.1	Planning
9.5	Licensing Panel Hearings
10.2.3	Applications that include regulated entertainment after 2300
10.3	Conditions that the Licensing Authority May Impose

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

Further Information

9. Following mediation with the Police (who are a responsible authority) the applicant has agreed a number of conditions as set out in paragraph 10 below to be attached to the licence. The Panel is therefore requested to consider attaching these conditions to the licence.
10. Conditions agreed by the applicant:

CCTV will be installed internally and externally at the premises and will comply with the following:

The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises are to be covered by the system.

The system will display on any recording the correct time and date of the recording.

The system will make recordings during all hours that the premises are open to the public.

The recording will be held for a minimum of 31 days and 28 days respectively after the recording is made and will be made available to the police or any authorised persons acting for a responsible authority for inspection upon request.

The system will, as a minimum, record image of the head and shoulders of all persons entering the premises.

A staff member who is conversant with the operation of the CCTV system will be on the premises at all times that the premises are open to the public. This staff member will be able to show police recent data or footage with the absolute minimum of delay, when requested.

The Licence Holder or Designated Premises Supervisor will notify the Police Licensing Unit on any occasion when the CCTV is to be inoperative for a period in excess of one working day and shall provide a certificate from a competent person stating the reason for the system being inoperative and the measures which have been taken to satisfy the licence conditions.

The premises licence holder will operate a Challenge 25 policy at the premises whereby any person who looks or appears to be under the age of 25 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:

- i. photo driving licence*
- ii. Passport*
- iii. Proof of Age Standards Scheme card.*
- iv. UK armed forces military ID*

All staff are to have received suitable training in relation to the proof of age scheme to be applied upon the premises. All staff are to receive regular refresher training at intervals of a maximum of six months. Records to evidence this will be made available to an authorised officer upon request.

On non-first team match days the premises licence holder will risk assess the requirement for door supervisors at the premises, and shall employ door supervisors in such numbers and at such times as is deemed necessary by the risk assessment. All door staff employed at the entrance/exit of the licensed premises will be SIA trained.

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

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

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 authorised officer.

An incident recording system will be maintained in which shall be recorded:-

- i. All incidents of crime and disorder*
- ii. Refused sales to suspected under-age and drunken persons*
- iii. A record of any person asked to leave the premises or removed from the premises*
- iv. Details of occasions on which the police are called to the premises*
- v. A record of persons searched on suspicion that drugs are being carried and the reason for such suspicion*

Written records from the system will be available for inspection by a police officer.

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

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

All staff are to have received suitable training with regard to serving drunks. All staff are to receive regular refresher training at intervals of a maximum of six months. Records to evidence this will be made available to an authorised officer upon request.

Children under the age of 16 shall not be allowed on the premises beyond 22:00hrs.

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

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

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

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

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

Functions which specifically target young people aged 17-18 years (for example birthday parties) will not be allowed to take place on the premises.

All internal doors to any entrance / exit point, fire exit doors and external windows shall be closed during hours of any regulated entertainment except in the event of an emergency, save for the purpose of access and egress

An authorisation of sales, signed and dated by the DPS, shall be kept at the premises showing all persons authorised by them to make sales of alcohol at the premises.

On any date where First Team Football (including friendlies/non-competitive matches) is to be played at Mill Farm Stadium a suitable number of SIA approved stewards as per a risk assessment will cover all entrances and exits to Bradleys Bar and will wear a reflective jacket/tabard of a design approved by Lancashire Constabulary. On any date where First Team Football (including friendlies/non-competitive matches) is to be played at Mill Farm stadium polycarbonate glassware is to be used and bottles decanted into polycarbonate glassware 2hrs before kick-off, during the match and 2hrs after the final whistle.

Whilst the football club has Non-Football League status, an individual risk assessment will be completed prior to every football match day by the Ground Safety Officer to determine whether entry will be permitted to Bradleys Bar by 'away fans'.

On Football League status being gained by the football club, entry to

Bradleys Bar and the sale or supply of intoxicating liquor will be restricted on all home football match days to persons who are holders of a current member's card or home supporters' match ticket for that day. The restriction to entry and sale/supply of alcohol will cease to apply 2hrs from the football match ending.

11. By way of clarification, the application has been amended by the applicant so that late night refreshment is applied for until midnight Monday to Thursday and 0100 on Fridays and Saturdays.

Procedure

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

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

LEAD AUTHOR	TEL	DATE	DOC ID
Chris Hambly	01253 658422	4 th May 2016	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Guidance issued under S182 of Licensing Act 2003	March 2015	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418114/182-Guidance2015.pdf
Statement of Licensing Policy	January 2016	http://www.fylde.gov.uk/business/licensing/licensingact2003/licensingpolicystatement/

Attached documents

1. Application Form
2. Representations
3. Area Plan



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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

We Tangerine Holdings Limited

(Insert name(s) of applicant)

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

Part 1 – Premises Details

Mill Farm Bradleys Sports Bar & Cafe Coronation Way Wesham Preston			
Post town	Wesham	Postcode	PR43JZ

Telephone number at premises (if any)	tbc
Non-domestic rateable value of premises	Under construction

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|--|--------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | x | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |

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

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

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 x

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 <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over			Please tick yes		
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
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 Tangerine Holdings Limited
Address Tangerine Holdings Docklands Dock Road Lytham Lancashire FY85AQ
Registered number (where applicable) 02976538
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company Director
Telephone number (if any) 01253 667420
E-mail address (optional) david.haythornthwaite@tangerineholdings.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
0	1	0	6	2	0	1	6

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

DD		MM		YYYY			

Bradleys Sports Bar & Cafe (189 seats) serving food and beverage to the general public open seven days a week

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 Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

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

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

☐

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

x

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue						
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)			
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 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	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) We would like to offer live amplified music in Bradleys Sports Bar most weekends with up to 5 musicians		
Mon	12.00	00.00			
Tue	12.00	00.00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed	12.00	00.00			
Thur	12.00	00.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	12.00	00.00			
Sat	11.00	00.00			
Sun	11.00	23.00			

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 <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish	Both <input checked="" type="checkbox"/> x		
Mon	0700	0000	Please give further details here (please read guidance note 3) Piped music through our in house sound system for the bar and café		
Tue	0700	0000			
Wed	0700	0000	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	0700	0000			
Fri	0000	0100	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
	0700	0000			
Sat	0000	0100			
	0700	0000			
Sun	0000	0100			
	0700	2300			

G

Performances 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	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) We require the performance of dance to enhance live music events in Bradleys			
Mon	1200	0000				
Tue	1200	0000				
Wed	1200	0000	State any seasonal variations for the performance of dance (please read guidance note 4)			
Thur	1200	0000				
Fri	1200	0000				
Sat	1200	0000	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)			
Sun	1200	2300				

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		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

I

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)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon	2300	0000		
Tue	2300	0000		
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)	
Wed	2300	0000		
Thur	2300	0000		
			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)	
Fri	0000	0100		
	2300	0000		
Sat	0000	0200		
	2300	0000		
Sun	0000	0200		
	2300	0000		

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	1100	0000			
Tue	1100	0000			
Wed	1100	0000			
Thur	1100	0000	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)		
Fri	1100	0000			
Sat	0000	0100			
	1100	0000			
Sun	0000	0100			
	1100	0000			

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

Name Bevan Middleton	
Address 	
Postcode	
Personal licence number FY PA0224	
Issuing licensing authority Fylde Council	

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).

There will be no entertainment of a sexual nature

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)

28 of 39

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

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

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP:

Strong management controls and effective training of all staff so that they are aware of the premises licence and the

requirements to meet the four licensing objectives with particular attention to:

a/ no selling of alcohol to underage people

b/ no drunk and disorderly behaviour on the premises area

c/ vigilance in preventing the use and sale of illegal drugs at the retail area

d/ no violent and anti-social behaviour

e/ no harm to children

- Operating Schedule providing the hours of operation and licensable activities during those hours.

- Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act, to make or authorize each sale

- Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.

As a licensed premise we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

b) The prevention of crime and disorder

A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted. Security will be on site daily from 6pm thorough the night. Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed. Not selling of alcohol to drunk or intoxicated customers. Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises. Prevention and vigilance in illegal drug use at the retail unit area. Staff will be well trained in asking customers to use premises in an orderly and respectful manner.

c) Public safety

Internal and external lighting fixed to promote the public safety objective. Well trained staff adherence to environmental health requirements. Training and implementation of underage ID checks. A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation. All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly. Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents. The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for cleaning, security, closing down supervisors) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents. Customers will be asked not to stand around loudly talking in the street outside the premises. Customers will not be admitted to premises above opening hours. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises. Adequate waste receptacles for use by customers will be provided in the local vicinity.

Doors and windows will be closed when regulated entertainment is taking place, except of access and egress.

e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol.

Checklist:

Please tick to indicate agreement

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

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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	
Date	8 th April 2016
Capacity	Chief Executive Officer

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 postal address for correspondence associated with this application (please read guidance note 13) Bevan Middleton Tangerine Group Docklands Dock Road			
Post town	Lytham	Postcode	FY85AQ
Telephone number (if any)	01253 667420		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) bevan.middleton@mfsv.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 or 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, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Chris Hambly

From: Jean Priestley <jeanpriestley20@gmail.com>
Sent: 16 May 2016 14:07
To: Chris Hambly
Cc: Linda Nulty; Alan Clayton
Subject: Re: Bradleys Sports Bar

Good Afternoon,

The representation submitted should be carried forward.

The failure of the management of Bradleys Sports Bar to adhere to the correct procedures shows a reckless disregard of the law and doesn't bode well for the future.

Many Thanks

Jean

Jean Priestley
Town Clerk
Medlar-with-Wesham

On 16 May 2016 at 08:10, Chris Hambly <chris.hambly@fylde.gov.uk> wrote:

Good morning

I refer to the above application and would now advise that due to a procedural matter the representation period for Bradleys Sports Bar has been re-commenced with effect from the 8th May 2016. The requirement to place a notice in the press within 10 working days of the application being submitted was not complied with by the applicant and the final date for any representations is now the 5th June 2016.

In terms of the representations submitted by yourselves, do you wish them to be carried over or will you wish to re-submit?

Many thanks

Chris

Chris Hambly
Environmental Health Manager
Extension: 8422

Chris Hambly

From: Jean Priestley <jeanpriestley20@gmail.com>
Sent: 06 May 2016 21:06
To: Chris Hambly
Subject: Bradleys Sports Bar, The Stadium, Mill Farm Development, Coronation Way, Wesham

Medlar-with-Wesham Town Council have received comments from residents regarding this application. I have been asked to forward these comments and those of the Councillors.

The main concerns are

- The extended hours could set a precedent for other facilities on the development site
- Noise from both the music and customers being invasive over a large area
- Light nuisance
- Additional traffic and the potential drink/driving issues
- Public nuisance and antisocial behaviour
- Alcoholism and under age drinking

Fylde Borough Council's Development Management Committee set conditions on opening hours on facilities on the Mill Farm development to protect nearby residential properties from public nuisance and anti-social behaviour.

In addition written permission relating to opening hours is required from the Planning Authority prior to the Sports Bar beginning opened. The Town Council are not aware that this permission has been requested in respect of Planning condition 46.

The Sports Bar is one of several licensed premises planned on the Development, all of which will want extended licencing hours to be competitive. Hence the Council is concerned that the original vision for the development of a healthy sports environment is being slowly eroded and it is becoming a venue for binge drinking and unhealthy foods.

Due to the location of site noise from the Sport Bar's music, customers (both within the bar and outside), cars, taxis etc will carry not only to nearby residential properties but throughout Medlar-with-Wesham and into surrounding towns/parishes including Kirkham, Ribby-with-Wrea, Greenhalgh and Weeton.

In proposing restrictions on other facilities on the site Fylde Borough Council's Environmental Specialist commented:

"there are dwellings nearby that will be affected by the activities of the site mainly from traffic movement and potential light nuisance from the premises and car headlights. It is accepted that the area is served by a main but has much reduced traffic after 23.00. If services are open at this time, this will encourage further disturbance adding to an already changing environment."

The Council is of the opinion that these comments are also relevant to this application

The Councillors are concerned that the bar is in close proximity to Fleetwood Road Playing Fields which has features specifically designed to encourage use by teenagers. The Skate Board facilities are a focal point for large groups of teenagers from the area. The proximity of a late night opening bar can only created issues relating to public order and vandalism.

The reduction in Community Policing Staff is throughout the Fylde has lead to an increase in juvenile crime, vandalism and anti-social behaviour in the Town. Adding a late night bar selling alcohol will only add to the public nuisance and general disorder in the area.

As the bar is situated "out of Town" many customers will have to drive to the venue. We are concerned are that some drivers may be over the legal limit for blood/alcohol when leaving the site.

Alcoholism including under age drinking is an issue in the Town. The licensing of a late night opening Sports Bar will present a danger to certain individuals.

The Town Council considers that due to the site, potential clientele and type of establishment that a licence for the Bradleys Sports Bar for the sale of alcohol on the premises, regulated entertainment and late night refreshment must be restricted to be no later than 23.00 on any day

Regards

Jean Priestley
Town Clerk

The individuals listed below wish to see any licence for the sale of alcohol on the premises, regulated entertainment and late night refreshment at Bradleys Sports Bar and Cafe located in the West Stadium Complex on Coronation Way, Wesham, restricted to no later than 23.30 on any day.

The Mill Farm Sports Village is being developed in open countryside outside the present settlement boundary of Wesham on the A585.

As part of the planning process the Council's Development Management Committee has set conditions on opening hours for the various facilities on this site to ensure that residential amenity is protected and public nuisance avoided.

To date, the Conditions prescribed have been:

- Aldi Foodstore 0800 – 22.00 Mon – Sat and 0800 – 18.30 Sun
- KFC Drive-thru and restaurant 0600 – 23.00
- Filling Station 06.00 – 23.30

Planning Condition 46, for the Stadium Complex where Bradleys Bar is located, requires prior approval of opening hours in writing by the Planning Authority before any facility is operational. Although the owners have publicised the opening of Bradleys Bar and Cafe in June, we believe no formal application has yet been made to discharge this condition.

The opening hours that are accepted for this application are likely to set the precedent for those of the Restaurant and Roof Terrace, Function Room and Conference Suite on the first floor, which will be completed within the next two or three months. Thus, the impact of this decision is likely to be greater than the throughput volumes suggested in this first application for just part of the premises.

Public Nuisance and Safety Issues:

- The nearest car park serving the Stadium facility is located immediately to the north. There are 4 residential properties within 100 metres.
- The A585 becomes quiet after 23.00 and therefore the banter of customers, slamming of car doors, starting up, manoeuvring, and leaving the site will carry to nearby houses.
- The noise of exiting customers will not be capable of realistic control and the competitive atmosphere created in the Sports Bar is likely to influence patrons' behaviour and exuberance will frequently arise.
- It is proposed to relay recorded music to both the indoor and outdoor areas until 01.00 at weekends and in a quiet countryside area the noise will travel not only to nearby homes, but also to the neighbouring housing estates and as far as Bradshaw Lane

- In view of the limited service available in this area, patrons waiting for taxi transport outside the closed premises will extend the prospect of public nuisance for a further half to three quarters of an hour beyond the requested closing hour of 02.00 at weekends.
- The Council's Environmental specialist in proposing a restriction to 23.30 in respect of the next door Filling Station and Fast food outlet gave the following reasoning:
 - “There are dwellings nearby that will be affected by the activities of the site mainly from traffic movements and potential light nuisance from the premises and car headlights. It is accepted that the area is served by a main road but has much reduced traffic after 23.00. If services are open after this time, this will encourage further disturbance adding to an already changed environment”
- As the proposed opening hours will be significantly later than other venues in the locality, it is likely to become the last 'port of call' for some groups of patrons, increasing the likely levels of noise and nuisance and increasing the public safety risk of :
 - Drink/driving
 - Incidents arising with groups walking back home through Wesham and Kirkham
- AFC has a policy of offering free match tickets to young people. The fact that the cafe is within the proposed alcohol licence area will present particular difficulty.

Richard and Linda Nulty – Demmingfield, Fleetwood Road, Greenhalgh

Jed and Jennifer Bilsborrow - 2 Rose Villas, Fleetwood Road, Wesham

Roy Whiston- 1 Rose Villas, Fleetwood Road, Wesham

Joanne and Phil Connolly, Wesham House Farm, Fleetwood Road, Wesham

Elaine Hartley – Pitfield, Fleetwood Road, Wesham

06/05/16

Chris Hambly

From: Ian Mowbray
Sent: 26 May 2016 20:27
To: Chris Hambly
Subject: Re: RE: OBJECTION TO PREMISES LICENCE

Dear Mr Hambly,

Thank you for your response. I note that there will be no attendance of the Police at the subsequent Licensing Panel. Presumably, they will have made a written representation that will be laid before the panel, highlighting the agreed conditions with the application. I also note, that the name of the applicant is Bevan Middleton, as on the Temporary Event Notices and he is of substantial experience in the catering field. He was previously at Ribby Hall.

Nonetheless, I feel that what I have submitted, I would think it prudent, to include my written representation of objection to be placed before the Licensing Panel, even though my absence is noted.

Regards,

Ian Mowbray.

-----Original message-----

From : chris.hambly@fylde.gov.uk
Date : 26/05/2016 - 19:04 (GMTST)
To : ianmowbray411@btinternet.com
Subject : RE: OBJECTION TO PREMISES LICENCE

Apologies – I meant to mention that full details of this application, including the application form (and 2 additional applications) are available on our web pages for public viewing.

Thanks
Chris

Chris Hambly
Environmental Health Manager
Fylde Borough Council

DDI: 01253 658422
Main: 01253 658658

Fylde Council's MOT station can save you money – as mentioned by MoneySavingExpert website. Ring 01253 658635 to book or email to: MOT@Fylde.gov.uk

Fylde Borough Council's email disclaimer can be found at:
<http://www.fylde.gov.uk/disclaimer>

Visit our website for all the latest information at your fingertips:
<http://www.fylde.gov.uk>

From: Ian Mowbray
Sent: 26 May 2016 17:59
To: Licencing <licensing@fylde.gov.uk>
Subject: OBJECTION TO PREMISES LICENCE

Dear Sir or Madam

OBJECTION TO PREMISES LICENCE FOR BRADLEYS SPORTS BAR AND CAFE, MILL FARM, CORONATION WAY, MEDLAR-WITH-WESHAM PR4 3HD.

Having not the knowledge, of the full application for a Premises Licence, for the above identified premises, it is necessary to make an objection to that licence on the following grounds.....

The premises referred to, are in close vicinity of a football sports ground and it is widely anticipated that a substantial amount of football and other sport fixtures, will be played there. Accordingly, that will result in a substantial attendance of football supporters and others. With the Licensing Objectives in mind :- a) The prevention of crime and disorder b) Public Safety c) The prevention of public nuisance and d) The protection of children from harm, are due to be seriously considered.

To enable those objectives to be considered, it is noted that the application for the Premises Licence seeks the hours for the retail of alcohol from 11am to Midnight Sunday to Thursday and 11am to 1am Friday and Saturday. That would indicate that alcohol would be readily available to be sold to football supporters, prior to the commencement of any football match and all the Licensing Objectives would be put at risk.

Therefore, I respectfully request that the Licensing Panel, take into consideration, that in the event of a football match being played at the Sports Stadium, that the sales of alcohol be suspended until the commencement of the planned football match.

It also should be considered a possibility, that attending football supporters may have obtained alcohol from other premises inside or outside the Mill Farm Industrial Complex and that sufficient personnel be on duty to seize any alcohol in possession of the football supporter, before allowing entry to the stadium.

I ask that conditions are applied, in view of the aforementioned, that have to be lawfully upheld, to the grant of a Premises Licence for the above named premises.

Your faithfully,

Ian Mowbray,

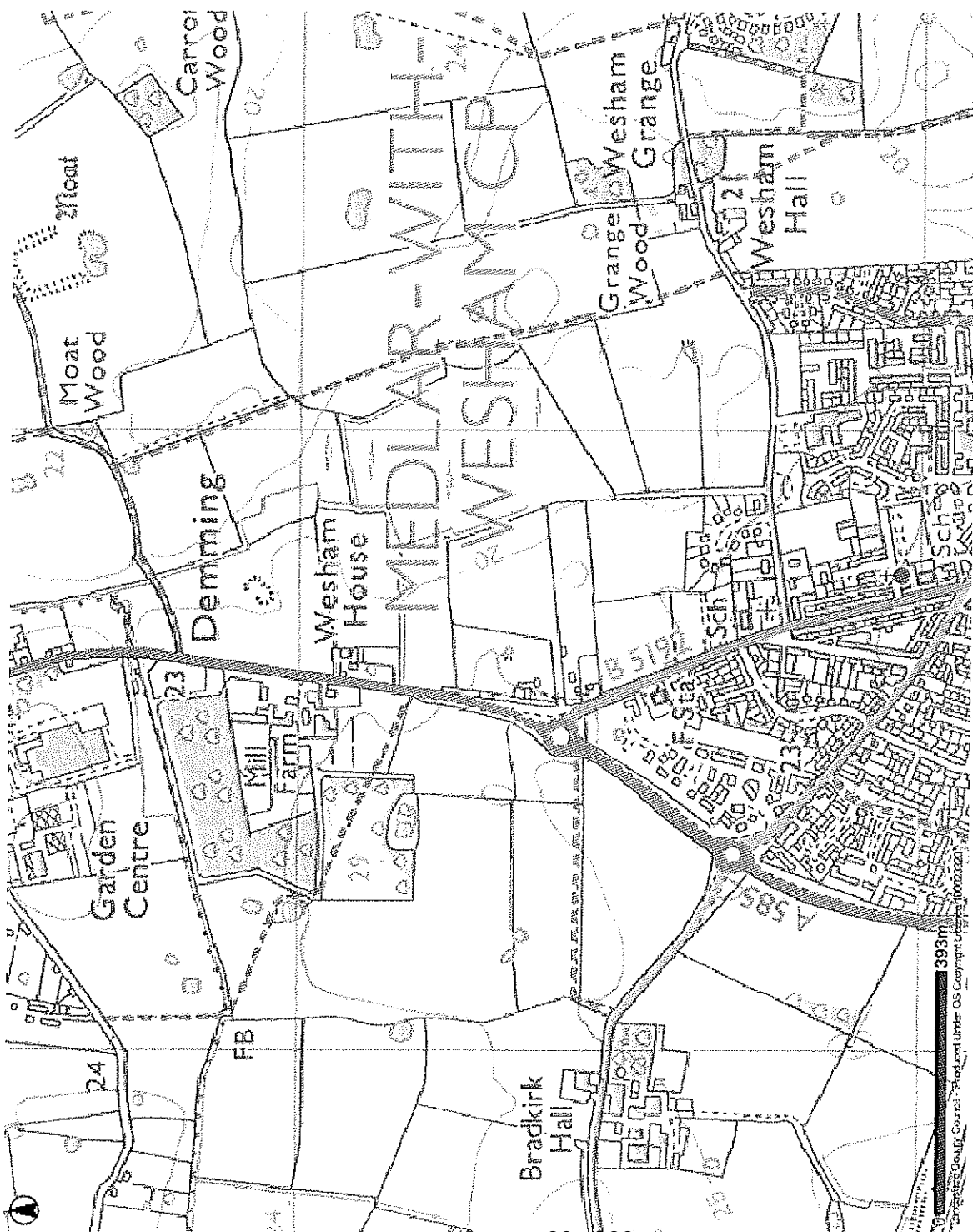
Hill-Crest

Weeton Road

Wesham, PRESTON,

Lancashire. PR4 3DH

Districts
Other
District/Unitary
Authority
Lancashire
Districts



Bradleys Bar

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Date: 02/06/2016

