

Agenda



LICENSING HEARING

Date:	Tuesday, 24 May 2016 at 10:00am
Venue:	Town Hall, St Annes, FY8 1LW
Panel to be drawn from the following Committee members:	Councillor David Donaldson (Convenor) Councillor Jan Barker Councillor Keith Beckett Councillor Alan Clayton Councillor Angela Jacques (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 - 4
3	Application for Grant of a Premises Licence: Wishky Ltd, Stanley Bank Farm, Weeton	5 - 20
4	Application for Grant of a Premises Licence: Kirkham and Wesham Cricket Club	21 - 51
5	Application for Grant of a Premises Licence: Aldi Stores Limited, Fleetwood Road, Wesham	52 - 75

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>

© Fylde Borough Council copyright 2016

You may re-use this document/publication (not including logos) free of charge in any format or medium. You must re-use it accurately and not in a misleading context. The material must be acknowledged as Fylde Borough Council copyright and you must give the title of the source document/publication.

Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

This document/publication is also available on our website at www.fylde.gov.uk

Any enquiries regarding this document/publication should be sent to us at the Town Hall, St Annes Road West, St Annes FY8 1LW, or to listening@fylde.gov.uk.



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	24 MAY 2016	3
APPLICATION FOR GRANT OF A PREMISES LICENCE: WISHKY LTD, STANLEY BANK FARM, WEETON			

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 at Wishky Ltd, Stanley Bank Farm, Weeton. There have been representations from the Police, a Responsible Authority 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) modify the conditions of the licence,
 - (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 to Wishky Ltd, for a subscription/internet based service for the sale of whisky.
2. The matter has been referred to the panel because relevant representations have been received from a responsible authority.

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:
Police
 - Copies of relevant representations made by the following interested parties
None received

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) modify the conditions of the licence,
 - (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:

3.7	Mobile, remote, internet and other delivery sales
9.30	Hearings
9.41	Determining actions that are appropriate for the promotion of the licensing objectives.
10.52	Age verification

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:

- 9.5 Licensing Panel Hearings
- 10.3 Conditions that the Licensing Authority May Impose
- 14.1.1 Underage Drinking

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

Procedure

9. The applicant and the makers of the relevant representations have been invited to attend or be represented at the hearing.
10. 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	3 rd 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. Representation



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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We **Wishky Ltd**

(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Old Diary Stanley Bank Farm Singleton Road Weeton Preston Lancashire			
Post town	Preston	Postcode	PR4 3PA

Telephone number at premises (if any)	None
Non-domestic rateable value of premises	£6500 (UNIT 2, STANLEY BANK FARM)

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 | <input checked="" type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |

- iv. other (for example a statutory corporation) ☐ 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 ☐

I am making the application pursuant to a
statutory function or ☐
a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
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)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
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 Wishky Ltd
Address The Old Bakery Green Street Lytham Lancashire FY8 5LG
Registered number (where applicable) 9876000
Description of applicant (for example, partnership, company, unincorporated association etc.) A limited company owned solely by Mr Neil Thomas Butler
Telephone number (if any) None
E-mail address (optional) My current email address is: ntbutler81@gmail.com

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
0	1	0	5	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			

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

The premises is a lock up storage unit with power. I am not certain there is running water or heating in the property. It is a small unit within the larger Old Diary (Unit 2) on Stanley Bank Farm. The unit is rectangular in shape with a sliding solid wooden door to enter the unit. The unit is roughly 25ft by 14ft giving a rough calculation of the square footage to be around 350sqft.

I intend to use this space for storage and re-bottling to create my monthly whisky based subscription boxes.

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) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| 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)

☒

In all cases complete boxes K, L and M

The pages relating to licensable activities A-I have been removed as irrelevant to this application.

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) None		
Mon	0700	1800			
Tue	0700	1800			
Wed	0700	1800			
Thur	0700	1800			
Fri	0700	1800			
			<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5) None		
Sat	0700	1800			
Sun	0700	1800			

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

Name Mr Neil Thomas Butler	
Postcode	
Personal licence number (if known) NOT YET KNOWN	
Issuing licensing authority (if known) Preston City Council	

K

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

I can't think of anything for this section. The business will not be doing anything associated with the Adult Entertainment industry.

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	PLEASE NOTE: It is not my intention to open the premises to sell Alcohol to members of the public. It is merely a place to store and distribute alcohol from to my customers who use my website.
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			
<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)			

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)

My website is a subscription based business model. Customers will create a profile and provide their date of birth. They will input their debit card details and recurring payments will be taken. They will also be given the choice of Paypal or Amazon Pay to make these payments. Our smallest subscription level on a monthly basis is roughly £24 per month.

b) The prevention of crime and disorder

The premises are in a rural area on a farm and within a secure unit. There are other units on site so the between the hours of 0700 and 1800 daily there would always be people around. The farm owner also lives on site too so outside these hours the Farmer and his family are around.

c) Public safety

Members of the public will not be welcome in the unit. No passing trade will occur. Alcohol will not be sold on the premises. Only via our website. Collections will not be allowed only delivery using our preferred delivery partner.

d) The prevention of public nuisance

The hours detailed in this application are between 07.00 and 18.00 7 days a week. As mentioned above members of the public will not be welcome and only members of staff of Wishky Ltd will be on site on a daily basis.

e) The protection of children from harm

Members of the public are not welcome, staff of the company will not be allowed children on site. It will be against company policy to have children on-site. Anybody suspected to be under the age of 18 would need to provide proof of age if they turned up without a prior arrangement.

If a child is present for any other reason they will need to be supervised by their guardian at all times. I.e. if a child is with an owner of another local business who is interested in what we do. They will be expected to keep that child safe from harm.

On a business to consumer basis purchases can only be made online, I will be asking for date of birth

details when they purchase something. At the point of entry to my site I will also be asking them to declare they are of legal drinking age in the country the order is placed from. At the point of delivery I will not be able to ask for ID as Royal Mail or other delivery partners won't do this. I will also be encouraging delivery to a work address for the convenience of my customers. This will limit the deliveries to a home address where a child would take in the item once delivered.

I will not sell Alcopops online via my website

Checklist:

Please tick to indicate agreement

- 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 designated 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 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	Neil Butler
Date	02/03/2016
Capacity	Business Owner and expected DPS

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)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

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.

Fylde Council Licensing Service

Representation made by a Responsible Authority to an application for the grant / variation of a Premises Licence / Club Premises Certificate

Responsible Authority

Name of Responsible Authority	LANCASHIRE CONSTABULARY		
Name of Officer (please print)	PC 4107 Emma Pritchard		
Signature of Officer	<i>E Pritchard</i>		
Contact telephone number	01253 604007		
Date representation made	26	04	16
Do you consider mediation to be appropriate	YES		

Premises Details

Premises Name	Wishky Ltd
Address	The Old Dairy, Stanley Bank Farm
	Singleton Road
	Weeton
	Preston
Post Code	PR4 3PA

Reasons for making representations

Lancashire Constabulary are extremely concerned with this application for a new premises licence which is essentially a website on which members of the public can buy alcohol which is then delivered to them by Royal Mail or other courier services.

There is nothing in this application that would prevent a child obtaining alcohol and the only consideration to this on the application is that the website would require a person to provide a date of birth and tick a box to say they are over 18. There are then no proof of age checks and The Police are concerned that this would be an extremely easy way for persons under 18 to obtain alcohol.

The application states that this 'is a subscription based model' and 'customers create a profile and they would input their debit card details and recurring payments will be taken'. However upon meeting the premises licence holder it transpires that this will not be the case and he wants to also do ad hoc sales of alcohol and although he is starting with whisky he is looking at possibly gin and vodka also.

It is the responsibility of the Premises Licence Holder to ensure alcohol is not sold to customers under 18 years of age by taking all reasonable precautions and exercising due diligence to avoid committing this offence; having a person merely stating they are

18 on an online application does not satisfy due diligence. Therefore Lancashire Constabulary feel that if this application was granted it would have an adverse effect on the licensing objectives as there is no protection of children from harm.

If this new premises licence is granted in its current form, we would not be satisfied the promotion of the Licensing Objectives would be ensured. However, should the below conditions be agreed this would uphold the Licensing Objectives.

It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.

The following conditions to be added to the Operating Schedule:-

- 1) The primary operation of the premises should be a website that supplies premium spirits, principally whisky, aimed at discerning drinkers.
- 2) The premises website home page shall clearly state alcohol sales shall only be made to persons aged 18 or over.
- 3) No alco-pops or discount beers will be made available.
- 4) The premises are not open to the public at any time and there will be no direct sales to the public from the premises at any time. There will be no direct sales of alcohol from the delivery vehicle.
- 5) There shall be in place for the premises a written policy to prevent the sale or supply of alcohol to persons under 18 years of age. That policy shall require any customer to produce a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS) or a photo driving licence or passport indicating that they are over 18 years of age.
- 6) All deliveries of alcohol shall be delivered to a premises address with a valid postcode. The person who orders and pays for the alcohol delivery must be the same person who receives the alcohol when delivery takes place. These deliveries should require a signature on receipt of goods.
- 7) A record of all transactions will be maintained. The transactions record will contain the name, address, details of the order along with the requested time of the order. This shall be documented and available for inspection to Police officers or other authorised persons.

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	LICENSING COMMITTEE	24 MAY 2016	4
APPLICATION FOR GRANT OF A PREMISES LICENCE: KIRKHAM AND WESHAM CRICKET CLUB			

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 at Kirkham and Wesham Cricket Club, Woodland Avenue, Kirkham. There has been a representation from the Environmental Protection department, a responsible authority 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) modify the conditions of the licence,
 - (c) refuse to specify a person in the licence as premises supervisor
 - (d) reject the application

SUMMARY OF PREVIOUS DECISIONS

The premises currently benefits from a Premises Licence FY PL0168 granted during the transition period of the Licensing Act 2003 in 2005.

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

Report

Application

1. The application is for the grant of a premises licence at Kirkham and Wesham Cricket Club, Woodlands Avenue, Kirkham.
2. The matter has been referred to the panel because relevant representations have been received from a responsible authority.

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:
Environmental Protection
 - Copies of relevant representations made by the following interested parties

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
 - (b) modify the conditions of the licence,
 - (c) reject the whole or part of 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
9.30	Hearings
9.41	Determining actions that are appropriate for the promotion of the licensing objectives.
10.10	Proportionality

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
14.3	Prevention of Public Nuisance
14.3.2	Noise Nuisance

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

Further Information

9. Following a representation by the Police, the applicant has agreed a number of conditions as detailed below. The Panel are requested to consider attaching this conditions to the licence.

10. Those conditions are:

- i) The Club shall rigorously implement a Safeguarding policy in relation to its junior members which shall be continuously updated and aligned with its governing body, the ECB, and their safeguarding policy "Safehands"
- ii) On issue and commencement of the new premises licence the existing licence operated by the Club (reference FY PL0168 refers) will be surrendered to Fylde Borough Council within 10 working days.
- iii) Private functions which specifically target young people aged 17-18 years (for example birthday parties) will not be allowed to take place on the premises.

11. The Panel may also wish to note that the Police had concerns regarding the Designated Premises Supervisor (DPS) named for the premises. The applicant has subsequently varied the DPS.

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. Representation
3. Licence ref FY PL0168
4. Area Plan

 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 **Kirkham & Wesham Cricket Club** 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	
Cricket Ground Woodland Avenue	
Post town Kirkham	Post code PR4 2JQ

Telephone number of premises (if any)	01772 671180
---------------------------------------	---------------------

Non domestic rateable value of premises	£3,700
---	---------------

Part A2 - Applicant Details

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

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

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

Please tick ✓

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

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Mr								Other title (for example, Rev)	
Surname						First names			
Please tick <input type="checkbox"/> yes									
I am 18 years old or over									
Current postal address if different from premises address									
Post Town						Postcode			
Daytime contact telephone number									
Email address (optional)									

(B) OTHER APPLICANTS

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

Name	Kirkham & Wesham Cricket Club
Address	Cricket Ground, Woodland Avenue, Kirkham. PR4 2JQ
Registered number (where applicable)	
Description of applicant (for example, partnership, company, unincorporated association etc.)	Community Cricket Club
Telephone number (if any)	01772 671180
E-mail address (optional)	

Part 3 Operating Schedule

	Day		Month		Year			
When do you want the premises licence to start?	2	0	0	4	2	0	1	6

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

If 5000 or more people attend the premises at any one time, please state the number expected to attend	N/A
--	-----

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>The premises, a community cricket club, comprise a clubhouse with changing facilities, toilets, bar and large area for playing cricket. The clubhouse currently has the benefit of a Premises Licence FY PL0168 from Fylde Council which allows for the clubhouse to be open for a range of licensable activities including the on and off sales of alcohol until midnight Monday to Saturday.</p>
--

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick ☒ Yes

Provision of regulated entertainment

a) plays	<input checked="" type="checkbox"/>
b) films	<input checked="" type="checkbox"/>
c) indoor sporting events	<input checked="" type="checkbox"/>
d) boxing or wrestling entertainment	<input checked="" type="checkbox"/>
e) live music	<input checked="" type="checkbox"/>
f) recorded music	<input checked="" type="checkbox"/>
g) performances of dance	<input checked="" type="checkbox"/>
h) anything of a similar description to that falling within (e), (f) or (g)	<input checked="" type="checkbox"/>

Provision of entertainment facilities for:

i) making music	<input checked="" type="checkbox"/>
j) dancing	<input checked="" type="checkbox"/>
k) entertainment of a similar description to that falling within (i) or (j)	<input checked="" type="checkbox"/>

Provision of late night refreshment	<input checked="" type="checkbox"/>
--	-------------------------------------

Sale by retail of alcohol	
a) for consumption on the premises	<input checked="" type="checkbox"/>
b) for consumption off the premises	<input checked="" type="checkbox"/>

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	
				Outdoors	
				Both	✓
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	09.00hrs	00.00hrs			
Tue	09.00hrs	00.00hrs			
Wed	09.00hrs	00.00hrs	State any seasonal variations for performing play (please read guidance note 4)		
Thur	09.00hrs	00.00hrs			
Fri	09.00hrs	00.00hrs	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) <ol style="list-style-type: none"> From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. The terminal hour for this licensable activity is to be extended by one hour every ;- <ul style="list-style-type: none"> Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Boxing Day and Kirkham & Wesham Club Day. 		
Sat	09.00hrs	00.00hrs			
Sun	09.00hrs	00.00hrs			

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	
				Outdoors	
				Both	✓
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	09.00hrs	00.00hrs			
Tue	09.00hrs	00.00hrs			
Wed	09.00hrs	00.00hrs	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	09.00hrs	00.00hrs			
Fri	09.00hrs	00.00hrs	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) <ol style="list-style-type: none"> From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. The terminal hour for this licensable activity is to be extended by one hour every ;- <ul style="list-style-type: none"> Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Boxing Day and Kirkham & Wesham Club Day. 		
Sat	09.00hrs	00.00hrs			
Sun	09.00hrs	00.00hrs			

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	09.00hrs	00.00hrs	State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue	09.00hrs	00.00hrs	
Wed	09.00hrs	00.00hrs	
Thur	09.00hrs	00.00hrs	
Fri	09.00hrs	00.00hrs	
Sat	09.00hrs	00.00hrs	Non standard timings. Where you intend to use the premises for indoor sporting t. (please read guidance note 5)
Sun	09.00hrs	00.00hrs	
			1. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. 2. The terminal hour for this licensable activity is to be extended by one hour every ;- <ul style="list-style-type: none"> Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Boxing Day and Kirkham & Wesham Club Day.

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	
				Outdoors	
Day	Start	Finish	Please give further details here (please read guidance note 3)	Both	✓
Mon	09.00hrs	00.00hrs			
Tue	09.00hrs	00.00hrs	State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 4)		
Wed	09.00hrs	00.00hrs			
Thur	09.00hrs	00.00hrs			
Fri	09.00hrs	00.00hrs	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	09.00hrs	00.00hrs			
Sun	09.00hrs	00.00hrs			
			1. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. 2. The terminal hour for this licensable activity is to be extended by one hour every ;- <ul style="list-style-type: none"> Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Boxing Day and Kirkham & Wesham Club Day. 		

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)		
Mon	09.00hrs	00.00hrs			
Tue	09.00hrs	00.00hrs	State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed	09.00hrs	00.00hrs	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)		
Thur	09.00hrs	00.00hrs	<ol style="list-style-type: none"> From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. The terminal hour for this licensable activity is to be extended by one hour every;- <ul style="list-style-type: none"> Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Boxing Day and Kirkham & Wesham Club Day. 		
Fri	09.00hrs	00.00hrs			
Sat	09.00hrs	00.00hrs			
Sun	09.00hrs	00.00hrs			

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)		
Mon	09.00hrs	00.00hrs			
Tue	09.00hrs	00.00hrs	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed	09.00hrs	00.00hrs	None		
Thu	09.00hrs	00.00hrs	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)		
Fri	09.00hrs	00.00hrs	<ol style="list-style-type: none"> From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. The terminal hour for this licensable activity is to be extended by one hour every;- <ul style="list-style-type: none"> Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Boxing Day and Kirkham & Wesham Club Day. 		
Sat	09.00hrs	00.00hrs			
Sun	09.00hrs	00.00hrs			

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)		
Mon	09.00hrs	00.00hrs			
Tue	09.00hrs	00.00hrs	State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed	09.00hrs	00.00hrs			
Thur	09.00hrs	00.00hrs	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) 1. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. 2. The terminal hour for this licensable activity is to be extended by one hour every;- <ul style="list-style-type: none"> Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Boxing Day and Kirkham & Wesham Club Day. 		
Fri	09.00hrs	00.00hrs			
Sat	09.00hrs	00.00hrs			
Sun	09.00hrs	00.00hrs			

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		
			Will the entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish		Both	✓
Mon	09.00hrs	00.00hrs	Please give further details here (please read guidance note 3)		
Tue	09.00hrs	00.00hrs			
Wed	09.00hrs	00.00hrs	State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) None		
Thur	09.00hrs	00.00hrs			
Fri	09.00hrs	00.00hrs	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) 1. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. 2. The terminal hour for this licensable activity is to be extended by one hour every;- <ul style="list-style-type: none"> Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Boxing Day and Kirkham & Wesham Club Day. 		
Sat	09.00hrs	00.00hrs			
Sun	09.00hrs	00.00hrs			

I

Provision of facilities for making music Standard day and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music be indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
			Outdoors		
Day	Start	Finish		Both	✓
Mon	09.00hrs	00.00hrs	Please give further details here (please read guidance note 3)		
Tue	09.00hrs	00.00hrs	State any seasonal variations for the provision of facilities for making music (please read guidance note 4) None		
Wed	09.00hrs	00.00hrs	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) <ol style="list-style-type: none"> From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. The terminal hour for this licensable activity is to be extended by one hour every;- <ul style="list-style-type: none"> Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Boxing Day and Kirkham & Wesham Club Day. 		
Thur	09.00hrs	00.00hrs			
Fri	09.00hrs	00.00hrs			
Sat	09.00hrs	00.00hrs			
Sun	09.00hrs	00.00hrs			

J

Provision of facilities for dancing Standard timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	
				Both	✓
Day	Start	Finish			
Mon	09.00hr	00.00hrs	Please give further details here (please read guidance note 3)		
Tue	09.00hr	00.00hrs	State any seasonal variations for providing dancing facilities (please read guidance note 4) None		
Wed	09.00hr	00.00hrs	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) <ol style="list-style-type: none"> From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. The terminal hour for this licensable activity is to be extended by one hour every;- <ul style="list-style-type: none"> Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Boxing Day and Kirkham & Wesham Club Day. 		
Thur	09.00hr	00.00hrs			
Fri	09.00hr	00.00hrs			
Sat	09.00hr	00.00hrs			
Sun	09.00hr	00.00hrs			

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							
			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	✓									
Please give further details here (please read guidance note 3)										
Day	Start	Finish								
Mon	09.00hrs	00.00hrs								
Tue	09.00hrs	00.00hrs								
Wed	09.00hrs	00.00hrs	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)							
Thur	09.00hrs	00.00hrs	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) <ol style="list-style-type: none"> From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. The terminal hour for this licensable activity is to be extended by one hour every;- <ul style="list-style-type: none"> Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Boxing Day and Kirkham & Wesham Club Day. 							
Fri	09.00hrs	00.00hrs								
Sat	09.00hrs	00.00hrs								
Sun	09.00hrs	00.00hrs								

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	✓								
Please give further details here (please read guidance note 3)									
Day	Start	Finish							
Mon	23.00hrs	00.30hrs							
Tue	23.00hrs	00.30hrs							
Wed	23.00hrs	00.30hrs	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) None						
Thur	23.00hrs	00.30hrs	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) <ol style="list-style-type: none"> From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. The terminal hour for this licensable activity is to be extended by one hour every;- <ul style="list-style-type: none"> Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Boxing Day and Kirkham & Wesham Club Day. 						
Fri	23.00hrs	00.30hrs							
Sat	23.00hrs	00.30hrs							
Sun	23.00hrs	00.30hrs							

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	
				Off the premises	
				Both	✓
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) None		
Mon	09.00hrs	00.00hrs			
Tue	09.00hrs	00.00hrs			
Wed	09.00hrs	00.00hrs			
Thur	09.00hrs	00.00hrs			
Fri	09.00hrs	00.00hrs			
			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 the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. 2. The terminal hour for this licensable activity is to be extended by one hour every;- <ul style="list-style-type: none"> Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Boxing Day and Kirkham & Wesham Club Day. 		
Sat	09.00hrs	00.00hrs			
Sun	09.00hrs	00.00hrs			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor	
Name:	Philip Steven Griffiths
Address:	
Postcode:	
Personal licence number (if known)	FY PA0080
Issuing licensing authority (if known)	Fylde Council

N

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

None

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	None
Mon	09.00hrs	00.30hrs	
Tue	09.00hrs	00.30hrs	
Wed	09.00hrs	00.30hrs	
Thur	09.00hrs	00.30hrs	<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 the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. The terminal hour for this licensable activity is to be extended by one hour every :- <ul style="list-style-type: none"> Friday, Saturday, Sunday and Monday of each, Easter Bank Holiday, May Bank Holiday, Spring Bank Holiday, and August Bank Holiday weekend. Valentines Night, Christmas Eve, Boxing Day and Kirkham & Wesham Club Day.
Fri	09.00hrs	00.30hrs	
Sat	09.00hrs	00.30hrs	
Sun	09.00hrs	00.30hrs	

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)

The primary purpose of the premises will be that of a community cricket club. The grounds of the club will additionally be used, on occasion, for pre-arranged events and functions. Where these involve licensable activities, they will be restricted to no more than 8 in any 12 month period and the sale of alcohol will be ancillary to these uses. The additional conditions set out later in this operating schedule will apply in such instances.

b) The prevention of crime and disorder

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.

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

- i. 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 incorporate a camera covering each of the entrance doors and will be capable of providing an image which is regarded as identification standard.
- ii. The system will display on any recording the correct time and date of the recording.
- iii. The system will make recordings during all hours the premises are open to the public.
- iv. VCR tapes or digital recording shall 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 Responsible Authority for inspection upon request.
- v. The system will, as a minimum, record images 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 the premises are open to the public. This staff member will be able to show recent data or footage with the absolute minimum of delay when requested to by a Police Officer.

Regular maintenance checks of the CCTV system, including the recording system, will be carried out by the Designated Premises Supervisor to ensure that the system is in good working order and fit for purpose.

Appropriate signage alerting customers to CCTV recording shall be displayed in conspicuous positions on the premises.

A drugs prevention strategy for the premises shall be developed and applied to include requirements prescribed by the Lancashire Constabulary.

Staff and security arrangements will be 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 and transferred to the Police in accordance with procedures agreed with the Lancashire Constabulary.

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

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.

Off sales from the premises shall be in sealed containers only.

The Licence Holder shall ensure that staff arriving before 09:00 or leaving late at night when the premises have ceased trading conduct themselves in such a manner as to avoid disturbance to local residents and neighbours.

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

- a. All incidents of crime and disorder
- b. Refused sales to suspected under-age and drunken persons
- c. A record of any person asked to leave the premises or removed from the premises
- d. Details of occasions on which the police are called to the premises
- e. A record of persons searched on suspicion that drugs are being carried and the reason for such suspicion

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

Any risk assessments carried out by or on behalf of the Licence holder, which relate to a licensing objective shall be available for inspection by an officer of a Responsible Authority.

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

The Licence Holder and Premises Supervisor shall ensure the free cold drinking water is available on request and shall have adequate supplies of chilled soft drinks and bottled water available for sale at the bar.

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

c) Public safety

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

The Premises Licence Holder and the DPS shall ensure that the maximum number of persons allowed inside the premises shall not exceed the capacity determined by risk assessment and agreed with the Lancashire Fire and Rescue Service.

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

d) The prevention of public nuisance

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

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

Whenever regulated entertainment is taking place, regular assessments shall be made of any noise emanating from the premises. Wherever said assessments indicate that noise is likely to cause nuisance to any local residents, remedial steps shall be taken to reduce the level of noise

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

Suitable containers shall be provided for the storage of waste, which are constructed and maintained to prevent the removal of such waste by vandals, thieves, animals, accidental spillage or inclement weather. This shall include any external receptacles provided for the disposal of all discarded smoking related litter, so as to prevent waste litter being deposited onto the highway.

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

e) The protection of children from harm

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

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

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

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

All staff who are involved in the sale of alcohol shall receive 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.

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

A notice will be displayed in the premises where it can be clearly seen and read indicating 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.

The following additional conditions will also have effect when the cricket ground is used for licensable activities:

General – all four licensing objectives

Any form of regulated entertainment provided outdoors will cease at 23.00 hours on each occasion.

For an event with an anticipated capacity of 500 or more, Lancashire Constabulary Licensing Department and the Licensing Authority will be notified a minimum of 2 weeks prior to the event unless the event falls on a Bank Holiday weekend, when the notice period will be 4 weeks.

The prevention of crime and disorder

The use of glass containers (including bottles) shall not be permitted. Beverages shall be served in their cans or in plastic or polycarbonate containers to customers for consumption outside the clubhouse.

Only alcohol bought inside the site shall be allowed to be consumed within the site. Clearly visible notices shall be displayed advising those attending that:

- a. Alcohol may not be brought on site.
- b. It is a condition of entry that customers agree to be searched.
- c. The Police will be informed if anyone is found in possession of controlled substances or weapons.

The premises licence holder will risk assess, with regard to the requirements of the 'Nightsafe' scheme, the requirement for door supervisors and shall employ door supervisors in such numbers and at such times as is deemed necessary by the risk assessment. This requirement to provide door supervisors as determined by risk assessment will equally apply in respect of private functions and ticketed events where admission is only permitted by ticket purchased in advance.

Any individual employed on the premises to carry out a security activity must be licensed by the Security Industry Authority and all door staff employed at the entrance/exit of the premises shall wear a reflective jacket/tabard of a design approved by Lancashire Constabulary.

All security staff will be fully briefed before commencing work and will wear a reflective jacket, tabard or armband of a design approved by the Lancashire Constabulary.

All staff will be fully trained to increase awareness of any potential problems.

The licence holder and the Designated Premises Supervisor shall arrange adequate supervision of any queue, which may form to gain entry to the premises.

Where there is reasonable suspicion that drugs, weapons, or unauthorised alcohol are being carried, the licence holder or DPS shall ensure that outer clothing, pockets and bags of those entering the site are searched by a trained staff member of the same sex.

Clearly visible notices shall be displayed advising those attending that:-

- (i). It is a condition of entry that customers agree to be searched and
- (ii). Police will be informed if anyone is found in possession of controlled substances or weapons.

Responsible drinking is to be promoted and intoxicated people will be removed from the grounds of the club. All bar staff, volunteers and security personnel will be pre briefed on anti-social behaviour and responsible drinking practices.

Public safety

Risk assessments will be carried out by the Licence Holder for every event and shall be available for inspection by an authorised officer.

An adequate number of suitable emergency exits shall be provided from the grounds and exit signs shall be posted around the site.

Frequent collection of litter shall be undertaken to ensure that empty containers do not accumulate in or around the licensed area.

Where appropriate, in relation to an event, the Premises Licence Holder shall follow the principles within The Event Safety Guide- A Guide To Health, Safety and Welfare At Music and Similar Events-HSG 195, Published by The Health and Safety Executive (HSE) 1999 ISBN 0 7176 2453.

Where appropriate, an Event Safety Officer shall be established in order to provide a specific point of contact in relation to all matters pertaining to safety before, during and after the event. (This person will have the authorisation and ability to act unhindered on any issues relating to safety.

The prevention of public nuisance

Where live entertainment is proposed outside there shall be compliance with the principles of the Code of Practice on Environmental Noise Control at Concerts.

Where amplified music is played outside it shall be under the control of the premises licence holder and be at a level, which shall not cause nuisance to residential premises near to the cricket club.

The protection of children from harm

Any areas of grounds unsuitable or dangerous to children shall be cordoned off.

- | | | |
|--|---------------|-----|
| | 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 *Rodger Wightman*

Date **1st April 2016**

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)

**Rodger Wightman
The Licensing Practice,
3 Cardinal Place,**

Tel: 01253 858186 or 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)



Memorandum

To: Joanne Gallagher

From: P Dent

Your Ref:

Our Ref: 79840

Date: 25/04/2016

Premises Licence Application

Location- Kirkham and Wesham Cricket Club, Woodland Avenue, Kirkham

With reference to the above licence application there is the following representation from Environmental Protection under the licence objective *Prevention of Public Nuisance*

The applicant wishes to use the outside grounds for the performance of live music. It is stated that this is for up to 8 events per year not including any temporary events that maybe applied for with all entertainment ceasing at 23.00.

However, I am concerned that the locality is mainly residential and marquees do not insulate sound. In my experience, whenever a marquee has been erected at a premises for the provision of amplified entertainment, complaints have been received. Even time restrictions, as offered here do not resolve the matter. Therefore I wish to object to the provision of a marquee for functions.

Whilst other legislation enables abatement notices to be served as a means of controlling noise, if functions are already booked then the restrictions that could be put in place would not be of benefit to the proprietor. They are best placed within the clubhouse. The applicant can offer an extension of hours and sound levels are limited by the fabric of the building.

The applicant does have the option to use temporary event notices and I think this would be the most appropriate means of ensuring that this type of function can take place. The applicant will then be able to demonstrate how he can control public nuisance and submit a license variation in the future if no issues arise.

Philip Dent

Licensing Act 2003 Premises Licence

FY PL0168

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Kirkham & Wesham Cricket Club

Cricket Ground, Woodland Avenue, Kirkham, Nr Preston, PR4 2JQ.

Telephone 07890 659074

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment facilities for dancing
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
A. Performance of a play (Indoors)	Monday to Sunday	11:00am	11:00pm
B. Exhibition of films (Indoors)	Monday to Sunday	11:00am	11:00pm
C. Indoor sporting event	Monday to Sunday	11:00am	11:00pm
E. Performance of live music (Indoors)	Monday to Wednesday Thursday to Saturday Sunday	11:00am 11:00am Noon	11:00pm Midnight 10:30pm
F. Playing of recorded music (Indoors)	Monday to Wednesday Thursday to Saturday Sunday	11:00am 11:00am Noon	11:00pm Midnight 10:30pm
G. Performance of dance (Indoors)	Monday to Sunday	11:00am	11:00pm
J. Provision of facilities for dancing (Indoors)	Monday to Wednesday Thursday to Saturday Sunday	11:00am 11:00am Noon	11:00pm Midnight 10:30pm
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Saturday Sunday Non Standard Timings:	11:00am Noon	Midnight 10:30pm

Licensing Act 2003

Premises Licence

FY PL0168

THE TIMES THE LICENCE AUTHORISES THE CARRYING-OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
-----------------------------------	-------------	-----------	---------

M. The sale by retail of alcohol for consumption ON and OFF the premises continued ...

The standard hours for **licensable activities**, set out above in **Parts E, F & J** in the Licensable Activities section of this licence are **extended** as follows:

- (a) Until 01.00 am when New Years Eve falls on Monday to Saturday.
- (b) Until 00.30 am when New Years Eve falls on a Sunday.

The standard hours for the **licensable activity**, set out above in **Part M** in the Licensable Activities section of this licence are **extended** as follows:

- (a) Until 01.00 am when New Years Eve falls on Monday to Wednesday.
- (b) Until 00.30 am when New Years Eve falls on a Sunday.
- (c) Until 01.00 am on Fridays and Saturdays but only for persons attending a bona fide function that has not been organised by the Designated Premises Supervisor.

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Wednesday	11:00am	Midnight
Thursday to Saturday	11:00am	12:30am
Sunday	Noon	11:00pm

Non Standard Timings:

The **opening** hours of the premises are extended as follows:

- (a) Until 1.30 am when New Years Eve falls on Monday, Tuesday or Wednesday.
- (b) Until 00.30 am when New Years Eve falls on a Sunday.
- (c) Until 01.30 am on Fridays and Saturdays but only for persons attending a bona fide function that has not been organised by the Designated Premises Supervisor.

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/ OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Kirkham & Wesham Cricket Club

Cricket Ground, Woodlands Avenue, Kirkham, Nr Preston, PR4 2JQ.
Telephone 07890 659074

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Licensing Act 2003
Premises Licence

FY PL0168

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL

Philip Steven GRIFFITHS

1

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE WHERE THE PREMISES LICENCE AUTHORIZES FOR THE SUPPLY OF ALCOHOL

Licence No. FY PA0080

Issued by Fylde

ANNEXES

Annex 1 - Mandatory Conditions

No supply of alcohol may be made under the premises licence:-

- (a) at a time when there is no designated premises supervisor in respect of the premises licence,
or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

The admission of children under the age of 18 to film or video exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made by

- (a) The British Board of Film Classification (BBFC) where the film has been classified by that Board, or
- (b) The Licensing Authority where no classification certificate has been granted by the BBFC or where the licensing authority has notified the licence holder that section 20 (3) (b) of the Licensing Act 2003 applies to the film

Annex 2 - Conditions consistent with the Operating Schedule

The style and operation of the premises shall not differ significantly from that of a Members Club although alcohol may be sold to non-members.

A suitable level of Illumination shall be provided to the exterior of the premises.

All toilet areas shall be checked on a regular basis.

An appropriate Health and Safety policy shall be in place for the premises.

Appropriate emergency lighting and illuminated exit signs shall be maintained for the premises.

All fire fighting equipment shall be serviced on regular basis.

All gas and electrical equipment shall be serviced on regular basis.

All gas heaters shall be protected by a suitable fireguard.

Suitable first aid facilities for both staff and customers shall be maintained at the premises and the premises shall

Licensing Act 2003
Premises Licence**FY PL0168****ANNEXES continued...**

benefit from a person trained in first aid.

An incident/accident book shall be maintained at the premises.

The Club Members shall ensure the premises are vacated in an orderly manner.

There shall be a lobbied entrance to the premises to facilitate a reduction in noise levels.

There shall be regular liaison with neighbouring residents of the premises.

The Licensee shall ensure that cooking, noxious or persistent smells generated at the premises do not cause nuisance to nearby properties.

There shall no gaming machines, cigarette machines or pool tables at the premises.

There shall be no sales of cigarettes over the bar.

Children shall be required to be supervised by the accompanying adult at all times the bar is open.

Annex 3 - Conditions attached after a hearing by the Licensing Authority

All staff shall 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.

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

At least one personal licence holder shall 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.

Only toughened glass vessels shall be used to dispense beverages to customers.

Annex 4 - Plans

See attached plan referenced FY PL0168

Licensing Act 2003

Premises Licence Summary

FY PL0168

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Kirkham & Wesham Cricket Club

Cricket Ground, Woodland Avenue, Kirkham, Nr Preston, PR4 2JQ.

Telephone 07890 659074

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment facilities for dancing
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
A. Performance of a play (Indoors)	Monday to Sunday	11:00am	11:00pm
B. Exhibition of films (Indoors)	Monday to Sunday	11:00am	11:00pm
C. Indoor sporting event	Monday to Sunday	11:00am	11:00pm
E. Performance of live music (Indoors)	Monday to Wednesday Thursday to Saturday Sunday	11:00am 11:00am Noon	11:00pm Midnight 10:30pm
F. Playing of recorded music (Indoors)	Monday to Wednesday Thursday to Saturday Sunday	11:00am 11:00am Noon	11:00pm Midnight 10:30pm
G. Performance of dance (Indoors)	Monday to Sunday	11:00am	11:00pm
J. Provision of facilities for dancing (Indoors)	Monday to Wednesday Thursday to Saturday Sunday	11:00am 11:00am Noon	11:00pm Midnight 10:30pm
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Saturday Sunday Non Standard Timings:	11:00am Noon	Midnight 10:30pm

Licensing Act 2003

Premises Licence Summary

FY PL0168
THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued...

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON and OFF the premises continued ...			
	The standard hours for licensable activities , set out above in Parts E, F & J in the Licensable Activities section of this licence are extended as follows:		
	(a)	Until 01.00 am when New Years Eve falls on Monday to Saturday.	
	(b)	Until 00.30 am when New Years Eve falls on a Sunday.	
	The standard hours for the licensable activity , set out above in Part M in the Licensable Activities section of this licence are extended as follows:		
	(a)	Until 01.00 am when New Years Eve falls on Monday to Wednesday.	
	(b)	Until 00.30 am when New Years Eve falls on a Sunday.	
	(c)	Until 01.00 am on Fridays and Saturdays but only for persons attending a bona fide function that has not been organised by the Designated Premises Supervisor.	

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Wednesday	11:00am	Midnight
Thursday to Saturday	11:00am	12:30am
Sunday	Noon	11:00pm

Non Standard Timings:

The **opening** hours of the premises are extended as follows:

- (a) Until 1.30 am when New Years Eve falls on Monday, Tuesday or Wednesday.
- (b) Until 00.30 am when New Years Eve falls on a Sunday.
- (c) Until 01.30 am on Fridays and Saturdays but only for persons attending a bona fide function that has not been organised by the Designated Premises Supervisor.

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

NAME (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Kirkham & Wesham Cricket Club

Cricket Ground, Woodlands Avenue, Kirkham, Nr Preston, PR4 2JQ.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Licensing Act 2003

Premises Licence Summary**FY PL0168**

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Philip Steven GRIFFITHS

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Districts
 Other
 District/Unitary
 Authority
 Lancashire
 Districts



Kirkham and Wesham Cricket Club

This map is reproduced from Ordnance Survey material with the Permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office (C) Crown Copyright.
 Unauthorised reproduction may lead to prosecution or civil proceedings.
 Lancashire County Council - OS Licence 100023320 (C)
 Centre of map: 341932.432229

Date: 04/05/2016



DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	LICENSING COMMITTEE	24 MAY 2016	5
APPLICATION FOR GRANT OF A PREMISES LICENCE: ALDI STORES LIMITED, FLEETWOOD ROAD, 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 an Aldi Store at "Fleetwood Road, Kirkham", 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) modify the conditions of the licence,
 - (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 to Aldi Stores Limited.
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

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) modify the conditions of the licence,
 - (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:

8.12	Other persons
9.30	Hearings
9.41	Determining actions that are appropriate for the promotion of the licensing objectives.

10.48 Age verification

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
- 10.3 Conditions that the Licensing Authority May Impose
- 14.1.1 Underage Drinking

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 detailed below to be attached to the licence. The Panel is therefore requested to consider attaching the conditions to the licence.

10. Those conditions are:

The following conditions to be added to the operating schedule:

1. *The Licence holder will enforce the Challenge 25 proof of age policy.
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. UK photo driving licence
ii. Passport
iii. Proof of Age Standards Scheme Card*
2. *All staff to have received 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. Refresher training shall be conducted every 6 months as a minimum.*
3. *Ordinarily a member of management team will be on the premises at all times the premises are open to the public. In exceptional circumstances where this is not the case another member of staff will be given responsibility of the premises and all staff will have knowledge of who this person in responsibility is.*
4. *CCTV will be installed internally or 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 incorporate a camera covering each of the entrance doors and will be capable of providing an image which is regarded as identification standard.
The system will display on any recording the correct time and date of the recording.
The system will make recordings during all hours the premises are open to the public.
VCR tapes or digital recording shall be held for a minimum of 21 days 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 images of the head and shoulders of all persons entering the premises.*

5. A staff member who is conversant with the operation of the CCTV system will be on the premises at all times the premises are open to the public. This staff member will be able to show recent data or footage with the absolute minimum of delay when requested to a Police Officer or to a Local Authority Enforcement Officer.
6. 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.
7. An incident book will be maintained, in which shall be recorded :
 - (i) All incidents of crime and disorder
 - (ii) Refused sales to suspected under age/ drunken persons
 - (iii) A record of any person refused admission or asked to leave the premises
 - (iv) Details of occasions upon which the Police are called to the premises
 - (v) The use or discovery of drugs

That book shall be available for inspection by a Police Officer or authorised person
8. Refusals forms shall be completed on by staff recording refused sales to under age/drunken persons.

Procedure

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

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

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

The Licensing Department
Fylde Borough Council
Town Hall
Lytham St Annes
Lancashire
FY8 1LW

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.

XWe Aldi Stores 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 ~~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 Aldi Fleetwood Road	
Post town Kirkham	Post code PR4 3JZ
Telephone number at premises (if any)	01827 710800
Non-domestic rateable value of premises	£ (not yet rated)

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 | <input checked="" type="checkbox"/> please complete section (B) |
| ii as a partnership | <input type="checkbox"/> please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> please complete section (B) |

- f) a health service body ☐ 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 ☒
- I am making the application pursuant to a
 - statutory function or ☐
 - a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
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			Post code	
Daytime contact telephone number				
E-mail address (optional)				

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
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			Post code	
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 Aldi Stores Limited
Address Holly Lane Atherstone Warwickshire CV9 2SQ
Registered number (where applicable) 2321869
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any) 01827 710800
E-mail address (optional) N/A

Part 3 - Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
0	1	0	5	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			

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

Not Applicable

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

Supermarket selling food, alcohol, toiletries, clothing, hardware and electrical items. The premises have dedicated car parking.

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)

Please tick any that apply

Provision of regulated entertainment

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

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

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

<input type="checkbox"/>

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

<input checked="" type="checkbox"/>

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)			<u>Will the exhibition of films 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 the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
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			<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)
Fri			
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)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			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 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)			<u>Will the performance of live music 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 the performance of live music</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music 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 the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

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 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						
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)			
Thur						
Fri						
Sat			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						

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	Will this entertainment take place indoors or outdoors or both - please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
Mon					Outdoors	<input type="checkbox"/>
Tue					Both	<input type="checkbox"/>
Wed			Please give further details here (please read guidance note 3)			
Thur						
Fri						
Sat			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)			
Sun						
			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)			

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment 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 the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<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)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption - please tick</u> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	07:00	23.00	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) None		
Tue	07:00	23.00			
Wed	07:00	23.00			
Thur	07:00	23.00	<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	07:00	23.00			
Sat	07:00	23.00			
Sun	07:00	23.00			

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

Name Lisa Joanne Gilligan	
Address [REDACTED]	
Post code	LE16 7SU
Personal licence number (if known) HHPER00549	
Issuing licensing authority (if known) Harborough District Council	

K

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

N/A

L

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) None
Day	Start	Finish	
Mon	07:00	23.00	
Tue	07:00	23.00	
Wed	07:00	23.00	Non standard timings. Where you intend the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 5) None
Thur	07:00	23.00	
Fri	07:00	23.00	
Sat	07:00	23.00	
Sun	07:00	23.00	

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)

Aldi operate over 500 stores in the UK with licences free of conditions. It is submitted that as a responsible operator, selling alcohol for consumption off the premises only, no conditions need to be attached to the premises licence other than the mandatory conditions specified in the Licensing Act 2003.

b) The prevention of crime and disorder

The applicant is a responsible retailer and takes appropriate measures to deter thieves and shoplifters. There are no other likely crime and disorder issues.

c) Public safety

The applicant is a responsible retailer and takes appropriate measures to ensure the safety of those members of the public who visit the store. There are no public safety issues in particular that need to be addressed.

d) The prevention of public nuisance

The applicant is a responsible retailer and takes appropriate measures to ensure the prevention of public nuisance. It has not been an issue in any of their other stores.

e) The protection of children from harm

The applicant is a responsible retailer and takes appropriate measures to ensure the protection of children from harm. Procedures are in place to attempt to ensure at all times that no person under the age of eighteen is sold alcohol.

Checklist:

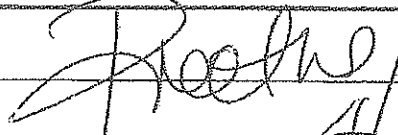
Please tick to indicate agreement

- 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 designated 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 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	4/4/10
Capacity	Solicitors for the Applicant

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) Freeths LLP One Colton Square			
Post town Leicester		Post code LE1 1QH	
Telephone number (if any)	+44 (0)845 272 5723		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) N/A			

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
Sent: 03 May 2016 22:56
To: Chris Hambly
Subject: Premises Licence Application 5/4/16 - Aldi, Fleetwood Road, Wesham

The Medlar-with-Wesham Town Council have concerns regarding this application seeks to extend the hours of the licence from those prescribed in the planning permission (13/0655) granted by Fylde Borough Council. The extension of the opening beyond those stated in condition 45, which limited the licence to 22.00 hours Monday to Saturday and 18.30 on Sunday, seems totally unnecessary considering the location and type of outlet.

The basis of the Councillors concerns are the stores close proximity to Fleetwood Road Playing Fields which has features specifically designed to encourage use by teenagers and the increasing number of crimes in Wesham which are committed by juveniles and/or are alcohol related.

Fleetwood Road Playing Field's Skate Board facilities are a focal point for large groups of teenagers from the area. The proximity of a store selling cut price, take away alcohol late at night can only created issues relating to public order and vandalism.

The fast food outlet will also attract young people to the site.

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 late night access to alcohol will only add to the public nuisance and general disorder in the area.

As the store is situated "out of Town" many customers will have to drive to make late night purchases of alcohol. There will also be the opportunity to drink whilst eating the fast food from neighbouring outlet. We are concerned are that some drivers may be over the legal limit for blood/alcohol on arrival or when leaving the site.

Alcoholism including under age drinking is an issue in the Town. The situation of the store near to dark open land and without the controlling environment of a the Town Centre will present a danger to certain individuals.

Regards
Jean Priestley

Town Clerk
Medlar-with-Wesham Town Council

The individuals listed below wish to see any licence for the sale of alcohol for consumption off the premises at the Aldi Foodstore located on Fleetwood Road, Wesham, restricted to the hours prescribed by the Council in granting Planning Permission – 13/0655: Condition 45.

The Aldi store is in a countryside location on the busy A585 at the edge of Wesham, close to the town's Recreation Ground.

The reasoning for opposing a licence beyond 22.00 Monday – Saturday and 18.30 Sunday is as follows:

1. **Protection of Children and young people:** Teenagers frequently like to meet in groups and experiment with alcohol. The latest statistics produced by the Police show a rise in public order/ low level crime/vandalism occurring in Wesham, particularly since the reduction in Community Policing staff in the Fylde. It is common to see groups of teenagers, particularly around the recreation ground and the rural fringe of the Town, out till late at night.
The availability of cut-price out-sales of alcohol, most often purchased by an older sibling is a concern, especially as the location of the new Aldi does not have the close community scrutiny that exists at the Town centre outlets. The development of fast food outlet (KFC) next to this store is further likely to attract young people to this area.
The mix of dark open land, cheap alcohol and lack of over-sight will present a clear danger to youngsters, particularly after 10.00pm when most of the proposed local facilities will close.
2. **Public Nuisance:** For many of the reasons set out above, there is an increased risk of public nuisance.
3. **Public Safety:** The store can only be accessed on foot by crossing a 50mph A Road. After 10.00pm traffic levels are light but fast. Whilst traffic light controlled crossings are available, youngsters will mostly not wait for their priority and cross at the shortest point, as they do now at the near-by recreation ground.
The public footpath which runs behind the store, gives ready access to open countryside and some unfenced deep ponds.
4. **Crime and Disorder:** The availability of cheap alcohol, late at night in a largely unsupervised location, is likely to give rise to loutish behaviour, disorder and crime, which could be lessened by limiting the licensing hours.

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 Connelly, Wesham House Farm, Fleetwood Road, Wesham

Chris Hambly

From: Richard Nulty
Sent: 03 May 2016 19:12
To: Chris Hambly
Subject: Re: Premises Licence application 5/4/16: Aldi, Fleetwood Road, Wesham

Chris,

Can you please add another name to our group

Elaine Hartley - Pitfield, Fleetwood Road, Wesham

Thanks,

Richard N

----- Original Message -----

From: Chris Hambly
To: 'Richard Nulty'
Sent: Tuesday, May 03, 2016 1:42 PM
Subject: RE: Premises Licence application 5/4/16: Aldi, Fleetwood Road, Wesham

Apologies – to confirm the licensing objectives include the prevention of crime and disorder. I wrote protection of children from harm twice.

Many thanks
Chris

Chris Hambly
Environmental Health Manager
Fylde Borough Council

DDI: 01253 658422

Main: 01253 658658

Make sure you cast your vote in Police and Crime Commissioner Elections on
Thursday 5 May. Polling stations open 7am – 10pm

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

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

From: Chris Hambly
Sent: 03 May 2016 13:33
To: 'Richard Nulty'
Cc: Licencing <licensing@fylde.gov.uk>
Subject: RE: Premises Licence application 5/4/16: Aldi, Fleetwood Road, Wesham

Good afternoon, thanks your message.

I can confirm that the premises address shown on our webpages is the address given to the Authority on the application form. I acknowledge the premises lies within Medlar with Wesham but would advise that the notes to the application form state "Postal address of premises or, if none, ordnance survey map description or description". In light of all the construction works taking place at the location, we are satisfied that the location of premises has been adequately described.

I note your comments regarding the restriction on operating hours attached via the planning permission but would comment that, although it's not ideal, it is possible for a premises may have different planning and licensing permissions.

Our Statement of Licensing Policy states,

"6.1 Planning

The regular use of premises for licensable activities normally requires planning permission. Conditions attached to planning permissions may set a terminal hour for the use of premises. Where these hours are different to the licensing hours, the premises must close at the earlier time. A licence issued under the Act does not override any restriction placed on the premises by the planning authority. Premises operating in breach of their planning permission may be subject to enforcement under planning law.

The grant of a licence by the Licensing Authority does not relieve an applicant of the need to apply for building control authorisation.

Key Message

Licence applications should normally be from premises where

- *The activity to be authorised by the licence is a lawful planning use*
- *The hours sought do not exceed those authorised by any planning permission; and*
- *any existing hours are appropriate for the use of the premises.*

Note – Where the appropriate planning consent has not been obtained in advance and relevant representations are made, applicants will need to demonstrate that the operation of the premises would not be detrimental to the promotion of the licensing objectives."

Therefore, in order to progress and accept your representation I would be grateful if you could

- a) confirm the names & addresses of the persons you are making representation on behalf of, and
- b) provide additional information as to how the likely effect of the grant of the licence would affect at least one of the licensing objectives of the protection of children from harm, public safety, prevention of public nuisance and the protection of children from harm.

Any responses should be submitted before midnight tonight but should you wish to discuss the matter please do not hesitate to contact me. I look forward to hearing from you in due course.

Regards

Chris

Chris Hambly
Environmental Health Manager
Extension: 8422

From: Richard Nulty []

Sent: 03 May 2016 11:33

To: Licencing <licensing@fylde.gov.uk>

Subject: Premises Licence application 5/4/16: Aldi, Fleetwood Road, Wesham

Good Morning Mr Hambly,

On behalf of a number of residents living on Fleetwood Road, I wish to make representations with regard to the application for a licence governing the supply of alcohol for consumption off the premises, Monday to Sunday 07.00 - 23.00.

The location of the premises is wrongly described in your published schedule.

The Aldi Foodstore currently under construction, will have pedestrian access from Fleetwood Road, though the car park will be accessed through the new road servicing the stadium site, named Coronation Way. The post code for Fleetwood Road is PR4 3DE. Both roads and the new store lie in the parish of Medlar with Wesham and NOT Kirkham.

Residents accept that the Aldi store will wish to sell alcohol. However, the concern is that the licence now requested, if granted for the hours listed, will cause upset to the residential amenity of neighbouring properties at unsocial hours.

On the recommendation of the Council's Environmental Protection Team, Condition 45 of the Planning Approval 13/0655 limits the trading hours of the foodstore to:

08.00 - 22.00 Mon - Sat

09.00 - 18.00 Sun - thence as limited by Sunday trading regulations

Reason: In the interests of residential amenity

It is therefore requested that for this reason, any licence granted should be limited to the time periods specified in the planning approval.

Yours sincerely,

Richard Nulty,

Demmingfield, Fleetwood Road, Greenhalgh PR4 3HE

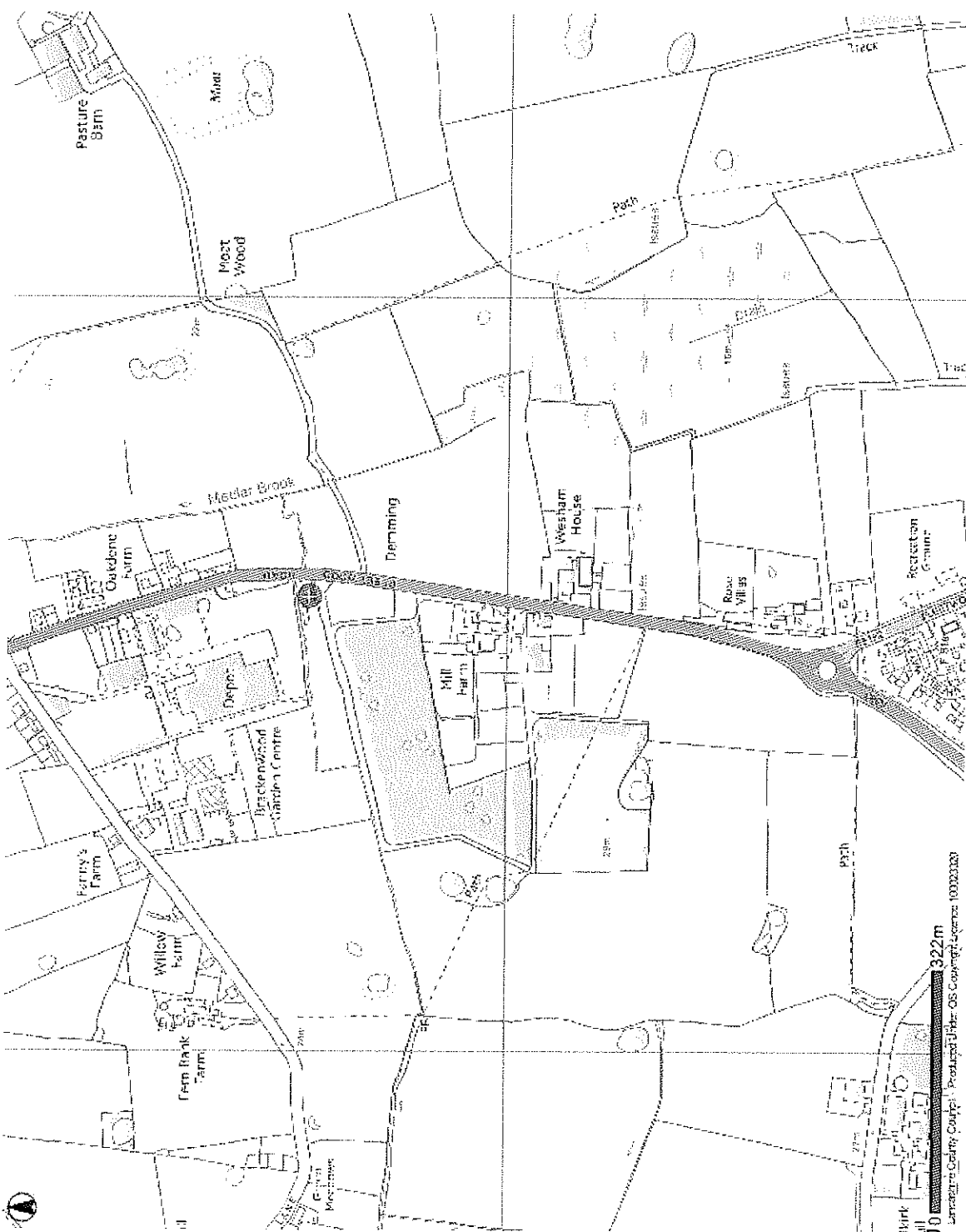
03/05/16

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2016.0.7539 / Virus Database: 4565/12154 - Release Date: 05/03/16

Districts
Other
District/Unitary
Authority
Lancashire
Districts



Aldi Store

This map is reproduced from Ordnance Survey material with the Permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction may lead to prosecution or civil proceedings. Lancashire County Council - OS Licence 100023320 (C) Centre of map: 341570:434027

Date: 04/05/2016

