



Agenda

Licensing Hearing

Date:	Monday, 27 th November 2017 – 10:30am
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	Councillor Angela Jacques (Convenor) Councillor David Donaldson Councillor Frank Andrews Councillor Barbara Nash (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
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3	Objection Notice to a Temporary Event Notice - AFC Fylde, Mill Farm Sports Stadium (North Concourse 2229)	5 - 16
4	Objection Notice to a Temporary Event Notice - AFC Fylde, Mill Farm Sports Stadium (South Concourse 2230)	17 - 28

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

The code of conduct for members can be found in the council's constitution at

<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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LICENSING ACT 2003

THE LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005

PROCEDURE FOR THE CONDUCT OF HEARINGS

1. Preliminary

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

2. Interpretation

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

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

3. Before the hearing

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

4. *Opening the hearing*

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

5. *Listening to the parties*

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

6. *Questioning the parties*

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

7. *Time limits*

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

8. *Considering the decision*

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

9. *Announcing the decision*

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

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	LICENSING PANEL	27 NOVEMBER 2017	3
OBJECTION NOTICE TO A TEMPORARY EVENT NOTICE AFC FYLDE, MILL FARM SPORTS STADIUM (NORTH CONCOURSE 2229)			

PUBLIC ITEM

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

SUMMARY

The Licensing Authority has received notification of a Temporary Event for Friday 1st December 2017 between 1500 and 2200. An objection notice has been served by the Police and as such the Panel are requested to consider the matter.

RECOMMENDATIONS

That the Panel considers the objection notice and determines whether to give the premises user a counter notice if it considers it appropriate for the promotion of a licensing objective to do so.

SUMMARY OF PREVIOUS DECISIONS

There are no previous decisions 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 Licensing Authority is in receipt of a Temporary Event Notice which if granted would permit the premises user to sell alcohol at Mill Farm Sports Stadium adjacent to the north concourse outside the stadium building between 15:00 and 22:00 on Friday 1 December 2017.
2. The matter has been referred to the panel because an Objection Notice has been served on the Licensing Authority by the Police.

Papers

3. The following papers are relevant and have been made available to panel members:
 - The TEN ;
 - The Objection Notice served by Lancashire Police;
 - 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

Consideration

4. The licensing objectives are:
 - The prevention of crime and disorder;
 - Public Safety
 - Prevention of Public Nuisance
 - Protection of Children from Harm
5. As an objection notice has been served, it is the duty of the panel to consider the application and determine whether to issue a Counter Notice objecting to the TEN or to allow the event to proceed.
6. Should the panel determine to uphold the objection of the Police as it considers it appropriate for the promotion of a licensing objective to do so the Licensing Authority must give the premises user (the applicant of the Temporary Event Notice) a Counter Notice stating the reasons for the decision.
7. However, should the Panel consider that it is not appropriate for a Counter Notice to be issued the Licensing Authority need only notify the Premises User and Police of the decision.
8. Whilst the stadium benefits from a Premises Licence, the area where it is proposed to site the mobile bar is outside the licensed area. As such, it is not possible to consider attaching conditions from the licence to the TEN.
9. The following parts of the secretary of state's guidance appear to be particularly relevant to the application and the relevant representations:

7.32 Police and Environmental Health Intervention

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

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

12 Temporary Event Notices

14.1 Prevention of Crime and Disorder

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

Procedure

11. The applicant and the makers of the relevant representations have been invited to attend or be represented at the hearing.

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

LEAD AUTHOR	CONTACT DETAILS	DATE
Chris Hambly	chris.hambly@fylde.gov.uk 01253 658422	21 st November 2017

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Licensing Act 2003 S182 Guidance	April 2017	Link to S182 Guidance
Statement of Licensing Policy 2016 - 2021	January 2016	Link to Statement of Licensing Policy

Attached documents

- App 1 Temporary Event Notice
- App 2 Objection Notice
- App 3 Site Plan



Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name Zoë Dew			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input checked="" type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	Zoë		
Forenames	Dew		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth		Day XX	Month XX
		Year XXXX	
4. Your place of birth		XXXXXXXXXX	
5. National Insurance Number		XXXXXXXXXX	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
XXXXXXXXXXXXXXXXXXXXXX			
Post town PRESTON		Postcode XXXXXXXX	
7. Other contact details			
Telephone numbers			
Daytime	01772 598855		
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)	ZOE.DEW@MFSV.CO.UK		

8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
MILL FARM SPORTS STADIUM CORONATION WAY WESHAM PR4 3JZ	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	FY PL0387
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
TARMAC TO THE FRONT OF THE STADIUM ENDING AT THE ROAD – outside North Concourse	
Please describe the nature of the premises below. (Please read note 4)	
SPORTS STADIUM	
Please describe the nature of the event below. (Please read note 5)	
MOBILE BARS AND FOOD OUTLETS FOR FANS TO PURCHASE REFRESHMENTS INCLUDING ALCOHOL	

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol		<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club		<input type="checkbox"/>
The provision of regulated entertainment (Please read note 7)		<input type="checkbox"/>
The provision of late night refreshment		<input type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)		<input type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
01.12.17		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 10)		
15:00 – 22:00		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		499
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)

4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	Preston Council	
Licence number	PRPA18641	
Date of issue	2013	
Any further relevant details		

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.	6	
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input type="checkbox"/>
Signed the declaration in Section 9 below	<input type="checkbox"/>


8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)

<p>The information contained in this form is correct to the best of my knowledge and belief.</p> <p>I understand that it is an offence:</p> <p>(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and</p> <p>(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.</p>	
Signature	Z Drew
Date	16/11/17
Name of Person signing	Zoe Drew

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

Fylde Borough Council Licensing Service				
Objection made by Lancashire Constabulary to a Temporary Event Notice				
Responsible Authority		Lancashire Constabulary		
Name of Officer (please print)	PS1747 Helen Parkinson			
Signature of Officer				
Contact telephone number	01253 604074			
Date representation made	20	11	17	
Do you consider mediation to be appropriate			<input type="checkbox"/>	NO
Premises Details				
Premises Name	Mill Farm Sports Stadium			
Address	Coronation Way			
	Wesham			
Post Code	PR4 3JZ			
Reasons for objecting				
<p>I am in receipt of two Temporary Event Notices at the above premises for 1st December 2017. They are in relation to an area outside the North and South Concourse at the front of the Stadium where the applicant is wishing to have mobile bars selling alcohol from 15:00 – 22:00hours for an FA Cup Second Round game against local club Wigan Athletic. The Police have serious concerns in relation to this TENS and believe there is a real risk for the licensing objectives to be compromised. As such the Police wish to object to these TENS for the following reasons:</p> <p>The match has been graded at a Category B game by our Football Risk Management Team, which means it is medium risk. There is a Police Operation in place for the match, including two public order serials inside the ground plus officers, mounted police and road traffic officers deployed outside the ground. Also, Sgt Paul Smart, The Force Football Risk Management Officer, in a recent meeting highlighted previous issues with travelling Wigan Supporters, including the use of flares and smoke-bombs being thrown onto the pitch, this is without fuelling them with more alcohol.</p> <p>The game is expected to be a sell-out with Wigan having already sold their 1387 ticket allocation.</p> <p>Although there is no history of issues between Wigan and AFC Fylde Fans, due to the Clubs history, there are a lot of issues between Wigan and Preston fans and also Blackpool, although on a lesser scale. At this time there is no intelligence to suggest any risk fans from either club will attend, but Fylde does benefit from fans from other Clubs coming to watch their games. Due to the closeness of both Blackpool and Preston Clubs there is potential for these fans to purchase home tickets. As such, a</p>				

'Spotter' from Preston North End' will be working with Police at the Ground on the night of the match to identify any risk fans should they be in attendance.

In relation to the actual 'premises' area, there is no distinctive area marked out in the application, just a section coloured in with a highlighter with no definitive lines drawn. There is no indication in the application as to how these areas are to be segregated from other supporters, both home and away, how the capacity is to be managed or how the area will be controlled eg with doorstaff or stewards and in what numbers. In the SAG meeting at the Club last week we were informed the Stewards are not due to duty until 5pm, where this TEN is requesting alcohol in these areas from 3pm. Also, there is already double the number of Stewards working this match, than there would normally be.

The area highlighted outside the South Concourse covers the entrance to the Club Shop so home fans would have to walk through the away supporters to get to their own Club Shop and being probably the Clubs biggest ever match, there is likely to be a lot of interest in purchasing merchandise. This is potentially creating an unnecessary flash point. Furthermore, as was pointed out by Gareth Sumner, the Sports Ground Safety Design and Construction Officer for Lancashire County Council, this area also covers a fire exit, which must be kept clear.

The areas highlighted in the TEN applications are also right outside the Clubs Main gates, meaning families with young children are left with no choice but to walk through the drinking area to get into the ground, potentially putting children at risk.

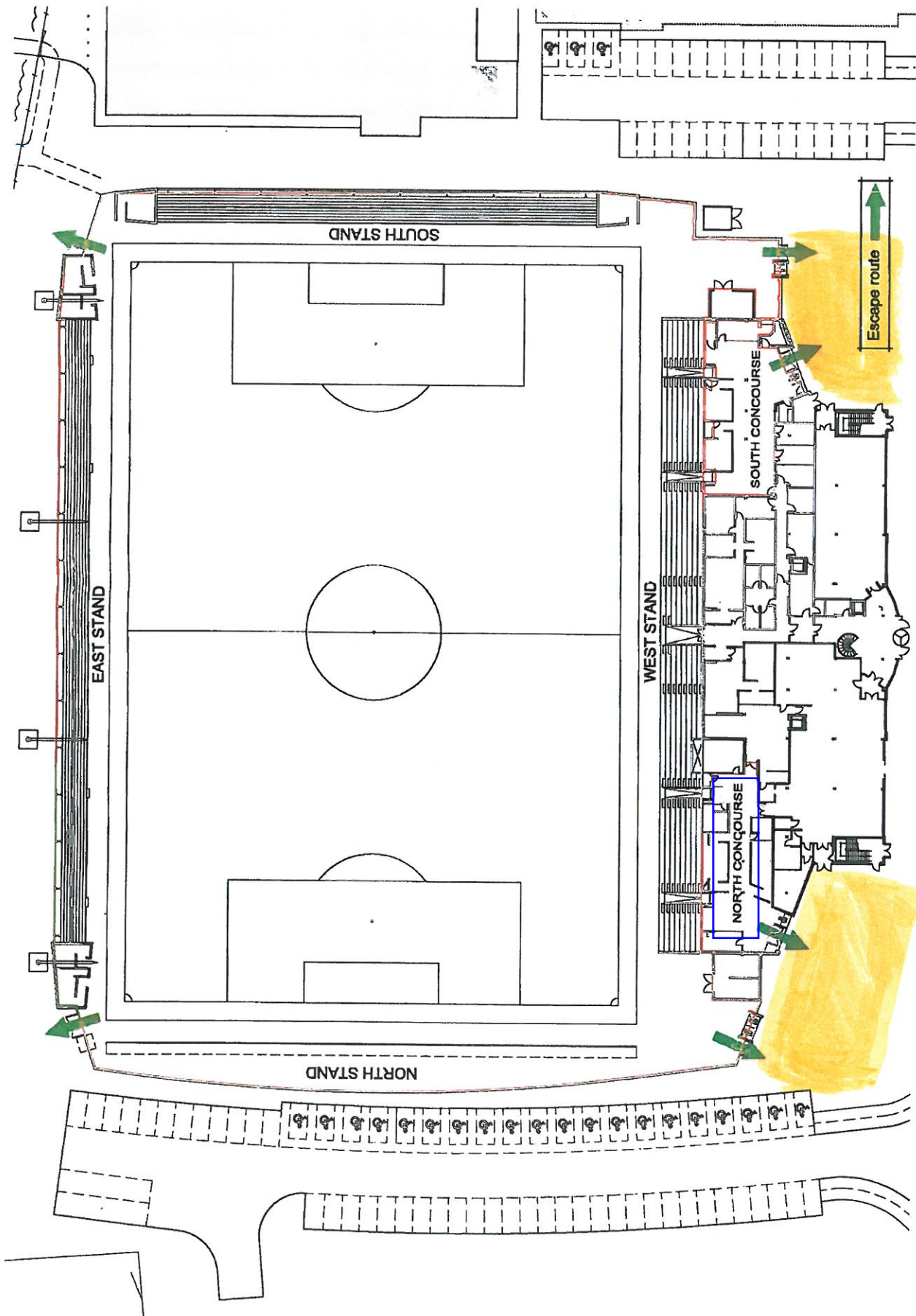
The TENs are requesting alcohol from 15:00hours until 22:00hours. This means fans could potentially consume alcohol for nearly 5hours at the ground before kick-off. Within the ground there is no access to alcohol for 850 Wigan Fans meaning their availability of alcohol is limited, which would make the outside area very popular and fans would look to 'fill-up' before going into the match. This would in-turn cause issues at the turnstiles as fans are turned away for being too intoxicated, which would then in-turn cause issues outside the stadium for officers with drunken fans who have been refused entry and no place to go.

I am aware that other Clubs, for example, Blackburn and Burnley Football Clubs have Fanzones outside the Stadium. This is something the Police would be willing to look at with Fylde AFC should they wish to for future events, but these areas need to be properly marked out and secured and away from the very front of the Stadium. Mr Sumner has already stated that Lancashire County Council don't have any objections to the use the ground for this upcoming FA Cup tie at the current capacity levels but this would need to be revisited should a 'Fanzone' outside the front of the main gates be utilised ie these TENs be allowed.

Therefore Lancashire Constabulary wishes to object to both Temporary Event Notices as it is believed that the granting of these notices would lead to all four Licensing Objectives being undermined.

The Police recommend to the Panel that a Counter Notice be served by the Licensing Authority unless the following restrictions or requirements can be imposed by condition.

n/a



AFC FYLDE, NEW STADIUM **Liquor Licensing Plan - Stadium**

Rev. P1 - 20/05/16 - Issued for Information
 Rev. P2 - 20/05/16 - North & South Concourses noted
 Rev. P3 - 06/05/17 - Extent of red line Licensed Area revised

4884 - 73 rev P3

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	LICENSING PANEL	27 NOVEMBER 2017	4
OBJECTION NOTICE TO A TEMPORARY EVENT NOTICE AFC FYLDE, MILL FARM SPORTS STADIUM (SOUTH CONCOURSE 2230)			

PUBLIC ITEM

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

SUMMARY

The Licensing Authority has received notification of a Temporary Event for Friday 1st December 2017 between 1500 and 2200. An objection notice has been served by the Police and as such the Panel are requested to consider the matter.

RECOMMENDATIONS

That the Panel considers the objection notice and determines whether to give the premises user a counter notice if it considers it appropriate for the promotion of a licensing objective to do so.

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There are no previous decisions relating to this matter.

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Spending your money in the most efficient way to achieve excellent services (Value for Money)	
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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 Licensing Authority is in receipt of a Temporary Event Notice (TEN).
2. The matter has been referred to the panel because an Objection Notice has been served on the Licensing Authority by the Police.

Papers

3. The following papers are relevant and have been made available to panel members:
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7. However, should the Panel consider that it is not appropriate for a Counter Notice to be issued the Licensing Authority need only notify the Premises User and Police of the decision.
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9. The following parts of the secretary of state's guidance appear to be particularly relevant to the application and the relevant representations:

7.32 Police and Environmental Health Intervention

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

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

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Sustainability and Environmental Impact	There are no implications arising directly from the report.
Health & Safety and Risk Management	There are no implications arising directly from the report.

LEAD AUTHOR	CONTACT DETAILS	DATE
Chris Hambly	chris.hambly@fylde.gov.uk 01253 658422	21 st November 2017

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Licensing Act 2003 S182 Guidance	April 2017	Link to S182 Guidance
Statement of Licensing Policy 2016 - 2021	January 2016	Link to Statement of Licensing Policy

Attached documents

- App 1 Temporary Event Notice
- App 2 Objection Notice
- App 3 Site Plan



Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name Zoë Dew			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input checked="" type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	Zoë		
Forenames	Dew		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth		Day XX	Month XX
		Year XXXX	
4. Your place of birth		XXXXXXXXXX	
5. National Insurance Number		XXXXXXXXXX	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX			
XXXXXXXXXXXX			
Post town PRESTON		Postcode	
7. Other contact details			
Telephone numbers			
Daytime	01772 598855		
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)	ZOE.DEW@MFSV.CO.UK		

8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
MILL FARM SPORTS STADIUM CORONATION WAY WESHAM PR4 3JZ	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	FY PL0387
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
TARMAC TO THE FRONT OF THE STADIUM ENDING AT THE ROAD – outside South Concourse	
Please describe the nature of the premises below. (Please read note 4)	
SPORTS STADIUM	
Please describe the nature of the event below. (Please read note 5)	
MOBILE BARS AND FOOD OUTLETS FOR FANS TO PURCHASE REFRESHMENTS INCLUDING ALCOHOL	

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment (Please read note 7)	<input type="checkbox"/>	
The provision of late night refreshment	<input type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
01.12.17		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 10)		
15:00 – 22:00		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		499
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)

4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	Preston Council	
Licence number	PRPA18641	
Date of issue	2013	
Any further relevant details		

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.	7	
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input type="checkbox"/>
Signed the declaration in Section 9 below	<input type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.


9. Declarations (Please read note 19)

<p>The information contained in this form is correct to the best of my knowledge and belief.</p> <p>I understand that it is an offence:</p> <p>(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and</p> <p>(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.</p>	
Signature	Z Drew
Date	16/11/17
Name of Person signing	Zoe Drew

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

Fylde Borough Council Licensing Service
Objection made by Lancashire Constabulary
to a Temporary Event Notice

Responsible Authority		Lancashire Constabulary	
Name of Officer <i>(please print)</i>	PS1747 Helen Parkinson		
Signature of Officer			
Contact telephone number	01253 604074		
Date representation made	20	11	17
Do you consider mediation to be appropriate		<input type="checkbox"/>	NO
Premises Details			
Premises Name	Mill Farm Sports Stadium		
Address	Coronation Way		
	Wesham		
Post Code	PR4 3JZ		
Reasons for objecting			
<p>I am in receipt of two Temporary Event Notices at the above premises for 1st December 2017. They are in relation to an area outside the North and South Concourse at the front of the Stadium where the applicant is wishing to have mobile bars selling alcohol from 15:00 – 22:00hours for an FA Cup Second Round game against local club Wigan Athletic. The Police have serious concerns in relation to this TENS and believe there is a real risk for the licensing objectives to be compromised. As such the Police wish to object to these TENS for the following reasons:</p> <p>The match has been graded at a Category B game by our Football Risk Management Team, which means it is medium risk. There is a Police Operation in place for the match, including two public order serials inside the ground plus officers, mounted police and road traffic officers deployed outside the ground. Also, Sgt Paul Smart, The Force Football Risk Management Officer, in a recent meeting highlighted previous issues with travelling Wigan Supporters, including the use of flares and smoke-bombs being thrown onto the pitch, this is without fuelling them with more alcohol.</p> <p>The game is expected to be a sell-out with Wigan having already sold their 1387 ticket allocation.</p> <p>Although there is no history of issues between Wigan and AFC Fylde Fans, due to the Clubs history, there are a lot of issues between Wigan and Preston fans and also Blackpool, although on a lesser scale. At this time there is no intelligence to suggest any risk fans from either club will attend, but Fylde does benefit from fans from other Clubs coming to watch their games. Due to the closeness of both Blackpool and Preston Clubs there is potential for these fans to purchase home tickets. As such, a</p>			

'Spotter' from Preston North End' will be working with Police at the Ground on the night of the match to identify any risk fans should they be in attendance.

In relation to the actual 'premises' area, there is no distinctive area marked out in the application, just a section coloured in with a highlighter with no definitive lines drawn. There is no indication in the application as to how these areas are to be segregated from other supporters, both home and away, how the capacity is to be managed or how the area will be controlled eg with doorstaff or stewards and in what numbers. In the SAG meeting at the Club last week we were informed the Stewards are not due to duty until 5pm, where this TEN is requesting alcohol in these areas from 3pm. Also, there is already double the number of Stewards working this match, than there would normally be.

The area highlighted outside the South Concourse covers the entrance to the Club Shop so home fans would have to walk through the away supporters to get to their own Club Shop and being probably the Clubs biggest ever match, there is likely to be a lot of interest in purchasing merchandise. This is potentially creating an unnecessary flash point. Furthermore, as was pointed out by Gareth Sumner, the Sports Ground Safety Design and Construction Officer for Lancashire County Council, this area also covers a fire exit, which must be kept clear.

The areas highlighted in the TEN applications are also right outside the Clubs Main gates, meaning families with young children are left with no choice but to walk through the drinking area to get into the ground, potentially putting children at risk.

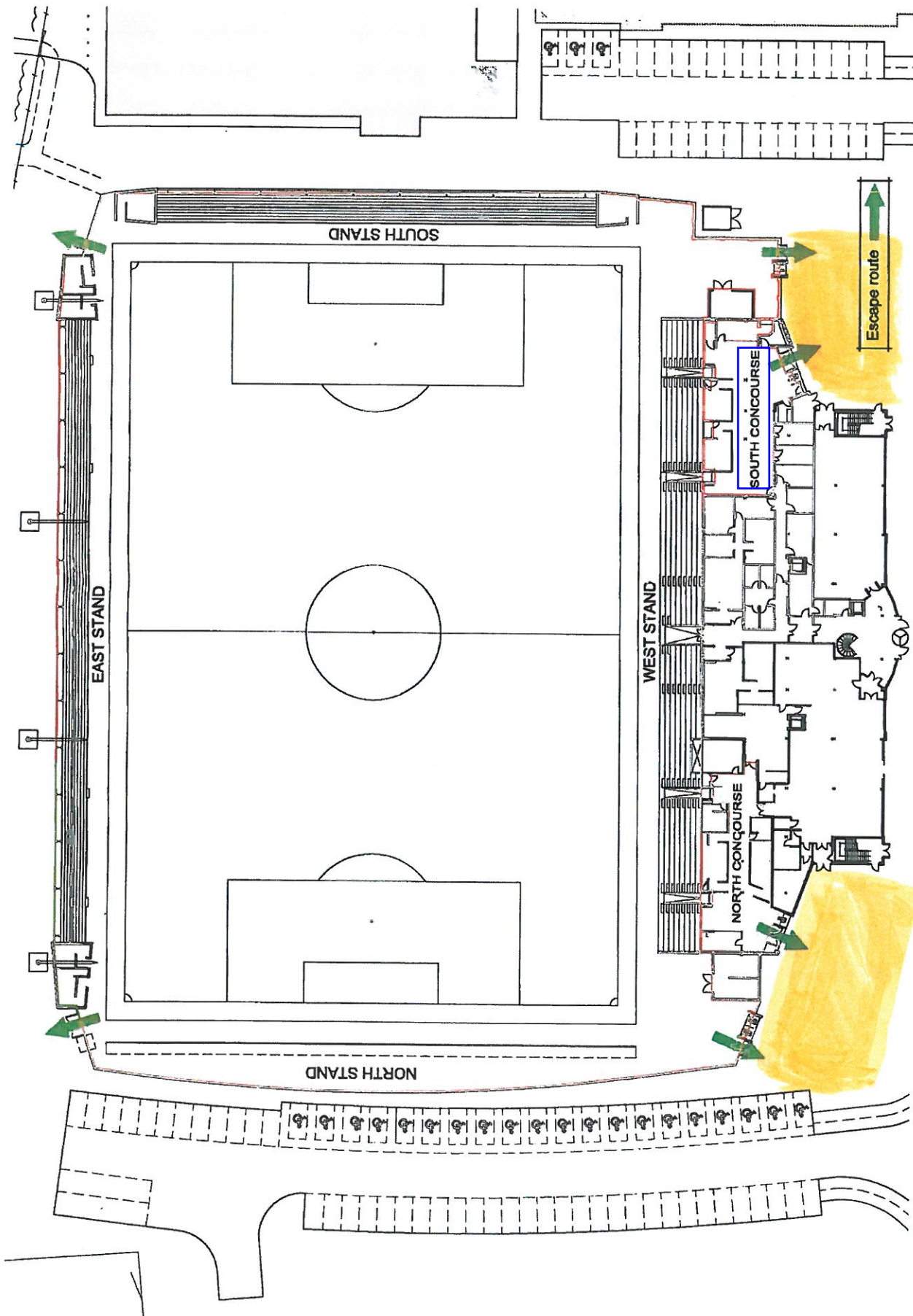
The TENs are requesting alcohol from 15:00hours until 22:00hours. This means fans could potentially consume alcohol for nearly 5hours at the ground before kick-off. Within the ground there is no access to alcohol for 850 Wigan Fans meaning their availability of alcohol is limited, which would make the outside area very popular and fans would look to 'fill-up' before going into the match. This would in-turn cause issues at the turnstiles as fans are turned away for being too intoxicated, which would then in-turn cause issues outside the stadium for officers with drunken fans who have been refused entry and no place to go.

I am aware that other Clubs, for example, Blackburn and Burnley Football Clubs have Fanzones outside the Stadium. This is something the Police would be willing to look at with Fylde AFC should they wish to for future events, but these areas need to be properly marked out and secured and away from the very front of the Stadium. Mr Sumner has already stated that Lancashire County Council don't have any objections to the use the ground for this upcoming FA Cup tie at the current capacity levels but this would need to be revisited should a 'Fanzone' outside the front of the main gates be utilised ie these TENs be allowed.

Therefore Lancashire Constabulary wishes to object to both Temporary Event Notices as it is believed that the granting of these notices would lead to all four Licensing Objectives being undermined.

The Police recommend to the Panel that a Counter Notice be served by the Licensing Authority unless the following restrictions or requirements can be imposed by condition.

n/a



AFC FYLDE, NEW STADIUM **Liquor Licensing Plan - Stadium**



Rev. P1 - 20/05/16 - Issued for Information
 Rev. P2 - 20/05/16 - North & South Concourses noted
 Rev. P3 - 06/05/17 - Extent of red line Licensed Area revised

4884 - 73 rev P3