



## DECISION NOTICE

Date	20 <sup>th</sup> October 2016
Applicant	CMC New Ventures Ltd
Reason for Hearing	<p>The Licensing Authority has received an application for a premises licence at 84 Clifton Street, Lytham.</p> <p>There has been a representation from Fylde Council Environmental Protection (responsible authority) and as such means that the Sub-Committee must determine the application.</p>
Parties in Attendance	<p><b>Panel:</b></p> <p>Councillor Barbara Nash - Convenor, Councillor Neil Harvey, Councillor Gail Goodman JP.</p> <p><b>Applicant:</b></p> <p>Charles Furnell representing the applicant, CMC New Ventures Ltd</p> <p><b>Responsible Authorities:</b></p> <p>Philip Dent representing Environmental Protection.</p>

The licensing authority has received an application for the grant of a premises licence at 84 Clifton Street, Lytham.

In considering the application, the panel had to consider whether granting the licence would promote the four licensing objectives which are:

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

Objections to the application had been received from Environmental Protection, defined as a “responsible authority” by the Licensing Act, concerning the potential for public nuisance.

This was the subject of the hearing this afternoon.

We heard from Philip Dent, representing Environmental Protection and from Charles Furnell representing the applicant. We thank the representatives for their help.

The issues arising were around the potential for noise nuisance and therefore the prevention of public nuisance licensing objective was engaged.

The applicant clarified that for the licensable activities E, F and J, Live Music (E) would take place indoors only, Recorded Music (F) would be both indoors and outdoors and Supply of Alcohol (J) would be both on and off the premises.

We took into account the information put before us, the Council's Statement of Licensing Policy and the Guidance issued under section 182 of the Licensing Act 2003.

Having regard to the submissions that we heard, we were satisfied that the issues and problems that had been described by the responsible authority would be caused by granting the licence as applied for. We were therefore satisfied that it would be appropriate for the promotion of the licensing objectives to grant the licence restricting the use of the outside area for the consumption of food and drink until 10pm.

Our decision is therefore as follows:

To grant the application for a premises licence at 84 Clifton Street, Lytham, but with the outside area to be used for the consumption of food and drink until 10pm only, and subject to the mandatory conditions and conditions as set out in the agenda papers, and those conditions that had been agreed between the applicant and the police prior to the panel hearing as follows:

1. The primary purpose of the premises will be that of a restaurant / bistro/ cafe serving food, with additional occasional use for pre-arranged events and functions. The sale of alcohol will be ancillary to these uses.
2. Seating inside the premises will be provided for at least 70% of the total maximum capacity of the premises as determined by a risk assessment.
3. Whenever licensable activities are available at the premises a waiter/waitress service shall be available. However, in the outside area, the supply of intoxicating liquor shall be by waiter/waitress service only and only to persons seated at tables

The following condition will be removed from the operating schedule:

"Seating inside the premises shall be provided for at least 60% of the total maximum capacity of the premises as determined by a risk assessment."

That is our decision and we thank you for your assistance.