

# **Licensing Act 2003 Sub-Committee**

**Tuesday, 07 March 2017**

**18:00**

**Meeting Room A, Blackburn Town Hall**

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## **AGENDA**

### **PART 1: ITEMS FOR CONSIDERATION IN PUBLIC**

- 1 Welcome and Apologies**
- 2 Declarations of interest in items on this agenda**
- 3 Application for a Premises Licence - Cherry Tree Cricket Club**

Members are requested to consider an application for a premises licence in respect of Cherry Tee Cricket Club, 459 Preston Old Road, Blackburn BB2 5ND.

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<b>Appendix 1</b>	<b>9 - 26</b>
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### **PART 2: ITEMS FOR CONSIDERATION IN PRIVATE**

Date Published: Monday, 27 February 2017  
Harry Catherall, Chief Executive



**DEPARTMENT OF ENVIRONMENT AND LEISURE**

**ORIGINATING SECTION: PUBLIC PROTECTION SERVICE**

**REPORT TO: LICENSING ACT 2003 PANEL Date:07:03:2017**

**TITLE : APPLICATION FOR A PREMISES LICENCE-  
Cherry Tree Cricket Club, 459 Preston Old Road Blackburn BB2 5ND**

<b>1.</b>	<b><u>PURPOSE OF REPORT</u></b>
1.1	For members to consider an application for a premises licence in respect of <b>Cherry Tree Cricket Club, 459 Preston Old Road Blackburn BB2 5ND.</b>
<b>2.</b>	<b><u>BACKGROUND</u></b>
2.1	The Licensing Act 2003 provides that the functions of the licensing authority (including its determinations) are to be taken or carried out by the Licensing Committee. The Licensing Committee may delegate these functions to sub-committees. The Council's constitution has been amended to incorporate this.
2.2	The Statement of Licensing Policy indicates how the licensing authority approaches its various functions.
2.3	Where under the provisions of the 2003 Act, there are no relevant representations on an application for the grant of a premises licence or club premises certificate or police objection to an application for a personal licence or to an activity taking place under the authority of a temporary event notice, these matters will be dealt with by officers.
2.4	The Licensing Committee will receive regular reports on decisions made by officers so that they maintain an overview of the general situation.
2.5	Each application that comes before this committee will be treated on its own merits, and this licensing authority will take its decision based upon: <ul style="list-style-type: none"><li>• The merits of the application</li><li>• The promotion of the four licensing objectives</li><li>• The policy of the licensing authority, a copy of which can be obtained from the Public Protection Service, 3<sup>RD</sup> Floor, Old Town Hall, Blackburn, BB1 7DY.</li><li>• The guidance issued by the Secretary of State on March 2015 under section 182 of the Licensing act 2003</li></ul>

<b>3</b>	<b><u>DETAIL</u></b>
3.1	An application has been made by CTCC Limited in respect of the <b>Cherry Tree Cricket Club, 459 Preston Old Road Blackburn Lancashire BB2 5ND</b> for an application for a premises licence under the Licensing Act 2003.(see appendix 1)
3.2	The application sought is to permit the following regulated entertainment: To permit the sale of alcohol Monday to Thursday (Inclusive) between 12.00 noon and 00.00 am, Friday and Saturday between 12noon and 1.30am, Sunday from 12 noon to 1.00am.To allow the premises to remain open for a further half an hour after the sale of alcohol ceases.
3.3	The application sought is also to permit the following regulated entertainment: <b>Live music,</b> Thursday 19:00 to 00:00, Friday 19:00 to 00:30 Saturday 19:00 to 00:30, Sunday 19:00 to 00:00. Bank holidays or the preceding day (ie. but not in addition to the Bank Holiday), Christmas Eve, Boxing Day, New Years Eve 19:00 to 01:00.
3.4	<b>Recorded Music</b> Monday - 19:00 to 00:00 Tuesday - 19:00 to 00:00 Wednesday - 19:00 to 00:00 Thursday 19:00 to 00:00 Friday 19:00 to 00:00 Saturday 14:00 to 01:00 Sunday 14:00 to 00:00 Bank holidays or the preceding day (ie. but not in addition to the Bank Holiday), Christmas Eve, Boxing Day, New Years Eve 19:00 to 01:00
3.5	<b>Plays</b> Monday - 19:00 to 23:00 Tuesday - 19:00 to 23:00 Wednesday - 19:00 to 23:00 Thursday 19:00 to 23:00 Friday 19:00 to 23:00 Saturday 14:00 to 23:00 Sunday 14:00 to 23:00
3.6	<b>Indoor Sporting Events</b> Monday - 19:00 to 23:00 Tuesday - 19:00 to 23:00 Wednesday - 19:00 to 23:00 Thursday 19:00 to 23:00 Friday 19:00 to 23:00 Saturday 14:00 to 23:00 Sunday 14:00 to 23:00

<b>4</b>	<b><u>CONSULTATION</u></b>
4.1	All responsible authorities have been consulted, advertisements have been displayed in accordance with the Act,
4.2	There have been <b>eleven</b> objections submitted from residents in the area. They have raised the objection under the public nuisance objective (see appendix 2 – objections).
4.3	Following mediation with licensing enforcement and environmental health the applicant agreed extra conditions relating to the protection of children and public nuisance.(Appendix 3 & 3a)
4.4	It has been determined that all objections from the public and relevant comply with Section 35(6) Licensing Act 2003
4.5	The applicant was given notice under Regulation 7(1)(d) Licensing Act 2003 (Hearings Regulations) 2005.
4.6	The required documents in accordance with Column 3, Schedule 3 have accompanied the Notice of Hearing in accordance with Regulation 7 Licensing Act 2003 (Hearings Regulations) 2005.
<b>5</b>	<b><u>POLICY CONSIDERATIONS</u></b>
5.1	<p>This Policy recognises that longer and more flexible licensing hours can contribute to easing crime and disorder problems by ensuring that concentrations of customers leaving premises simultaneously are avoided thus helping to reduce friction at taxi ranks and private hire offices, fast food outlets etc.</p> <p>The Policy will not set fixed trading hours within any designated area though the Policy recognises that stricter conditions with regard to noise control will be necessary in more densely populated residential areas. Additional security measures may need to be considered on premises which remain open to the public after 3:00am. Each application will be judged on its merits with the discharging of the licensing objectives being paramount in every case.</p> <p>Unless there are good reasons to the contrary on the grounds of public disorder or crime prevention, shops, stores and supermarkets that sell alcohol will be permitted to do during the times that they would ordinarily sell other goods. It would be for interested persons or the responsible authorities to prove why this should not be so in any particular case.</p> <p>As a general presumption, applications for licences to sell alcohol for consumption on the premises (including club premises) who wish to open between 10 am and midnight Sunday to Thursday and 10 am to 1 am Friday and Saturday will have their licence granted - subject to the rights of other persons to object and thereby require a hearing.</p> <p>Any premises wishing to open for longer hours, or where amplified music is to be a feature of the entertainment which is provided, will need to demonstrate specifically within their operating schedule, how they will discharge the Licensing Objectives.</p> <p>Applicants should be aware that there is no automatic presumption in favour of longer hours and all cases which are referred to the Licensing Committee the Committee will</p>

	<p>consider if the hours requested by the applicant undermine the licensing objective. Where the Committee concludes that they do, the Committee may reject the application, or impose conditions and/or grant the licence with permitted hours which are different to those requested.</p> <p>In the interests of reducing crime, disorder and anti-social behaviour, the Council will prefer applications for public houses, nightclubs and registered clubs that demonstrate in their operating schedules a responsible approach to alcohol sales by ending such sales some time before the premises themselves are closed ('drinking-up time'). There is no obligation on the holder of a premises licence or club premises certificate to remain open for the entire period permitted by his licence or certificate.</p>
<b>6</b>	<b><u>THE THE LICENSING ACT 2003</u></b>
6.1	The Licensing Act 2003 requires you to have regard to the representations, and take such of the steps as you consider necessary for the promotion of the licensing objectives.
6.2	The steps you take are (a) to modify the conditions of the licence and/or to reject the whole or part of the application to vary the licence.
6.3	The conditions of the licence are modified if any of them are altered or omitted or any new condition is added.
6.4	You cannot however restrict the hours of the sale of alcohol to less than those authorised under the current Justice's Licence by virtue of Paragraph 11 Schedule 8 Licensing Act 2003.
<b>7</b>	<b><u>LEGAL IMPLICATIONS ARISING FROM THE REPORT</u></b>
7.1	Members are reminded that they must follow the rules of natural justice and they are bound by the code of conduct for elected members in licensing applications.
7.2	Members are reminded that they should have read or should hear all the facts prior to making a determination
7.3	Members are reminded of the consideration they should give to the Human Rights Act 1998, in particular Article 1 – the right to peaceful enjoyment of possessions, Article 6 – the right to a fair hearing, Article 8 – respect for private and family life and Article 10 – the right to freedom of expression.
<b>8</b>	<b><u>BACKGROUND PAPERS</u></b>
8.1	Appendices
8.2	Statement of Licensing Policy
8.3	The guidance issued by the Secretary of State on March 2015 under section 182 of the Licensing act 2003
8.4	The Licensing Act 2003.
<b>9</b>	<b><u>RECOMMENDATION</u></b>
9.1	That members consider the application for a Premises Licence.

<b>10</b>	<b><u>WARDS AFFECTED</u></b>
10.1	The premises are situated in the Livesey with Pleasington Ward. None of the ward councillors are members of this sub committee.
<b>11</b>	<b><u>CONTACT OFFICER</u></b>
11.1	Penni McGinty      Customer Support Officer      Ext.5073
<b>12</b>	<b><u>DATE PREPARED</u></b>
12.1	23 February 2017





## Blackburn with Darwen Borough Council

**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** CTCC Limited

*(Insert name(s) of applicant)*

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

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
<b>459 Preston Old Road</b>			
<b>Post town</b>	Blackburn	<b>Postcode</b>	<b>BB2 5ND</b>

Telephone number at premises (if any)	<b>01254 202582</b>
Non-domestic rateable value of premises	<b>£</b>

**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 ☐ 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)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

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

**(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 CTCC Limited
Address 459 Preston Old Road Blackburn BB2 5ND
Registered number (where applicable) 10362171
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 01254 202582 or 07531 976663
E-mail address (optional) Ianrobertson2013@gmail.com

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
01		2017

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)

Cherry Tree Cricket Club is a member's club predominantly aimed at sporting activities, principally cricket. The club can also be used for private functions.

The function room is mainly booked out by members but due to the use of the function room for private parties, funerals and christenings by non members we are applying for this premises licence.

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 checked="" 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 checked="" 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 checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" 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 checked="" 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**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3) We may invite theatre groups to put on murder mystery evenings or local theatre groups to practice and put on a performance.		
Mon	1900	2300			
Tue	1900	2300			
Wed	1900	2300	<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)		
Thur	1900	2300			
Fri	1900	2300			
Sat	1900	2300	<b><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></b> (please read guidance note 5)		
Sun	1900	2300			

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Thur			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Fri			<b><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></b> (please read guidance note 5)		
Sat					
Sun					

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3) We may have company days with darts, pool dominoes etc. We may also hold bridge (cards) evenings as well as bar games such as skittles, jenga etc.
Day	Start	Finish	
Mon	1900	2300	
Tue	1900	2300	<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Wed	1900	2300	
Thur	1900	2300	
Fri	1900	2300	<b><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></b> (please read guidance note 5)
Sat	1900	2300	
Sun	1900	2300	

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><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></b> (please read guidance note 5)		
Sat					
Sun					



**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3) We will have live singers and bands at weekends and on special occasions		
Mon					
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur	1900	0030			
Fri	1900	0030	<b>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</b> (please read guidance note 5) On special days such as Christmas eve, boxing day, new years eve and public holidays we may have live music until 1am. We may do similar on the day before public holidays (eg Thursday before Easter Friday).		
Sat	1900	0030			
Sun	1900	0000			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3) Background music from TVs and computer.  Disco music during functions and to support live music.		
Mon	1900	000			
Tue	1900	0000			
Wed	1900	0000	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Thur	1900	0000			
Fri	1900	0000	<b>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</b> (please read guidance note 5) On special days such as Christmas eve, boxing day, new years eve and public holidays we may have recorded music until 1am. We may do similar on the day before public holidays (eg Thursday before Easter Friday).		
Sat	1400	0100			
Sun	1400	0000			

## G

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)			
Mon						
Tue						
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)			
Thur						
Fri			<b><u>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</u></b> (please read guidance note 5)			
Sat						
Sun						

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing We will organise Bingo evenings, poker evenings and other such evenings.  We will put on sportsman's dinners and charity nights with guest speakers and entertainment. We will also provide for christenings, weddings and birthday parties and other such special events. We will also hold beer festivals over the weekend.		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon	1900	0000		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	1900	0000	<b><u>Please give further details here</u></b> (please read guidance note 3) Some events will have guest speakers and/or recorded music and/or live entertainment. There may also be one off performances in comedy.		
Wed	1900	0000			
Thur	1900	0000	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri	1900	0100			
Sat	1900	0100	<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5) On special days such as Christmas eve, boxing day, new years eve and public holidays we may have events until 1am. We may do similar on the day before public holidays (eg Thursday before Easter Friday).		
Sun	1900	0000			

## I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><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></b> (please read guidance note 5)		
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b><u>Will the supply of alcohol be for consumption – please tick</u></b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 4)		
Mon	1200	0000			
Tue	1200	0000			
Wed	1200	0000			
Thur	1200	0000	<b><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></b> (please read guidance note 5) We may hold beer festivals over the weekend although they should be covered by the timings in the main application.		
Fri	1200	0130			
Sat	1200	0130			
Sun	1200	0100			

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

Name John Charles Robertson	
Address 4 Kayfold Lodge Blackburn	
Postcode	BB1 8NG
Personal licence number (if known) PER0711	
Issuing licensing authority (if known) Ribbles Valley Borough 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).

We will have gaming machines on the premises which will not be accessible by children.

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b><u>State any seasonal variations</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon	1100	0030	<b><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></b> (please read guidance note 5) On special days such as Christmas eve, boxing day, new years eve and public holidays we may be open until 2am. We may do similar on the day before public holidays (eg Thursday before Easter Friday).
Tue	1100	0030	
Wed	1100	0030	
Thur	1100	0030	
Fri	1100	0200	
Sat	1100	0200	
Sun	1100	0130	

**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)**

Weekly staff meetings to exchange views, ideas and training up to date.  
Challenge 25 adopted and visually promoted.

**b) The prevention of crime and disorder**

Installation of extensive CCTV system both internally and externally.  
Regular meetings with PCSO and request visits on busy nights and weekends.  
Members are issued with a code of conduct which states there is a zero tolerance of bad behaviour, violence, drunkenness and use of drugs. Membership will be immediately withdrawn and the offender barred from the premises.

**c) Public safety**

Clear signage regarding smoking and wet floors.  
Staff training on escape routes and other safety measures.  
Adoption of CTCC Health and Safety Policy.  
Fire extinguishers in accordance with Fire Officers recommendation.

**d) The prevention of public nuisance**

Smoking will be allowed at the rear of building rather than the front.  
Standards of Behaviour when leaving the premises is written into the code of conduct with a threat of membership withdrawn if not adhered to.  
Curtains and blinds will be closed during live entertainment.  
Zero tolerance on drugs and drunkenness

**e) The protection of children from harm**



All staff to be made aware of anyone on the premises under the age of 18 and to ensure they are supervised by a parent/guardian.  
Challenge 25 implemented and made visual.

**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	Ian Robertson (John Charles)
Date	10 <sup>th</sup> January 2017
Capacity	Director

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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) Ian Robertson (John Charles)			
Post town	<b>Blackburn</b>	Postcode	<b>BB1 8NG</b>
Telephone number (if any)	07531 976663		
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.

## McGinty Penni

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**From:** Public Protection  
**Sent:** 06 February 2017 09:10  
**To:** McGinty Penni  
**Subject:** FW: CHERRY TREE CRICKET CLUB ALCOHOL AND ENTERTAINMENT LICENCE APPLICATION

**From:** [REDACTED]  
**Sent:** 31 January 2017 18:44  
**To:** Hardman Derek Cllr [REDACTED]  
**Cc:** [publicationprotection@blackburn.gov.uk](mailto:publicationprotection@blackburn.gov.uk); Public Protection  
**Subject:** CHERRY TREE CRICKET CLUB ALCOHOL AND ENTERTAINMENT LICENCE APPLICATION

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** [REDACTED]  
TUESDAY 31ST JANUARY 2017

Dear Mr Hardman,

I wish to object to the extension of hours being applied for at the Club.

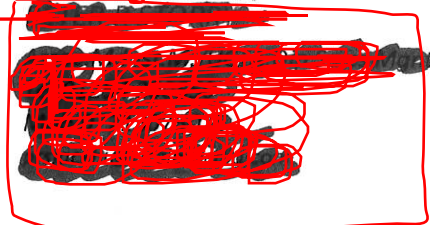
I am unaware of the existing hours permitted. However any increase in hours in a predominantly residential area would be to the area's detriment. As the BEE HIVE PUB and the RAILWAY PUB are so close by then another similar establishment within 200 yards is not required. Furthermore parking in this area will be more difficult and this will be exacerbated with the increase in taxi activity which is often associated with pubs.

Furthermore there is already a lot of litter in this area and I have noticed that much of it comprises of discarded beer bottles, cans and often with beer still left over and frequent smashed glasses.

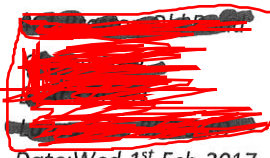
There is also the Nuisance Factor when Loud Music is often allowed. Sound Proofing for indoor music and refusal to allow outdoors Music of any kind should be imposed where it is allowed.

I look forward to your comments,

[REDACTED]  
CC TO PUBLIC PROTECTION



FAO:-Mrs Penny McGinty  
Licencing Dept.,Room 304  
Floor 3  
Blackburn with Darwen Borough Council  
Town Hall  
BLACKBURN BB2 5ND



Wed.1<sup>st</sup>.Feb.2017.

Subject:- Planning Application for change of Licence,Cherry Tree Cricket Club.  
C/C:- Cllr Derek Hardman

Dear Sirs,

With regret, we find that we again, have to write with an objection, to the above named Club, on their requesting, a change to their present licence;seemingly, they want now to remain open until the early hours of the morning, for further entertainment, and no doubt the sale of more alcoholic drinking, it would also appear that, the Club, would now turn into a 'Pub,' of which it is more or less now! This being the case,we would never have envisaged living next to a Pub, its bad enough now, with the ARROGANT attitude, this Club, has to its near neighbours, over the period of time.

When we first purchased our house, we were informed that, it was in a 'nice' area, of residential standing, which we would hope it will remain so.

We have in the past had to put up with verbal, and physical abuse, admittedly not so much of late, but, with the change of the Club's facility this could revert back, in more entirety; even now we have to put up with, Drinks Glasses,cans,un-eaten food, in paper wraps,etc., flying over the hedge/fencing, into our garden; car doors slamming,very loud language,swearing, urinating, this also in the front of the Church,walling along the entrance pathway; cars/vehicles parking along the hedge pathway to the Club, which in itself, could be a dangerous hazard, especially if a fire broke out, the Fire Tender, just would not get down, the vehicles arriving because of this change would we feel increase.

Late night taxis, even now parking with engines running, (so called!!)members, with Drinks still in their glasses, standing on Pavement, either getting into taxis, or waiting, still shouting/talking loudly, the end result is that the glasses end up in our Garden. The Club have stated that, this they could not stop! What a joke! Why cannot they stop it. Mostly very drunk.

I wonder on the present witness of small gangs of youths walking up from the two other pubs,further down in the 'Village,' and on into the Club(pub!)are in fact members? This also goes to other visitors! As witnessed.

If the Licence is for 1 am in the morning, taking this to its logical conclusion, there would be a certain amount of drinking up time,and by the time, the staff have 'tidied' the accoustic's of the DJ (no doubt!)packed away, plus the possibility of any other unforeseen problem, the time could be well after 2am! To us, this is not acceptable, in a residential area.

It is also thought, that, in the event of any late night 'party/function' the ethical /moral attitudes, of those attending,and leaving the premises, would cause further aggravation, to the residents etc., not so very long ago, they were still partying until well after 2am in the morning, with not a thought to the residents far and wide, fact. Visitors, even now "appear" to be observed of a loutish outlook and behaviour.

Also witnessed, is the congregation of 'visitors/members? Outside the entrance, in the car park,talking loudly,smoking and still drinking, we have been 'assured' that, this will not happen! but, it does still go on.

Concerning the parking of vehicles, by the 'drinkers' in the pathway to the Club, and the loud slamming of their doors, we were informed some years ago, by the then Planning Officer, that, the parking of same should not happen, as, double yellow lines were to be placed there, to stop same.

We feel that,we have in the past been easy going, and, a good neighbour to the Club, in more ways than one, but a time comes when enough is enough.

Yours faithfully,





## McGinty Penni

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**From:** [REDACTED]  
**Sent:** 11 February 2017 11:23  
**To:** McGinty Penni  
**Subject:** Cherry tree cricket club licence application .....objection to.

Dear Madam, we have lived on Fir trees Drive facing the cricket club for nigh on 44 years and after the peaceful and tranquil scene broken only by the sound of cork on willow we are now faced with possibility of that peace being shattered if CTCC are granted this licence. We are in our late seventies as are a lot of fellow residents who have paid our council tax regularly over the years and deserve better than the sound levels, strobe lighting and late hours proposed by this licence application. We accept that times change and life becomes more raucous but the extent to which this application applies is not acceptable in a semi rural community. We hope that you will take on board this objection in the spirit in which it is made and let common sense and justice prevail.

Yours faithfully [REDACTED]

Sent from my iPad

~~REDACTED~~  
~~REDACTED~~  
~~REDACTED~~  
~~REDACTED~~  
~~REDACTED~~

Re: Application for extended opening hours at Cherry Tree Cricket Club.  
Dear Sir / Madam,

For the past 65 years I have been resident at the above address virtually across the road from the aforementioned establishment. I wish to object most strongly to the proposed change in opening hours as proposed / requested by the present owner / licensee. My reasons being firstly the establishment now appears to be run as a public house. Any member of the public can walk in or out at any time and be served alcohol just as a public house. I consider the present opening hours to be suitable for the establishment as a cricket club, I do not wish to live opposite a pub. Also I fear that the establishment will become part of the circuit of the local pub crawl attracting revellers and associated anti social behaviour into the early hours in a residential area.

I am aware that parking in the surrounding area is at a premium and that attempts have been made to provide a car park, which is accessible via the entrance at the rear of Bank Villas / Cherry Tree bowling Club. However when exiting the car park it is very difficult to see traffic approaching from the left, basically an accident waiting to happen with the proposed increase in usage.

Please accept this letter as a strong and sincere opposition to the proposal to extend the licensing hours at Cherry Tree Cricket Club.

Yours Faithfully,

~~REDACTED~~

~~REDACTED~~

02/02/17.

**From:** [REDACTED]  
**Sent:** 10 February 2017 18:45  
**To:** McGinty Penni  
**Subject:** License for cherry tree cricket club

I live directly opposite the club across the canal and I and my neighbours receive the full impact of the music.

In the past I have had to ring the club several times to ask them to turn down the volume late at night generally to no avail. Even with double glazing and closed windows the boom boom boom of the music is unbearable and keeps me and my neighbours awake.

The music is played loudly even during some afternoon matches when they seem to think that everyone in the neighbourhood wants to listen to their music rather than their own. For some reason DJ's in this country seem unable to direct the music towards the dance area only. If you are unable to hear the person sitting next to you then the music is too loud - this is the accepted level recommended by the HSE.

We believe they intend to hold Beer Festivals which, inevitably, will spill out onto the pitch. Surely, we are entitled to some peace and quiet in our own homes after 12.00 pm. We hope you will please place limitations on the music license.

Thank you,

[REDACTED]  
[REDACTED] 77 Old Gates Drive  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] Old Gates Drive,  
[REDACTED] and then from 105 Old Gates Drive,  
[REDACTED],  
[REDACTED] at Old Gates Drive

BB2 5BY

Page 31 of 42

## McGinty Penni

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**From:** [REDACTED]  
**Sent:** 10 February 2017 20:22  
**To:** McGinty Penni  
**Subject:** Licence Application CTCC LIMITED (Cherry Tree Cricket Club)

i object strongly to any changes in the licencing Application

- 1) Live music after midnight for any occasion
- 2) Recorded music after midnight for any occasion
- 3) Alcohol served after midnight for any occasion
- 4) Sportsman Dinners to continue after midnight
- 5) charity nights or any fundraising event after midnight
- 6) Beer festival / weekends allowing this to be the duration of all day,
- 7) Any special Day/Occasions being open and serving alcohol after midnight

These are the reason i am objecting

- 1) Direct noise as i live only 400 yrs from the rear of the venue,  
This will be exacerbated in the summer when the large glass doors will be open along with the windows, i live in direct view of the cricket field and the pavilion)
- 2) this will be day and night if day functions are allowed to take place on the outdoor decking and the use of the playing field to erect marques
- 3) the cricket club is in a residential area
- 4) The demographics of the area is of a more elderly population will be possibly detrimental to their health as they will not be able to sleep.
- 5) previously when an unauthorized event occurred on the cricket pitch which did not conclude until 3:30 am, despite numerous phone calls to the cricket club which resulted in abusive language directed at me, i had the windows closed and could still hear the music due to being in direct line of the cricket pitch and pavilion.
- 6) Due to the close proximity of the club to residential homes will only result in complaints of noise and distress to the police and public protection if the Application is granted

I ask that the Licence Application from CTCC LIMITED is rejected and a max opening hrs is set to midnight for any occasion or event

Yours Sincerely

[REDACTED]

Resident Firtrees Drive



## McGinty Penni

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**From:** [REDACTED]  
**Sent:** 11 February 2017 11:30  
**To:** McGinty Penni  
**Subject:** Cherry Tree Cricket Club

This is an email re the above Club and licencing application.

I strongly oppose the application to extend the clubs licencing hours.

I live only 400 yards from the rear of the club where the function room and bar is.

Last year there was a function there which went on until 3.30 am. The noise was horrendous. I made several calls to the cub asking when the music would be stopped - only to be replied to in a very rude manner by a woman telling me if I had a problem then I should phone the police. As I am sure you are aware, the police have more than enough to do without responding to noise problems. They were only able to attend at 3.30 am when the music finally stopped.

The idea of beer festivals - which will be an all day affair if not a weekend is horrendous. The noise will be on going with no respite for the local residents. This does not include cars/taxis and the increase in vehicles.

The application to extend its licensing hours every night - until 2.00 am sometimes is not at all acceptable. I work shift patterns which includes bank holidays and weekends including Christmas and New Year and my work involves making delicate decisions about drug dosages ( for opioids and other very strong drugs). Any disruption in my sleep which will make me tired has the potential to naturally affect my ability to think coherently in order to make these decisions.

The noise will be detrimental to my health and well being also and there are numerous research articles to confirm how lack of sleep contributes to increased accidents etc. I am sure the council would not want to be held responsible for this. By increasing their licensing hours you will be doing just this.

I object very strongly to :

1. Live music until 1.00 am
2. Alcohol served until 1.00 am
3. Sportsman Dinners until 1.30 am
4. Any beer festivals.
5. Any "special days" being open and serving alcohol until 2.00 am.

The Cricket club has just had a new balcony with large glass doors opening onto it - it looks very nice but for residents living this side of the club, and with these large doors being opened - this just increases the noise to unacceptable levels.

The club has put up notices asking members to be quiet at the front of the club - I guess this is their way of saying they are doing all they can to abide to any rules already in place. As both you and I know,, when people have had a drink or two they may be unaware of the noise they are making. These people may also be able to lie in the next day when other cannot. Again affecting people's health.

I have no objection to music, live or other, being played until midnight occasionally - but not regularly.

I am very concerned that local residents to the club have not been informed of this application as we are the people affected by this. Can you tell me why?

I trust you will consider my email when considering their application.

Please, under no circumstances extend their licensing hours.

Yours Sincerely

Resident of Firtrees Drive

## McGinty Penni

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**From:** [REDACTED]  
**Sent:** 12 February 2017 16:29  
**To:** McGinty Penni  
**Subject:** Cherry Tree Cricket Club

Dear Ms McGinty

We have recently been informed that Cherry Tree Cricket Club have put in an application to extend their entertainment and licensing hours to 2 am<calendar:T1:2%20am>. I am writing to officially put in a complaint to their request. We are located on Firtrees Drive and back on to the canal and cricket ground. The club house is located approximately 200 meters away from the rear of our property and our bedroom faces in the same direction.

Having already experienced an event last summer where people on the opposite side of our road and therefore further away were even disturbed we highly object to an extension in hours.

This decision could have an impact on the value of our property.

The fact that there is only the cricket field between us and the club house means that there is no sound degradation and sound carries.

We can already hear events at the club but feel that events finishing at 12.00 are enough to deal with.

We also understand that marquees will be erected and feel that people shouting will add to the overall sound output.

We would be grateful if this complaint can be taken into account when the decision to their application is heard.

We also understand that other residents on firtrees drive feel the same and would ask that you acquire the feelings of our residents before your decision is made. Quite a few of the residents are elderly on this street and we feel could not cope with the disruption.

Please could you acknowledge receipt of this email.

Yours sincerely

[REDACTED]  
[REDACTED] see:0,0?q=21%20Firtrees%20Drive%20BB2%205AL>

Sent from my Samsung Galaxy S5 - powered by Three

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This email has been scanned by the Symantec Email Security.cloud service.



7-FEB-2017



~~REDACTED~~  
~~REDACTED~~  
~~REDACTED~~  
~~REDACTED~~

OBJECTION TO APPLICATION TO EXTEND LICENCE

Dear members of licensing board.

My objection is to the application made by CHERRY TREE CRICKET CLUB, to extend licensing hours to 1-30 AM on certain nights.

My property, address as above, is a neighbour, that shares a boundary with CHERRY TREE CRICKET CLUB.

My objections are, Noise at later hours, especially during warmer weather, when celebrations at the CRICKET CLUB, can spill out to the cricket field area, and noise is generally more noticeable, and will have the potential to go on longer, and later.

The area around the club is residential, and extending the license, will have a detrimental effect, and impact on the residents, with more late night activity.

Yours faithfully

~~REDACTED~~

To: Planning

Subject: Re: Application for extended opening hours for 459 Preston Old Road

For the attention of Mr Gavin Prescott

I hereby disapprove for the request to extend the opening hours for Cherry Tree Cricket Club. The disruption of cars parking outside my house, blocking my drive, rowdy and drunken people existing this dwelling, plus the current issue with noise levels is unacceptable. To propose to extend this request to 1am and 2am and include beer festivals is unacceptable.

Please can you provide me with the official form for disapproval as there are many neighbours who disapprove this request and would like the opportunity to disapprove.





### Licensing Act 2003

Address of Premises:

**Cherry Tree Cricket Club, 459 Preston Old Road, Blackburn.**

Conditions to be included in the application for a new Premises Licence for the above:

#### Prevention of Public Nuisance

1. The performance of music shall not extend beyond the following:

	Live Music	Recorded Music
Monday	-	19:00 to 00:00
Tuesday	-	19:00 to 00:00
Wednesday	-	19:00 to 00:00
Thursday	19:00 to 00:00	19:00 to 00:00
Friday	19:00 to 00:30	19:00 to 00:00
Saturday	19:00 to 00:30	14:00 to 01:00
Sunday	19:00 to 00:00	14:00 to 00:00
Bank holidays or the preceeding day (ie. but not in addition to the Bank Holiday), Christmas Eve, Boxing Day, New Years Eve	19:00 to 01:00	19:00 to 01:00

2. Windows shall be closed when music is being played.
3. The rear fire door shall be kept closed whilst music is being played at the premises unless in the event of an emergency. Emergency incidents shall be recordrd.
4. Smoking will not be permitted outside the main entrance doors, which are located close to the access lane leading from Preston New Road. These doors shall be self-closing and they will not kept open when music is being played.
5. The DPS or anybody delegated for that purpose shall make regular checks of external areas to monitor potential nuisance being caused by smokers /

customers outside and to assess noise breakout from the premises whilst live or recorded music is being played. Where noise levels are considered likely to cause a disturbance at neighbouring premises the music level shall be reduced. Where it is evident that customers are causing a nuisance they must be told to stop causing a nuisance and asked to go inside the premises or ejected from the premises.

6. The DPS or anybody delegated for that purpose shall make all reasonable attempts to ensure that customers leave the premises quickly and quietly at the end of the night. Noisy and rowdy customers shall be asked to quieten down as necessary.
7. Clear signage shall be placed at all exits of the premises asking customers to leave quietly and respect the residential nature of the neighbourhood, or any equivalent message.

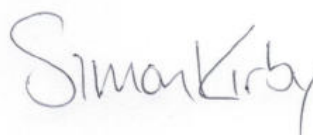
I agree to the above conditions being included in the application for a variation to the Premises Licence under the Licensing Act 2003 for Cherry Tree Cricket Club.



Signed (Applicant) .....

Position    Owner/Director

Date 6<sup>th</sup> February 2017



Signed (Responsible Authority) .....

Simon Kirby, Senior Environmental Health Officer,  
Public Protection Service, Blackburn with Darwen  
Borough Council





### **Licensing Act 2003**

**Address of Premises: Cherry Tree Cricket Club, 459 Preston Old Road, Blackburn. BB2 5ND.**

Conditions to be included in the application for a Premises Licence for the above:

#### **Prevention of Crime and Disorder**

1. The premises will have a CCTV system in full operation covering both internal and external areas. Images will be retained for a minimum of 31 days and available on request to the Police or the Local Authority authorised officers. Members of the Management will be trained in the use of the system.

#### **Protection of Children from Harm**

1. All persons who appear to be under the age of 25 years shall be required to produce proof of age by way of the following:
  - A recognised proof of age card accredited under the British Retail Consortiums Proof of Age Standards Scheme (PASS)
  - Photo driving licence
  - Passport
  - Citizen card supported by the Home Office
  - Official ID card issued by HM Forces or European Union Member State bearing a photograph and birth date of the holder
2. A refusals log will be kept on the premises to record any refused sales of alcohol to anyone who cannot comply with the Challenge 25 policy.
3. All staff shall receive training in relation to the licensing objectives so as to reduce crime and disorder, promote public safety, prevent public nuisance and promote the protection of children from harm. All staff shall receive regular refresher training. All training will be documented and will be made available to an authorised officer upon request.

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

I agree to the above conditions being included in the application for a Premises Licence under the Licensing Act 2003 in respect of **Cherry Tree Cricket Club, 459 Preston Old Road, Blackburn. BB2 5ND.**

Signed (Applicant)



Position Owner

Date 6th February 2017

Signed (Responsible Authority)

..... J M White 6/2/17  
Licensing