

Licensing Act 2003 Sub-Committee

Tuesday, 02 January 2018

18:00

Conference Room 1, Blackburn Town Hall,

AGENDA

PART I: ITEMS FOR CONSIDERATION IN PUBLIC

- 1 Welcome and Apologies
- 2 Declarations of Interest in Items on this Agenda
If a Committee Member requires advice on any items involving a possible Declaration of Interest which could affect his/her ability to speak and/or vote he/she is advised to contact Democratic Services at least 24 hours before the meeting
Agenda Item 2 - DECLARATIONS OF INTEREST 2 - 2
- 3 Application for a variation to a premises licence
For members to consider an application for a variation to a premises licence in respect of Rising Sun Hotel, 797 Whalley New Road Blackburn Lancashire BB1 9BE
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PART 2: ITEMS FOR CONSIDERATION IN PRIVATE

PART 2 – THE PRESS AND THE PUBLIC MAY BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS

Date Published: Tuesday, 19 December 2017
Harry Catherall, Chief Executive

DECLARATIONS OF INTEREST IN

ITEMS ON THIS AGENDA

Members attending a Council, Committee, Board or other meeting with a personal interest in a matter on the Agenda must disclose the existence and nature of the interest and, if it is a prejudicial interest, should leave the meeting during discussion and voting on the item.

Members declaring an interest(s) should complete this form and hand it to the Committee Administrator at the commencement of the meeting and declare such an interest at the appropriate point on the agenda.

MEETING:

DATE:

AGENDA ITEM NO.:

DESCRIPTION (BRIEF):

NATURE OF INTEREST:

PERSONAL/PREJUDICIAL (delete as appropriate)

SIGNED :

PRINT NAME:

(Paragraphs 8 to 13 of the Code of Conduct for Members of the Council refer)

DEPARTMENT OF ENVIRONMENT AND LEISURE

ORIGINATING SECTION: PUBLIC PROTECTION SERVICE

REPORT TO: LICENSING ACT 2003 PANEL Date: 02:01:2018

**TITLE : APPLICATION FOR A VARIATION TO A PREMISES LICENCE-
Rising Sun Hotel, 797 Whalley New Road Blackburn Lancashire BB1 9BE**

<p>1.</p> <p>1.1</p>	<p><u>PURPOSE OF REPORT</u></p> <p>For members to consider an application for a variation to a premises licence in respect of Rising Sun Hotel, 797 Whalley New Road Blackburn Lancashire BB1 9BE.</p>
<p>2.</p> <p>2.1</p> <p>2.2</p> <p>2.3</p> <p>2.4</p> <p>2.5</p>	<p><u>BACKGROUND</u></p> <p>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.</p> <p>The Statement of Licensing Policy indicates how the licensing authority approaches its various functions.</p> <p>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.</p> <p>The Licensing Committee will receive regular reports on decisions made by officers so that they maintain an overview of the general situation.</p> <p>Each application that comes before this committee will be treated on its own merits, and this licensing authority will take its decision based upon:</p> <ul style="list-style-type: none">● The merits of the application● The promotion of the four licensing objectives● The policy of the licensing authority, a copy of which can obtained from the Public Protection Service, 3RD Floor, Old Town Hall, Blackburn, BB1 7DY.● The guidance issued by the Secretary of State on April 2017 under section 182 of the Licensing act 2003 <p>.</p>

<p>3</p> <p>3.1</p> <p>3.2</p> <p>3.3</p> <p>3.4</p> <p>3.5</p>	<p><u>DETAIL</u></p> <p>Application made by J9 Enterprises LTD in respect of the Rising Sun Hotel, 797 Whalley New Road Blackburn Lancashire BB1 9BE for a variation to a premises licence under the Licensing Act 2003.</p> <p>The variation sought is to permit the following regulated entertainment: Provision of Indoor Sporting events 10am to 2.30am Monday to Saturday and 10am to 2.00am on Sundays : Provision of Live Music and Recorded Music 10am to midnight Sunday to Thursday and 10.am to 2.00am Fridays and Saturdays</p> <p>To permit the sale/supply of alcohol each day between 10.00 am and 2.30 am the following day. To allow the premises to remain open for a further half an hour after the sale of alcohol ceases.</p> <p>To remove all embedded restrictions and to remove all current conditions</p> <p>Please see application at appendix 1</p>
<p>4</p> <p>4.1</p> <p>4.2</p> <p>4.3</p> <p>4.4</p> <p>4.5</p> <p>4.6</p>	<p><u>CONSULTATION</u></p> <p>All responsible authorities have been consulted, advertisements have been displayed in accordance with the Act,</p> <p>There have been three objections submitted have been received from residents in the area. They have raised the objection under the public nuisance objective (see appendix 2 – objections).</p> <p>Conditions have been agreed between the applicant and Licensing Enforcement in relation to the Protection of Children from Harm objective. A signed copy of the conditions can be found at appendix 3</p> <p>The applicant has agreed to reduce the terminal hours of the application through mediation with the Council's Environmental Protection team. The hours agreed are as follows :</p> <p>Live music</p> <p>Monday - 10:00 - 00:00 Tuesday - 10:00 - 00:00 Wednesday - 10:00 - 00:00 Thursday - 10:00 - 00:00 Friday - 10:00 - 01:00 Saturday - 10:00 - 01:00 Sunday - 10:00 - 00:00</p> <p>The Sale/Supply of alcohol</p> <p>Monday - 10:00 - 01:00 Tuesday - 10:00 - 01:00 Wednesday - 10:00 - 01:00 Thursday - 10:00 - 02:00 Friday - 10:00 - 02:00 Saturday - 10:00 - 02:00</p>

<p>4.7</p> <p>4.8</p> <p>4.9</p> <p>4.10</p> <p>4.11</p>	<p>Sunday - 10:00 - 01:00</p> <p>The applicant has also indicated that these times will not be used every week; the hours are requested for flexibility only.</p> <p>The residents have been contacted via letter to be informed of the new agreed hours to ascertain whether they still wish to object in light of the reduction of hours.</p> <p>It has been determined that all objections from the public and relevant comply with Section 35(6) Licensing Act 2003</p> <p>The applicant was given notice under Regulation 7(1)(d) Licensing Act 2003 (Hearings Regulations) 2005.</p> <p>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.</p>
<p>5</p> <p>5.1</p>	<p><u>POLICY CONSIDERATIONS</u></p> <p><u>TRADING HOURS</u></p> <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>
6	<u>THE THE LICENSING ACT 2003</u>
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.
7	<u>LEGAL IMPLICATIONS ARISING FROM THE REPORT</u>
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.
8	<u>BACKGROUND PAPERS</u>
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.

9	<u>RECOMMENDATION</u>
9.1	That members consider the application for the variation of the Premises Licence.
10	<u>WARDS AFFECTED</u>
10.1	The premises are situated in the Roe Lee Ward. None of the ward councillors are members of this sub committee.
11	<u>CONTACT OFFICER</u>
11.1	Donna Riding Principal Licensing Officer Ext.5004
12	<u>DATE PREPARED</u>
12.1	15 December 2017



Blackburn with Darwen
Application to vary a premises licence
Licensing Act 2003

For help contact
publicprotection@blackburn.gov.uk
 Telephone: 01254 267666

* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

J9

* Family name

ENTERPRISES LTD

* E-mail

gill.sherratt@licensingmatters.net

Main telephone number

01282500322

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

09141235

Business name

J 9 ENTERPRISES LIMITED

If the applicant's business is registered, use its registered name.

VAT number

-

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Existing Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

18,850

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VARIATION

Do you want the proposed variation to have effect as soon as possible?

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

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.

The application is as follows:

1. To extend the hours for existing activities and add more activities to the licence,
2. To modernise the licence by removing all embedded restrictions and adding new conditions
3. To submit a new floorplan for extension of area.
4. To change the premises licence holder & DPS address

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 18

Continued from previous page...

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State 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.

State any seasonal variations for indoor sporting events.

Continued from previous page...

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for indoor sporting events at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

- From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.
- An additional hour once a year at the end of British Summertime (when the clocks go back).

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

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PROVISION OF LIVE MUSIC

ent

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Provide 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.

Continued from previous page...

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State 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.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

- From 1000 to 0200 Christmas Eve
 - From 1000 to 0200 Sundays preceding a bank holiday Monday
 - From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.
 - An additional hour once a year at the end of British Summertime (when the clocks go back).

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Continued from previous page...

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State 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.

State any seasonal variations for playing recorded music

Continued from previous page...

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

- From 1000 to 0200 Christmas Eve
- From 1000 to 0200 Sundays preceding a bank holiday Monday
- From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.
- An additional hour once a year at the end of British Summertime (when the clocks go back).

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Provide a description of the type of entertainment that will be provided.

Will this entertainment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State 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.

State any seasonal variations for entertainment.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for entertainment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

- From 1000 to 0200 Christmas Eve
- From 1000 to 0200 Sundays preceding a bank holiday Monday
- From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.
- An additional hour once a year at the end of British Summertime (when the clocks go back).

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PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start 10:00

End 02:30

Start

End

Provide 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.

TUESDAY

Start 10:00

End 02:30

Start

End

WEDNESDAY

Start 10:00

End 02:30

Start

End

THURSDAY

Start 10:00

End 02:30

Start

End

FRIDAY

Start 10:00

End 02:30

Start

End

SATURDAY

Start 10:00

End 02:30

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

- From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.
 - An additional hour once a year at the end of British Summertime (when the clocks go back).

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide 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 etc gambling machines etc.

NONE

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

Continued from previous page...

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any special variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

- From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.
 - An additional hour once a year at the end of British Summertime (when the clocks go back).

Continued from previous page...

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

TO REMOVE ALL EMBEDDED RESTRICTIONS.
TO REMOVE ALL CURRENT CONDITONS

- I have enclosed the premises licence
 I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

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LICENSING OBJECTIVES

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

a) The prevention of crime and disorder

List here steps you will take to promote all four licensing objectives together.

Staff will be trained before making sales of alcohol in their responsibilities under the Licensing Act 2003. Training will be documented & made available to the Police & authorised officers of the council upon reasonable request.

b) The prevention of crime and disorder

A CCTV system will be in operation at the premises and recorded images shall be retained for a period of 31 days. CCTV images will be provided to the police and other responsible authorities as soon as practicable and in any case within 48 hours of a request for such images, subject of the provisions of the DPA.

c) Public safety

An incident register will be maintained at the premises and made available to the authorities on request.

d) The prevention of public nuisance

All staff at the store will be trained in how to manage any person who they suspect may create a public nuisance in the area of the pub. Such people will be asked to leave the area quietly (if safe to do so) an entry will be made in the incident register.

e) The protection of children from harm

The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25 they will be asked for proof of their age, to prove that they are 18 years or older.

Continued from previous page...

The only forms of identification that will be accepted at the premises are a passport, UK photo-card driving licences, & cards bearing the 'PASS' hologram.

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NOTES ON REGULATED ENTERTAINMENT

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for ' performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee. If you are unsure whether the higher fee is applicable please contact the licensing team on 01254 222516.

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time. If you require further clarification with regard to the additional fees please contact the licensing team 01254 222516.

Capacity 5000-9999 £1,000.00

Capacity 10000-14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

1

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

Continued from previous page...

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/blackburn-with-darwen/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

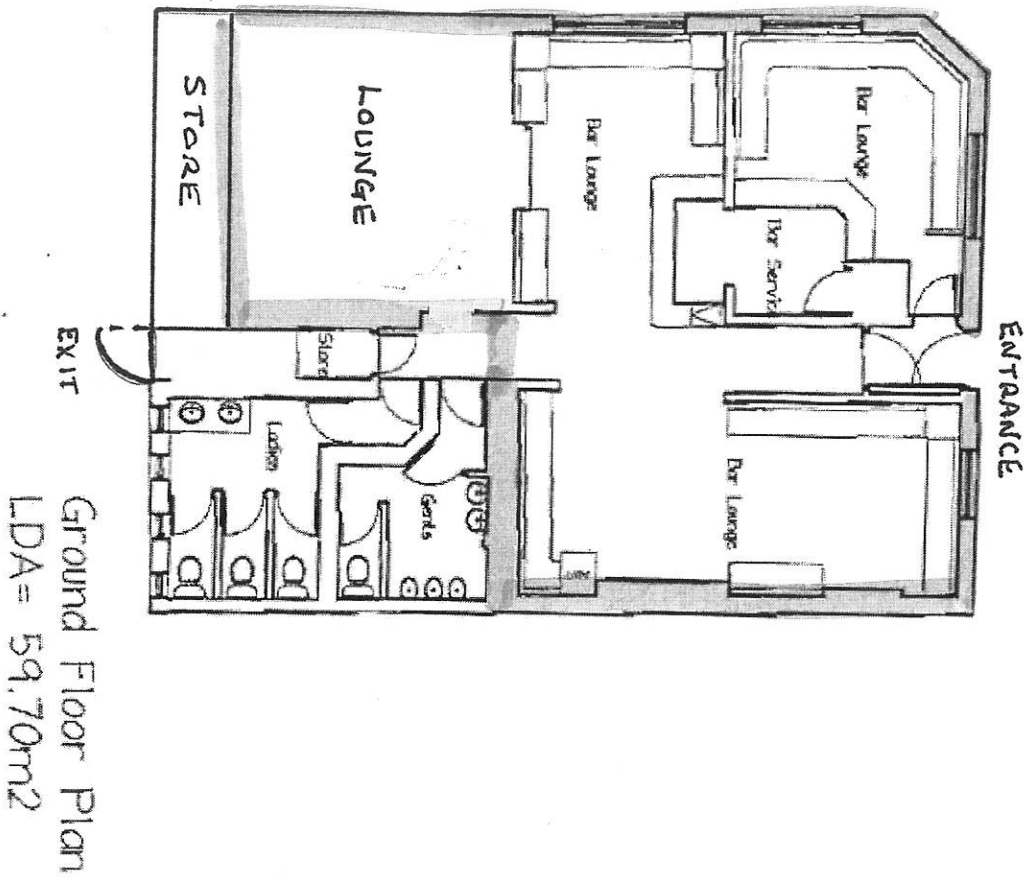
Error message

Is Digitally signed

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Annex 4 - Plans

LICENSED AREA



Ground Floor Plan
LDA = 59.70m²

RISING SUN
797 WHALLEY NEW ROAD
BUCKBURN
B31 9BE

To: Licensing Unit Room 304
Floor 3, Old Town Hall
Blackburn



922 Whalley New Road
Wiltshire, Blackburn
BB1 9AH. 30/11/17

Rising Sun, Whalley New Road Blackburn
application to change and extend opening hours.

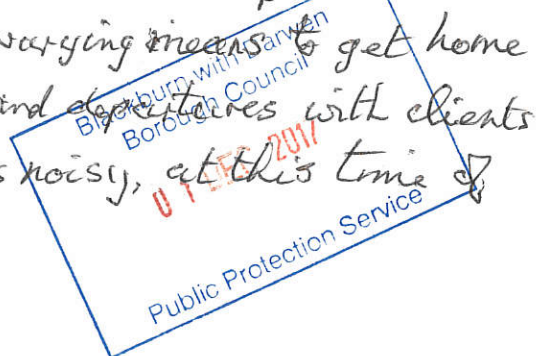
As one of the residents living across Whalley New Road to the Rising Sun I am not happy about their request to alter their late night closing till 3am of the following day and selling alcohol till 2.30am each day of the week.

Combining this with Live and Recorded music until 2am on Friday and Saturdays and Midnight from Sunday to Thursday is not on as music sound can travel over a wide area of the district at a time when people and children are going to bed.

Under the present 11.30pm and 12pm Rising Sun rules there have been some noisy music evenings.

After entertainment and drinks at 2am to 3am the customers require transport of varying means to get home. The arrival of vehicles loading and unloading with clients can be a disturbance, sometimes noisy, at this time of night.

D. J. Howard.



1 Walden road
Blackburn
BB1 9PQ
4 December 2017



dear sir or madam

I write regarding the application by the rising sun public house to extend opening hours ect.
The quote in the local paper said that residents near to the pub had been spoken to but i know of none in the immediate vicinity who was talked to.
My wife and i object because of the noise until the early hours, the shouting until an hour after closing, the banging of car doors, the horn blowing of taxi car, and not least the foul language used by the clients.
This pub was a very popular and busy place when run by the previous landlord and no trouble to locals.
Worth noting is next door the bulls head pub used the same disco type entertainment but is now a co-op because it could not make it pay.
The rooms in the rising sun are by comparison small and not adequate for this type of entertainment.
Further to our case is the fact there are no parking spaces at all and the pub is at the traffic lights, also those who come in cars will leave them outside our houses causing more problems on our road.
Finally we also believe these hours and entertainment types are really not suited to a residential area and therefore hope you give them serious consideration.

regards
Trevor and June lewis



4/12/17 J.L.
4/12/17 Mrs J Lewis.

**OBJECTION TO PLANNING APPLICATION TO EXTEND
OPENING HOURS AND ALLOW LIVE ENTERTAINMENT.**

Blackburn with Darwen
Borough Council
05 DEC 2017
Public Protection Service

THE RISING SUN IS AN OLD PUBLIC HOUSE MADE UP OF SEVERAL SMALL ROOMS AND WAS NOT DESIGNED TO CONTAIN THE NOISE CREATED BY LIVE GROUPS WITHIN ITS WALLS.

IT IS SITUATED ON A VERY BUSY JUNCTION WITH NO CAR PARKING, VISITORS WILL THEREFORE HAVE TO PARK ON NEIGHBOURING SIDE STREETS, THE INCREASE IN PEDESTRIAN FOOTFALL AND TAXI TRAFFIC SHOULD NOT BE ALLOWED TO HAPPEN AT 2.30 IN THE MORNING, 3 NIGHTS A WEEK IN A RESIDENTIAL AREA.

A SIMILAR THING WAS TRAILED AT THE BULLS HEAD AND WAS UNSUCSESFUL THAT IS WHY IT IS NOW A CO-OP.

IT IS FELT THAT THIS APPLICATION WOULD BE DETRIMENTAL TO THE AREA.

T. LEWIS
1 WALDEN RD
B/BURN
JL

JV RAMALL
1 PARSONAGE RD
B/BURN
J. J. J.

Blackburn with Darwen
Borough Council
05 DEC 2017
Public Protection Service



Licensing Act 2003

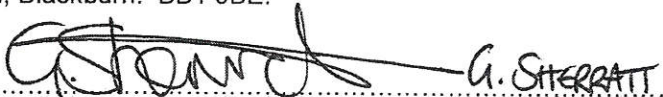
Address of Premises: Rising Sun Hotel, 797 Whalley New Road, Blackburn.
BB1 9BE.

Conditions to be included in the application for a variation to the premises licence for the above:

Protection of Children from Harm


1. A Challenge 25 policy will be in place at the premises whereby 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. Prominent signage of the age verification policy will be displayed on the premises.
3. All staff shall receive training to prevent under age sales of alcohol. All staff to receive regular refresher training. Training to be documented. Training records to be presented to the Police or an authorised officer upon request.

I agree to the above conditions being included in the application for a variation to the premises licence under the Licensing Act 2003 in respect of Rising Sun Hotel, 797 Whalley New Road, Blackburn. BB1 9BE.

Signed (Applicant)  G. STERRATT

Position..... AUTHORIZED AGENT

Date..... 5/12/17

Signed (Responsible Authority)  - Snr. Public Protection Officer
7/12/17