Public Document Pack

Licensing Act 2003 Sub-Committee

Thursday, 1st August, 2019 4.30 pm Conference Room 1 - Old Town Hall, Blackburn

AGENDA

Welcome and Apologies
 Declarations of Interest
 Edgworth Cricket Club Variation to Licence

 Edgworth Cricket Club variation to licence
 Appendix 1.pdf
 Appendix 2.pdf
 Appendix 3.pdf
 Appendix 4.pdf
 Appendix 5.pdf
 Appendix 5.pdf
 Appendix 6.pdf

Appendix 7.pdf Appendix 8.pdf

> Date Published: 24th July 2019 Denise Park, Chief Executive

Agenda Item 3

DEPARTMENT OF ENVIRONMENT AND OPERATIONS

ORIGINATING SECTION: PUBLIC PROTECTION SERVICE

REPORT TO: LICENSING ACT 2003 PANEL Date: 01/08/2019

TITLE : APPLICATION FOR A VARIATION TO A CLUB PREMISES CERTIFICATE -Edgworth Cricket Club, Bolton Road Turton Bolton BL7 0DL

- 1. <u>PURPOSE OF REPORT</u>
- 1.1 For members to consider an application for a variation to a club premises certificate in respect of **Edgworth Cricket Club, Bolton Road Turton Bolton BL7 0DL**.

2. BACKGROUND

- 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:
 - 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, Whitedove offices, Davyfield Road Depot, Davyfield Road Blackburn BB1 2LX.

• The guidance issued by the Secretary of State on April 2018 under section 182 of the Licensing act 2003

3	DETAIL
3.1	An application has been made by Edgworth Cricket and Recreational Club in respect of the Edgworth Cricket Club, Bolton Road Turton Bolton BL7 0DL for a variation to the club premises certificate under the Licensing Act 2003 (Appendix 1).
3.2	The variation sought is or a change to the plan of the premises to include an extension to the club house. The application also incudes an extension to the sale of alcohol until 2a.m. Friday and Saturday.
4	CONSULTATION
4.1	All responsible authorities have been consulted, advertisements have been displayed in accordance with the Act,
4.2	There have been five objections received (Appendix 2 ,3, 4, 5 and 6). The objections have been raised under the prevention of crime and disorder and public nuisance objectives.
4.3	No objections have been received from any of the other relevant authorities.
4.4	Further conditions have been agreed with responsible authorities (Appendix 7 and 8). 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.
5	POLICY CONSIDERATIONS
5.1	TRADING HOURS
	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.
	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.
	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 pigne of other persons to object and thereby require a

	hearing.
	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.
	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 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.
	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.
6	THE THE LICENSING ACT 2003
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	LEGAL IMPLICATIONS ARISING FROM THE REPORT
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	BACKGROUND PAPERS
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	RECOMMENDATION
9.1	That members consider the application for the variation of the Club Premises Certificate.
10	WARDS AFFECTED
10.1	The premises are situated in the Edgworth Ward. None of the ward councillors are members of this sub committee.
11	CONTACT OFFICER
11.1	Janet White
12	DATE PREPARED
12.1	23 July 2019

APPENDIX 1

Application to vary a club premises certificate to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE COMPLETING APPLICATION

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 baxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records,

(Insert name of club) club applies for a club premises certificate under section 84 of the Licensing Act 2003 for the premises named in Part 1 below

Part I - Club premises details

Name of club EDGW STATH CRICKET AND RECREATION CLUB								
Postal address of premises, if any, or if none ordnance survey map reference or description BARLOW MEMOLIAL G-ROWD,								
BOLTON ROAD								
EDGNORTH								
BOLTON BLJØNP								
Post town BOLTON Postcode BUT DAP								
Telephone number (if any)								
E-mail address (optional) Mark James 997 & Histornet. Con								
Name of person performing duties of a sceretary to the club NS BETH MEGUNNESS								
Address of person performing duties of a secretary to the club 329 BOLTON RMD,								
EDENONTH								
BOLTON								
LANCS BLJ ØAN								
Cina-s Der HW								
Post town BOLTON Postcode BUIGAN								
Daytime contact telephone 07767 298994								
E-mail address (optional) Mark 1 smes 007 Bbt internet. con								

Part 2 – Applicant details

Daytime contact telephone number (if any)	07767 298	1994	1000	1			
-mail address (optional) MARKJAMES (0) OBTINTERNET. COM (AM lower case)							
Current postal address if different from premises address	BOLTOW EDEWONTH BOLTOW BLT (RAD	<u></u>				
Post town 692		Pustcode	ALT GAN				
Part 3 - Variation Please tick Doyou want the proposed va	ariation to have effect as soon as	s possible?					
If not when do you want the	variation to take effect from?	DD	MM YYYY				
		<u> </u>		Formatted: Expanded by 7.5 pt			
	ariation to have effect in relation			Formatted: Expanded by 5.2 pt			
evy? (See guidance note 1)	nature of the proposed variati			Formatted: Expanded by 5.2 pt Formatted: Expanded by 5.2 pt			
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EXTENSION TO FOR OCIASIO	SERVING HOURS A	t weeken	NO MONTO BY.				
	ion would mean that 5,000 or mo I the premises at any one time, p attend		V[A]				
* PREMISES	WOULD BE EX	ENPT FI	em late				
	r as a commu	NITT SPO	nt's club.				
(PLEASE I	CONFORM)						
Part 4 – Club Operating Se	hedule						

Please complete those parts of the Club Operating Schedule which would be subject to change if this application to vary is successful.

What qualifying club activities do you intend to conduct on the club premises which will be affected by your application?

Provision of regulated entertainment(please read guidance note 3) Please tick all that apply

a)	plays (if ticking yes, till in box A)	
h)	films (if ticking yes, fill in box B)	
C)	indoor sporting events (if ticking yes, fill in box C)	
d)	boxing or wrestling entertainments (if ticking yes, fill in box D)	
c)	live music (if ticking yes, fill in box E)	
Ð	recorded music (if ticking yes, fill in box F)	
g)	performances of dance (if ticking yes, fill in box G)	E r
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H_{1}	

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club (if ticking yes, fill in box 1)

3

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club (if ticking yes, fill in box 1)	
The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place (if ticking yes, fill in box J)	

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)		read	Will the performance of a play take place indoors or outdoors or both - please tick (please read guidance note 4)	Indoors	
		,		Outdoors	
Day	Start	Finish	the second s	Both	
Mon Tue			<u>Please give further details here</u> (please read gu	tidance note 5)	
Wed			State any seasonal variations for performing	nlass (nlassa nas	.1
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			guidance note 6 Non standard timings. Where the club intend for the performance of a play at different tim	ls to use the prei	mises ted
Thur			guidance note 6 Non standard timings. Where the club intend	ls to use the prei	mises ted

B

Films Standard days and timings (please read guidance note 8)		read	<u>Will the exhibition of films take place indoors</u> or autilours or both – please tick (please read guidance note 4)	Indoors Outdoors	
) 			
Day	Start	Finish		Both	
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Tue					
Wed			State any seasonal variations for the exhibition guidance note 6)	of film (please	e read
Thur			P. 6162		
Fri			Non standard timings. Where the club intends for the exhibition of film at different times from column on the left, please list (please read guidar	those listed i	mises n the
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Indoor sporting events Standard days and timings (please read guidance note 8)		nd read	Please give further details here (please read guidance note 5)
Day	Day Start Finish		
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Tue	11.00	n. 0	State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed	(1.00	00,00	and the second second
Thur	11.00	00.00	Non-standard timings. Where the club intends to use the premises for indoor sporting events at different times from those listed in the column on the left, please list (please read guidance note 7)
Fri	11.00	0,06	
Sat	11.00	00. M	
Sun	12.00	00.0	

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Boxing or wreetling entertainments Standard days and timings (please read guidance note 8) Day Start Finish		nd read	Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick (please read guidance note 4)	Indoors Outdoors	
		1	191	Both	
Mon			Please give further details here (please read guida		
Tue					
Wed			State any seasonal variations for boxing or wres entertainment (please read guidance note 6)	tling	
Thur					
Fri			Non-standard timings. Where the club intends t for the boxing or wrestling entertalnment at diff those listed in the column on the left, please list (crent times f	mises rom
			i sume inter in the community of the left blease list (
Sat			guidance note 7)	, out of the second sec	

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Live music Standard days and timings (please read			Will the performance of live music take place Indours or outdoors or both – please tick (please read guidance note 4)	Indoors	
guidance note 8)			(Incase read Buidance noie 4)	Outdoors	
Day	Start	Finish	and the second se	Both	
lon	11.00	0.0	Please give further details here (please read guid	ance note 5)	
'ne	11. 50	30.00			
Ved	11,00	00,00	State any seasonal variations for the performance of live music (please read guidance note 6) Non-standard timings. Where the club intends to use the prem for the performance of live music at different times from these listed in the column on the left, please list (please read guidance		ile
hur	11.00	00.00			
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Recorded music Standard days and tinungs (please read guidance note 8)			Will the playing of recorded music take place indours or outdoors or both - please tick (please read guidance note 4)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon	11.00	00, 97	Please give further details here (please read guid	lance note 5)	
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Thur	11.00	0.00 00.00	(please read guidance note 6) Non-standard timings. Where the club Intends	to use the pre	mises

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	D
				Outdoors	
Day	Start	Finish		Both	
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Tue	ແດ	0,10			
Wed	11.00	0,0	State any seasonal variations for the performance of dance (p read guidance note 6)		olense
			read guidance note of		
Thur	11.00	n,n			
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	11.00		Non-standard timings. Where the club intend	s from those lis	sted

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Day	Start	Finish	Will this entertainment take place induors or	Indoors	10
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				Both	
Wed			State any seasonal variations for this entertaing guidance note 6)	<u>nent</u> (please n	ad
Fri					
Sat			Non-standard timings. Where the club intends for this entertainment at different times from the column on the left, please list (please read guidar	nose listed in (mises he
Sun					

I

Supply of alcohot Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption <u>– please tick</u> (please read guidance note 9)	On the premises	
				Off the premises	
Day	Start	Finish		Both	E
Mon	11-00	00 - 00	State any seasonal variations (please read guidan	ce note 6)	-
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Thur	11-00	00.00	Non-standard timings. Where the club intends for the supply of alcohol at different times from column on the left, please list (please read guidan	those listed h	<u>mises</u> n the
Fri	11-00	02.00		ER AT	
Sat	11.00	02.00	* OCCASIONALLY NOT TO	BE US	eD
Sun	12.00	00.0	EVERY WEEK LIVE MUS TO BE PLATED AFTER 23.3 RECORDED MUSIC OFF AT	O AND	T

DOOTS AND WINDON'S CLOSED AFTER 22.00 TO ELIMINATE NOISE.

POSITION OF THE CLUB IS SUCH THAT MUSIC CANNOT BE HEARD ON BOLTON ROAD. THE CLUB HAS A STRICT OPERATION-PROCEDURE IN THIS REGARD.

Hours club premises are open to the members and guests Standard days and timings (plense read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	16-00	13.00	
Tuc	16.00	28.00	
Wed	16.00	23.л	x
Thur	16.30	23.00	Non standard timings. Where you intend the premises to be open to the members and guests at different times from those listed in the column on the left, please list (please read guidance note 7)
Fri	14.00	00.00	
Sat	12-00	DD.TD	OCCASIONALY CAUSE CLYB TO
Sun	12-00	23.00	BE OPEN AFTER MISHIFHT WITH 02.00 LATEST, ON FRI DESATIONILT.

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J

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 10).

removed as a consequence of the proposed variation you are seeking.		
None		
lease tick as appropriate		
I have enclosed the club premises certificate		
I have enclosed the relevant part of the club premises certificate		
you have not ticked one of these boxes, please fill in reasons for not including the srtifkate or part of it below		
easons why the club has not enclosed the club premises certificate or relevant part of it:		
	9.97	

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

a) General - all four licensing objectives (b, c, d a	and e) (please read p	uidance no	ste EI)
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TIMES, FULLTIME BAR 1	MANAGER	UND	RECENTLY
APPINTED ASSISTANT.	MANACON	END C	OMMERTE
WITH DEDICATED HOUSE M	IAN AGRER	CLY	0
DISCIPLINGEY POLICY FOU			

b) The prevention of crime and disorder

CETV INSTALLED TO PROTECT STAFF, MEMBERS, GUESTS, REGULARLY MONITORED. MANAGEMENT/ COMMITTEE PRESENCE AT ALL TIMES. 100% SHINTER CONGRAGE, MONITOLED ALARM, SECURIT: LIGHTING, CLISTOMEN DISCIPLINARY POLICY

c) Public safety

MULTIPLE WELL SIGNED EXIT RONTES, FIRE SAFETY ASSESSMENT IN PLACE. FIRE ALARM. DFIB M SITE, TRAINED SAFEGUARDING/ WELFARE OFFICER.

d) The prevention of public nuisance

MUSIC TIME LIMITS IN PLACE AND MANAGED RESPECT NEIGHBOURS SIGNAGE. STRICT DISCIPLINARY / CODE OF CONDUCT. ZERD TOLERANCE ON DRUGS, IF SUSPECTED DRUG ACTIVITY, A BAN WILL RESULT.

c) The protection of children from harm

WELFARE OFFICER SITS ON MAIN CLUB COMMITTEE, SAFEGURDING POLICIES STUITLY ADHERED TO, TRAINED ADD DBS (HECKED COACHES, VISIBLE HEAD COACH, CHILDREN SIGN IN OUT OF TRAINING.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities.
- I understand that I must now advertise my application.
- I have enclosed the club premises certificate or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

PLEASE CALL TO TAKE PAYMENT FROM CARD NARK 07767298994

Ø

N N N

Part 5 - Signatures (please read guidance note 12)

MARK JAMES 1 (Insert full name)

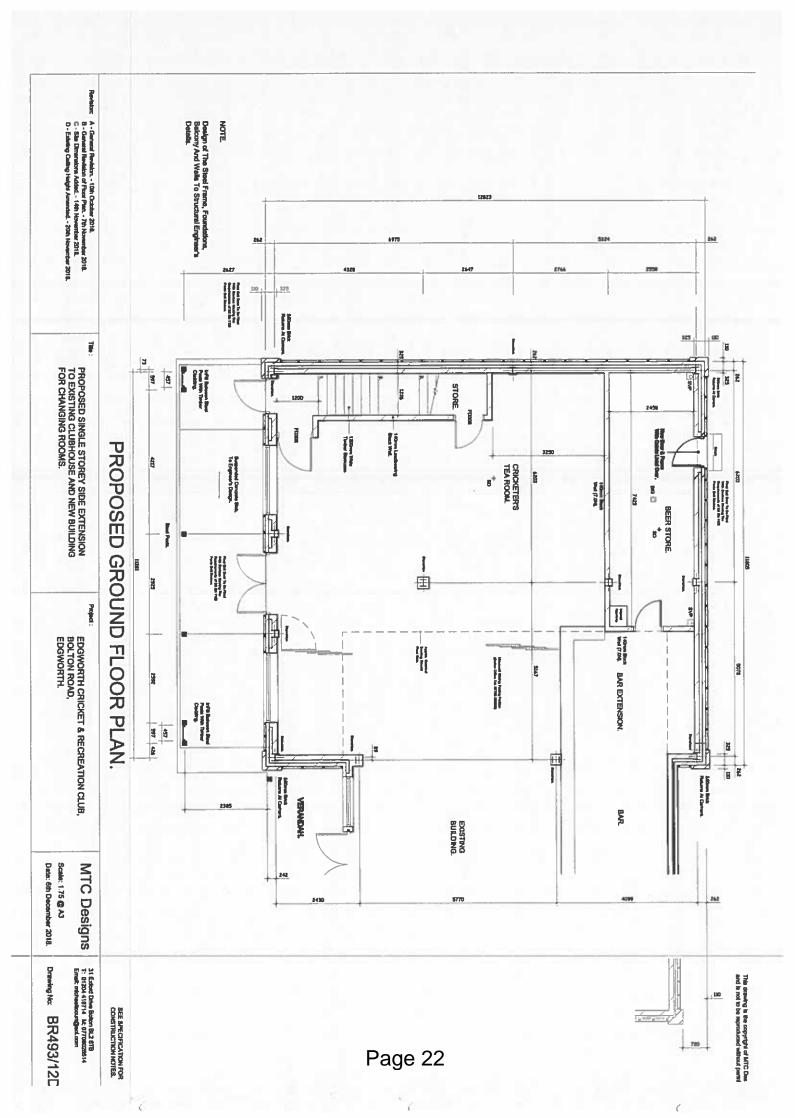
make this application on behalf of the club and have authority to bind the club

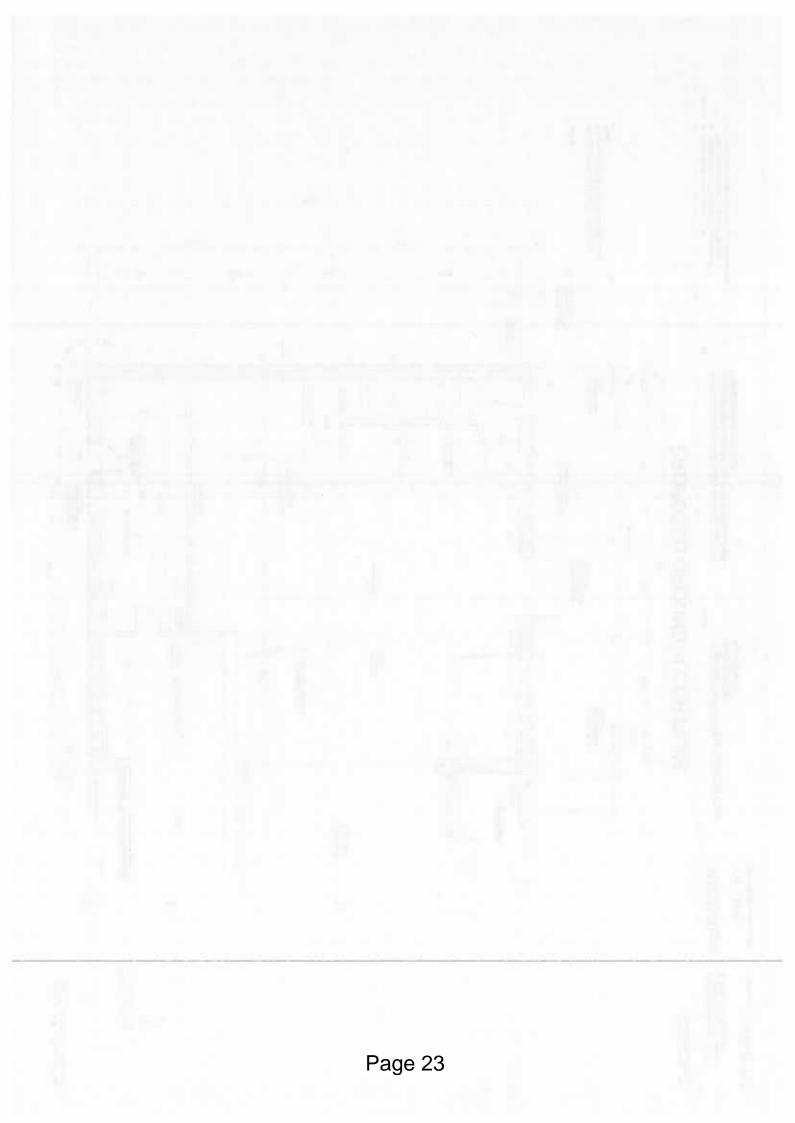
Signature	INSS	3	2	
Date	20/8/19			
Capacity	PREMISES	cián	ASSETS	MANRERA

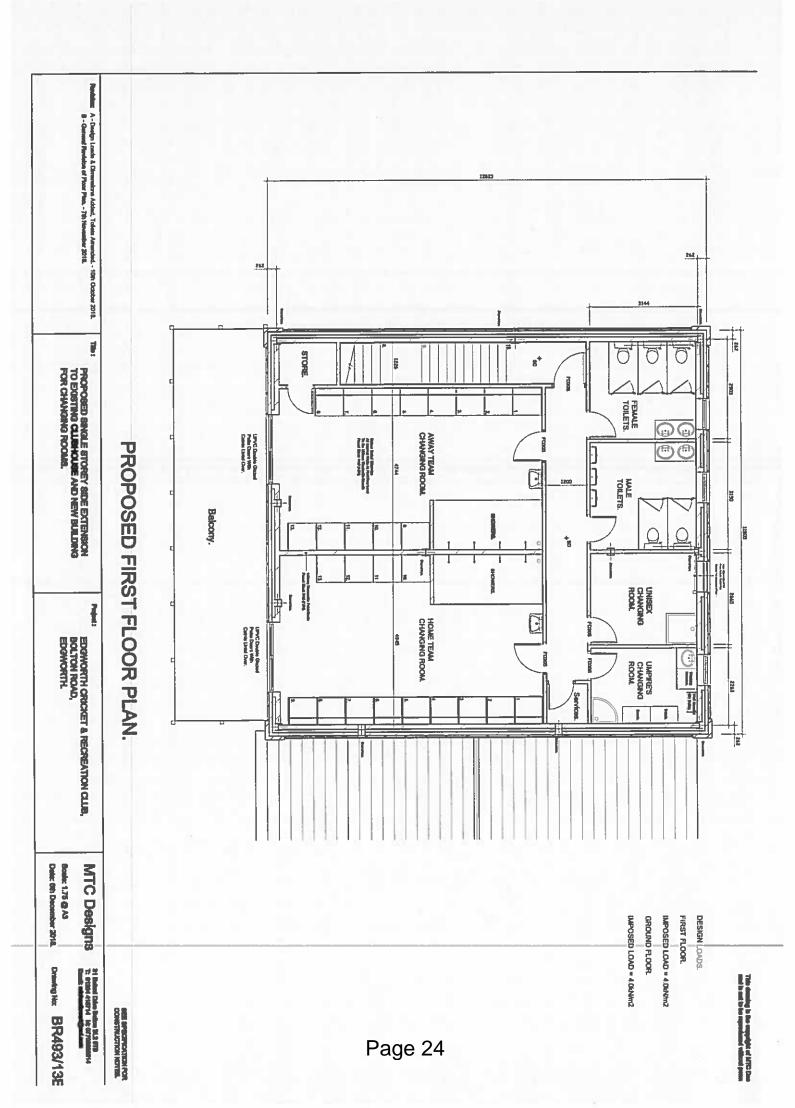
Address for correspondence associated with this application (please read guidance note 13) 329 BOLTON ROND EDGLIGHTH, BASTON BOLTON LAD Post town Postcode Telephone number (if any) 298994 GUIG . If you would prefer us to correspond with you by e mail, your e mail address (optional)

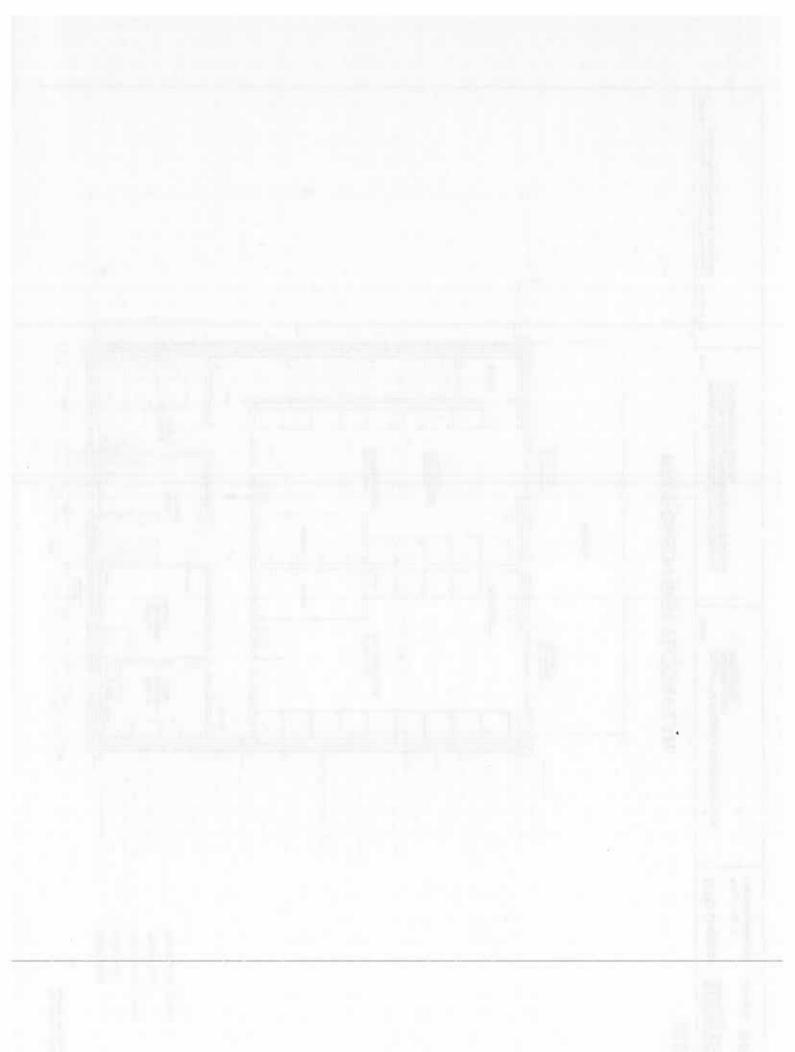
Notes for Guidance

- 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 for the late night levy.
 Describe the premises, for example the type of premises it is, its general situation and
- 2. Describe the premises, for example the type of premises it is, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for people to consume these off-supplies, please include a description of where this will be and its proximity to the premises.
- 3. 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.









APPENDIX 2

White Janet

From: Sent: To: Subject: Riding Donna 23 July 2019 14:11 White Janet FW: Edgworth Cricket and Recreation Club Licence Variation

From: Sent: 16 July 2019 16:34 To: Riding Donna <donna.riding@blackburn.gov.uk> Subject: Re: Edgworth Cricket and Recreation Club Licence Variation

Dear Donna, In response to the mediation changes I have been asked to submit the following comments on

1)It is accepted that the proposed changes to the application conditions appear to address some of the main concerns previously submitted provided that the suggested controls are put in to place effectively.

2) However, the phase "will not be regularly used " is open to interpretation e.g does it mean once a month, 3 or times a year- who knows.

Therefore some clarification would be appreciated in case problems arise in the future about the frequency of late night events.

3) Further, instead of a blanket agreement why cannot late night extensions be applied for as and when needed which would help to provide some form of control.

Regards

On Fri, Jul 5, 2019 at 2:55 PM Riding Donna < donna.riding@blackburn.gov.uk > wrote:

Hi

Further to your objection to the variation of Edgworth Cricket Club, I can confirm that through mediation, the new conditions below have been accepted by the premises. With this information I would like to ask if they address your concerns.

If you would still wish to object a hearing would need to be convened where you would be invited to attend to give evidence to support your objection.

Would you be able to confirm via email your wishes, either to continue with your objection or to withdraw it, Page 26 Please be aware that if the premises breaches the conditions or causes a public nuisance then there is still always an option to review the licence once all the evidence is gathered and witnessed.

Kind regards

Donna Riding

Principal Licensing Officer

Public Protection Services

White boys Offices

Davyfield Road Depot

Davyfield Road

BB1 2LX

Licensing Act 2003

Address of Premises:

Edgworth Cricket and Recreation Club, Bolton Road, Edgworth, BI7 0AP

Conditions to be included in the application for the above:-

Opening hours to remain the same as detailed in the application, except;

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Edgworth Cricket and Recreation Club, Bolton Road, Edgworth, BI7 0AP

Conditions to be included in the application for the above:

Opening hours to remain the same as detailed in the application, except;

Supply of Alcohol – Friday – Saturday – 11:00 – 01:00

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This is following discussions with the management and is based on the understanding that the 01:00 am licence will not regularly be utilised.

Prevention of Public Nuisance

1) All doors and windows to be closed when live or recorded music is being played that will be potentially audible outside the premises. Except for access.

2) The duty manager or somebody appointed for the purpose shall make regular checks to assess noise impact upon surrounding residential premises when live or recorded music is taking place that may have in impact upon the surrounding area. These checks shall be documented.

3) The duty manager or somebody appointed for that purpose shall check external areas to monitor potential nuisance being caused by customers outside. These checks shall be documented.

4) There shall be clear and legible signage placed at all the exits of the premises requesting that customers leave the premises quietly and with respect for the neighbours (or similar suitable wording).

5) External speakers shall not be used after 22:00 and the level of the music shall be controlled so as not to cause nuisance at surrounding residential premises. The noise level shall be monitored by the duty manager or somebody appointed for that purpose.

6) There shall be no drinks allowed outside the premises after 23:00. Signage shall be placed in visible locations to advise customers of this rule.

7) At the end of the night, in particular after an event or function has taken place, the duty manager and / or people appointed for that purpose shall assist in ensuring that customers from the event disperse in a quick and orderly fashion.

From: Johnson Karen <<u>karen.johnson@blackburn.gov.uk</u>> On Behalf Of Public Protection Sent: 02 July 2019 10:16 To: Riding Donna <<u>donna.riding@blackburn.gov.uk</u>> Subject: FW: Edgworth Cricket and Recreation Club, The Barlow Charitable Estate

From: Sent: 01 July 2019 17:11 To: Public Protection <<u>Pollution Team@blackburn.gov.uk</u>> Subject: Edgworth Cricket and Recreation Club, The Barlow Charitable Estate

Blackburn with Darwen Borough Council

Licensing Section

White Dove Building

Davyfield Road

Blackburn

BB1 2LX

Dear Sirs

We wish to place a strong OBJECTION on record for the change in licensing hours at the above Cricket and Recreation Club which it wishes to stay open until 2.00am on Saturday evenings.

We live opposite the Club and even now on occasions have telephoned to ask to have the music turned down. This has been at 1.00am in the morning. Therefore until 2.00am is unacceptable to the neighbours in the village and irresponsible of the committee to ask to extend these hours.

There is no date on the blue notice which has been placed very high up on one lamp-post only and as neighbours, we have had no notification at all of the intention to exctend the hours. The first we heard of this application was this afternoon and when we went to look for the notice, the Ironman road closure sign had been placed over the blue application notice.

This application is in the name of Beth McGuinness.

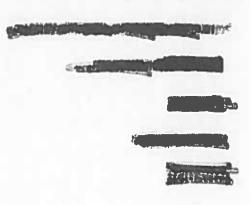
Yours faithfully

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APPENDIX 3

White Janet

From:Riding DonnaSent:23 July 2019 14:12To:White JanetSubject:FW: FW: Edgworth Cricket and Recreation Club, The Barlow Charitable Estate

From: Sent: 14 July 2019 17:21 To: Riding Donna <donna.riding@blackburn.gov.uk>

Subject: Re: FW: Edgworth Cricket and Recreation Club, The Barlow Charitable Estate

Ms Donna Riding on behalf of Public Protection

Hello

Cc:(

Thank you for your email dated 5 July regarding the changes in the licensing arrangements at the above premises.

We confirm that we wish to continue with our objection and await your further instructions and have sent a copy of this email to the acting the sentence of th

Sincerely

On Fri, 5 Jul 2019 at 14:57, Riding Donna <<u>donna.riding@blackburn.gov.uk</u>> wrote:

Hi

Further to your objection to the variation of Edgworth Cricket Club, I can confirm that through mediation, the new conditions below have been accepted by the premises. With this information I would like to ask if they address your concerns.

If you would still wish to object a hearing would need to be convened where you would be invited to attend to give evidence to support your objection.

Would you be able to confirm via email your wishes, either to continue with your objection or to withdraw it,

Please be aware that if the premises breaches the conditions or causes a public nuisance then there is still always an option to review the licence once all the evidence is gathered and witnessed.

Kind regards

Donna Riding

Principal Licensing Officer

Public Protection Services

White Dove Offices

Davyfield Road Depot

Davyfield Road

BB1 2LX

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Licensing Act 2003

Address of Premises:

'Edgworth Cricket and Recreation Club, Bolton Road, Edgworth, BI7 0AP

Conditions to be included in the application for the above:

Opening hours to remain the same as detailed in the application, except;

Supply of Alcohol – Friday – Saturday – 11:00 – 01:00

This is following discussions with the management and is the understanding that the 01:00 am licence will not regularly be utilised.

Prevention of Public Nuisance

1) All doors and windows to be closed when live or recorded music is being played that will be potentially audible outside the premises. Except for access.

2) The duty manager or somebody appointed for the purpose shall make regular checks to assess noise impact upon surrounding residential premises when live or recorded music is taking place that may have in impact upon the surrounding area. These checks shall be documented.

3) The duty manager or somebody appointed for that purpose shall check external areas to monitor notential nuisance being caused by customers outside. These checks shall be documented

4) There shall be clear and legible signage placed at all the exits of the premises requesting that customers leave the premises quietly and with respect for the neighbours (or similar suitable wording).

5) External speakers shall not be used after 22:00 and the level of the music shall be controlled so as not to cause nuisance at surrounding residential premises. The noise level shall be monitored by the duty manager or somebody appointed for that purpose.

6) There shall be no drinks allowed outside the premises after 23:00. Signage shall be placed in visible locations to advise customers of this rule.

7) At the end of the night, in particular after an event or function has taken place, the duty manager and / or people appointed for that purpose shall assist in ensuring that customers from the event disperse in a quick and orderly fashion.

From: Johnson Karen <<u>karen.johnson@blackburn.gov.uk</u>> On Behalf Of Public Protection Sent: 02 July 2019 10:16 To: Riding Donna <<u>donna.riding@blackburn.gov.uk</u>> Subject: FW: Edgworth Cricket and Recreation Club, The Barlow Charitable Estate

Page 34

From: Construction Sent: 01 July 2019 17:11 To: Public Protection <<u>Pollution Team@blackburn.gov.uk</u>> Subject: Edgworth Cricket and Recreation Club, The Barlow Charitable Estate

Blackburn with Darwen Borough Council

Licensing Section

White Dove Building

Davyfield Road

Blackburn

BB1 2LX

Dear Sirs

We wish to place a strong OBJECTION on record for the change in licensing hours at the above Cricket and Recreation Club which it wishes to stay open until 2.00am on Saturday evenings.

We live opposite the Club and even now on occasions have telephoned to ask to have the music turned down. This has been at 1.00am in the morning. Therefore until 2.00am is unacceptable to the neighbours in the village and irresponsible of the committee to ask to extend these hours.

There is no date on the blue notice which has been placed very high up on one lamp-post only and as neighbours, we have had no notification at all of the intention to exctend the hours. The first we heard of this application was this afternoon and when we went to look for the notice, the Ironman road closure sign had been placed over the blue application notice.

This application is in the name of Beth McGuinness.

Yours faithfully

APPENDIX 4 From: Riding Donna Sent: 23 July 2019 14:13 To: White Janet Subject: RE: FW: Application for an extension to existing licence -Edgworth Cricket Club CP11041

You can still object however it would really need you to attend the hearing to inform the committee how the premises is affecting your home life, it would however be difficult for the committee to restrict the licence more than the conditions they have agreed to at this time. As stated if you are now in receipt of a noise pack and awre that you can complain at the time when the noise is happening, further sanctions even a potential review can be convened if

From:

Sent: 05 July 2019 15:14

To: Riding Donna <donna.riding@blackburn.gov.uk> Subject: Re: FW: Application for an extension to existing licence -Edgworth Cricket Club CP11041

Dear Donna

Many thanks for your email regarding the above compromise and although I am still unhappy with the extension there does seem little I can do.

Judging from past problems I do not trust the officials of the club to keep to their promises. In the past two Fridays I have had to phone them twice to ask them to turn the music down, the first Friday was at 10.20pm and last Friday it was so bad at 9.50pm I had to phone them again. On Saturday night there was a disco on and at 8.20pm the windows and doors were wide open with music blaring out and disco lights flashing. If they cannot monitor it just before their application was due to be decided on why will they do so now?

I have just received a diary from your noise department which I have to complete over the next six weeks and this is will do so. If they breach it once or I have to phone them to complain I propose to get the media involved in how a local cricket club is so interested in drink and music that they are making elderly and seriously ill local residents dread a Friday and Saturday evening. Just why do we have to put up with such selfishness in what was once a lovely village but is rapidly becoming like a night club area?

You can send a copy of the contents of this letter to the club if you wish a

Best wishes



On Fri, Jul 5, 2019 at 2:50 PM Riding Donna <<u>donna.riding@blackburn.gov.uk</u>> wrote:

Hi

Further to your objection to the variation of Edgworth Cricket Club, I can confirm that through mediation, the new conditions below have been accepted by the premises. With this information I would like to ask if they address your concerns.

If you would still wish to object a hearing would need to be convened where you would be invited to attend to give evidence to support your objection.

Would you be able to confirm via email your wishes, either to continue with your objection or to withdraw it,

Please be aware that if the premises breaches the conditions or causes a public nuisance then there is still always an option to review the licence once all the evidence is gathered and witnessed.

Kind regards

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Donna mung

Principal Licensing Officer

Public Protection Services

White Dove Offices

Davyfield Road Depot

Davyfield Road

BB1 2LX

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Licensing Act 2003

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Address of Premises:

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Page 37

Edgworth Cricket and Recreation Club, Bolton Road, Edgworth, BI7 0AP

Conditions to be included in the application for the above:

A PROPERTY AND A PROP

Opening hours to remain the same as detailed in the application, except;

Supply of Alcohol – Friday – Saturday – 11:00 – 01:00

This is following discussions with the management and is based on the understanding that the 01:00 am licence will not regularly be utilised.

Prevention of Public Nuisance

1) All doors and windows to be closed when live or recorded music is being played that will be potentially audible outside the premises. Except for access.

2) The duty manager or somebody appointed for the purpose shall make regular checks to assess noise impact upon surrounding residential premises when live or recorded music is taking place that may have in impact upon the surrounding area. These checks shall be documented.

3) The duty manager or somebody appointed for that purpose shall check external areas to monitor potential nuisance being caused by customers outside. These checks shall be documented.

4) There shall be clear and legible signage placed at all the exits of the premises requesting that customers leave the premises quietly and with respect for the neighbours (or similar suitable wording).

5) External speakers shall not be used after 22:00 and the level of the music shall be controlled so as not to cause nuisance at surrounding residential premises. The noise level shall be monitored by the duty manager or somebody appointed for that purpose.

6) There shall be no drinks allowed outside the premises after 23:00. Signage shall be placed in visible locations to advise customers of this rule.

7) At the end of the night, in particular after an event or function has taken place, the duty manager and / or people appointed for that purpose shall assist in ensuring that customers from the event disperse in a quick and orderly fashion.

From:

Sent: 18 June 2019 15:28 To: Licensing Team <<u>LicensingTeam@blackburn.gov.uk</u>> Subject: Application for an extension to existing licence -Edgworth Cricket Club CP11041

Good afternoon,

I wish to object to the application currently under consideration by the Edgworth Cricket Club on the following grounds:

1. Car parking facilities are very limited - the club shares a car park with The Barlow and the Bowling Club and when all three organisations are in use most of the extra cars have to park on

both sides of the main road. This causes chaos as there is then only room for a single line of traffic to pass through at any one time. On top of these cars, most of the houses also park on the

main road as they have no garages. Late night functions will seriously impact on local residents by the banging of doors and driving off. Often, following a function, cars are left overnight on

the road and carpark thus impacting on the traffic and parking of new vehicles on the next day.

2. It is stated in the application that the cricket is situated in such a position that the residents on Bolton Road will not be affected. This is wrong as the noise from the music can be heard as far

away as 400 metres depending on the wind direction. On one occasion the club held a charity evening and the noise was so loud that, after my telephone call to the cricket club to ask them

to turn the music down was met with complete indifference, I had to phone the Council's noise abatement department. Last week there was a function on at the club and, even with their

windows closed as well as mine own, I could still hear the thud, thud, thud, above my own television and could even hear it in my kitchen at the other side of my house. The club is developing

into a pub rather than a cricket club and the playing of music outside is being done every Friday night even when there are no activities taking place. A small band of young people appears to

be controlliing the playing of the music with scant regard to the many residents near to the club. Surely there is no need for music to be played at such a pitch and This is a breach of my Human Rights. Music should certainly not be played when there are no activities taking place. Last week it was pouring down with rain and yet this group collected on the verandah and the

noise was horrific from early evening until 10.10pm. The noise has recently become so bad that I am considering going away on a Friday and Saturday evening each week to get some peace

and quietness and if I do there will be legal repercussions.

3. Only recently, a function held at the adjacent Barlow Institute got out of hand and the noise continued outside until 1.30am during which a window was broken, a car was damaged and a

flower overturned. The police were in attendance. Why should residents living in the village have to put up with such behaviour from somewhere else? If the license is granted I can see

similar problems arising with the cricket club who are encouraging a drinking and music culture to ruin what was once a peaceful village.

I urge the Licensing Department to refuse this application and also advise the club that their license is in jeopardy should they keep on with the noise of the music.

Yours faithfully

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APPENDIX 5

From: Sent: To: Subject:

White Janet

Riding Donna 23 July 2019 14:11 White Janet FW: Edgeworth Cricket & Recreation Club

From: Sent: 16 July 2019 15:43 To: Riding Donna <donna.riding@blackburn.gov.uk> Subject: RE: Edgeworth Cricket & Recreation Club

Hi Donna,

Thank you for your reply to my email and for your efforts to reach a satisfactory compromise on the issue of the ECRC licensing agreement.

We do still have concerns however, viz.;

- 1. The phrase 'that the 01:00 am licence will not regularly be utilised' is relatively meaningless, e.g. is one Friday in five and ten Saturdays a year acceptable? The Club wants, understandably, to rent out its room for private functions as frequently as possible which is why it has made the application in the first place. We suspect therefore that the extension will be regularly utilised.
- 2. If the 'Prevention of Public Nuisance' clauses were to be strictly applied, we would have no problems, but,

a) is it reasonable to expect that on warm summer evenings, item 1) will be upheld? ('All doors and windows to be closed when live or recorded music is being played that will be potentially audible outside the premises. Except for access.) and

b) with regard to item 5), there has been no indication to date that 'the level of the music (from external speakers) shall be controlled so as not to cause nuisance at surrounding residential premises.'

Finally, can we suggest that, as the ECRC is part of The Barlow estate, it would make sense to license the sale of alcohol up to midnight. This, we understand, would match The Barlow license.

Regards,

Sent from Mail for Windows 10

From: Riding Donna <<u>donna.riding@blackburn.gov.uk</u>> Sent: Friday, July 5, 2019 3:11:26 PM To: 'alanwo77@hotmail.com' Subject: RE: Edgeworth Cricket & Recreation Club Further to your objection to the variation of Edgworth Cricket Club, I can confirm that through mediation, the new conditions below have been accepted by the premises. With this information I would like to ask if they address your concerns.

If you would still wish to object a hearing would need to be convened where you would be invited to attend to give evidence to support your objection.

Would you be able to confirm via email your wishes, either to continue with your objection or to withdraw it, Please be aware that if the premises breaches the conditions or causes a public nuisance then there is still always an option to review the licence once all the evidence is gathered and witnessed.

Kind regards

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Donna Riding Principal Licensing Officer Public Protection Services White Dove Offices Davyfield Road Depot Davyfield Road BB1 2LX

Licensing Act 2003

Address of Premises:

Edgworth Cricket and Recreation Club, Bolton Road, Edgworth, BI7 0AP

Conditions to be included in the application for the above:

Opening hours to remain the same as detailed in the application, except;

Supply of Alcohol – Friday – Saturday – 11:00 – 01:00

This is following discussions with the management and is based on the understanding that the 01:00 am licence will not regularly be utilised.

Prevention of Public Nuisance

- 1) All doors and windows to be closed when live or recorded music is being played that will be potentially audible outside the premises. Except for access.
- 2) The duty manager or somebody appointed for the purpose shall make regular checks to assess noise impact upon surrounding residential premises when live or recorded music is taking place that may have in impact upon the surrounding area. These checks shall be documented.
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- 4) There shall be clear and legible signage placed at all the exits of the premises requesting that customers leave the premises quietly and with respect for the neighbours (or similar suitable wording).

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- 6) There shall be no drinks allowed outside the premises after 23:00. Signage shall be placed in visible locations to advise customers of this rule.
- 7) At the end of the night, in particular after an event or function has taken place, the duty manager and / or people appointed for that purpose shall assist in ensuring that customers from the event disperse in a quick and orderly fashion.

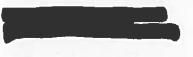
From

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Sent: 01 July 2019 17:33 To: Licensing Team <<u>LicensingTeam@blackburn.gov.uk</u>> Subject: Edgeworth Cricket & Recreation Club

Our attention has just been drawn to a notice high on a lampost on Bolton Road, Edgworth. (This notice had been covered by a second relating to the Ironman UK event in July.)

The notice was to inform residents of the ECRC's application for an extension of licensing hours. Of particular note is the request for hours on Friday and Saturday night to be extended until 2am the following morning. I am a life member of ECRC and fully support what it does for the community, to the point of accepting the current noise level where the Club's music can be heard through double glazing in the rooms at the back of my house until around 11pm. **Constitution** consider it to be unreasonable for the ECRC to expect us to accept the intrusion until 2am, and must therefore reluctantly register our objection. Furthermore, we would like to express our surprise we were not informed of the proposal by letter.



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APPENDIX 6

White Janet

From:
Sent:
To:
Subject:

17 June 2019 20:31 Licensing Team Re Club Premises Certificate number CP11041

Hello, I am contacting you in relation to the application that is being made to vary the club premises certificate.

I have three particular concerns:

- This application is not known to the wider public of Edgworth, the application is taped to a lamppost outside the cricket club, quite high up and not easy to read. The application is mentioned in Barlow Institute trustees minutes, but I doubt that many read these. I suspect that if there was wider consultation in the vicinity of the cricket club, there would be much more opposition.
- My main concern relates to the comments in Section I, that the doors and windows of the club are shut at 10pm so no noise can be heard locally. That does not reflect the reality and there have been many, many occasions on which the sleep of those in the vicinity of the club (including the elderly residents of nearby (and that on one occasion when a local resident sought to get the volume of the music turned down, late at night, he was accused of being against people having fun. That was not the case and the staff member at the cricket club was wilfully missing the point of the resident seeking consideration for the locals.
- Section J of the application seeks extension of the licence to permit drinking up to 2am at weekends. This is simply not acceptable in a residential area. The noise of the departure of revellers from the club after midnight is already bad enough, with taxi doors opening and closing etc, but to extend this by a further two hours seems particularly inappropriate. There are plenty of clubs licenced to sell alcohol to 2am in the Borough, though not many are located in primarily residential areas. For good reason.

I hope that you will take these comments into consideration.

Sent from Windows Mail





Licensing Act 2003

Address of Premises:

Edgworth Cricket and Recreation Club, Bolton Road, Edgworth, BI7 0AP

Conditions to be included in the application for the above:

Opening hours to remain the same as detailed in the application, except;

Supply of Alcohol - Friday - Saturday - 11:00 - 01:00

This is following discussions with the management and is based on the understanding that the 01:00 am licence will not regularly be utilised.

Prevention of Public Nuisance

- 1) All doors and windows to be closed when live or recorded music is being played that will be potentially audible outside the premises. Except for access.
- 2) The duty manager or somebody appointed for the purpose shall make regular checks to assess noise impact upon surrounding residential premises when live or recorded music is taking place that may have in impact upon the surrounding area. These checks shall be documented.
- The duty manager or somebody appointed for that purpose shall check external areas to monitor potential nuisance being caused by customers outside. These checks shall be documented.
- 4) There shall be clear and legible signage placed at all the exits of the premises requesting that customers leave the premises quietly and with respect for the neighbours (or similar suitable wording).
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- 6) There shall be no drinks allowed outside the premises after 23:00. Signage shall be placed in visible locations to advise customers of this rule.
- 7) At the end of the night, in particular after an event or function has taken place, the duty manager and / or people appointed for that purpose shall assist in ensuring that customers from the event disperse in a quick and orderly fashion.

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

Signed (Applicant) Position. Honce Manaryer

Date 26/6/19

Signed (Responsible Authority) - & C

Page 48

APPENDIX 8



Licensing Act 2003

Address of Premises: Edgworth Cricket Club, Bolton Road, Turton. BL7 0AP.

Conditions to be included in the application for a variation to the Club Premises Certificate in respect of the above:

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. 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.
- 3. 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.
- 4. Prominent signage of the age verification policy will be displayed on the premises.

I agree to the above conditions being included in the application for a variation to the Club Premises Certificate under the Licensing Act 2003 in respect of: Edgworth Cricket Club, Bolton Read, Turton. BL7 0AP.

Signed (Applicant) Kemises and Assets Manager. Position... 19 Date. (MWhate - Senior Rublic Ratecnon Signed (Responsible Authority) Offner 12/6/19 1