

Public Document Pack

Licensing Act 2003 Sub-Committee

Tuesday, 12th July, 2022

7.00 pm

Meeting Room A

AGENDA

1. **Welcome and Apologies**

2. **Declarations of Interest**
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3. **Application to Vary a Premises Licence**
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Date Published: 1st July 2022
Denise Park, 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 Disclosable Pecuniary Interest or an Other Interest under paragraph 16.1 of the Code of Conduct, 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 Democratic Services Officer at the commencement of the meeting and declare such an interest at the appropriate point on the agenda.

MEETING: LICENSING ACT SUB COMMITTEE

DATE: 12th July 2022

AGENDA ITEM NO.:

DESCRIPTION (BRIEF):

NATURE OF INTEREST:

DISCLOSABLE PECUNIARY/OTHER (delete as appropriate)

SIGNED :

PRINT NAME:

(Paragraphs 8 to 17 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 SUB-COMMITTEE Date: 12/7/2022

**TITLE : APPLICATION FOR A VARIATION OF A PREMISES LICENCE -
The Barlow Institute, Bolton Road, Edgworth, Bolton, BL7 0AP**

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| 1. | <u>PURPOSE OF REPORT</u> |
| 1.1 | For members to consider an application to vary premises licence LP8490, in respect of the Barlow Institute, Bolton Road, Edgworth, Bolton, BL7 0AP. |
| 2. | <u>BACKGROUND</u> |
| 2.1 | The Licensing Act 2003 provides for the functions of the licensing authority (including its determinations) 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 considered on its own merits, and the licensing authority will take its decision based upon: <ul style="list-style-type: none">● The merits of the application● The promotion of the four licensing objectives● The Licensing Authority's statement of policy● Statutory Guidance issued by the Secretary of State under section 182 of the Licensing act 2003. |

3

DETAIL

3.1

An application to vary premises licence LP23640, under section 34 of the Licensing Act 2003, was received on 10 May 2022, from the Committee in respect of the Barlow Institute, Bolton Road, Edgworth, Bolton BL7 0AP, **(Appendix 1)**.

3.2

The current licence **(Appendix 2)** authorises the following licensable activities:

Live music, recorded music, performances of plays and performances of dance (both indoors and outdoors).

Films and indoor sporting events (indoors only)

Sunday to Thursday between 10:00 hrs and 22:00 hrs,

Friday and Saturday between 10:00 hrs and 23:00 hrs

Supply of alcohol for consumption on and off the premises

Sunday to Thursday between 10:00 hrs and 22:00 hrs,

Friday and Saturday between 10:00 hrs and 23:00 hrs

Hours the premises are open to the public

Monday to Sunday 09:00 hrs to midnight

3.3

The variation seeks authorisation for the following licensable activities:

Live music, recorded music, performances of plays and performances of dance (both indoors and outdoors).

Films and indoor sporting events (indoors only)

Monday to Thursday between 09:00 hrs and 23:00 hrs,

Friday to Sunday between 09:00 hrs and 01:00 hrs

Provision of late night refreshment (indoors and outdoors)

Friday to Sunday between 23:00 hrs and 01.00 hrs

Supply of alcohol for consumption on and off the premises

Monday to Thursday between 09:00 hrs and 23:00 hrs,

Friday to Sunday between 09:00 hrs and 01:00 hrs

Hours the premises are open to the public

Monday to Thursday between 09:00 hrs and 23:00 hrs,

Friday to Sunday between 09:00 hrs and 01:00 hrs

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| 4 | <u>CONSULTATION</u> |
| 4.1 | All the Responsible Authorities have been consulted and public notices have been displayed and published in accordance with the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005. |
| 4.2 | Licensing Officers did receive a call from one of the objectors during the original consultation period, reporting that the blue notice at the premises was not being displayed correctly. |
| 4.3 | On visiting the premises the officer found the notice was displayed in a notice board, but that the date of the notice had been obscured by another document being displayed underneath it. This was brought to the applicant's attention and they promptly uncovered the bottom of the notice and the consultation period was extended to the 21 st June 2022. |
| 4.4 | There have been two objections to this application submitted by local residents (Appendix 3) . |
| 4.5 | Rep 1 is from Mr Geddes, who is concerned about traffic and parking issues, along with the potential for noise nuisance and disturbance from patrons leaving the venue late at night that extended hours would generate. |
| 4.6 | Rep 2 is from Mr and Mrs Bancroft, who are also concerned about traffic, parking, noise nuisance and general disturbance from patrons leaving the venue, if the application is approved. |
| 4.7 | Some additional conditions have been agreed with the Public Protection Service, during the consultation period in respect of Challenge 25 and staff training. (Appendix 4) . |
| 4.8 | Lancashire Constabulary have confirmed they have no objections to the application (Appendix 5) . |
| 4.9 | Lancashire Fire and Rescue Service have confirmed that they have no objection to this application (Appendix 6) . |
| 4.10 | Appendix 7 is a list of all of the conditions either offered by the applicant in the operating schedule, or agreed with consultees, which this licence would be subject to, if members are minded to grant the extended hours sought. |
| 4.11 | It has been determined that both objections from the public are relevant comply with Section 35(6) Licensing Act 2003. |
| 4.12 | The applicant was given notice under Regulation 7(1)(d) Licensing Act 2003 (Hearings Regulations) 2005 and the documents prescribed in Column 3, Schedule 3 have accompanied the Notice of Hearing in accordance with Regulation 7. |

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| <p>5</p> <p>5.1</p> <p>5.2</p> | <p><u>POLICY CONSIDERATIONS</u></p> <p>The relevant section(s) of the Licensing Authority’s current statement of Licensing Policy has been reproduced at Appendix 8 to this report.</p> <p>The relevant section of the statutory guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 has been reproduced at Appendix 9.</p> |
| <p>6</p> <p>6.1</p> <p>6.2</p> <p>6.3</p> <p>6.4</p> | <p><u>THE LICENSING ACT 2003</u></p> <p>After having regard to all the representations, the council’s Statement of Policy and the Statutory Guidance, the Committee must consider whether granting the application in the terms applied for, would undermine any of the licensing objectives.</p> <p>If members are satisfied that the licensing objectives would not be undermined, you should grant the application in the terms applied for.</p> <p>If, however you are concerned that granting the application would have the potential to undermine one or more of the licensing objectives, you must then consider what, if any, steps would be appropriate to secure the promotion of the licensing objectives.</p> <p>You may take any of the following steps:</p> <ul style="list-style-type: none"> • Grant the application, subject to such conditions that the authority considers appropriate for the promotion of the licensing objectives. • Exclude from the scope of the licence, any of the licensable activities to which the application relates (this can include revising the permitted hours for licensable activities). • Reject the whole or part of the application. |
| <p>7</p> <p>7.1</p> <p>7.2</p> <p>7.3</p> | <p><u>LEGAL IMPLICATIONS ARISING FROM THE REPORT</u></p> <p>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.</p> <p>Members are reminded that they should have read and should hear all the facts prior to making a determination</p> <p>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.</p> |

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| 8 | <u>BACKGROUND PAPERS</u> |
| 8.1 | Appendices |
| 8.2 | Statement of Licensing Policy |
| 8.3 | Statutory Guidance issued by the Secretary of State under section 182 of the Licensing act 2003 |
| 8.4 | The Licensing Act 2003. |
| 9 | <u>RECOMMENDATION</u> |
| 9.1 | That members determine the application to vary Premises Licence ref: LP23640. |
| 10 | <u>WARDS AFFECTED</u> |
| 10.1 | The premises are situated in the West Pennine Ward. |
| 11 | <u>CONTACT OFFICER</u> |
| 11.1 | Niky Barrett, Principal Licensing Officer |
| 12 | <u>DATE PREPARED</u> |
| 12.1 | 24 June 2022 |



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

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

* required information

Section 1 of 18

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 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

* 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:

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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

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

Is your business registered outside the UK? Yes No

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

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.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

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.

* Premises 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 (£)

9,800

Section 3 of 18

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 Barlow Institute Edgworth is A registered charity and village community center.

Village Hall, Cafe and Library situated in the heart of Edgworth Village.

Proposed variation - Extending the current licensing hours for special events held mainly at weekends, including weddings, , birthday parties and village community events, charity days and fun days etc. ,

Section 4 of 18

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

Standard Days And Timings

MONDAY

Start

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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.

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TUESDAY

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Will the performance of a play 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.

Provide further details here.

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.

Live performances with amplified and unamplified music

State any seasonal variations for performing plays.

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

Continued from previous page...

Non standard timings. Where the premises will be used for the performance of a play 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.

Section 5 of 18

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

Standard Days And Timings

MONDAY

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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

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SUNDAY

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Will the exhibition of films 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.

Amplified and unamplified music

State any seasonal variations for the exhibition of film.

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 exhibition of film 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.

Section 6 of 18

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

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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

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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.

Amplified and Unamplified Music

State any seasonal variations for indoor sporting events.

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.

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Continued from previous page...

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

Section 8 of 18

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

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

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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.

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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.

Continued from previous page...

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.

Amplified Music
Unamplified music

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.

The majority of entertainment takes place indoors within the village Hall and reading room when hosting events, weddings, christenings and birthday celebrations etc.
Occasionally in the summer months we may have live singers on the outdoor Green / outdoor cafe seating area.

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.

Section 9 of 18

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

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

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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

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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.

Amplified music
Unamplified music

State any seasonal variations for playing recorded music.

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

The majority of entertainment takes place indoors within the village Hall and reading room when hosting events, weddings, christenings and birthday celebrations etc.
Occasionally in the summer months we may have live singers on the outdoor Green / outdoor cafe seating area.

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.

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Continued from previous page...

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

Yes No

Standard Days And Timings

MONDAY

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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

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Will the performance of dance 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.

Amplified and Unamplified

State any seasonal variations for the performance of dance.

Continued from previous page...

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

The majority of entertainment takes place indoors within the village Hall and reading room when hosting events, weddings, christenings and birthday celebrations etc.
Occasionally in the summer months we may have live singers on the outdoor Green / outdoor cafe seating area.

Non-standard timings. Where the premises will be used for the performance of dance 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.

Section 11 of 18

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

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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.

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FRIDAY

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SUNDAY

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

Theatrical performances

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.

Amplified Music
Unamplified Music

State any seasonal variations for entertainment.

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

The majority of entertainment takes place indoors within the village Hall and reading room when hosting events, weddings, christenings and birthday celebrations etc.
Occasionally in the summer months we may have live singers on the outdoor Green / outdoor cafe seating area.

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...

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

Standard Days And Timings

MONDAY

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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.

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Will the provision of late night refreshment 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.

Amplified Music
Unamplified Music

Continued from previous page...

State any seasonal variations.

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

The majority of entertainment takes place indoors within the village Hall and reading room when hosting events, weddings, christenings and birthday celebrations etc.

Occasionally in the summer months we may have live singers on the outdoor Green / outdoor cafe seating area.

Non standard timings. Where the premises will be used for the provision of late night refreshment 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.

Section 13 of 18

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

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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.

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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.

The majority of entertainment takes place indoors within the village Hall and reading room when hosting events, weddings, christenings and birthday celebrations etc.
Occasionally in the summer months we may have live singers on the outdoor Green / outdoor cafe seating area.

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.

Section 14 of 18

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.

Not Applicable

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start

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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

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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 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.

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.

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.

Section 16 of 18

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

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

- At least one personal License holder will be available at all times when alcohol is being sold.
- The DPS will be available / contactable at all times.
- We operate a strict proof of age policy
A Challenge 25 policy is in operation at all times. Staff are familiar with the age verification policy and exercise due diligence by asking for proof of age from any person who appears to be under the age of 25.
- Documentary evidence can be A photo driving license, A passport or a proof of age scheme card which carries the PASS.
- We operate a strict Alcohol Management plan

b) The prevention of crime and disorder

- CCTV covers the majority of the site. Specific cameras are deployed within the bar area, reading room, corridors, car park , front and rear of the property.
- Alcohol and soft drinks are served in appropriate receptacles.
- Customers are not be permitted to take open containers of alcohol off the premises.
Customer are not permitted to bring containers of alcohol into the premises.
- Bottle bins for collection or empty bottles are not be accessible to members of the Public.

- We have a capacity limit of 300 to prevent overcrowding which could lead to crime and disorder.
- Our capacity limit is based on advice from the local Police and Fire Service.
- Supervisor staff ensure the capacity limits are not exceeded, at all times.
- We have a strict proof of age policy in place – A Challenge 25 policy is in operation at all times. Staff are familiar with the age verification policy and exercise due diligence by asking for proof of age from any person who appears to be under the age of 25.
Documentary evidence can be A photo driving license, A passport or a proof of age scheme card which carries the PASS.
- A refusal register is kept on site.
- All-inclusive nights or other irresponsible drinks promotions are not permitted.
- Drugs are not permitted on-site and A drugs register will be maintained.
The Police will be notified of all seizures of controlled drugs.

Continued from previous page...

c) Public safety

- An safety and evacuation plan is issued by our registered Health & Safety Officer
- 7 Exits are located on the premises for evacuation,
- Adequate and appropriate First Aid equipment and materials are available on site for staff / customers if required.
- Public first aid is managed and covered by our registered Health & Safety Officer
- At least one suitable trained First Aider is on duty when the public are present.
- The Barlow Institute holds Public Liability Insurance to the sum of £5,000,000 million. The certificate is displayed at the premises.
- Portable firefighting equipment is certified and located around the building for localised incidents.
- All electrical equipment used on site has
 - PAT/electrical safety certification prior to any mains connection.
 - Is located in a weatherproof area
 - Is located in an area (as best possible) so that it cannot be touched by public or unauthorised workers.
- Free drinking water is available at all times when the premises are open to the Public.
- A "No Smoking " policy is operated and enforced at the premises.
- Searching as a condition of entry will be considered at all times and will be mandatory when directed by Police.
- A refusal register is kept on the premises.

d) The prevention of public nuisance

- Noise or vibrations from any event will be maintained at a level agreed with the local Council police and licensing team
- Disposal of empty bottles into waste receptacles outside the premises will not be permitted to take place between the hours of 24:00 hrs and 08:00 hrs to minimise disturbance to nearby occupiers.
- The playing of live music in the outside areas of the premises is not permitted after 23:00hrs.
- The outside seating areas are closed to the public after 23.00hrs.
- Litter receptacles are placed outside the premises for customers to use and are emptied daily.
- The premises has a waste collection contract with Blackburn Council who remove waste on a weekly basis.

e) The protection of children from harm

- No Persons under the age of 18 can purchase alcohol anywhere within the licensed premises
- We operate a strict proof of age policy - A Challenge 25 policy is in operation at all times. Staff are familiar with the age verification policy and exercise due diligence by asking for proof of age from any person who appears to be under the age of 25.
- Documentary evidence can be A photo driving license, A passport or a proof of age scheme card which carries the PASS.
- We operate an strict Alcohol Management plan

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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 the 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 your 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 (£)

DECLARATION

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

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 Next >

Part A
Premises Licence
Blackburn with Darwen Borough Council

APPENDIX 2.

Premises licence number

LP23640

Part 1 - Premises details

| | |
|---|-------------------|
| Postal address of premises, or if none, ordnance survey map reference or description | |
| Barlow Institute Bolton Road | |
| Post town Edgworth | Post code BL7 0AP |
| Telephone number 01204 852216 | |

Where the licence is time limited the dates

Start Date:

End Date:

Licensable activities authorised by the licence

| | | | |
|---------------------------|----------------------|------------------------|---------------------------|
| Sale by retail of alcohol | Performance of dance | Playing recorded music | Performance of live music |
| Indoor sporting event | | Performance of a play | Exhibition of film |
| Late night refreshment | | | |

The times the licence authorises the carrying out of licensable activities

| Licensing Activity Times | | | |
|---------------------------|---|---------------------------|---|
| Sale by retail of alcohol | Monday.....10:00 to 22:00 Tuesday.....10:00 to 22:00 Wednesday.....10:00 to 22:00 Thursday.....10:00 to 22:00 Friday.....10:00 to 23:00 Saturday.....10:00 to 23:00 Sunday.....10:00 to 22:00 | Late night refreshment | Monday.....10:00 to 22:00 Tuesday.....10:00 to 22:00 Wednesday.....10:00 to 22:00 Thursday.....10:00 to 22:00 Friday.....10:00 to 23:00 Saturday.....10:00 to 23:00 Sunday.....10:00 to 22:00 |
| Playing recorded music | Monday.....10:00 to 22:00 Tuesday.....10:00 to 22:00 Wednesday.....10:00 to 22:00 Thursday.....10:00 to 22:00 Friday.....10:00 to 23:00 Saturday.....10:00 to 23:00 Sunday.....10:00 to 22:00 | Performance of live music | Monday.....10:00 to 22:00 Tuesday.....10:00 to 22:00 Wednesday.....10:00 to 22:00 Thursday.....10:00 to 22:00 Friday.....10:00 to 23:00 Saturday.....10:00 to 23:00 Sunday.....10:00 to 22:00 |
| Indoor sporting event | Monday.....10:00 to 22:00 Tuesday.....10:00 to 22:00 Wednesday.....10:00 to 22:00 Thursday.....10:00 to 22:00 Friday.....10:00 to 23:00 Saturday.....10:00 to 23:00 Sunday.....10:00 to 22:00 | Performance of a play | Monday.....10:00 to 22:00 Tuesday.....10:00 to 22:00 Wednesday.....10:00 to 22:00 Thursday.....10:00 to 22:00 Friday.....10:00 to 23:00 Saturday.....10:00 to 23:00 Sunday.....10:00 to 22:00 |
| Performance of dance | Monday.....10:00 to 22:00 Tuesday.....10:00 to 22:00 Wednesday.....10:00 to 22:00 Thursday.....10:00 to 22:00 Friday.....10:00 to 23:00 Saturday.....10:00 to 23:00 Sunday.....10:00 to 22:00 | Exhibition of film | Monday.....10:00 to 22:00 Tuesday.....10:00 to 22:00 Wednesday.....10:00 to 22:00 Thursday.....10:00 to 22:00 Friday.....10:00 to 23:00 Saturday.....10:00 to 23:00 Sunday.....10:00 to 22:00 |

The opening hours of the premises

| | | | |
|----------------------|------------------------------------|----------|------------------------------------|
| Hours Open to Public | | | |
| Monday | Opening hours 09.00hrs to 00.00hrs | Friday | Opening hours 09.00hrs to 00.00hrs |
| Tuesday | Opening hours 09.00hrs to 00.00hrs | Saturday | Opening hours 09.00hrs to 00.00hrs |
| Wednesday | Opening hours 09.00hrs to 00.00hrs | Sunday | Opening hours 09.00hrs to 00.00hrs |
| Thursday | Opening hours 09.00hrs to 00.00hrs | | |

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies On and off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

The Barlow Committee The Barlow Institute Bolton Road Turton Bolton BL7 0AD

Registered number of holder, for example company number, charity number (where applicable)

521333

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol Philip Grundy ~~XXXXXXXXXXXXXXXXXXXX~~

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence No: PL31161

Issuing Authority: Blackburn with Darwen Council

Annex 1 - Mandatory conditions

Authorising Supply of Alcohol

Mandatory conditions where licence authorises supply of alcohol

No supply of alcohol may be made under the premises licence

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises

Games or other activities which require or encourage, or are designed to require or encourage, individuals to:-
drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or drink as much alcohol as possible (whether within a time limit or otherwise).

Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective.

Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective.

Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorize anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

- (a) a holographic mark or
- (b) an ultraviolet feature

The responsible person must ensure that where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures beer or cider: 1/2 pint, gin, rum, vodka or whisky- 25 ml or 35 ml, and still wine in a glass: 125 ml, these measures are displayed in a menu, price list or other printed material which is available to customers on the premises, and where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Every retail sale or supply of alcohol made under the premises licence must be made or authorised by a person who holds a personal licence.

(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(ii) For the purposes of the condition set out in paragraph 1—

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979,

(b) "permitted price" is the price found by applying the formula— $P = D + (D \times V)$ where— (i) P is the permitted price. (ii) D is the

amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol,
 (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence— (i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence,
 (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question, and
 (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
 (iii) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 (iii) 1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 (2)
 The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Exhibition of Films

Mandatory condition for the exhibition of films

- (1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
- (2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
- (3) Where- (a) the film classification body is not specified in the licence, or (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.
- (4) In this section- "children" means persons aged under 18, and "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Annex 2 - Conditions consistent with the operating Schedule

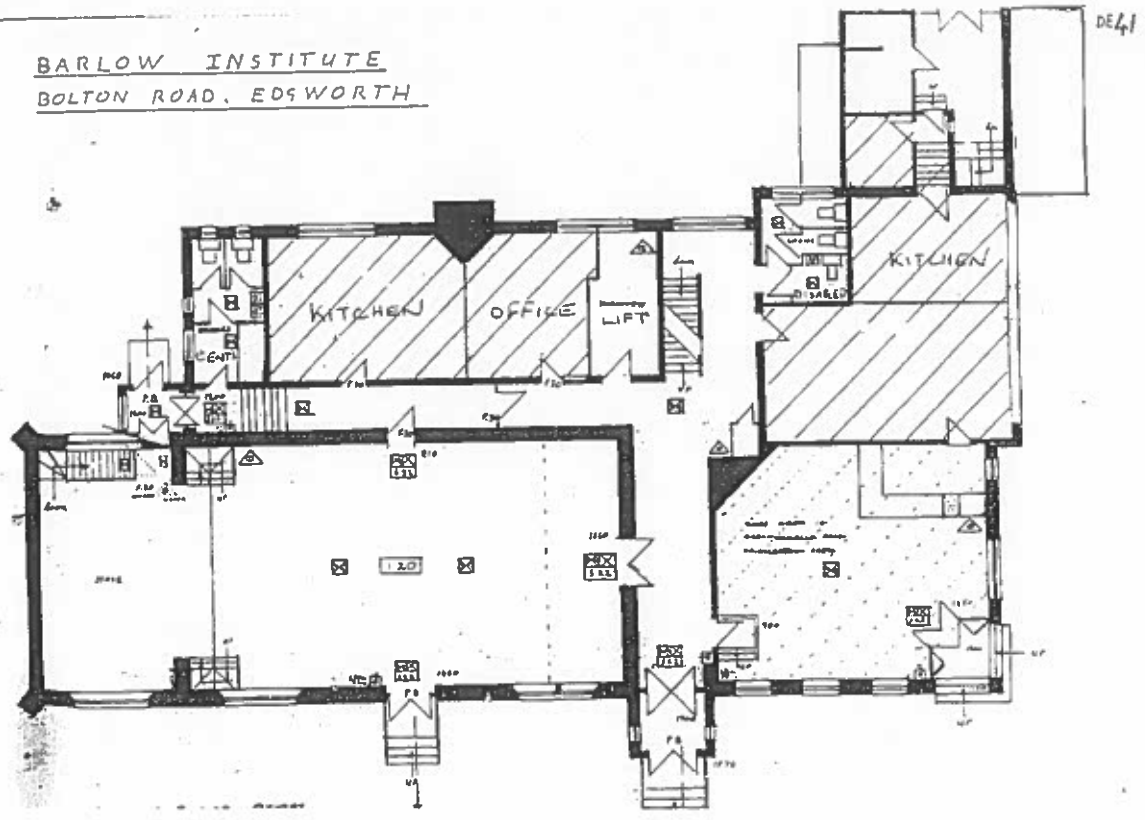
| | |
|--------------------------------|--|
| General - All 4 Licence cond. | Child protection policy. Risk Assessment. Training. |
| Prevention of Crime & Disorder | Do not run or promote happy hours. Premises will be staffed at all times and we will work in close partnership with the community beat manager and local residents. |
| Public Safety | Risk Assessments carried out. Volunteers/staff trained in health and safety. |
| Prevention of Public Nuisance | Strong links with local residents to discuss and address any issues. Careful monitoring of private events and functions |
| Protection of Children | Child protection. Staff / Volunteers will be CRB checked. Staff / Volunteers trained to ask for ID with utmost discretion. |

Annex 3 - Conditions attached after a hearing by the licensing authority

| | |
|--------------------|--|
| Imposed Conditions | <p>All doors and windows to be kept closed during the performance of live and recorded music within the premises. The DPS shall undertake offsite monitoring when entertainments are in progress - to assess the impact of any noise on local residents. The noise level should be reduced in the event that noise is giving rise to disturbance in neighbouring properties. A log book will be kept on the premises to record aforesaid monitoring, and any complaints of noise that are received. The use of any external/outdoor speakers or sound amplification to finish on or before 21:00 hrs. A sound limiting device to be fitted working with the advice from the public protection section to set the appropriate level. The hours for the provision of all regulated entertainment (including the sale of alcohol) on Sunday to be reduced from 11pm to 10pm. Appropriate signage to be located at various points in the building, in particular the exits requesting that consideration be given to local residents re noise levels when exiting the building. No Hen, stag, 18th or 21st events to be held. In addition to the above conditions, we also request that consideration be given to locating a smoking shelter to the rear of the premises in line with, if so granted planning permission. Barlow Institute must consult with residents in relation to any concerns that may arise.</p> <p>The following was discussed between Elinor Whitlock of the Barlow Institute and Mr John Wood Public Protection Officer and although not licence conditions, it is important that there is an appropriate record as to the context of some of the conditions noted above. A)The soundproofing at the premises is likely to be limited, due to large windows of single glazing type. Therefore management must carefully choose entertainment that is appropriate for this building construction, to prevent a breach of the conditions above. B)The use of amplified external speakers should be a very rare occurrence and limited to special occasions only. It is not anticipated that this will be a common occurrence. C)Compliance with the conditions above do not exclude the premises/DPS from enforcement action under noise nuisance legislation, i.e S79 and 80 of the Environmental Protection Act 1990.</p> |
|--------------------|--|

Annex 4 - Plans

BARLOW INSTITUTE
BOLTON ROAD, EDG WORTH



From: JAMES GEDDES [REDACTED]
Sent: 19 June 2022 17:41
To: Licensing Team <LicensingTeam@blackburn.gov.uk>

APPENDIX 3
REP 1

Subject: Objection to Application to vary the premises licence at THE BARLOW, Edgworth,

Good afternoon,

I wish to object to the application to vary a premises licence at The Barlow, 216 Bolton Road, Edgworth, BL7 0AP on the grounds:

1. Edgworth is a village with a rapidly increasing traffic problem due to the extension of social and sports functions centered around the Barlow estate and this has been exasperated since the White Horse closed its car park to everyday parking by installing cameras with a penalty for non-payment. The main road has become a one-way road at certain parts of the day and evenings and at a recent event these problems spilled over into the Moorfield estate. I understand that at future events Moorfield Ave will be barricaded off and only house owners will be allowed to park there so this will throw more congestion onto the main road which is grossly unfair to the houses facing onto Bolton Road. Has this been agreed with the local Council?

Traffic has increased drastically since the MUGA was opened and most evenings and at weekend the car park is full and cars and vans are driving around looking for somewhere to park. Most evenings cars and vans are left overnight in the car park and this has a knock-on effect the following day and is often filled by mid-morning. Allowing an extension to the opening hours with an extension to the sale of alcohol will almost certainly increase the number of cars left overnight .

2. The Barlow Estate is situated in a residential area with houses facing the front of it, and on the right-hand side as you enter there is a retirement complex of 20 houses and 8 of these houses have bedrooms overlooking the recently renovated glass lean-to as well as overlooking the newly erected veranda. At present, the glass house and veranda are used during the daytime for dining but in the evening, when the tea room is closed it becomes a smoking area. This means that, if the extension is granted, the local residents on Bolton Rd and Barlow Court may have to put up with noise until after 1 am on some evenings as well as car doors being banged, engines revving and headlights shining into our bedrooms as well as the sound of music from the Barlow.

I trust that , if you are persuaded to grant the extensions requested, that some very strict rules are laid down such as all windows and doors to be kept closed after 10 pm, no use of the glass house and veranda after 10 pm, a person of authority to be present to see that any restrictions are obeyed and also someone at the doors to see that patrons leave the building in a civilised manner and are requested to depart quietly and that no music or events are permitted outside after 10 pm

The residents have had problems in the past with noise from the cricket club but since Covid, there have not been any real problems, which is, I believe, down to the restrictions placed on them when they got their extension so I trust that, if the Barlow is granted the new extension to their opening times, very strict restrictions will be attached to the permission on music being played outside, no use of the glass lean-to and verandah after 10 pm, doors and windows to be closed at 10 pm and someone of authority to oversee the event and ensure any restrictions placed on the license is strictly obeyed.

Best wishes

James Geddes, 7 Barlow Court, Edgworth, BL7 0PB,

From: AILSA BANCROFT [REDACTED] >
Sent: 21 June 2022 11:23
To: Licensing Team <LicensingTeam@blackburn.gov.uk>
Subject: Concerns regarding the application of the Barlow Institute to extend licencing hours

Good Morning

The application relates to extending the opening hours of the licenced premises at the Barlow Institute Edgworth at weekends until the early hours of the morning, to 1 am.

Bolton Road in Edgworth is already very busy, with parked cars on both sides of the road, many on pavements, impeding pedestrian access. Extending the licencing hours will bring more traffic to the vicinity. Emergency service vehicles would struggle to get past these parked cars , as the road is narrowed considerably.

The houses in the proximity to the Barlow Institute , including Barlow Court, mainly accommodate elderly people, many who have extensive health issues. To have people emerging from the Barlow Institute at 1 am and later, intoxicated, noisy , seems to be very inconsiderate. We believe that none of the Trustees of the Barlow live near to the building. They will not be affected directly by the extended opening hours. The plans include a range of events, all of which will disturb the peace in what used to be a quiet village - live music till 1 am is not welcome in Edgworth by those nearest to the Barlow Institute.

We do not suggest that people should not experience live music or the other types of events that are proposed in this application , but there are other places , such as town centres, where disturbance will not be caused to too many in the vicinity.

Please consider the impact of the effects of this application on those who live nearest to the Barlow Institute: they will not wish to have their sleep disturbed beyond 1 am at weekends, they will not welcome the extra parking chaos and the prospect of a blocked Bolton Road, increased traffic and noise. The current licencing hours of the Barlow Institute and those of the nearby cricket club, already have harmful effects on others, as we experience anti- social behaviour, increased littering, traffic congestion, unwelcome noise etc.

Regards

Julian and Ailsa Bancroft
Bolton Rd,
Edgworth



APPENDIX 4.

Licensing Act 2003

Address of Premises: Barlow Institute, 216 Bolton Road, Edgworth. BL7 0AP.

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

Protection of Children from Harm

1. 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.
2. All staff shall receive training to prevent under age sales of alcohol including checks to be undertaken at point of sale 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. 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 of Premises Licence under the Licensing Act 2003 in respect of **Barlow Institute, 216 Bolton Road, Edgworth. BL7 0AP.**

Signed (Applicant) .....

Position..... **Events and Hospitality**

Date..... **28.5.2022**

Signed (Responsible Authority)

Niky Barrett

From: East Police Licensing <EastPoliceLicensing@lancashire.police.uk>
Sent: 11 May 2022 13:14
To: Licensing Team
Subject: Barlow Institute - Variation

| NAME/PREMISES | ADDRESS | DETAILS | DATE RECD | Part A recd/req | NOTES |
|------------------|--|-------------------|-----------|-----------------|---|
| BARLOW INSTITUTE | 216 BOLTON ROAD, EDGEWORTH, BL7 0PN | VARIATION - HOURS | 10.05.22 | | 11.05.22 NO POLICE OBJECTIONS PER PS 3707 HENNIGHAN |

Thanks, Sarah

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OFFICIAL



Blackburn with Darwen Council
Licensing Department
Lower Ground Floor
Town Hall
King
Blackburn
BB1 7DY

Please ask for: Sam Edwards
Telephone: 01254262721/07920786816
Email: SamanthaEdwards@lancsfireandrescue.org.uk
Your Ref:
Our Ref: 2022-05-11__E/604508_The Barlow Memorial
Date: Institute
12 May 2022

To whom it may concern

ISSUE OF A VARIATION LICENCE

Legislation: Licensing Act 2003
Name of Applicant: The Barlow Memorial Institute
Premises Address: Bolton Road, Edgeworth BL7 0AP

The above application has been inspected and the Fire Authority has no objection to the Issue of a premises licence.

These premises are subject to the Regulatory Reform (Fire Safety) Order 2005 and a fire risk assessment should be carried out by the responsible person.

If a pavement licence is granted, the fire risk assessment may need to be amended and consideration should be given to the positioning of chairs, tables and other furniture so that fire safety precautions, including the means of escape are not obstructed and are available at all material times.

The Fire Authority may inspect the premises to ensure compliance with the Regulatory Reform (Fire Safety) Order 2005, and the Risk Assessment may be required by the Licensing Authority to satisfy the licensing objective relating to public safety.

Additional Comments:

If you would like to discuss this or any other matter of fire safety, please call me on
01254262721/07920786816

Yours faithfully,

Sam Edwards

Fire Safety Inspector
for Chief Fire Officer

Lancashire Fire and Rescue Service
Blackburn Fire Station
Byrom Street
Blackburn
BB2 2LE

Draft Annex 2

Prevention of Crime and Disorder

1. At least one Personal Licence holder will be available at all times when alcohol is being sold.
2. The DPS will be available / contactable at all times.
3. CCTV covers the majority of the site. Specific cameras are deployed within the bar area, reading room, corridors, car park, front and rear of the property.
4. Alcohol and soft drinks are served in appropriate receptacles.
5. The premises operates a strict Alcohol Management plan.
6. Customers are not be permitted to take open containers of alcohol off the premises.
7. Customer are not permitted to bring containers of alcohol into the premises.
8. The premises operate a capacity limit of 300 to prevent overcrowding which could lead to crime and disorder on the advice from the local Police and Fire Service. Staff ensure the capacity limits are not exceeded, at all times.
9. Drugs are not permitted on-site and a drugs register will be maintained. The Police will be notified of all seizures of controlled drugs.
10. Searching as a condition of entry will be considered at all times and will be mandatory when directed by Police.
11. Bottle bins for the collection of empty bottles shall not be accessible to members of the public.
12. All-inclusive nights or other irresponsible drinks promotions are not permitted.

Prevention of Public Nuisance

1. Noise or vibrations from any event will be maintained at a level agreed with the local council police and licensing team
2. Disposal of empty bottles into waste receptacles outside the premises will not be permitted to take place between the hours of 24:00 hrs and 08:00 hrs to minimise disturbance to nearby occupiers.
3. The playing of live music in the outside areas of the premises is not permitted after 23:00hrs.
4. The outside seating areas are closed to the public after 23.00hrs.
5. Litter receptacles are placed outside the premises for customers to use and shall be emptied daily.
6. The premises has a waste collection contract to remove waste on a weekly basis.

Protection of Children from Harm

1. No persons under the age of 18 may purchase alcohol anywhere within the licensed premises.
2. The premises shall operate a Challenge 25 policy and signage about the age verification policy shall be prominently displayed on the premises.
3. A Challenge 25 policy shall be in operation at all times. Staff are familiar with the age verification policy and exercise due diligence by asking for proof of age from any person who appears to be under the age of 25. Documentary evidence can be photo driving licence, a passport or a proof of age scheme card which carries the PASS logo.
4. All staff shall receive training to prevent under age sales of alcohol, including checks to be undertaken at the point of sale of alcohol.
5. All staff will receive regular refresher training. Training is to be documented and training records are to be presented to the Police or an authorised officer upon request.
6. 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.
7. There shall be no 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.

Public Safety

1. A safety and evacuation plan is issued by our registered Health & Safety Officer and 7 exits are located on the premises for evacuation.
2. Adequate and appropriate First Aid equipment and materials are available on site for staff / customers if required.
3. Public first aid is managed and covered by our registered Health & Safety Officer
4. At least one suitable trained First Aider is on duty when the public are present.
5. The Barlow Institute holds Public Liability Insurance to the sum of £5,000,000 million. The certificate is displayed at the premises.
6. Portable firefighting equipment is certified and located around the building for localised incidents.
7. All electrical equipment used on site has
 - PAT/electrical safety certification prior to any mains connection.
 - Is located in a weatherproof area
 - Is located in an area (as best possible) so that it cannot be touched by public or unauthorised workers.

Extract from Licensing Policy

Variations of Licences

- 86. Applications to vary a Premises Licence, other than a minor variation, will be dealt with in a similar manner to applications for a new Premises Licence. If relevant representations are not received, the application for variation will be granted.
- 87. If relevant representations are made and not withdrawn, the Licensing Committee will hold a hearing and at that hearing may:
 - a) Modify the conditions of the Licence; or
 - b) Reject the whole or part of the application.
- 88. The Licence will not be varied so as to:
 - a) Extend the period for which the Licence has effect; or
 - b) To vary substantially the premises to which it relates.
- 89. The Council may vary a Premises Licence so that it has effect subject to different conditions in respect of:
 - a) Different parts of the premises concerned; and
 - b) Different licensable activities.

Trading Hours

- 150. 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.
- 151. 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.
- 152. 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.
- 153. 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.

154. 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.
155. 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.
156. 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.

Conditions

166. The Licensing Authority will not impose standard conditions other than the statutory mandatory conditions. The licensing Authority may only attach conditions to a licence if relevant representations are received (except for conditions drawn from the applicants operating schedule since these are voluntary proposals).
167. Any condition that is imposed on licensed premises will be tailored to the specific needs of the premises to which the condition relates and will be linked to one of the licensing objectives e.g. crime and disorder prevention strategies and a condition requiring premises to install CCTV.
168. Conditions attached to permissions will be focussed on matters that are within the control of individual licence holders and others possessing authorisations. The Licensing Authority will focus on the direct impact of activities taking place on the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.
169. This policy is not a mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the licensee or away from the vicinity of the licensed premises.
170. The government has produced a 'pool' of 'model conditions' with guidance as to their intended use. These model conditions are reproduced within appendix two. Licensing Authorities may add specific conditions to a licence to address particular issues.
171. Conditions will not be imposed in relation to the nature or content of plays to be performed or the manner of performing plays. The absence of any such condition does not imply any exemption from any other statutory prohibition such as the Obscene Publications Act or common law.
172. Stricter conditions in relation to noise control can be expected in areas which have residential accommodation

Extract from Statutory Guidance issued under s.182 of the Licensing Act 2003

Licence conditions – general principles

- 1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged. Licence conditions:
- must be appropriate for the promotion of the licensing objectives;
 - must be precise and enforceable;
 - must be unambiguous and clear in what they intend to achieve;
 - should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
 - must be tailored to the individual type, location and characteristics of the premises and events concerned;
 - should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
 - should not replicate offences set out in the 2003 Act or other legislation;
 - should be proportionate, justifiable and be capable of being met;
 - cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
 - should be written in a prescriptive format.

Each application on its own merits

- 1.17 Each application must be considered on its own merits and in accordance with the licensing authority’s statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

Public nuisance

- 2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises.

Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

- 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.
- 2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in antisocial behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

Hearings

- 9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.

- 9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
- the steps that are appropriate to promote the licensing objectives;
 - the representations (including supporting information) presented by all the parties;
 - this Guidance;
 - its own statement of licensing policy.
- 9.39 The licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety. Any conditions added to the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.
- 9.40 Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information.

Determining actions that are appropriate for the promotion of the licensing objectives

- 9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.
- 9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.
- 9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.