

Public Document Pack

Licensing Act 2003 Sub-Committee

Thursday, 18th January, 2024
6.00 pm

AGENDA

1. **Welcome and Apologies**
2. **Declaration of Interest**
DECLARATIONS OF INTEREST FORM **2**
3. **Application to Vary a Premises Licence**
Application to Vary a Premises Licence **3 - 40**
Appendix 1
Appendix 2
Appendix 3
Appendix 4
Appendix 5
Appendix 6
4. **Application for a new Premises Licence**
Application for a new Premises Licence **41 - 73**
Appendix 1
Appendix 2
Appendix 3
Appendix 4
Appendix 5

Date Published: Wednesday 10th January 2024
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: **General Licensing Sub Committee**

DATE: **18th January 2024**

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)

Agenda Item 3

DEPARTMENT OF ENVIRONMENT AND LEISURE

ORIGINATING SECTION: PUBLIC PROTECTION SERVICE

REPORT TO: LICENSING ACT SUB-COMMITTEE Date: 18 January 2024

**TITLE : APPLICATION FOR A VARIATION OF A PREMISES LICENCE – LP8373
The Wellington Inn.**

1.	<u>PURPOSE OF REPORT</u>
1.1	For members to consider an application to vary premises licence LP8490, in respect of the Wellington Inn, 362 Livesey Branch Road, Blackburn, BB2 4QJ .
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.
2.2	The Licensing Committee may delegate these functions to sub-committees. Officers deal with matters under delegated powers where there are no relevant representations for the following application types:- an application for the grant or variation of a premises licence or club premises certificate; a police objection to an application for a personal licence or an objection from Police or Environmental Health to an activity taking place under the authority of a temporary event notice.
2.3	The Council's Statement of Licensing Policy indicates how the licensing authority approaches its various functions.
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.

<p>3</p> <p>3.1</p> <p>3.2</p> <p>3.3</p>	<p><u>DETAIL</u></p> <p>An application to vary premises licence LP8373, under s.34 of the Licensing Act 2003, was received on 16 November 2023, from Admiral Taverns Ltd (Appendix 1).</p> <p>The current licence (Appendix 2) authorises the following licensable activities:</p> <p>Supply of alcohol for consumption on and off the premises</p> <p>Monday to Thursday between 11:00 hrs and 00:00 hrs Friday and Saturday between 11:00 hrs and 01:00 hrs Sunday between 12 noon and 23:30 hrs</p> <p>In addition the sale of alcohol is also permitted:-</p> <p>For a further hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.</p> <p>A further hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for Easter Bank Holiday weekend.</p> <p>A further hour every Christmas Eve and Boxing Day. To reflect existing New Year's Eve/Day hours.</p> <p>The premises is authorised to be open to the public from the beginning of the permitted hours for alcohol sales until 30 minutes after the end of the permitted hours for such sales.</p> <p>The applicant seeks permission to be able to open and sell alcohol from 09:00 hrs on every day of the week.</p>
<p>4</p> <p>4.1</p> <p>4.2</p> <p>4.3</p> <p>4.4</p>	<p><u>CONSULTATION</u></p> <p>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.</p> <p>There have been three objections to this application submitted by local residents (Appendix 3).</p> <p>Rep 1 is concerned that they are already subject to disturbance, littering, parking issues and anti-social behaviour from the premises and its patrons, and they are concerned that this will increase if they are granted additional hours.</p> <p>Rep 2 is also concerned about the potential for additional disturbance, littering and anti-social behaviour if the application is granted.</p>

<p>4.5</p> <p>4.6</p> <p>4.7</p> <p>4.8</p>	<p>Rep 3 is also concerned that their existing problems with parking, littering, disturbance and anti-social behaviour will increase if the application is granted.</p> <p>Lancashire Constabulary have confirmed they have no objections to the application following agreement with the applicant to an additional condition (Appendix 4).</p> <p>Lancashire Fire and Rescue Service have confirmed that they have no objection to this application (Appendix 5).</p> <p>It has been determined that the objections from the public are relevant comply with Section 35(6) Licensing Act 2003.</p>
<p>5</p> <p>5.1</p>	<p><u>POLICY CONSIDERATIONS</u></p> <p>The Council's current statement of Licensing Policy addresses trading hours as follows:</p> <p>142. This Policy recognises that longer and more flexible licensing hours can contribute to easing crime and disorder problems by ensuring that concentrations of customers leaving premises simultaneously are avoided thus helping to reduce friction at taxi ranks and private hire offices, fast food outlets etc.</p> <p>143. The Policy will not set fixed trading hours within any designated area though the Policy recognises that stricter conditions with regard to noise control will be necessary in more densely populated residential areas. Additional security measures may need to be considered on premises which remain open to the public after 3:00am. Each application will be judged on its merits with the discharging of the licensing objectives being paramount in every case.</p> <p>144. Unless there are good reasons to the contrary on the grounds of public disorder or crime prevention, shops, stores and supermarkets that sell alcohol will be permitted to do during the times that they would ordinarily sell other goods. It would be for interested persons or the responsible authorities to prove why this should not be so in any particular case.</p> <p>145. As a general presumption, applications for licences to sell alcohol for consumption on the premises (including club premises) who wish to open between 10 am and midnight Sunday to Thursday and 10 am to 1 am Friday and Saturday will have their licence granted - subject to the rights of other persons to object and thereby require a hearing.</p> <p>146. Any premises wishing to open for longer hours, or where amplified music is to be a feature of the entertainment which is provided, will need to demonstrate specifically within their operating schedule, how they will discharge the Licensing Objectives.</p> <p>147. 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.</p> <p>148. In the interests of reducing crime, disorder and anti-social behaviour, the Council will prefer applications for public houses, nightclubs and registered clubs that demonstrate in their operating schedules a responsible approach to alcohol sales by ending such sales some time before the premises themselves are closed ('drinking-up time'). There is no obligation on the holder of a premises licence or club premises certificate to remain open for the entire period permitted by his licence or certificate.</p>

5.2	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 6 .
6	<u>THE LICENSING ACT 2003</u>
6.1	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.
6.2	If members of the sub-committee are satisfied that the licensing objectives would not be undermined, you should grant the application.
6.3	If, however you are concerned that granting the application has 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.
6.4	You may take any of the following steps: <ul style="list-style-type: none"> • Grant the application, subject to such conditions that the you consider 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.
7	<u>LEGAL IMPLICATIONS ARISING FROM THE REPORT</u>
7.1	Members are reminded that they must follow the rules of natural justice and they are bound by the code of conduct for elected members in licensing applications.
7.2	Members are reminded 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.
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: LP8373.

10	<u>WARDS AFFECTED</u>
10.1	The premises are situated in the Mill Hill & Moorgate ward.
11	<u>CONTACT OFFICER</u>
11.1	Niky Barrett, Principal Licensing Officer
12	<u>DATE PREPARED</u>
12.1	20 December 2024



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

Not Currently In Use

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

Your reference

RF/Licensing/WellingtonHotel

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

Admiral Taverns

* Family name

Limited

* E-mail

licensing@admiraltaverns.co.uk

Main telephone number

01244505402

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

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

Registration number

05438628

Business name

Admiral Taverns Limited

If your business is registered, use its registered name.

VAT number

- 974846457

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

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

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 (£)

8,600

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 proposed variation has been submitted to request the extension of opening hours and sale of alcohol to allow the premises to open and serve alcohol from 9:00 daily.

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

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

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[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

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

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

- Yes No

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

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

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

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

- Yes No

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

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

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

- Yes No

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

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

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.

No change - To be specified as currently permitted.

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.

No change - To be specified as currently permitted.

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.

N/A

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="01:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="01:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations.

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

No change - To be specified as currently permitted.

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.

No change - To be specified as currently permitted.

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

None

I have enclosed the premises licence

Continued from previous page...

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.

all conditions currently consistent with operating schedule to remain.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

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 you are required to pay a higher fee. If you are unsure whether the higher fee is applicable please contact the licensing team on 01254 222516.

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

* 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	<input type="text" value="Rebecca Farley"/>
* Capacity	<input type="text" value="Licensing Paralegal"/>
* Date	<input type="text" value="16"/> / <input type="text" value="11"/> / <input type="text" value="2023"/>
	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	<input type="text" value="RF/Licensing/WellingtonHotel"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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



Admiral Taverns Limited
Milton Gate
60 Chiswell Street
London
EC1Y 4AG

Date: As Postmarked
My Ref: E&O/PP/LP8373
Please Ask for: Licensing Team
Direct dial: 01254 267666

Re: Premises Licence for Wellington Inn

Dear Sir/Madam

Please find enclosed the premises licence issued in accordance with the application made under the Licensing Act 2003.

Please take note of the information below issued by Lancashire Fire Authority.

FIRE RISK ASSESSMENT - REQUIREMENT

The Regulatory Reform (Fire Safety) Order 2005 place upon every employer, or person other than an employer who has to any extent control of a workplace, the requirement to carry out a fire risk assessment. This may be done as part of the general health and safety risk assessment, which is already required under the Management of Health & Safety at Work Regulations 1992 (amended 1999), or as a separate and specific fire risk assessment. Where five or more persons are employed, the significant findings of the assessment must be recorded. Guidance is available in a booklet entitled 'FIRE SAFETY – A Risk Assessment the document is also available on the DCLG website: www.firesafetyguides.communities.gov.uk Reference number: 05 FRSD 03338
(b)

You are required by law to display the Licence Summary (Part B) in the premises at all times.

You will be notified in due course of the payment date of the annual maintenance charge for this Licence. If you require any assistance with this matter please contact the telephone number above.

Yours faithfully,

A handwritten signature in black ink that reads 'D M Riding'. The signature is written in a cursive style.

Principal Officer Licensing

Part A
Premises Licence
Blackburn with Darwen Borough Council

Premises licence number

LP8373

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Wellington Hotel 362 Livesey Branch Road
Post town Blackburn **Post code** BB2 4QJ
Telephone number 01254 607066

Where the licence is time limited the dates

Start Date: 24/11/2005

Licensable activities authorised by the licence

Sale by retail of alcohol Playing recorded music Performance of live music

The times the licence authorises the carrying out of licensable activities

Licensing Activity Times	Performance of live music	
<p>Sale by retail of alcohol</p> <p>Monday.....11:00 to 00:00 Tuesday.....11:00 to 00:00 Wednesday.11:00 to 00:00 Thursday....11:00 to 00:00 Friday.....11:00 to 01:00 Saturday.....11:00 to 01:00 Sunday.....12:00 to 23:30</p> <p>Playing recorded music</p> <p>Monday.....11:00 to 00:00 Tuesday.....11:00 to 00:00 Wednesday.11:00 to 00:00 Thursday....11:00 to 00:00 Friday.....11:00 to 01:00 Saturday.....11:00 to 01:00 Sunday.....12:00 to 23:30</p> <p>Non-Standard Activity Times</p> <p>Sale by retail of alcohol</p> <p>A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for Easter Bank Holiday weekend. A further additional hour every Christmas Eve. A further additional hour every Boxing Day. To reflect existing New Year's Eve/Day hours.</p> <p>Performance of live music</p> <p>A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for Easter Bank Holiday weekend. A further additional hour every Christmas Eve. A further additional hour every Boxing Day. To reflect existing New Year's Eve/Day hours.</p>	<p>Monday.....11:00 to 23:30 Tuesday.....11:00 to 23:30 Wednesday.11:00 to 23:30 Thursday....11:00 to 23:30 Friday.....11:00 to 00:00 Saturday.....11:00 to 00:00 Sunday.....12:00 to 23:30</p> <p>Monday.....11:00 to 23:30 Tuesday.....11:00 to 23:30 Wednesday.11:00 to 23:30 Thursday....11:00 to 23:30 Friday.....11:00 to 00:00 Saturday.....11:00 to 00:00 Sunday.....12:00 to 23:30</p> <p>Playing Recorded Music</p> <p>A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for Easter Bank Holiday weekend. A further additional hour every Christmas Eve. A further additional hour every Boxing Day. To reflect existing New Year's Eve/Day hours.</p>	<p>Monday.....11:00 to 23:30 Tuesday.....11:00 to 23:30 Wednesday.11:00 to 23:30 Thursday....11:00 to 23:30 Friday.....11:00 to 00:00 Saturday.....11:00 to 00:00 Sunday.....12:00 to 23:30</p> <p>A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for Easter Bank Holiday weekend. A further additional hour every Christmas Eve. A further additional hour every Boxing Day. To reflect existing New Year's Eve/Day hours.</p>

The opening hours of the premises

Hours Open to Public

Monday	Opening hours 11.00hrs to 00.30hrs	Friday	Opening hours 11.00hrs to 01.30hrs
Tuesday	Opening hours 11.00hrs to 00.30hrs	Saturday	Opening hours 11.00hrs to 01.30hrs
Wednesday	Opening hours 11.00hrs to 00.30hrs	Sunday	Opening hours 12.00hrs to 00.00hrs
Thursday	Opening hours 11.00hrs to 00.30hrs		

Non-Standard Times

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.
A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for Easter Bank Holiday weekend.
A further additional hour every Christmas Eve.
A further additional hour every Boxing Day.
To reflect existing New Year's Eve/Day hours.

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

Admiral Taverns Limited Milton Gate 60 Chiswell Street London EC1Y 4AG

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

05438628

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

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: PL019468

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.
- (iiii) 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.

Annex 2 - Conditions consistent with the operating Schedule

Prevention of Crime & Disorder	All interior trading areas are visible to the staff from behind the bar servery. The toilets access is clearly visible from the bar servery and the toilets are checked regularly. The licensee/staff monitor customers behaviour, especially during busy periods. Doors and windows are alarmed.
Public Safety	Emergency lighting is installed and maintained on the premises. Fire extinguishers are installed and maintained. Gas and electrical certificates are in place and appliances are tested annually. An accident and incident booklet is kept on the premises.
Prevention of Public Nuisance	All amplified entertainment shall be controlled by a noise limiter to ensure that the management are controlling the noise levels. Doors and windows shall not be kept open whilst live or recorded music is being played. The only exception to this requirement is when background recorded music is played inside the pub that is inaudible outside neighbouring residential premises. Self-closing mechanisms to be fitted to all external doors. No external speakers are permitted. A noise monitoring log book to be updated appropriately recording the entertainment taking place and noise level checks that are to be made around the perimeter of the premises. A comprehensive noise management plan to be in place and all staff to be aware of the requirements of the plan.
Protection of Children	No unaccompanied children allowed on the premises. No children under the age of 16 allowed on the premises after 21.00hrs Cigarette machine is positioned in sight of the bar servery Full range of soft drinks are stocked. AWP machines are positioned within easy sight of the bar servery. Management regularly walk around the premises.

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

Imposed Conditions	A last entry time of 00.00hrs be used when the supply of alcohol hours go beyond 00.00hrs. That any external areas will close to customers at or prior to 23.00hrs. That a Proof of age policy be adopted whereby only Photo Driving Licence, Passport or any PASS accredited card is accepted as such. that the DPS or member of staff will conduct regular outside noise survey checks when music entertainment goes beyond 23.00hrs details of such to be recorded within the Incident book.
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The Licensing Act 2003.

General Duties of the Licensing Authority and the Police

The Police and the licensing authority must carry out its functions under the Licensing Act 2003 with a view to promoting the four licensing objectives, which are:-

- 1) The prevention of crime and disorder
- 2) Public safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

To ensure a consistency of approach the authority has published its licensing statement, a copy of which can be viewed on the Blackburn with Darwen Borough Council website.

Responsibilities of a Designated Premises Supervisor

The premises licence

The premises licence forms two elements, Part A and Part B. Both sections of the licence (or certified copies of) must be on the premises and available for examination at all times that licensable activities are taking place. The premises licence (Parts A & B) contains all of your permitted licensable activities, hours of operation of those activities; the opening and closing times to the public and the name of the DPS (you) as well as the details of the premises licence holder.

Part A – This is the ‘actual’ premises licence and contains the conditions specific to your particular premises. You will need to familiarise yourself with this licence and understand all of the conditions attached to it. Authorised officers will make regular impromptu visits to check compliance with these licence specific conditions. Part A of the licence should be kept on the premises in a secure location, however the responsible person should have ready access to it at all times when licensable activities are taking place. It is Part A of your licence that an authorised officer or Police officer will want to see when making a visit.

Part B of the licence is the summary only, for the benefit of the public and should be on prominent display in the licensed area at all times.

You may find yourself liable to prosecution if you are found to be in breach of any of your licence conditions.

Change of Address

As a DPS you have a responsibility to notify both the licensing authority and the Police of any change of address. If you fail in this obligation, you may commit offences under s.33 & s127 of the Act.

Request to be removed as a Designated Premises Supervisor

If you would like to be removed from your responsibilities as a DPS you are required to give notice to that effect to the relevant authorities (The licensing authority and the Police) in writing. You must then serve a copy of the notice on the premises licence holder along with the premises licence within 48 hours. If you fail to notify the premises licence holder within this time scale you may commit an offence under s.41 of the Act.

Duty to keep and produce premises licence

A premises licence holder is bound to secure that the licence (or a certified copy of) is kept at the premises and available for production to a constable or an authorised officer for examination. Responsibility for this lies with the custodian of the licence, If you have been nominated as custodian of the licence, then if you fail to produce the premises licence upon request (or certified copy of), you along with the premises licence holder may commit an offence under s.57 of the Act.

Duty to produce personal licence

Any constable or authorised officer may require the holder of a personal licence to produce that licence for examination. Failure to produce your personal licence is an offence under s.135 of the Act.

Duty to notify of convictions

If you are convicted of an offence, you must notify the licensing authority of this. Failure to notify the licensing authority of a conviction and sentence imposed in respect of it is an offence under s.132 of the Act.

Unauthorised licensable activities

Under s.136 of the Act you may commit an offence if you carry on, attempt to carry on or allow a licensable activity on or from any premises otherwise than under and in accordance with an authorisation. If found guilty of an offence under this section you may be liable to a term of imprisonment not exceeding six months or to a fine not exceeding £20,000, or to both.

Sale of alcohol to a person who is drunk

If a person who works in a premises in any capacity, whether paid or unpaid, sells, attempts to sell or allows to be sold alcohol to a person who is drunk; then any person who is authorised to prevent such sale commits an offence under s.141 of the Act. This means you as DPS, the premises licence holder and whoever sold the alcohol.

Sale of alcohol to under 18's

Under Section 146 & 147 of the Licensing Act –

1. A person commits an offence if he sells alcohol to an individual under 18.
2. A person commits an offence if he supplies alcohol on behalf of a club to an individual under 18.
3. A person commits an offence if he knowingly allows the sale of alcohol on relevant premises to an individual under 18.

Two or more underage sales of alcohol in a three month period make the Premises Licence Holder liable to an unlimited fine. Premises selling to minors may also be taken to a licence review where conditions can be imposed, or the licence can be suspended or revoked altogether.

Mandatory Licensing Conditions

The conditions state:

1. No irresponsible promotions
2. No alcohol dispensed directly into the mouth
3. Free tap water for customers
4. Use of an age verification policy
5. Give customers the choice of small measures.
6. 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.
7. No alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

Business Rates Registration

All businesses are required to register with BWDBC for business rates. There are a number of ways you may be able to get help to **reduce** your **business rates** bill, and these will be advised at the time of registration.

To register, please go online (www.blackburn.gov.uk/Pages/Business-rates.aspx) & report a property move.

Alternatively, you can email us (businessrates@blackburn.gov.uk) with the following information:

- The address of the business property you are occupying.
- Full details of sole trader, partnership or Limited Company
- Your address, phone numbers and email address.
- The date you started trading.

Local Initiatives

The following partnership initiatives help Blackburn with Darwen Borough Council and Lancashire Constabulary promote the four licensing objectives.

Challenge 25

To avoid underage sales by yourselves and staff we must now show that you are using an 'Age Verification Policy' i.e. Challenge 25. This requires that you and your staff ask anyone that appears to be under 25 to produce valid identification before selling them alcohol. Valid identification would include a passport, a driving licence and a PASS accredited ID card, such as a Citizencard. If the person cannot produce ID – DO NOT SELL.

Test purchasing

The Trading Standards Service and Police work closely together using volunteers aged under 18 who are sent into premises to attempt to purchase alcohol. Covert observations are also carried out where officers will observe premises and take any necessary action in relation to underage sales and proxy sales.

Night Time Noise Service

The residents of the borough can avail of a night time noise line. Calls received to this service will prompt a visit to the caller by a noise officer. If it is established that a premises is causing a noise nuisance the Noise Pollution Team will instigate further action against the source of the nuisance.

Traffic Light

One of the ways in which we measure incident at licensed premises is the traffic light system, which uses a points procedure for different kinds of incidents / offences to score premises into green, amber or red categories.

Premises within the amber and red areas will be subject to action plans with the Police and Local Authority to try and put the correct measures in place to reduce incident

Pub watch

Schemes have a pub link radio scheme, and hold regular meetings with Police input.

We would strongly encourage any new Licensees to become active members.

Due Diligence

DPS of other licensed premises

If you are a Designated Premises Supervisor at any other premises, either within or outside of the borough you have a duty to disclose this information to the relevant authorities.

Authority to sell alcohol

As DPS you must be able to demonstrate that in your absence from the premises you have given the authority to sell alcohol on your behalf to the relevant staff left in charge. There is no definitive requirement on how you do this although best practice would be to provide written authority which is easily presentable to an authorised officer or Police officer if requested during a visit.

General staff training

Taking the four licensing objectives into account, it is advisable to have a staff training program and be able to show that all the employees have been trained and are fully aware of their obligations should any issues arise on the premises. Some examples of this are:-

1. *The prevention of crime and disorder* –
 - a. What procedures are in place if drugs are found on your premises?
 - b. If someone is found taking drugs, how would you deal with this?
 - c. Are incidents written down and recorded?
 - d. Do you have a refusal procedure or book?
 - e. What procedures are in place to prevent underage sales?
2. *Public safety* –
 - a. Do you know the capacity of your premises?
 - b. What procedures are in place in case of fire?
 - c. Are fire risk assessments current?
 - d. Are your staff aware of housekeeping procedures? e.g. Not blocking fire doors/escapes.
3. *The prevention of public nuisance* –
 - a. Are regular external checks of the premises carried out to ensure that a nuisance is not being created?
 - b. How are these checks recorded?
 - c. Do you have SIA registered door staff?
 - d. Do you display notices for person leaving to do so quietly and with consideration for local residents?
4. *The protection of children from harm* –
 - a. Are all your staff trained to ask for I.D for anyone who looks under 21 or 25? (Challenge 21 or Challenge 25)

These are just a few examples of the policies you may need to put in place as part of your staff training program.

Fire

As of October 2006 all premises are required to undertake a Fire Risk Assessment. (You will be given a separate booklet about this). As DPS you must have vigilance with regard to fire safety and carry out fire risk assessments. Good practice is to have a Fire Log Book in which you can record details of when you do fire drills, equipment checks, etc. Fire safety training will also need to form part of your staff training program. If you have any questions or queries about Fire Risk Assessment and your obligations in this regard you can contact the Fire Safety Department on (01254) 262721.

Smoke Free England

On 1st July 2007 England became 'Smoke Free'. The Health Act 2006 makes provision for the prohibition of smoking in on any premises which are open to the public or used as a place of work. If a premises is designated as 'Smoke Free' it is smoke free at all times, not just when open to the public or when people are at work. As the DPS you are responsible for ensuring that the correct signage is on display in the correct locations. You may commit offences under the Health Act 2006 if you allow people to either smoke on your premises or if you fail to display the appropriate signage.

The Protection from Tobacco (Sales from Vending Machines (England) Regulations 2010

The above regulations were made under powers in section 3A of the Children & Young Persons (Protection from Tobacco) Act 1991, as inserted by section 22 of the Health Act 2009.

From 1st October 2011, it is illegal to sell tobacco products directly to the public from a vending machine. It is also illegal to display advertisements or pictures of tobacco products on vending machines.

Any person found guilty of the offence of selling tobacco from a vending machine will be liable on summary conviction to a fine not exceeding level 4 on the standard scale, currently £2500.

Any person found guilty of an offence in relation to tobacco advertisements is liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the standard scale, currently £5000 or both.

The legislation does not require that vending machines themselves be banned. They can stay in position if they are no longer used to sell tobacco products and all advertisements of tobacco products are removed.

Businesses will still be able to sell cigarettes but must make sure that all adverts on vending machines are removed. The public must not have access to the vending machine or the cigarettes.

History of Complaints

If there is a history of complaints with your new premises, these will be discussed with you in order that you can be aware of any possible sensitive areas or potential problems.

Part B

Premises licence summary

Premises licence number

LP8373

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Wellington Hotel 362 Livesey Branch Road

Post town Blackburn

Post code BB2 4QJ

Telephone number 01254 607066

Where the licence is time limited the dates

Start Date: 24/11/2005

Licensable activities authorised by the licence

Sale by retail of alcohol

Playing recorded music

Performance of live music

The times the licence authorises the carrying out of licensable activities

Licensing Activity Times

Sale by retail of alcohol

Monday..... 11:00 to 00:00
 Tuesday..... 11:00 to 00:00
 Wednesday..... 11:00 to 00:00
 Thursday..... 11:00 to 00:00
 Friday..... 11:00 to 01:00
 Saturday..... 11:00 to 01:00
 Sunday..... 12:00 to 23:30

Performance of live music

Monday..... 11:00 to 23:30
 Tuesday..... 11:00 to 23:30
 Wednesday..... 11:00 to 23:30
 Thursday..... 11:00 to 23:30
 Friday..... 11:00 to 00:00
 Saturday..... 11:00 to 00:00
 Sunday..... 12:00 to 23:30

Playing recorded music

Monday..... 11:00 to 00:00
 Tuesday..... 11:00 to 00:00
 Wednesday..... 11:00 to 00:00
 Thursday..... 11:00 to 00:00
 Friday..... 11:00 to 01:00
 Saturday..... 11:00 to 01:00
 Sunday..... 12:00 to 23:30

Non-Standard Activity Times

Sale by retail of alcohol

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.
 A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for Easter Bank Holiday weekend.
 A further additional hour every Christmas Eve.
 A further additional hour every Boxing Day. To reflect existing New Year's Eve/Day hours.

Playing Recorded Music

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Performance of live music

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The opening hours of the premises

Hours Open to Public

Monday
 Tuesday
 Wednesday
 Thursday

Opening hours 11.00hrs to 00.30hrs
 Opening hours 11.00hrs to 00.30hrs
 Opening hours 11.00hrs to 00.30hrs
 Opening hours 11.00hrs to 00.30hrs

Friday
 Saturday
 Sunday

Opening hours 11.00hrs to 01.30hrs
 Opening hours 11.00hrs to 01.30hrs
 Opening hours 12.00hrs to 00.00hrs

Non-Standard Times

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.
 A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for Easter Bank Holiday weekend.
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 To reflect existing New Year's Eve/Day hours.

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

On and off the premises

Name, (registered) address of holder of premises licence

Admiral Taverns Limited Milton Gate 60 Chiswell Street London EC1Y 4AG

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

05438628

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Alyson Jayne Shakespeare

State whether access to the premises by children is restricted or prohibited Restricted



Rep 1

From: Melissa Fletcher
Sent: 19 November 2023 09:35
To: Licensing Team
Subject: Wellington pub extension of opening hours

Dear sir/madam,

I am writing to challenge the proposal for extending of opening hours for the Wellington pub, livesey branch road, Blackburn.

The reason I am challenging the extension of opening hours is due to the already numerous complaints myself and other residents have already put in regarding the control of its patrons and the noise levels.

The current issues that we face as residents (I live on the row of houses attached to the pub) are:

- Police presence required pretty much every weekend some weeknights for fighting outside the pub, destruction of local property with my window nearly being put in and bins being tipped over. There has been 3 full blown brawls outside the pub in the past 6 weeks (iv had to call the police twice in the past couple of months due to 20+ people being involved in altercations outside the pub)
- We know they are serving after hours already as we see customers coming out the pub at 2am/2:30, drunk and then getting into cars (again iv had to call the police about drunk drivers)
- We constantly have patrons urinating up our cars, walls, and in our front doors. There is smashed glass all over the pavement where customer have taken bottles or glasses on the street and we have awoken numerous times to vomit piles outside our front door.
- Noise issues - I have reported and phoned the council about this numerous times, noise should be cut off at a certain time but it carries on at high volume until at least 1am on Fridays and Saturdays, the noise prevents residents from sleeping, especially in the summer when we can't have any windows open. We also struggle in the summer to sit in our gardens, the noise and the language that comes from the beer garden and smoking area prevents residents from being able to have any sort of outdoor peace, plus there are young children all along this block who hear things they shouldn't hear, we don't expect now to be excluded from our gardens now from 9am.
- Parking - residents only have enough parking for 6 cars, we constantly struggle to park from dinner time onwards from people going into the pub, staying for hours then returning to their cars clearly drunk

I believe if living next to the pub is unbearable now, then extending the hours will only make this worse. The landlords/ladies currently in charge already flaunt the rules, even after all our complaints and evidence, nothing is done.

The pub already attracts a certain "type" of clientele, who are always in large numbers and often cause issues for residents.

We are a residential area, with family homes here, there is a primary school directly behind and is a popular route for high school children on their way to school. I don't believe that it's appropriate for kids to be seeing these types of people, standing on the pavement with pints of beer smoking all the time.

I am by no means a complainer, but since the pub has reopened it's been a nightmare for us living in the houses next door, so much so, most residents are looking at alternative homes.

I appreciate you considering the above, and hopefully the extension of hours will be rejected in order to protect the residents who have had to put up with so much already.

Kind regards

Melissa

Rep 2

From: Steph Hastwell

Sent: Monday, December 11, 2023 2:34 PM

To: Licensing Team

Subject: Wellington hotel - objection for application to vary license

Livesey Branch Road

Blackburn
BB2 4QJ

I wish to make an objection against the application made by Admiral Taverns, Wellington Inn, Livesey Branch Road, Blackburn to extend their licencing hours allowing them to open and serve alcohol from 9am.

Our family live a few houses away from the pub and sadly we, along with other residents, have already been negatively impacted by the behaviours of some people that have been visiting the pub, including drug dealing outside the pub, along the front street and fighting as well as very loud music played sometimes until 1am in the morning, making regularly contact and filing regular reports with the noise nuisance team.

We have had to make phone calls to the police relating to fighting, from the pub and not only outside the pub itself, but directly outside our front windows. Our child has been woken up many times due to noise outside, We have had damage to our vehicle when fighting ended up continuing against our car. We have also had to go out onto the street in the early hours to try and ask those involved to move on, and many times we have been subject to abuse for doing so! Vomit, broken glass and beer bottles left on the windowsills of nearby houses is a regular occurrence as well as where we park our cars.

Yes we obviously knew when we purchased the property that we had a public house in close proximity, and at the time the landlords that were in there were respectful however this has changed when being taken over and never did we think that potentially it would be allowed to serve alcohol from 9am in the morning! This pub is in the middle of a residential area in very close proximity to 2 schools. How is this a fitting place for an early alcohol licence?

The thought that potentially sitting in our garden on a morning with our child, enjoying some fresh air may now be affected by outside noise, foul language, cigarette and cannabis fumes wafting over is heart breaking.

The landlady has indicated that the licence is just to ensure she is able to open early when Blackburn Rovers are at home with an early kick off without having to apply for a licence each time but we strongly believe she should have to make an application each time, it isn't a regular event, otherwise we could find ourselves facing more and more early opening of the pub for "other reasons"

Kind regards

Mr & Mrs Hastwell & 2 year old daughter

Rep 3

From: Dehlia Campbell

Sent: Wednesday, December 13, 2023 8:53 PM

To: Licensing Team

Subject: Wellington Hotel luvesey branch rd.

I am writing to object to the proposed variation of opening hours from 9am and sale of alcohol from 9am on a daily basis, we currently have alot of issues regarding parking of residents vehicles to begin with and the hotel currently opens at 3pm during the week, so it will be alot worse with opening at 9am, with the hotels guests parking here all day, also we do have problems with noise, music, people banging on residents windows and glasses, bottles etc being left on our windowsills on a daily basis,

I believe opening from 9am will encourage people to drink more and cause alot more problems for the residents, especially when there are children living in nearby properties, that certainly do not need to hear swearing and foul language from 9am on a daily basis, also there is broken glass, sick etc all over the pavements around and down the side of the hotel on a regular basis, which will get alot worse if they get the licence.

So please can my objection be noted.

Thank you

D Campbell

358 livesey branch rd

BB2 4QJ I

Appendix 4

From: Duguid, Camille
Sent: 27 November 2023 11:57
To: Licensing Team
Subject: FW: Application for variation to premises licence - Wellington Inn, 362 Livesey Branch Road, Blackburn

Good morning,
Further to the below email, we have no objections with the addition of this condition.

NAME/PREMISES	ADDRESS	DETAILS	DATE RECD	NOTES
WELLINGTON INN	LIVESEY BRANCH ROAD, BLACKBURN	VARIATION	21.11.23	221123: ADDITIONAL CONDITION AGREED BY APPLICANT. NO POLICE OBJECTIONS PS 3707 HENNIGHAN

Camille Duguid

East Division Licensing | Lancashire Constabulary

From: Hennighan, Gary
Sent: Wednesday, November 22, 2023 11:02 AM
To: licensingteam@blackburn.gov.uk
Cc: Duguid, Camille
Subject: FW: Application for variation to premises licence - Wellington Inn, 362 Livesey Branch Road, Blackburn

Good morning,
The Wellington have accepted the further condition below. Will this email chain suffice or do you need more from the applicant.
Thanks
Gary

From: Rebecca Farley
Sent: Wednesday, November 22, 2023 10:48 AM
To: Hennighan, Gary
Subject: RE: Application for variation to premises licence - Wellington Inn, 362 Livesey Branch Road, Blackburn

Hi Gary,
I have now had a conversation with Alyson, I can confirm that we would have no issues with the addition of the following condition:-
On Saturday, Sunday and Bank Holidays, when Blackburn Rovers Men's First XI are playing home matches at Ewood Park, sale of alcohol will start at 10am.
Many Thanks,
Becky

From: Rebecca Farley
Sent: 22 November 2023 10:34
To: Gary Hennighan
Subject: RE: Application for variation to premises licence - Wellington Inn, 362 Livesey Branch Road, Blackburn

Good Morning Gary,
I hope you are well,
Please accept this response as acknowledgement of receipt of your email, I will discuss this with Alyson today and respond to you accordingly.
Many Thanks,
Becky

From: Hennighan, Gary
Sent: 21 November 2023 13:20
To: Licensing <licensing@admiraltaverns.co.uk>
Cc: Duguid, Camille
Subject: FW: Application for variation to premises licence - Wellington Inn, 362 Livesey Branch Road, Blackburn
Importance: High

Good afternoon,
I am the Police Licensing Sgt for Blackburn and I am writing in relation to the variation at the Wellington Inn. In principle, I don't have an issue as we have a good relationship with the DPS. However, the other pubs in the vicinity of Ewood Park (Blackburn Rovers) do not open until 10am or have a condition stating that they cannot open until 10am on BRFC home matches.
This is a key pub on the pre-match circuit and is known to be frequented by the BRFC risk group supporters. As such, I would be happy to allow the variation if a condition could be added along the lines of:
On Saturday, Sunday and Bank Holidays, when Blackburn Rovers Men's First XI are playing home matches at Ewood Park, sale of alcohol will start at 10am.
Please let me know of your thoughts and if any issues.
Kind regards
Gary

OFFICIAL



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

Please ask for: Gary Brook
Telephone: 01282429452/07867802758
Email: GaryBrook@lancsfireandrescue.org.uk
Your Ref:
Our Ref: __E7121006_Admiral Taverns
Date: 27 November 2023

To whom it may concern

ISSUE OF A VARIATION LICENCE

Legislation: Licensing Act 2003
Name of Applicant: Admiral Taverns
Premises Address: Wellington Inn 362 Livesey Branch Road, Blackburn BB2 4QJ

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
01282429452/07867802758

Yours faithfully,

Gary Brook

Business Safety Advisor
for Chief Fire Officer

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

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. individual case.

Public nuisance

- 2.21 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.
- 2.22 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.

- 2.23 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.
- 2.24 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.
- 2.27 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.

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.

DEPARTMENT OF ENVIRONMENT AND LEISURE

ORIGINATING SECTION: PUBLIC PROTECTION SERVICE

REPORT TO: LICENSING ACT SUB-COMMITTEE Date: 18 January 2024

TITLE : APPLICATION FOR A NEW PREMISES LICENCE – 146 Infirmary Street, Blackburn

1.	<u>PURPOSE OF REPORT</u>
1.1	For members to consider an application for a new premises licence in respect of premises at 146 Infirmary Street, Blackburn, BB2 3SF
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.
2.2	The Licensing Committee may delegate these functions to sub-committees. Officers deal with matters under delegated powers where there are no relevant representations for the following application types:- an application for the grant or variation of a premises licence or club premises certificate; a police objection to an application for a personal licence or an objection from Police or Environmental Health to an activity taking place under the authority of a temporary event notice.
2.3	The Council's Statement of Licensing Policy indicates how the licensing authority approaches its various functions.
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.

<p>3</p> <p>3.1</p> <p>3.2</p> <p>3.3</p> <p>3.4</p>	<p><u>DETAIL</u></p> <p>Mr Magirathan Vettivel has submitted an application for a new premises licence, under s.17 of the Licensing Act 2003 (Appendix 1).</p> <p>The premises is an existing convenience store in an end terrace property, situated at the junction of Infirmary Street and Rockcliffe Street.</p> <p>Mr Vettivel applied for permission to be able to open and sell alcohol between 06:00 hrs and 23:00 hrs on every day of the week.</p> <p>Lancashire Police initially objected to his application, but withdrew their representations after reaching agreement with the applicant to reduce the hours sought to 07:00 to 23:00 (Appendix 2).</p>
<p>4</p> <p>4.1</p> <p>4.2</p> <p>4.3</p> <p>4.4</p> <p>4.5</p>	<p><u>CONSULTATION</u></p> <p>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.</p> <p>There has been one objection to this application submitted by a local resident (Appendix 3).</p> <p>The resident is concerned that if licensed for alcohol, the shop may attract antisocial behaviour and disturbance.</p> <p>The resident also raises concerns about parking, however members will be aware that parking issues in this instance would not be a relevant consideration for the Licensing Authority as the premises is already an established convenience store.</p> <p>Lancashire Fire and Rescue Service have confirmed that they have no objection to this application (Appendix 4).</p>
<p>5</p> <p>5.1</p>	<p><u>POLICY CONSIDERATIONS</u></p> <p>The Council's current statement of Licensing Policy provides the following guidance in respect of conditions:</p> <p>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). A list of statutory mandatory conditions are detailed at appendix 3</p> <p>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.</p>

5.2	<p>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.</p> <p>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.</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 5.</p>
6	<p><u>THE LICENSING ACT 2003</u></p> <p>6.1 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>6.2 If members of the sub-committee are satisfied that the licensing objectives would not be undermined, you should grant the application.</p> <p>6.3 If, however you are concerned that granting the application has 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>6.4 You may take any of the following steps:</p> <ul style="list-style-type: none"> • Grant the application, subject to such conditions that the you consider 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.
7	<p><u>LEGAL IMPLICATIONS ARISING FROM THE REPORT</u></p> <p>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.</p> <p>7.2 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.</p>
8	<p><u>BACKGROUND PAPERS</u></p> <p>8.1 Appendices</p> <p>8.2 Statement of Licensing Policy</p> <p>8.3 Statutory Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003</p>

8.4	The Licensing Act 2003.
9	<u>RECOMMENDATION</u>
9.1	That members determine the application.
10	<u>WARDS AFFECTED</u>
10.1	The premises are situated in the Ewood ward.
11	<u>CONTACT OFFICER</u>
11.1	Niky Barrett, Principal Licensing Officer
12	<u>DATE PREPARED</u>
12.1	21 December 2024



Blackburn with Darwen
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference		You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

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

Applicant Details

* First name	MAGIRATHAN	
* Family name	VETTIVEL	
* E-mail	ijrushy@hotmail.com	
Main telephone number		Include country code.
Other telephone number		

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

Is the applicant:

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

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

Continued from previous page...

Address

* Building number or name	<input type="text" value="53A"/>
* Street	<input type="text" value="MANOR LANE"/>
District	<input type="text" value="PENWORTHAM"/>
* City or town	<input type="text" value="PRESTON"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="PR1 0TA"/>
* Country	<input type="text" value="United Kingdom"/>

Agent Details

* First name	<input type="text" value="IAN"/>
* Family name	<input type="text" value="RUSHTON"/>
* E-mail	<input type="text" value="ijrushy@hotmail.com"/>
Main telephone number	<input type="text" value="07909511953"/>
Other telephone number	<input type="text"/>

Include country code.

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

Are you:

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

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

Agent Business

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

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

Is your business registered outside the UK? Yes No

Business name	<input type="text" value="JL LICENSING"/>
VAT number	<input type="text" value="-"/> <input type="text" value="NONE"/>
Legal status	<input type="text" value="Sole Trader"/>
Your position in the business	<input type="text" value="OWNER"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

Continued from previous page...

Agent 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	77
Street	WOMACK GARDENS
District	
City or town	ST HELENS
County or administrative area	MERSEYSIDE
Postcode	WA9 5UY
Country	United Kingdom

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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	146
Street	INFIRMARY STREET
District	
City or town	BLACKBURN
County or administrative area	
Postcode	BB2 3SF
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	1,875

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of His Majesty's prerogative

Section 4 of 21

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="53A"/>
Street	<input type="text" value="MANOR LANE"/>
District	<input type="text" value="PENWORTHAM"/>
City or town	<input type="text" value="PRESTON"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="PR1 0TA"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="ijrushy@hotmail.com"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value="26"/> / <input type="text" value="04"/> / <input type="text" value="1988"/> dd mm yyyy
* Nationality	<input type="text" value="SRI LANKAN"/>
Right to work share code	<input type="text" value="WRN EYJ 37W"/>

Documents that demonstrate entitlement to work in the UK
Right to work share code if not submitting scanned documents

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

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.

This is a small and well established general convenience store selling a wide range of goods for the benefit of the local community.

The applicant, a personal licence holder, would like to develop the business with the addition of some alcohol sales. The proposed alcohol sales would just be a part of the business to allow the shop to offer an improved all-round convenience service.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 21

PROVISION OF PLAYS

See [guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

See [guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See [guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See [guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

See [guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Section 11 of 21

Continued from previous page...

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

- Yes No

Section 13 of 21

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

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

THURSDAY

Start 06:00

End 23:00

Start

End

FRIDAY

Start 06:00

End 23:00

Start

End

SATURDAY

Start 06:00

End 23:00

Start

End

SUNDAY

Start 06:00

End 23:00

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

NONE

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

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

NONE

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

Name

First name

MAGIRATHAN

Family name

VETTIVEL

Continued from previous page...

Date of birth

26 / 04 / 1988
dd mm yyyy

Enter the contact's address

Building number or name

53a

Street

MANOR LANE

District

PENWORTHAM

City or town

PRESTON

County or administrative area

Postcode

PR1 0TA

Country

United Kingdom

Personal Licence number
(if known)

133732

Issuing licensing authority
(if known)

LIVERPOOL

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

N/A

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

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

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

NONE

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

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

NONE

Continued from previous page...

Section 18 of 21

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.

SEE ATTACHED

b) The prevention of crime and disorder

SEE ATTACHED

c) Public safety

SEE ATTACHED

d) The prevention of public nuisance

SEE ATTACHED

e) The protection of children from harm

SEE ATTACHED

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

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 21 of 21

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.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee. If you are unsure whether the higher fee applies please contact the licensing team on 01254 267666.

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time. If this requires further clarification please contact the licensing team on 01254 267666.

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 (£)

100.00

DECLARATION

Continued from previous page...

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my * licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

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

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/apply-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 LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

146 INFIRMARY STREET

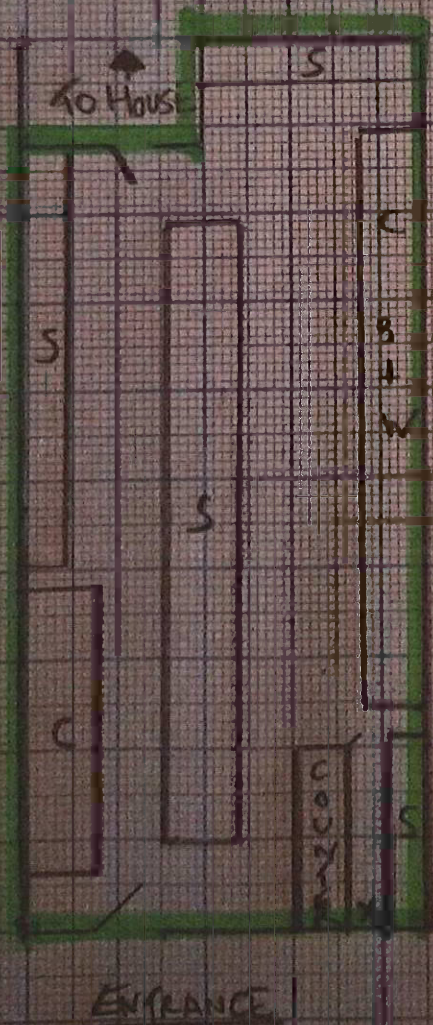
BLACKBURN

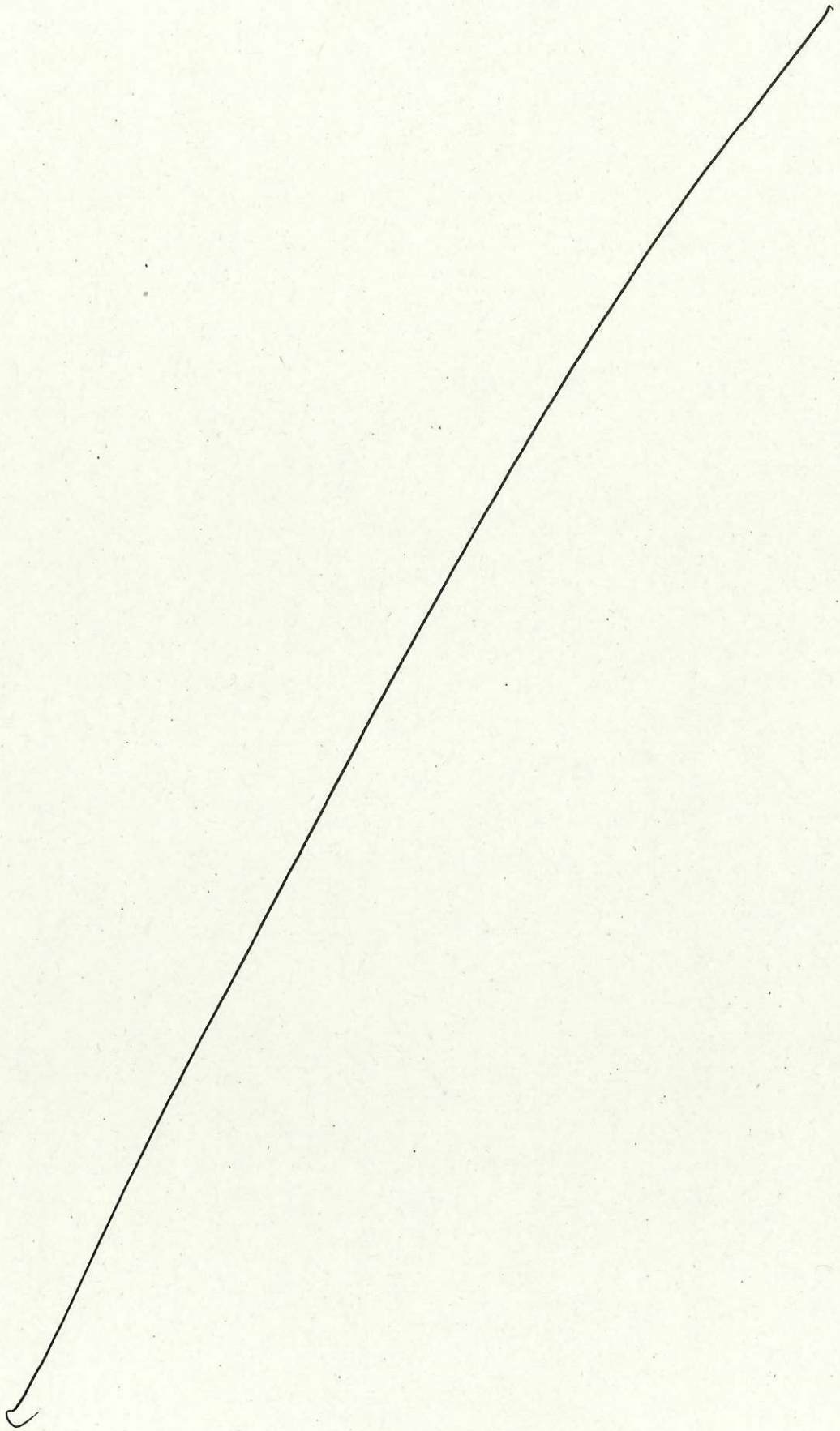
B82 3SF

NOV 2023

KEY

- C - COFFER
 - S - SHELVING/DISPLAY
 - X - FIRE EXTINGUISHER
 - B+W - BEERS + WINES
 - - LICENCE AREA
- SCALE 1:100





Application for a new premises licence

**146 INFIRMARY STREET
BLACKBURN, BB2 3SF**

Operating schedule/proposed licence conditions

This is a small well established general convenience store selling a wide range of goods for the benefit of the local community. The applicant, a personal licence holder, would like to develop the business with the addition of some alcohol sales. The proposed alcohol sales would just be a part of the business to allow the shop to offer an improved all-round convenience service.

A detailed and robust operating schedule is proposed to promote the licensing objectives;

Prevention of crime and disorder

A CCTV camera system capable of providing good quality images in all lighting conditions shall be used. Images will be retained for a period of at least 28 days and be made available to the Police and other authorised officers on reasonable request for evidential purposes, in accordance with the relevant data protection legislation (currently GDPR 2018).

The CCTV recording equipment shall be kept in a secure environment under the control of the premises licence holder (PLH) and/or another named responsible individual.

All staff selling alcohol shall be authorised to sell alcohol in writing and a record of the authorisation will be kept in the shop for inspection.

Staff will be vigilant and monitor the area immediately outside the shop to check that youths do not cause annoyance by congregating.

Spirits will be kept behind the counter.

Any incidents of crime and disorder at or immediately outside the premises, witnessed by staff, will be recorded in an incident book kept at the premises. This book will be kept in the shop and available for inspection.

Public safety

No specific risks have been identified under The Licensing Act 2003 (note; the applicant is aware of the need to comply with other legislative requirements to ensure that the shop is safe for customers and staff).

Prevention of public nuisance

Deliveries to the premises will be arranged at times that do not cause any public nuisance.

A notice(s) shall be on display asking customers to leave the premises quietly.

Staff will monitor the area immediately outside the premises on a regular basis to check for, and to properly dispose of, any litter from the premises.

Protection of children from harm

Challenge 25 will be adopted. Anyone who appears to be under 25 years old who attempts to buy alcohol will be asked to prove their age by producing an acceptable form of photographic ID such as a passport, photo driving licence, or PASS accredited proof of age cards.

The premises shall display Challenge 25 notices to make customers aware.

All staff authorised to sell alcohol will receive training covering the importance of preventing under age sales, refresher training will be provided every 12 months, records will be kept and be made available to responsible authorities

An alcohol refusals register will be kept and maintained. The register will include details of the date of the refusal, the time, and the reason(s) for refusing the sale. It will be checked on a regular basis by the DPS and be made available for inspection by responsible authorities.

A notice(s) shall be displayed in the premises where they can be seen clearly to advise customers that it is unlawful for persons under 18 to purchase alcohol or for any persons to purchase alcohol on behalf of a person under 18 years of age.

NOTE TO RESPONSIBLE AUTHORITIES AND OTHER PERSONS - IF YOU HAVE ANY QUERIES OR COMMENTS ON THESE PROPOSALS, PLEASE CONTACT IAN RUSHTON ON 07909 511953 OR BY EMAIL ijrushy@hotmail.com TO DISCUSS FURTHER - PRIOR TO MAKING ANY REPRESENTATIONS.

Appendix 2

From: Hennighan, Gary
Sent: Monday, December 18, 2023 10:25 AM
To: Licensing Team
Subject: FW: New Premises Licence - 146 Infirmary Street, Blackburn

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

The deadline for this application is today. After lengthy conversations, an agreement has been made for the shop to start selling alcohol at 7am and not 6am as below.

Many thanks

Gary

From: Ian Rushton
Sent: Sunday, December 17, 2023 6:49 PM
To: Hennighan, Gary
Subject: Re: New Premises Licence - 146 Infirmary Street, Blackburn

Caution: This email came from outside Lancashire Constabulary. Do not open attachments or click on links unless you can verify the sender. Details on how to report a suspicious email can be found on the How Do I pages on Sherlock.

Hi Gary

Thanks for your email. Yes, we are fine with that

Thanks, Ian

Ian Rushton
JL Licensing

Appendix 3

From: wahid malik
Sent: Saturday, December 16, 2023 6:00 PM
To: Licensing Team **Subject:** License premises

Hi to whom it may concern I am writing to object a license of sale of alcohol at the premises of 146 infirmay street, Blackburn, bb2 3sf. My name is Wahid Malik and I am a resident of 142 infirmay street, Blackburn, bb2 3sf. I believe by this shop obtaining an alcohol licence and selling alcohol will bring disturbance to the area and possibly antisocial behaviour next to where I live. Also I believe this may attract more members of the public and create a parking issue as there is already insufficient parking in this area at most times. This shop also does not have its own car park so there for will cause a problem for residents parking where they live.

Kind regards
Wahid Malik

OFFICIAL



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

Please ask for: Gary Brook
Telephone: 01282429452/07867802758
Email: GaryBrook@lancsfireandrescue.org.uk
Your Ref:
Our Ref: 2023-11-20__E/124641_MAGIRATHAN VETTIVEL
Date: 27 November 2023

To whom it may concern

ISSUE OF A NEW LICENCE

Legislation: Licensing Act 2003
Name of Applicant: MAGIRATHAN VETTIVEL
Premises Address: 146 Infirmary Street, Blackburn. BB2 3SF

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
01282429452/07867802758

Yours faithfully,

Gary Brook

Business Safety Advisor
for Chief Fire Officer

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

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. individual case.

Public nuisance

- 2.21 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.
- 2.22 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.

- 2.23 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.
- 2.24 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.
- 2.27 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.

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.