

Public Document Pack

Licensing Act 2003 Sub-Committee

Tuesday, 9th April, 2024
6.00 pm

AGENDA

1. **Welcome and Apologies**
2. **Declaration of Interests**
DECLARATIONS OF INTEREST FORM **2**
3. **Application for a new premises licence, One Stop, 35 Fore St, Darwen**
Application for a new premises licence, One Stop, 35 Fore St, Darwen **3 - 73**
Appendix 1
Appendix 1a
Appendix 2
Appendix 3

Date Published: Thursday 28th March 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: **Licensing Act Sub Committee**

DATE: **Tuesday 9th April 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)

DEPARTMENT OF ENVIRONMENT AND LEISURE

ORIGINATING SECTION: PUBLIC PROTECTION SERVICE

REPORT TO: LICENSING ACT SUB-COMMITTEE Date: 9 April 2024

TITLE : APPLICATION FOR A NEW PREMISES LICENCE – One Stop, 35 Fore Street, Darwen

1.	<u>PURPOSE OF REPORT</u>
1.1	For members to consider an application for a new premises licence in respect of premises at 35 Fore Street, Lower Darwen, BB3 0QD
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>London BCN Ltd has submitted an application for a new premises licence, under s.17 of the Licensing Act 2003 (Appendix 1).</p> <p>The premises comprises the vacant ground floor of a detached building which previously traded as fireplace store, on Fore Street close to its junction with Duchess Street.</p> <p>The applicant wishes to be able to sell alcohol for consumption off the premises between 06:00 hrs and 23:00 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>4.5</p> <p>4.6</p> <p>4.7</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>The Council has received 31 representations opposing this application from residents and other persons (Appendix 2).</p> <p>The objectors are concerned that if the application is approved, the premises will undermine the public nuisance licensing objective, by attracting antisocial and nuisance behaviour, littering and general disturbance.</p> <p>Many of the objectors raise general concerns about parking and traffic issues, however members of the Committee will be aware that while parking and traffic issues are relevant considerations for the Planning Authority when approving the overall use of the premises, the Licensing Authority's remit is much narrower and is only concerned with the impact of the licensable activity, namely the retail sale of alcohol from the premises.</p> <p>The licensing authority has not published any Cumulative Impact Assessments (CIA), the mechanism available to the Council where it considers that the number of premises licences in one or more parts of its area is such, that it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives.</p> <p>Many of the objectors reference that the area is already adequately served by convenience stores and there is no need for another shop in the area, but the demand for licensed premises is not a relevant consideration for the licensing authority. The risk that there is insufficient demand for the licensed activity for which authorisation is being sought, is the applicants', and not for the licensing authority to take a view on.</p> <p>None of the Responsible Authorities have submitted representations in response to this application.</p>

<p>5</p> <p>5.1</p> <p>5.2</p>	<p><u>POLICY CONSIDERATIONS</u></p> <p>The Council's current statement of Licensing Policy provides the following guidance:</p> <p>Cumulative Impact</p> <p>137. This policy does not seek to limit the number of licensed premises that will be permitted even where it may appear that there are already enough licensed premises to satisfy the demand. That is not a matter for this policy, it is a commercial decision.</p> <p>152. Unless there are good reasons to the contrary on the grounds of public disorder or crime prevention, shops, stores and supermarkets that sell alcohol will be permitted to do during the times that they would ordinarily sell other goods. It would be for interested persons or the responsible authorities to prove why this should not be so in any particular case</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).</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> <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 most relevant sections of the statutory guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 have been reproduced at Appendix 3.</p>
<p>6</p> <p>6.1</p> <p>6.2</p> <p>6.3</p> <p>6.4</p>	<p><u>THE LICENSING ACT 2003</u></p> <p>After having regard to all the representations, the Council's Statement of Policy and the Statutory Guidance, the Committee must consider whether granting the application in the terms applied for, would undermine any of the licensing objectives.</p> <p>If members of the sub-committee are satisfied that the licensing objectives would not be undermined, you should grant the application in the terms applied for.</p> <p>If, however you are concerned that granting the application 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>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.

	<ul style="list-style-type: none"> 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 are bound by the code of conduct for elected members in licensing applications.
7.2	Members are also reminded of the duty under the Section 11 of the Childrens Act 2004, to ensure that all the Council's functions are discharged having regard to the need to safeguard and promote the welfare of children.
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.
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 March 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 This is the unique reference for this application generated by the system.

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

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

Applicant Business

Is the applicant's business registered in the UK with Companies House? Yes No

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

Registration number

Business name

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

VAT number

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

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

Agent Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Private limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality [Documents that demonstrate entitlement to work in the UK](#)

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

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 premises will be a new convenience store under the brand of One Stop where all types of convenience products will be sold including fresh & frozen food, toiletries, household, newspapers etc. Other services will also be offered to customers such as the ability to pay bills & collect/send packages. Alcohol is not the intended focus of the business there is an expectation that alcohol sales will have a limited impact on the area as local people are expected to on the whole purchase alcohol along with other products.

Continued from previous page...

In terms of addressing the licensing objectives, this premises will involve the installation of equipment such as CCTV, electronic refusals register and till prompts. In addition to that, in order to mitigate any risk from the sales of alcohol and its impact on the licensing objectives a number of robust conditions, which reflect the expected policies and procedures to be operated within the business, have been included as part of this application.

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

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Continued from previous page...

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

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

Continued from previous page...

SATURDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

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

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

Name

First name

Family name

Date of birth / /
dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name	FLAT ABOVE ONE STOP
Street	SHADSWORTH ROAD
District	
City or town	BLACKBURN
County or administrative area	
Postcode	BB1 2HR
Country	United Kingdom
Personal Licence number (if known)	TBA
Issuing licensing authority (if known)	TBA

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)

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.

None

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

Page 15

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...

TUESDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
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.

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

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)

Continued from previous page...

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

On first appointment, all staff employed at the premises will receive training on the Licensing Act 2003 including input on preventing underage sales, preventing sales of alcohol to people who are drunk and any other relevant matters. Training shall be regularly refreshed at no less than annual intervals. The training must be recorded and be accessible on the premises and made available for inspection upon request of a Police Officer or an authorised officer of a Responsible Authority or (in the case of online training) within 48 hours.

b) The prevention of crime and disorder

A CCTV system will be in operation at the premises and recorded images shall be retained for a period of 28 days. CCTV images will be provided to the police and other responsible authorities as soon as practicable and in any case within 48 hours of a request for such images, subject of the provisions of the DPA.

c) Public safety

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

d) The prevention of public nuisance

A register of refusals of alcohol will be maintained at the premises. The register will be made available for inspection by the Police and an authorised officer of a Responsible Authority.

e) The protection of children from harm

The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25, they will be asked for proof of their age, to prove that they are 18 years or older. Posters will be on display advising customers of the 'Challenge 25' policy. The only forms of identification that will be accepted will bear their photograph, date of birth and a holographic mark and/ or ultraviolet feature. Examples of appropriate identification include a passport, photocard driving licence, military ID, and Home Office approved proof of age ID card bearing the PASS hologram.

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 (£)

190.00

DECLARATION

Page 22

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

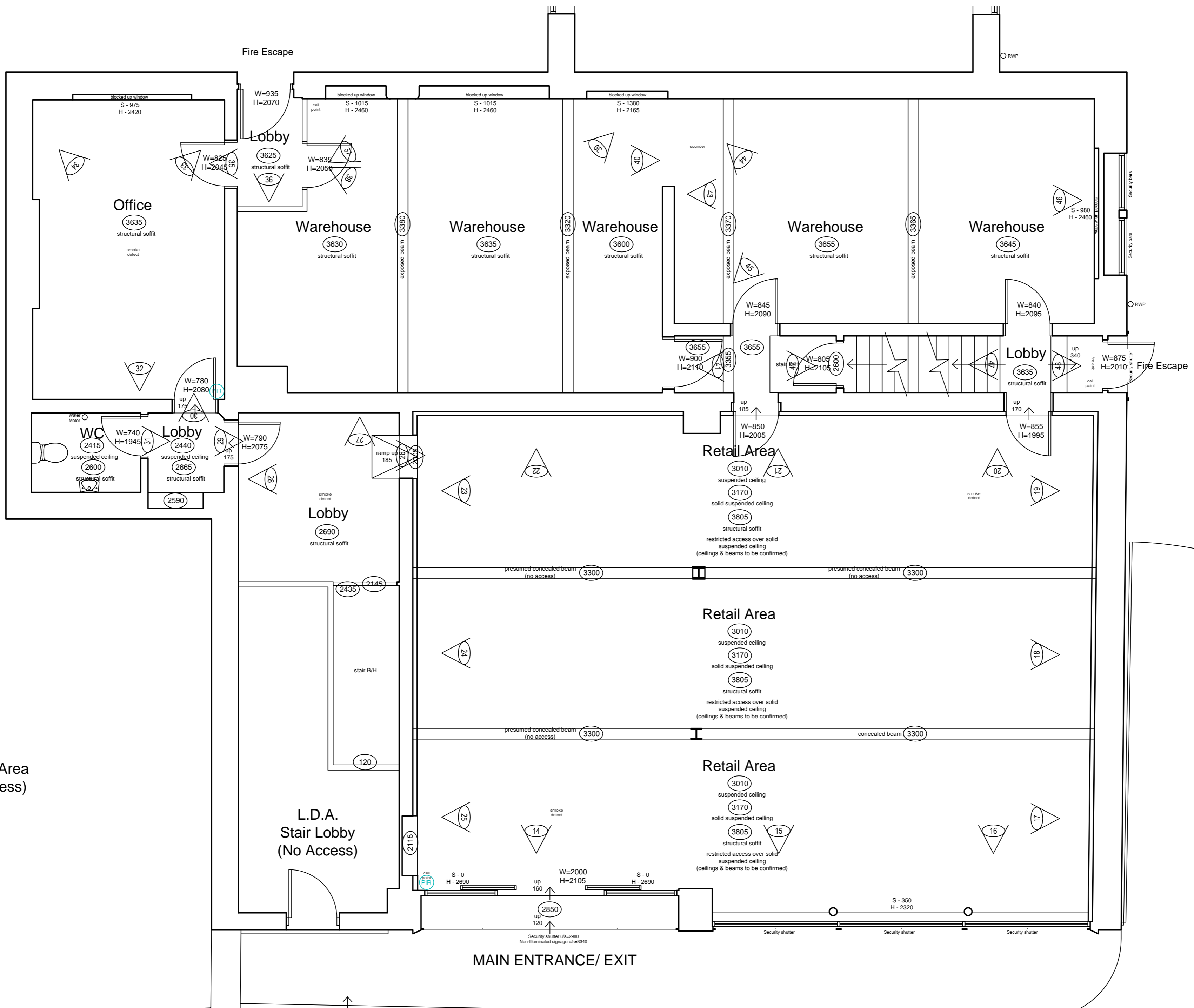
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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"/>

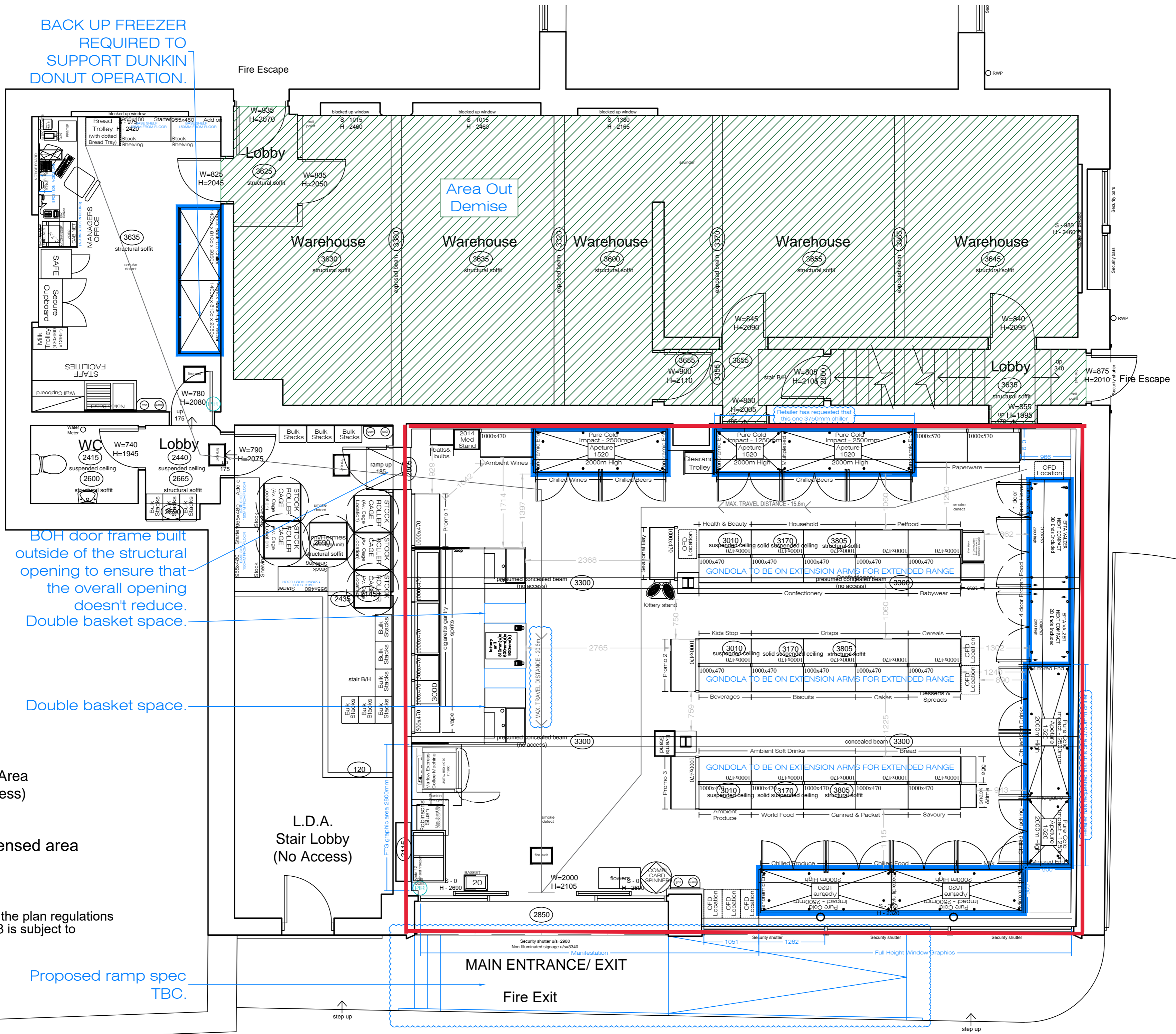
[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

- chilled beer
- chilled wine
- ambient wine
- wine wow
- chilled foods
- milk
- frozen foods
- take home ice cream
- ice cream impulse
- ambient produce
- bread
- cakes
- cereals
- dessert & spreads
- canned & packet
- ethnic
- savory
- beverages
- biscuits
- vertical news
- magazines
- cards
- health & beauty
- babycare
- paperware
- household & laundry
- petfood
- countline confectionery
- hanging confectionery
- crisps & snacks
- adult snacks
- ambient soft drinks
- kids stop
- promo 1 - 4
- £1 bay
- grocery hot spot
- gantry
- spirit
- permanent stands
- stat (1m if req)
- indicate mods
- indicate sqt2 (retail & both)
- indicate banding



Garden Area (No Access)

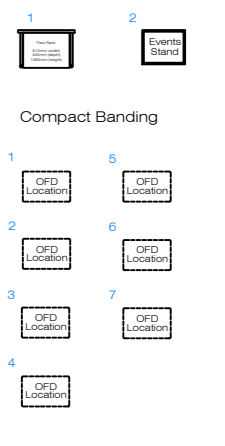
BACK UP FREEZER
 REQUIRED TO
 SUPPORT DUNKIN
 DONUT OPERATION.



Garden Area (No Access)

Licensed area

Any item not covered by the plan regulations of the Licensing Act 2003 is subject to change without notice.



linear comparison

Total	Existing	Target
0.0		

retailer approved

print name

signed

rev approved

date

Rev description notes

a Ramp revision cloud added, BOH door updated & new enclosure added and chiller and power details added.

b Retailer requests. News & magazines removed. Canteen to a spinner and other merch changes.

stock room size

store profile:

Grocery

ofd store grading:

Metal Stands - 2

Combined: Con

sales area: 115

1,282

stock area: 41

442

Post Office: 0.0 r

0.0 ft

project type:

franchise

store address:

Unit 1,

35 Fore Street,

Lower Darwen,

BB3 0QD.

store code: 6732

drawn by: Steven Ruge

date: 07.02.24

scale: 1:50

as approved by retail design g



SHOPFIT PLAN PROPOSED

dwg no: job

PR - 6732

One Stop, 35 Fore Street, Lower Darwen - Representations

- Rep 1 - Annie Navesey
- Rep 2 - Olwyn Wilson
- Rep 3 - Councillor Denise Gee
- Rep 4 - B Catterall
- Rep 5 - June Jacques
- Rep 6 - Anne Farnworth
- Rep 7 - Lily Miller
- Rep 8 - Katie Arrandale
- Rep 9 - Samantha Cottam
- Rep 10 - Zoe Wood
- Rep 11 - Christina Barry
- Rep 12 - Eric Riley
- Rep 13 - Mr + Mrs Woods
- Rep 14 - Jake King
- Rep 15 - David Hocking
- Rep 16 - Rececca Lax
- Rep 17 - Terri Hacking
- Rep 18 - Pat Minshull
- Rep 19 - Robert A Hull
- Rep 20 - A M Morris
- Rep 21 - Mrs S A Cowburn
- Rep 22 - Mr + Mrs R Aspden
- Rep 23 - Barry + Jacqueline Riley
- Rep 24 - Matthew Gooden
- Rep 25 - Sarah McMonagle
- Rep 26 - Ross Appleby
- Rep 27 - Mr R Preshur
- Rep 28 - A Dickson
- Rep 29 - J Longdon-Waring
- Rep 30 - J M Longdon
- Rep 31 - Simon Dixon

Annie Navesey
42 Fore Street
Lower Darwen
Lancashire
BB3 0QD

27 Feb 2024

To who it may concern

Regarding the new off license application in Lower Darwen at - ONE STOP - UNIT 1 GROUND FLOOR SHOP , 35 FORE ST LOWER DARWEN

I would like to OBJECT to this application for the following reasons-

We live directly across the road in a private cul de sac that is already subject to parents basically abandoning their cars to “run in with the students”. The one and only car park is constantly full hence the overspill. This makes getting on and off our drive sometimes dangerous and at best challenging on these regular occasions. Where are shoppers supposed to then part to enter a new shop?

I have concerns that there will be an increase of crime and disorder, public safety, public nuisance issues, noise, litter, and general antisocial behaviour around the site. The Premier and Londis stores are only within 2 minutes’ walk of the proposed site and have a good relationship with each other sharing local crime CCTV images and generally protecting the community by regularly leasing with the police. I am worried that this will not be as well managed and lead to an increase of crime in the area.

There was no notice or application for a change of use from a fireplace shop to a convenience store. I fear it would be especially hazardous for anyone using the pedestrian crossing directly outside. Often we witness people crossing the road directly in front of the unit proposed almost getting hit by cars coming off and on the small carpark due to dangerous parking. As affore mentioned, the dance studio upstairs and the car park already gets full with members cars so I am very concerned that traffic will also try to park on the main road or on nearby residential streets like Swan Farm and Duchess Street causing accidents and issues for residents and motorists.

I also have concerns of delivery vehicles attending the shop, again, I fear our one exit and entrance across the road will be blocked on a frequent basis

Lastly there are groups of teenagers that hang around the premier in Lower Darwen, these will migrate to the proposed new shop without a doubt. The area is generally dark around the carpark and the woodland area directly after it. Again, this is giving potential to increase in crimes, its dark, and there are children and young students in this area

Previous planning history shows that the premises was refused an appeal for change of use to a restaurant in 2010 because of - *Planning Ref No: 10/08/1142 APPEAL DISMISSED The scheme conflicts with Policies H11 and T9 of the Local Plan as there is insufficient parking space and it would be detrimental to the safe and efficient operation of the highway.* Another 3rd convenience store in Lower Darwen village would definitely have a bigger impact and lot more traffic to deal with than a restaurant

Yours sincerely

Annie Navesey

Regarding the new off license application in Lower Darwen at - ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN

I would like to **OBJECT** to this application for the following reasons-

I have concerns that there will be an increase of crime and disorder, public safety, public nuisance issues, noise, litter, and general antisocial behaviour around the site. The Premier and Londis stores are only within 2 minutes walk of the proposed site and have a good relationship with each other sharing local crime CCTV images and generally protecting the community by regularly leasing with the police. I am worried that this will not be as well managed and lead to an increase of crime in the area.

There was no notice or application for a change of use from a fireplace shop to a convenience store. I think that it will make a huge difference to myself and other residents due to increased customer flow and to the amount of traffic trying to enter and exit the small car park at the side of the proposed property. Especially the delivery vehicles the car park is too small for these to manoeuvre safely.

I fear it would be especially hazardous for anyone using the pedestrian crossing directly outside. There is also a dance studio upstairs and the car park already gets full with members cars so I am very concerned that traffic will try to park on the main road, pavements, chevrons, double yellow lines, in the private drive opposite or on nearby residential streets like Swan Farm and Duchess Street causing accidents and issues for residents and motorists.

Previous planning history shows that the premises was refused an appeal for change of use to a restaurant in 2010 because of - **Planning Ref No: 10/08/1142 APPEAL DISMISSED** *The scheme conflicts with Policies H11 and T9 of the Local Plan as there is insufficient parking space and it would be detrimental to the safe and efficient operation of the highway.*

Another 3rd convenience store in Lower Darwen village would definitely have a bigger impact and lot more traffic to deal with than a restaurant!

Olwyn Wilson
The Croft Fore Street Lower Darwen BB3 0QD

From: Denise Gee <Denise.Gee@blackburn.gov.uk>
Sent: Tuesday, February 27, 2024 6:08 PM
To: Licensing Team <LicensingTeam@blackburn.gov.uk>; Niky Barrett <Niky.Barrett@blackburn.gov.uk>
Cc: John Slater <John.Slater@blackburn.gov.uk>; Jacqueline Slater <Jacqueline.Slater@blackburn.gov.uk>
Subject: Objection
Importance: High

Hi,

I have visited the premises to understand the position of the proposed. One Stop - Unit 1, Ground Floor Shop", 35 Fore Street, Lower Darwen, Darwen

It is my understanding that the late opening until 11pm is not suitable due to the residential position.

I would like to place an objection to this request and suggest a maximum of a 10pm closing time.

I have received objections from Cllr John Slater and Cllr Jacqueline Slater, fellow ward Cllrs who also outlined the same matter, due to residential position a 10pm closing time should not be exceeded.

Furthermore, residents have also approached me to express their concerns regarding traffic and associated noise increase related to the nature of business.

In conclusion of all comment please do not licence unless a reduced opening time is sought from the applicant.

Please can I have a notification email of this objection being logged and updates regarding the application process and evidence of the decision process.

Kind regards

Cllr Gee

From: b.catterall1 [REDACTED]
Sent: Wednesday, February 28, 2024 10:55 AM
To: Licensing Team <LicensingTeam@blackburn.gov.uk>
Subject: Onestop conv store

You don't often get email from [REDACTED] [Learn why this is important](#)

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.

I am writing to strongly object to the planning of opening a onestop conv store in Lower Darwen. We already have to well equiped stores that sell all needs required. The traffic and parking would be horrendous and add to more traffic we can't afford, the unsociable hrs of the shop would cause more crime ontop of the crime we have now. There is a supermarket at the end of branch rd as well. At the end of the day Lower Darwen is a SMALL VILLAGE and it caters for all our needs without the add of another store. I stringly object. D.Catterall
Sent from my Galaxy

From: June Jacques [REDACTED]
Sent: Saturday, March 2, 2024 9:43 AM
To: Licensing Team <LicensingTeam@blackburn.gov.uk>
Subject: Premises licence One Stop - Unit 1, Ground Floor Shop, 35 Fore Street, Lower Darwen

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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.

As per the recent notice I would like to raise my objections to the proposed premises on the grounds of:

- traffic/parking
- anti-social behaviour
- litter
- noise

Regards

June Jacques

From: anne farnworth [REDACTED]
Sent: Tuesday, March 5, 2024 8:51 PM
To: Licensing Team <LicensingTeam@blackburn.gov.uk>
Subject: One stop fore street

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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 evening.

I would like to object regarding one stop on fore street.

Traffic is bad round there to begin with, without adding another shop, we don't need another shop in lower darwen.

I am very concerned about the anti social behaviour this will cause.

Please accept this email as my objection to this shop.

Regards
Anne Farnworth
Sent from my iPhone

From: lily miller [REDACTED]
Sent: Tuesday, March 5, 2024 11:25 PM
To: Licensing Team <LicensingTeam@blackburn.gov.uk>
Subject: Objection one stop lower Darwen

You don't often get email from [REDACTED]. [Learn why this is important](#)

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.

The first reason. Safeguarding young people. LDA above, full of young children. Parking and road will be even more dangerous.

We already have 2 perfectly stocked shops in the village.

Name Katie Arrandale

.....

ADDRESS. 10 dahlia close, lower Darwen, Darwen, bb3 0qz

.....

.....

**Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN**

I would like to **OBJECT** to this application for the following reasons-

I have concerns that there will be an increase of crime and disorder, public safety, public nuisance issues, noise, litter, and general antisocial behaviour around the site. The Premier and Londis stores are only within 2 minutes’ walk of the proposed site and have a good relationship with each other sharing local crime CCTV images and generally protecting the community by regularly leasing with the police. I am worried that this will not be as well managed and lead to an increase of crime in the area.

There was no notice or application for a change of use from a fireplace shop to a convenience store. I think that it will make a huge difference to myself and other local residents due to increased customer flow and to the amount of traffic trying to enter and exit the small car park at the side of the proposed property. I fear it would be especially hazardous for anyone using the pedestrian crossing directly outside. There is also a dance studio upstairs and the car park already gets full with members cars so I am very concerned that traffic will try to park on the main road or on nearby residential streets like Swan Farm and Duchess Street causing accidents and issues for residents and motorists.

Previous planning history shows that the premises was refused an appeal for change of use to a restaurant in 2010 because of - **Planning Ref No: 10/08/1142 APPEAL DISMISSED**
The scheme conflicts with Policies H11 and T9 of the Local Plan as there is insufficient parking space and it would be detrimental to the safe and efficient operation of the highway.
Another 3rd convenience store in Lower Darwen village would definitely have a bigger impact and generate a lot more traffic than a restaurant!

SIGNED KatieArrandale.....

DATE 14/03/24.....

From: Samantha Cottam [REDACTED]
Sent: Wednesday, March 13, 2024 9:47 AM
To: Licensing Team <LicensingTeam@blackburn.gov.uk>
Subject: Objection to one stop

You don't often get email from samcottam76@gmail.com. [Learn why this is important](#)

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.

Licensingteam@blackburn.gov.uk

Regarding the new off license application in Lower Darwen at - ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN

I would like to **OBJECT** to this application for the following reasons-

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Samantha Cottam

Aintree Drive

Rep 10

**Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST
LOWER DARWEN**

EMAIL TO

LicensingTeam@blackburn.gov.uk

POST TO

Niky Barret Principal Officer (Licensing)
Blackburn with Darwen Borough Council
King William Street,
Town Hall,
Blackburn
BB1 7DY

WEBSITE

<https://blackburn.gov.uk/licences-and-permits/premise-licence-applications-consultation>

FROM LOCAL RESIDENT

Zoe Wood

ADDRESS

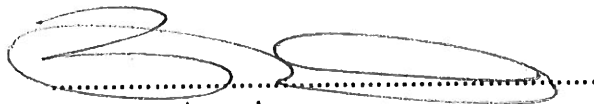
12 Kingston Place

Lower Darwen BB3 0PP

**Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP , 35 FORE ST LOWER DARWEN**

I would like to **OBJECT** to this application for the following reasons-

SIGNED



DATE

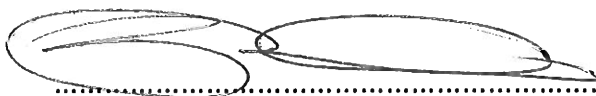
1/3/24

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Another 3rd convenience store in Lower Darwen village would definitely have a bigger impact and generate a lot more traffic than a restaurant!

SIGNED



DATE

1/3/24

Repl?

**Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN**

EMAIL TO

LicensingTeam@blackburn.gov.uk

POST TO

Niky Barret Principal Officer (Licensing)
Blackburn with Darwen Borough Council
King William Street,
Town Hall,
Blackburn
BB1 7DY

WEBSITE

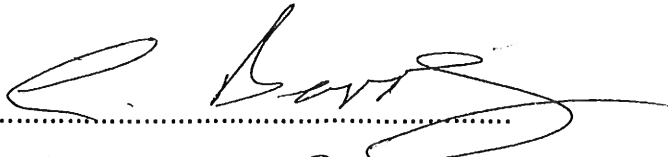
<https://blackburn.gov.uk/licences-and-permits/premise-licence-applications-consultation>

FROM LOCAL RESIDENT

Mrs CHRISTINA BARRY
ADDRESS 49 MILKINS LANE
BB3-0RB

**Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP , 35 FORE ST LOWER DARWEN**

I would like to **OBJECT** to this application for the following reasons-

SIGNED 
DATE 5-3-24


I have concerns that there will be an increase of crime and disorder, public safety, public nuisance issues, noise, litter, and general antisocial behaviour around the site. The Premier and Londis stores are only within 2 minutes walk of the proposed site and have a good relationship with each other sharing local crime CCTV images and generally protecting the community by regularly leasing with the police. I am worried that this will not be as well managed and lead to an increase of crime in the area.

There was no notice or application for a change of use from a fireplace shop to a convenience store. I think that it will make a huge difference to myself and other local residents due to increased customer flow and to the amount of traffic trying to enter and exit the small car park at the side of the proposed property. I fear it would be especially hazardous for anyone using the pedestrian crossing directly outside. There is also a dance studio upstairs and the car park already gets full with members cars so I am very concerned that traffic will try to park on the main road or on nearby residential streets like Swan Farm and Duchess Street causing accidents and issues for residents and motorists.


Previous planning history shows that the premises was refused an appeal for change of use to a restaurant in 2010 because of - **Planning Ref No: 10/08/1142 APPEAL DISMISSED** *The scheme conflicts with Policies H11 and T9 of the Local Plan as there is insufficient parking space and it would be detrimental to the safe and efficient operation of the highway.*

Another 3rd convenience store in Lower Darwen village would definitely have a bigger impact and generate a lot more traffic than a restaurant!

SIGNED



DATE



Rep 12

**Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN**

EMAIL TO
LicensingTeam@blackburn.gov.uk

POST TO
Niky Barret Principal Officer (Licensing)
Blackburn with Darwen Borough Council
King William Street,
Town Hall,
Blackburn
BB1 7DY

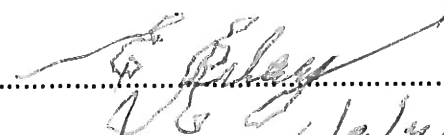
WEBSITE
<https://blackburn.gov.uk/licences-and-permits/premise-licence-applications-consultation>

FROM LOCAL RESIDENT

ERIC RILEY
.....
ADDRESS **77 GreenBank**.....
.....

**Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP , 35 FORE ST LOWER DARWEN**

I would like to **OBJECT** to this application for the following reasons-

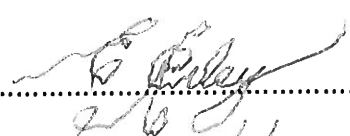

SIGNED .....
DATE **9/19/24**.....

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SIGNED 
DATE 

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ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN**

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LicensingTeam@blackburn.gov.uk

POST TO

Niky Barret Principal Officer (Licensing)
Blackburn with Darwen Borough Council
King William Street,
Town Hall,
Blackburn
BB1 7DY

WEBSITE

<https://blackburn.gov.uk/licences-and-permits/premise-licence-applications-consultation>

FROM LOCAL RESIDENT

.....
MR + MRS WOODS

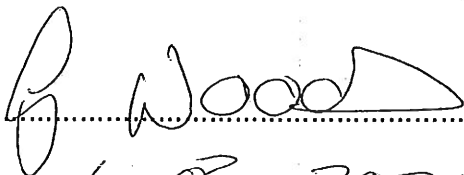
ADDRESS

.....
99, GREENBANK TERR
.....
LOWER DARWEN BB3 0RN
.....

**Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP , 35 FORE ST LOWER DARWEN**

I would like to **OBJECT** to this application for the following reasons-

SIGNED

.....


DATE

.....
6-03-2024
.....

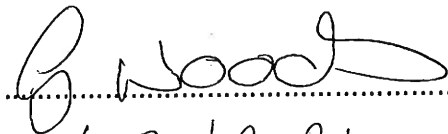
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SIGNED


.....

DATE

6/03/2024
.....

Rep 14

**Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST
LOWER DARWEN**

EMAIL TO

LicensingTeam@blackburn.gov.uk

POST TO

Niky Barret Principal Officer (Licensing)
Blackburn with Darwen Borough Council
King William Street,
Town Hall,
Blackburn
BB1 7DY

WEBSITE

<https://blackburn.gov.uk/licences-and-permits/premise-licence-applications-consultation>

FROM LOCAL RESIDENT

Jake King

ADDRESS

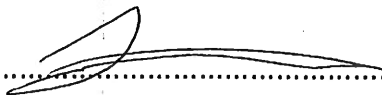
12 Kingston place

BB3 0PP

**Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP , 35 FORE ST LOWER DARWEN**

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SIGNED



DATE

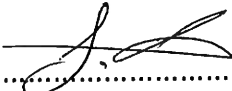
6/3/24

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Another 3rd convenience store in Lower Darwen village would definitely have a bigger impact and generate a lot more traffic than a restaurant!

SIGNED 

DATE 6/3/24

Name David Hocking
ADDRESS 21 Empress Street
Lower Darwen

Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN

I would like to **OBJECT** to this application for the following reasons-

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Another 3rd convenience store in Lower Darwen village would definitely have a bigger impact and generate a lot more traffic than a restaurant!

SIGNED D Hocking
DATE 6 March 2024

Rep 16

Name Rebecca Lax

ADDRESS 6 Empress Street, Lower Darwen
..... BB3 0QG

Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN

I would like to **OBJECT** to this application for the following reasons-

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Another 3rd convenience store in Lower Darwen village would definitely have a bigger impact and generate a lot more traffic than a restaurant!

SIGNED RLax

DATE 6/3/24

Name Tere, Hackney

ADDRESS 8 Swan farm close, Lower

..... Darwen BB3 0QU

Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN

I would like to OBJECT to this application for the following reasons-

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SIGNED M.T. Hackney

DATE 06/03/2024

Name PAT MINSHULL
ADDRESS 4 DOVER ST. LOWER DARWEN
..... DARWEN BB3 0QA

Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN

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SIGNED P. Minshull

DATE 6th March 2024

Rep 19

Name ROBERT A HULL
ADDRESS 2 DOVER ST LOWER DARWEN
..... DARWEN LANCs BB3 0QA

Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN

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Another 3rd convenience store in Lower Darwen village would definitely have a bigger impact and generate a lot more traffic than a restaurant!

SIGNED Robert A Hull

DATE 6/3/24

Rep 20

Name AM MORRIS

ADDRESS WATER CHASE

..... LOWER DARWEN

**Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN**

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SIGNED AM Morris

DATE 7/3/24

Rep 21

Name Mrs S A Gaborun
ADDRESS 25 Swan Farm Close Lower Darwen
BB30QU

Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN

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SIGNED S A Gaborun

DATE 7-3-24

Rep 22

Name MR & MRS R ASPDEN
ADDRESS 14, DUCHESS STREET
..... LOWER DARWEN BB3 0QQ

Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN

I would like to **OBJECT** to this application for the following reasons-

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SIGNED *R Aspdon*

DATE 07 MARCH 2024

Name BARRY & JACQUELINE RILEY

ADDRESS 5 MEADOWCROFT, LOWER DARWEN

..... BB3 0RU

**Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN**

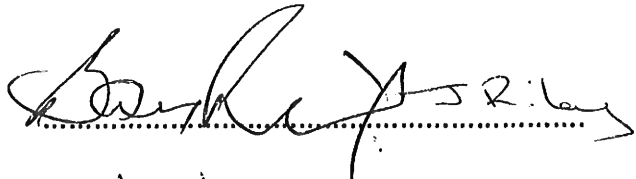
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SIGNED 

DATE 08/03/2024

Rep 24

**Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN**

EMAIL TO

LicensingTeam@blackburn.gov.uk

POST TO

Niky Barret Principal Officer (Licensing)
Blackburn with Darwen Borough Council
King William Street,
Town Hall,
Blackburn
BB1 7DY

WEBSITE

<https://blackburn.gov.uk/licences-and-permits/premise-licence-applications-consultation>

FROM LOCAL RESIDENT

Matthew Gooden

ADDRESS

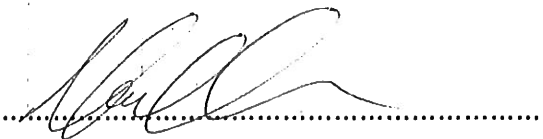
71 Aintree Drive

BB3 0QW

**Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP , 35 FORE ST LOWER DARWEN**

I would like to **OBJECT** to this application for the following reasons-

SIGNED



DATE

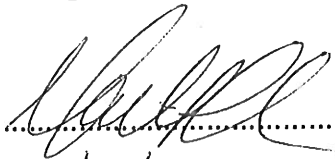
9/3/24

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SIGNED 

DATE 9/3/24

Rep 25

**Regarding the new off license application in Lower
Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST
LOWER DARWEN**

EMAIL TO

LicensingTeam@blackburn.gov.uk

POST TO

Niky Barret Principal Officer (Licensing)
Blackburn with Darwen Borough Council
King William Street,
Town Hall,
Blackburn
BB1 7DY

WEBSITE

<https://blackburn.gov.uk/licences-and-permits/premise-licence-applications-consultation>

FROM LOCAL RESIDENT

Sarah McMonagle
.....

ADDRESS

48 Anchor Avenue
.....

Darwen BB3 0AZ
.....

**Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP , 35 FORE ST LOWER DARWEN**

I would like to **OBJECT** to this application for the following reasons-

SIGNED

Sarah
.....

DATE

11/3/24
.....

Regarding the new off license application in Lower Darwen at - ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN

I would like to **OBJECT** to this application for the following reasons-

I have concerns that there will be an increase of crime and disorder, public safety, public nuisance issues, noise, litter, and general antisocial behaviour around the site. The Premier and Londis stores are only within 2 minutes walk of the proposed site and have a good relationship with each other sharing local crime CCTV images and generally protecting the community by regularly leasing with the police. I am worried that this will not be as well managed and lead to an increase of crime in the area.

There was no notice or application for a change of use from a fireplace shop to a convenience store. I think that it will make a huge difference to myself and other residents due to increased customer flow and to the amount of traffic trying to enter and exit the small car park at the side of the proposed property. Especially the delivery vehicles the car park is too small for these to manoeuvre safely. I fear it would be especially hazardous for anyone using the pedestrian crossing directly outside. There is also a dance studio upstairs and the car park already gets full with members cars so I am very concerned that traffic will try to park on the main road, pavements, chevrons, double yellow lines, in the private drive opposite or on nearby residential streets like Swan Farm and Duchess Street causing accidents and issues for residents and motorists.

Previous planning history shows that the premises was refused an appeal for change of use to a restaurant in 2010 because of - **Planning Ref No: 10/08/1142 APPEAL DISMISSED** *The scheme conflicts with Policies H11 and T9 of the Local Plan as there is insufficient parking space and it would be detrimental to the safe and efficient operation of the highway.*

Another 3rd convenience store in Lower Darwen village would definitely have a bigger impact and lot more traffic to deal with than a restaurant!

Signature *R. L. Appleby*

Date *12.03.24*

Address *Ross Appleby*
4 Dahlia close
Lower Darwen

Rep 27

**Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN**

EMAIL TO

LicensingTeam@blackburn.gov.uk

POST TO

Niky Barret Principal Officer (Licensing)
Blackburn with Darwen Borough Council
King William Street,
Town Hall,
Blackburn
BB1 7DY

WEBSITE

<https://blackburn.gov.uk/licences-and-permits/premise-licence-applications-consultation>

FROM LOCAL RESIDENT

MR R. PRESHUR

ADDRESS

10 SWAN FARM CLOSE

LOWER DARWEN BB3 0QU

**Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP , 35 FORE ST LOWER DARWEN**

I would like to **OBJECT** to this application for the following reasons-

SIGNED



DATE

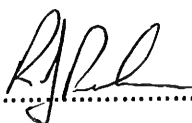
12 March 2024

I have concerns that there will be an increase of crime and disorder, public safety, public nuisance issues, noise, litter, and general antisocial behaviour around the site. The Premier and Londis stores are only within 2 minutes walk of the proposed site and have a good relationship with each other sharing local crime CCTV images and generally protecting the community by regularly liaising with the police. I am worried that this will not be as well managed and lead to an increase of crime in the area.

There was no notice or application for a change of use from a fireplace shop to a convenience store. I think that it will make a huge difference to myself and other local residents due to increased customer flow and to the amount of traffic trying to enter and exit the small car park at the side of the proposed property. I fear it would be especially hazardous for anyone using the pedestrian crossing directly outside. There is also a dance studio upstairs and the car park already gets full with members cars so I am very concerned that traffic will try to park on the main road or on nearby residential streets like Swan Farm and Duchess Street causing accidents and issues for residents and motorists.

Previous planning history shows that the premises was refused an appeal for change of use to a restaurant in 2010 because of - **Planning Ref No: 10/08/1142 APPEAL DISMISSED** *The scheme conflicts with Policies H11 and T9 of the Local Plan as there is insufficient parking space and it would be detrimental to the safe and efficient operation of the highway.*

Another 3rd convenience store in Lower Darwen village would definitely have a bigger impact and generate a lot more traffic than a restaurant!

SIGNED 

DATE *12 MARCH 2024*

Rep 28

Name A DICKSON
ADDRESS 1 MARQUIS CLOSE
LOWER DARWEN

Regarding the new off license application in Lower Darwen at –
ONE STOP - UNIT 1 GROUND FLOOR SHOP, 35 FORE ST LOWER DARWEN


I would like to **OBJECT** to this application for the following reasons-

I have concerns that there will be an increase of crime and disorder, public safety, public nuisance issues, noise, litter, and general antisocial behaviour around the site. The Premier and Londis stores are only within 2 minutes' walk of the proposed site and have a good relationship with each other sharing local crime CCTV images and generally protecting the community by regularly leasing with the police. I am worried that this will not be as well managed and lead to an increase of crime in the area.

There was no notice or application for a change of use from a fireplace shop to a convenience store. I think that it will make a huge difference to myself and other local residents due to increased customer flow and to the amount of traffic trying to enter and exit the small car park at the side of the proposed property. I fear it would be especially hazardous for anyone using the pedestrian crossing directly outside. There is also a dance studio upstairs and the car park already gets full with members cars so I am very concerned that traffic will try to park on the main road or on nearby residential streets like Swan Farm and Duchess Street causing accidents and issues for residents and motorists.

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SIGNED 

DATE 12/3/2024

I have concerns that there will be an increase of crime and disorder, public safety, public nuisance issues, noise, litter, and general antisocial behaviour around the site. The Premier and Londis stores are only within 2 minutes walk of the proposed site and have a good relationship with each other sharing local crime CCTV images and generally protecting the community by regularly leasing with the police. I am worried that this will not be as well managed and lead to an increase of crime in the area.

There was no notice or application for a change of use from a fireplace shop to a convenience store. I think that it will make a huge difference to myself and other local residents due to increased customer flow and to the amount of traffic trying to enter and exit the small car park at the side of the proposed property. I fear it would be especially hazardous for anyone using the pedestrian crossing directly outside. There is also a dance studio upstairs and the car park already gets full with members cars so I am very concerned that traffic will try to park on the main road or on nearby residential streets like Swan Farm and Duchess Street causing accidents and issues for residents and motorists.

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SIGNED *J. Magdalen-Wany*
DATE *18.3.24*

Rep 30

I have concerns that there will be an increase of crime and disorder, public safety, public nuisance issues, noise, litter, and general antisocial behaviour around the site. The Premier and Londis stores are only within 2 minutes walk of the proposed site and have a good relationship with each other sharing local crime CCTV images and generally protecting the community by regularly leasing with the police. I am worried that this will not be as well managed and lead to an increase of crime in the area.

There was no notice or application for a change of use from a fireplace shop to a convenience store. I think that it will make a huge difference to myself and other local residents due to increased customer flow and to the amount of traffic trying to enter and exit the small car park at the side of the proposed property. I fear it would be especially hazardous for anyone using the pedestrian crossing directly outside. There is also a dance studio upstairs and the car park already gets full with members cars so I am very concerned that traffic will try to park on the main road or on nearby residential streets like Swan Farm and Duchess Street causing accidents and issues for residents and motorists.

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Another 3rd convenience store in Lower Darwen village would definitely have a bigger impact and generate a lot more traffic than a restaurant!

SIGNED J M Longden
DATE 18/3/24

Rep 31

I (insert name of person making representation whether as an individual or on behalf of a group or authorised to make a representation as a responsible authority)

SIMON DIXON

make representations in respect of a variation to a; (tick as appropriate)

Premises Licence	/
Club Premises Certificate	

Section 1 – Premises or club premises details

Name, address and postcode of premises or club premises in respect of which you are making representations:	
ONE STOP - UNIT 1 GROUND FLOOR SHOP , 35 FORE ST LOWER DARWEN	
Post town	Post code (if known)
LOWER DWRWEN	

Name of premises licence holder or club holding club premises certificate (if known)

.....

Section 2 - Applicant details

I am; (A)

Tick as appropriate

- (a) any interested person or business. /
- (b) a body representing persons (i.e a residents association)
- (c) a responsible authority

Please provide your details below. If you are an individual applicant complete Section A and continue to Section 3. If you are a body representing an interested party complete Section B and continue to Section 3. If you are a responsible authority complete Section C and continue to Section 3.

Section A. DETAILS OF INDIVIDUAL APPLICANT (tick as appropriate)

Mr.	/	Mrs.		Miss		Ms		Other	
-----	---	------	--	------	--	----	--	-------	--

Surname	DIXON	First Name	SIMON
---------	-------	------------	-------

I am 18 years old or older	/
----------------------------	---

Current address

Premier & No3 Espresso Bar 3-9 ALBERT PLACE LOWER DARWEN BB30QE Postcode
--

Daytime contact telephone number	07785520678
E-mail address	SAXIE@SKY.COM

Section B. DETAILS OF OTHER APPLICANT SUCH AS A BODY REPRESENTING RESIDENTS OR BUSINESSES IN THE VICINITY OF THE PREMISES

Name of the Body	
------------------	--

Surname of person representing the body		First Name of person representing the body	
---	--	--	--

Address

 Postcode
--

Daytime contact telephone number	
E-mail address	

Section C. DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name of the responsible authority	Blackburn with Darwen Council
-----------------------------------	-------------------------------

Surname of representative of responsible authority		First Name of representative of responsible authority	
--	--	---	--

Address of responsible authority

Postcode	Niky Barret Principal Officer (Licensing) Blackburn with Darwen Borough Council King William Street, Town Hall, Blackburn BB1 7DY
----------	--

Daytime contact telephone number	
E-mail address	LicensingTeam@blackburn.gov.uk

Section 3 – DETAILS OF THE LICENSING OBJECTIVES WHICH WILL BE UNDERMINED BY THE APPLICATION/VARIATION

This representation relates to the following licensing objective(s) (tick as appropriate)

the prevention of crime and disorder	/
public safety	/
the prevention of public nuisance	/
the protection of children from harm	/

Section 4 - Information and details of the representation.

Please note that in the case of a variation to a Premises Licence your representations can only be relevant to the variation to the existing licence. You should note that any objections to the current licence held by the applicant should have been made when that licence was renewed by the Courts or Local Authority.

Please state the grounds for your representation

I am the owner of a local business on Albert Place, across the road from the proposed application site.

I would like to OBJECT to this application for the following reasons-

I have concerns that there will be an increase of crime and disorder, public safety, public nuisance issues, noise, litter, and general antisocial behaviour around the site. My Premier and the Londis store around the corner (both licensed) are only within 2 minutes walk of the proposed site and we and most of our customers do not feel that there is a need for a third outlet. We also maintain a good relationship with each other and local police by sharing information regarding underage sales, theft, and nuisance customers. We also regularly report and share any incidents via CCTV to the police. I am worried that this will not be as well managed by another off license and lead to an increase of crime in the area, especially if they are allowed to sell alcohol after 10pm. Our Premier shop now closes at 10pm instead of 11pm as we attracted a lot of antisocial customers.

Another major concern is about the existing parking problems on Albert place, Fore Street and surrounding areas. Over the last year or so there has been a lot more businesses opening and unfortunately no one has taken in to consideration extra parking that is desperately needed. Vehicles are usually parked up for long periods of time taking up valuable room for customers and delivery vehicles. I am very worried as most days it is very dangerous especially on Albert Place with double parking and both my businesses are suffering badly. I now struggle to receive deliveries and I am also losing customers as they tell me its too dangerous trying to park outside. The One Stop, if licensed will only attract more vehicles and create more problems for Lower Darwen and existing businesses due to its insufficient small car park and busy main road outside with no parking.

I would like to point out that there was no notice or application for a change of use from a fireplace shop to a convenience store. I think that it will make a huge difference to myself and local residents due to increased customer flow and to the amount of traffic trying to enter and exit the small car park at the side of the proposed property. I fear it would be especially hazardous for anyone using the pedestrian crossing directly outside. There is also a dance studio upstairs and the car park already gets full with members cars so I am very concerned that traffic will try to park on the main road or on nearby residential streets like Swan Farm, Albert Place and Duchess Street causing accidents and issues for residents and motorists.

Previous planning history shows that the premises was refused an appeal for change of use to a restaurant in 2010 because of - Planning Ref No: 10/08/1142 APPEAL DISMISSED The scheme conflicts with Policies H11 and T9 of the Local Plan as there is insufficient parking space and it would be detrimental to the safe and efficient operation of the highway.

Another 3rd convenience store in Lower Darwen village would definitely have a bigger impact and lot more traffic to deal with than a restaurant!

Please provide as much information as possible to support your representation. Please note that if you have not disclosed this information, you may not be able to introduce it at the hearing unless all the other parties consent.

Please continue on a separate sheet if necessary. Please mark the sheet clearly as a continuation of your grounds for objection.

Section 5

Have you made any representations in respect of these premises before? (Please Tick)	Yes	No /
Date that you made representations		

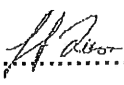
I understand that the Licensing Authority is obliged to give notice of a hearing to all parties who will attend the hearing and this must include a copy of this representation. (You must tick this box)	Yes /
---	----------

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE (£5,000), UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION OR REPRESENTATION.

Section 6 - Signatures

Signature of person making representation or a solicitor or other duly authorised agent. If signing on behalf of a body representing a person living or

carrying on a business in the vicinity of the premises or on behalf of a responsible authority please ensure that you have the right to sign a representation on their behalf and state the capacity in which you are signing.

Signature 

Date 18.3.24

Capacity Resident and local business owner

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.