

LICENSING PANEL

WEDNESDAY, 19TH DECEMBER, 2018, 10.00 AM

PADDOCK ROOM, CIVIC CENTRE, WEST PADDICK, LEYLAND
PR25

AGENDA

1 Apologies for absence

2 Declarations of Interests

Members are requested to indicate at this stage in the proceedings any items on the agenda in which they intend to declare an interest. Members are reminded that if the interest is a Disclosable Pecuniary Interest (as defined in the Members' Code of Conduct) they must leave the room for the whole of that item. If the interest is not a Disclosable Pecuniary Interest, but is such that a member of the public could reasonably regard it as being so significant that it is likely that it would prejudice their judgment of the public interest (as explained in the Code of Conduct) then they may make representations, but then must leave the meeting for the remainder of the item.

3 Declaration of New Premises Licence Application

(Pages 3 - 72)

Report of the Legal Services Manager attached.

Heather McManus
CHIEF EXECUTIVE

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Forthcoming Meetings
Time Not Specified Date Not Specified -

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Agenda Item 3

REPORT TO	ON
Licensing Panel	19 December 2018



TITLE	REPORT OF
Determination of New Premises Licence Application - Indigo, 1a Fleetwood Street, Leyland	Legal Services Manager

Is this report confidential?	No
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1. PURPOSE OF THE REPORT

To provide an overview of the application and inform Members of the relevant parts of statute and guidance relating to this application.

2 CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Excellence and Financial Sustainability	
Health and Wellbeing	x
Place	x

Projects relating to People in the Corporate Plan:

People	
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3. RECOMMENDATIONS

Members are requested to:

- 3.1 note the content of the report; and
- 3.2 determine whether to grant or reject the application. If members grant the application, they are asked to consider whether any additional conditions or restrictions should apply (taking into account any representations that have been made).

4. BACKGROUND TO THE REPORT

- 4.1 An application was submitted on 31st October 2018 by Daniel Hindle for a new Premises Licence pursuant to Section 17 of the Licensing Act 2003 for a first floor premises, formally the Knights of St Columbus, 1a Fleetwood Street, PR253NL.

4.2 The Applicant seeks permission to sell alcohol by retail between the hours of 11.00hrs till 00.00hrs Sun- Thurs and 11.00hrs -02.00hrs on Fridays and Saturdays.

4.3 In addition, the applicant seeks permission:

To offer recorded music between the hours of 19.00hrs and 00.15 Sun- Thurs and 19.00hrs – 02.15 on Fridays and Saturdays.

The proposed opening hours of the premises are 11.00hrs till 00.30hrs Sun-Thurs and 11.00hrs -02.30hrs on Fridays and Saturdays.

4.4 The premises is currently licensed for the supply of alcohol, the supply is subject to terms of the Club Premises Certificate. Bona fide clubs should be run for the benefit of the members and the only additional customers permitted in a club are guests of the members. The current hours of the CPC are 11.00hrs midnight through the week and 11.00hrs 01.00hrs at the weekend.

5. REPRESENTATIONS FROM RESPONSIBLE AUTHORITIES

- 5.1 There have been three representations received by responsible authorities in respect of the application. The representations have been received from the Council's Environmental Health Section, the Licensing Authority and the Police, the representations are attached as Appendices A, B and C respectively.
- 5.2 The representation relate to concerns over noise nuisance and crime and disorder which fall under the licensing objectives

6. REPRESENTATIONS FROM OTHER INTERESTED PARTIES

6.1 There have been 12 representations received from other parties. They have raised issues in respect of licensing objectives relating to the Prevention of Harm to Children, the Prevention of Public Nuisance, the Prevention of Crime and Disorder, and Public Safety. Please see attached representations (Appendices D-O).

7. DECISION TO BE MADE BY THE LICENSING ACT PANEL

Determination of application under section 18 of the Licensing Act 2003 7.1 Section 18 of the Licensing Act 2003 sets out the steps that can be taken, which are; To grant the licence subject to any conditions the Licensing Authority considers appropriate for the promotion of the Licensing Objectives. To exclude from the scope of the licence any licensable activities to which the application relates To refuse to specify a person in the licence the premises supervisor; or

To reject the application A licensing authority must carry out its functions under the Act (licensing functions) with a view to promoting the licensing objectives. In carrying out its functions, a licensing authority must have also have regard to- Its own statement policy published under section 5, and Any guidance issued by the Secretary of State under section 182. Relevant paragraphs of the Section 182 guidance are found below;

"9.3 Where a representation concerning the licensing objectives is made by a responsible authority about a proposed operating schedule and it is relevant (see paragraphs 9.4 to 9.10 below), the licensing authority's discretion will be engaged. It will also be engaged if another person makes relevant representations to the licensing authority, which are also not frivolous or vexatious (see paragraphs 9.4 to 9.10 below). Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives..... There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.

9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.”

7.2 Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority’s main source of advice in relation to a particular licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority’s interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

7.3 Panel members are requested to consider the evidence and to determine whether or not the application should be granted with or without modifications or rejected.

7.4 The panel must have regard to:

1. Its own policy; and
2. Secretary of State Guidance (section 182 of the Licensing Act 2003).

8. FINANCIAL IMPLICATIONS

8.1 There are no direct financial implications arising from this report.

9. LEGAL IMPLICATIONS

9.1 The Licensing Authority are under a statutory duty to facilitate the hearing. When determining this hearing the Council must comply with the rules of natural justice.

Any party at the hearing has a right to appeal the decision to the Magistrates Court.

10. COMMENTS OF THE STATUTORY FINANCE OFFICER

10.1 There are financial implications arising from the recommendations in this report.

9. COMMENTS OF THE MONITORING OFFICER

Please refer to the comments at 9.1.

11. OTHER IMPLICATIONS:

► HR & Organisational Development	None
► ICT / Technology	None
► Property & Asset Management	None
► Risk	Please refer to the legal risks identified above.
► Equality & Diversity	None

12. APPENDICES

Appendix 1 Application and Plan- Marked as Application

Appendix A - C. Representations from Responsible Authorities

Appendix D - O .Representations from interested parties

Appendix P - T Photos of the premises

Appendix U Response to objections from the applicant

Report Author:	Telephone:	Date:
Chris Ward	01772 625401	29 th November 2018

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We

(Insert name(s) of applicant)
apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises Details

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

INDIGO
1A FLEETWOOD ST.
LEYLAND

Post town	LEYLAND	Postcode	PR253NL
Telephone number at premises (if any)		/	
Non-domestic rateable value of premises		£ NIL	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | | |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| a) | an individual or individuals * | <input checked="" type="checkbox"/> please complete section (A) |
| b) | a person other than an individual * | <input type="checkbox"/> please complete section (B) |
| | i as a limited company | <input type="checkbox"/> please complete section (B) |
| | ii as a partnership | <input type="checkbox"/> please complete section (B) |
| | iii as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| | iv other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) | a recognised club | <input type="checkbox"/> please complete section (B) |
| d) | a charity | <input type="checkbox"/> please complete section (B) |
| e) | the proprietor of an educational establishment | <input type="checkbox"/> please complete section (B) |
| f) | a health service body | <input type="checkbox"/> please complete section (B) |
| g) | a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales | <input type="checkbox"/> please complete section (B) |
| ga) | a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> please complete section (B) |
| h) | the chief officer of police of a police force in England and Wales | <input type="checkbox"/> please complete section (B) |

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes ✓

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

- | | |
|--------------------------------------------------------------|--------------------------|
| statutory function or | <input type="checkbox"/> |
| a function discharged by virtue of Her Majesty's prerogative | <input type="checkbox"/> |

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr	<input checked="" type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Other Title (for example, Rev)	
Surname				First names					
HINDLE				DANIEL					
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes					
Current postal address if different from premises address				42 FOX LANE					
Post town		LEYLAND		Postcode		PR251HA			
Daytime contact telephone number				07774 943583					
E-mail address (optional)		kneen117@gmail.com							

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Other Title (for example, Rev)	
Surname				First names					
I am 18 years old or over				<input type="checkbox"/> Please tick yes					
Current postal address if different from premises address									
Post town				Postcode					
Daytime contact telephone number									
E-mail address (optional)									

Part 3 Operating Schedule

	DD	MM	YYYY
When do you want the premises licence to start?	30	11	2018

	DD	MM	YYYY
If you wish the licence to be valid only for a limited period, when do you want it to end?	00	00	0000

Please give a general description of the premises (please read guidance note 1)

*1st Floor open plan bar, wet sales only.
1 main entrance 1 fire escape.
All areas visible from bar. CCTV recording.
Outside smoking area.*

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment	Please tick any that apply
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- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tues			Both	<input type="checkbox"/>
Wed			Please give further details here (please read guidance note 3)	
Thur			for occasional performances by live bands, with amplified music	
Fri			State any seasonal variations for the performance of live music (please read guidance note 4)	
Sat			Christmas Eve into Day. Boxing Day into 27th Dec NEW YEARS EVE into NY Day	
Sun			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)	
			As listed above.	

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tues			Both	<input type="checkbox"/>
Wed			Please give further details here (please read guidance note 3)	
			D.J. Amplified Music.	
Thur	19:00	0:15	State any seasonal variations for the playing of recorded music (please read guidance note 4)	
			Christmas Eve into Christmas Day. Boxing day into 27th New Years Eve into NY. Day	
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)	
	19:00	2:15	As Above ↑	
Sat				
	19:00	2:15		
Sun				
	19:00	0:15		

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	
Day	Start	Finish	On the premises	<input type="checkbox"/>
Mon	11:00		Off the premises	<input type="checkbox"/>
		0:00	Both	<input checked="" type="checkbox"/>
Tues	11:00		State any seasonal variations for the supply of alcohol (please read guidance note 4)	
		0:00	Christmas eve into Christ. Day Boxing day into 27th Dec New Years Eve into NY. day.	
Wed	11:00			
		0:00		
Thur	11:00		Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)	
		0:00	As above ↑	
Fri	11:00			
		2:00		
Sat	11:00			
		2:00		
Sun	11:00			
		0:00		

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

Name	DANIEL HINDLE	
Address	42 FOX LANE LEYLAND	
Postcode	PR25 1HA	
Personal licence number (if known)	PERS0911	
Issuing licensing authority (if known)	SRBC	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

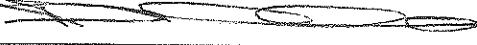
No adult entertainment
No Gambling Machines

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	11:00		Christmas Day into Christ. EVE Day
		0:30	Boxing Day into 27th Dec
Tues	11:00		NY EVE into NY Day.
		0:30	
Wed	11:00		
		0:30	<u>Non standard timings. Where you intend the premises to be open to the public at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Thur	11:00		
		0:30	
Fri	11:00		
		2:30	
Sat	11:00		
		2:30	
Sun	11:00		
		0:30	

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity

Signature			
Date	25/10/18		
Capacity	APPLICANT.		
For joint applications, signature of 2 nd applicant or 2 nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.			
Signature			
Date			
Capacity			
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
<p>DANIEL HINDLE 42 FOX LANE LEYLAND</p>			
Post town	LEYLAND	Postcode	PR25 1HA
Telephone number (if any)	07774 943583		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

THE OPERATING SCHEDULE

Application The Raven 1a Fleetwood St Leyland PR25 3NL

25/10/18

A. The supply of alcohol.

B. Licensing hours applied for are Sunday – Thursday 11 am – Midnight

Friday and Saturday 11am – 02.00am

C. Seasonal variances will be the only time in which the bar may need to operate outside of these hours.

D. N/A

E. The person to be named as the DPS is Mr Daniel Hindle. The signed consent form is included with this application. DPS no. PERS0991 Issuing authority SRBC

F. Supply of alcohol for on premises consumption together with off sales for take home sold only in sealed units (not cans). The off sales are expected to represent a very small amount of the weekly sales.

G. In order to support the licensing objectives we propose:

All areas are visible from bar.

CCTV recording and available for playback for up to 28 days.

Effective staff training.

Responsible drinking monitoring.

Regular toilet checks to discourage any drugs use.

Door staff as required.

Challenge 25.

No unaccompanied children in premises at any time.

No accompanied under 14 in premises after 7pm.

No accompanied under 18 in premises after 8pm.

Signs requesting consideration for neighbours by leaving quietly.

Making sure the fire exit is not used by smokers.

Signs for Zero Tolerance for Drugs and enforcing as necessary.

CAPACITY 150 PERSONS

FIRE RISK ASSESSMENT COMPLETED



South Ribble Borough Council
Licensing Service

Civic Centre
West Paddock
Leyland
Lancashire
PR25 1DH
Tel: 01772 625326
Fax: 01772 621 032
Email: licensing@southribble.gov.uk
Website: www.southribble.gov.uk/licensing

Consent of individual to being specified as premises supervisor

DANIEL JOSEPH HINDLE

[Insert full name of prospective premises supervisor]

of:

42 FOX LANE LEYLAND PR25 1HA

[Insert home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for:

THE RAVEN 1A FLEETWOOD ST LEYLAND PR25 3NL.
[Type of application] NEW PREMISES LICENSE

by:

DANIEL HINDLE

[Insert name of applicant]

relating to a premises licence: [Insert number of existing licence, if any]

For: 1A FLEETWOOD ST LEYLAND PR25 3NL

[Insert name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by:

[Insert name of applicant]

Concerning a supply of alcohol at:

1A FLEETWOOD ST LEYLAND PR25 3NL

[Insert name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for, or currently hold a personal licence, details of which I set out below:

Personal licence number:

PERS 0991

[Insert personal licence number, if any]

Personal licence issuing Authority:

SRBC

[Insert name and address and telephone number of personal licence issuing authority, if any]

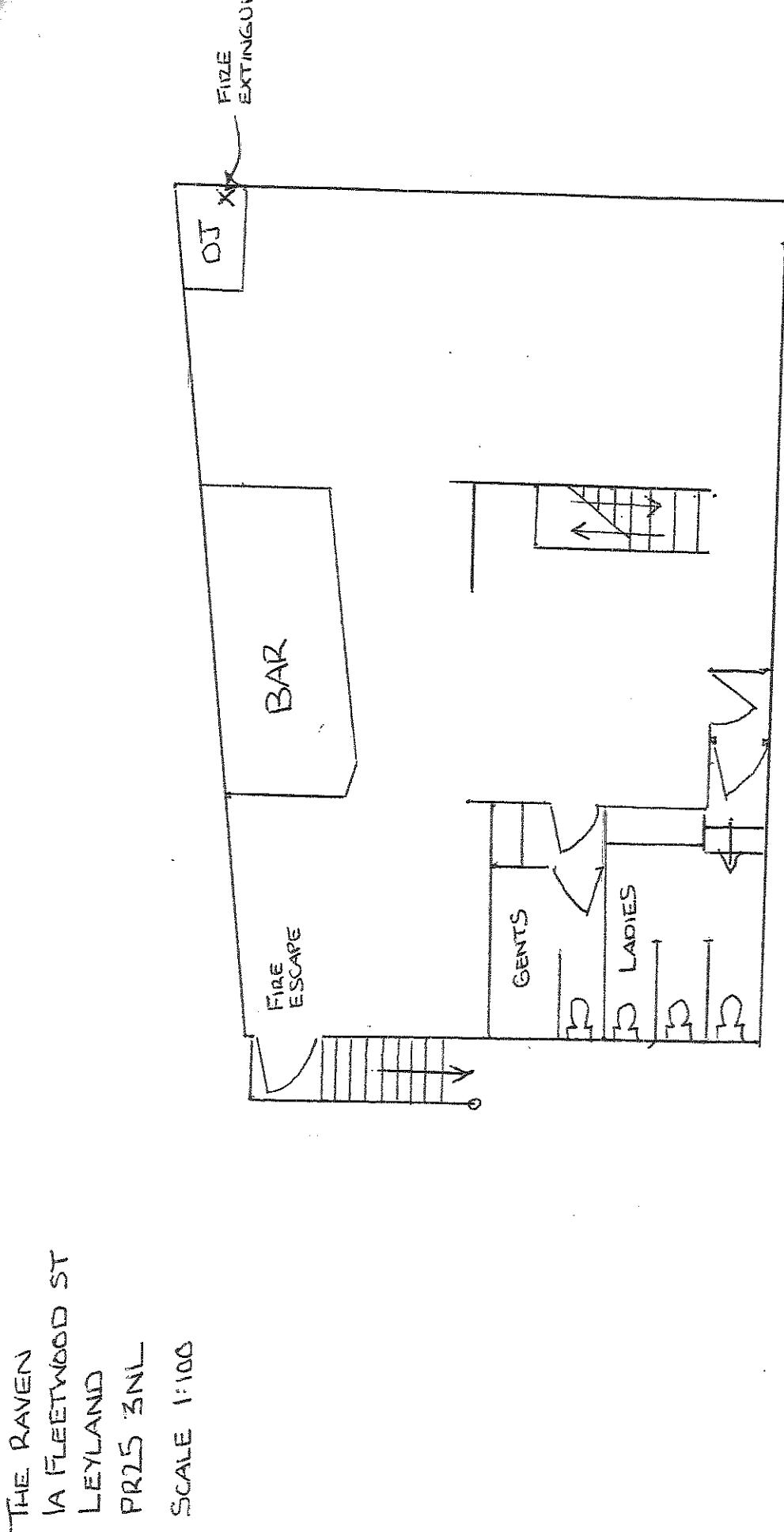
Signed:

Name (please print):

DANIEL HINDLE

Dated:

25/10/18



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► Licensing Act 2003

► Statutory Consultee Response



To:	Chris Ward	From:	Mr Matthew Cropper
Position:	Licensing Officer	Position:	Environmental Health Officer
Division:	Licensing Services	Division:	Environmental Health
Your Ref:		Our Ref:	18/1990/CONLIC
Extension No:		Extension No:	
Copy To:	Mark Marshal	Date:	19 November 2018
Name of Premises:	Indigo		
Address:	1A Fleetwood Street, Leyland, Preston, PR25 3NL		

Given the proximity of the proposed licenced premises to neighbouring residential properties, there is a strong likelihood that the licenced activity will cause a nuisance to the residents of, in particular but not limited, to Fleetwood Street, Chapel Brow, Orchard Street and Hewitt Street. I therefore recommend that the application is refused. However if the Licensing Authority is minded to approve the application I recommend that the following measures are put in place before the Licensing Authority should consider granting a licence.

Opening Hours

Reduce the hours in the proposed licence to midnight on Fridays and Saturdays and 11pm on other nights to reduce:

- Noise in the streets from patrons arriving late at night from other licenced premises.
- Noise in the streets from patrons leaving late at night.
- Noise in the streets from patrons smoking in the street.

Acousticians Report

Commission a report by a qualified acoustician on the likely impact of the intended licensed use of the premises detailing the necessary sound proofing work required to prevent noise nuisance. Undertake the necessary work in agreement with Environmental Health and provide a copy of the report to the Licensing Authority.

Windows and Doors

Windows to the premises shall be kept closed during licensed hours. Doors to the premises shall be kept closed and shall only be used for access into and out of the building i.e. shall not be propped open. The entrance used by the public shall be of a vestibule (lobby) construction with self-closers fitted to both sets of doors, this is to prevent noise break out.

Extraction

Since the windows and doors shall remain closed an adequate extraction for the premises, including the bar and kitchen (if provided), shall be provided with suitable mechanical ventilation which will prevent the need for doors and windows to be opened.

Customer Noise

To discourage patrons from congregating outside the premises and causing a nuisance the below conditions are required.

- No seating or tables shall be externally provided.
- No external speakers.
- No artificial lighting or heaters installed outside the premises.
- Patrons must not have access to the yard at the rear and must not be used as a smoking area.
- The fire escape must be used as an emergency exit only during opening hours.

Deliveries & Waste Collections

No deliveries or waste collection between 1900 hours and 0800 hours Monday to Friday and no deliveries or waste collection on Saturdays, Sundays or Bank Holidays.

Disposal of Glass

This Department has previously received noise complaints regarding commercial premises disposing of glass bottles etc by dropping them into a container. Therefore access to any external bin stores shall only be used between the hours of 1100 hours to 2200 Monday to Saturday, and 1100 to 2100 hours Sunday and Bank Holidays.

Regards

Mr Matthew Cropper
Environmental Health Officer



I am Mark Marshall, currently employed as the Head of Licensing for south Ribble Borough Council, duly authorised by David Whelan, Head of legal Services to submit representations on behalf of the Licensing Authority.

An application was received on the 25th October 2018 for a new premises licence relating to 1a Fleetwood Street, Leyland PR25 3NL. The premises is located on the 1st floor of the building and entry is gained through a single width door on Fleetwood Street.

On the 12th November 2018 the premises was visited by Licensing Officers, at this time construction work was still taking place but the overall layout was very apparent, a single fire exit door is located to the rear of the first floor which provides access onto a steel staircase which leads down into a rear yard.

The premises currently still benefits from a Club Premises Certificate allowing the supply of alcohol to 01.00hrs at the weekend and recorded music till midnight.

The new application seeks to sell alcohol till 02.00hrs and offer recorded music till 02.15hrs.

The Licensing Authority have numerous concerns;

Public Safety

The operating schedule which is included with the application indicates that a capacity of 150 is proposed, given the fact the fire exit door on the first floor is approximately 750mm wide this would have an impact on the time that it took to clear the building in the event of fire. General guidance on fire safety which is readily available indicates that 100 capacity would be advisable especially given that the majority of the customers will be in drink. It is possible to increase capacity if the exit door is slightly wider than 750, for every 75mm above 750mm there guidance suggests that an increase of 15 people would be permissible. Lancashire Fire and Rescue agreed that 150 capacity for such a premises is ambitious, and suggested a figure closer to 100.

Protection of Children from Harm

A technical point with the operating schedule has been noted in that the applicant has suggested that no unaccompanied children under 14 will be on the premises after 7pm.

Section 145 of the Licensing Act 2003 prohibits children under 16 being on specified premises at any time unless unaccompanied. This premises is exclusively or primarily used for the sale of alcohol on the premises so the no child under 16 would be permitted at any time unless accompanied by an adult.

Prevention of Public Nuisance.

The entrance to the premises is very close to residential property (approximately 20 meters) from the nearest house, the street compromises of terraced housing and the noise from customers entering and dispersing the area would easily carry down the street, a break in the housing, trees and walls would all act as a barrier for the noise but on this street there is no environmental protection.

This point was raised on the 12th November 2018 with the applicant and some suggestions were made regarding the installation of a quieting system and last entry condition, however neither have these have been offered in this initial application so can only be imposed by the applicant volunteering it or the Committee imposing it.

Sound insulation in the building has not been considered so the impact of recorded music or live bands has not been established, residents who have submitted objections indicate that they suffered noise nuisance when the previous club had live bands so the same position should be assumed with this new operation. This matter could be rebutted by the submission of a suitable noise assessment, at the time of writing no such document has been lodged with the application.

A further concern exists regarding the potential changes to neighbouring commercial premises, there are at least 4 late night takeaways on Chapel Brow all within about 50 meters from the premises, the latest terminal hour for these takeaways is 01.30 hrs. With a late night licensed premises proposing a closing time of 02.30hrs it is likely that some or all of these nearby takeaways will want to take advantage of more customers in the area and therefore apply for later opening. Typically takeaways seem to operate for about 30-45 minutes after neighbouring licensed premises close, this could protract dispersal from the area of Chapel Brow to 03.00hrs.

There is limited infrastructure in place around the locality for taxis, a small 2 bay taxi rank exists on Chapel Brow which is time limited between 7pm and midnight, after midnight private cars could legitimately park on the this rank which could mean that customers choose to pre book taxis, unless well controlled the arrival of numerous private hire vehicles could lead to noise nuisance problems from cars doors banging vehicles turning or waiting in Fleetwood Street or the possibility of arguments over who booked which vehicle. Again the operating schedule has failed to consider the impact of large numbers of people dispersing in the early hours of the morning onto what is currently a quiet residential street.

Prevention of Crime and Disorder

The anticipation of an increase in crime in the area can be assessed by the previous problems encountered by residents. When the premises ran as a member's club anti-social behaviour such as rowdy and inconsiderate behaviour, urinating in nearby alley ways and general disturbance from smokers as well as people arriving and dispersing were all matters of annoyance.

With proposed later opening hours and potentially a different demographic entering the area late at night it is more than reasonable to envisage problems will occur. The applicant is proposing 2 door staff to be on duty, one on the front door and one inside the premises, on busy night's one member of door staff will not be able to manage the issues in the immediate vicinity of the premises, it should be noted that in the immediate vicinity there are numerous residential properties.

Yours Faithfully,



Mark Marshall
Head of Licensing
South Ribble Borough Council
☎: 01772 625401
✉: Civic Centre, West Paddock, Leyland, PR25 1DH
✉: southribble.gov.uk ✉: mmarshall@southribble.gov.uk



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**Lancashire
Constabulary**

police and communities together

Licensing Unit, Preston Ops Centre,
Lancaster Rd North, Preston, PR1 2SA
Telephone (01772) 209785
centrallicensing@lancashire.police.pnn.uk

26th November 2018

Dear Sir/Madam,

INDIGO 1a Fleetwood Street, Leyland PR253NL

We are in receipt of a new premises licence application for this premises which was formerly the Knights of St Columba Club. I wish to make the following representation on behalf of the Chief Officer of Police.

As the Knights of Saint Columba Club, the premises was a members club with
Friday 0900 – 0200 (Supply of alcohol to 0100)
Saturday 0900-0200 (Supply of alcohol to 0100)

The application seeks hours for the weekend for a commercial bar as follows
Friday 1100 – 0230 (Supply of alcohol until 0200)
Saturday 1100 – 0230 (Supply of alcohol until 0200)

These impact of hours together with the change from members club to public bar and certain deficiencies in the application as set out below are of particular concern to us.

We have visited the premises and note that it has more in common with a Night Club venue than a public house and that the licence seeks to provide amplified recorded or live music until 2300 hrs presumably to address complaints of noise nuisance.

The premises is sited at the top of a residential street with a number of nearby takeaway premises on Chapel Brow. We have concerns that siting a licenced premises with a licence to 2.30 am will encourage further late night drinking in the area with associated drunken nuisance and disorder to the detriment of local residents. We believe that this would impact negatively on public safety, nuisance and levels of crime and disorder in the immediate area.

The plans include a DJ booth but there is no application in respect of dancing. With an application for amplified music and the provision of a DJ booth we have concerns that this licensable activity will happen because it is set up to happen with a consequent impact on public safety and crime and disorder.

There is no formal provision in respect of door staff. If the premises is offering weekend drinking to 2.30am and what appears to be a nightclub type setting we believe that the absence of formal door staff arrangements poses an unacceptable level of risk in terms of crime and disorder, public safety and the prevention of public nuisance. Our experience with other licensed premises in the immediate area is that adequate provision of doorstaff is a necessity.

The applicant seeks to have smoking area to the front of the premises on Chapel Brow. With the absence of proper door staffing conditions this location presents risk of crime and disorder with customers taking glasses and bottles onto Chapel Brow.

In summary, for the reasons above the Police object to the application on the following grounds that the grant will undermine the objectives of the Act in terms of public safety, the prevention of crime and disorder and the prevention of public nuisance.

Should you have any queries in relation to any of the matters outlined above then please do not hesitate to contact the Licensing Unit.

Yours Sincerely,

PS 777 Richard Horton
Licensing Sergeant

29 Chapel Brow,
Leyland
Preston,
PR25 3NH

(email is preferred)

24th November 2018

The Licensing Section
South Ribble Borough Council
PR25 1DH
(By Hand but also by email to licensing@southribble.gov.uk)

Sir,

Indigo, 1A Fleetwood St, Leyland, PR25 3NL -Licensing Application

My name is Tom Peil. My details above. I wish to object to the application for a Premises Licence/Club Premises Certificate at 1a Fleetwood Street, Leyland, PR25 2NL. These premises are three doors away from me: I am a near neighbour and a directly concerned resident.

Fleetwood Street is, a wholly residential cul de sac with the single exception of the corner premises until recently occupied by the Knights of St Columba Club. The Knights Club was a quiet club of the nature of a working men's club with a membership base of mature local people who being local mature people were often and mostly my neighbours with a regard and respect for the locality.

The premises are on the corner of Chapel Brow and Fleetwood Street with the entrance being on Fleetwood Street. Chapel Brow is composed almost entirely of commercial properties. Fleetwood St is, other than No 1A, entirely residential. Being a cul de sac, it is shielded from commercial activity which is a mixture of day-time offices and shops but also part of the night time economy providing a number of fast food take-aways. These fast food operations are restricted to closing at midnight and in most cases, probably all, are closed before this but are certainly those near me closed by midnight.

I object on these grounds following:

Failure of Notification

I heard of this application by chance yesterday, 23rd November 2018 and further investigations showed that objections must be with you by 28th November. This hardly gives time to put together a coherent objection and I must wonder why this application has been kept so secret. Why were residents not informed? But for a chance, conversation I would not have been able to object until too late. There has been no press publicity, no local

signage, no indication on the premises themselves and no communication with residents.

Public Nuisance

Proposals to permit music until midnight, or 2.15am Fridays and Saturdays together with the lengthy supply of alcohol times (always up to midnight, up to 2 am weekends) will adversely affect quality of life on Fleetwood Street and my home on Chapel Brow, might well be dangerous and will affect property prices. This through the noise of live and recorded music and vehicles, taxis and cars, attempting to park, turn and reverse in this residential cul-e-sac during what used to be called the silent hours and which should, in a residential cul-de-sac, still be he silent hours.. That property prices will be affected is clear; who would buy a house with a near certainty of social nuisance?

There is no place for large brewery delivery vehicles to park. They will use, as they have done in the past, the disabled parking spaces in front of my house on Chapel Brow. From a club membership numbering in the tens into what is proposed to be in the hundreds deliveries and the obstruction caused by delivery vehicles will be increased. Perhaps from once or twice a week to, perhaps, several times a week. Since the KSC club closed it has been a relief to have the disabled parking spaces returned to us.

The fast food operations currently restricted to an earlier closing will now be quite reasonably tempted to stay open later to cater for the newly created market from these premises and this will add to the late night nuisance.

Public Safety and Protection of Children from Harm

Noise. Children and adults will be adversely affected by noise and music into the early hours preventing sleep and normal relaxation through the evening. Lack of sleep perhaps contributing to inattention and misbehaviour at school.

Parking will be required throughout the opening times and this will cause congestion on the street and in the back lanes. Fleetwood Street is a residential cul de sac with families and vehicles will inevitably have to turn and reverse in the street. This will be a danger to both adults and children but especially to children.

Intimidation. Smoking is not permitted inside and smokers will congregate on Fleetwood Street and our back lanes where there will also be the the temptation to use them as urinals. Groups of drinkers will congregate around the entrance to the proposed club and by their presence will be intimidating especially to women and children who have no other route but to walk past, and perhaps through, these groups,. Catcalling, wolf whistling and sexual intimidation beyond even midnight.

Crime and Disorder

Property Risk. There will be a risk to property. I park my car in our back lane and have done so for almost 40 years; I have nowhere else to park (and why should I?) and the prospect is that it will be the casual target for drunken louts late at night – if use of these

premises permits me a parking space.

Racial Hatred. Directly opposite the club on the corner of Fleetwood Street is an Islamic Place of Worship – a Mosque – which presently co-exists amicably with residents. It is next door but one to me. There is a risk that this could become a target of racial hatred. There have been attacks on Mosques all over the country and the fear is very real. You will be aware that there have been racial attacks in the fairly recent past on some of the fast food takeaways on Chapel Brow after some atrocity. I feel the risk is high especially in the light of attacks on Chapel Brow premises in the past and should not be ignored.

Contravention of the Human Rights Act

Article 8 of the European Convention on Human Rights provides a requirement of respect for one's private and family life and home, subject to certain restrictions that are "*in accordance with law*" and "*necessary in a democratic society*".

The proposal contravenes my right to a private life and respect for my home. This right is not absolute and may be restricted if a restriction is in accordance with law **and** is necessary in a democratic society. To breach my right both conditions are necessary.

I have shown clearly above that my home life will be severely affected. The proposals may be in accordance with law if approved but they are **not** necessary in a democratic society.

Conclusion

There has been no notification of the application. There are risks of public nuisance, crime and disorder, danger to adults, intimidation of residents (especially to women), danger to children (who should be protected from harm) and the risk of racial hatred. Human Rights will be restricted.

The application should be refused.

Tom Peil

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Marshall, Mark

From: Erica Brown <
Sent: 28 November 2018 14:28
To: Licensing
Subject: Objection to proposed licensing hours for Indigo Club, Fleetwood Street. Leyland.

I have lived next door to the Knights of St Columbus on Fleetwood Street for three years. Having been made aware of the pending licensing application for Indigo I fear that the problems that I have previously only just been able to tolerate will become unbearable.

I can confirm that I experienced the following problems with the Knights of St Columbus:

Noise Pollution.

When the pub closes obviously people spill out into the street. However, in my experience, they do not leave quietly, nor do they leave quickly. They tend to loiter for at least an hour shouting to one another, in some cases having foul mouthed arguments in the road. As you will no doubt be aware, intoxicated people tend not to worry about their volume.. May I add that in my time as a resident I have witnessed drunken fights occurring between customers of the club, This not only adds to the noise pollution but as a single woman walking past can be very intimidating.

I am concerned that this is what occurred when closing time was at 11pm. By adding 3 hours of drinking time onto this I have no doubt that the problem will only be exacerbated. The proposed licensing hours until 2am is bad enough, but please consider the additional loitering time and the noise that will accompany this.

The noise levels from the Knights of St Columbus, on nights when live music was being played, was intolerable. However, as they had an earlier closing time I was able to cope and, if needs be, could move to the back bedroom to get some sleep. Living on my own I have the luxury to be able to this. However, as I'm sure you are aware, there are families living on the street with young children. How are they expected to get the children off to sleep at a reasonable hour if music is being played until 2am. The building is old and has inadequate noise/sound insulation. Also, there are windows and door to the rear and I anticipate extreme noise at this location which faces onto Fleetwood Street.

Although public nuisance is not defined in the Licensing Act 2003 the guidance states:

"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."

As most people on the street I have a full time job and during the week I often retire to bed before 10pm. The new licensing proposals for the club to be able to play live music till 11pm on week days and open till midnight is unacceptable I fear I will not be able to get a full night's sleep needed to feel refreshed and ready to face the new day. In essence, I feel that there will be a reduction of the living and working amenity as stated above.

This Club is literally yards from the door to my home, so I get the full effect of any commotion occurring in the vicinity.

Alley ways.

There are two alleyways on Fleetwood Street which, in my three years residence, I have witnessed both used by the public whilst attending the club, as urinals and somewhere to vomit. This is then left to the

residents of Fleetwood Street to clean up. These are the same streets that small children play in during the day.

In addition to this, the alley ways are used as somewhere for the patrons to move to to take drugs before re-entering. Does this sound like something you would like on your doorstep? It is no secret that the pubs of Leyland have a drug problem. My concern is that having somewhere open until 2am in the morning, will only encourage bad behaviour in and around the surrounding communities of Leyland. I fear that this small venue will become the place where, already inebriated, people will flock to when other pubs in the town close. This may cause problems with crowds being unable to fit in and, therefore, causing problems in the street.

Smoking

The Knights of St Columbus allowed the public to smoke outside the front door, again adding to the noise/general pollution of the street. The amount of cigarette butts left on the street was disgraceful and no attempt was made to clear these up. In addition to this there is the litter problem that accompanies the premises being used as a pub such as discarded takeaway containers and broken glass bottles.

Devaluation of Houses on the Street:

If proposed opening hours are accepted the value of the all houses on the street will decrease dramatically. Putting the residents of the street at an unfair disadvantage in the housing market should they wish to sell their home. I now fear that if I wish to sell my house in the future I will be unable to do so. Who in their right mind would want to buy a house next door to a nightclub that is open until 2am?

May I strongly suggest that the music and opening hours are kept the same as imposed on the Knights of St Columbus. Anything else is simply unacceptable.

Regards,

Erica Brown (no.1 Fleetwood Street)

Application for the grant of a Premises Licence/Club Premises Certificate

Indigo
1a Fleetwood Street
Leyland
Preston
PR25 3NL

Dear Sir/Madam,

I am writing to oppose the above application on several grounds.

Overview

Fleetwood Street is a small community of 16 terraced dwellings(currently 14 occupied), the type of residents are quite diverse with families with very young children, retired OAPs, shift workers and professional government workers.

The Indigo Bar is situated at the beginning of Fleetwood Street and all the houses(Nos1-16) are within 5-50m of the Bar.

The planned activities of live and recorded music and the very late opening hours will impact immensely on the residents and affect the quality of their lives being in such close proximity to the bar.

There is simply a conflict of interest between the residents who should be able to go about their lives without being affected by the entertainment provided at the bar and late night opening and the Licensee who wants to provide a social venue for such activities for up to 150 customers into the early hours.

Opening Hours

The planned opening hours are as follows:

Sunday - Thursday 11:00 to 00:30.

Friday to Saturday 11:00 to 02:30

In both cases customers leaving the bar will be making noise(possibly fuelled by alcohol) when leaving the bar or waiting for taxis on the street, which means realistically that the street will not be quiet until at least 0100hrs and 0300hrs respectively.

The Licensee will have no way of policing customers once they have left his premises at these late hours.

There could be up to 150 customers leaving the bar at closing times

This would unacceptable for the residents especially those with young families or early start shift workers and the residents in general who have the expectation of an undisturbed night's sleep any day of the week.

I honestly believe the residents should be entitled to be able to do this

The other 2 public houses in the area(Queens & Golden Taps) closing times are 0100hrs and 2300hrs respectively but customers do not leave directly into a residential area.

This could also lead to a surge from customers from those pubs when they close who wish to carry on drinking.

Live & Recorded Music

Live Music

Wednesday – Friday 19:00 to 23:00
 Saturday - Sunday 14:00 to 23:00

Recorded Music

Sunday - Thursday 11:00 to 00:15
 Friday to Saturday 11:00 to 02:15

Historically the residents have always suffered as a result of entertainment in the form of live or recorded music when it was the Knights of St Columba Club.

I believe there were conditions placed on the previous owners as part of the T&Cs of the Licence in the form of windows had to be closed and curtains drawn to minimise sound when live and recorded music was played.

This actually was ineffective and was never enforced by the previous owners (especially in the summer when windows are opened for ventilation) resulting in noise pollution for the residents.

Even with windows closed the music could be heard by the residents.

The windows simply do not afford sufficient sound proofing to reduce the noise to an acceptable level so the residents are not affected by live and recorded music.

Working days

Expecting the residents to put up with live music 1900- 2300hrs(Wed-Fri) and recorded music until 1100- 0015hrs(Sun-Thurs) which in effect to most residents are normal working days is unacceptable

Weekends

Expecting the residents to put up with live music on weekends 1400-2300hrs (Sat-Sun) and recorded music 1100- 0215 hrs(Fri-Sat) at the weekends is also unacceptable.

The quality of life of the residents (especially those in close proximity to the bar) will be affected greatly if such late night music is allowed to happen.

There will be simply too much noise pollution on a daily basis especially during the silent hours when residents will be sleeping, resulting in disturbance to residents.

Supply of Alcohol

As above the residents would have to put up with disturbances of 150 customers entering/leaving the premises until the early hours.

Access

There is only one point of access and egress from the premises.

If there are security staff on the door it will result in customers congregating on the street during opening hours

Smoking Area

To my knowledge there will be no designated smoking area resulting in customers smoking(and talking) on the street up until 0230hrs at weekends.

Even if the small yard to the side of the premises were used the noise from the smokers would disturb residents

Summary

I would draw your attention to Article 8 of the Human Rights Act in that I believe the residents have a qualified right to protection from noise and pollution nuisance.

The bar and residential properties are simply too close together.

The day to day running of the bar and entertainment will impact massively on the residents.

The extended opening hours with resulting noise from music and customers leaving the bar will simply make life for residents unbearable

I would ask the Licensing committee to consider if they would be happy to live next to a bar with such late opening hours and entertainment taking place ?

I would hope people matter more than profit.

The Licensing hours are excessive and if granted should be amended to ensure minimum impact on the lives of the residents by amending the times for live and recorded music and the opening times of the bar.

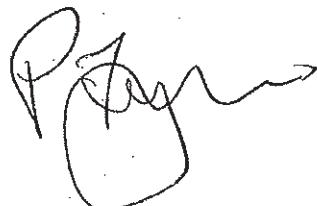
Possibly:

Weekdays (Sun- Thurs) 2300hrs
Weekends (Fri-Sat) 2359hrs

It is supposedly a bar not a night club.

I hope you will consider my concerns when making a decision on the application

Peter Flynn
12 Fleetwood St



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Marshall, Mark

From: Salisbury, Alison on behalf of Gateway Info
Sent: 26 November 2018 10:55
To: Licensing
Subject: FW: Indigo club opening hours on fleetwood street Leyland lancashire

-----Original Message-----

From: Paul Gill [mailto:paul...]
Sent: 25 November 2018 10:12
To: Info <Info@southribble.gov.uk>
Subject: Indigo club opening hours on fleetwood street Leyland lancashire

Hi... I've lived On the street 4 years and the club was bad enough when it opened on its old hours of till midnight. If allowed to serve alcohol and play live music till these latest hours of upto 2.30am then it's gonna cause disturbances and stress. I would like to object to this application . My 8 year old daughter does not need to be woke up every weekend at unreasonable hours with loud music and drunk people.
I look forward to hearing from you .. thank you for your time

Paul gill
2 fleetwood street
Leyland
Pr253nl

Sent from my iPad

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Marshall, Mark

From: DARRELL SENIOR
Sent: 27 November 2018 13:34
To: Licensing
Subject: License application for 'Indigo', 1a Fleetwood Street, Leyland

Sir/Madam,
I am writing to express my concerns over recently discovered plans, for what was formerly known as The Knights of St Columbus club, on Fleetwood Street, Leyland, of which I am a resident. What particularly concerns me are the plans to extend the opening hours to 2.30am on Fridays and Saturdays, and the accompanying noise that this will generate at that time.
With the proposed bar serving alcohol until 2am on these nights, one can only imagine the associated disruption this will cause. In addition to this, with an anticipated capacity of 150, the noise of taxis and cars accommodating the leaving crowd, will be totally unacceptable to the residents of Fleetwood Street, and others close by.
Fleetwood Street is a quiet, residential street that houses pre-school children, pensioners, and people who work shifts, rising for work at 5am, even on weekends. The disruption to their peaceful night's sleep will be intolerable.
I understand there will be no designated smoking area, which will no doubt lead to piles of dog ends at that end of the street, and probably on to Chapel Brow, as well.
Please let me make it clear that I have no objection to the existence to the pub / club on the street. After all, it was there a long time before I was. I am just concerned, as most residents are, at the escalation of noise and disruption that will be an inevitable result of the proposed late opening times.

Yours faithfully
Darrell Senior
Fleetwood Street Resident.,

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Marshall, Mark

From: Charlene Woods >
Sent: 22 November 2018 17:32
To: Licensing
Subject: Licensing Section

I am writing to oppose the new licensing application that has been submitted by the new owners of the Knights of St Columbus on Fleetwood Street, Leyland, PR25 3NL. This is a very small street and I am directly in front of the club. It was bad enough trying to sleep when the club closed at 11pm. Now they want to keep it open till 2.15pm with loud music. With over 100 people licensed to be aloud in. This is not practical at all and I strongly oppose it. I have two young children. They need sleep and peace in their home. These people are going to be basically on my door step intoxicated, shouting, swearing, smoking, smashing glasses, urinating on the wall to my house and fighting while intoxicated. The noise and very loud music will be a living hell. I would not be able to sleep or function and my children will be effected. The new owner has not thought about the people on this street at all. How does he expect us to live like that. I am very concerned about me and my two small children now and this application needs to be rejected promptly. This is a home and the very loud noise that will come from the club will be like living inside the club with my children. We can't be expected to sleep with ear plugs in. The noise will be that bad. Like I said it was bad enough when it closed at 11pm.

My Address:

16 Fleetwood Street
Leyland
PR25 3NL

Kind regards

Charlene Woods

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Marshall, Mark

From: DOMINIC WEBSTER <
Sent: 22 November 2018 18:04
To: Licensing
Subject: Knights of St Columbus licence , Fleetwood Street.

I am emailing regarding the new licence application that has been submitted by the new owner of the above above club .

I am the landlord of 16 Fleetwood Street, Leyland and my tenant lives there with two young children. She has raised concerns with the music being allowed until 215 at the weekend and open later during the week....this is just not practical with the club being so close to residential properties. It will cause major issues in the street for residents especially who have young children! There will be drunks, loud music and rowdy behaviour until the early hours which is just unfair to my tenant and other residents on the street. If open this late it will cause more problems for the locals, takeaways, and police.
This request needs to be rejected immediately.

Thanks

Dominic Webster

Sent from my iPhone

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Hi Dan,

Thank you for the email,

For the objection to be relevant I would need your full address.

Kind regards

Chris Ward
 Licensing Officer
South Ribble Borough Council
 : 01772 (62) 5330
 : Civic Centre, West Paddock, Leyland, PR25 1DH
 : southribble.gov.uk : cward@southribble.gov.uk



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From: Gillam, Dan (UK)
Sent: 22 November 2018 16:08
To: Licensing <Licensing@southribble.gov.uk>
Subject: Application for extended hours at Indigo, Fleetwood Street

Dear Sir/Madam,

I have recently been made aware of an application by Daniel Hindle, owner of Indigo, 1a Fleetwood Street, Leyland aka Knights of St Columbus. I wish to lodge a formal objection to this application for the following reasons:

I live in Fleetwood Street and, since moving there in 2007 have had to endure increasing noise levels from the premises in question following previous applications for live music. The premises has an external smoking area at the rear which is accessed by via a door from the first floor. This is often left open during performances whilst people move in and out leading to unimpeded transmission of noise directly along Fleetwood Street. The noise level is quite objectionable, particularly later on. Even with the door closed, the noise carries along the street quite clearly. I live further from the club than some and I find it excessive at times – in particular Friday and Saturday nights. I dread to think how it is for the residents next door. Thankfully the club is not open too late and things quieten down around midnight so this can be tolerated in the spirit of 'live and let live'. However, the proposal to extend through to 2.30am is abhorrent and will no doubt lead to misery for many of the residents of Fleetwood Street and the surrounding area.

The noise won't be restricted to music and will be from drunk people shouting in the streets, which happens now, but again, earlier is more tolerable. People in the street screaming at 2-3am in a residential area is not acceptable. I know there are a number of shift workers in Fleetwood Street and such extended hours and associated noise increase will probably affect them even more than me.

To my knowledge, there are no bars in Leyland that stay open as late as is being proposed. This means that any extension to the hours will result in all the drunks of Leyland descending to the one place late on when all the other bars are closed. This will attract undesirable elements as well as regular folk and the potential for trouble would be greatly increased, not just for club attendees but for the residents of the area or passers-by. Because of the high

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**REPRESENTATIONS AGAINST THE APPLICATION BY
DANIEL HINDLE
FOR THE GRANT OF A PREMISES LICENCE/CLUB PREMISES CERTIFICATE AT
INDIGO, 1A FLEETWOOD STREET, LEYLAND.**

ON BEHALF OF THE RESIDENTS OF FLEETWOOD STREET NAMELY:

**ERICA BROWN – 1 FLEETWOOD STREET
JOHN BOLTON – 7 FLEETWOOD STREET
PETER FLYNN – 12 FLEETWOOD STREET
RAY RIBCHESTER – 13 FLEETWOOD STREET
KATHLEEN RIBCHESTER – 13 FLEETWOOD STREET
MEGAN O'DEA – 15 FLEETWOOD STREET
CHARLENE WOODS – 16 FLEETWOOD STREET
TOM PEIL – 29 CHAPEL BROW**

POINTS OF GENERAL APPLICABILITY.

1. THE LAW

The Licensing Act 2003.

This application falls due to be decided under the Licensing Act 2003. Under both the Act and the Council document 'Guidance for Applicants' it is quite clear the Applicant's duties in making an application. One of the most important aspects is the duty to advertise the application in order that those affected have the opportunity to make objections to the same:

It is clear that an Applicant must advertise their application in two ways:-

1. By displaying a notice prominently at or on the premises, where it can be easily read from the exterior of the premises, for not less than 28 days starting on the day following the giving of the application to the Licensing Authority and

2.

All the Residents would say that the Applicant has not complied with this requirement whatsoever. The residents would submit that the Applicant (who has other Licensed Premises and as such would be well aware of this requirement) has acted with mala fides. They would submit that the Applicant has failed to advertise the application as he is well aware that if no objections are received by the Authority then such application would be granted on the papers. The Residents in fact only became aware of the Application very recently and have therefore have not had the requisite time limit afforded by law in which to fully consider and submit representations on the Application. The Residents would therefore submit that for this reason alone the Application is fatally flawed and as such the Licensing Committee should refuse the Application forthwith.

The Human Rights Act 1998.

The Residents would submit that to grant this Application would be a fundamental breach to the rights under Article 8. This Article enshrines the Right to Respect for Private and Family Life. The Act goes on to stipulate that 'There shall be no interference by a public authority with the exercise of this right except such is in accordance with the law and is necessary'. In support of this application see below.

The Council's Four Licensing Objectives.

The Residents would seek to remind the Council that each application should be considered against its own published objectives, namely:-

- i) The Prevention of Crime & Disorder
- ii) Public Safety
- iii) The Prevention of Public Nuisance
- iv) The Protection of Children From Harm

The Residents would argue that this Application fails against an objective consideration of each and every one of those objectives. For further detail see below.

2. SPECIFIC GROUNDS OF OBJECTION.

General Grounds Affecting All Residents.

Whilst the Residents accept that these Premises were formerly Licensed Premises it can be seen from the personal representations below that there was general anti-social behaviour emanating from those premises.

The Residents would submit that this Application goes much further than the license previously granted such that those problems would be exacerbated.

Fleetwood Street is a wholly residential cul-de-sac consisting of 16 terraced properties, 2 of which are unoccupied. Resident's ages range from children to OAPs and a mixture of employments including nurses, civil servants, professional engineer (BAE) and shop workers. Working hours are varied with some working night shifts, early starts for those who work shift patterns and normal 9-5 hours.

As opposed to that it is clear, from the nature of the Application, that the target demographic for the proposed premises would be younger people. The residents submit that as such there lies real problems of crime, disorder and general anti-social behaviour. It would appear that the main/entrance would be situated on Fleetwood Street meaning that the Residents would suffer from large number of patrons exiting the premises in the early hours of the morning. The nature of the premises would mean that the Applicant would not be in a position to mitigate that fact. Further there is no car park to the premises as such the Residents could find themselves unable to park outside their own homes. All residents, but most especially single females, feel they could be intimidated should they wish to go out of their homes late at night.

The Residents would further cite the problems they have had since the Applicant has started refurbishment of the Premises. The Residents would further cite this as further proof of the mala fides of the Applicant in that he has carried out this work believing, because of his failure to properly advertise the Application, that this Application would be simply granted for the lack of opposition.

Following from the above paragraph, it is the understanding of the Residents that the Applicant has other premises with similar opening hours to those proposed in this Application. Those premises are within walking distance of those subject of this Application. The Residents would therefore pose the question as to the necessity of further premises other than for commercial gain.

Residents Specific Grounds of Objection.

Erica Brown – 1 Fleetwood Street

I have lived at no. 1 Fleetwood Street for 3 and a half years.
I have had to put up with the Knights of St Columbus for the same amount of time. Less the two months it's been closed and under renovation.
The last two months have been blissfully quiet. The closure of the club has heightened just how truly irritating and disturbing the club actually was.
The new club will not provide any parking for its customers as there is none available in the surrounding area except of course Fleetwood Street.
There are 16 houses on Fleetwood Street. I believe there is a mixture of families on the street. But think it mainly consists of hard working families whom most get up early for work. I am aware that there are two people on the street who do shift work.
I would say that the construction work has been going on since the end of September.
I personally found out through a friend who fortunately works at the council and informed me of the proposed licensing hours. I would like my friend to remain anonymous as I do not want to get them in trouble.
Upon finding out I was outraged and subsequently set about informing my fellow residents. I can not see any information about the proposed licensing in the Window of the establishment.
There is only one entrance that I am aware of and that is Fleetwood Street. I believe there is a door on Chapel Brow but believe that leads to the Kitchen. So can't see how that will ever be utilised.

John Bolton: 7 Fleetwood Street

John has lived at his address for 7 years and is a civil servant who works shift patterns which include nights. John heard about the proposal by chance though local gossip.

Peter Flynn: 12 Fleetwood Street (OAP)

Peter has lived at number 12 for 21 years and noted that even when it was previously the KSC Club they very rarely adhered to the restrictions (windows had to be shut and curtains closed). Building work has been in progress for 5 weeks now with as many as 6 vans being parked in the street. Found out about the proposal by trawling through the South Ribble Council website. Notes that the application has requested up to 150 customers allowed!

Ray & Kathleen Ribchester: 13 Fleetwood Street

They are the longest residents in the street having lived there for 40 years. They have lived unhappily along the drinking establishment for all those years and have seen everything from fights breaking out to men exposing themselves. They also noted that since the smoking ban in 2007 there has been an increase in cigarette butt ends throughout the street when the inconsiderate customers smoke outside and do not use the facilities provided (ash tray on wall).

Megan O'Dea: 15 Fleetwood Street

Lived at current address for one year. Due to living towards the end of the street close to the premises when it was still open I struggled to sleep due to the noise levels and during the summer months was unable to sleep with my bedroom window open due to this. Parking has been and continues to be an ongoing issue with shop owners from Chapel Brow using our street to park in during the daytime and fast food owners parking there during the night time.

The Residents would therefore request that the Licensing Committee consider refusing this Application at first instance due to the failure of the Applicant to abide by the requirements of The Licensing Act 2003 to advertise his Application due to his malafides and therefore is not a 'fit and proper person'. If the decision is to send this matter to the Licensing Sub-Committee then the residents would request that they be advised of the date for such hearing in order that they may make further representations on the matter,

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Marshall, Mark

From: John Bolton
Sent: 22 November 2018 11:42
To: Licensing
Subject: Indigo, 1a Fleetwood Street, Leyland PR125 3NL

I write further to your notice that you have received an application for the grant of a Premises license / Club Premises Certificate from Daniel Hindle, together with proposed activities and timetable for the above address. I would like to lodge my objection to this application on the following grounds.

Location: The club is located less than 10 metres away from residential properties on Fleetwood Street. It is unreasonable to allow the playing of music ,either live or recorded beyond 12.00 ,as with the previous club, Knights of St.. Columbus.In some cases it is proposed to play music until 02.15 which is totally unacceptable due to the club's very close proximity to the street residents.

Noise pollution: Fleetwood Street has a diverse selection of people in terms of employment. Some work early morning shifts and others, like myself are required to work at weekends. There is also a young mother with two very young children who lives directly opposite the club. It is unreasonable to subject the residents to this noise pollution until the music has finished and all the customers have left the area, which at weekends is likely to be after 3.00 a.m .Therefore, if there is no provision to adequately sound proof the premises or arrangements are not in place for taxi collection away from the street then this proposal should not be considered.

Anti -Social Behaviour: The new club will inevitably attract the younger element of Leyland and surrounding areas, unlike its predecessor, the KC club.This may bring the threat of an increase in anti -social behaviour to the area. Due to the large number of late night takeaways, the area already has its fair share of problems. This will particularly be a threat at closing time and may put extra pressure on an already over stretched and under resourced Police force.

Provision for Smokers: It is understood that the back outdoor area of the club will not be used. Whilst this is considerate it may lead to large numbers of smokers congregating outside the club on the street thus adding to the noise and litter.

John Bolton
7 Fleetwood Street
Sent from my iPad

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By Hand 26/11/18

To: The Licensing Committee SRBC
West Paddock
Leyland

Ref: The Indigo Club, 1A Fleetwood St, PR25 3NL

Dear Councillors,

Before you give permission for a drinking licences to these premises, I would like to air my objections.

I have been resident at No 13 Fleetwood Street with my wife for 40 years.

We have had to deal with all kinds of problems in that time from the said club when it was the KSC.

The contrast to the area from the weeks it has been closed are obvious to see and hear.

There are many fine drinking establishments in the area and no need for another.

Since the closure, there has been:

- Less noise
- No people fighting in the street
- Less rubbish
- No one urinating near my house
- Better parking
- No feeling of intimidation when we leave our house

I do not need to hear or know what someone(ie a club customer) is doing tomorrow in the early hours.

I do not want to open my curtains and windows to see a car with a drunk sleeping it off after disgorging his supper onto the road.

To even consider any licence would be a step back.

To extend the licensing hours would be a grave mistake.

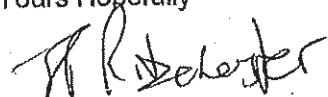
Let us not forget when drinking in the 1960s the club closed at 2230(weekdays) and 2300(weekends).

New ways are not always progress.

It is time to clean up this area and make it a desirable place to live and visit again.

Your assistance with this matter would be greatly appreciated.

Yours Hopefully



TR Ribchester (13 Fleetwood St)

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To South Ribble Borough Council Licencing Department

28th November 2018

With reference to the application for a new Premises Licence for the former Knights of St. Columba premises in Fleetwood Street, Leyland.

We are Cllr. Ken Jones and Cllr. Susan Jones, members of South Ribble Borough Council and elected representatives of St. Ambrose Ward which includes the premises referred to above.

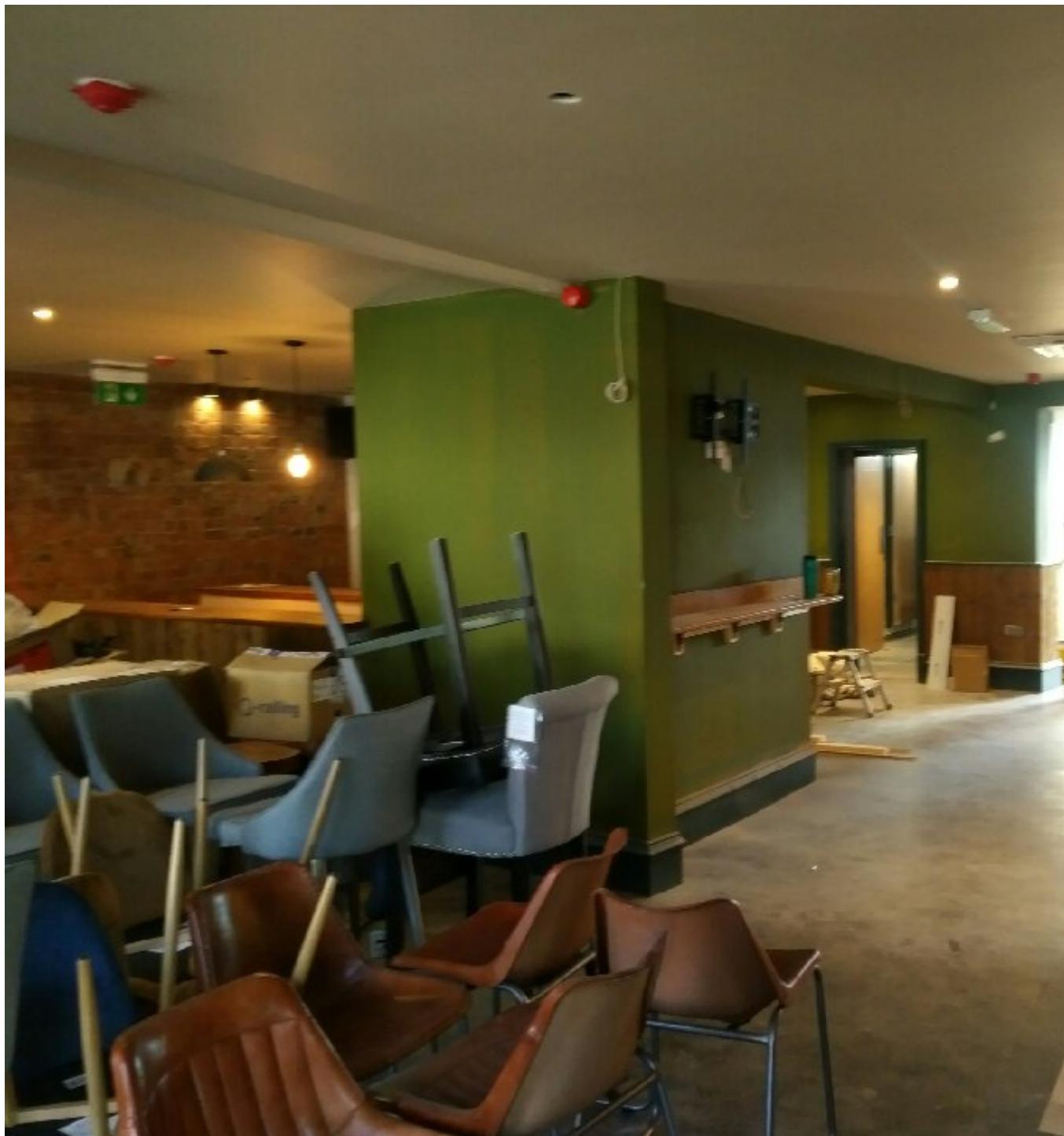
After speaking to our residents and visiting the area to inspect the external aspects of the property, we wish to add our support to the objections already received to this application.

We have met the applicant on previous occasions and know he is a competent and experienced manager of licenced premises. However, no matter how well-managed the premises for which an application is sought may be, this is not an appropriate site for the purposes intended.

It is surrounded by terraced residential properties housing families and working people who cannot be plagued with the disturbance which will inevitably occur with revellers leaving the premises in the early hours of the morning. The hours applied for mean there will be disturbances until 0200 most mornings and until 0300 on Saturday and Sunday mornings, given that after the nominal closing times there will be additional time taken to clear the building, wait for taxis, and similar activities.

We are both willing to speak publicly at any hearing to support our objections.

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Licensing Office,
 South Ribble Borough Council,
 West Paddock,
 Leyland
 3/12/18

Ref Indigo, 1 Fleewood St, Leyland PR25 3NL

Dear Sirs,
 Given the level of objection and the benefit of hindsight I would like to make the following comments.

1. We will be happy with a midnight licence on Friday and Saturday and 11pm the rest of the week
2. We will not be having live bands performing with the possible exception of acoustic music early Sunday evenings, there will also be no karaoke

I would also like to address the issues raised by the various authorities

Licensing

1. We will be getting an acoustic test done, but regardless of this the recorded music will be set at a level which is acceptable to the residents and it will never exceed this
2. No windows or doors will ever be left open, we have blocked off 3 windows to the side and installed a brand new air conditioning system, meaning no windows ever need to be opened. The door to the top of the fire escape will never be opened either as there is no access to the yard for customers.
3. There will be no chairs or tables externally, no external speakers, no artificial lighting and no heaters.
4. There will be no deliveries after 7pm and glass will only be disposed of during daytime hours
5. With regards to children on the premises this will only happen when families come out to watch the football and they will have to be accompanied by an adult.
6. With regards to taxis, although I cannot physically stop them entering Fleetwood St we will be in touch with all local firms to instruct them that any drop offs or collections must be done on Chapel Brow.
7. With regard to capacity, I can agree with licensing that 150 is probably too many and would be happy with a capacity of 120

Police

1. I note the police comment about dancing, we are having a DJ but there is no section on the application for dancing apart from "performance of dance" which I presume is not dancing.
2. 2 door staff will be employed on Friday and Saturday nights from 9pm to 12.30am or until the bar is cleared and the street empty. There will also be a barrier system in place those nights to direct people towards Chapel Brow and discourage them from going down Fleetwood St
3. Our smoking area will be located towards the end of Fleetwood St where it meets Chapel Brow and a smoking bin will be provided at this point. Door staff will prevent anyone taking a drink outside on nights they are working at other times there will be a sign asking customers not to take drinks outside, cameras will monitor the area and all staff will be instructed to be vigilant.

Residents Concerns

I can only say that from the residents complaints about the previous operators I have genuine sympathy for their plight, however we are new operators and will take every measure possible to ensure the situation is much improved and will liaise with a nominated resident to resolve any issues, this is my business and I am directly responsible not a faceless committee.

Our target demographic is primarily 25-45 years of age and we are not a cheap drinking establishment, we are creating a nice bar for decent people to socialise in.

In response to individual concerns I would like to add the following

1. Our cleaner will be instructed to clean the street outside our premises as soon as she arrives at 7am
2. During the week I will personally be on site to ensure customers vacate the street immediately
3. With regard to parking there is not much I can do as there are no restrictions on the street, however I will say I'm quite surprised that the street is not residents only parking as this would alleviate a lot of their problems.
4. When deliveries are due we will do our best to cone off the delivery area to make sure they don't block the road and will strive to make the delivery as quick as possible.
5. I have no other businesses licensed or otherwise, this will be my only source of income and is extremely important to me.
6. Fast food owners parking on the street, again this is out of my control but residents parking would stop this
7. Racial Hatred! Not quite sure how to respond to this but I would like to think we will attract a more urbane crowd and not knuckle dragging neanderthals.

I think the responses to the authorities address all the other issues, I can only stress that this will be a responsibly operated business and we want to exist side by side with the residents with as little disruption as possible to their daily lives.

Regards

Daniel Hindle