

Licensing Panel

Tuesday, 9th February, 2021, 2.00 pm

Accessible via MS Teams or Youtube

Agenda

Important information regarding COVID-19

In response to the current government guidance surrounding the COVID-19 pandemic, this meeting will be held with hybrid measures in place.

Only the Chair of the Panel and officers required to support the meeting will be permitted to attend the meeting in the Civic Centre.

[Elected members not on the committee or members of the public will not be permitted access to the Civic Centre but may watch the proceedings via a YouTube livestream by clicking here.](#)

The applicant, or anyone acting on behalf of the applicant, may speak as well the six residents who have raised objections within the 28 day period to receive representations.

All registered speakers will be required to dial into the meeting remotely.

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 Full Variation application - Indigo

(Pages 7 - 56)

Report of the Shared Services Lead (Legal) and Deputy Monitoring Officer attached.

Gary Hall
Chief Executive

Electronic agendas sent to Members of the Licensing Panel Councillors
James Flannery (Chair), Jacky Alty and Alan Ogilvie

The minutes of this meeting will be available on the internet at
www.southribble.gov.uk

LICENSING ACT PANEL

PROCEDURE FOR ALL HEARINGS BEFORE THE LICENSING PANEL TO DETERMINE ANY APPLICATIONS OR COMPLAINTS MADE UNDER THE LICENSING ACT 2003.

PRELIMINARY POINTS

It has been agreed by Licensing Committee that, in addition to the declaration of any personal or prejudicial interest (in accordance with the Local Government Act 2000):

- Any member in whose ward an application premises is situated will declare this and will not take part in the hearing of the application.
- Any member of a Licensing Panel who wishes to either support or oppose the granting of a licence either personally or on behalf of their constituents, must attend either as a supporter of the application or as an objector. The Panel on which that Member serves may not hear the application.
- Subject to Section 100A of the Local Government Act 1972, the Panel may exclude the public from all or part of the hearing where it considers that the public interest in doing so outweighs public interest in the hearing, or that part of the hearing, taking place in public. This will include, at the discretion of the Panel the exclusion of the public during its deliberations and its decision making.

HEARING PROCESS

Please note that the applicant in a review hearing, is a person who has applied to review the licence. This could be a responsible authority or a member of the public. In this case, the applicant is not the licence holder.

APPLICATION PROCESS PROCEDURE

1. General introduction by the Chair.
2. In accordance with Regulation 23 of the Licensing Act 2003 (Hearings) Regulations 2005 the Chair of the Panel will lead the discussion.
3. A Licensing Officer will briefly outline the application and procedure to be followed in the hearing.

4. Applicant(s) Case:
 - a) The applicant(s) will be invited to put forward any information in support of their application including the calling of witnesses.
 - b) The objector(s) and/or representatives, the Panel and any other Responsible Authority may ask questions of the applicant, witnesses and/or their representatives.
5. Responsible Authorities (Reviews Only):
 - a) Any other Responsible Authority (who has made representations) will be invited to put forward any information in support of their representation including the calling of witnesses.
 - b) The objector(s) and/or representatives, the Panel and applicant(s) may ask questions of the Responsible Authority, witnesses and/or their representatives.
6. The Objector(s) Case(s):
 - a) The objector(s) will be invited to put forward any information in support of their objection including the calling of witnesses.
 - b) The applicant(s) and/or representatives, the Panel and any other Responsible Authority may ask questions of the objector(s), witnesses and/or their representatives.
7. The Chair will then ask the applicant if, in light of the representations, they wish to amend the application. **The Panel will only consider the application laid before it during decision making.**
8. Summing up:
 - a) Objector(s) Case(s)
 - b) Applicant(s) Case(s)
9. Conclusion

The Chair will ask the Licensing Authority Legal Representative whether there are any other matters to be raised or resolved before the hearing is closed for deliberations.
10. Deliberations

Generally the public and the applicant will be excluded when the

Panel is determining the hearing decision.

11. Notice of Decision

The decision will be issues to the applicant and any interested parties five working days after the hearing meeting.

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REPORT TO	ON
Licensing Panel	9 February 2021



TITLE	REPORT OF
Full Variation Application - Indigo	Shared Services Lead - Legal & Deputy Monitoring Officer

Is this report confidential?	No
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PURPOSE OF THE REPORT

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

RECOMMENDATIONS

2. Members are requested to:
3. Note the content of the report; and
4. 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).
5. Conduct the hearing in accordance with the hearing procedure.

REASONS FOR RECOMMENDATIONS

6. In relation to a full variation application that receives public objections, Section 35 (3) Licensing Act 2003 states;

Where relevant representations are made, the authority must—

(a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and

(b) having regard to the representations, take such of the steps as it considers appropriate for the promotion of the licensing objectives.

OTHER OPTIONS CONSIDERED AND REJECTED

7. There are no other options to consider, when a relevant objection has been received a hearing must be held to determine the application by a panel of the licensing and public safety committee.

CORPORATE OUTCOMES

8. The report relates to the following corporate priorities:

An exemplary council	X	Thriving communities	X
A fair local economy that works for everyone		Good homes, green spaces, healthy places	X

BACKGROUND TO THE REPORT

9. An application was submitted by Mr Daniel Hindle, for Indigo, 1a Fleetwood Street, Leyland, PR25 3NL on the 21st December 2020 for a full variation of the Premises Licence pursuant to Section 34 of the Licensing Act 2003.
10. The premises currently consist of a first-floor premises which is situated on the junction of Chapel Brow and Fleetwood Street.
11. In January 2019 a hearing was convened to determine the new application for the premises following public objections. The premises licence was granted with additional conditions, notably to this application the requirement for door staff at the premises on Friday and Saturday evening when the licence has been granted until 00:00.
12. Following a two-year period of being open to members of the public Mr Hindle has applied for the following within the variation application;
- a. Change of planned licensable area - To extend the currently licenced first floor premises licensable area into the premises directly under on the ground floor, incorporating the premises below formally licenced as the Curious café, by a door linking the two premises together, creating a two-level premises.
 - b. Change the main public access to the premises from Fleetwood street to Chapel Brow, subject to conditioned use of the Fleetwood street entrance.
 - c. An extension to current opening time and extension to sale of alcohol from
 - Sunday – Thursday from 23:00 to 00:00 hours
 - Friday and Saturday from 00:00 to 01:00 hours
 - d. Mr Hindle originally had asked for the same times for the sale of alcohol, but following discussions with the police and Licensing Authority he has changed the times to the following to allow for safe dispersal of customers from the premises,
 - Sunday – Thursday from 23:45
 - Friday and Saturday from 00:45
 - e. To change the requirement for the need for door staff to be by risk assessment only.

13. Section 35 Licensing Act 2003 states that the licensing authority must be satisfied that the applicant has complied with any requirement imposed by virtue of subsection (5) of that section.
14. It is a requirement for these type of applications, for a blue notice to be displayed in the window of the premises. Licensing officers have visited the premises and seen that the notice has been displayed on the premises.
15. The application has also been advertised within a local newspaper and the application summary has been displayed on the council's own website.

REPRESENTATIONS FROM RESPONSIBLE AUTHORITIES

16. Responsible Authorities are deemed to be experts in relation to identifying if a variation to the premises licence would undermine one of the 4 Licensing Objectives which include Public Nuisance, Prevention of Crime & Disorder, Protection of Children from harm and Public Safety.
17. All Responsible Authorities were consulted by the Licensing Authority. No representations have been made by any Responsible Authority.
18. Conditions have been agreed between the applicants, the police and the environmental health department.
19. All other conditions with regards to Under age sales, challenge 25 Polices and sale of alcohol to intoxicated people, will all remain on the licence. These conditions can be found within background document 1 of the report titled Current licence.
20. The police have also requested a complex door staff risk assessment to mitigate any crime and disorder issues that may occur as a result of removing the door staff as a condition of the licence. This has been agreed with the police, the risk assessment can be found within appendix 1 of the report.
21. Concern were raised by environmental health regarding the use of entrance currently situated on Fleetwood street.
22. Mr Hindle only plans to use the entrance on Fleetwood Street during the week, and only if the ground floor of the premises is closed and for any private functions to keep privacy between his private customers and normal customers using the ground floor facilities.
23. Following dialogue between the applicant, Licensing and environmental Health officers the following conditions were agreed:
 1. *The entrance door onto Fleetwood Street may only be used for access and egress into the premises in the following circumstances:*
 - a) *for private functions hiring the entirety of the upper floor. When in use the door onto Fleetwood Street must only be used for access and egress and must not be used after 19.30 (even if a function is in progress) except for emergency use only.*

b) for public customers access and egress to the upstairs area Monday to Thursday until 10.30.pm, providing that the downstairs bar is closed throughout the whole period. Should the downstairs area be open the side door cannot be used unless for purposes set out in clause 1.(a) above.

2. The door onto Fleetwood Street shall be kept closed at all times during opening hours except for emergency use or for access and egress during the permitted hours in Para. 1.

2. Patrons and staff of the premises shall not be allowed to congregate outside the doorway onto Fleetwood Street at any time.

4. There shall be no public access through the back door or yard except in an emergency.

REPRESENTATIONS FROM OTHER INTERESTED PARTIES

24. 6 written representations from members of the public were received by the licensing authority opposing the variation to the premises licence.

25. A representation is not relevant if it does not directly relate to one or more of the 4 licensing objectives. Representations that are categorised as vexatious or frivolous would not be taken into account.

26. All of the representation raised were deemed relevant by officers of the Licensing Authority. Those representations stated that if the variation application was granted, the premises would be undermining the Prevention of Public Nuisance and the Prevention of Crime and Disorder objectives, in the opinion of the members of public making those representations.

27. Where relevant representation are received the licensing authority must hold a hearing to consider them, unless each person who has made such representations agrees that a hearing is unnecessary. Copies of the relevant representation can be found attached to this report as appendix 3 to 8.

PROPOSALS

28. The Licensing Panel are asked to determine the application under section 35 of the Licensing Act 2003.

29. Section 35 of the Licensing Act 2003 sets out the steps that can be taken, which are;

30. Grant the variation to the licence as set out in the application,

31. Modify the conditions of the licence,

32. Reject the whole or part of the application;

33. 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 also have regard to;

a) Its own statement policy published under section 5, and

b) Any guidance issued by the Secretary of State under section 182.

34. Relevant policy considerations which can be found within the Statement of Policy are as follows;

12.2 In considering all licence applications, the Licensing authority will consider the adequacy of measures proposed to deal with the potential for nuisance and disorder having regard to all of the circumstances of the application, and in particular consider the following:-

- a. the type of activity, the number and type of customers likely to attend;*
- b. the levels of noise likely to be generated from the premises;*
- e. the levels of public transport accessibility for customers and the likely means of public or private transport that will be used;*
- f. means of access to the premises for customers;*
- g. whether appropriate car parking is readily accessible to premises and whether the use/parking of vehicles would cause a demonstrable adverse impact on the amenity of residents;*
- j. the steps the applicant has taken or proposes to prevent disturbance by patrons arriving at or leaving the premises;*
- l. the arrangements the applicant has made or proposes to make for security lighting at the premises, and the steps the applicant has taken or proposes to take to ensure that lighting will not cause a nuisance to residents;*
- m. whether routes to and from the premises pass residential premises;*
- n. whether the premises would result in increased refuse storage or disposal problems or additional litter in the vicinity of the premises.*

35. 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 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 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.”

36. 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.

EQUALITY AND DIVERSITY

37. None

AIR QUALITY IMPLICATIONS

38. None

COMMENTS OF THE STATUTORY FINANCE OFFICER

39. There are no financial implications.

COMMENTS OF THE MONITORING OFFICER

The legal implications can be found within the body of the report. A further point to note is that any person who feels aggrieved by the decision of the panel has a right to appeal to the Magistrates Court within 21 days.

BACKGROUND DOCUMENTS (or There are no background papers to this report)

Background Document 1 - Current Licence
Background Document 2 - Application Form
Background Document 3 - Plan

APPENDICES

*Appendix 1 – Risk Assessment
Appendix 2 – Environmental Health Conditions
Appendix 3 - 1st Resident Objection
Appendix 4 - 2nd Resident Objection
Appendix 5 – 3rd Resident Objection
Appendix 6 - 4th Resident Objection
Appendix 7 - 5th Resident Objection*

Appendix 8 - 6th Resident Objection

David Whelan
Shared Services Lead - Legal & Deputy Monitoring Officer

Report Author:	Email:	Telephone:	Date:
Chris Ward (Licensing Officer)	cward@southribble.gov.uk	01772 625330	26/01/2021

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BAR INDIGO
23 CHAPEL BROW, LEYLAND
PR25 3NH

DISPERSAL POLICY

Bar Indigo is an experienced late night bar operator and is aware of the importance of ensuring as far as possible that customers leave as quietly as possible.

Indigo is also aware that given the semi residential location of the premises makes safe departure and dispersal of its customers of greater importance.

Indigo will ensure that at peak trading times, primarily weekend, a manager who holds a personal licence will be on duty together with sufficient staff (and doorstaff where appropriate) to adequately manage and control customers when arriving, during their stay and when they leave.

It is anticipated that during the early part of the week (Monday-Thursday) there is likely to be a drift away in keeping with other licensed premises in the area, but if the bar is busy then towards closing time gradual dispersal will be encouraged in the following ways

1. Calling last orders such that there is adequate “drinking up time”
2. Staff encouraging customers to finish their drinks and prepare to leave in plenty of time.
3. Adequate signage

Customers will only be able to exit the premises onto Chapel Brow.

Sufficient staff (and door staff when appropriate) will be present on both floors to ensure an orderly exit of customers to Chapel Brow

At that point staff (and doorstaff where appropriate) will encourage customers to disperse as quickly and quietly as possible.

Staff and Door Supervisor roles will include the following:-

1. To encourage customers to leave the premises in a quiet and orderly manner
2. Not to allow drinks to be taken outside the building
3. If a group of customers are found to be loitering near the building then they will be politely asked to move on as quickly as possible.

It is ultimately the responsibility of the General Manager on duty to ensure that:-

1. Door supervisors and other staff act effectively and responsibly to comply with this policy and are aware of the importance of customers leaving as safely and quietly as possible.
2. Customers do not cause any disturbance or nuisance to any local residents within the vicinity of the premises
3. To prioritise and assist wherever possible in ensuring that customers leave as safely, quietly and in an orderly manner as possible.

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▶ **Licensing Act 2003**
 ▶ **Statutory Consultee Response**

To:	Chris Ward	From:	Miss Gillian Strike
Position:		Position:	Senior Environmental Health Officer
Division:	Licensing Services	Division:	Environmental Health
Your Ref:		Our Ref:	21/176/CONLIC
Extension No:		Extension No:	01772 625396
Copy To:		Date:	21 January 2021

Name of Premises: Indigo

Address: 1A Fleetwood Street, Leyland, Preston, Lancashire

Application No:

Further to the above consultation I have no objections to the application as submitted provided that the following conditions are applied:

1. The entrance door onto Fleetwood Street may only be used for access and egress into the premises in the following circumstances:
 - a) for private functions hiring the entirety of the upper floor. When in use the door onto Fleetwood Street must only be used for access and egress and must not be used after 19.30 (even if a function is in progress) except for emergency use only.
 - b) for public customer access and egress to the upstairs area Monday to Thursday until 10.30.pm, providing that the downstairs bar is closed throughout the whole period. Should the downstairs area be open the side door cannot be used unless for purposes set out in clause 1.(a) above.
2. The door onto Fleetwood Street shall be kept closed at all times during opening hours except for emergency use or for access and egress during the permitted hours in Para. 1.
3. Patrons and staff of the premises shall not be allowed to congregate outside the doorway onto Fleetwood Street at any time.
4. There shall be no public access through the back door or yard except in an emergency.

Regards

Gillian Strike

Senior Environmental Health Officer

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5 Fleetwood St
Leyland
PR25 3NL

Variation of Licence 1A Fleetwood St Leyland(The Indigo Bar)

I am writing concerning of the application to raise my objections to the following:

Opening Hours

The request to increase the opening hours to Friday and Saturday 0100 hrs, Sunday and Week days Midnight.

This will result in lots of customers leaving the bar in the early hours.

Problems with customers who have been drinking into the early hours, congregating, making noise and taxis turning up to collect them.

This would be unacceptable and cause disturbance to the residents of Chapel Brow and Fleetwood Street.

Door Staff

The removal of Door Staff will mean that the customers leaving in the early hours will not be there to shepherd customers away from the local area.

This will compound the problems when customers leave in the early hours.

As a resident, I believe there is a fundamental right to lead a quiet life without disturbance from revellers.



Darrell Senior



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12 Fleetwood St

Leyland

PR25 3NL

06/01/2021



FULL VARIATION OF LICENCE

INDIGO BAR 1A FLEETWOOD STREET

Ref A: Mr Hindle's Letter dated 03/12/2018

Ref B: Mr Matthew Cropper's(EHO) Letter dated 19/11/2018

Ref C: Mr Mark Marshall's(Head of Licensing) Statement undated

General

I am writing in respect of the above application to register my objections to the following:

1. An extension to current opening time and extension to sale of alcohol.
2. To change the requirement for the need for door staff to be by risk assessment only.

Residents

Fleetwood Street is a cul de sac off Chapel Brow consisting of 16 residential terraced houses. In addition there is the Indigo Bar and Mosque which are situated at the entrance to the street.

All residents are within 10-40 metres of the bar.

The residents are made up of working couples with young children, OAPs , middle aged couples and professional working single persons.

2 of the properties are within 10 metres of the bar whose residents have young children under 5 years of age..

There are 3 residential flats/houses on Chapel Brow in close proximity to the bar

The conflict of interest lays in the fact that the bar is sited in very close proximity to the residential properties.

The residents want and expect the right to live in a peaceful environment without their way of life disturbed by revellers disturbing their lives, in particular in the early hours of the morning when the bar closes.

Mr Hindle, who has invested a lot of money into the bar is a successful business man wants to run his business and maximise profits by extending the opening hours.

Clearly compromise is the only way to achieve an acceptable status quo between the owner and the residents.

Historical

In 2018, Mr Hindle applied for the above property to be licenced.

Due to the bar being in close proximity to the residents' properties of Fleetwood Street and Chapel Brow an amicable agreement was reached between Mr Hindle and the residents.

This resulted in the current Opening/Closing hours being adopted with the provision of door staff at the weekends. (See Ref A enclosed).

Further to this Mr Matthew Cropper (EHO) supported the current Opening/Closing Hours (ie Midnight Fri/Sat, 11pm on other nights) (See Ref B enclosed)

Proximity

Even though the new establishment which will include the Curious Café will result in the front entrance being moved to Chapel Brow, the customers will on exiting the premises still congregate in the Fleetwood Street/Chapel Brow area.

With the increase in customer numbers it would be realistic to estimate that up to 100 customers could spill onto Chapel Brow at weekends in the early hours.

The associated problems of such numbers of customers in drink were highlighted in Mr Marshall's statement (See Ref C enclosed).

Opening/Closing Hours

The proposed increase in the licencing hours (Closing times Fri/Sat 01000hrs, Sun/Weekdays Midnight) could result in large numbers of customers congregating in the area of Fleetwood Street which will impact upon the residents of both Chapel Brow and Fleetwood St.

Dispersal of such large numbers will take time with a possible detrimental effect to local residents (noise, taxis etc).

Door Staff

The Door Staff play a key role in maintaining order both in and outside the bar.

Their duties included policing customers entering/leaving the bar and importantly at Closing Time to clear the bar and disperse customers from the outside vicinity of the bar (See Ref A enclosed).

Their loss would result in customers congregating without any form of policing.

Summary

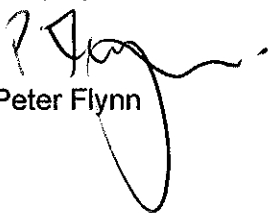
As a resident I do have concerns about being disturbed by customers leaving the bar in the early hours.

Everyone has the right to respect for their home, private and family life with autonomy.

I would recommend:

1. Limit the Opening/Closing hours to the current ones
2. Retention of the Door Staff.

I hope you will consider these points when making your decision.


Peter Flynn

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

REF B

Appendix B
REF B

APPENDIX A

► **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 Licencing 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

REF C

REF: C



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 stair case 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 comprises 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 concerns 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 therefor 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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13 Fleetwood St
Leyland
PR25 3NL
06/01/2021

Variation of Licence 1A Fleetwood St/23 Chapel Brow, Leyland(The Indigo Bar)

FAO: Mr Chris Ward (Licensing)

We are writing in response to the new application for increased capacity, increased opening hours and the decreased supervision of customers entering and leaving the premises by door staff.

We would like to remind you that it has only been 2 years since the above mentioned business owned by Mr Hindle agreed to amend his original application because of the impact it would have on the residents.

We feel that our position and that of the residents has not changed and any of the new proposals will have the same impact on us.

Even though the entrance to the bar will be located on Chapel Brow, there is no provision for a dedicated smoking area that can be located far enough away from the residents.

This applies especially in the Summer months when customers will congregate for longer periods to smoke and chat.

Also on the occasions when customers (when they can get way with it) have brought drinks out of the bar with them.

As you can imagine the consumption of alcohol reduces inhibitions and customers outside do become noisier.

In addition there have been incidents of customers being outside and using the alleys on Fleetwood Street as unofficial toilets.

The extension of Opening Hours along with an increase in customers(a result of the increase in size of the bar) will result in many more customers leaving the bar much later(in the early hours) , this is not a pleasant thought.

The increase in numbers of customers allowed into the bar for longer periods of opening will further compound the problems.

We feel the existing licensing conditions(Opening/Closing hours) should be maintained.

We as residents have to endure the impact the premises has on our lives.

We were previously told the street would be kept clean however the measures put in place have proved inadequate.

The street is left dirty with smoking materials, chewing gum stuck all over the road, discarded delivery notes and caps from beer kegs left after deliveries.

We understand Mr Hindle no longer wishes to provide Door Staff.

This was a measure put in place by himself to keep order and customers would disperse with minimum impact upon the residents especially at night when they were leaving the premises.

We urge this measure is kept in place for the benefit of the residents.

I would ask you consider the points we have raised in this letter in particular the effects of:

1. Increase in customers
2. Increase in licensing hours
3. Removal of Door Staff

Thank you for your considerations

T & K Ribchester

Handwritten signatures of T & K Ribchester. The first signature is 'Ribchester' and the second is 'K Ribchester'.

For the attention of the Licensing Department,

I am writing to express my concerns and to oppose some of the changes that have been submitted by the owner of the above premises. The changes that I wish to oppose are:

- An extension to the current opening hours and sale of alcohol
- To change the requirement for the need of door staff to be by risk assessment only

Historically the residents of Fleetwood Street opposed the original application due to the opening hours and the impact that this would have on the quality of their lives. The owner agreed and altered his application in defence to the residents' objections however it would appear that he is now going back on his word leaving the residents of Fleetwood Street anxious about the outcome once again.

Following the previous agreement door staff were employed to manage customer when arriving and dispersing - they were always polite to the residents of Fleetwood Street and appeared to manage the customers well the majority of the time, ensuring that they were moved on away from Fleetwood Street once the bar was closed.

Given that Indigo is currently undergoing renovation and is expanding in size this allows for an increased number of customers to be in the bar at one time meaning that the footfall will be far greater and whilst it is of some relief that the main door will be moved on to Chapel Brow it is still cause for extreme concern that the bar will be without door staff every single weekend (Friday and Saturday). Should this be permitted, I fear that once again the residents of Fleetwood Street will be left to endure the repugnant behaviour of drunken customers such as urinating and snorting cocaine in the alleyways alongside smashed glass bottles and cigarette butts littering the street which is wholly unacceptable given that there are children and dogs who walk in the street.

In regards to the opening hours and sale of alcohol being extended I feel that the current opening hours are more than appropriate given the location of the bar (on a residential street) and the fact that there are small children who live directly opposite. I myself have a new born baby who sleeps in the front bedroom (directly opposite the current entrance to the bar) and I cannot begin to express the level of anxiety I am already feeling since hearing of the proposed changes.

To conclude, I believe that as a civil servant who worked extremely hard to be able to purchase her home in what used to be a peaceful and family-friendly street, both myself and my neighbours have the right to live a peaceful existence in our homes and should not have to endure antisocial behaviour which will undoubtedly occur should the proposed changes be approved.

I urge you to fully consider the above points and hope that the right decision will be made.

Sincerely,

Megan O'Dea
Resident of Fleetwood Street, Leyland

I refer to the above notice made by Daniel Hindle and wish to lodge my objections to his intentions on the following grounds.

Requirement of door staff.

The notice states that Mr Hindle intends to risk assess the requirement of door staff which suggests that they may be removed. This would be totally unacceptable as part of their duties was to clear the area of customers after closing time. The premises are less than 10 metres from residential properties in Fleetwood Street and to have a large number of people, many of them in drink congregating on the street is a major concern and this may also lead to anti social behaviour.

Provision for smokers.

Whilst the entry to the premises will now be on Chapel Brow smokers will inevitably congregate round the corner on Fleetwood Street particularly in inclement weather where they would seek shelter in the inset side doorway. This would lead to excessive noise in the early hours which again will disturb the residents, many of which have to work in the morning. Also there will be a litter problem with discarded cigarette butts littering the street as has happened in the past.

Opening hours

The notice refers to the times it is intending to serve alcohol. Calling last orders at 1 am on Friday and Saturday will mean many of the customers will be leaving the establishment at a time approaching 2 am and congregating at the end of the street while they wait for transport home. Again, this is totally unreasonable for the reasons above and shows no consideration for the residents of Fleetwood Street and Chapel Brow.

John Bolton
7 Fleetwood Street

Sent from my iPad

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Hello,

I live at 1 Fleetwood Street (Next door) and object to the change of licencing hours at Indigo Bar.

The below objections obviously relate to the running of the pub prior to covid restrictions

My main objection is the noise the club generates.

Every Friday and Saturday night, without fail I can hear the thudding sound of the music coming from next door. This often prevents me from going to bed at the time I wish to. I believe it is my right to enjoy my home in peace and should be able to go to bed as and when I please and not in keeping with the time table of the pub next door.

The noise is worse in summer time, I often have to choose if I'm to keep the window closed and not fall asleep cos i'm too hot, or keep the window closed, feel cooler, but be kept awake by the noise from the pub. In Summer I can even hear the quiz master reading questions on a Thursday evening as they have the doors open to let fresh air in. Something that we were assured would not happen due to the air conditioning installed.

I believe the entrance of the pub will be moved from Fleetwood street to Chapel Brow. Although this means the entrance of the pub is further away, I will still be able to hear the people coming out or into Indigo, I currently am able to hear drunken people as they walk by shouting goodness knows what to one another.

With the proprietor wishing to remove door staff, the people will be able to loiter on the streets as they wish. The extended licencing hours will mean the people are more inebriated and therefore louder.

It is not only the residents of Fleetwood Street that would suffer but also those on Chapel Brow. I believe there is an application for the old TSB to be turned into flats? The potential residents of these flats also need to be taken into consideration.

I believe the pub and the residents could live along side each other quite peacefully, however there seems to be an incessant need to play the music at ridiculous levels.

The recent restrictions due to covid have enhanced what a nuisance the Indigo Bar is when open and allowed to play music.

As the current opening hours already drive me to distraction. I implore you to take the above into consideration when making your decision.

Kind regards,

Erica Brown. 1 Fleetwood Street.

Erica

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**Licensing Act 2003
Premises Licence**

PREMA0319

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Indigo

1a Fleetwood Street, Leyland, Lancashire, PR253NL.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Comences **20/02/19**

expires **no expiry**

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Wednesday	11:00am	11:00pm
	Thursday	11:00am	11:00pm
	Friday	11:00am	11:00pm
	Saturday and Sunday	11:00am	11:00pm
F. Playing of recorded music (Outdoors)	Wednesday	11:00am	11:00pm
	Thursday	11:00am	11:00pm
	Friday and Saturday	11:00am	11:00pm
	Sunday	11:00am	11:00pm
J. Supply of alcohol for consumption ON and OFF the premises	Sunday to Thursday	11:00am	10:30pm
	Friday and Saturday	11:00am	11:30pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Sunday to Thursday	11:00am	11:00pm
Friday and Saturday	11:00am	Midnight

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON and OFF the premises

Part 2

**Licensing Act 2003
Premises Licence**

PREMA0319

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Daniel Joseph Hindle

42 Fox Lane, Leyland, Preston, Lancashire, PR25 1HA.
Telephone 01772 458427

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL

Daniel Joseph HINDLE

42 Fox Lane, Leyland, Preston, Lancashire, PR25 1HA.
Telephone 01772 458427

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES FOR THE SUPPLY OF ALCOHOL

Licence No. PERS0991

Issued by South Ribble

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

Annex 1 - Mandatory conditions

- 1 No supply of alcohol may be made under the premises licence -
 - a) At a time when there is no designated premises supervisor in respect of the premises licence,
 - or
 - b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 2 Every supply of alcohol under the premise licence must be made or authorised by a person who holds a personal licence.
- 3 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

 (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

**Licensing Act 2003
Premises Licence**

PREMA0319

ANNEXES continued ...

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 4 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 5 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either a holographic mark, or an ultraviolet feature.
- 6 The responsible person must ensure that -
- (a) where any of the following alcoholic drinks are sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
- 7 (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (2) In this condition:-
- a. "permitted price" is the price found by applying the formula $P = D + (D \times V)$, where-
 - i. P is the permitted price,
 - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added

**Licensing Act 2003
Premises Licence**

PREMA0319

ANNEXES continued ...

- tax were charged on the date of the sale or supply of the alcohol;
- b. "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - c. "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
 - i. the holder of the premises licence,
 - ii. the designated premises supervisor (if any) in respect of such a licence, or
 - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - d. "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - e. "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny.

(4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

- 1 The Licence holder and the DPS is to support and rigorously enforce a Challenge 25 proof of age policy.

Any person who looks or appears to be under the age of 25 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:

- i. UK photo driving licence
- ii. Passport
- iii. Proof of Age Standards Scheme Card

OR any other nationally or locally approved form of identification which may be introduced in the future. If no suitable identification is provided, sale of alcohol to them will be refused. Signs promoting this policy shall be prominently displayed at public entrances and alcohol sales areas.

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

A Licensing Act 2003 panel hearing held on the 23rd January 2019, to determine a new premises application in respect of Indigo, pursuant to the provisions of S18 of the Licensing act 2003.

In order to address the elements which had been raised as undermining the licensing objectives, the panel were of the view that the following conditions would address the same and were necessary and proportionate in the circumstances.

**Licensing Act 2003
Premises Licence**

PREMA0319

ANNEXES continued ...

1. No regulated entertainment after 23:00 hrs.
2. Capacity of patrons at the premises to be limited to 120 persons.
3. CCTV
The premises shall operate and maintain a CCTV system which shall be used during all times licensable activities are taking place at the premises and comply as follows:-
 - a) The system shall cover all entrances and exits of the premises, including the smoking shelter, in addition to covering areas of the premises used to store alcohol.
 - b) The focus of the camera(s) shall be so as to enable clear identification of persons on the premises.
 - c) The system will be capable of time and date stamping recordings and retaining the said recordings for at least 21 days.
 - d) The Data Controller shall make footage available to a Police Officer or Licensing Officer, where such a request is made in accordance with the principles of the Data Protection Act or any subsequent or alternative legislation.
 - e) (vi) Signage advising that CCTV is in operation.
4. A written dispersal policy shall be formulated and adhered to.
5. Signs shall be clearly posted at the entrance and exit of the premises advising patrons to leave the premises quietly and respect local residents.
6. No drinks/glasses shall be taken off the premises and there shall be appropriate signage on the premises advising patrons of this.
7. All doors/windows to the premises shall remain closed during opening hours save for access and egress.
8. The fire escape door shall be of a type with an audible alarm and shall be left closed at all times during opening hours, except in an emergency.
9. No public access through the back door or yard except in an emergency.
10. No waste including glass to be deposited in outside waste receptacles between the hours of 19:00 and 12 noon.
11. A sound limiting device shall be fitted to the sound system. All entertainment shall be played through this device. If complaints of noise nuisance are received by South Ribble Borough Council, then the device shall be set in accordance with the Environmental Health Department.
12. All children under the age of 16 to be accompanied by an adult at all times. No children under the age of 18 to be allowed on to the premises after 21:00 hrs.
13. All deliveries to take place as follows:-
 - a) Mon -Fri - 8am - 19:00
 - b) Sat/Sun - 12 noon - 19:00

**Licensing Act 2003
Premises Licence**

PREMA0319

ANNEXES continued ...

14. 2 licensed door supervisors shall be employed at the premises on Friday and Saturday nights from 20:00 hours until 30 minutes after closing. Any additional requirement for door supervisors shall be risk assessed by the DPS, in particular where the premises is showing Live football or days where the premises expects to be busy, for example Sundays prior to Bank Holiday Mondays. Door supervisors shall be employed at such times and in such numbers assessed by the risk assessment to be required. In order to comply with this condition, a written door supervisor risk assessment document will be maintained and updated by the DPS as required showing the numbers and times door supervisors shall be employed at the premises on any given day. A copy of this document will be made available to the police and licensing authority on request.
15. No heaters, lights or speakers shall be used outside.
16. The smoking area will be supervised with regular checks to ensure patrons are not causing disturbance to neighbouring residential properties. A record of checks shall be maintained for inspection.
17. A suitable bin shall be placed in the designated smoking area.
18. final admission times to the premises:
Sunday to Thursday :- 11am until 22.30 hrs
Friday and Saturday 11am until 23:30-hrs

Annex 4 - Plans

See attached plan 1.1

Signature of Authorised Officer

**Licensing Act 2003
Premises Licence Summary**

PREMA0319

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Indigo

1a Fleetwood Street, Leyland, Lancashire, PR253NL.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Commences **20/02/19**

expires **no expiry**

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Wednesday	11:00am	11:00pm
	Thursday	11:00am	11:00pm
	Friday	11:00am	11:00pm
	Saturday and Sunday	11:00am	11:00pm
	F. Playing of recorded music (Outdoors)	Wednesday	11:00am
	Thursday	11:00am	11:00pm
	Friday and Saturday	11:00am	11:00pm
	Sunday	11:00am	11:00pm
J. Supply of alcohol for consumption ON and OFF the premises	Sunday to Thursday	11:00am	10:30pm
	Friday and Saturday	11:00am	11:30pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Sunday to Thursday	11:00am	11:00pm
Friday and Saturday	11:00am	Midnight

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Daniel Joseph Hindle

42 Fox Lane, Leyland, Preston, Lancashire, PR25 1HA.

**Licensing Act 2003
Premises Licence Summary**

PREMA0319

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Daniel Joseph HINDLE

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

All children under the age of 16 to be accompanied by an adult at all times. No children under the age of 18 to be allowed on to the premises after 21:00 hrs.

Application to vary a premises licence 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 DANIEL JOSEPH HINDLE
(insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	PREMA0319.
-------------------------	------------

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
1A FLEETWOOD ST, LEYLAND PR25 3NL	
Post town	Postcode
Telephone number at premises (if any)	01174 943583
Non-domestic rateable value of premises	£12,500

Part 2 – Applicant details

Daytime contact telephone number	07774 943583		
E-mail address (optional)	barindigeleyland@gmail.com		
Current postal address if different from premises address	42 FOX LAKE LEYLAND		
Post town	PRESTON	Postcode	PR25 1HA

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

CURRENTLY INDIGO IS LOCATED AT FIRST FLOOR LEVEL WITH ACCESS AT 1A FLEETWOOD ST. WE HAVE TAKEN POSSESSION OF THE PREMISES DIRECTLY BELOW, THE ADDRESS OF THIS IS 23 CHAPEL BROW AND WAS PREVIOUSLY THE CURIOUS CAFE. WE HAVE REINSTATED A PREVIOUS CONNECTING DOOR TO COMBINE THE TWO INTO ONE TRADING AREA AND WILL USE THE 23 CHAPEL BROW ADDRESS IN FUTURE

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick all that apply

- 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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption -- please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	11.00	00.00	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	11.00	00.00			
Wed	11.00	00.00			
Thur	11.00	00.00	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 6)		
Fri	11.00	01.00			
Sat		01.00			
Sun	11.00	00.00			
	11.00	00.00			

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 9).

L.

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	11.00	00.00	
Tue	11.00	00.00	
Wed	11.00	00.00	
Thur	11.00	00.00	
Fri	11.00	01.00	
Sat		01.00	
Sun	11.00	01.00 00.00	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

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

WE WOULD LIKE THE REQUIREMENT TO HAVE DOOR SECURITY REMOVED GIVEN THAT THE PRIME REASON FOR THIS CONDITION WAS ~~FOR~~ THE PROXIMITY OF OUR ENTRANCE TO RESIDENTIAL HOUSING. AS PER RISK ASSESSMENT IF NEEDED.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Please tick as appropriate

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

WE WILL CONTINUE TO RUN THE PREMISES TO FULLY COMPLY WITH ALL THE LICENSING OBJECTIVES.

b) The prevention of crime and disorder

ALL CONDITION TO REMAIN

c) Public safety

d) The prevention of public nuisance

front door to be relocated from Fleetwood Street to the front on Chapel brow.

e) The protection of children from harm

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
I have not made or enclosed payment of the fee because this application has been made
in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others
where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will
be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	5/12/20
Capacity	LICENSEE

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Part 2 – Applicant details

Daytime contact telephone number	07774 943583		
E-mail address (optional)	barindigoleyland@gmail.com		
Current postal address if different from premises address	42 FOX LANE, LEYLAND		
Post town		Postcode	PR25 1NA

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

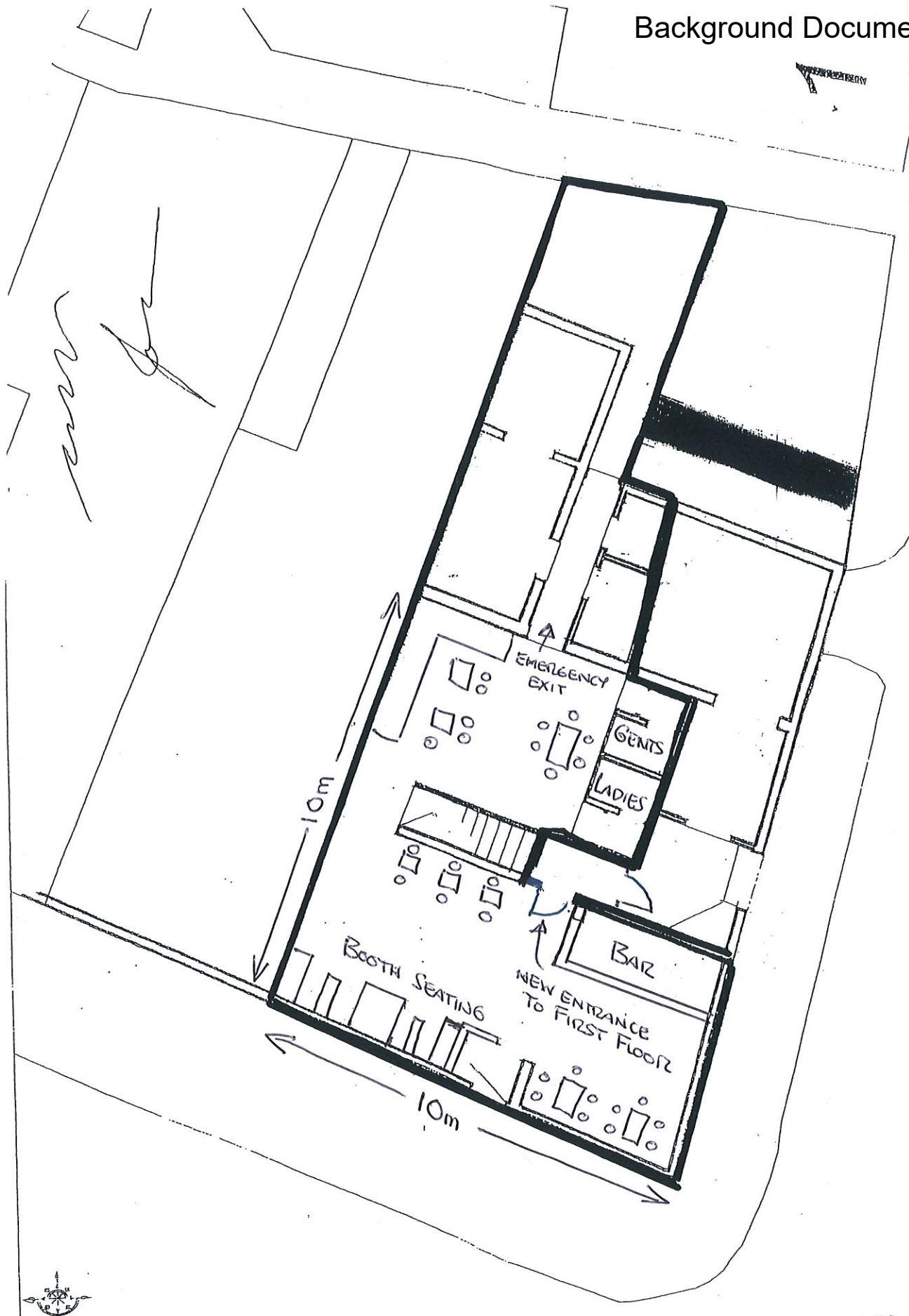
INCORPORATION OF GROUND FLOOR PREMISES AT 23 CHAPEL BROW INTO EXISTING FIRST FLOOR PREMISES ACCESSED FROM 1A FLEETWOOD ST.

WE WOULD PREDOMINANTLY USE THE DOOR ON CHAPEL BROW BUT WOULD LIKE TO KEEP THE OPTION OF USING THE DOOR ON FLEETWOOD ST UP UNTIL 10.30PM TO GIVE US FLEXIBILITY ON TRADING.

WE WOULD ALSO LIKE TO EXTEND OUR HOURS TO SERVE UNTIL 1pm

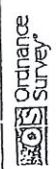
If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

DANNY MOBILE 07774 943583.



sh

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SCHEDULE 1 (CONT.) GROUND FLOOR

23 CHAPEL BROW, KEYLAND, PR25 3JH