



**Committee:** LICENSING ACT SUB-COMMITTEE

**Date:** MONDAY, 2 SEPTEMBER 2013

**Venue:** LANCASTER TOWN HALL

**Time:** 10.30 A.M.

## **A G E N D A**

1. **The Square, 20 Great John Street, Lancaster** (Pages 1 - 23)

Application for Variation of Licence to Specify an Individual as Designated Premise Supervisor under the Licensing Act 2003

### **ADMINISTRATIVE ARRANGEMENTS**

**(i) Membership**

Councillors Mike Greenall (Chairman), Val Histed and Billy Hill

**(ii) Queries regarding this Agenda**

Please contact Jane Glenton, Democratic Services - telephone: (01524) 582068 or email [jglenton@lancaster.gov.uk](mailto:jglenton@lancaster.gov.uk).

MARK CULLINAN,  
CHIEF EXECUTIVE,  
TOWN HALL,  
DALTON SQUARE,  
LANCASTER, LA1 1PJ

Published on Thursday, 22 August 2013

**Meeting of:** LICENSING ACT SUB-COMMITTEE

**Date:** 2<sup>ND</sup> SEPTEMBER 2013

**Report of:** LICENSING MANAGER

**Reference:** WP

**Title:** THE SQUARE, 20 GREAT JOHN STREET, LANCASTER, LA1 1NG

**APPLICATION FOR VARIATION OF LICENCE TO SPECIFY AN  
INDIVIDUAL AS DESIGNATED PREMISE SUPERVISOR UNDER THE  
LICENSING ACT 2003**

**Members of the Sub-Committee have the following documents attached to this report:**

- 1. Application Form (pages 6 to 9)**
- 2. Copy of Representation from the Chief Officer of Police, Lancashire Constabulary (page 10)**
- 3. Copy of Current Premises Licence (pages 11 to 19)**
- 4. Notice of Hearing (pages 20 to 23)**

### **Details of Application**

Inns and Leisure Ltd have submitted an application under Section 37 of the Licensing Act 2003 to vary the premises licence to specify Lorraine Marie Jackson who is named in the application as the premise supervisor for The Square, 20 Great John Street, Lancaster.

The current application is to vary a premise licence to specify an individual (Lorraine Marie Jackson) as designated premise supervisor under the Licensing Act 2003

Details of the application to vary the premises licence are set out in the application form, which is Document 1 attached to this report.

### **Representations**

Under Section 39(3) of the Act, it is necessary for a hearing to be held to consider the application, as a notice has been given under section 37(6) by the Chief Officer of Police, Lancashire Constabulary.

The Police have objected to this application on 7<sup>th</sup> August 2013 based upon their belief that with Lorraine Marie Jackson being specified in this role it would undermine the Licensing Objective of preventing crime and disorder. They believe she is unsuitable to undertake this role based on her record of previously running another city centre public house (Nags Head).

A copy of the representation is at Document 2 attached to this report.

### **Notice of Hearing**

In accordance with the relevant Regulations, the parties have been given notice of the hearing. It was not felt necessary to request any clarification from the parties. The parties

have been required in accordance with the Regulations to indicate at least five working days before the hearing whether they intend to attend and/or be represented at the hearing and if they wish any witness to appear at the hearing. Any responses and any further documentation submitted by any of the parties after the circulation of this agenda will be circulated to Members in advance of the meeting. Members are reminded that documentary or other information submitted on the day of the hearing may only be taken into account with the consent of the Sub-Committee and all the parties.

**Matter for Decision**

The Sub-Committee is requested to consider the application and the representation.

This is in accordance with Section 35(3) and (4) of the Act which provide as follows:

- (3) Where relevant representations are made, the authority must-
- (a) hold a hearing to consider them, unless the authority, the applicant and chief officer of police who gave the notice agree that a hearing is unnecessary, and
  - (b) having regard to the notice, reject the application if it considers it necessary for the promotion of the crime prevention objective to do so.

Members are reminded that the licensing objectives are:

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

**Government Guidance under Section 182 of the Licensing Act 2003**

- 2.12 In the context of crime and disorder and public safety, the preservation of order on premises may give rise to genuine concerns about the competency of the management team charged with the maintenance of order. This may occur, for example, on premises where there are very large numbers of people and alcohol is supplied for consumption, or in premises where there are public order problems.
- 2.13 The designated premises supervisor is the key person who will usually be charged with day to day management of the premises by the premises licence holder, including the prevention of disorder. However, conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. A condition of this kind could only be justified as necessary in rare circumstances where it could be demonstrated that in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

**Relevant Parts of the Council's Statement of Licensing Policy**

With regard to the prevention of crime and disorder, the Policy provides as follows:

**14.0 The prevention of crime and disorder**

- 14.1 The central concerns of licensing in relation to law and order are acts of violence and vandalism brought about by consumption of alcohol and the use of licensed premises as part of a distribution network for illegal drugs.
- 14.2 It is not the function of licensing to impose good practice in the adoption of wider crime reduction measures, such as those for securing premises outside of trading hours. It is also not a purpose of licensing to require that measures be put in place to enhance the opportunities for gathering evidence in relation to crime of a general nature. However, the Licensing Authority recognises that CCTV cameras at premises have an important role in preventing crime and disorder.
- 14.3 The Licensing Authority's starting point is to seek a reduction in crime and disorder throughout the area, consistent with its statutory duty under section 17 of the Crime and Disorder Act 1998. Licences may be granted if applicants can demonstrate that a positive reduction in crime and disorder will result, or that it will not increase, as a result of the application being granted.
- 14.4 Where there are relevant representations, the Licensing Authority will generally not grant a licence where it is likely that the premises will be used for unlawful purposes or where it is considered that the use of the premises is likely to cause an increase in crime and disorder in the area or the premises and this cannot be prevented by the imposition of conditions. When addressing crime and disorder, the applicant should identify any particular issues which are likely to adversely affect the promotion of the objective to prevent crime and disorder, taking account the location, size and likely clientele of the premises, and the type of entertainment (if any) to be provided. Such steps as are required to deal with these issues should be included within the applicant's operating schedule, and may include:
- Use of CCTV inside and outside the premises. The Lancashire Constabulary has produced suggested minimum requirements for CCTV and these are available from the Lancashire Constabulary or from the Licensing Authority's administrative staff
  - Use of metal detection or other search equipment or procedures
  - Crime and disorder risk assessment in relation to the proposed activities
  - Measures to prevent the use or supply of illegal drugs and procedures for searching customers
  - Ensuring that all staff are appropriately trained
  - Ensuring that all staff involved in the management of the premises have the capability, responsibility and training to supervise other staff and to ensure that the premises are operated in such a manner as to prevent crime and disorder
  - Employment of sufficient security staff where appropriate, controlling admission, monitoring capacity within the premises as a whole and in separate rooms/levels and patrolling the interior and exterior of the premises (any such staff must be licensed by the Security Industry Authority). The Licensing Authority recognises that there is a greater need for security staff in some premises than in others. For example there will be a greater need for security staff in a town centre nightclub than in a village pub. It will be for the applicant to consider the appropriate number of door staff required for the particular premises.
  - Ensuring that a register of door staff and their working times is maintained
  - Participation in Pub Watch, Best Bar None or other relevant schemes and using radio links/pages as a means of connecting to other licensed premises.

- Use of plastic or polycarbonate glasses and bottles, where appropriate, or toughened glass. Applicants are advised that the Government believes that a risk-based, rather than blanket, approach to requiring licensed premises to use safer alternatives is the best way to tackle the problem of glass-related injuries
  - Wherever possible, agreed protocols with police and other organisations and a commitment to co-operate and provide such evidence as the Police require.
  - Adopting the “Night Safe Initiative” and “Safer Clubbing Guide” as statements of best practice
  - Following the trade codes of practice, for example BBPA and Portman Group, and not carrying out any irresponsible drinks promotions
  - Providing a suitable environment for customers having regard to the activities going on in the premises, in particular appropriate levels of seating
  - Ensuring that there are sufficient transport facilities available to ensure that customers can leave the premises safely and swiftly.
  - Maintaining an incident log
  - The steps the applicant has taken to prevent crime and disorder issues from occurring in any open air parts of the premises, beer gardens, smoking shelters or areas that are used on an ad-hoc basis by patrons with the management consent for smoking, due to location, control within and management of such areas.
- 
- Glasses and glass bottles can be dangerous weapons. As such the Licensing Authority would encourage the use of polycarbonate glasses, in premises. Where a particular issue has been hi-lighted, particularly if the premises has been brought to review by a responsible authority, a condition to this effect may be imposed.
  - It is important that that glasses and bottles are frequently collected to ensure that empty containers do not accumulate in or around the licensed premises. Staff also must prevent the removal of bottles or glasses from the curtilage and grounds of licensed premises, to prevent them being used to cause harm.

It should be noted that this list is not intended to be exhaustive. It may be appropriate for the applicant to consider other steps. Equally, the Licensing Authority recognises that not all the items in the list will be applicable to all premises.

- 14.5 Following the receipt of relevant representations, the Licensing Authority will not normally allow a person to be specified as a designated premises supervisor where that is likely to undermine the prevention of crime and disorder by reason of that person’s known past conduct. A person is likely to be considered unsuitable if he has previous unspent convictions for a relevant offence, notwithstanding that he may have been granted a personal licence. However, each case would be considered on its own merits in the light of representations received

### **Natural Justice and Human Rights**

Members are reminded that they must follow the rules of natural justice, and must also consider human rights implications.

In particular, in accordance with Article 6, all parties are entitled to a fair hearing.

Consideration also needs to be given to the right to respect for private and family life and home, contained within Article 8, although this is a qualified right, and interference is permitted where this is in accordance with the law, or is necessary in a democratic society in the interests of public safety or the prevention of crime and disorder, or for the protection of

the rights and freedoms of others. Article 1 of the First Protocol provides that every person is entitled to the peaceful enjoyment of his possessions, although again this right is qualified in the public interest.

**Conclusion**

Members should consider whether to grant the application for variation of the licence to specify an individual as designated premise supervisor under the Licensing Act 2003, or to reject the application. Members are reminded that they should state the reasons for their decision.

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Governance  
Licensing Section  
Town Hall  
Dalton Square  
Lancaster  
LA1 1PJ



Tel: (01524) 582000  
email: [licensing@lancaster.gov.uk](mailto:licensing@lancaster.gov.uk)

## Premises Licence

# LAPLWA0276

### Part 1 - Premises Details

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

### The Square

20 Great John Street, Lancaster, LA1 1NG.

Telephone 01524 34620

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- 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
B. Exhibition of films (Indoors)	Monday - Sunday	09:00	01:00
C. Indoor sporting event	Monday - Sunday	09:00	01:00
E. Performance of live music (Indoors)	Monday - Sunday	09:00	01:00
F. Playing of recorded music (Indoors)	Monday - Sunday	09:00	01:00
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday - Sunday	09:00	01:00
I. Late night refreshment (Indoors)	Monday - Sunday	23:00	01:00
J. Supply of alcohol for consumption ON and OFF the premises	Monday - Sunday	09:00	01:00





Governance  
Licensing Section  
Town Hall  
Dalton Square  
Lancaster  
LA1 1PJ



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email: [licensing@lancaster.gov.uk](mailto:licensing@lancaster.gov.uk)

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### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday - Sunday	09:00	01:30

### 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

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

Inns & Leisure Limited  
20/24 Leicester Road, Preston, Lancashire, PR1 1PP.  
Telephone 01772 252917  
[wendy.cross@innsandleisure.co.uk](mailto:wendy.cross@innsandleisure.co.uk)

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

Inns & Leisure Limited 963982

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

Lorraine Marie JACKSON  
The Square, 20-22 Great John Street, Lancaster, LA1 1NG.  
Telephone 01524 34620

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

Licence No. PA1794 Issued by Lancaster





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Licensing Section  
Town Hall  
Dalton Square  
Lancaster  
LA1 1PJ



Tel: (01524) 582000  
email: [licensing@lancaster.gov.uk](mailto:licensing@lancaster.gov.uk)

## Premises Licence

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### ANNEXES

#### Embedded Conditions

On New Year's Eve alcohol may be sold from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00.00 hours (midnight) on 31<sup>st</sup> December)

#### Credit Sales

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal

#### Mandatory conditions where licence authorises the supply of alcohol

- (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) The supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:
    - (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);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted





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Licensing Section  
Town Hall  
Dalton Square  
Lancaster  
LA1 1PJ



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fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

- (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;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -
  - (i) the outcome of a race, competition or other event or process, or
  - (ii) the likelihood of anything occurring or not occurring
- (e) 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.

4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
(2) 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 a holographic mark.
7. The responsible person shall ensure that:
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
    - (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; and





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Licensing Section  
Town Hall  
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Lancaster  
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(b) customers are made aware of the availability of these measures.

### **Mandatory condition where Door Supervisors are provided**

All individuals who carry out security activities must be licensed by the Security Industry Authority (SIA)

### **Mandatory condition where the licence permits the performance of Films**

Where a programme includes a film in the 12A, 15 or 18 category, as classified by the British board of Film Classification, no person appearing to be under the age of 12 (and unaccompanied in that case), 15 or 18 as appropriate shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms-

**PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME**

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.

This condition does not apply to members of staff under the relevant age while on duty provided the prior written consent of the person's parents or legal guardian has first been obtained.

Immediately before each exhibition of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least five seconds a in such a manner that it can be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the category of the film

### **Non standard timings**

On the day before a Public Holiday and on the Public Holiday regulated entertainment and the sale/supply of alcohol will be permitted until 02.00 hours the following day and the premises may be open to the public until 02.30 hours the following day

### **Offered Conditions**

1. Whenever the DPS is not at the premises normally another personal licence holder or another person fully conversant with the terms and conditions of this licence shall be present at all operational times except in the case of emergencies. This person will be nominated by the DPS as being the responsible person to manage the premises and will have the contact details of the DPS. The details of such person to be on prominent display on the premises
2. The designated premises supervisor will maintain a daily record comprising of the start time and finish time of each door supervisor. The door supervisor will record their SIA badge number and will sign and print their name in a legible form at the beginning and end of each tour of duty. The record shall be kept securely on the premises for at least 6 months and shall be produced on request to the police or other authorised person
3. Any person who looks or appears to be under the age of 18 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable: UK







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Licensing Section  
Town Hall  
Dalton Square  
Lancaster  
LA1 1PJ



Tel: (01524) 582000  
email: [licensing@lancaster.gov.uk](mailto:licensing@lancaster.gov.uk)

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- photo driving licence; Passport; PASS card (proof of age standards scheme)
4. The designated premises supervisor or a person nominated by them shall be a member of and regularly attend meetings of any Pubwatch scheme for the area within which the premises are located and would include registration and use of community/network radio
  5. The provision of off-sales to terminate at 23.00 hours
  6. All external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency
  7. There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, (or member and their guests) notices requiring customers to leave the premises and the area quietly
  8. Refuse such as bottles shall be disposed of from the premises at a time when it is not likely to cause a disturbance to residents in the vicinity of the premises
  9. Before the premises are opened, each time, for the purposes authorised by the licence an inspection shall be carried out to ensure that the premises are safe for use. Details of the inspection, defects discovered and remedial action taken shall be recorded in writing in a logbook kept for that purpose. That logbook shall be made available for inspection on demand to an Authorised Officer of the Council, a Fire Officer or a Police Constable.
  10. At all times when the premises are used for the purpose of the premises licence, the licence holder, manager or designated premises supervisor who is responsible for the management of the premises shall at all times be aware of the number of persons on the premises 1) to prevent overcrowding of the premises and 2) shall if requested to do so give that information to an authorised person.
  11. The fire alarm, emergency lighting system and electrical installation shall be tested on a regular basis, at a frequency determined by a competent person. Certificates should be issued showing the results of the tests. The certificates shall be made available for inspection on demand to an Authorised Officer of the Council, a Fire Officer or a Police Constable.
  12. Where a door(s) on an escape route opens against the direction of travel, it shall be locked in the open position by a tamper-proof fastening whenever there are public on the premises
  13. The nosings on all steps and landings shall be maintained so that they are clearly visible by painting them in contrasting colours or other similar means.
  14. Children under the age of 16 years will be accompanied at all times by an adult
- Gaming Machine to be in a position to be seen by barstaff and not played by children. There will be no other adult entertainment services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

### Operating Schedule

#### a) General - all four licensing objectives (b, c, d, e) (please read guidance note 9)

The types of regulated entertainments proposed will reinstate normal pub entertainment that were previously unregulated. Through the DPS the councils objectives have been considered in relation to the four P's. Although no major concerns have been identified from present practice it is recognised that improvements within the constraints of the business with respect to a safe working environment and safe trouble free environment for customers will be ongoing to achieve best practice.





Governance  
Licensing Section  
Town Hall  
Dalton Square  
Lancaster  
LA1 1PJ



Tel: (01524) 582000  
email: [licensing@lancaster.gov.uk](mailto:licensing@lancaster.gov.uk)

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#### b) The prevention of crime and disorder

Providing a sixty minute extension of opening hours after the end of the sale of alcohol will promote this objective as the last drink will be consumed less quickly with access to toilet facilities and will give sufficient time to enable patrons to organise taxis accordingly and to enable gradual dispersal. Not less than five working days written notice will be provided to Police when Events Days are planned. There will be no irresponsible drinks promotions. All members of staff concerned with the sale of alcohol to be trained with regard to sale of alcohol and under 18's. The DPS to be an active member of the local Pub Watch/Bar Watch scheme. Any person who looks or appears to be under the age of 18 shall be asked to provide identification that they are over the age of 18. Only UK photo drivers licence and Passport, or other future government initiative will be accepted. Challenge 21 will be promoted.

#### c) Public safety

Through the DPS a daily safety audit to be carried out and a log book to be maintained. A first aid box is kept on the premises and at least one member of staff on the premises will be trained in first aid. Fire extinguishers on the premises and fire exits are clearly signed. There is emergency lighting. Emergency exits will remain unobstructed at all times. Drunk, unruly or disorderly people not to be allowed entry to the premises. Any outside area used for the consumption of alcohol will cease to be so used at 2230 hrs.

#### d) The prevention of public nuisance

With respect to noise pollution from regulated entertainment and associated equipment the DPS will continue as and where necessary to take steps to keep noise to an acceptable level. All windows will be closed and entry/exit doors will be fitted with self closers - fire exits being an exception. Promotion through displayed notices to remind customers to leave in an orderly and quiet manner together with announcements at the end of regulated entertainment will be implemented. Bottle skips to be emptied during the day.

#### e) The protection of children from harm

The restrictions set out in the Licensing Act 2003 will apply. No unusual risks of harm to children have been identified. All members of staff concerned with the sale of alcohol to be trained with regard to sale of alcohol and under 18's. Any person who looks or appears to under the age of 18 shall be asked to provide identification that they are over the age of 18. Only UK photo drivers licence and Passport, or other future government initiative will be accepted. Challenge 21 will be promoted, AWP machines to be in full view of the bar and any cigarette machine to have the appropriate notice displayed above it regarding purchase of cigarettes.





Governance  
Licensing Section  
Town Hall  
Dalton Square  
Lancaster  
LA1 1PJ



Tel: (01524) 582000  
email: [licensing@lancaster.gov.uk](mailto:licensing@lancaster.gov.uk)

# Premises Licence Summary

## LAPLWA0276

### Premises Details

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

## The Square

20 Great John Street, Lancaster, LA1 1NG.

Telephone 01524 34620

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- 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
B. Exhibition of films (Indoors)	Monday - Sunday	09:00	01:00
C. Indoor sporting event	Monday - Sunday	09:00	01:00
E. Performance of live music (Indoors)	Monday - Sunday	09:00	01:00
F. Playing of recorded music (Indoors)	Monday - Sunday	09:00	01:00
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday - Sunday	09:00	01:00
I. Late night refreshment (Indoors)	Monday - Sunday	23:00	01:00
J. Supply of alcohol for consumption ON and OFF the premises	Monday - Sunday	09:00	01:00







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Licensing Section  
Town Hall  
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Lancaster  
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# Premises Licence Summary

## LAPLWA0276

### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday - Sunday	09:00	01:30

### 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

Inns & Leisure Limited  
20/24 Leicester Road, Preston, Lancashire, PR1 1PP.

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

Inns & Leisure Limited 963982

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

Lorraine Marie JACKSON

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



**LANCASTER CITY COUNCIL**

**LICENSING ACT 2003 AND THE LICENSING ACT 2003 (HEARINGS)  
REGULATIONS 2005**

**NOTICE OF HEARING**

To: The Applicant: Inns & Leisure Ltd

Responsible Authority: Lancashire Constabulary

**THE LANCASTER CITY COUNCIL, AS LICENSING AUTHORITY, HEREBY GIVES YOU NOTICE** that a hearing before a Sub-Committee of the Licensing Act Committee to consider a relevant representation in respect of an application under Section 37 of the Licensing Act 2003 to vary a premises licence to specify an individual as designated premises supervisor in respect of **Lorraine Marie Jackson** will take place on the **2<sup>ND</sup> September 2013** at Lancaster Town Hall, commencing at 10.30am.

**AND TAKE NOTICE THAT** each party as listed above is required to give to the Licensing Authority by no later than five working days before the day of the hearing a notice in writing stating whether that party intends to attend or be represented at the hearing, and whether he or she considers a hearing to be unnecessary.

**AND TAKE NOTICE THAT** if a party wishes any other person (other than the person he/she intends to represent him at the hearing) to appear at the hearing, the notice given by that party and referred to in the preceding paragraph must contain a request for permission for such other person to appear at the hearing, and must set out details of the name of that person and a brief description of the point or points on which that person may be able to assist in connection with the matter to be considered by the Sub-Committee.

**GIVEN** this 12<sup>th</sup> day of August 2013 by the Lancaster City Council as Licensing Authority.

## **INFORMATION TO ACCOMPANY NOTICE OF HEARING**

### **1. Right of attendance, assistance and representation**

A party may attend the hearing and may be assisted or represented by any person, whether or not that person is legally qualified.

The hearing will generally take place in public. However, the Sub-Committee may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking part in public. In such circumstances, a party and any person assisting or representing a party may be treated as a member of the public. The Sub-Committee will exclude the public (and the parties and their representatives) during the decision making process.

The Sub-Committee may require any person attending the hearing who in its opinion is behaving in a disruptive manner to leave the hearing, and may refuse to permit that person to return, or permit him to return only on such conditions as the Sub-Committee may specify. However, such a person may, before the end of the hearing, submit to the Sub-Committee in writing any information which he would have been entitled to give orally had he not been required to leave.

### **2. Representations and Supporting Information**

At the hearing a party shall be entitled to:

- (a) Give further information as applicable in response to a point upon which notice has been given to that party that clarification is required. (Note – if such clarification is required from a party this will have been indicated in the Notice of Hearing).
- (b) Question any other party, but only if given permission by the Sub-Committee; and
- (c) Address the Sub-Committee

### **3. Failure of Parties to attend the Hearing**

If a party has given notice that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.

If a party who has not so indicated fails to attend or be represented at a hearing, the Sub-Committee may, where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or hold the hearing in the party's absence. If the hearing proceeds in a party's absence, the Sub-Committee will consider and give appropriate weight to the application, representation or notice given by that party in their absence.

### **4. Representations and Evidence**

A party who wishes to rely on information or documentary evidence that has not been submitted in advance of the issue of the Notice of Hearing should ensure that such information or evidence, together with sufficient copies for all the parties, is submitted to the Licensing Manager as soon as possible before the day of the hearing.

Parties are reminded that documentary or other information submitted on the day of the hearing may only be taken into account with the consent of all the other parties.

A party who wishes to produce audio/visual evidence should make such evidence available as soon as practical, and should give a minimum of two clear working days notice to the Licensing Manager to facilitate arrangements for the appropriate equipment to be available at the hearing.

## **5. Procedure**

A summary of the procedure that will normally be followed at the hearing is enclosed.

It should be noted that this is a general procedure intended to cover matters that will normally be applicable at all hearings.

However, depending on the circumstances of each individual case, it is recognised that other issues may need to be considered as preliminary points at the hearing. These may include (but are not limited to):

- Whether to proceed in the absence of a party
- Whether to admit new documents/information submitted at the hearing
- Whether it is in the public interest to exclude members of the public from the hearing or any part of the hearing (other than the decision making process)
- Whether any party wished to withdraw representations previously submitted

## **6. Special Needs**

Any person who intends to attend a hearing and who has special needs, for example in connection with access, language, hearing or vision, should inform the Licensing Manager as soon as practical prior to the day of the hearing, so that appropriate provision or arrangements may be made.

**PROCEDURE TO BE FOLLOWED AT HEARINGS TO WHICH THE LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 APPLY**

1. The Chairman will introduce the Members and the Legal Adviser and Democratic Support Officer.
2. The Chairman will ask the parties to introduce themselves and any persons with them.
3. The Chairman will confirm that there is no reason why any of the three sub-committee Members should not participate in this matter.
4. The Chairman will confirm that this is a discussion led by the authority, that any questions should generally be put through the Chairman, and that cross-examination will only be permitted if the Sub-Committee considers that it is necessary.
5. The Chairman will ask the parties if they have any requests to cross-examine, and such requests will be considered by the Sub-Committee.
6. The Sub-Committee will consider any requests from the parties for permission for another person to appear at the hearing.
7. The Chairman will explain to the parties that the procedure to be followed will be the published one (unless the circumstances of the case require the normal procedures to be varied) – that is,
  - that the Licensing Manager (or his representative) will introduce the details of the application, the reason for the hearing, and the documentation,
  - that each party making representations will address the sub-committee in turn and will call other persons where permission has been given
  - that the applicant/licence holder will present his case and will call other persons where permission has been given
  - that Members may ask questions of all parties and persons
  - that questions from the parties must be directed through the Chairman unless cross-examination has been permitted under 4 above
  - that all parties will have the opportunity to make a closing statement, with the applicant/licence holder having the final word
  - that the Sub-Committee will withdraw to make its decision and formulate the reasons for the decision in private, and will ask its Legal Adviser and the Democratic Support Officer to join it in order to assist in documenting the decision and the reasons, or to provide clarification on any point. The decision will be announced in public and confirmed in writing. (In certain circumstances, the decision may not be made on the same day as the hearing). In the event that the Legal Adviser has been asked for clarification on any point then the point raised and the advice given will be declared to all parties.
8. The Chairman will indicate the maximum period of time each party will be allowed in which to present their case, and will seek comments from the parties before the Sub-Committee makes its final indication on this point.
9. The hearing will then proceed following the procedure in 7 above. The Chairman will arrange for reasonable comfort breaks throughout the hearing.