

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING SUB-COMMITTEE

Agenda Item No. 4(1)

meeting date: MONDAY 19 JUNE 2017
 title: H2O BAR, 3 ACCRINGTON ROAD, WHALLEY, CLITHEROE BB7 9TD
 submitted by: HEAD OF LEGAL & DEMOCRATIC SERVICES
 principal author: LICENSING OFFICER

1 PURPOSE

1.1 To advise the sub-committee on the determination of an application required under section 18 of the Licensing Act 2003.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives]
 - Corporate Priorities]
 - Other Considerations]
- The Council aims to be a well-managed Council; a robust licensing process contributes to that objective.

2 THE APPLICATION

2.1 Cerberus (NW) Ltd has made an application for a Premises Licence to be granted for the H2O Bar, 3 Accrington Road, Whalley, Clitheroe BB7 9TD.

2.2 A copy of the licence application is attached at **Appendix A** (page 3).

2.3 Following a meeting with the Police the applicant has agreed to change the alcohol times to cease at 0200hrs to include half an hours drinking up time.

2.4 Details of the licensable activities are set out in the table attached at **Appendix B** (page 23).

2.5 The applicant in its operating schedule (Section 18 on page 13) describes the additional measures it intends to take to promote the four licensing objectives. These will become conditions of any licence granted.

2.6 In addition the Applicant has agreed conditions with the Police, details of which are attached at **Appendix C** (page 25).

2.7 Two relevant representations have been received. 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.

2.8 Statutory guidance states: "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" and "representations should relate to the impact of licensable activities carried on from premises on the objectives."

2.9 A copy of the representations are attached at **Appendix D** (page 26) and are mainly in relation to the prevention of crime and disorder and public nuisance objectives. As some of the content of these representations are not valid under the Licensing Act 2003, Committee are advised that only matters relating to the licensing objectives should be addressed.

2.10 A plan is attached at **Appendix E** (page 29) showing the location of the premises.

2.11 All parties have been given notice of the hearing in accordance with Regulation 6 of The Licensing Act 2003 (Hearings) Regulations 2005.

3 THE LICENSING ACT 2003

3.1 When determining an application, the Licensing Act 2003 requires you to have regard to the representations received from Responsible Authorities and/or Other Persons (including supporting information), statutory Guidance issued under s.182 of the Act, the authority's Licensing Policy Statement and take such of the steps as you consider necessary for the promotion of the four licensing objectives i.e.

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

3.2 The steps you may take are set out at section 2 of the Licensing Hearings – Guidance for Members, together with the statutory guidance issued under section 182 Licensing Act 2003 commencing at section 8.

4. LEGAL IMPLICATIONS ARISING FROM THE REPORT

4.1 Members are reminded that they must follow the rules of natural justice and they are bound by the code of conduct for elected members in licensing applications.

4.2 Members are reminded that they should have read or should hear all the facts prior to making a determination.

4.3 Members are reminded of the consideration they should give to the Human Rights Act 1998, in particular Article 1 – the right to peaceful enjoyment of possessions, Article 6 – the right to a fair hearing, Article 8 – respect for private and family life and Article 10 – the right to freedom of expression.

5. WARDS AFFECTED

5.1 The premises are situated within the Whalley Ward. The ward councillors are not members of this sub-committee.

6. RISK ASSESSMENT

6.1 The approval of this report may have the following implications:

- Resources – none identified.
- Technical, Environmental and Legal – the report demonstrates that there has been proper consideration of the application and the relevant guidance and representations.
- Political – none identified.
- Reputation – none identified.
- Equality & Diversity – none identified.

7. RECOMMENDED THAT COMMITTEE

7.1 Members are asked to make a determination and state the reasons for that determination.


DIANE RICE
HEAD OF LEGAL & DEMOCRATIC SERVICES


CATHERINE MOORE
LICENSING OFFICER

For further information please ask for Catherine Moore on extension 4454.



Ribble Valley
Application for a premises licence
Licensing Act 2003

For help contact
catherine.moore@ribblevalley.gov.uk
 Telephone: 01200 414454

• required information

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

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

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

Applicant Business

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

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

Is your business registered outside the UK? Yes No

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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PREMISES DETAILS

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

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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APPLICATION DETAILS

1. In what capacity are you applying for the premises licence?

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

Confirm The Following

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

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SECTION 4 INDIVIDUAL APPLICANTS

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

Section 4 Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

imited company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

Date of birth / /
dd mm yyyy

Nationality

Documents that demonstrate entitlement to work in the UK

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OPERATING SCHEDULE

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

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

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

round floor corner former retail shop unit

Continued from previous page...

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 10:00

End 02:30

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

Start

End

TUESDAY

Start 10:00

End 02:30

Start

End

WEDNESDAY

Start 10:00

End 02:30

Start

End

THURSDAY

Start 10:00

End 02:30

Start

End

FRIDAY

Start 10:00

End 02:30

Start

End

SATURDAY

Start 10:00

End 02:30

Start

End

SUNDAY

Start 10:00

End 02:30

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors
- Outdoors
- Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

background music will be played at a level which encourages conversation

State any seasonal variations for playing recorded music

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

Continued from previous page...

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

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

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

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

[See guidance on regulated entertainment](#)

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

- Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="02:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="02:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="02:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="02:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="02:30"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

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

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

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

Continued from previous page...

Name

First name

Family name

Date of birth / /

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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

N/a

Continued from previous page...

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HOUSING PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 10:00

End 02:30

Start

End

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

TUESDAY

Start 10:00

End 02:30

Start

End

WEDNESDAY

Start 10:00

End 02:30

Start

End

THURSDAY

Start 10:00

End 02:30

Start

End

FRIDAY

Start 10:00

End 02:30

Start

End

SATURDAY

Start 10:00

End 02:30

Start

End

SUNDAY

Start 10:00

End 02:30

Start

End

State any seasonal variations

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

Empty box for seasonal variations.

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

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

Empty box for non standard timings.

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

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

Strong management controls and effective training of all staff so that they are aware of the premises license and the requirements to meet the four licensing objectives with particular attention to :

- No selling of alcohol to underage people
- No drunk or disorderly behavior on the premises
- Vigilance in preventing the use and sale of illegal drugs in the premises
- No violent and anti social behavior
- No harm to children

Operating schedule providing the hours of operation and licensable activity during those hours.

- Clear challenge 25 information to prevent the sale of alcohol to underage drinkers
- CCTV system fitted with recordings kept for 28 days
- Become a member of local pub watch scheme

b) The prevention of crime and disorder

- CCTV system will be installed to monitor outside and exits
- No sales of alcohol to drunk or underage customers
- Prevention and vigilance of illegal drug use

c) Public safety

- Well trained staff will adhere to environmental health requirements
- Training and implementation of underage ID checks
- Fixtures and fittings will be maintained in good order and a safe condition

d) The prevention of public nuisance

- Prominent notices will be displayed asking customers to leave quietly and respect the nearby residents
- Goods deliveries will only take place between the hours of 0800 and 1700
- Customers will be asked not stand around talking loudly on the street
- Ash trays will be provided
- The emptying of glass bins etc will not take place after 1800 hrs

e) The protection of children from harm

- Challenge 25 sign will be prominently displayed
- Staff will be trained and encouraged to ask for ID.
- Children will not be allowed in the premises after 7pm

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

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- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

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

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

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

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NOTES ON REGULATED ENTERTAINMENT

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In terms of specific **regulated entertainments** please note that:

- **Plays:** no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- **Indoor sporting events:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

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- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

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

You can find out a non domestic rateable value of a premises via the Valuation Office Agency website at: <http://www.2010.voa.gov.uk/rli/>

There are five fee bands as follows:

Band A - None to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00*

Band E - £125001 and over - £635.00*

* If the rateable value of a premises falls within Bands D or E and the premises is used exclusively or primarily for the supply of alcohol for consumption on the premises, then you are required to pay a higher fee:

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

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

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

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time:

Capacity 5000-9999 - £1,000.00

Capacity 10000-14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

* Fee amount (£)

190.00

DECLARATION

Continued from previous page...

I/we understand it is an offence, under section 158 of the Licensing Act 2003 to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

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

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text" value="mark eggar"/>
* Capacity	<input type="text" value="director"/>
* Date	<input type="text" value="20"/> / <input type="text" value="04"/> / <input type="text" value="2017"/> dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/ribble-valley/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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






OFFICE USE ONLY

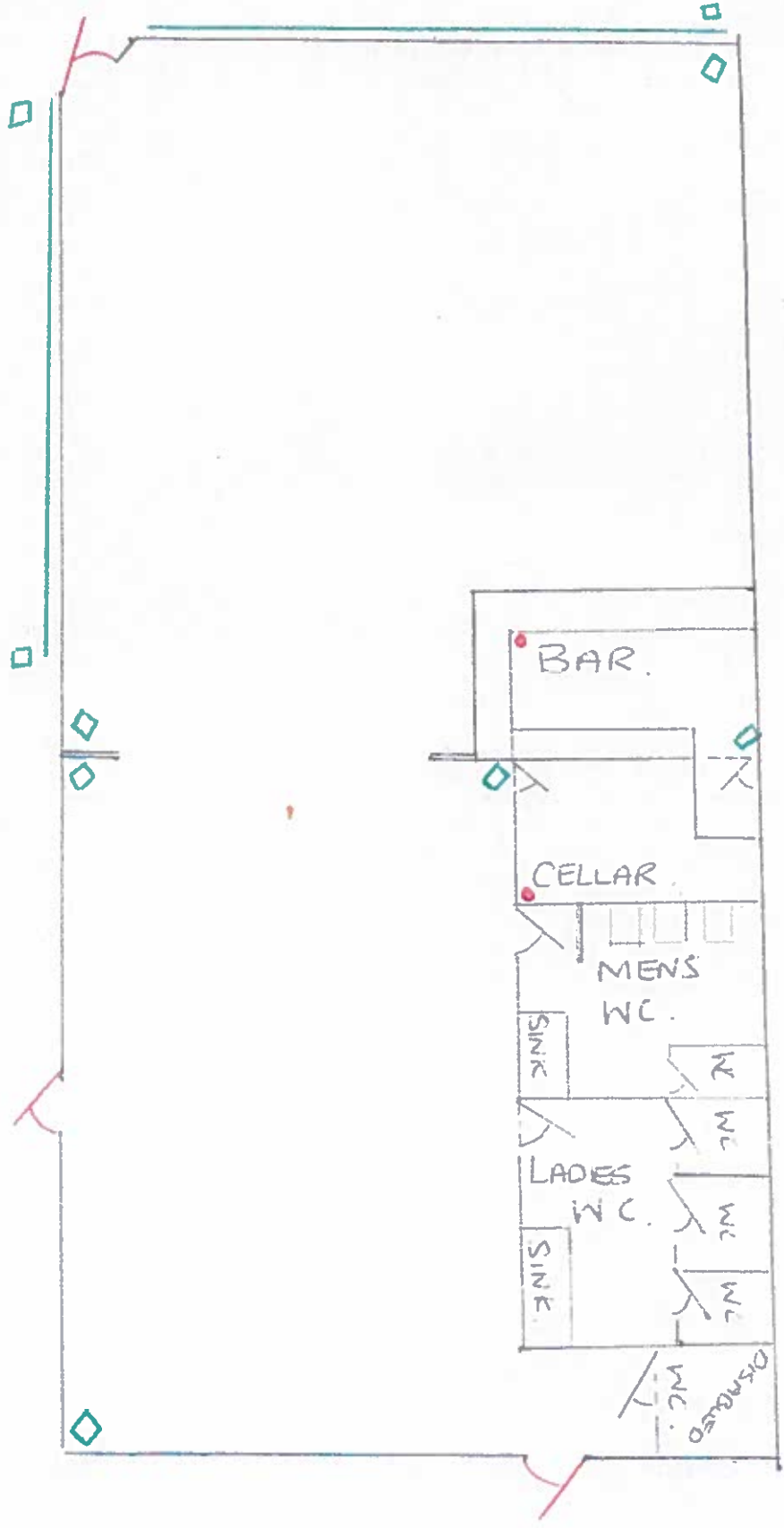
Applicant reference number	whalley ribble-valley-454098
Fee paid	£190.00
Payment provider reference	
ELMS Payment Reference	SZZEL00000696
Payment status	Paid
Payment authorisation code	
Payment authorisation date	
Date and time submitted	21/04/2017 09:56
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

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

3 ACCRINGTON ROAD.
WHALEY BB7 9TD.

KEY

-  - FIRE EXIT
-  - WINDOW
-  - DOOR
-  - FIRE EXTINGUISHER.
-  - CCTV



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

CERBERUS(NW)LTD

[name of applicant]

concerning the supply of alcohol at

H2O BAR,
3 ACCRINGTON ROAD
WHALLEY
LANCASHIRE
BB79TD

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

HYP0567

[insert personal licence number, if any]

Personal licence issuing authority

HYNDBURN BOROUGH COUNCIL, ACCRINGTON, 01254380616

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

Signed

K. ASHWORTH

Name (please print)

KARRIE ASHWORTH

Date

20/04/2017

LICENSING HEARING – 19 JUNE 2017
RIBBLE VALLEY BOROUGH COUNCIL
APPLICATION FOR GRANT OF PREMISES LICENCE
MADE BY CERBERUS (NW) LTD
IN RESPECT OF H2O BAR, 3 ACCRINGTON ROAD, WHALLEY, CLITHEROE BB7 9TD

	Authorised by Existing Licence	Applied for
Supply of alcohol ON and OFF the premises:		
Mon	N/A	1000hrs – 0200hrs
Tues	N/A	1000hrs – 0200hrs
Wed	N/A	1000hrs – 0200hrs
Thurs	N/A	1000hrs – 0200hrs
Fri	N/A	1000hrs – 0200hrs
Sat	N/A	1000hrs – 0200hrs
Sun	N/A	1000hrs – 0200hrs
Recorded music indoors only:		
Mon	N/A	1000hrs – 0230hrs
Tues	N/A	1000hrs – 0230hrs
Wed	N/A	1000hrs – 0230hrs
Thurs	N/A	1000hrs – 0230hrs
Fri	N/A	1000hrs – 0230hrs
Sat	N/A	1000hrs – 0230hrs
Sun	N/A	1000hrs – 0230hrs

Appendix B

	Authorised by Existing Licence	Applied for
Opening hours of premises:		
Mon	N/A	1000hrs – 0230hrs
Tues	N/A	1000hrs – 0230hrs
Wed	N/A	1000hrs – 0230hrs
Thurs	N/A	1000hrs – 0230hrs
Fri	N/A	1000hrs – 0230hrs
Sat	N/A	1000hrs – 0230hrs
Sun	N/A	1000hrs – 0230hrs

Licensing Act 2003

Address of Premises: H2O Bar, 3 Accrington Road, Whalley, BB7 9TD

Proposed conditions:

1. Prior to each occasion that licensable activities take place, a risk assessment will be carried out and an appropriate number of SIA registered door supervisors will be utilised at the premises in accordance with said risk assessment, which will be documented and made available to an authorised officer on request.
2. Use of CCTV both within and outside the premises. CCTV shall be installed in the premises in compliance with any reasonable requirements of the Police. Images will be retained for a minimum of 28 days and will be available to the Police or Local Authority authorised officers upon request. Members of the management will be trained in the use of the system.
3. All persons who appear to be under the age of 25 years shall be required to produce proof of age by way of the following:
 - A recognised proof of age card accredited under the British Retail Consortiums Proof of Age Standards Scheme (PASS)
 - Photo driving licence
 - Passport
 - Citizen card supported by the Home Office
 - Official ID card issued by HM Forces or European Union Member State bearing a photograph and birth date of the holder
4. A refusals book shall be maintained to record all challenges and refused sales to persons who cannot comply with the above conditions.
5. A notice or notices shall be displayed in and at the entrance to the premises where they can be clearly seen and read and shall indicate that it is unlawful for persons under 18 to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age.
6. All staff will be trained in relation to the licensing objectives so as to reduce crime & disorder, promote public safety, prevent public nuisance and promote the protection of children from harm. Regular refresher training to be undertaken. All training will be documented and will be made available to an authorised officer upon request.
7. No person in possession of a drink in a sealed or unsealed container shall be allowed to enter the premises except for the purpose of delivery.
8. No drink shall be removed from the premises in an unsealed container.
9. The premises will actively discourage customers from congregating outside the premises when the premises is open.

Signed (Applicant) *M. Egger*

Signed (Responsible Authority) *Abdul Qadeer* 10269

Date: *8 May 17.*

Whalley Parish Council



1 May 2017

Email: whalleypcclerk@gmail.com

Administration and Licensing Officer
Ribble Valley Borough Council
Clitheroe
BB7 2RA

Dear Catherine:

H2O Bar – Accrington Road Whalley

Applicant Cerberus (NW) Ltd

Whalley Parish Council wish to make representations regarding the above application.

1. Councillors consider that the opening hours, especially until 0230hrs, Monday to Sunday are excessive and will have a negative impact on local residents. In the recent past Parish Councillors have been notified by the owners of The Swan and residents of Accrington Road of severe noise disturbance, in the early hours, in the immediate vicinity of these premises on Accrington Road. To add yet another licensed premises at the heart of these disturbances will only exacerbate the situation. This is compounded by the fact that the proposal requests that alcohol may be consumed on and off the premises despite this being a residential area. It is noted that above the premises are existing residential apartments.
2. To allow music to be played until 0230hrs in a residential area is totally crass showing no sensitivity to the local residents. To suggest the Recorded Music will only be heard indoors is nonsense.
3. Councillors are also aware that even though there may be an agreed closing time patrons stay on the premises for considerably longer. Additionally, evidence from neighbours witness employees placing empty bottles etc into industrial waste bins considerably after the closing time. That form of disturbance in the early hours is intolerable and will be a source of excessive noise well past the 0230hrs.
4. The entrance is at a very busy crossroads therefore it would be totally inappropriate for alcohol to be consumed in that vicinity.
5. Complaints have been received by residents that taxis double park on double yellow lines at the crossroads. Councillors are acutely aware that the door of the premises is located at the fulcrum of this problem.
6. Councillors and local residents have observed that there is lax monitoring by RVBC of recent existing licensed premises and that if this application is granted an already early hours problem will deteriorate further.
7. Considering there are 7 other premises providing food/alcohol, within 75 yards of this application it beggars belief that yet another similar proposal is deemed appropriate.

Yours Sincerely,

Fred Holland

Clerk to Whalley Parish Council



15th May 2017

Dear Sir/Madam

Ref: Cerebus (NW) Ltd., 3 Accrington Road, Whalley, BB7 9TD

I am writing to register my objection to the application for a premises licence by Cerebus (NW) Ltd for the current retail unit at 3 Accrington Road, Whalley, BB7 9TD. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives – particularly the Prevention of Public Nuisance, Public Safety and the Prevention of Crime and Disorder.

3 Accrington Road lies within the very centre of the village which is heavily populated by residents. Granting a licence would provide a further source of alcohol within an area currently heavily serviced by licensed premises and as such, the nearby residents have been affected by antisocial behaviour caused by late night drinking. These include residents of the flats above 3 Accrington Road who are often temporary and the overnight guests to our own hotel business whose complaints are repeated in on-line forums.

The increase in noise, litter, traffic and antisocial behaviour will have a serious negative impact of the quality of life of residents living on our near Accrington Road and King Street. I can also advise that The Swan Hotel is already the subject of much anti-social behaviour taking place many hours after the closure of our own premises when users of the existing late-night economy outlets urinate and defecate in the un-lit areas surrounding our premises. This has also led to complaints being received from the nearby residents of Vale House sheltered accommodation who have mistakenly thought our own premises were creating the nuisance even though we were not even trading. Increasing the availability of alcohol in this area could only exacerbate these problems.

There exists robust evidence from research, police crime data, local authority data and planning appeal decisions which indicate that the size of the late night economy (alcohol, entertainment and food provision) are a major contributory factor to levels of crime and disorder. In particular density and capacity (size of venue, number of premises and operating hours) can have a significant impact on the levels of crime and disorder. Once the 'tipping point' has been reached where there are too many alcohol outlets in an area, leading to increased and unacceptable levels of crime and anti-social behaviour, it is very difficult to rescind licences and reduce the negative impact on the community of the increased sale of alcohol.

...cont.

Many of the buildings in the vicinity of 3 Accrington Road are historically listed or protected by conservation laws. They are old and not constructed to withstand the noise pollution which is associated with licensed premises. The Swan Hotel is certainly one such building and its residents and guests are routinely disturbed by the current levels of noise nuisance and it would be unacceptable to add to this with the inclusion of new licensed premises in such close proximity and for such extended hours of operation. I would also question the construction of the domestic dwellings located above 3 Accrington Road and in the property's adjoining 3 Accrington Road, and whether they have been fitted with any sound-proofing to reduce any expected effects created from a licensed premises seeking to operate until 2am in the morning. I would consider the premises to be wholly unsuitable for the sale of alcohol and it would be unrealistic of the developers of 3 Accrington Road to expect that their neighbours are able to obtain the necessary permissions for the adaptation of listed or conservation protected buildings in order to reduce noise disturbance.

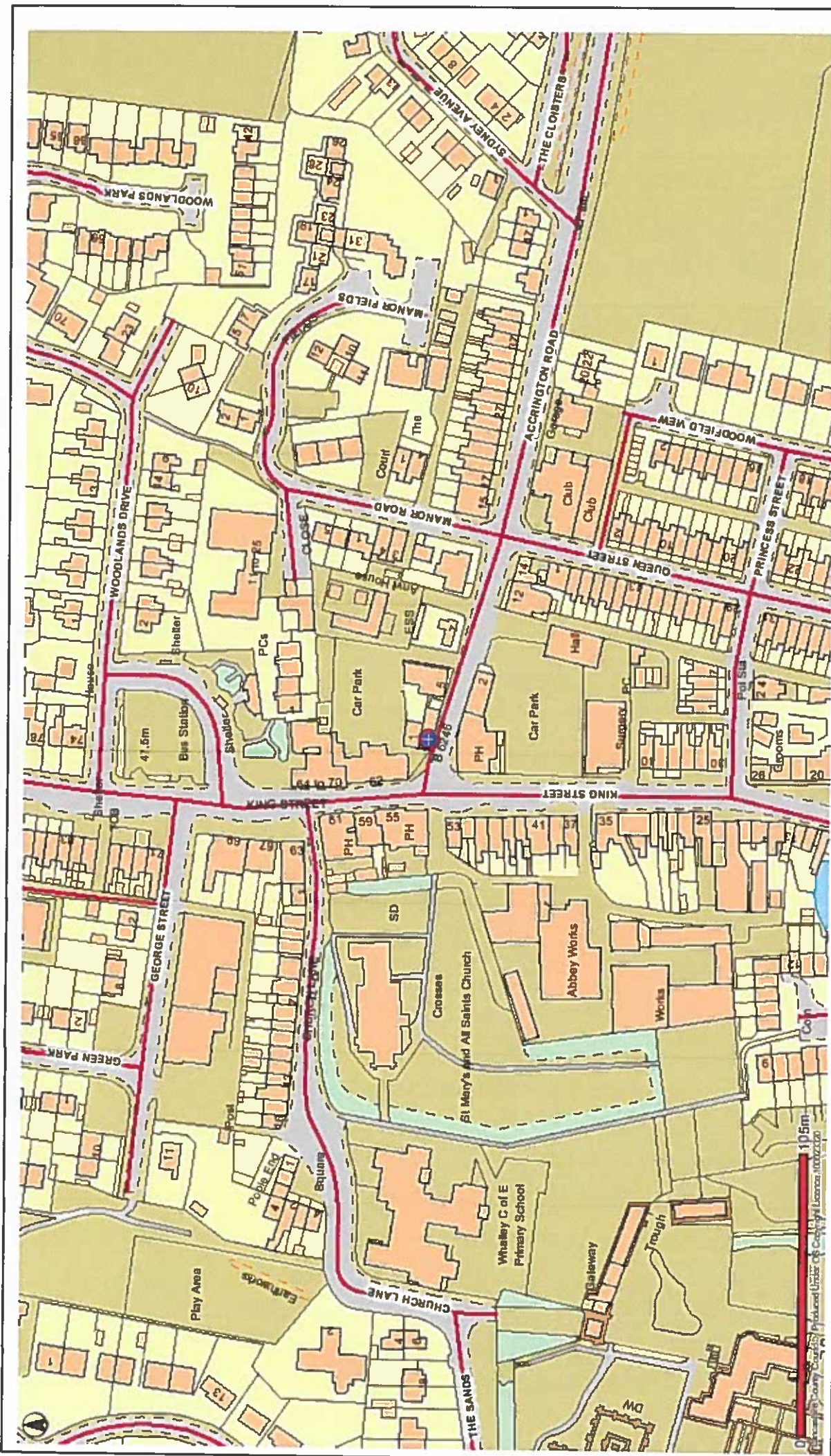
The proposed site is located on the corner of an extremely busy roundabout – it has no specific outdoor space of its own which could be utilised for its patrons – particularly in relation to “smoking solutions”. It is to be expected that customers would gather on the pavement area to the very front of the property – directly beneath the domestic dwelling above, and very close to the residential rooms of my own hotel business. This would undoubtedly create a public nuisance for the nearby residents and also a threat to public safety for road users approaching and exiting the roundabout when customers could be under the influence of alcohol and less able to judge their own safety. The adaptation of the premises from standard retail to licensed would also likely see an increase in delivery traffic which has no direct access to the property and therefore would need to use the public highway – further contributing to the risk of public safety.

For the above reasons The Swan Hotel is registering its objection to the licence application for 3 Accrington Road, Whalley and I would urge the Licensing Authority to refuse the application.

Yours Sincerely



Louise Clough
Director



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Date: 06/04/2017

