

Report of:	Public Protection Manager	Licence Type:	Premises Licence
Report to:	Licensing Committee	Date:	20 th November 2019
Contact Officer:	Susan Chadwick	Telephone:	01706 238 648
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PREMISES DETAILS

Name:	Marley's
Address:	28 Bury Road, Rawtenstall, Rossendale, BB4 6AA
Ward:	Longholme
Application:	Application for the grant of a new premises licence

1. REASON FOR REFERRAL

- 1.1 To advise members of an application for the grant of a premises licence under Section 17 of the Licensing Act 2003.

2. RECOMMENDATIONS

- 2.1 It is recommended that members determine the application in accordance with the provisions of the Licensing Act 2003.

3. LICENSING OBJECTIVES

- 3.1 Members are reminded of the Licensing objectives as follows:

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

4. THE APPLICATION

- 4.1 An application for the grant of a premises licence was made by Team Tiger Ltd on 2nd October 2019. The application was submitted by Napthens Solicitors and is appended at Appendix A.

- 4.2 The application proposes the following licensable activities indoors:

Films, Live Music, Performance of dance, Anything of a similar description:

Between 0900 hours and 0000 hours Monday to Sunday

Recorded Music:

Between 2300 hours and 0200 hours Monday to Sunday

Late Night Refreshment:

Between 2300 hours and 0200 hours Monday to Sunday

Supply of Alcohol (On and Off sales):

Between 0900 hours and 0200 hours Monday to Sunday

Hours the premises are open to the public:

Between 0900 hours and 0230 hours Monday to Sunday

- 4.3 The premises that the application relates to is the former Mather Art Gallery located next to the Blind Tiger and opposite from the Jacks/Tesco site.
- 4.4 The applicant has detailed the steps they intend to take to promote the licensing objectives and these steps will be translated into conditions on the licence, if granted.
- 4.5 These conditions would be:
- 1) Upon commencement of their employment, all staff who are involved in the sale of alcohol will be trained in relation to the licensing objectives so as to reduce crime and disorder, promote public safety, prevent public nuisance and promote the protection of children from harm. Such training will be documented and made available to an Authorised Officer upon request.
 - 2) Refresher training will be provided at least once every six months and such training will be documented and made available to an Authorised Officer upon request.
 - 3) All training records shall be retained for a rolling period of two (2) years.
 - 4) The premises will be an active member of any local "pub watch" or equivalent scheme where such a scheme exists.
 - 5) A CCTV system shall be installed internally and externally at the premises and must meet the following criteria:
 - The system will display on any recording the time and date of said recording;
 - The system will record whenever the premises is open to the public;
 - Any recordings will be retained for a minimum of 28 days after they are made and will be produced to an Authorised Officer upon request;
 - The CCTV will capture all public areas of the premises, with the exception of the toilets.
 - 6) Signage in font size 16 or larger alerting customers to the use of CCTV shall be displayed in a conspicuous position at the premises.
 - 7) A competent person trained in the use of and operation of the CCTV will be in attendance at the premises at all times that licensable activities are taking place. This person must be able to fully operate the CCTV system and be able to download the data in a recognised format when requested.
 - 8) A register of all incidents in relation to crime and disorder and ejections from the premises must be maintained at the premises and made available to an Authorised Officer upon request.

- 9) Prior to any occasion on which licensable activities are to be carried on at the premises, the designated premises supervisor or other person nominated in writing by them shall be responsible for carrying out a written risk assessment to determine whether door supervisors are required. An appropriate number of door supervisors will be utilised in accordance with the written risk assessment and as a minimum, whenever the premises is open to the public, one door supervisor will be utilised from midnight to the end of trading on Fridays and Saturdays.
- 10) All sales of alcohol for consumption off the premises must be made in a sealed container.
- 11) The Shift Manager or other person nominated in writing by the Licence Holder will be responsible for ensuring that the area immediately outside the building is swept and tidied of litter at the end of trading on each day.
- 12) Signage in font size 18 or larger must be displayed at the main public exit and shall request customers to leave the area quickly and quietly.
- 13) All external doors and windows must remain closed at all times that regulated entertainment takes place from the premises, save for access and egress.
- 14) There shall be at the premises, a written dispersal policy designed to encourage customers to leave the venue and the area quickly and quietly.
- 15) On at least one occasion between 0000 hours and 0100 hours on Friday's and Saturday's, the manager or other person nominated in writing for this purpose, shall conduct a noise assessment of the noise emanating from the premises and such assessment shall take place from outside of number 7 and number 10 Parramatta Street, Rawtenstall. If in the Assessors reasonable view the noise is likely to cause nuisance to local residents, remedial action must be taken.
- 16) A written record must be maintained at the premises detailing the time of the noise assessments, the identity of the person undertaking the assessment, the results of the assessment and any remedial action taken. Such records will be made available to an Authorised Officer upon request.
- 17) Persons under the age of 18 years shall not be permitted on the premises after 2300 hours each day.
- 18) All persons purchasing alcohol who appear to be under the age of 25 years shall be required to produce proof of age by way of the following:
 - A UK photo card driving licence
 - Passport
 - Official ID card issued by HM Forces or EU bearing a photograph and the date of birth of the holder
 - Any other form of identification agreed with a representative of the Police Licensing Unit.
- 19) All staff involved in the sale of alcohol will be trained in relation to the "Challenge 25" policy and must undertake refresher training at least once every twelve months. Such training shall be documented and made available

to an Authorised Officer upon request. Such records shall be retained for a rolling period of two (2) years.

- 4.6 The applicant has complied with the advertising requirements laid out in the Act by way of advertising the application in a locally circulating newspaper and at the premises.

5. RESPONSIBLE AUTHORITIES

- 5.1 The Environmental Health department has submitted a representation to the application on the grounds of public nuisance. This representation is appended at Appendix B.

6. REPRESENTATIONS

- 6.1 There were no representations made by “other persons” as defined in the Act.

7. OPTIONS

- 7.1 Members should always consider whether concerns raised can be overcome by the addition of conditions before refusing an application.

- 7.1 Members should consider the application, the representations and all submissions made and must take the steps below (if any) as it considers appropriate for the promotion of the licensing objectives. The steps are:

1. To grant the licence subject to:
 - a) the conditions in the operating schedule modified to such extent as the Authority considers appropriate for the promotion of the licensing objectives, and
 - b) any mandatory conditions which must be included in the licence,
2. To exclude from the scope of the licence any of the licensable activities to which the application relates,
3. To refuse to specify a person in the licence as the premises supervisor;
4. To reject the application.

8. POLICIES TO CONSIDER

- 8.1
- Rossendale Borough Council’s Statement of Licensing Policy effective 25th March 2014.
 - Guidance issued under Section 182 of the Licensing Act 2003.

9. CRIME AND DISORDER

- 9.1 Section 17(1) of the Crime and Disorder Act 1998 places a duty on the Local Authority to have due regard to the likely effect of the exercise of these functions on preventing in its area, the following;
- crime and disorder;
 - misuse of drugs alcohol and other substances; and
 - re-offending.

APPENDICES

Appendix A	Application Form
Appendix B	Representation – Environmental Health