

Meeting of: LICENSING COMMITTEE, SUB – COMMITTEE HEARING UNDER THE
LICENSING ACT 2003

Time: 10.00am Date 2nd August 2022

Venue: The Council Chamber, Futures Park, Bacup, OL13 0BB



Membership: 3 members of the Licensing Committee

Supported by: Joanna Wood, Committee and Member Services Officer, Tel: 01706 252426 or email joannawood@rossendalebc.gov.uk

The Council Chamber is located on the 464 bus route (Lee Mill bus stop). The 464 bus runs between Accrington and Rochdale, calling at stops in Haslingden, Rawtenstall, Waterfoot, Bacup and Whitworth. Directions to the Council Chamber and transport information can be found [here](#).

ITEM	CONTACT OFFICER
A. BUSINESS MATTERS	
A1. Apologies for Absence and Notification of Substitutes	
A2. Declarations of Interest <i>Members are advised to contact the Monitoring Officer in advance of the meeting to seek advice on interest issues if necessary.</i> Members are requested to indicate at this stage, any items on the agenda in which they intend to declare an interest. Members are reminded that, in accordance with the Local Government Act 2000 and the Council's Code of Conduct, they must declare the nature of any personal interest and, if the interest is prejudicial, withdraw from the meeting during consideration of the item.	Joanna Wood, Committee and Member Services Officer, Tel: 01706 252426 or email joannawood@rossendalebc.gov.uk
B. DECISIONS	
B1. Determination Hearing - Application for the grant of a new premises licence – The Circle, former St John the Evangelist, Burnley road, Bacup, OL13 8AB	Susan Chadwick, Licensing Enforcement Officer, 01706 238648, susanchadwick@rossendalebc.gov.uk

Neil Shaw
Chief Executive

Date Published: 25th July 2022

* This licensing authority will only allow licensing decisions to be taken by a minimum of three councillors. In the event of one member being unable to attend, their place will be substituted by another member taken from the membership of the full Licensing Committee or a suitably trained member. In the event of this substitution taking place all parties will be informed of the change of membership at the beginning of the hearing.

The agenda and reports are also available for inspection on the Council's website <https://www.rossendale.gov.uk/>. Other formats are available on request. Tel 01706 217777 or contact Rossendale Borough Council, Futures Park, Bacup, OL13 0BB.

Report of:	Public Protection Manager	Licence Type:	Premises Licence
Report to:	Licensing Committee	Date:	2 nd August 2022
Contact Officer:	Susan Chadwick	Telephone:	01706 238 648
Email:	susanchadwick@rossendalebc.gov.uk		

PREMISES DETAILS

Name:	The Circle
Address:	Former St John The Evangelist, Burnley Road, Bacup, OL13 8AB
Ward:	Greensclough
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. RECOMMENDATION

- 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 received from Mr Fouad Khattab on 8th June 2022. The application is appended at **Appendix A**.

- 4.2 The application proposes:

Plays, Films, Indoor Sporting Events, Boxing or Wrestling, Recorded Music, Performance of Dance, Facilities for Making Music, Facilities for Dancing, Similar Entertainment:

Between 0900 hours and 2100 hours Monday to Friday.

Between 0900 hours and 2300 hours Saturday.

Between 1000 hours and 2100 hours Sunday.

Live Music:

Between 1000 hours and 2100 hours Monday to Sunday.

The sale by retail of alcohol:

Between 1000 hours and 2100 hours Sunday to Friday.
Between 1000 hours and 2300 hours Saturday.

The sale shall be for consumption ON and OFF the premises.

- 4.3 Every premises licence that authorises the sale of alcohol must specify a DPS. This will normally be the person who has been given day-to-day responsibility for running the premises by the premises licence holder.
- 4.4 The application proposes that the designated premises supervisor will be Sarah Khattab who is the holder of a personal licence issued by Rossendale Council.
- 4.5 Sarah Khattab is currently the premises licence holder and DPS at Street Food Kitchen based at 25 Market Street, Bacup.
- 4.6 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.
- 4.7 These conditions would be:

The premises licence holder must ensure that all staff receive comprehensive and refresher training, which must incorporate the following topics:

- a) Recognising signs of drug supply and use,
- b) Understanding company policies and reporting procedures,
- c) relevant age restrictions in respect of products,
- d) recognising signs of drunkenness,
- e) how to refuse service,
- f) action to be taken in the event of an emergency, including
- g) the conditions in force under this licence.

Before any member of staff is authorised to sell alcohol from the premises, they must receive training in the relevant obligations and offences under the Licensing Act 2003, including those associated with the sale of alcohol.

Refresher training must be regularly refreshed and at no greater than 6-monthly intervals.

Documented records of training completed must be kept for each member of staff on a rolling 24-month basis and must be kept on the premises.

Training records must be made available for inspection upon request by a Police constable or Authorised Officer.

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 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

A log (which may be electronically recorded) must be kept at the premises to record all refused sales of alcohol for the reasons that the person(s) is/are, or appear(s) to be, under 25 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by a Police Constable or an Authorised Officer.

The log shall be checked on a regular basis and at least every 4 weeks by the Designated Premises Supervisor to ensure that it is being appropriately used by staff. Each check undertaken by the designated premises supervisor must be recorded in the log.

A colour CCTV system will be installed in the premises and will display on any recording, the time and date of the recording and;

- The system will be operated at all times that the premises is open to the public,
- The cameras shall be sufficient in number to view any area for licensable activity and any exit/entry and the area immediately outside the main entrance,
- Signs will be displayed in the premises to indicate that CCTV is in use and when dealing with incidents or unruly behaviour, staff shall indicate that CCTV is recording the incident,
- The system is kept in a working order, is checked regularly and any faults are rectified promptly,
- Images and recordings to be kept for 31 days and will be available to an Authorised Officer or Police Constable upon request.
- If the CCTV hard drive is removed for replacement, maintenance, or any other reason, the hard drive and images recorded shall be made available to any Police Officer or authorised officer of Rossendale Borough Council for a period of 31 days, and
- The recordings can be accessed and downloaded to another removable device (eg, USB stick, DVD or similar).

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 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

There must be no gaming machines of any category available at the premises.

The premises licence holder must create and implement a dispersal policy aimed at ensuring that all visitors to the premises leave the premises in a quiet and orderly manner. Such policy must be made available for inspection by a Police Constable or Authorised Officer.

Signs in font size 18 or larger must be conspicuously displayed at all exits from the premises and such signs must request that customers leave the premises and the area quietly.

The premises licence holder must make contact numbers of local taxi and private hire operators readily available to customers, who will be encouraged to use such services. A call-back system must be operated and drivers instructed not to sound their horns when collecting customers.

An incident log (which may be electronically recorded) must be kept at the premises for at least six months from the date of the last entry, which will record the following incidents including pertinent details of all incidents which had or may have had the potential to undermine the prevention of crime and disorder licensing objective.

The incident log must be made available for inspection upon request to a Police Constable or an Authorised Officer.

At all times that live or recorded music is played at the premises, all external doors and windows shall be kept closed, save for access and egress and emergencies.

When a disc jockey (DJ) is performing at the premises, they must make regular and at least hourly, announcements asking people to leave the premises and the area quietly out of respect for neighbours.

Signs in font size 18 or larger must be conspicuously displayed at all entrances to the premises and such signs must advise that admission will not be permitted to anyone causing a disturbance.

At the end of permitted hours on each day, the area in the immediate vicinity of the premises must be cleared of all litter and maintained in a tidy condition.

No person shall be admitted to the premises between 2000 hours and closing Sunday to Friday unless they were present in the premises before 2000 hours and exited the premises temporarily for purposes such as smoking.

No person shall be admitted to the premises between 2200 hours and closing on Saturdays unless they were present in the premises before 2200 hours and exited the premises temporarily for purposes such as smoking.

During music events, all drinks whether alcoholic or not will be supplied only in plastic or polycarbonate or shatterproof glasses or bottles. For the purposes of this condition, music event is defined as those occasions where live and/or recorded music is provided for an audience and is the sole or primary reason for those persons being present.

No persons, with the exception of staff, shall be permitted to consume alcoholic drinks on the premises which have not been purchased from the premises directly.

No gaming machines will be permitted to be operated at or on the premises at any time.

The applicant has proposed two conditions in their operating schedule which do not currently provide sufficient clarity for them to be turned into conditions. Members

are invited to consider these and if minded to grant the licence, impose suitable conditions to address the proposals.

- 4.8 The applicant offered, 'Risk assessments will be done and also full staff training and support. Log book will be used and updated regularly'. The purpose of the risk assessment was queried and the applicant advised, 'Ongoing risk assessments (hazards, risks, decision making etc) will be completed'. If the applicant is referring to the physical safety of customers, then members could consider a condition such as:

The premises licence holder must ensure that a documented risk assessment is undertaken to thoroughly analyse all safety and security measures at the premises and must implement remedial measures that will safeguard the public.

Such risk assessment must be updated on a regular basis and at a minimum, at least every 6 months and this document must be made available to a Police Constable or Authorised Officer upon request.

- 4.9 The second proposal was, 'The general rule of thumb is to have one security guard for every 100 guests. SIA staff will be hired for the events and numbers of SIA staff will depend on the nature of the event'. Further clarification was sought and the applicant advised, 'The SIA recommends the use of 1 licensed security staff per 100 guests per event. The Circle is planning to implement this SIA requirement during large events'.
- 4.10 Members are invited to explore this proposal and if minded to grant the licence, impose a clear and enforceable condition relating to the use of SIA door staff.

5. BACKGROUND

- 5.1 Planning permission (2020/0458) for the premises was granted on 14th December 2021.
- 5.2 This permission was granted, with conditions, for the use of the building as an events venue. The planning decision notice is appended at **Appendix B**.
- 5.3 The venue has previously held a variety of events including, but not limited to, music events (concerts), farmers markets, boxing/wrestling/grappling events, cinema events and spiritualist and mindfulness events. Other types of events have been proposed at the venue including music concerts.

6. RESPONSIBLE AUTHORITIES

- 6.1 The Planning Authority have submitted a representation to this application and this is appended at **Appendix C**.
- 6.2 Environmental Health have submitted a representation to this application and this is appended at **Appendix D**.

7. REPRESENTATIONS

- 7.1 There have been no relevant representations during the relevant period.

8. OPTIONS

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

8.2 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.

9. POLICIES TO CONSIDER

- 9.1
- Rossendale Borough Council's Statement of Licensing Policy effective 20th March 2019.
 - Guidance issued under Section 182 of the Licensing Act 2003.

10. CRIME AND DISORDER

- 10.1 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	Planning Decision Notice (2020/0458)
Appendix C	Planning Authority Representation
Appendix D	Environmental Health Representation

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Fouad Khattab

(Insert name(s) of applicant)

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

ROSBENDALE
LICENSING AUTHORITY
RECEIVED
08 JUN 2022

Part 1 – Premises Details

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

**Former St John the Evangelist
Fern street (Off Burnley Road)**

Post town	Bacup	Post code	OL13 8AB
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Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£ 0

Part 2 - Applicant Details

Name: Freddy Khattab

Address: [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

Day Month Year		
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do Day Month Year you want it to end?

<input type="text"/>	<input type="text"/>	<input type="text"/>
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Please give a general description of the premises (please read guidance note 1) If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

Former St John the Evangelist is in the centre of Bacup with links to Burnley, Rochdale, Todmorden and Rawtenstall.

The area is mixed commercial/residential.

To the front of the property is the Post Office and council owned community centre, which already holds a Premises License. To the right of the building there are a mix of residential and commercial properties and to the left of the building there are vacant commercial buildings. These are separated from the property by car parks / church grounds etc.

The rear of the property has four residences on Dale street with two of those residential properties house employees of The Circle Bacup.

The property is detached with car parking facilities directly located on fern street where the pedestrian entrance to the church can be found. It can be reached by customers safely. There are further 8 staff parking spaces on the church's off street parking. The property is located within the town Centre of Bacup, a short walk from the taxi ranks and all general town centre car parking facilities. Two bus stops are located immediately outside the church on Burnley road.

The Building comprises of a basement level where I currently reside. The main body of the church will be the Art, Cultural and Heritage Centre will have a very large function area, a film exhibition and conference / presentation viewing area, a coffee shop/Bistro and a bar.

The building is surrounded by a very large garden. Four customer toilets are be located near the pedestrian gate. A ramp is located near the pedestrian gate that allows ease of access for members of the public with disabilities. A disabled toilet with baby change facilities will be located inside as well as a 2.4 meters trough urinal. The toilet facilities are inclusive of age, gender, sexuality, faith and disability.

Rossendale Borough Council will be using a small section of the church to be used as Rossendale Tourist Information Centre.

The Circle Bacup and St John will be advertised in the future as The Circle Bacup.

The coffee shop will be serving coffees and teas as well as snacks, sandwiches and cakes. The bar will be serving alcoholic beverages as well as soft drinks (to be consumed on the premises). All relevant food Licenses will be in place.

The premises, after many years of disuse, has the potential to provide a vital platform for social, cultural and heritage engagement in Bacup. Existing operation over recent months has already demonstrated a substantial demand for this type of venue, with footfall from the wider Lancashire and West Yorkshire area drawn to Bacup as a result of events and activities being held there. There is no equivalent venue available in the whole of Rossendale.

Partnerships are already in place with a wide range of youth, community, education and charity organisations, with the Circle offering work placements with local schools, and recently inspiring the young people of Bacup as a venue for Danceworks CIC annual awards hosted by the Mayor, a strong partnership has been forged with Valley Leadership Academy, ranging from hosting student council meetings, providing work experience (and part time paid work for older students). In July The Valley Leadership Academy will be hosting their Annual Awards.

There is already a significant appetite within the community for use of the venue for a wide range of community purposes with pending bookings across the full range of activities below. An emphasis is placed on local employment, local suppliers and local tradespeople to support the wider regeneration of the area.

Despite initial opposition from a small number of local residents, the vast majority of local stakeholders are now supportive of the activity, with some of the most vociferous opponents to development of the Circle now are regular customers and active advocates and supporters (we have one residual abusive complainant who has wider ASB issues).

We are not experiencing complaints from existing events – for example hosting the Danseworks Awards on the 3rd of June resulted in no complaints regarding parking, noise or disruption despite the hundreds of people in attendance.

In summary, the four licensing objectives are actively delivered and enhanced by the development of The Circle as follows:

- All relevant policies, procedures, risk assessments and processes in place.
- Fit and proper people with extensive experience in community work, Public Order etc operating the premises
- Two DSPs to provide resilience and ensure successful operations
- An active and inclusive community engagement approach.

In addition to my role, we have two Designated Premises Supervisors [REDACTED]

Extensive discussions have taken place with Police, Fire, Environmental Health and all other responsible authorities and their advice has been taken into account in the development of all aspects of our approach. This is the early stages of a hugely ambitious and wonderful project which has the capacity to significantly grow community wealth and value in Bacup, for the benefit of all its residents and businesses. Significant investments have been made in low carbon infrastructure such as underfloor heating and we already have plans and proposals in place for the introduction of secondary glazing to further reduce any potential for noise disruption.

Bacup lacks a safe and approachable space for people of all ages to feel welcome, inspired and motivated. With the Circle, instead of gathering outside shops, young people will be familiarised with the Circle through our work with community groups, feel valued and appreciated, having somewhere to mix with their wider community, meet friends and experience arts, culture and heritage. We expect that the Circle will actively help to reduce incidences of loneliness, ASB and other issues in the town centre, and will also, via its events and activities, provide both custom, footfall and profile to the wider Bacup area. (We already are drawing customers from Hebden Bridge, who come to see The Circle, the visit the makers market etc).

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

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

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) **Provision of entertainment facilities:**
- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
entertainment of a similar description to that falling within (i) or (j)
- k) (if ticking yes, fill in box K)

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

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

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	0900	2100	Please give further details here (please read guidance note 3) Plays could be on any day of the week depending on demand.		
Tue	0900	2100			
Wed	0900	2100	State any seasonal variations for performing plays (please read guidance note 4)		
Thur	0900	2100			
Fri	0900	2100	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0900	2300			
Sun	1000	2100			

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish	Both		<input type="checkbox"/>	
Day	Start	Finish			
Mon	0900	2100	<u>Please give further details here</u> (please read guidance note 3) Films could be displayed at any day of the week depending on bookings and demand.		
Tue	0900	2100			
Wed	0900	2100	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur	0900	2100			
Fri	0900	2100	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	0900	2300			
Sun	1000	2100			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<p><u>Please give further details</u> (please read guidance note 3)</p> <p>Could take place any day of the week depending on bookings and demand.</p>
Day	Start	Finish	
Mon	0900	2100	<p><u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)</p> <p><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Tue	0900	2100	
Wed	0900	2100	
Thur	0900	2100	
Fri	0900	2100	
Sat	0900	2300	
Sun	1000	2100	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Boxing or wrestling events could take place at any day during the week depending on demand and booking.		
Mon	0900	2100			
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Tue	0900	2100			
			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Wed	0900	2100			
Thur	0900	2100			
Fri	0900	2100			
Sat	0900	2300			
Sun	1000	2100			

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Live music events could take place any day of the week depending on bookings and demand.		
Mon	1000	2100			
Tue	1000	2100	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Wed	1000	2100			
Thur	1000	2100	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	1000	2100			
Sat	1000	2100			
Sun	1000	2100			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Recorded music could be played every day the week depending on the nature of the event.		
Mon	0900	2100			
Tue	0900	2100	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Wed	0900	2100			
Thur	0900	2100	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	0900	2100			
Sat	0900	2300			
Sun	1000	2100			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Performance of dance could take place any day of the week depending on bookings and demand.		
Mon	0900	2100			
Tue	0900	2100	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Wed	0900	2100			
Thur	0900	2100	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	0900	2100			
Sat	0900	2300			
Sun	1000	2100			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u> The premises hosts a piano and a range of PA equipment for use during films, events etc.. It will be used to provide space for recoding artists from the unique acoustics offered by the building.	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon	0900	2100	<u>Please give further details here</u> (please read guidance note 3)	
Tue	0900	2100		
Wed	0900	2100	<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Thur	0900	2100		
Fri	0900	2100	<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat	0900	2300		
Sun	1000	2100		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
			Please give a description of the facilities for dancing you will be providing Weddings and various parties will be taking place indoors and that will involve the dancing option. Once again it could take place at any day of the week depending on bookings and demand		
			Please give further details here (please read guidance note 3)		
Day	Start	Finish	State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Mon	0900	2100			
Tue	0900	2100			
Wed	0900	2100			
Thur	0900	2100			
Fri	0900	2100			
Sat	0900	2300			
Sun	1000	2100	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	0900	2100		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	0900	2100	<u>Please give further details here</u> (please read guidance note 3)		
			Comedy night – Auctions – exhibitions - Weddings		
Wed	0900	2100			
Thur	0900	2100	<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri	0900	2100			
Sat	0900	2300	<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun	1000	2100			

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
		Both		<input checked="" type="checkbox"/>				
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	1000	2100						
Tue	1000	2100						
Wed	1000	2100						
Thur	1000	2100				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	1000	2100						
Sat	1000	2300						
Sun	1000	2100						

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

Name: Sarah Khattab

Address

Post Code

Personal License Number:

Issuing License Authority: Rossendale Council

N

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

O

<p>Hours premises are open to the public Standard days and timings (please read guidance note 6)</p>	<p>State any seasonal variations (please read guidance note 4)</p>																								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Day</th> <th style="width: 20%;">Start</th> <th style="width: 20%;">Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td>0900</td> <td>2100</td> </tr> <tr> <td>Tue</td> <td>0900</td> <td>2100</td> </tr> <tr> <td>Wed</td> <td>0900</td> <td>2100</td> </tr> <tr> <td>Thur</td> <td>0900</td> <td>2100</td> </tr> <tr> <td>Fri</td> <td>0900</td> <td>2100</td> </tr> <tr> <td>Sat</td> <td>0900</td> <td>2300</td> </tr> <tr> <td>Sun</td> <td>1000</td> <td>2100</td> </tr> </tbody> </table>	Day	Start	Finish	Mon	0900	2100	Tue	0900	2100	Wed	0900	2100	Thur	0900	2100	Fri	0900	2100	Sat	0900	2300	Sun	1000	2100	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p>
Day	Start	Finish																							
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Thur	0900	2100																							
Fri	0900	2100																							
Sat	0900	2300																							
Sun	1000	2100																							

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

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

- Maintain a good relationship with the other responsible authorities to gain their views and assistance.
- It is with thought with the four licensing objectives in mind how the premises is to be laid out and designed. Special thoughts being given to residents and other businesses in the vicinity and other service industries such as street cleaning, transport etc.
- Risk assessments will be done and also full staff training and support. Log book will be used and updated regularly.
- CCTV will be operated in the premises
- The premises will operate a zero tolerance to drugs policy
- Proof of age for purchasing alcohol will be required, challenge 25 will be operated.
- The layout of the premises is taking children being present into consideration, thus children under 16 must be accompanied by an adult when near the bar area.
- Signage will be used throughout the premises as a deterrent and as a tool for staff to enforce the law and the premises policies in a non-confrontational manner.
- No gaming machines on premises.
- We will always stay up to date with the all rules & regulations

b) The prevention of crime and disorder

- A risk assessment for outdoor drinking will be completed. No Alcohol will be allowed to be consumed outside the church grounds.
- The amount of seating will be of ample for up to 499 people as the size of the premises allows it. This will reduce vertical drinking.
- Training given to staff for crime prevention and drug awareness measures.
- There will be log book kept on site to record any crime and disorder or where sale of alcohol has been refused. This will be readily available for the police to aid with any monitoring.
- The provision of CCTV in and around the premises.
- There will be a dispersal policy to ensure that when customers leave the premises, they do so in an orderly manner. Signage will be up to remind/notify people. Included within this will be a music and lighting policy for the end of the night and also a transport policy to aid customers getting home if no visible alternative – for example having local taxi numbers available.
- Measures to ensure glasses and bottles are not taken away from the premises. Signs to reinforce this. Only drinks on the premises maybe consumed on the premises.
- I am an ex Police Officer and am Public order trained. I will use my skills and training to defuse conflicts and assure a safe environment for members of the public.
- The general rule of thumb is to have one security guard for every 100 guests, SIA staff will be hired for the events and numbers of SIA staff will depend on the nature of the event,

c) Public safety

- Occupancy figures (including staff)
- All equipment whether fixed or temporary is safe and in good working order including fire alarms, electrical items and fire fighting equipment.
- Staff to be trained in how to prevent the supply and use of illegal drugs
- Fire safety, training and evacuation procedures to be documented.
- Provision of CCTV
- Smoking is prohibited inside the building. There will be a designated smoking area outside of the premises.
- Risk assessments and a due diligence folder to be kept signed & updated

d) The prevention of public nuisance

- Due to the location of the property being in a mixed commercial and residential area, the music levels will be kept to a non-offensive level, doors and windows to be kept closed where possible.
- Secondary glazing will be installed.
- The DJ will be making announcements asking people to leave quietly and having regard for the residential neighbours
- Signage reminders and also for staff to ask and ensure the public leave in an orderly manner.
- Consideration has been taken regarding the hours of our opening and thus not having a late night refreshments option at this time.
- Dispersal policy and wind down procedure in place.
- Signage will be placed outside the premises advising members of the public that they will not be allowed admission if they are causing a disturbance.
- Ensure after closing that any litter left directly outside the premises is disposed of correctly.
- Information will be provided for the nearest taxi rank or numbers, car park and bus stops.
- The implementation of a last admission time to ensure that no-one is trying to get into the premises at least one hour before the premises cease trading.
- CCTV is already installed and operational with at least one camera pointing at the main entrance
- Plastic bottles and cups will be used in music events and the consumption will only be on the premises.

e) The protection of children from harm

- Signage of restrictions to children under the age of 16 to be accompanied by an adult at the bar area.
- Challenge 25 policy and signage
- We have no gaming nor cigarette machines
- The entire premises is a non smoking zone.
- There will be no gambling events as it is against our principle.

- Please tick yes**
- I have made or enclosed payment of the fee I have enclosed the plan of the
 - premises
 - I have sent copies of this application and the plan to responsible authorities and others where applicable
 - I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
 - I understand that I must now advertise my application
 - I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

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

Signature	Freddy Khattab
Date	07/06/2022
Capacity	Owner

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

(where not previously given) and postal address for correspondence
this application (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Notes for Guidance

1. Describe 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.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please 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.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please 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, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

LICENSING ACT 2003 FEES

TABLE 1 NON-DOMESTIC RATEABLE VALUE BANDS

Rossendale Borough Council

APPLICATION FOR PLANNING PERMISSION

Town and Country Planning Act 1990

Applicant Name: Mr Freddy Khattab
Notice Recipient: Mrs Kimberley Corral
41 Bengal Street
Manchester
M4 6AF

Part 1 – Particulars of Application:

Date Received: 2nd October 2020

Application Number: 2020/0458

Proposed Works: Full (part retrospective): Change of use of the main building from a dwelling house to a mixed use of sui generis and residential use to enable events such as a farmers' market, a gallery and music concerts, with an element of residential accommodation retained. Incorporates associated internal and external alterations to the building, plus landscaping and retaining works. Also the construction of an external WC block, and the construction of a new stand-alone one-bedroom apartment for use as a holiday let.

Location: St John The Evangelist Burnley Road Bacup

Following consideration of the application in respect of the proposal outlined above, it was resolved to **GRANT PLANNING PERMISSION** for the following reasons:-

SUMMARY REASON FOR APPROVAL

The proposed development is acceptable in principle, and subject to conditions would not detract from visual amenity, heritage value, neighbour amenity or highway safety. As such, the scheme accords with the National Planning Policy Framework, Policies 1, 2, 3, 7, 11, 14, 15, 16, 18, 23 and 24 of the Core Strategy DPD and Policies SS, SD1, R3, ENV1, ENV2, LT2, LT3, LT4 and TR4 of the Council's emerging Local Plan.

CONDITIONS:

1. The development shall be carried out in accordance with the following plans and documents unless otherwise required by the conditions below:
 - Application form
 - 8920 - (01) 020 A - Site Location Plan
 - 8920 - (04) 002 B - Proposed Upper Ground Plan
 - 8920 - (04) 003 A - Proposed First Floor
 - 8920 - (04) 004 A - Proposed Roof Plan
 - 8920 - (04) 005 E - Proposed Landscape Plan
 - 8920 - (04) 006 - Proposed Drainage
 - 8920 - (04) 020 A - Proposed Site Plan
 - 8920 - (05) 001 A - Proposed Site Elevations
 - 8920 - (05) 002 A - Proposed Building Elevations
 - 8920 - (05) 003 A - Proposed 1 Bed Elevations

- 8920 - (05) 004 - Proposed WC Elevations
- 8920 - (06) 001 A - Proposed Site Sections
- 8920 - (07) 001 A - 3D Views
- 8920 - (07) 002 A - 3D Views
- 8920 - (07) 003 A - 3D Views
- 8920 - (08) 001 - Proposed Lower Ground Floor Plan - Fire Strategy
- 8920 - (08) 002 - Proposed Upper Ground Floor Plan - Fire Strategy
- 8920 - (08) 003 - Proposed First Floor Plan - Fire Strategy
- 8920 - (31) 001 - Secondary Window Location Plan
- 8920 - (31) 002 - Secondary Glazing - Window Types
- 8920 - (31) 003 - Secondary Glazing - Window Types
- 8920 - (43) 001 - Proposed Upper Ground Floor Finish
- 8920 - (43) 002 - Proposed First Floor Finish
- 8920 - (43) 003 - Proposed New Floor Detail
- B&B Door Orientation Plan
- EVO500H Brochure Disabled Lift
- FDS 5778.001 - Kitchen and Servery Area Layout
- Ventilation Strategy - Fusion Hot Ltd (16 Burnley Road, Bacup)
- Staff Parking Area Plan
- Parking Strategy - St John the Evangelist - Bacup

Reason: To ensure the development complies with the approved plans and submitted details.

2. The external one-bedroom apartment hereby approved shall be used for short-let holiday accommodation only. The accommodation shall not be occupied by any one person or group for a period exceeding six weeks in any calendar year. The owner / operator shall maintain a register of occupants for each calendar year which shall be made available for inspection on request by the Local Planning Authority at any such time as requested.

Reason: To define the planning permission and in order to protect the amenities of local residents.

3. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Proposed Drainage Drawing, Ref: 8920-BA-ZZ-00-DR-A-(04) 006, Dated: 07.07.2021. For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority, surface water will drain to the existing private drainage network on-site.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

4. No events shall take place later than 6pm at the venue hereby approved until all secondary / acoustic glazing has been fully installed in accordance with the approved drawings (Numbers 8920 - (31) 001, 8920 - (31) 002 and 8920 - (31) 003). The approved secondary / acoustic glazing shall be retained and maintained for the lifetime of the development.

Reason: In the interests of protecting neighbour amenity.

5. No further events shall take place at the venue hereby approved until the approved system of kitchen ventilation / extraction has been fully installed in accordance with the approved drawings and details (FDS 5778.001 - Kitchen and Servery Area Layout and Ventilation Strategy - Fusion Hot Ltd). The ventilation / extraction system shall thereafter be retained and maintained for the lifetime of the development.

Reason: In the interests of neighbour amenity and ensuring that adequate ventilation is in place within the building.

6. The building shall not be open to visiting members of the public outside of the following hours:

Monday to Friday - 09:00-21:00

Saturday - 09:00-23:00

Sunday - 10:00-21:00

In addition, no events (either public or private) shall be held in the building or its grounds outside of the above hours.

Reason: In the interests of protecting neighbour amenity.

7. The approved scheme of landscaping (shown on drawing number 8920 - (04) 005 E) shall be implemented in full prior to any further events taking place at the venue hereby approved. Any planting which is damaged, removed or dies within ten years of being planted shall be replaced in the following planting season by specimens of the same species.

Reason: In the interests of visual amenity and to protect the setting of the listed building.

8. The approved Parking Strategy shall be implemented in full for the lifetime of the development hereby approved. All events taking place at the venue shall be implemented in accordance with the approved Parking Strategy.

All publicity and tickets for events at the venue (either printed or electronic) shall contain links to the www.bacuppubliccarpark.com and www.bacuppubliccarpark.co.uk websites. The websites shall be maintained online and kept updated for the lifetime of the development, and no events shall take place if the websites are not online.

The websites shall always include a link to an up to date mapping system showing the location and capacity of all public car parking facilities within Bacup town centre.

Reason: In the interests of ensuring that visitors and customers are directed to appropriate public car parking facilities and in the interests of highway safety.

9. No further events shall take place at the venue hereby approved until the staff car parking area (8 spaces located on the cobbled surfaced area west of the main building) has been made available for use as such. The staff car parking area shall be retained and kept available for staff car parking for the lifetime of the development.

Reason: To ensure that adequate staff car parking facilities are in place.

10. No further physical works shall take place on the site until the applicant, or their agent or successors in title, has secured the creation of a formal record of the areas of the building impacted by the development to Level 2 as set out in Understanding Historic Buildings (Historic England 2016). The record shall be submitted to and approved in writing by the Local Planning Authority prior to any further works taking place on site.

The above shall be carried out by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance set out by the Chartered Institute for Archaeologists.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological / historical importance associated with the Listed Building and the wider site.

11. Notwithstanding any information submitted with the application, the construction of the holiday let accommodation shall not take place until an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority.

The submitted report shall include:

- i) A Preliminary Risk Assessment report (phase 1), including a conceptual model and a site walk over survey;
- ii) Where potential risks are identified by the Preliminary Risk Assessment, a Phase 2 Site Investigation report shall also be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, groundwater and the wider environment; and
- iii) Should unacceptable risks be identified the applicant shall also submit and agree with the Local Planning Authority in writing a contaminated land remediation strategy prior to commencement of development. The development shall thereafter be carried out in full accordance with the duly approved remediation strategy or such varied remediation strategy as may be agreed in writing with the Local Planning Authority.

Reason: In the interests of mitigating hazards associated with land contamination.

12. Pursuant to condition 11 and prior to first occupation of the holiday let accommodation a verification report, which validates that all remedial works undertaken on site were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of mitigating hazards associated with land contamination.

13. No live or amplified music shall be played outside of the building at any time.

Reason: In the interests of protecting neighbour amenity.

14. Prior to any works taking place on the construction of the approved holiday let apartment, full details of the proposed facing, roofing, window and door materials (including physical samples) shall be submitted to and approved in writing by the Local Planning Authority. Notwithstanding the above, the holiday let apartment shall be constructed of natural coursed stone to match that used in the main church building, and shall have a natural slate roof. Window and door units shall be of timber construction.

The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of visual amenity and to protect the setting of the listed building.

INFORMATIVES:

1. Standard approval informative.
2. During the period of construction, should contamination be found on site that has not been previously identified, no further works shall be undertaken in the affected area. Prior to further works being carried out in the affected area, the contamination shall be reported to the Local Planning Authority within a maximum of 5 days from the discovery, a further contaminated land assessment shall be carried out, appropriate mitigation identified and agreed in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed mitigation scheme.
3. The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2018 and the current Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

Date: 15.12.2021
Development Control
First Floor
The Business Centre
Futures Park
Bacup
OL13 0BB

Signed: Mike Atherton

Mike Atherton
Planning Manager

Please note that this notice does not relieve the applicant from the need to ensure compliance with the appropriate provisions of the Building Act 1984 and the Building Regulations 2000.

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS NOTICE

**GUIDANCE NOTES FOR APPLICANTS
WHERE AN APPLICATION HAS BEEN APPROVED**

1. APPLICATIONS FOR PLANNING PERMISSION, APPROVAL OF RESERVED MATTERS, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT.

If you object to the Local Planning Authority's decision to grant permission, approval or consent subject to conditions, you may appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990 within 12 weeks of the date of this notice. With regard to granted applications concerning listed buildings in a conservation area, you may appeal under Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 8 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

Please make your appeal using a form from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) www.planning-inspectorate.gov.uk. The Secretary of State may allow a longer period for you to give notice of appeal, but will normally only do so if there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it appears that the Local Planning Authority could have granted permission for the proposed development only subject to the conditions it imposed, bearing in mind the statutory requirements, the development order, and any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority made its decision on the grounds of a direction that he or she had given.

It may be that planning permission, conservation area consent or listed building consent is granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment; but you, as the landowner, claim that the land is no longer fit for reasonably beneficial use in its existing state and you cannot make it fit for such use by carrying out the permitted development. If so, you may serve a purchase notice on Rossendale Borough Council requiring the Council to buy your interest in the land. You can do this under the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings and buildings in conservation areas.

You may claim compensation against the Local Planning Authority if the Secretary of State has refused or granted permission subject to conditions, either on appeal or when the application was referred to her or him.

Compensation is payable in the circumstances set out in:

(a) Section 114 and Part II of Schedule 3 of the Town and Country Planning Act 1990; or (b) Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings.

2. ADDITIONAL NOTES ON LISTED BUILDING CONSENT

1 If you wish to modify the development referred to in your application or to vary it in any way, you must make another application.

2 This notice refers only to the grant of listed building consent and does not entitle you to assume that the City Council has granted its consent for all purposes:

- (a) If you have applied for planning permission under Section 57(1) of the Town and Country Planning Act 1990, we will send you a separate notice of decision;
 - (b) We will send you a separate notice about plans you have submitted under the Building Regulations 2000;
 - (c) If the development for which listed building consent has been granted includes putting up a building for which you have to submit plans under the Building Regulations 2000, you should not do any work connected with erecting that building until you have satisfied yourself that you have complied with Section 219 of the Highways Act 1980 or that they do not apply to this building.
- 3 Even if you have gained listed building consent, you must comply with any restrictive covenants that affect the land referred to in the application.

3. APPLICATION FOR CONSENT TO DISPLAY ADVERTISEMENTS

If the applicant is aggrieved by the decision of the Local Planning Authority to grant consent, subject to conditions, he or she may appeal to the Secretary of State for the Environment in accordance with Regulation 17 and Part 3 of Schedule 4 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 within eight weeks of the receipt of this notice. (Appeals must be made on a form which obtainable from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) www.planning-inspectorate.gov.uk).

IMPORTANT

Compliance with Planning Conditions

The Council's Planning Enforcement Team is responsible for monitoring the implementation of planning permissions. This includes ensuring that all relevant conditions have been complied with. Effective enforcement is important to:

- tackle breaches of planning control which would otherwise have unacceptable impact on the amenity of the area;
- maintain the integrity of the decision-making process;
- help ensure that public acceptance of the decision-making process is maintained.

Whilst the majority of developers/homeowners do comply with the requirements of planning permissions, there are a number who do not. Where any planning conditions are breached, the Council can take formal enforcement action without further notice. Enforcement action could include such measures as requiring remedial works, cessation of use, or complete demolition and can cause the developer/homeowner unnecessary expense, delay and frustration.

It is important that you read and understand the eight points below to avoid any potential breaches of planning control:

- 1) Please take some time to read through the conditions attached to the planning permission and their particular requirements.
- 2) All planning conditions and timeframes for their submission/implementation must be complied with in full, unless a subsequent application or appeal is made to vary or remove those conditions and is subsequently approved.
- 3) Applications to vary conditions attached to a planning permission can take up to 8 weeks to determine (13 weeks if relating to a major planning application). Appeals normally take much longer.

- 4) Applications for approval of details reserved by planning condition (more commonly referred to as condition discharge applications) can take approximately 8 weeks to determine.
- 5) Applicants should ensure that they submit any applications or appeals in good time, well in advance of any anticipated or scheduled start date for commencement of the development.
- 6) If any amendments are sought to the permission, either prior to commencement of development or during the development, the developer should contact the Planning Department at their earliest opportunity to establish what form of application will be required. Work should not continue until any amendments are approved in writing by the Local Planning Authority.
- 7) Fees are normally payable for applications for approval of details reserved by planning condition (condition discharge applications). The relevant application forms, associated fees and details of how to apply can be found on the Planning Portal: www.planningportal.gov.uk
- 8) Should you have any queries relating to any part of the Planning Process the Council's Duty Planning Officer is available Mondays, Wednesdays and Fridays between the hours of 0900-1200 and can be contacted during those times on 01706 217 777 (Option 4).

Mike Atherton
Planning Manager

Marcus Asquith
Licensing Support Officer
Rossendale Borough Council

Development Management
Room 119 - 121
The Business Centre
Futures Park
Bacup
OL13 0BB

This matter is being dealt with by:
James Dalglish
Email: jamesdalglish@rossendalebc.gov.uk

Date: 15/06/2022

Dear Mr Asquith,

Location: The Circle, Former Church of St. John the Evangelist, Bacup

Representation to Consultation on Application for a Premises Licence

I write in response to your application to the above consultation request.

The application seeks a Premises Licence for the above property, with the following hours:

Mon-Fri: 09:00-21:00

Sat: 09:00-23:00

Sun: 10:00-21:00

Planning permission was granted (2020/0458) for the use of the building as an events venue with conditions. Condition No. 6 restricted the hours of operation to the same as those shown above.

However, Condition No. 4 stated *“No events shall take place later than 6pm at the venue hereby approved until all secondary / acoustic glazing has been fully installed in accordance with the approved drawings (Numbers 8920 - (31) 001, 8920 - (31) 002 and 8920 - (31) 003). The approved secondary / acoustic glazing shall be retained and maintained for the lifetime of the development.”*

The reason for the above condition was to prevent public nuisance and protect neighbour amenity. Without this secondary/acoustic glazing, it is likely that noise will escape from the premises to such a degree that the licensing objective of preventing public nuisance will be undermined.

As such, no events should be taking place after 6pm at the venue until the relevant acoustic glazing has all been installed in accordance with the drawings listed within the planning condition.

In addition, Condition No. 5 stated “*No further events shall take place at the venue hereby approved until the approved system of kitchen ventilation / extraction has been fully installed in accordance with the approved drawings and details (FDS 5778.001 - Kitchen and Servery Area Layout and Ventilation Strategy - Fusion Hot Ltd). The ventilation / extraction system shall thereafter be retained and maintained for the lifetime of the development.*”

It is important that the extraction system in question is installed, as it is an internal system which does not feature any external vents, flues or machinery – without the system being installed, there is potential for public nuisance to be caused through noise and odour.

As such, no events should be taking place at the venue until this planning condition has been complied with in full.

As it stands, the Local Planning Authority has no evidence before it to demonstrate that the two conditions described above have been fully complied with.

The Local Planning Authority believes that the granting of this application in its current form will undermine the prevention of public nuisance licensing objective and therefore objects to the application.

The Local Planning Authority would suggest that if the Licensing Authority is minded to grant the Premises Licence, then it would be prudent to include conditions requiring the said acoustic / secondary glazing and kitchen extraction system to be installed prior to the building being used for licensable activity. As these are already required under the Planning Permission, the Local Planning Authority is of the opinion that such conditions would not be burdensome, cost prohibitive or disproportionate.

Yours sincerely,

James Dalglish

James Dalglish
Senior Planning Officer

Rossendale

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Communities Directorate

Marcus Asquith
Licensing Support Officer
Rossendale Borough Council

Environmental Health
The Business Centre
Futures Park
Newchurch Road
Bacup
OL13 0BB

This matter is being dealt with by:
Name: Mrs Lorna Robinson
Telephone: 01706 252564
Email: envhealth@rossendalebc.gov.uk
Our Ref:22/02289/EHM03

Date: 6/7/2022

Dear Mr Asquith,

Re: Representation to consultation on a premises licence application at The Circle Former Church of St John the Evangelist, Bacup

We write in response to your above consultation request.

Environmental Health believes that the granting of this application, in its current form, will undermine the prevention of public nuisance licensing objective and therefore raise an objection to this application for a new premises licence at The Circle, Former St John The Evangelist, Burnley Road, Bacup Lancashire OL13 8AB on the prevention of public nuisance ground.

The applicant seeks a premises Licence for the above property, with the following hours:

Mon-Fri: 09.00hrs-21.00hrs

Saturday: 09.00-23.00hrs

Sunday: 10.00-21.00hrs

Historically there have been noise complaints made about loud music arising from the premises in the evenings and night time and when planning permission was granted in 2020 it contained a condition stating '*no events shall take place later than 6pm at the venue hereby approved until all secondary/acoustic glazing has been fully installed in accordance with the approved drawings. The approved secondary/acoustic glazing shall be retained and maintained for the lifetime of the development*'.

The reason for the acoustic glazing condition, as requested by Environmental Health, was in the interests of protecting neighbour amenity due to the close proximity to residential property. As part of the planning process the same

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applicant Mr Freddy Khattab submitted an Acoustic Planning Report by dBx Acoustics Ltd dated 18th August 2020 which stated that *'given the lobbied doors and masonry construction, the windows will be the primary source of noise egress from the building. Assuming 6mm single glazing as the existing window construction, with a sound insulation performance of 31dBR_w, entertainment noise levels within the main space would need to be limited to 76dBA in order to control noise breakout. This would likely be unacceptably low for any performance involving music. Therefore, enhancement to the sound insulation performance of the windows would be recommended in order to allow a wider range of activity within the building'*.

We can confirm that on the 5th July 2022 the Planning Enforcement Officer confirmed that this condition has not been complied with.

We note the premises licence application is for recorded music, performances of dance, and supply of alcohol till 21.00hrs Sunday to Monday and 23.00hrs on Saturdays. The applicant states in his Premises Licence Application that *'we are not experiencing complaints from existing events'* but we point out that the recent events have been daytime events such a showing of films, grappling events that haven't gone on later than 6pm, not evening/late night events which are the times that cause the most detrimental impact on neighbours and likely to result in complaints from the public about public nuisance.

We also refer to Part P of the Premises Licence Application which is for the applicant to describe the steps they intend to take to promote the four licensing objectives and the applicant has written *'secondary glazing will be installed'*. This should already be in place to hold events after 6pm and prior to this application being made and it isn't, so we have no reason to believe it would be done after a licence is granted either. It also undermines any confidence in the applicant to promote the licensing objective in relation to public nuisance.

Part P of the application also states *'the DJ will be making announcements'*. You don't have a DJ playing quiet music so it indicates the types of events the applicant would like to hold.

We also note that in the application it states *'extensive discussions have taken place with Environmental Health'* and we clarify that we have had no contact from or discussion with the applicant around noise control in relation to this application.

If the installation of approved secondary/acoustic in a former church, which has lots of windows, is cost prohibitive then it indicates that the use of a former church, to hold a full premises licence for events involving recorded music, performance of dance and supply of alcohol until 21.00hrs Sunday to Friday and 23.00hrs on Saturdays is not the right venue in the right location. We are supportive of the social, cultural and heritage engagement and development in Bacup but not at the detriment to local residents.

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We therefore confirm that these are the reasons that Environmental Health raise an objection to this application.

Yours sincerely,

Mrs Lorna Robinson
Senior Environmental Health Officer

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