

Status: For Publication	Item No B1
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Report of:	Public Protection Manager	Licence Type:	Premises Licence
Report to:	Licensing Committee	Date:	11 th January 2024
Contact Officer:	Susan Chadwick	Telephone:	01706 238 648
Email:	susanchadwick@rossendalebc.gov.uk		

PREMISES DETAILS

Name:	Haslingden Trades Club
Address:	7 Regent Street, Haslingden, BB4 5HQ
Ward:	Worsley
Application:	Application for the review of a premises licence

1. REASON FOR REFERRAL

- 1.1 To advise members of an application for the review of a premises licence under Section 51 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. BACKGROUND

- 4.1 The premises subject to this review has been licensed since October 2005 with that licence coming into force on 24th November 2005 following an application to convert the existing Justice's Licence.
- 4.2 The premises licence was granted to Mr John Gallagher who was also named on the licence as the designated premises supervisor (DPS).
- 4.3 Mr John Gallagher held the licence until 30th June 2023. On that date, Mr Gallagher passed away and by virtue of section 27 of the Act, the premises licence lapsed.
- 4.4 The premises licence authorised the following activities:

Indoor sporting events:

Between 2015 hours and 2245 hours on Tuesday.

Live music:

Between 1830 hours and 2230 hours Friday and Saturday
Between 1830 hours and 2130 hours Sunday
Between 1900 hours and 2300 hours Boxing Day
Between 1900 hours and 2330 hours New Year's Eve

Recorded music:

Between 0900 hours and 2300 hours Monday to Sunday
Between 0900 hours and 0030 hours New Year's Eve

Sale of Alcohol (On and Off):

Between 0900 hours and 2300 hours Monday to Sunday
Between 0900 hours and 0030 hours New Year's Eve

- 4.5 The premises licence is appended at **Appendix A**.
- 4.6 There are a significant number of conditions imposed on the licence by virtue of being consistent with the operating schedule. A copy of these conditions is appended at **Appendix B**.
- 4.7 It should be noted that these conditions were imposed back in 2005 and would now be considered out of date. Many are now unenforceable and many could not now be imposed as they duplicate existing legislation or are ambiguous.
- 4.8 On 26th June 2023, the licensing authority became aware of a complaint from a member of the public about the premises staying open past their authorised times.
- 4.9 At 00:50 hours on 1st July 2023, the out of hours' noise service received a call from a member of the public to advise as follows: 'Complainant did not want a visit but wanted to inform NN that the club had remained open beyond 11:30pm. With customers screaming and shouting outside that had woken her up.' This complainant was not the same individual as that referred to at paragraph 4.8.
- 4.10 As a result of these complaints, Lancashire Constabulary conducted a visit to the premises on 8th July 2023 where it was found that the premises was open whilst the licence was lapsed and in any event, beyond the time previously authorised by the licence.
- 4.11 As a result of that visit, a joint investigation was conducted which concluded with the manager of the premises receiving a formal caution from the Licensing Authority. That caution was administered on 16th August 2023.
- 4.12 On 24th July 2023 applications to transfer the premises licence and vary the DPS in respect of the premises licence were received and the applicant was Mr Lee Barratt.
- 4.13 The applications were granted on 27th July 2023, however, the premises licence was considered reinstated from 24th July 2023 as per section 50 of the Act.
- 4.14 In late October 2023, the Police received information regarding the premises and activity from the premises. As a result, a joint visit by the Police and the Public Protection Manager was discussed, however, an opportunity to visit the premises came up before the joint visit could be arranged.

4.15 On 4th November 2023, a further visit to the premises was made by Sgt Dundon of Lancashire Constabulary and the premises was found to be open and trading after 2300 hours.

5. THE APPLICATION

5.1 On 16th November 2023, an application to review the premises licence was received by the Licensing Authority. This application was made by Lancashire Constabulary and is appended at **Appendix C**.

5.2 The application is made on the grounds of all four of the licensing objectives, namely, the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm.

5.3 In accordance with the requirements of the Act, the application was properly served upon the licence premises licence holder and all responsible authorities.

5.4 In accordance with the requirements of the Act, the review application was advertised at the premises by way of a statutory blue notice for a consecutive period of 28 days. A notice was attached to the front window on the premises, a lighting column to the side of the business and a further lighting column opposite the premises. The application was also advertised on the Council's website.

6. REPRESENTATIONS

6.1 On 17th November 2023 a relevant representation was received from the Environmental Health department. This representation supports the application for review and is appended at **Appendix D**.

7. OPTIONS

7.1 Members should always consider whether concerns raised can be overcome by the addition of conditions.

7.2 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 modify the conditions of the licence;
2. To exclude a licensable activity from the scope of the licence;
3. To suspend the licence for a period of not exceeding three months;
4. To revoke the licence
5. To issue a warning (which must be written and given to the licence holder);
6. To take no further action.

8. POLICIES TO CONSIDER

- 8.1
- Rossendale Borough Council's Statement of Licensing Policy effective 20th March 2019.
 - 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	Premises Licence
Appendix B	Premises Licence Conditions
Appendix C	Application Form for Review
Appendix D	Environmental Health Representation

Licensing Act 2003

Premises Licence**PL(A)00130****POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION****Haslingden Trades Club**

7 Regent Street, Haslingden, Rossendale, Lancashire, BB4 5HQ

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- | | |
|---|---|
| <ul style="list-style-type: none"> Indoor Sporting Events Performance of Live Music (Indoors) | <ul style="list-style-type: none"> Playing of Recorded Music (Indoors) Sale of Alcohol (Both) |
|---|---|

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES**Indoor Sporting Events**

Description	Time From and Time To
Tuesday	20:15 - 22:45

Performance of Live Music (Indoors)

Description	Time From and Time To
Friday and Saturday	18:30 - 22:30
Sunday	18:30 - 21:30
Boxing Day	19:00 - 23:00
New Year's Eve	19:00 - 23:30

Playing of Recorded Music (Indoors)

Description	Time From and Time To
Monday to Sunday	09:00 - 23:00
New Year's Eve	09:00 - 00:30

Sale of Alcohol (Both)

Description	Time From and Time To
Monday to Saturday	09:00 - 23:00
Sunday	09:00 - 22:30

Non-Standard Timings

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	09:00	23:30

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

The sale by retail of alcohol for consumption ON and OFF the premises.

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

Mr Lee Barrett

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

Not applicable

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

Mr Christopher Butterworth

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

Licence Number: 11/LAL/00817/LAPERS

Issued By: Rossendale Borough Council

Annex 1 - Mandatory Conditions

No supply of alcohol may be made under the premises licence at a time when there is no designated premises supervisor in respect of the premises licence or at a time when the designated premises supervisor does not hold a personal licence or their licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition set out in the above paragraph:

- a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- b) "permitted price" is the price found by applying the formula-

$$P=D+(D \times V)$$

where—

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

Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:

- a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
- b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- a) a holographic mark, or
- b) an ultraviolet feature.

The responsible person must ensure that:

- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

- i. beer or cider: ½ pint;
 - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii. still wine in a glass: 125 ml;
- b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Where a premises licence authorises the exhibition of films:

Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

Where:

- a) the film classification body is not specified in the licence, or
- b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

In this section:

“children” means persons aged under 18; and

“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984.

Where a premises licence includes a condition that an individual must carry out a security activity:

Each individual in the premises to carry out a security activity must be licensed by the Security Industry Authority unless the premises or part of the premises where they are present are being used as wholly or mainly a restaurant or guest house, theatrical performances, plays or a Gaming Licence is for the time being in force in respect of those premises.

Annex 2 – Conditions imposed by virtue of being consistent with the operating schedule

See Trades Club Appendix 1

Annex 3 – Conditions imposed by virtue of a determination hearing

No conditions imposed by virtue of a determination hearing held by the Local Authority.

Annex 4 – Plans

Drawing number 2705.1 dated July 2005 as held by the Local Authority refers.

CONDITIONS TO MEET LICENSING OBJECTIVES

TRADES CLUB

APPENDIX 1

SECTION 1

CONDITIONS TO PREVENT CRIME AND DISORDER

1. The Designated Premises Supervisor, when present, and all members of staff shall ensure that all lawful instructions and/or directions given by the police are complied with.
2. No drink shall be sold from a bar or by staff service or consumed in or on the premises other than in a container made from non-splintering plastic, paper or shatterproof glass.
3. There shall be in place for the premises a written policy to prevent the sale or supply of alcohol to persons under 18 years of age. That policy shall require any person who appears to be under the age of 18 years to produce a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS) or if a proof of age card is not available, a photo driving licence, passport or accredited student card.
4. There shall be displayed on the premises notice(s) to warn members of the public visiting the premises of the incident of crime, which may affect them. The notice(s) shall be displayed in a position where it is clearly visible to members of the public.
5. There shall be displayed at the entrance to the premises a sign, which is clearly visible to members of the public visiting those premises containing details of the trading hours under the premises licence, the licensable activities permitted on those premises and any maximum occupancy level set for the premises.
6. The licence holder and/or the designated premises supervisor or a person nominated by them may be a member of and regularly attend at the

meetings of the Pub and Club watch scheme for the area within which the premises is located.

CONDITIONS TO ENSURE PUBLIC SAFETY

1. All exits and escape routes to those exits (including external escape routes) from the premises shall be provided with non-slip even surfaces and shall be maintained in good repair, correct working order and kept from all obstructions when the public are on the premises. External escape routes shall also be kept free from ice and snow.
2. All doors or gates both inside and outside the premises which are on an escape route shall be fitted only with approved fasteners and shall at all times be properly maintained, free from obstruction and be capable of being opened easily and fully so that they do not restrict the public leaving the premises and shall open in the direction of the escape route.
3. Where a door on an escape route opens against the direction of exit travel, it shall be locked in the open position by a tamper-proof fastening when the public uses the premises and there shall be a clearly visible notice in capital letters which contain the following words "THIS DOOR SHALL BE KEPT LOCKED IN THE OPEN POSITION WHEN THE PREMISES ARE OCCUPIED" displayed in a clearly visible position next to the door.
4. All exit doors and gates from premises or enclosure(s) surrounding it shall be capable of being opened by any person without the use of a key, card, code or other similar means and be kept free from all fastening devices when the premises are open to the public.
5. All exit routes and doors on such routes shall be checked on every occasion before the premises is used for purposes of a licensable activity and at regular occasions when the premises are open to the public to ensure that they are free from defect, obstruction, trip hazards and surfaces are not slippery. A record of such inspections, any defects discovered and the remedial action taken shall be made in writing in a logbook kept for the purpose. That logbook shall be made available for

inspection on demand to an Authorised Officer of the Council, a Fire Officer or a Police Constable.

6. The method of opening any exit door or gate from the premises or enclosure(s) surrounding it shall be clearly displayed immediately above or below the fastening in white block lettering on a green background in letters not less than 50mm high.
7. Where a roller shutter or folding gate is used on any escape route, that shutter or gate shall be locked in the open position when the premises are open to the public.
8. Any door or gate in the premises which is not an exit door or gate shall have a sign bearing the word "PRIVATE" in block letters not less than 50mm high.
9. The furniture or seating in premises shall be arranged so that it does not obstruct any exit, route to any exit or to any facility with the premises.
10. Where seats are arranged for a closely seated audience, the seating and gangways shall be fixed and arranged to allow free unobstructed access to exits, routes to exits and the facilities provided in the premises.
11. The premises shall be maintained so that the following fire retardancy standards are complied with: -
 - i. All upholstered seating meets on a continuous basis the pass criteria for smouldering ignition source 1 and crib ignition source 5 when tested in accordance with section 5 of BS 5852:1990.
 - ii. All repairs or refurbishment of existing seating or upholstery shall include the removal of untreated polyurethane foam and its replacement by fillings which conform to the Furniture and Furnishings (Safety) Regulations 1988 (as amended).
 - iii. Carpets – B.S.4790 low radius spread.
 - iv. Walls and Ceilings – Circulation areas, Building Regulations. Class O General Areas, B.S.476 Class 1.
 - v. All artificial foliage, floral decorations or any other decoration provided on the premises shall be of inherently flameproof material.

12. No curtain, hanging or any other decoration shall be positioned so as to obstruct any exit, sign or fire fighting equipment.
13. The maximum number of persons allowed on these premises shall be 80.
14. A person who is nominated for the purpose of taking control in the event of a fire, fire alarm, emergency or event which may effect the safety of persons attending the premises shall be on and in charge of the premises at all times when any licensable activity is being provided. That person shall be responsible for calling the Fire Service in the event of any fire and that person shall also be responsible for meeting the Fire Services and guiding them to the fire.
15. Where the water supply to any hydrant, hose reel, sprinkler, drencher or any other fire extinguishing installation is cut off or restricted the Fire Service shall be notified immediately.
16. Clear and unobstructed access shall be available to the premises for use by the emergency services and emergency service vehicles at all times.
17. There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials.
18. When the public, members or guests are present, the lighting levels in all parts of the premises shall be capable of providing sufficient illumination for the public, members or guests to leave the premises safely and there shall be at least one person who is nominated to switch on the emergency lighting in an emergency situation.
19. All fire instruction signs shall be illuminated so that they can be easily read at all times when the public, members or guests are present on the premises.
20. The controls for the emergency lighting shall be protected from unauthorised use and accidental operation and the system designed so that the emergency lighting cannot be altered.
21. Every battery which is used to power an emergency light or exit sign shall be maintained in a fully charged condition at all times.
22. The premises shall be provided with adequate lavatory accommodation which shall at all times when the premises are in use be kept clean,

ventilated, disinfected and supplied with hot and cold water, soap, toilet tissue, hand drying and sanitary towel disposal facilities as appropriate.

CONDITIONS TO PREVENT PUBLIC NUISANCE

1. For premises where entertainment frequently takes place, music and associated sources (including DJ's, and amplified voices) should generally not be audible inside noise sensitive property between 23.00 and 07.00 hours.
2. All external doors and windows shall be kept closed when entertainment is being provided, other than for access and egress and in the event of an emergency. If additional ventilation is subsequently necessary, then it shall be attenuated in accordance with a scheme submitted to the Licensing Authority.
3. The licence holder or his representative shall conduct regular assessments of the noise coming from the premises on every occasion the premises are used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of those assessments in a log book kept for that purpose and shall include, the time and date of the checks, the person making them and the results including any remedial action.
4. There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, (or member and their guests) notices requiring customers to leave the premises and the area quietly.
5. Disposal of waste bottles into external receptacles must not occur between 22:00 hours to 07:00 hours.
6. Staff must be given adequate instruction to prevent them causing unnecessary noise when they leave the premises and prominent, clear notices displayed at all points where staff leave the building must instruct them to respect the needs of the local residents and leave the premises area quietly.
7. A noise impact assessment of the licensed activities at the premises shall be carried out to the satisfaction of the licensing authority. Where the

assessment indicates that noise control measures are necessary, a scheme shall be submitted to the licensing authority and implemented before the activities take place.

8. Speakers shall be located and fixed within the premises in a manner as to minimise disturbance arising from structure borne vibration.
9. The garden/patio must not be used by customers after the hours of 22:00.
10. There shall be no emission from the premises of any offensive smells, which are likely to cause a nuisance.
11. Where there are any offensive smells created on the premises, provision shall be made for such smells to be vented from the premises so that they do not cause a nuisance to nearby premises.
12. There shall be provided at the premises containers for the storage and disposal of waste foods and other refuse from the premises. Those containers shall be constructed, maintained and located/secured so that access to them by vermin and unauthorised persons is prevented and arrangements made for the regular disposal of their contents in accordance with the duty of care provisions (section 34) of the Environmental Protection Act 1990.
13. Posters advertising the premises or acts/events at the premises shall not be fixed to any building or structure without permission of the owner and planning permission where necessary.

CONDITIONS TO PROTECT CHILDREN FROM HARM

1. The premises licence and the designated premises supervisor shall at all times comply with the Portman Group Code of Practice and with the requirements or recommendations or any Portman Group Retailer Alert Bulletin.

It is respectfully submitted that the above conditions in total meet all four licensing objectives.

Application for the review of a premises licence or club premises certificate 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 Police Sergeant 541 Stephen Dundon

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

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

Haslingden Trades Club
5 - 7 Regent Street
Haslingden
Lancashire
BB4 5HQ

Post town Haslingden

Post code (if known) BB4 5HQ

Name of premises licence holder or club holding club premises certificate (if known)

Lee Barrett

Number of premises licence or club premises certificate (if known)

PL(A)00130

Part 2 - Applicant details

I am

Please tick yes

- an interested party (please complete (A) or (B) below)
 - a person living in the vicinity of the premises
 - a body representing persons living in the vicinity of the premises

- a person involved in business in the vicinity of the premises
- a body representing persons involved in business in the vicinity of the premises
- a responsible authority (please complete (C) below) x
- a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr

Mrs

Miss

Ms

Other title

(for example, Rev)

Surname

First names

--	--

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

--

Post town		Post Code	
------------------	--	------------------	--

Daytime contact telephone number	
---	--

E-mail address (optional)	
----------------------------------	--

(B) DETAILS OF OTHER APPLICANT

--

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Police Sergeant 541 Stephen Dundon
Burnley Police Station
Parker Lane
Burnley
Lancashire
BB11 2BT

Telephone number (if any)

01282 472035

E-mail address (optional)

stephen.dundon@lancashire.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

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

Please state the ground(s) for review (please read guidance note 1)

The application is brought on behalf of the Chief Constable of Lancashire Constabulary.

Prevention on Crime and Disorder:

Since July 2023 Lancashire Police have received information and established through inspections, that the Haslingden Trades Club has been supplying alcohol, playing recorded music and remaining open outside of the hours permitted by their Premises Licence.

In October 2023 information was received by the Police alleging that controlled drugs are being used in the premises.

Prevention of Public Nuisance:

In October 2023 the police received information alleging that the premises is often open until the early hours of the morning and this causes anti-social behaviour.

Public Safety:

Police have attended and found a "lock in" and it took several minutes for the door to be opened and access allowed which would have hindered any exit in an emergency.

Protection of Children from Harm:

Information received in September 2023 that there was going to be under age drinking and a party in the premises one evening and that it was a regular occurrence.

Please provide as much information as possible to support the application
(please read guidance note 2)

The Haslingden Trades Club is a bar in Haslingden and in June 2023 Rossendale Borough Council received a complaint alleging the premises was operating beyond the hours permitted in the Premises Licence and serving alcohol up to 2am when the license only permitted supply up to 11pm and the premises to be closed by 11:30pm.

On 8th July 2023 Police officers attended the premises at 01:00hrs and found 10 people drinking inside. Upon attendance, it took several minutes for the door to be opened and it was clearly locked and bolted from the inside. This would have made a prompt exit impossible had there been a fire or other emergency.

The person in charge at the time was later interviewed under caution and admitted that they had been out drinking earlier in the evening and were under the influence when they went back to the Trades. This demonstrates a clear lack of judgment on their part and a poor attitude to responsibilities around licensing objectives.

Following this incident, the management were spoken to and it was established that the premises was operating without a Premises Licence as the Licence holder and Designated Premises Supervisor (DPS), had passed away a few weeks previously but no efforts had been made to ensure the premises was operating with a DPS or Licence.

Formal action was taken against one member of staff who received a caution and advice given and a new DPS installed and Premises Licence granted.

On 9th July 2023 Police Licensing Sergeant Gary Hennighan attended the premises at just after midnight. The premises was all locked up and in darkness. Whilst at the scene eight people came to the premises and began knocking on the door. They were asked if they had come for a "lock in" and they replied they had. When told it wouldn't be happening they left. This demonstrates that there is clearly knowledge in the community that it is a venue to attend for a late drink.

In October 2023 the Police received information that a staff member was using "crack" whilst working in the premises. Intel Ref 04/99858/23

Police Log: LC-20230929-0951 - 29th September 2023. Information received that there was to be under age drinking and a party at the Haslingden Trades on 30th September. The informant was spoken to and stated that it was the "word" in a local high school that regular under age drinking occurs at the premises.

Police Log: LC-20231028-0088 - 28th October 2023. Police received an anonymous call at 01:12 stating that there are ongoing issues with the premises and the local residents have "had enough". The caller also makes mention that the local residential home for the elderly are also "fed up" with the issues. The caller stated the issues happen every week, and 2 males and a female kicking the door of the pub door prompted the call. The caller says a male keeps the pub open after closing times and then they have lock ins with people inside, "partying and causing a lot of racket." The caller stated the premises was attracting a lot of "smack heads" and people were leaving litter in the street and people trying car doors.

On 4th November 2023, Police attended the premises after 11pm and observed that there was still music being played (licence requires music to stop at 11pm) and people entering the premises. Police entered at 11:15pm and found customers being supplied alcohol outside of the permitted times along with recorded music also being played.

It is clear from the reports and the visits carried out by the police that the management of this premises have little or no understanding of the conditions on their premises licence and the way they have been operating is flouting the conditions placed on them. They have been given advice and even enforcement action, but this has not led to an improvement and complaints are still being received and contraventions identified.

This premises licence was issued in October 2017 and between then and October 2022 there had been only 9 incidents reported to police that were connected to the premises. Since March 2022 there have been an additional 6 incidents reported to the Police. This shows a significant increase in incidents in just 18 months.

The Designated Premises Supervisor is Christopher Butterworth and he lives upstairs in the premises. He was instated in July 2023 following it being identified that the previous DPS had passed away and the premises was operating without a DPS.

At the time of Mr Butterworth being installed as DPS, he would have been aware of the issues concerning serving after time in early July as he was present during the visit by the Police. Despite this, the issues have clearly continued and resulted in both intelligence and complaints being received by the Police, and a further incident of serving after time being identified. Mr Butterworth has held a personal licence since 2010 so should be well aware of his obligations under the Licensing Act and how to run a premises appropriately. This has clearly not been happening.

There are several options available to the Committee, ranging from no action through to a full revocation of the licence and whilst it is a matter for the committee to determine, the Police would ask, as a minimum, that additional conditions be imposed.

The police would suggest that taking no action would not be a realistic option as it would send out the message that there are no consequences to repeated breaches of the licence, that have caused the local community to complain.

The Police would suggest to the Committee the following additional conditions could be imposed on the licence in order to ensure the promotion of the licensing objectives. These could include a requirement to have a colour CCTV system in operation that is recording at all times members of the public are present at the premises and that there are sufficient cameras to cover all public areas, including the area immediately outside the entrance. This CCTV should keep recordings for a minimum of 28 days and be made available for inspection upon request of an authorised officer for a legitimate purpose.

It would also be appropriate to ensure there are conditions to ensure there is someone present and capable to download footage and to provide footage in the

manner requested by the requesting authority. Also, to encounter any issues if the storage becomes defective to require that the storage is retained for a period of time following removal or repair and for the Police and Local Authority to be notified if this happens. There should be a time limit within which to provide any footage and for the system to receive periodic checks to ensure working and these checks be documented.

Other suggested conditions would include having a written policy in relation to illicit drug use and adopt a zero-tolerance approach to drug use on the premises. This would include a requirement to display signs in a prominent position advising patrons that the premises operates a zero tolerance drugs policy.

In respect of the concerns around under age drinking, the premises could be required to adopt a "Challenge 25" policy and train staff to that effect. The training should be documented and a refusals book maintained. This could be a requirement to display notices around the premises to show that they adopt a "Challenge 25" policy and an approved ID will be requested from anyone who appears to be under the age of 25 years.

There should be a requirement to display a notice at the exit points that remind customers to leave quietly and respect neighbours.

Another suggested condition would be a requirement to ensure that all staff who are involved in the supply of alcohol receive training on commencement of their employment 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. Staff should subsequently receive refresher training every 12 months and the training documented and made available to an authorised officer on request.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature Stephen Dundon

.....

Date 16/11/2023

.....

Capacity Police Licensing Sergeant - East Division

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

- The ground(s) for review must be based on one of the licensing objectives.
- Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
- The application form must be signed.
- An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- This is the address which we shall use to correspond with you about this application.

Susan Chadwick

From: Lorna Robinson
Sent: 17 November 2023 13:44
To: Licensing Department
Cc: Stephen.Dundon@lancashire.police.uk
Subject: Premises Licence Review Application - Haslingden Trades further information
Attachments: Review - Application Haslingden Trades Club Nov 2023.docx; 1st letter.pdf

Categories: Marcus Asquith

Further to my email below for information we attach the 1st letter sent to the premises.
Looking at the service request there was no further contact from Haslingden Trades or the complainants.

Regards

Lorna Robinson CEnvH
Senior Environmental Health Officer

Rossendale Borough Council | The Business Centre | Futures Park | Bacup | OL13 0BB

E-Mail: lornarobinson@rossendalebc.gov.uk | Tel: 01706 217777 (option 4) | [REDACTED] | [REDACTED]
[REDACTED]

Website: www.rossendale.gov.uk [Teams](#)



November is Movember- Protecting mens health see [Movember - Changing the face of men's health - Movember](#)

From: Lorna Robinson
Sent: 17 November 2023 09:21
To: Licensing Department <licensing@rossendalebc.gov.uk>
Cc: [REDACTED]
Subject: FW: Premises Licence Review Application - Haslingden Trades

We write to inform you that Environmental Health support the Police on the review of the application Haslingden Trades Club.

Environmental Health received two complaints in June 2023 with local residents stating 'Opening time are not respected most of the times it is open until 1 am , people screaming and swearing on the middle of street long after opening times loud music that it is awakening me' and another resident stating 'Called about the Trade Pub at this address - apparently it is now open until 2am - before it used to be 11pm - Would like to discuss with someone'

We wrote to the club about the allegations and the allegations were also forwarded to the Licensing Enforcement Officer for information as alleged breach of conditions.

Regards

Lorna Robinson CEnvH
Senior Environmental Health Officer

Rossendale Borough Council | The Business Centre | Futures Park | Bacup | OL13 0BB

E-Mail: lornarobinson@rossendalebc.gov.uk | Tel: 01706 217777 (option 4) | [REDACTED]
[REDACTED]

Website: www.rossendale.gov.uk [Teams](#)



13th to 19th November is Sugar Awareness Week see [About us - Action on Sugar](#)
November is Movember- Protecting mens health see [Movember - Changing the face of men's health - Movember](#)

From: Dundon, Stephen [REDACTED]
Sent: 16 November 2023 11:09
To: Licensing Department <licensing@rossendalebc.gov.uk>; East Police Licensing <EastPoliceLicensing@lancashire.police.uk>; 'firesafetypenninearea@lancfirerescue.org.uk' <firesafetypenninearea@lancfirerescue.org.uk>; Envhealth <envhealth@rossendalebc.gov.uk>; Planning <planning@rossendalebc.gov.uk>; 'cypreferrals@lancashire.gov.uk' <cypreferrals@lancashire.gov.uk>; 'Intelligence.Management@lancashire.gov.uk' <Intelligence.Management@lancashire.gov.uk>; 'Public Health Licensing' <phlicensing@lancashire.gov.uk>; 'Alcohol@homeoffice.gov.uk' <Alcohol@homeoffice.gov.uk>
Subject: Premises Licence Review Application - Haslingden Trades

Good Morning

Please find attached and application for a review of the Premises Licence under the Licensing Act 2003 in respect of the Haslingden Trades Club, 5-7 Regent Street, Haslingden, Lancashire, BB4 5HQ.

Regards

Steve



Sergeant 541 Steve Dundon
Licensing Sergeant - Burnley, Rossendale, Pendle and Ribble Valley
Burnley Police Station, Parker Lane, Burnley, BB11 2BT

t: Internal [REDACTED]
t: External 01282 472035



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Lancashire Constabulary monitors its emails, and you are advised that any e-mail you send may be subject to monitoring.

This e-mail has been scanned for the presence of computer viruses.



The Occupier/Occupiers
Trades Club
7 Regent Street
Haslingden
Rossendale
Lancashire
BB4 5HQ

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

This matter is being dealt with by:

Name: Environmental Health
Telephone: 01706 217777 option 5
Email: envhealth@rossendalebc.gov.uk

Our Ref:23/01513/EHN22

Dear Sir/Madam,

**Environmental Protection Act 1990 S.79
Complaint re: Alleged loud music at Trades Club, 7 Regent Street**

This service has received a request concerning an alleged nuisance arising from the above.

We are writing in order that you may have the opportunity to consider the allegation and to take all necessary measures in order to prevent any occurrence that could give rise to a justifiable complaint in the future.

Where the Council, upon carrying out an investigation, is satisfied that a statutory nuisance exists and/or is likely to recur, then it has a duty to take action under the Environmental Protection Act 1990.

Should further complaints be received Officers and the Out of Hours Noise Team will have no alternative but to act and may need to carry out surveillance (visits to the area/ the use of noise monitoring equipment) in order to fully investigate the allegations against you.

Should you wish to discuss any of the matters raised in this letter please contact the office quoting the case reference number at the top of the letter.

Yours faithfully,

Environmental Health Service