

LICENSING ACT 2003 SUB COMMITTEE

Monday, 24th October, 2022
12.00 pm





LICENSING ACT 2003 SUB COMMITTEE

COMMITTEE ROOMS 2 & 3

Monday, 24th October, 2022 at 12.00 pm

Members are reminded that if they have detailed questions on individual reports, they are advised to contact the report authors in advance of the meeting.

AGENDA

1) *Appointment of Chair*

To consider the appointment of Chair for the meeting.

2) *Apologies for Absence*

To receive any apologies for absence.

3) *Additional Items of Business*

To determine whether there are any additional items of business which, by reason of special circumstances, the Chair decides should be considered at the meeting as a matter of urgency.

4) *Declaration of Interest*

In accordance with the Regulations, Members are required to declare any personal or personal and prejudicial interests they may have and the nature of those interests in respect of items on this agenda and/or indicate if S106 of the Local Government Finance Act 1992 applies to them.

5) *Exclusion of the Public*

To determine during which items, if any, the public are to be excluded from the meeting.

6) *Hearing of an application for a Temporary Event Notice following receipt of a Notice of Objection*

5 - 40

To hear an application for a Temporary Event Notice in relation to the Bees Knees, Hargreaves Street, Burnley, following receipt of a Notice of Objection from Lancashire Police.

MEMBERSHIP OF COMMITTEE

Councillor Jacqueline Inckle
Councillor Anne Kelly

Councillor Mark Townsend
Councillor Don Whitaker

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REPORT TO LICENSING SUB COMMITTEE



DATE	24th October 2022
PORTFOLIO	Community & Environment
REPORT AUTHOR	Lisa Tempest
TEL NO	01282 425011
EMAIL	licensing@burnley.gov.uk

Licensing Act 2003 Hearing of an application for a Temporary Event Notice following receipt of a notice of objection

PURPOSE

1. To consider notice of objection received by the Licensing Authority in response to a Temporary Event Notice (TEN), provided at Appendix A given by Person A on 13th October 2022 in accordance with Part 5 of the Licensing Act 2003.
2. The premises is Bees Knees, Hargreaves St, Burnley.

RECOMMENDATION

3. Members are recommended to make a determination with a view to promoting the licensing objectives, which are:
 - The prevention of crime and disorder
 - Public safety
 - Prevention of public nuisance
 - Protection of children from harm

The premises is subject to a Premises Licence PLA0252 provided at Appendix B including plan provided at Appendix C. Committee may, in respect of each Temporary Event Notice:

- Allow the licensable activities to go ahead as stated in the notice, or
- Attach conditions to the TEN, which must be drawn from conditions attached to the existing premises licence, or
- Issue a Counter Notice, preventing the event taking place, to the premises user under Section 105(2b) if the Committee consider it appropriate for the promotion of the licensing objectives.

Committee must give a notice of the decision, with explanation, under Section 105(3a) to the premises user and the objecting relevant persons.

REASONS FOR RECOMMENDATION

4. Unlike new or variation premises licence applications there is no provision within the TENs process for objections to be mediated out by the parties. Conditions can only be attached where a Premises Licence is in place at the premises, and only those conditions applied to the licence can be attached to the TEN. Furthermore, conditions can only be attached at a hearing. The Licensing Sub-Committee are responsible for determining such applications where objections are received.

SUMMARY OF KEY POINTS

1. The TEN received is for 13/11/2022 - Remembrance Sunday, and the day of a football match between Burnley FC and Blackburn Rovers FC, which kicks off at 12.30pm.

The event on is described as opening at an earlier time and serving alcohol to customers at this time. Licensable activities to be carried on are:

- The on-sale by retail of alcohol from 10.00hrs to 11.00hrs

The event will take place within the existing licenced area of the premises. The TENs seek to provide additional hours of trading before the 11.00 opening time permitted by the Premises Licence.

On 13th October 2022 the Licensing Authority received an objection notice from Lancashire Constabulary in accordance with s104(2). The objection is provided at Appendix D.

Relevant extracts from the Guidance issued under Sec 182 of the Licensing Act

7.28 If the licensing authority receives an objection notice from the police or EHA that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection unless all parties agree that this is unnecessary. The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions (a “notice (statement of conditions)”) and provide a copy to each relevant party. Alternatively, it can decide that the event would undermine the licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.

7.33 If the police or EHA believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the licensing authority an objection notice. The objection notice

must be given within the period of three working days following the day on which they received the TEN.

7.34 Where a standard TEN was given, the licensing authority must consider the objection at a hearing before a counter notice can be issued. At the hearing, the police, EHA and the premises user may make representations to the licensing authority. Following the hearing, the licensing authority may decide to impose conditions which already apply to an existing premises licence or club premises certificate at the venue, or issue a counter notice to prevent the event going ahead. As noted above, there is no scope for hearings in respect of late TENs and if objections are raised by the police or EHA in relation to a late TEN, the notice will be invalid and the event will not go ahead.

7.35 Such cases might arise because of concerns about the scale, location, timing of the event or concerns about public nuisance – even where the statutory limits on numbers are being observed. The premises user who signs the form is legally responsible for ensuring that the numbers present do not exceed the permitted limit at any one time. In cases where there is reason to doubt that the numbers will remain within the permitted limit the premises user should make clear what the nature of the event(s) is and how they will ensure that the permitted persons limit will not be exceeded. For example, where notices are being given for TENs simultaneously on adjacent plots of land it may be appropriate for door staff to be employed with counters. In each case it is important that licensing authorities and relevant persons can consider whether they believe that the premises user intends to exceed the 499 person limit, or will be unable to control or know whether the limit will be exceeded. Where the planned activities are likely to breach the statutory limits or undermine the licensing objectives, it is likely to be appropriate for the police or EHA to raise objections.

Relevant extract from Burnley Borough Councils Licensing Policy

5.4 Temporary Event Notices (TENs)

5.4.1 The Act enables certain organised events to provide one or more licensable activities at unlicensed premises for less than 500 people to take place following notification to the Licensing Authority, the Police and Environmental Health via a TEN. Only the Police and Environmental Health can object.

5.4.2 The Licensing Authority recognises that one-off events provide valuable opportunities for communities to mix and celebrate together. Advice and assistance will be available to bona fide community events who do not have a commercial background or ready access to legal advice. This will include, those seeking TENs on behalf of charities, community and voluntary groups. The Licensing Authority will ensure that local guidance about the temporary permitted activities is clear and understandable for such groups.

5.4.3 The use of multiple TENs for adjacent plots of land, or the artificial creation of a smaller TEN premises within the boundary of a larger event or festival for the purpose of utilising TENs for the sale of alcohol is considered outside of the scope and spirit of the Act. Premises Licences should be sought in these circumstances.

5.4.4 Other than for special occasions, multiple TENs for existing licensed premises will not be encouraged where the proposal is simply to extend the existing hours of operation, particularly into the sensitive hours of conflict between the night-time and day-time economies. Applications of this kind will be subject to increased scrutiny because the TENS process does not transfer licence/certificate conditions over to

the TEN for the additional hours, and in larger venues a TEN will impose a `cliff edge` reduction in capacity at the moment the activities move from the control of the licence/certificate to the TEN. Where extended licensing hours are desired, an application for variation of the premises licence is considered more appropriate than repeat TENS.

5.4.5 The previous history of an individual as a manager of licensable activities will be a relevant consideration in relation to objections and determination of TENS.

5.4.6 The Licensing Authority encourages early application for TENS well in advance of the event date. This is particularly relevant to events which are to take place in the open, or in/on temporary structures and where amplified music is to be played, particularly after 11pm. This is so that if there are potential objections these can be subject of discussion, negotiation, and if possible mutual agreement. This allows for withdrawal and resubmission of a TEN in certain circumstances, thereby reducing the likelihood of the need for a Licensing Hearing or the issue of a Counter Notice. Assistance with the planning of events can be provided through the Council's Events Safety Advisory Group.

5.6 Licensing Hours

5.6.1 Applicants are strongly encouraged only to apply for hours that they realistically intend to operate, as later hours are typically more likely to attract representations. Once granted a licence remains in force forever, unless surrendered, varied or reviewed, so Responsible Authorities should give careful consideration to licensed hours at the application stage.

5.6.2 Where its discretion is engaged at a hearing, the licensing authority will give consideration to the appropriateness of hours applied for, or hours permitted by the existing licence, having regard to any planning restrictions in relation to operating hours, the location of premises and their likely effect on the promotion of the four licensing objectives. It is recognised that in some circumstances flexible licensing hours for the sale of alcohol can help to ensure that concentrations of customers leaving premises simultaneously are avoided. At a hearing the licensing authority will consider restricting hours to ensure the promotion of the licensing objectives. Any new closing time will take account of the closing times of other premises in the vicinity so that staggered dispersal of customers is achieved.

5.6.3 The Licensing Authority considers that later hours will typically be more sensitive and higher risk in causing noise from regulated entertainment, anti-social behaviour from patrons in the vicinity of the premises, and crime and disorder from inebriated patrons. This will include late night food vendors. It therefore follows that additional measures may be required, including noise mitigation controls and an increasing number of SIA registered door supervisors may need to be employed the later the premises remains open, and these requirements may be considered as licence conditions.

5.6.4 It may also be appropriate, where later hours are requested for alcohol, to have a last entry condition as a condition of the Premises Licence to prevent vulnerable or intoxicated customers moving to the last venue open.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

2. None

POLICY IMPLICATIONS

3. The Council's Licensing Policy deals with TENs at section 5.4. Statutory Guidance issued under s182 Licensing Act provides further information at section 7.

DETAILS OF CONSULTATION

4. The statutory consultation has taken place following receipt of the TENs.

BACKGROUND PAPERS

5. None

FURTHER INFORMATION

PLEASE CONTACT:

Lisa Tempest 01282 425011

ALSO:

Karen Davies 01282 425011

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Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	[Redacted]
Surname	[Redacted]
Forenames	[Redacted]
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	[Redacted]
Forenames	[Redacted]
3. Your date of birth	
4. Your place of birth	
5. National Insurance Number	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
[Redacted]	
Post town	[Redacted]
Postcode	[Redacted]
7. Other contact details	
Telephone numbers	[Redacted]
Daytime	[Redacted]
Evening (optional)	[Redacted]
Mobile (optional)	[Redacted]
Fax number (optional)	[Redacted]
E-Mail address (if available)	[Redacted]
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	

Post town		Postcode
9. Alternative contact details (if applicable)		
Telephone numbers:		
Daytime		
Evening (optional)		
Mobile (optional)		
Fax number (optional)		
E-Mail address (if available)	[REDACTED]	

2. The premises

Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)

Bees knees , 20-22 Hargreaves Street
BB11 1DZ

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number	PLA0252
Club premises certificate number	

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

--

Please describe the nature of the premises below. (Please read note 4)

Public House

Please describe the nature of the event below. (Please read note 5)

opening at an earlier time (10am) and serving alcohol to customers at this time

[Empty box]

3. The licensable activities

Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)

The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment (Please read note 7)	<input type="checkbox"/>
The provision of late night refreshment	<input type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>

Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)

13 / 11 / 22

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)

10:00 am - 11:00 am

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)

100

If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)

If "Yes" please provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue

Any further relevant details

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes

No

If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year

Have you already given a temporary event notice for the same premises in which the event period:

Yes

No

a) ends 24 hours or less before; or

b) begins 24 hours or less after

the event period proposed in this notice?

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes

No

If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

Yes

No

a) ends 24 hours or less before; or

b) begins 24 hours or less after

the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?




Yes

No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:	Yes	No
a) ends 24 hours or less before; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) begins 24 hours or less after the event period proposed in this notice?		

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	
Name of Person signing	

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Burnley Borough Council

Licensing Unit
Parker Lane
Burnley
Lancashire
BB11 2DT

Tel: 01282 425011
Web: www.burnley.gov.uk
licensing@burnley.gov.uk



Licensing Act 2003

Premises Licence

PLA0252

Part 1 - Premises Details

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

Bees Knees

20 / 22 Hargreaves Street, Burnley, Lancashire, BB11 1DZ.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- the supply of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday to Sunday	11:00am	6:00am
F. Playing of recorded music (Indoors)	Monday to Sunday	11:00am	6:00am
G. Performance of dance (Indoors)	Monday to Sunday	11:00am	6:00am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday	11:00am	6:00am
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Sunday 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 (or if there are no permitted hours on the following day, midnight on 31st December).	11:00am	6:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	11:00am	6:30am
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 (or if there are no permitted hours on the following day, midnight on 31st December).		

Licensing Act 2003
Premises Licence

PLA0252

THE OPENING HOURS OF THE PREMISES continued ...

Description	Time From	Time To
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WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON and OFF the premises

Part 2

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

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

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

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

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

1. No supply of alcohol may be made under the Premises Licence -
 - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
 - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate

Licensing Act 2003

Premises Licence

PLA0252

ANNEXES continued ...

in any irresponsible promotions in relation to the premises.

- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
- 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).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) 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.
- (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) 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:-

Licensing Act 2003

Premises Licence

PLA0252

ANNEXES continued ...

(a) a holographic mark or

(b) an ultraviolet feature.

6. The responsible person shall ensure that -

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

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(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.

Minimum Drinks Pricing

1. 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.

2. For the purposes of the condition set out in paragraph 1 -

(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 -

Licensing Act 2003

Premises Licence

PLA0252

ANNEXES continued ...

- (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.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the 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.
4. (1) 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.
- (2) 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.

If the Premises Licence allows Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. 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 by that body.
3. 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.
4. In this section "children" means any person 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(c39) (authority to determine suitability of video works for classification).

Licensing Act 2003

Premises Licence

PLA0252

ANNEXES continued ...

If the Premises Licence has conditions in respect of Door Supervision

except theatres, cinemas, bingo halls and casinos

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or

(b) in respect of premises in relation to:

(i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act.

3. For the purposes of this section:

(a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

ANNEX 2 - Conditions Imposed in Accordance with the Operating Schedule & Under Paragraph 18(4) & 18(5) Schedule 8 Licensing Act 2003

A personal licence holder shall be on the premises at peak times during which intoxicating liquor is being sold or supplied to customers or consumed by customers, except in the case of an emergency.

Whenever the DPS is not at the premises another personal licence holder will be nominated by the DPS as being the responsible person to manage the premises. The Police will be notified of this in writing. The personal licence holder concerned will have the contact details of the DPS at all times.

A minimum number of 2 members of door staff registered with the SIA will be on duty from 10pm for the first 100 customers and thereafter one for every 100 or part thereof.

Door supervisors registered with the SIA shall be equipped with an appropriate method of keeping an accurate record of the capacity levels. Should a premises have several levels each floor will be closely monitored to prevent overcrowding on one particular level, room or area.

Door supervisors shall be positioned at each entrance/exit (other than fire only exits) to ensure that no customer

Licensing Act 2003

Premises Licence

PLA0252

ANNEXES continued ...

leaves with any bottles or glasses.

Door supervisors will patrol the queue to the premises as necessary to ensure that customers who are drunk or who have acted in a disorderly manner, or have behaved in such a way as to cause a public nuisance or disturbance, are prevented from entering the premises.

The designated licence holder will maintain a daily record comprising of the following: - Start time and finish time of each door supervisor. The door supervisor will record their SIA badge number and will sign and print their name in a legible form at the beginning and end of each tour of duty. The record shall be in a bound book and securely stored. The premises holder/DPS will not advertise irresponsible drinks promotions.

Free drinking water will be made available at all times from the bar. The fact that this service exists shall be clearly advertised within the premises.

A daily incident logbook will be kept detailing all incidents of note at the premises or in the immediate vicinity e.g. slips, accidents, entry refusals and incidents of disorder etc. The log shall be a bound book and will detail the date, time, type of incident, brief circumstances, action taken, person dealing with the incident and whether the police attended. The logbook will be made available for inspection, if required.

At least one qualified first aider will be on duty when the premises are open to the public. These people shall be easily identifiable as first aiders on days when the premises trade after 1am.

As and when the Police deem it necessary the following conditions relating to certain sporting fixtures and or/local events will apply.

All drinks will be served in plastic glasses without exception.

All glasses or heavy-duty ashtrays will be removed and replaced with lightweight plastic.

All other weapons that may potentially be used as weapons e.g. pool cues and pool balls will be removed or secured. Arrangements will be made for the rubbish skip/bin, containing empty bottles, stored outside the building, to be emptied prior to a designated football match. If this cannot be arranged the licensee should ensure that the container is secured and cannot be accessed by members of the public.

When door supervisors are used on a regular basis at the premises, door supervisors will be on duty before the start and after the match.

The DPS will adhere to closing/opening times on the day a specified sporting fixture is taking place, as decided by the police.

The doors to the premises will be closed at the end of a match as and when requested by the Police.

The beer garden will be closed for the duration of the match as and when requested by the Police.

The DPS will be on the premises at all times.

Both any DJ (via announcements) and other members of staff will ask people to leave quietly and have regard for residential neighbours at the end of the evening.

Signage will be prominently displayed at all exits to the premises asking people to leave quietly and to have regard for residential neighbours.

Information about local taxi services or other means of transport to assist customers to return home will be readily available. In Burnley town centre this refers to the Homesafe initiative.

When regulated entertainment is being provided all external doors and windows will be kept closed at all times.

At all times the DPS or other responsible person nominated by him shall ensure that the level of noise emitting from the premises shall be kept to a minimum by regulating the noise from within the premises.

Any outside area used for the consumption of alcohol beyond time shall be supervised by a minimum of 1 SIA registered door staff for the first 100 customers followed by an extra one member of door staff for each additional 100 customers using that area.

Any outside area which is used for the consumption of alcohol shall cease to be so used at 1.00am.

No music will be played in the outside area.

Any outside area used for the consumption of alcohol will be clearly delineated as being part of the premises in a manner, which is agreed with the police, and access to that area will only be via the premises.

Access to any outside area used for the consumption of alcohol will be via the premises only.

The Police will be notified two weeks in advance of any outdoor event. A risk assessment will be completed detailing

Licensing Act 2003

Premises Licence

PLA0252

ANNEXES continued ...

the type of event and numbers attending etc.

All stewards will be dressed in high visibility clothing/jackets which makes them easily identifiable to the public and the responsible authorities.

A dispersal policy, if considered necessary will be agreed by the Police and will be implemented at all times.

The DPS shall secure adequate access for all emergency vehicles to, on and around the site of the event.

Any entertainment provided shall be controlled so that no noise, annoyance or nuisance is caused to residents in the vicinity.

Should under 18's events/discos be held at the premises, the police will be given one month's notice and the event will not go ahead without full police approval.

On occasions when children's functions take place, the bar shall be closed and the appropriate number of adults will be present will be present to supervise and ensure the safety of the children.

Gaming machines will be located within sight of the bar and be closely supervised.

Notices stating, "No under 18s allowed to play" (or similar) will be prominently displayed next to the gaming machine.

Cigarette machines will be located in a well-supervised position.

Notices stating that "it is illegal for persons under 16 to purchase cigarette's" or similar will be prominently displayed next to the cigarette machine.

No persons under the age of 18 will be permitted on the premises after 9pm.

Any person who looks or appears to be under the age of 21 shall be asked to provide identification that they are over the age of 18. The following are the only forms of ID acceptable:

UK photo driving licence, Passport, PASS card.

Proof of age checks will take place inside the premises by staff whenever they have doubt about a person's age.

Notices obtained from Police publicising the Challenge 25 initiative shall be clearly displayed at the entrance to the premises and behind the bar area at all times.

The licensed area of the premises shall be equipped with a CCTV system, which should comply with the following criteria:

1. The system should be maintained in proper working order. Any faults will be rectified without delay.
2. The system should display on any recording the time and date of the recording.
3. The system should be operated during all normal permitted hours, any authorised extension to those hours, including drinking up times and for one hour after the latest permissible drinking up period.
4. Recorded VCR tapes should be held for one calendar month after the recording and should be made available to police for inspection on request.

The premises holder/DPS will not advertise irresponsible drinks promotions.

The Permitted Hours restrictions do not prohibit:

(a) removed

(b) removed

(c) removed

(d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;

ANNEX 3. Conditions attached after a hearing by the licensing authority

None

ANNEX 4 - Plan of Premises

The official plan of the premises is attached and endorsed

Licensing Act 2003

Premises Licence Summary

PLA0252

Premises Details

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

Bees Knees

20 / 22 Hargreaves Street, Burnley, Lancashire, BB11 1DZ.

Telephone 01282 457821

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday to Sunday	11:00am	6:00am
F. Playing of recorded music (Indoors)	Monday to Sunday	11:00am	6:00am
G. Performance of dance (Indoors)	Monday to Sunday	11:00am	6:00am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday	11:00am	6:00am
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Sunday 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 (or if there are no permitted hours on the following day, midnight on 31st December).	11:00am	6:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	11:00am	6:30am
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 (or if there are no permitted hours		

Burnley Borough Council

Licensing Unit
Parker Lane
Burnley
Lancashire
BB11 2DT

Tel: 01282 425011
Web: www.burnley.gov.uk
licensing@burnley.gov.uk



Licensing Act 2003

Premises Licence Summary

PLA0252

THE OPENING HOURS OF THE PREMISES continued ...

Description	Time From	Time To
on the following day, midnight on 31st December).		

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

- J. Supply of alcohol for consumption ON and OFF the premises

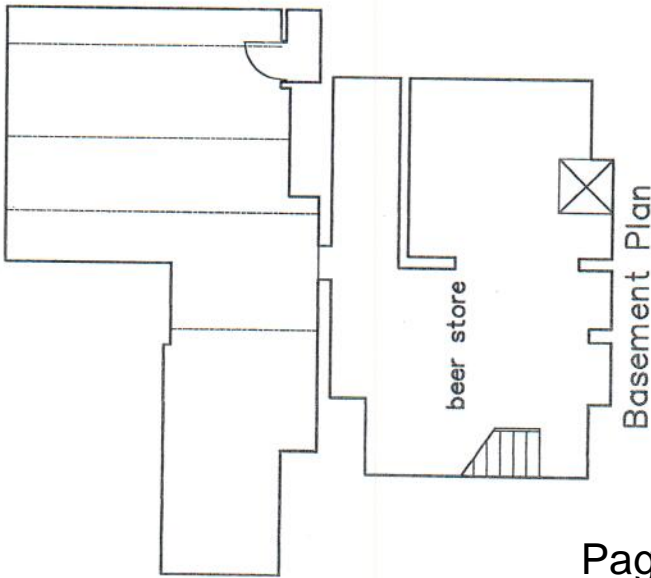
NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

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

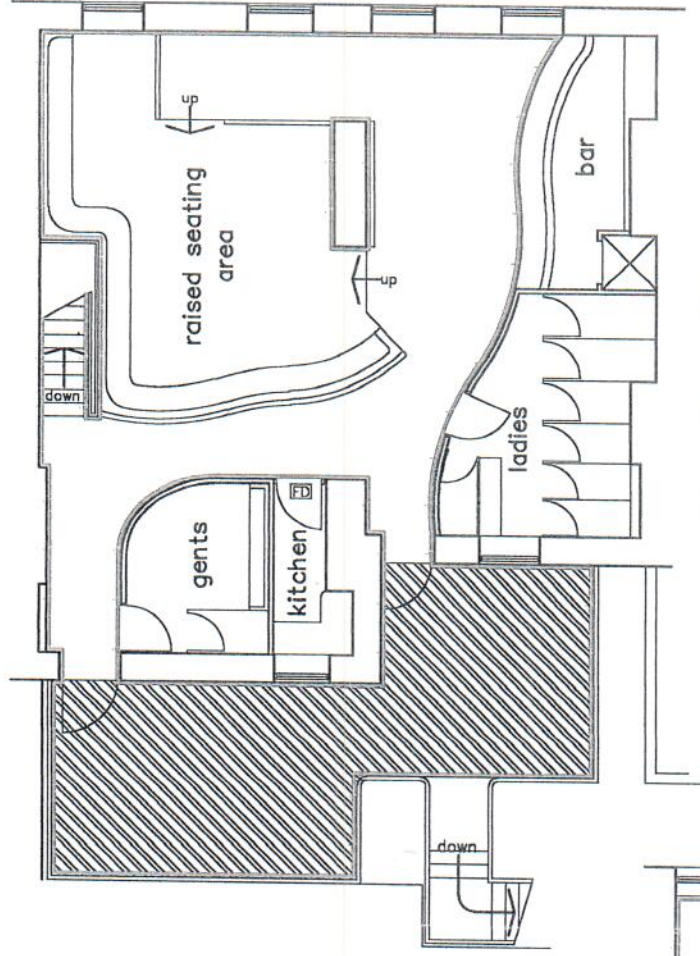
NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

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

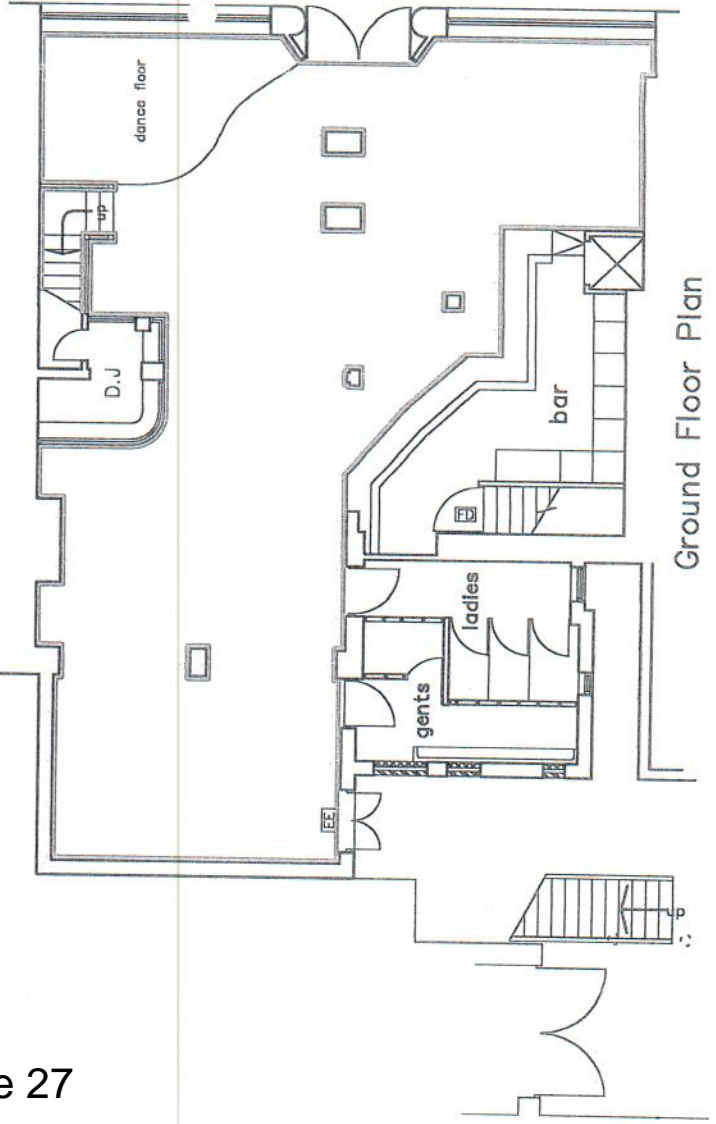
Restricted by Section 145 Licensing Act 2003




Basement Plan



First Floor Plan



Ground Floor Plan

No. / AMENDMENT	DATE
PROPOSED	
LICENSING PLAN	
CLIENT	
MR. J. NELSON	
ADDRESS	
20-22 HARGREAVES ST	
BURNLEY	
LANCS	
	
Hook Developments BUILDING AND PLANNING CONSULTANTS LAND SURVEYORS. <small>E-mail: hookdevelopments@aol.com</small>	
UNIT 10 TRAFALGAR HOUSE, TRAFALGAR STREET, BURNLEY, LANCASHIRE, BB11 1TA	Telephone: 01757 632383 Fax: 01757 632383 Mobile: 07850 744455
DATE 28/10/03	SCALE 1:100
DRN C.S	DRG No. 03/068/5
	SYD

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Police Objection – Bees Knees

Please consider this correspondence the police objection to the application for a Temporary Event Notice by XXXX for the Bees Knees, Hargreaves Street, Burnley for 1000-1200 on Sunday, 13th November 2022.

The reason for this is that we believe that it would undermine certain licensing objectives – namely the prevention of crime and disorder and public safety.

XXXX has requested the TEN for the day of a high-profile local football fixture between Burnley FC and Blackburn Rovers FC. Kick-off time is 12.30pm. This has been categorised as a High Risk Fixture and is the only anticipated High Risk Fixture in Burnley this season. In previous fixtures between the two clubs, a ‘bubble’ operation has been in effect that saw Blackburn fans being bussed directly to Turf Moor. This is the first time in years that Blackburn supporters have been allowed to make their own travel arrangements to travel to Burnley.

As such, there is a large policing operation to mitigate the risk of football-related violence – including alcohol-related violence.

It is safe to say that the TEN has been applied for to allow football supporters to drink alcohol at the venue prior to the game.

There is no support from the police to extend existing hours for the sale of alcohol for such a risky fixture when, in effect, it will allow people to drink for a longer period prior to the game.

I will notify the applicant of my objection.

Kind regards

XXXX

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Tuesday, 18th October 2022

Re: Temporary Event Notices submitted by The Bees Knees and Coal Yard for Sunday 13th November

I am the Gold Commander for the Burnley v Blackburn Rovers football fixture on Sunday 13th November 2022, kick-off 12.30pm. This has been categorised as a high-risk football fixture as it is a local derby game and there are many demands on police for this fixture.

I am aware that Temporary Event Notice applications have been submitted by the Designated Premises Supervisors at The Bees Knees and Coal Yard pubs in Burnley Town Centre to allow them to open earlier the day of this fixture.

For the first time in a number of years, Blackburn Rovers supporters will be able to make their own way to this fixture rather than be bussed in via a 'bubble' operation. Although we will strongly advise that there will be no away supporter pubs around the town pre- and post-match, there is still a risk that supporters will look to attend and drink which may present an additional policing challenge.

I would also add that the date of this fixture is significant in the national calendar with this also being Remembrance Sunday. There is a Remembrance Service in Burnley Town Centre at 11:00hrs which will also require police support and I am aware that there have been negotiations with the Council, Burnley Football Club, Sky, the English Football League and the Royal British Legion to move this fixture from 12:00hrs to 12:30hrs to prevent disruption of this service and allow some to attend both the football and the service. As you will be aware the premises concerned are in close walking distance of this location off Parker Lane Burnley.

I am aware that there are some licensed premises who can open with the hours they are granted which I feel provides sufficient places for those who wish to attend a licensed premise pre-match. With those licensed premises already open or able to open in the town centre pre-match I will be ensuring that this forms part of the planning of the policing operation and deployments whilst I balance my resources.

Burnley's football stadium Turf Moor will open its gates at 11:00am. The fixture is a sell out for Burnley and when tickets go on sale will also see a Blackburn Rovers sell out which takes the stadium to capacity. The policing operation will work with the football club to assist those from the town centre and car parks with access to the ground. Those who attend licensed premises do challenge the operation, increase the risk and can present an operational challenge if we see the premises well attended pre-match and supporters presenting as a late walk ups to the stadium.

Finally, and crucially whilst I understand there will be some licensed premises open, I would not advocate or support any extended licences for this high-risk football fixture where alcohol consumption does have an impact on fan behaviour and the overall policing and stewarding operation.

I do appreciate that our operation will be supported by the measures that those who are opening have in place on their licence or will undertake voluntarily. However, again I would not advocate the allowing of pubs to open beyond the scope of their licence on this date balancing the high-risk football fixture and Remembrance Day.

As such, I agree with the decision to object to the applications made to extend opening hours at these venues on this day.

Yours sincerely



BURNLEY BOROUGH COUNCIL

LICENSING ACT 2003

THE CONDUCT OF HEARINGS

1. Application

- 1.1 All hearings subject to the Licensing Act 2003 (Hearings Regulations) 2005 will be held in accordance with this procedure. The Schedule to this procedure details the hearings which are subject to this procedure.

2. Time of Hearing

- 2.1 Hearings will commence within the times illustrated in Column 2 of the Schedule, and where the hearing is scheduled to take place on more than one day, it will take place on consecutive working days.
- 2.2 Hearings will normally take place from 2-5pm or 6-9pm on the day of the hearing, but hearings may take place at the discretion of the Committee or Sub-Committee appointed to hear the matter in exceptional circumstances.

3. Members of the Committee or Sub-Committee

- 3.1 Where the full Licensing Committee sit to hear an application, the full Committee will sit, excluding a member who:
- a) has sat on a Development Control hearing in respect of the premises subject to, or concerned in the Licensing Act 2003 application and/or
 - b) is affected by the application e.g. to be assessed on a case by case basis when a Member is a Member for the Ward or a nearby Ward in which the premises are situated

- c) has become an interested party by representing the applicant or any interested party prior to the hearing.

3.2 Where a Sub-Committee sit to hear an application, it will consist of 3 members of the full Committee and will exclude a member who:

- a) has sat on a Development Control hearing in respect of the premises subject to, or concerned in the Licensing Act 2003 application and/or
- b) is affected by the application e.g. to be assessed on a case by case basis when a Member is a Member for the Ward or a nearby Ward in which the premises are situated
- c) has become an interested party by representing the applicant or any interested party prior to the hearing.

Where hearings are conducted remotely a 4th substitute Member may also be present.

3.3 Members will act in accordance with the Licensing Act 2003, be aware of the Local Authority Co-ordinators of Regulatory Services Guidance on the Role of Elected Members in Relation to Licensing Committee Hearings under the Licensing Act 2003 and the requirements of the Standards Board for England and Wales.

4. Opening of a Hearing and Identifying Parties to the Hearing

4.1 The Chair of the Committee or Sub-Committee will introduce the members of the Committee or Sub-Committee.

4.2 The Licensing Manager or Legal Advisor will advise the Committee or Sub-Committee but will not make recommendations or be part of the determination process. They will not retire with the Committee or Sub-Committee members for the purposes of a determination but the Legal Advisor may be asked by the Committee or Sub-Committee to give advice.

4.3 At the commencement of proceedings the Legal Advisor will identify in turn, each party to the hearing who is present, and in relation to that party, whether they are represented, and if so, by whom.

4.4 The Legal Advisor will identify in turn each party to the hearing who is not present at the hearing and in relation to that party will clarify;

- a) whether there is evidence that they were given Notice of the Hearing

- b) whether that party has given notice that they intend to attend or be represented
 - c) whether that party has given notice that they consider a hearing to be unnecessary
 - d) whether that party has given notice that they wish to withdraw their representation
- 4.5 Where a party has given notice that they do not intend to attend or be represented, the Committee or Sub-Committee will state whether they intend to proceed in the absence of that party.
- 4.6 Where a party has not given such notice and has failed to attend or be represented, the Committee or Sub-Committee will then decide whether it is necessary in the public interest to adjourn the hearing to a specified date or hold the hearing in the party's absence. The Committee or Sub-Committee may invite representations from the other parties present on this issue before making their decision.
- 4.7 The Committee or Sub-Committee, should it decide to proceed must subsequently consider the application, representation or notice made by a party who does not attend, attaching the appropriate weight of evidence to it.

5. Hearings to be held in public

- 5.1 Unless the Committee determine otherwise following consideration of representations, if any, from the parties present, the hearing shall take place in public. A member of the public, unless a party to the hearing or a person granted permission to address the hearing by the Committee or Sub-Committee at the request of one of the parties, shall not be entitled to address the hearing.
- 5.2 Where representations are made under 5.1 above, such parts or the hearing as the Committee or Sub-Committee in their absolute discretion determine shall be held in private.
- 5.3 The decision at paragraph 5.2 and the reasons for it will be given in public, and the Committee or Sub-Committee will also state whether any party or any persons assisting or representing a party are to be treated as a member of the public for this purpose.

6. Commencement of the Hearing

- 6.1 The Legal Advisor will explain the procedures that the Committee or Sub-Committee will follow at the hearing. In particular the Legal Advisor will clarify that;:

- a) the hearing will take the form of a discussion led by the Committee or Sub-Committee and cross-examination will not be permitted unless the Committee or Sub-Committee considers that cross examination is required for it to consider the representations, application or notice as the case may require.
- b) Members of the Committee or Sub-Committee may ask a question of any party or other person appearing at the hearing.
- c) Members of the Committee or Sub-Committee may take into account documentary or other information produced to the authority before the hearing in support of their application, representation or notice. These will have been provided to the Committee or Sub-Committee members by the Licensing Manager prior to the meeting and the substantive content of the documents need not be repeated verbally at the hearing.
- d) Members of the Committee or Sub-Committee may take into account any new documentary or other information produced to the authority on the day of the hearing with the content of all other parties (if any) and the substantive content of any such documents need not be repeated verbally at the hearing.
- e) Parties will be allowed a maximum equal period to exercise their rights, such period to be determined by the Committee or Sub-Committee.
- f) Parties will be allowed to clarify points upon which they wish to support their application.
- g) Parties may seek permission to question any other party subject to Paragraph a) above.
- h) Parties may seek permission to address the Committee or Sub-Committee.

7. Procedure

- 7.1 The Licensing Manager or other appointed officer of the Licensing Authority are not a party to the hearing. The Manager will outline the facts of the application and relevant representations received from parties.
- 7.2 The Licensing Manager will then outline the legislation under which a determination is required.
- 7.3 The Licensing Manager will outline;

- a) Relevant parts of the Act
 - b) Relevant subordinate legislation
 - c) Relevant sections from the statutory guidance made under Section 182 of the Act
 - d) Relevant paragraphs of the Statement of Licensing Policy made under Section 5 of the Act.
 - e) The time limit which the Committee or Sub-Committee must make a determination under the law.
- 7.4 Each party to the hearing present will then in turn provide information supporting or clarifying of their representations – commencing with the Responsible Authorities, followed by any interested party and then the applicant.
- 7.5 The Committee or Sub-Committee may advise all the parties of details of representations they have received from parties not present.
- 7.6 Thereafter each party, commencing with the Responsible Authorities, followed by any interested party and finally the Applicant, will be given an opportunity to summarise their representations. No new evidence will be allowed to be introduced by any party during the course of any such summation.
- 7.7 The Committee or Sub-Committee will disregard any information given by a party or any other person to whom permission to appear at the hearing has been given which is no relevant to;
- a) Their application, representation or notice or in the case of another person, the application, representation or notice of the party requesting their appearance, and
 - b) the promotion of the Licensing Objectives or in the case of a hearing to consider a notice given by a chief officer of the police, the crime prevention objective only.
- 7.8 The Committee or Sub-Committee will satisfy themselves that they have heard all the relevant information and retire to make their decision in private.

8. Persons behaving in a disruptive manner

- 8.1 The Committee or Sub-Committee may require any person attending the, hearing who in their opinion are behaving in a disruptive manner to leave the hearing and may;
- a) refuse to permit that person to return, or
 - b) permit them to return only on such conditions as the Committee or Sub-Committee may specify

but such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

9. Adjournment of Hearing

- 9.1 The Committee or Sub-Committee may adjourn a hearing to a specified date or arrange for the hearing to be held on specified additional dates where it considers this necessary to consider any representations or notice made by a party. (A s53C `summary review` to be determined within 28 days of receipt)
- 9.2 It will not adjourn a hearing in such a way to create an effect on the requirements of granting or rejecting an application under Schedule 8 of the Act or a review under Section 167 of the Act.

10. Determinations

- 10.1 The Committee or Sub-Committee will make its determination at the conclusion of the hearing but in certain circumstances may make a determination within a period of 5 working days of the last day of the hearing.

11. Notice of Determination

- 11.1 The Licensing Manager will issue a notice of determination forthwith to all parties. Such notice will include the reasons for the determination and details of the right of any party to appeal against the decision.

12. Record of Proceedings

- 12.1 The Democracy Team Officer will provide for a record of the hearing to be taken in a permanent and intelligible form and kept for 6 years from the date of determination.

SCHEDULE

Column 1		Column 2
Provision under which hearing is held.		Period of time which hearing must be commenced.
1.	Section 18(3)(a) (determination of application for premises license)	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 17(5)(c)
2.	Section 31(3)(a) (determination of application for a provisional statement).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 17(5)(c) by virtue of section 30.
3.	Section 39(3)(a) (determination of application to vary premises license).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 17(5)(c) by virtue of section 34(5).
4.	Section 39(3)(a) (determination of application to vary premises license to specify individual as premises supervisor).	20 working days beginning with the day after the end of the period within which a chief officer of police may give notice under section 37(5)
5.	Section 44(5)(a) (determination of application for transfer of premises license).	20 working days beginning with the day after the end of the period within which a chief officer of police may give notice under section 42(6)
6.	Section 48(3)(a) (cancellation of interim authority notice following police objection).	5 working days beginning with the day after the end of the period within which a chief officer of police may give notice under section 48(2)
7.	Section 52(2) (determination of application for review of premises licence).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 51(3)(c).
8.	Section 53C (review of premises licence following review notice)	To be determined 28 days after the day of receipt of the review application as prescribed under section 53A(2)(b).
9.	Section 72(3)(a) (determination of application for club premises certificate).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 71(6)(c)
10.	Section 85(3) (determination of application to vary club premises certificate)	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 71(6)(c) by virtue of section 84(4)

11.	Section 88(2) (determination of an application for review of club premises certificate)	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 87(3)(c)
12.	Section 105(2)(a) (counter notice following police objection to temporary event notice)	7 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under section 104(2)
13.	Section 120(7)(a) (determination of application for grant of personal licence)	20 working days beginning with the day after the end of the period during within which the chief officer of police may give a notice under section 120(5)
14.	Section 121(6)(a) (determination of application for the renewal of personal licence)	20 working days beginning with the day after the end of the period during within which the chief officer of police may give a notice under section 121(3)
15.	Section 124(4)(a) (convictions coming to light after grant or renewal of personal licence)	20 working days beginning with the day after the end of the period during within which the chief officer of police may give a notice under section 124(3)
16.	Section 167(5)(a) (review of premises licence following closure order)	10 working days beginning with the day after the day the relevant licensing authority received the notice given under section 165(4)
17.	Paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence)	10 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under paragraph 3(2) or (3) of Schedule 8
18.	Paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)	10 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under paragraph 15(2) or (3) of Schedule 8
19.	Paragraph 26(3)(a) of Schedule 8 (determination of application by holder of a justices' licence for grant of personal licence)	10 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under paragraph 25(2) of Schedule 8