

LICENSING ACT 2003 SUB COMMITTEE

Friday, 2nd June, 2017
10.00 am





LICENSING ACT 2003 SUB COMMITTEE

BURNLEY TOWN HALL

Friday, 2nd June, 2017 at 10.00 am

This agenda gives notice of items to be considered in private as required by Regulations (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

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.

Members of the public may ask a question, make a statement, or present a petition relating to any agenda item or any matter falling within the remit of the committee.

Notice in writing of the subject matter must be given to the Head of Governance, Law & Regulation by 5.00pm on the day before the meeting. Forms can be obtained for this purpose from the reception desk at Burnley Town Hall or the Contact Centre, Parker Lane, Burnley. Forms are also available on the Council's website www.burnley.gov.uk/meetings.

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) *Minutes of the last Meeting*

5 - 8

To approve as a correct record the Minutes of the last Licensing Act 2003 Sub Committee meeting held on 18th October 2016

4) *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

5) *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.

6) *Exclusion of the Public*

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

7) *Determination of a Premises Licence Application*

9 - 86

To determine a Premises Licence application under the Licensing Act 2003 relating to Hunters Oak Limited, 3 The Moorings, Burnley BB12 0TP.

MEMBERSHIP OF COMMITTEE

Councillor Anne Kelly
Councillor Elizabeth Monk

Councillor Ann Royle
Councillor Christine White
(Reserve-4th Member)

PUBLISHED

Thursday 25th May 2017

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LICENSING SUB COMMITTEE 1

BURNLEY TOWN HALL

Tuesday 18th October 2016

PRESENT

MEMBERS

Councillor Howard Baker in the Chair.

Councillors Margeret Brindle and Ann Royle

OFFICERS

David Talbot	- Senior Solicitor
John Yardley	- Licensing Enforcement Officer
Eric Dickinson	- Democracy Officer

ALSO IN ATTENDANCE

Zia Aslam	- Owner
Saneer Riaz	- Licence Holder
Nicholas Dearing	- Solicitor
James Middleton	- Police Officer
Nicolas McNamara	- Trading Standards
Rick Wilson	- Trading Standards

1. **Appointment of Chair**

Councillor Howard Baker was appointed Chair of the Meeting.

2. **Minutes of the Last Meeting**

The Minutes of the last meeting held on the 8th December 2015 were agreed as a correct record.

3. **Exclusion of the Public**

RESOLVED That the determination of a review of a Premises Licence under Section 52 of the Licensing Act 2003 for Top Shop, 31 Thurston Street, Burnley, BB11 3DJ be held in public.

4. Determination of an application for review of a Premises Licence under Section 52 of the Licensing Act 2003 for: Top Shop, 31 Thurston Street, Burnley. BB11 3DJ.

John Yardley reported on an application received for a review of a Premises Licence under Section 52 of the Licensing Act 2003 for Top Shop, 31 Thurston Street, Burnley. BB11 3DJ.

Nicolas McNamara and Rick Wilson attended the meeting and presented their case.

James Middleton attended the meeting and presented his case.

Zia Aslam and Saneer Riaz attended the meeting with their legal representative Nicolas Dearing, and presented their case.

Members asked questions regarding the application.

DECISION That the Premises Licence numbered PLA0143 granted under the Licensing Act 2003 in respect of “Top Shop”, 31 Thurston Street, Burnley. BB11 3DJ be revoked.

REASONS FOR DECISION

- (a) There were 13 separate occasions between 1st February 2009 and 15th June 2016 relating to illicit cigarettes, counterfeit DVDs and/or alcohol products;
- (b) These incidents had resulted in 5 sets of prosecution proceedings relating to the majority of the incidents, all of which had resulted in convictions for the various offences arising out of the incidents;
- (c) Paragraph 11.27 of the government guidance issued under section 182 of the Licensing Act 2003, which has been considered in accordance with the licensing authority’s duty under section 4(3) of the Act, advises that there are certain criminal activities that may arise in connection with licensed premises which should be treated particularly seriously. These include “the sale or storage of smuggled tobacco and alcohol”. In respect of such offences, the guidance in Paragraph 11.28 envisages that licensing authorities will use review procedures effectively in order to deter such activities and crime and that revocation, even in the first instance, should be seriously considered;
- (d) The incidents, and resultant convictions, took place and were repeated over a considerable number of years;
- (e) It is not believed that the involvement of Sakeena Riaz (who has recently been appointed as premises licence holder and designated premises supervisor) will result in the promotion of the crime

prevention objective as it is not accepted that she will have sufficient control over her husband, Zia Aslam (the owner of the premises). It is noted, in particular, that Sakeena Riaz was unaware of a number of the earlier issues that had arisen in connection with the premises as this information had not been communicated to her by Zia Aslam;

- (f) In those circumstances it is considered that revocation of the licence serves to promote the crime prevention objective;
- (g) The premises had an inadequate age verification policy in that it did not require individuals who appeared to be under 18 to produce appropriate identification before being served alcohol and was therefore being operated in breach of the condition of the licence relating to age verification;
- (h) The refusals register kept at the premises had not been properly maintained and/or inadequate instructions had been given to employees or persons working at the premises in relation to entries that should be made in the refusal register;
- (i) There was an appointed designated premises supervisor in relation to the premises but he had not been contactable when necessary in relation to questions regarding age verification;
- (j) There was a failed test purchase on 16th September 2014;
- (k) It is not believed that the recent appointment of Sakeena Riaz will promote the objective of protecting children from harm as it is considered that she will have insufficient control over Zia Aslam for the reasons set out above;
- (l) The matters set out in paragraphs (g) to (k) inclusive above had and/or have the effect of undermining the licensing objective of the protection of children from harm; and
- (m) Consideration has been given to all the powers available to the licensing authority under section 52(4) of the Act and it is concluded that revocation of the licence is both necessary and proportionate in the circumstances.

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ITEM NO	
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REPORT TO LICENSING SUB-COMMITTEE



DATE	2nd June 2017
PORTFOLIO	RESOURCES
REPORT AUTHOR	Peter Henderson
TEL NO	01282 425011
EMAIL	phenderson@burnley.gov.uk

Licensing Act 2003 Determination of application for a premises licence

PURPOSE

1. To consider an application received from Hunters Oak Limited, 3 The Moorings, Burnley BB12 0TP for the grant of a premises licence under the Licensing Act 2003.

The operating schedule and plan of the premises contained in the application are attached at Appendix 'A'.

2. The premises are land adjacent to Hunters Oak Farm, Ightenhill Park Lane, Burnley BB12 0RW

The proposed designated premises supervisor is Derek Lea Thompson

SUMMARY OF KEY POINTS

3. The application is for a premises licence under Section 17 of the Licensing Act 2003

The licensable activities applied for, all of which are for indoors and outdoors are:

The sale of alcohol for consumption on and off the premises.

The performance of a play

The exhibition of films

The performance of live music

The playing of recorded music

Performances of dance

Anything of a similar description to the performance of live music, the playing of recorded music or the performance of dance.

The proposed hours that the premises would be open to the public are:

10.00am to Midnight Monday to Sunday

The proposed hours for all the licensable activities detailed above are:

11.00 to 11.00pm Monday to Sunday

4. Members are reminded that representations are only relevant if they relate to one or more of the 4 licensing objectives which are

- PREVENTION OF CRIME & DISORDER
- PUBLIC SAFETY
- PREVENTION OF PUBLIC NUISANCE
- PROTECTION OF CHILDREN FROM HARM

If this Committee approves the application the following mandatory conditions would be attached to the licence;

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, or

(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

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

When a film is exhibited, admission of children to that part of the premises must be restricted in accordance with any recommendation made by the British Board of Film Classification in relation to that film.

Use of door supervisors.

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

The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children

- (a) games or other activities which require or encourage, or are designed to\par 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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- (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;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-
- (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
- (e) 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.

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

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

The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

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 a holographic mark.

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: pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml;
 - (iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

The Applicants have, in their operating schedule which details what steps they will take to promote the 4 licensing objectives, stated that there will only be one function per year described as 'Drop the Beat' festival where more than 350 patrons are in attendance.

There will be an additional seven occasions per year where less than 350 patrons may be in attendance.

If this application is granted all the measures contained in Section 'M' will become conditions on the licence.

The Licensing Authority has complied with the requirements of Section 51 (3) of the Licensing Act 2003 by advertising the application and inviting representations.

A total of 29 representations have been received in relation to this application, one of which is a petition containing 50 names, although some of those who have signed the petition have also submitted individual representations.

24 of the 29 received have been deemed to be 'relevant representations' the remainder having been rejected for a variety of reasons including, not received by the Licensing Authority within the 28 day consultation period, failure to address the four licensing objectives and failure to make the representation in accordance with legislative requirements.

Copies of all relevant representations are contained in Appendix 'B'

Notices of a hearing have been sent to the applicant and to each of the persons from whom the licensing authority has accepted a representation.

RECOMMENDATION

5. Members are recommended to make a determination with a view to promoting the licensing objectives.

- The prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

Having considered all relevant representations and having taken account of the licensing policy and Home Office guidance, the Sub-Committee must take such steps as it considers appropriate for the promotion of the licensing objectives.

The steps are;

- To grant the licence, subject to the mandatory conditions and conditions consistent with the operating schedule;
- To impose additional relevant conditions to such an extent as is considered appropriate for the promotion of the licensing objectives;
- To exclude any of the licensable activities to which the application relates
- To amend the times for all or some of the licensable activities;
- To refuse to specify a person in the licence as the premises supervisor

- To refuse the application

REASONS FOR RECOMMENDATION

6. Members of the Licensing Committee are responsible for determining such applications.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

7. None.

POLICY IMPLICATIONS

8. The following paragraphs from Burnley Borough Council's Statement of Licensing Policy are relevant to this application:
- Paragraph 1.14 We will seek to give protection to local residents, whose lives can be blighted by disturbance and antisocial activity associated with the behaviour of some people visiting places of entertainment.
 - Paragraph 1.15 We desire to strike a balance between allowing people to enjoy their leisure, at the times and in the manner they wish to, and ensuring the licensing objectives are met.
 - Paragraph 3.2. We consider each licensing objective to be of equal importance. They will be considered in relation to matters centered on the premises or within the control of the licensee. We will objectively consider the direct effect that the carrying on of the licensable activities has in the vicinity of the premises.
 - Paragraph 3.3 Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the licensee or vicinity of licensed premises.
 - Paragraph 3.4 We will not deter an individual making an application and having that application judged on its individual merits.
 - Paragraph 3.5 We will not deter any person from making representations in respect of any application or seeking a review of a license.
 - Paragraph 3.16 The authority will consider whether issues relating to public nuisance can be effectively dealt with by necessary and appropriate conditions. These conditions will normally focus on the more sensitive periods, for example, noise from premises in the late evening or early morning when residents may be attempting to sleep.
 - Paragraph 9.1 The authority may only impose conditions where relevant

representations are made following an application to grant or vary a licence or where a review request is being considered.

- Paragraph 9.2 The council recognises that the only conditions that should be imposed on a licence are those which are appropriate and proportionate to the promotion of the licensing objectives. There may be circumstances where existing legislation and regulations already effectively promote the licensing objectives and no additional conditions are required.
- Paragraph 9.3 Where conditions are imposed they will be tailored to the individual style and characteristics of the premises and events concerned.

Members are reminded of the consideration they should give to the Human Rights Act 1998 in particular those rights afforded by Article 6 (right to a fair hearing), Article 1 of the First Protocol (protection of property) and Article 8 (right to respect for private and family life).

DETAILS OF CONSULTATION

9. The statutory consultation has taken place

BACKGROUND PAPERS

10. Burnley Borough Council Statement of Licensing Policy.
Licensing Act 2003.

FURTHER INFORMATION

PLEASE CONTACT:

Peter Henderson 01282 425011

ALSO:

John Yardley 01282 425011

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

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

Each calendar year, there shall only be one function permitted involving the provision of licensable activities where more than 350 patrons are in attendance. There shall be an additional seven occasions on which the provision of licensable activities are permitted where less than 350 patrons are in attendance. A log book detailing the time, date and nature of each function will be maintained at the premises and will be produced to an authorised officer upon request.

Notice of any event that includes licensable activities taking place at the premises is to be provided to Lancashire Constabulary and the Environmental Protection Service at Burnley Council at least four weeks prior to the event taking place.

All staff who are involved in the sale of alcohol will be trained in relation to the licensing objectives so as to reduce crime and disorder, promote public safety, prevent public nuisance and promote the protection of children from harm. Said training will be documented and will be made available to an authorised officer upon request.

Prior to any function involving the attendance of more than 350 patrons, the Event Safety Advisory Group will be consulted, so long as said group are in existence in the area.

b) The prevention of crime and disorder

Prior to any function involving the attendance of more than 350 patrons, a risk assessment will be carried out to determine how many door supervisors are required. An appropriate number of door supervisors will be utilised in accordance with said risk assessment.

The premises shall operate a zero tolerance drugs policy.

On any occasions that the premises hosts a function which involves the carrying on of licensable activities and where more than 350 patrons are in attendance, the premises will operate a search policy to deter the carrying of drugs or weapons. Notices will be displayed informing patrons of the search policy at the function.

c) Public safety

On any other occasion that a function which involves the carrying of licensable activities is expected to result in a significant level of traffic, a traffic management plan will be devised and utilised. Where necessary, said plan will include the use of marshals to assist with directing traffic on access to the site, parking and the dispersal of customers.

On any occasions that licensable activities are carried on at the premises, there will be an appropriate number of First Aid trained persons on duty.

On any occasions that the premises hosts a function which involves the carrying on of licensable activities and where more than 350 patrons are in attendance, drinks will be served in polycarbonate or plastic vessels at all times. All glass bottles must be decanted into such a vessel prior to being given to the public.

During any occasion that the premises hosts a function which involves the carrying on of licensable activities and where more than 350 patrons are in attendance, any sales of alcohol made for consumption off the premises will be made in a sealed container.

d) The prevention of public nuisance

Whenever regulated entertainment takes place at the premises, the management will conduct regular assessments of the noise emanating from the premises and, where said assessments indicate that the level of noise may cause nuisance to local residents, the management will take action to remedy the level of noise.

Clear, legible and conspicuous notices shall be displayed at each public exit requesting patrons to avoid causing noise, nuisance or disturbance upon leaving the premises.

At least four weeks prior to any function involving the attendance of more than 350 patrons, a noise risk assessment will be carried out and submitted to the Environmental Protection Service at Burnley Council.

Whenever the premises hosts a function which involves the carrying on of licensable activities and where more than 350 patrons are in attendance, a named person shall be appointed to co-ordinate noise issues no later than 4 weeks prior to the event. The 'noise co-ordinator' shall liaise between all parties including the Environmental Protection Service, the Promoter, sound system suppliers, sound engineers and Licensing Authority, on all matters relating to noise control prior to and during the event.

Whenever the premises hosts a function which involves the carrying on of licensable activities and where more than 350 patrons are in attendance, and where requested by the Environmental Protection Service, a noise propagation test shall be undertaken with a representative of the Environmental Protection Service present prior to the start of the event in order to set appropriate control limits at the sound mixer position. The sound system shall be configured and operated in a similar manner as intended for the event. The sound source used for the test shall be similar in character to the music most likely to be produced during the event.

Whenever the premises hosts a function which involves the carrying on of licensable activities and where more than 350 patrons are in attendance, there will be a mobile telephone number which is designated as a number specifically for noise complaints. The mobile telephone which corresponds with said number will be attended to by the noise co-ordinator through the duration of the event.

e) The protection of children from harm

A "Challenge 25" Policy shall be adopted and enforced at the premises whereby any person who appears to be under the age of 25 shall be required to provide identification to prove that they are over the age of 18 before they are permitted to purchase alcohol. The only forms of acceptable identification will be:

- A Passport;
- A UK Photocard Driving Licence;
- Official ID card issued by HM Forces or EU bearing a photograph and the date of birth of the holder;
- Any other form of identification agreed with a representative of the Police Licensing Unit.

All staff who are involved in the sale of alcohol will be trained in relation to the "Challenge 25" policy upon the commencement of their employment, following which they will undertake refresher training at suitable intervals. Said training will be documented and will be made available to an authorised officer upon request.

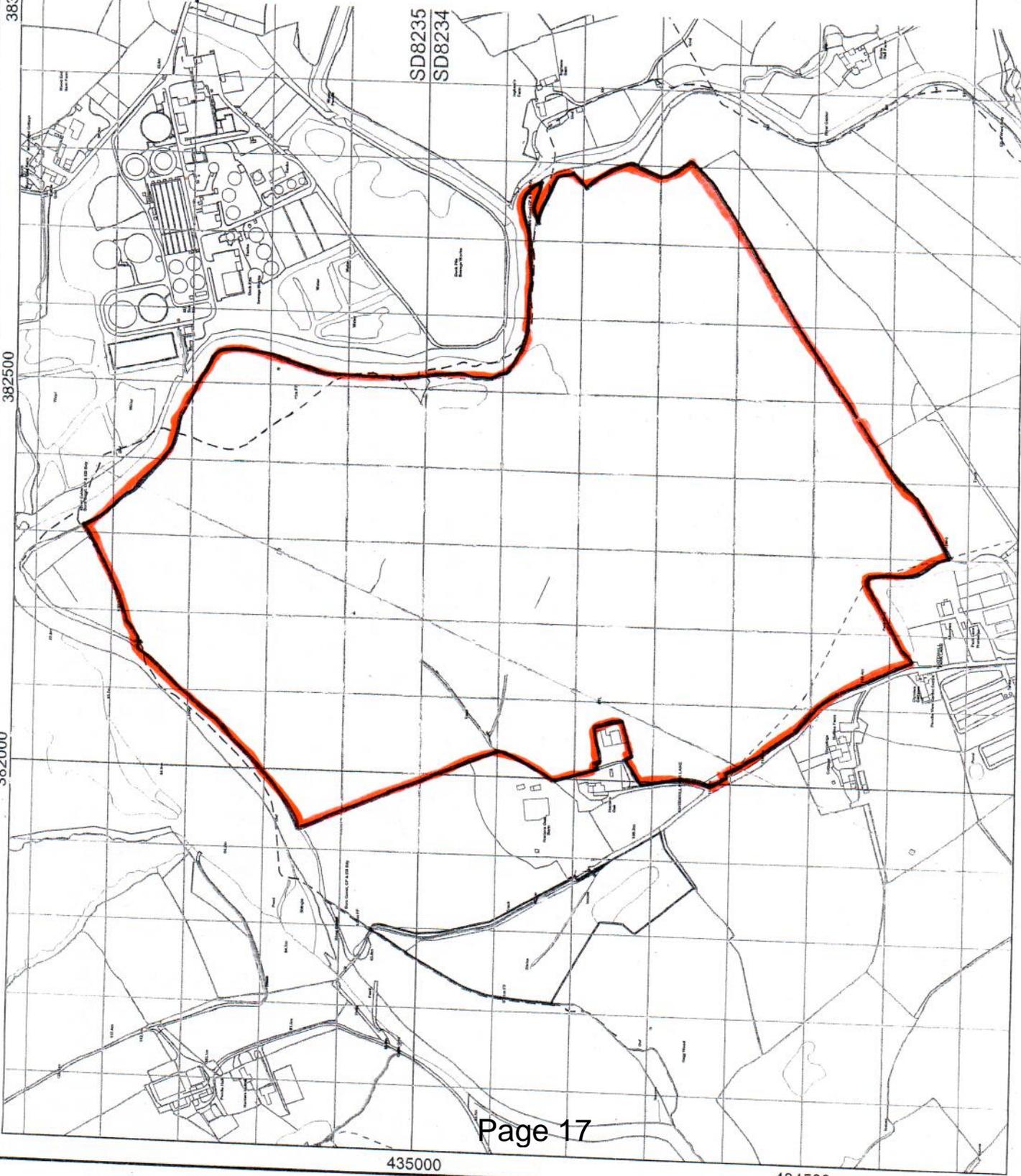
HUNTERS OAK FARM
18HTENHILL LANE
BOENLEY
BB12 0RW

LICENSING PLAN

LICENSED AREA



SD8235
SD8234



SCALE - 1:5000

Rural Land Register (RLR) Map

SBI - 121621303
Page 1 of 1

Rural Payments Agency

Legend

-  Your RLR Parcel(s)
-  SPS Permanent Ineligible Features
-  Adjacent Parcel Boundary
-  Unconfirmed Boundary

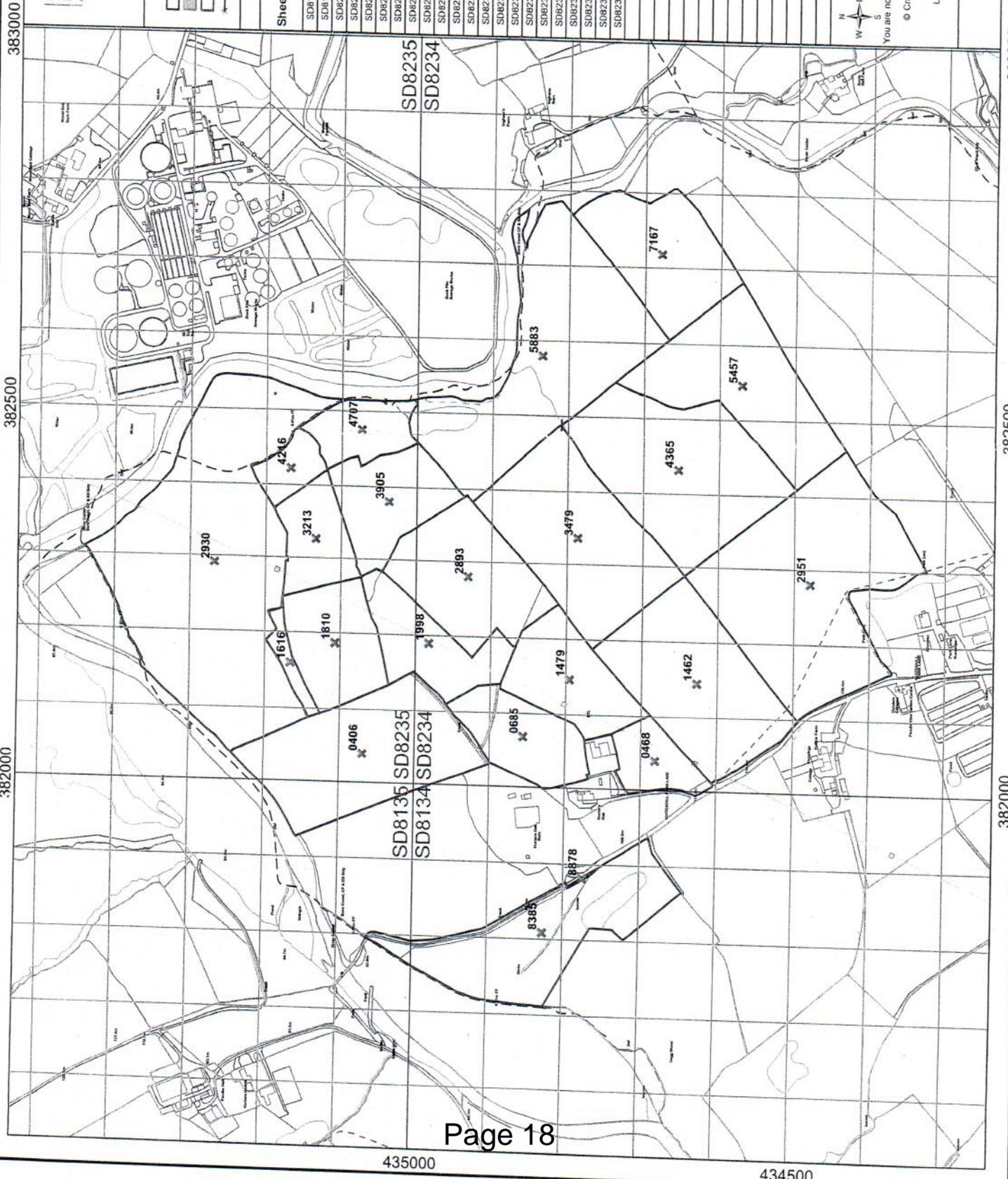
RLR Information

Sheet ID	Parcel ID	Total Area (ha)	SPS Recorded Eligible Area (ha)	English Region
SD8134	8365	3.35	3.35	D
SD8134	8878	0.01	0.01	D
SD8235	0406	3.95	3.95	D
SD8235	1616	0.28	0.28	D
SD8234	0685	1.57	1.57	D
SD8234	1998	1.57	1.57	D
SD8234	2893	2.68	2.68	D
SD8235	1810	1.72	1.72	D
SD8234	1479	1.79	1.79	D
SD8234	0468	0.86	0.86	D
SD8235	3213	1.19	1.19	D
SD8234	4365	4.28	4.28	D
SD8234	5883	5.47	5.47	D
SD8234	3479	3.91	3.91	D
SD8234	5457	3.30	3.30	D
SD8234	7167	2.43	2.43	D
SD8234	2951	5.85	5.85	D
SD8234	1462	3.66	3.66	D
SD8235	3905	1.74	1.74	D
SD8235	2930	8.63	8.63	D
SD8235	4216	0.54	0.54	D
SD8235	4707	0.99	0.99	D

Scale - 1:5000
0m 50m 100m 150m 200m

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Date: 16/04/2015



Please return this sheet to us if you want to make any changes to the parcels shown on it.

John Yardley

From: Stephen Vintin <stevevintin@hotmail.com>
Sent: 15 May 2017 11:51
To: John Yardley
Subject: RE: Objection to Hunters Oak Farm Premises Licence Application

I give permission

Sent from [Mail](#) for Windows 10

From: [John Yardley](#)
Sent: 15 May 2017 10:19
To: [Stephen Vintin \(stevevintin@hotmail.com\)](mailto:stevevintin@hotmail.com)
Subject: Objection to Hunters Oak Farm Premises Licence Application

Dear Sir

In relation to your request to withhold details of your address from the applicant we are only able to do this under exceptional circumstances which we do seem to apply in your case based on what you have said in your correspondence.

We would therefore ask that you provide authority for us to disclose your details or withdraw the objection.

By providing your details this will allow the licensing Authority under the regulations to send a formal written invitation by post to attend the hearing and a right to speak should you wish to do so.

Regards

John Yardley

John Yardley

From: licensing
Sent: 02 May 2017 14:21
To: 'Stephen Vintin'
Subject: RE: Objection to Application for Hunters Oak Farm License

Dear Mr Vintin

I have noted your comments, I have no details as to whether tickets have been sold or artists booked; as a licensing authority we would only concern ourselves with the actual application submitted to us at this stage.

Should the licence be refused that it an issue the organisers would have to deal with in an appropriate way to remain within the law.

This application will more than likely go before our licensing sub committee, which is made up of council members it would be expect that any councillor sitting on this committee would express a conflict of interest if they believed there was one or one was raised. I hope this will allay any concerns you may have in relation to your comments concerning the leader of the council.

Regards

John Yardley

From: Stephen Vintin [<mailto:stevevintin@hotmail.com>]
Sent: 28 April 2017 17:08
To: licensing
Subject: RE: Objection to Application for Hunters Oak Farm License

Certainly,

What I did not know at the time of my objection gives me great concern. Apparently the artists for the BEAT have been booked and tickets are being sold. Further to this I understand from a third party that the leader of the council is related to the applicant. Does this suggest that the applicant has inside knowledge as to the outcome of the application. This information on sales is on facebook. This further information should also form part of my objection. I must stress that the information regarding a relative is hearsay but think it should be investigated before any application is granted a license.

My Address is
1 Helvellyn Drive
Burnley
BB12 OTA

I would appreciate it if you did not forward my address to the applicant as a previous objection by me resulted in the applicant calling at my house. This would include passing it to the council leader.

Sent from [Mail](#) for Windows 10

From: [licensing](#)
Sent: 28 April 2017 15:43
To: [Stephen Vintin](#)
Subject: RE: Objection to Application for Hunters Oak Farm License

Hi Stephen

Thanks you for submitting your objection. Could you please let me have your address in order for an invite to be sent out to should there be a hearing.

Kind regards
Lisa

From: Stephen Vintin [<mailto:stevevintin@hotmail.com>]
Sent: 28 April 2017 15:38
To: licensing
Subject: Objection to Application for Hunters Oak Farm License

Madam/Sir

I wish to formally object to the application for licence at :

Hunters Oak Farm
Ightenhill Park Lane
Burnley
Lancashire
BB12 ORW

My main reasons whilst not exhaustive would include

1. Road Safety; On the grounds that the approach road is narrow and has no footpaths on either side. This Road is a dead end(only pedestrian and bridal access) beyond Helvellyn Drive and little traffic goes up or down that part of the lane unless it is for access to about 5 privately owned properties. Any sort of increased activity and possibly people parking would be a danger to other road users not associated with any of the events at the farm.
2. Pedestrian Safety: This part of Park Lane is used extensively as a public right of way across the fields. Families with children do not have a pavement to walk on when approaching the farm (no pavement for about half a mile or more).
3. Horse rider safety: There are stables on the top part of the approach road and the whole way down is a designated bridal way.
4. Cyclist safety: This road and subsequent fields are a designated cycle way.
5. Greenway safety: This approach road is a designated green way entry to walks surrounding Gawthorpe Hall.
6. Wildlife disturbance: The area has resident owls, hawks, kestrels, woodpeckers and buntings. Badgers are present at a property on Ightenhill Park Lane.
7. The proximity of local residences (many with children) is unusually close and noise pollution would, I believe, be unacceptable.
8. We have venues available within the town and adjoining towns for the performance of live music dance and films, with many of these premises also providing access to alcohol and soft drinks and this venue offers little more.
9. There has been extensive flooding in the approach to Padiham and Padiham itself and an further covering of ground soak would further exacerbate this problem.
10. The policing of the events is vague.

Once again whilst this list is not exhaustive and doesn't really address environmental impact such as litter, behaviour beyond the control of the venue owners, sewage, food and related vermin, I have tried to include as much detail as I am able. I have lived off Ightenhill Park Lane for more than 40 years and feel passionate about Burnley's rural preservation in all areas as it is gradually being eroded.

Stephen Roy Vintin

Sent from [Mail](#) for Windows 10

Lisa Tempest

From: ian kirk <iankirk@hotmail.co.uk>
Sent: 08 May 2017 15:55
To: licensing
Subject: Re: Hunters Oak. Objection

✓

Dear Sir,

re the below licensing application, I object on the following grounds .

This is a rural part of town and thus a very quiet area. Allowing this application would increase the noise in the area and lead to public disturbance on each of the dates applied for.

The area of the application has very little vehicular access. Ightenhill Park Lane is a single track road once it has passed the Garden centre. The application would increase traffic flow causing additional danger to pedestrians on this popular walking route.

I note that the application for entertainment runs up to midnight. How would people be transported away from the area ? There is no public transport anywhere near this area.

This would lead to people leaving the area via the local housing estate to get to Padiham road. This could possibly lead to anti social behaviour with people walking thorough a quiet area having consumed alcohol.

your faithfully

Ian Kirk
11 Skiddaw Close,
Ightenhill
Burnley.

From: licensing <Licensing@burnley.gov.uk>
Sent: 05 May 2017 09:42
To: iankirk@hotmail.co.uk
Subject: RE: Hunters Oak.

Dear Mr Kirk

Please find attached application for a premises licence at the above premises.

I can confirm that Environmental Health have been consulted as a Responsible Authority and any concerns have been addressed under Section D of the Licensing Objectives contained in the application.

Any objection should be submitted in writing to licensing@burnley.gov.uk by Wednesday 9th May 2017.

Kind regards
Lisa

From: ian kirk [<mailto:iankirk@hotmail.co.uk>]
Sent: 03 May 2017 19:33
To: licensing
Subject: Fw: Hunters Oak.

Subject: Hunters Oak.

Hi, I have just seen a licence application on Ightenhill Park Lane. Re Hunters Oak asking for the grant of a Premises Licence from 11am -11pm Monday to Sunday.

Is it possible to forward me the full application and the reasons why the Applicant is applying ?

I have heard from a neighbour that they propose to hold Music Festivals of some sort ?

Have any environmental enquiries been made re the possible noise disruption to the residents who live in the area. There was a previous music event on Cornfield Grove a while ago. The noise was awful and caused a nuisance.

Also the road is unsuitable for large amounts of traffic as it is single track after Park Lane Garden Centre.

regards

Ian Kirk

11 Skiddaw Close
Ightenhill
Burnley.

Lisa Tempest

From: licensing
Sent: 03 May 2017 08:52
To: smith.david82@sky.com
Cc: Lisa Tempest
Subject: RE: Licensing for Hunters Oak Ltd

✓ 1

Dear Mr & Mrs Smith

I acknowledge receiving your objections to the application for Hunters Oak Farm.

Regards

John Yardley

From: smith.david82@sky.com [<mailto:smith.david82@sky.com>]
Sent: 02 May 2017 13:49
To: licensing
Subject: Licensing for Hunters Oak Ltd

I would like to state my objections to the licence being granted for Hunters Oak Ltd for the following reasons.

The area is a quiet residential area with a narrow road leading to the proposed area, there is no pavement available for pedestrians. and the road is narrow.

The road and area is not compatible with the large number of people and vehicle that would be attending .

There is no parking available for the amount of cars that may attend the festival.

The possibility of unacceptable levels of nuisance ,litter and noise and disruption is high.

It would be difficult for Fire and Ambulance to attend the site

Mr & Mrs D Smith
2. Helvellyn Drive .
Burnley.
BB12 0TA

John Yardley

From: smith.david82@sky.com
Sent: 02 May 2017 13:49
To: licensing
Subject: Licensing for Hunters Oak Ltd

I would like to state my objections to the licence being granted for Hunters Oak Ltd for the following reasons.

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The possibility of unacceptable levels of nuisance ,litter and noise and disruption is high.

It would be difficult for Fire and Ambulance to attend the site

Mr & Mrs D Smith
2. Helvellyn Dive .
Burnley.
BB12 0TA

John Yardley

From: Kate Coleman <kacoleman2005@gmail.com>
Sent: 02 May 2017 16:17
To: licensing
Subject: Re: [Junk released by User action] Hunters Oak limited

Thank you.

Our address is 87 Ightenhill Park Lane, BB120LL.

Kind Regards

Sent from my iPhone

> On 2 May 2017, at 14:35, licensing <Licensing@burnley.gov.uk> wrote:
>
> Dear Mrs Coleman
>
> I've attached a copy of the application, unfortunately plans cannot be scanned so you would need to attend the council offices on Parker Lane should you wish to see these.
>
> Please can you forward your address to us as we may need to correspond with you.
>
> Regards
>
> John Yardley
>
> -----Original Message-----
> From: Kate Coleman [<mailto:kacoleman2005@gmail.com>]
> Sent: 29 April 2017 20:36
> To: licensing
> Subject: [Junk released by User action] Hunters Oak limited
>
> Hi, we have recently seen a notice up about the hunters oak farm requesting permission to have drinks and entertainment licensing.. we are neighbours on Ightenhill Park Lane & we along with other neighbours are not happy with this application and would like to object and request that this not be granted. We would not want the increased traffic on the lane and think that this may create disturbances in the neighbourhood especially as there is a specialist residential unit for young females with personality disorder right next door at Hunters Oak Barn!! There's enough disturbance from there with emergency services continually requiring to attend there!
> Please direct me to where the application can be read in full as this does not appear to be easy to see online.
> Thanks
> Mrs Coleman
>
> Sent from my iPhone
> <Hunters oak app (2).pdf>

Lisa Tempest

From: Steven Jackson <sjackson@southernslaw.co.uk>
Sent: 09 May 2017 15:57
To: licensing
Subject: FW: Licensing objection
Attachments: saj - Objection to Application for a premises licence to be granted under the Licencing Act 2003.docx



Steven Jackson
Partner

sjackson@southernslaw.co.uk
www.southernslaw.co.uk

Mackenzie House, 66/68 Bank Parade, Burnley, BB11 1UB
Telephone: 01282 422711 Fax: 01282 470320 www.southernslaw.co.uk

Please be aware of cyber-crime. We will never notify you of a change of banking details by email, post or text message.
Before sending any money please speak to the Fee Earner dealing with your matter by calling the office telephone number, which you will obtain from any official letter headed correspondence we have previously sent to you. Please be alert to the fact that fraudulent communications could contain fake telephone numbers. Southern Solicitors will not take any responsibility if money is transferred to fake bank accounts.

From: Steven Jackson
Sent: 08 May 2017 22:13
To: 'phenderson@burnley.gov.uk'; 'ebarker@burnley.gov.uk'
Subject: Licensing objection

Good evening,

Please find attached our objection to the licensing application of Hunters Oak Limited.

Would you please acknowledge safe receipt?

Regards,
Steve Jackson

Objection to Application for a premises licence to be granted under the Licencing Act 2003

Applicant Hunters Oak Limited
Property Hunters Oak Farm, Ightenhill Park Lane, Burnley, Lancashire BB12 0RW
Objectors Steven Jackson and Laura Jackson of 164 Ightenhill Park Lane, Burnley BB12 0LS

General

The area in which the events are due to take place is a quiet, residential area. The Property (as defined above) is in close proximity to a number of densely populated housing estates. The local houses are predominantly occupied by people with young families and those that are retired. This is evidenced by the local amenities, which include several primary schools and nursery schools within walking distance, a large swing park, tennis courts and bowling green located on Ightenhill Park Lane. There are no nightclubs in the vicinity.

There is only one road which serves the Property. This road, particularly towards the Property itself, is generally quiet, currently with little road traffic and is very popular with walkers, children, cyclists, joggers, horse riders and dog walkers, as it is a scenic and quiet route down to the River Calder. There are large parts of the road which are narrow and/or do not have a pavement.

Crime and Disorder

There are likely to be a number of people who would attempt to enter an event such as this without tickets. The application of Hunters Oak Limited confirms that door staff will turn these people away. There is no discernible plan to deal with these people once they have been refused access to the event and this exposes the local properties and residents.

Having door staff and operating a zero tolerance drug policy misses the point. Last year there were over 1000 people that went to the Drop the Beat Festival. All those people would need to either walk or drive past a large number of residential properties. This exposes those properties to the potential of vandalism, theft or damage.

After the event has finished and the majority of festival goers are likely to leave on foot. This will lead them, the majority of whom will be under the influence of alcohol or drugs, straight into a residential area. With only one exit route, this will expose the area and residents to the risk of vandalism, noise pollution, theft, and general anti-social behaviours. It will cause a significant nuisance and disturbance to residents, particularly the young children in the area and some of the older residents who are unwell and vulnerable.

Public Safety

The period leading up to any events being carried on at the Property will inevitably require many large vehicles coming to, and from, the Property – to set up the stages, music, toilets, catering, bar facilities etc. The road over which the vehicles will need to drive to gain access to the Property is not fit for this amount of traffic. At points it is very narrow, with no pavements. It is very popular with children, walkers, runners, dog walkers, horse riders and elderly people as it leads to the River Calder. It will present, for a number of days, a real public safety problem for the area and a risk of serious injury to pedestrians.

On the day of the event there are likely to be hundreds of cars/taxis going to and from the Property. There is only one way in and one way out of the Property – along Ightenhill Park Lane. The road towards the entrance to the Property is narrow and steep with a number of blind corners. There is a far higher risk of traffic collisions, than on most roads.

Leading up to and during any event itself, the high volume of traffic on such a narrow entry and exit route creates a significant potential for accidents and blockages.

The use of the road by the general public on the days leading up to and on any event itself will be severely restricted – especially on the areas where there is no footpath. We have two small children (aged 3 and 4) and we will not be able to take them off our premises for fear of a serious accident due to the volume of traffic.

Hunters Oak Limited suggest that a traffic plan will be operated on the day of the event where there are more than 350 people expected to attend. The only road to gain access to and egress from the Property is not fit to deal with any significant increase in traffic, even for smaller events. Furthermore, the use of a traffic plan does not address the real issues, which will manifest themselves slightly further away from the Property on the steep section of road with blind corners and also the sections without footpaths and with children living near to them.

Public Nuisance

On the day of any event there are likely to be hundreds of cars/taxis going to and from the Property. There is only one way in and one way out of the Property – along Ightenhill Park Lane. These vehicles will cause a public nuisance as they will effectively stop the road from being used by anyone other than those attending the event. There is no evidence within the application of car parking facilities being made available and there is very little nearby space available for parking. This is almost certainly going to lead to people parking their cars inappropriately, blocking up the road and restricting access of local residents to their own properties.

After the event has finished there will be hundreds (or thousands depending on its popularity) of people walking and driving away from the events. This will almost certainly affect the local residents and could be very distressing for children and the infirm.

Many of the properties fronting on to Ightenhill Park Lane do not have boundary walls or fences and leads to a feeling of being more exposed to trespassers or intruders.

There is a large section of the application of Hunters Oak Limited dealing with noise pollution. Whatever precautions are taken with regards to the amount of noise produced by the sound systems these will not mean that no noise will emanate from the event. During the events the noise

pollution will be significant. The event will be taking place in a quiet residential area that is not used to this type of disturbance. There is no nightlife currently in the area and the amplified noise from the sound system on an outdoor event will carry far afield. Given that the area is densely populated, this will have a significant and negative impact on a disproportionately large number of people.

The local residents will be exposed to littering from the attendees of the event – be that the plastic glasses they will be serving drinks in, the sealed containers they can sell to attendees to take off site, food wrappers or other general detritus.

Children being exposed to Harm

There are a large number of families with young children in the area. The children will be exposed to harm in the following ways:

- the potential for serious accidents due to the massively increased volume of traffic both on the day of the event(s) and the days/weeks leading up to them;
- by the large number of intoxicated people that will be passing through the area both before and after the event;
- potential exposure to alcohol and drugs

Other matters

We are not aware of any planning application having been approved for use of the Property for anything other than agricultural use.

Lisa Tempest

From: Dan H <daniel.hindsley@hotmail.co.uk>
Sent: 08 May 2017 20:28
To: licensing
Subject: Objection against Hunters Oak Limited application in Ightenhill.
Attachments: 20170503_114202.jpg



FAO The Licensing Officer,

We are writing to object against the application attached. Our main concerns are their proximity to our housing estate, the noise, antisocial behaviour and increased traffic such events and an alcohol license are likely to generate. In the summer our children often sleep with the upstairs windows open and noise carries easily across the fields. Ightenhill park lane is a quiet lane used for family walks which would suffer from increased traffic and indeed would be dangerous due to the blind bends. We believe that granting this license would be detrimental to the local community.

Yours Faithfully

Mr and Mrs Hindsley
6 Skiddaw Close
Burnley
Bb12 0LU

Get [Outlook for Android](#)

Lisa Tempest

From: Martin <martinh2007@btconnect.com>
Sent: 08 May 2017 20:56
To: licensing
Subject: Application for Alcohol license at Hunters Oak Farm Burnley

Dear Sir/Madam

I am writing to object against the recent application for an alcohol licence at Hunter Oak Farm Burnley

As a local resident in the area i strongly object on the following grounds

This is a residential area

Grave concerns over anti social behaviour Loud music and noise Access to the area down a narrow country lane
Large number of visitors coming into the area with no easy access route Amount of rubbish and litter left behind
Lack of suitable of parking

The area above raise concerns over public safety and anti social behaviour as well as environmental concerns

Regards

Martin Hollingsworth
North Barn, Ightenhill Park Lane

Sent from my iPad

Lisa Tempest

From: valatfaustina <valatfaustina@gmail.com>
Sent: 08 May 2017 21:47
To: licensing
Subject: Hunters oak farm

I object to this application on the grounds of increased traffic down a single track rural lane. No passing places. Safety of children, horses, dogs, cats. Dead end road with no through access. No parking. Increased noise pollution. Vulnerable young adults in neighbouring building. Disturbance to natural population of wildlife.

Not in keeping with the demographics of this area.

Would the applicants be prepared to collect all the litter that their customers generate? If not, who will and at what cost to the council.

Will the council be prepared to put speed humps in place down this residential rural lane?

Consider disturbance to the pipistrel bat population and tawny owls.

Yours sincerely

V Anderson
Faustina House
Ightenhill Park Lane

Sent from my Samsung Galaxy smartphone.

Lisa Tempest

From: Richard Crossley <Richard.Crossley@mouchel.com>
Sent: 08 May 2017 20:22
To: licensing
Cc: Sandra Crossley; Richard J CROSSLEY
Subject: Hunters Oak Farm, Ightenhill Park Lane, Bunely
Attachments: Hunters Oak Farm.doc



Dear Sirs

Please find attached a letter of objection sent by wife and I in respect of the alcohol and music license application for Hunters Oak Farm.

Kind regards

Richard Crossley
Senior Technical Director

Mouchel | St John's House, Queen Street, Manchester, M2 5JB
M: 07867 327808 | www.mouchel.com

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5 Skiddaw Close
Burnley
Lancashire
BB120LU
8th May 2017

The Licensing Officer

Burnley Borough Council

Dear Sir

Hunters Oak Farm, Ightenhill Park Lane, Burnley

We wish to register our objection to the Licensing Application for Hunters Oak Farm, Ightenhill. It is our understanding that the current license application relates to both the sale of alcohol and the performing of music and that the applicant is seeking a license for one event per annum for more than 350 patrons and seven events per annum for less than 350 patrons. Furthermore, it is our understanding that, if approved, the license application could permit one per annum for up to 5,000 patrons.

The grounds of our objection are two-fold:

Public Nuisance

Events of this nature will lead to excessive noise which will impact on residents living in the vicinity of the application site. Furthermore, this noise could have an adverse impact on wildlife in the area. In the immediate vicinity of the application site we have on numerous occasions observed red deer, weasels and hen harriers together with more common animals and birds. We have significant concerns that the disturbance arising from noise generated by events at Hunters Oak Farm could lead to some of these rarer species abandoning the area.

In addition to the nuisance caused by noise, the events permitted by the license application would lead to excessive volumes of traffic using Ightenhill Park Lane to access the site. Such traffic relates to the patrons of the events plus deliveries for and the setting up and breaking down of the events together with staff in attendance at the events. The more northerly section of Ightenhill Park Lane, which would need to be used to access Hunters Oak Farm, is narrow and has very restricted forward visibility; has no footways; and is extremely well used by walkers, runners, cyclists and horse riders.

Public Safety

For the reasons stated above, we consider that the traffic generated by the events permitted by the license would lead to significant road safety risks on Ightenhill Park Lane.

We would urge you to refuse the license applied for and we look forward to being advised of the outcome of the application.

Yours faithfully

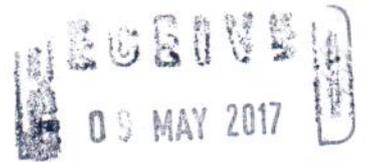
Richard and Sandra Crossley

Richard and Sandra Crossley

Licensing dept

Parker Street
Burnley 8/5/17

Jim Cowell
89 Ightenhill
Burnley



I am writing in opposition to the proposed granting of a drinks licence applied for by Hunters Oak ltd, which asks for a one-day yearly event but also for other events throughout the year. Ightenhill Lane is a place where numerous families take walks with their children, one of the few remaining places in Burnley for that to happen.

There are young children living on the lane and many grandchildren come visiting. There are also many old people! The traffic including many more commercial vehicles would be an added hazard that you must consider. So whoever is intimately responsible must be made accountable if something that has been warned against occurs.

Environmentally it would be a disaster not only for the area, where species of flowers and other flora that have not been seen in decades are again flourishing, but also for the wildlife.

Whatever they say there is going to be a litter problem, not only in the fields and river but also along the whole of Park Lane

And also a problem with noise, which will also affect the whole of Park Lane

Ightenhill generates vast amounts of money through council tax and this proposal if passed threatens that lucrative source of income. Think very carefully as gaining a small amount of income may lose you a much larger amount. I'm sure the residents of Ightenhill are on safe ground with this!

Nobody seems to know exactly the numbers of people involved but where are they going to Park. They'll finish up outside people's homes creating anarchy.

Finally I reiterate what I said earlier. If passed the person or persons responsible must take the full blame for anything that goes wrong. The council could finish up with more lawsuits on their hands than any before in the town's history.!

licencing



132 Ightenhill Park Lane,
Burnley,
Lancs,
BB12 0LL
7th May 2017



To Burnley Borough Council Licensing Unit,

I write regarding the application for a Premise License at Hunters Oak Farm, Ightenhill Park lane, BB12 0RW, and ask that you take note of the following objections when considering the application.

Use of the lane by walkers, cyclists and horse riders:

The Burnley Way runs along Ightenhill Park Lane. It is also used as a link route to the Pendle Way and the Lancashire Witches Way. As such it is used by many walkers as well as those from the local community to gain access to the immediate countryside. The lower part of the lane is a dead end, is steep, narrow, and without passing places or footpaths. Furthermore the lane is a designated Cycle Route and Bridle Way with a Stud Farm part way down. It also provides the only access to a pedestrian crossing of the River Calder between Burnley and Padiham. Increased vehicular use associated with the application would prove hazardous to those who use the lane for dog walking, family strolls, recreational walking, cycling and horse riding.

Proximity to Hagg Wood:

This is a quiet, rural area unsuitable for outdoor music events and provision of alcohol. Hagg Wood is close by, the noise and activity associate with such events would be detrimental to the wildlife there, (I know that wild deer have been seen in the woods), and feel that the Woodland Trust who manage the wood, ought to be made aware of the proposals.

I trust that these comments will be given their due weight during deliberations on the application.

Yours faithfully,

Mr A. J. Gant

01st May 2017

170 Ightenhill Park Lane

Burnley

BB12 0LT



Re: Application for a Premises Licence, Hunters Oak Farm, Ightenhill Park Lane, Burnley, BB12 0RW

Dear Sirs

I wish to object to the above application being granted on the following grounds :

GENERAL: The proposed site is Green Belt farmland adjacent to the River Calder and the well known Stepping Stones Bridge. The area is known for its abundance of wildlife, including Birds, Ducks, Geese, Owls and Deer.

This area is very popular with people of all ages for walking and other recreational purposes.

The Prevention of Crime and Disorder: The proposed site can only be accessed via Ightenhill Park Lane which is a quiet residential area of mainly detached family housing. There is no street lighting at the lower end of the Ightenhill Park Lane. There are two Garden Centres currently situated on the Lane along with Riding Stables which have been the target for theft on numerous occasions.

Litter is a constant problem due to the actions of non-resident users of the Lane and 'Litter Picking' is regularly undertaken by local residents on some stretches of the Lane. Grass verge maintenance and flower planting is also regularly undertaken with assistance of Ightenhill Parish Council.

There are issues with young people using the adjacent woodland and secluded areas for anti-social behaviour and recently the local newspaper reported the killing and butchering of wild Deer further west of the proposed site. Alcohol related instances of public nuisance would be expected to increase due to the very nature of the proposed events and the licencing hours requested in the application. Alcohol is a major factor in relation to public order offences and in some instances could eventually lead into potential damage to buildings and property in the area, especially when the proposed event has ended and attendees exit the site. I would also point out that the Emergency Services frequently have to make visits to the adjacent Hunters Oak Barn facility which has given local residents cause for alarm over recent months.

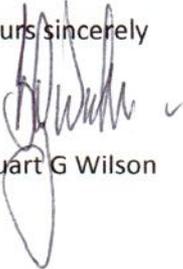
Public Safety: Access to the proposed site is via Ightenhill Park Lane, a quiet residential area. There is no Street Lighting on the lower end of the Lane and no Footpaths from the Stables entrance to the proposed site (approx 500mtrs)

Ightenhill Park Lane is a well used Cycle Route and Bridleway, used extensively by cyclists and horse riders from far and wide. The Lane is also well used by Joggers, Organised Walking Groups and individuals and has access to public footpaths leading to other local areas which are regularly used. Ightenhill Park Lane is very narrow in parts, especially the lower part of the Lane which in some places is only 4mtrs wide. The Lane is very steep with curves creating blind spots and the speed of some vehicles (and cyclists) on this stretch as always been a concern for residents and visitors along

with the Parish Council. Should this application be granted, the increase in vehicle activity and heavy footfall expected attending the venture would be far and above what the Lane and surrounding area is capable of supporting without endangering peoples lives and the local environment.

I trust all the above points will be taken into consideration when the application is finally discussed by the Licencing Authority.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Stuart G Wilson', with a small checkmark at the end.

Stuart G Wilson

02 May 2017

208165 ✓
02 MAY 2017

To:

The Principal Licensing Officer
Burnley Borough Council Licensing Unit
1st Floor Parker Lane
Burnley
BB11 2BY

Dear Sir or Madam:

Re: Application for a License at Hunters Oak Farm

I wish to formally object to the application for a Premises Licence at:

Hunters Oak Farm
Ightenhill Park Lane
Burnley
BB12 0RW

It is my opinion that the premises are unsuited as an entertainment venue and for the sale of alcohol. The principal reasons for my objection are as follows:

1. Public Safety

The premises are located at the lower end of Ightenhill Park Lane, around one and a quarter to one and a half miles from its junction with Padiham Road. The last street light is located 3/4 mile from that junction and beyond that point the road becomes a narrow lane, is unlit, has no footway, is only a single lane in width and has bends with restricted visibility. The lane leads to a bridleway, the River Calder Greenway and to a network of footpaths. It is extensively used by walkers, cyclists and horse riders, including families with young children. The volume of traffic approaching and leaving events at Hunters Oak would present a significant risk to their safety. Two-way traffic would be virtually impossible and would further increase the risk to other road users.

Parking provision is not clarified in the application. Parking of cars on the narrow approach would further exacerbate the risks.

Attendees leaving the events on foot late at night, in the dark and without street lights would be at risk from vehicles leaving at the same time, particularly where the consumption of alcohol may be involved.

2. Public Nuisance

Ightenhill Park Lane passes through a relatively quiet residential area. It is also approached from Padiham Road via Lakeland Way - itself running through residential areas - and by various footpaths through quiet housing between Padiham Road and Ightenhill Park Lane.

The proposed use of the premises will lead to a very significant increase in both vehicular and pedestrian traffic on event days. As the proposal would allow "public access" to the premises until midnight, it is inevitable that there will be noise nuisance along the length of Ightenhill Park Lane and on Lakeland Way into the early hours of the morning as people leave. It is also inevitable there will be noise nuisance from pedestrians in high spirits leaving both via the roads and footpaths through areas of housing.

Music and noise from the premises is also highly likely to be audible and cause disturbance in areas of housing close to the site and as far away as Higham and Fence.

3. Crime and Disorder

There is a high probability of litter and the potential for anti-social behaviour and vandalism from a small but significant percentage of attendees leaving on foot and possibly under the influence of alcohol, passing through residential areas. It should be noted that the application makes reference to the sale of alcohol for consumption off the premises which almost certainly means that bottles, cans or other containers will be discarded by attendees making their way home on foot.

4. Environmental Concerns

The area covered by and adjacent to the premises, including Hagg Wood and the River Calder, has a wide variety of wildlife including many species of bird such as owls, buzzards, kestrels, geese, curlews, kingfishers and more, and mammals including roe deer and badgers. I am concerned about their likely disturbance caused by the number of people, noise, litter and possible pollution.

5. Other Issues

As a further issue, which perhaps falls within the boundaries of Public Safety, Nuisance and Protection of Children, you may be aware that the premises for which the application has been made partially surrounds Hunters Oak Barn which, I believe, is currently in use as a residential home for vulnerable young people. The potential effects on these should be a concern.

I am aware that there is a great deal of opposition to this application from the vast majority of residents on and in the area around Park Lane who will be affected. I hope you will agree the relevance of the reasons for my objection and that you will consider them carefully when considering the application.

Yours faithfully,

Stuart Chattle.

1 Yewbarrow Close
Burnley
BB12 0TB

Tel: 01282 426482

RECEIVED
04 MAY 2017

172 Ightenhill Park Lane
Burnley
Lancashire
BB12 0LT

28th April 2017

✓

Burnley Borough Council Licensing Unit
1st Floor Parker Lane Offices
Parker Lane
Burnley,
BB11 2DT

Dear Sirs

**Re- Application for a Premises Licence at Hunters Oak Limited, Hunters Oak Farm,
Ightenhill Park Lane Burnley BB12 0RW**

I am writing to object to the above Premises Licence on the following grounds:-

The access to Hunters Oak Farm is approached along Ightenhill Park Lane where, between house numbers 97 - 160, the road narrows considerably and this makes it difficult for two vehicles to pass in opposing directions. More importantly, there are no pavements on this stretch of the road for pedestrians to walk safely. Also there is only a single pavement between house numbers 160 - 176, and after 176 there are no pavements at all on either side of the road leading down to Hunters Oak Farm.

I consider this to be a major safety issue for pedestrians and cyclists, bearing in mind the increased traffic and footfall that would be inevitable if this Licence was granted.

I would like to point out that not only would the traffic be increased on event days with taxis, mini buses and visiting vehicles, but there would also be an increase in traffic on the days/weeks prior and following such events to enable erecting/dismantling of the marquees, sound equipment, catering and toilet facilities plus all the auxiliary equipment needed for such large scale events.

I hope you seriously take into consideration the above comments and dismiss the application for such a Licence at Hunters Oak Farm.

Yours faithfully



Stephen Alan Harrison



176 Ightenhill Park Lane

Burnley

BB12 0LT

30th April 2017

A red handwritten mark, possibly a signature or initials, consisting of a large, stylized 'S' or 'J' shape.

Burnley Borough Council Licencing Unit

1st Floor Parker Lane Offices

Parker Lane

Burnley

BB11 2DT

Dear Sir/Madam,

RE:- Application for Premises Licence for Hunters Oak Farm, Ightenhill Park Lane, BB12 0RW.

We would like to lodge objections to the proposal to allow regulated entertainment and the sale of alcohol on the above site for the following reasons.

Access to the site is via a single track road and as such would raise health and safety concerns. The only access into the site is through residential areas and a large family estate area. The potential risks from sudden increases in traffic levels to a quiet area are high. The residents from the local area both adults, children and pets would be at significant increased risk given that anticipated numbers accessing the site would be anywhere between 350-5000.

The area and lane is well used by local residents, including young children who walk daily down this narrow lane. There are already existing issues with the speed at which some vehicles exit and enter this lane.

In addition there is a refuge for vulnerable and abused women neighbouring the property at Hunters Oak Barn, access to which is required 24/7 by the police and ambulance services.

We also have concerns regarding the security offered at the site and also how the marshalling of large amounts people and vehicles will enable order to be maintained. In particular, why such a site would be chosen for a venue of this nature, when there are other larger alternatives better suited, having better access and infrastructure ie. Townley

The site is within greenbelt land. A public right of way exists across the land known as Hunters Oak Farm. Are the public to be refused access during these events?. The local wood(Hagg Wood) opposite the site being owned and protected by the Woodland Trust. The area is a natural paradise for local wildlife and of agricultural interest. A large event of this nature would increase litter pollution to the natural environment.

Directly adjacent to the proposed site is an equestrian centre with its stabling for several horses. Anticipated noise and traffic through the site would have a detrimental effect on the wellbeing and nature of the horses, leading to potential risk to riders if the horses become unsettled or spooked. How is the riding centre to continue exercising its horses during these events? will they be confined quarters?

There are also other businesses likely to be affected by such events, a commercial garden centre, a public garden centre, both of which would suffer loss of business whilst such events were in progress.

All the above is before we look at the noise pollution, light pollution and touch on the security and anti-social behavioural issues that communities experience around the sale of alcohol.

We understand that over 350 tickets have already been sold online for this event before the licence has been approved. Should this be the case, when and how was approval passed or granted without notification to local residents?

Notification signs posted for this event are minimal and suggest this is a "back door" operation, where permission is granted before residents have a chance to object.

We sincerely hope that the licence and permissions for such uses will not be granted or revoked. This is not a viable site for such activities and we hope that common sense will prevail in this matter.

Yours faithfully



Local Resident

Mr & Mrs K Boden
1 Clynders Cottages
Ightenhill Park Lane
Burnley Lanc,s
BB120RW
02/05/2017

J

Dear Sir

We are writing to object to a licence being granted for (Hunters Oak Farm, Ightenhill Park Lane Burnley)

There are a few reasons:-

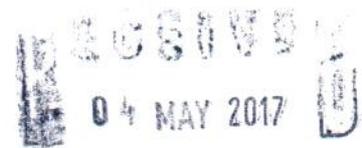
1. The road as you can see on the plans is only narrow & 350 people as the planned application is for, to drive or walk to is cause for concern. We already have a problem with taxis that speed up & down to Hunters Oak Barn daily, also there are ambulances & police vehicles driving down at all hours. There are lots of people, walkers, rambles & children who walk regularly down the lane, once again this is cause for concern as there would be lots of traffic. The traffic is not acceptable it would only be a matter of time before accidents occur. There is a blind brow coming up the hill & on several occasions there have been near missus.
2. The noise is another issue:-
Last year a Rave was allowed across the adjoining fields to Ightenhill. The noise from that was disturbing all day & into the evening. Plans for one larger & seven added occasions is not in the public or residents interest. There would be lots of noise from these events & as people are leaving with alcohol inside them, this would be cause for concern for the residents in the area.
3. Litter is also a concern:-
People will also take cans which will be scattered everywhere once empty. Plastic containers will be dropped. Wrappings from food will also be left. This is a problem now, myself & other residents keep the lane clean. 350 peoples litter will be another issue & cause for concern.

I hope you will take into account all concerns mentioned.

Thank-you

Your Sincerly Mr & Mrs K Boden

Mrs A Boden
Mr K Boden



91 Ightenhill Park Lane

Burnley

BB120LL



Dear Sirs,

Hunters Oak Ltd, Hunters Oak Farm, Burnley.

I am writing^{to} register my objection to the proposed granting of a premises licence under section 17 of the Licensing Act 2003 at Hunters Oak Farm, Ightenhill Park Lane, Burnley. My main objections are disturbance, nuisance, environmental impact, public safety and anti social behaviour.

The only access to this site is from Park Lane, which is of restricted width and is a dead end. This will cause traffic problems along the length of the lane and will inevitably cause nuisance to the residents. A traffic plan that just applies to the car parking area will prove futile.

It is noticeable that taxis visiting Hunters Oak Barn do not respect the speed limit, why would we expect the Hunters Oak^{traffic} to comply? Many families with children use the Lane to get to the River Calder, Padiham and the 'Bluebell Wood', their walk will be made increasingly dangerous with any large increase in traffic – not just the people attending the events but the larger vehicles delivering food and alcohol. The lane is used frequently by cyclists and mountain bikers

There will be an environmental impact, there have always been ground nesting birds in the area – skylarks and lapwings. No matter how good the intentions are, there will be a litter problem, plastic plates and glasses will be left on the land and could possibly end up in the river which is now cleaner than it has been for many years. Policing a zero tolerance drugs policy is not as easy as just flagging up such a policy as has been shown by the unfortunate deaths that occurred at a Lake District festival in recent years.

I would urge the authorities to refuse the application.

Yours Sincerely

A handwritten signature in black ink that reads "Michael E. Cooke".

Page 46

MICHAEL E. COOKE

01st May 2017

168 Ightenhill Park Lane

Burnley

BB12 0LT



Ref: Application for a Premises Licence, Hunters Oak Farm, Birnley BB12 0RW

Dear Sirs

I wish to object to the above application on the following grounds :

Prevention of Crime and Disorder : The proposed site can only be accessed by Ightenhill Park Lane which is in a residential area with family sized dwellings, Garden Centres and Riding Stables, both the latter with frequent large vehicles visiting the sites.

The influx of large numbers of young people visiting the proposed site where alcohol is served could have a severe impact on the area, with possible damage, noise and disruption to gardens and properties, especially on arrival and late night departure.

Litter is a constant problem and with the high numbers of visitors advised on the application, this current problem will only get worse.

The adjacent woodland is often used by young people for illegal camping and again this could get worse if visitors think they could camp overnight. Anti-social behaviour usually starts where alcohol and large numbers of young people gather and the thought of high numbers of visitors leaving the site late at night is a major worry for myself and most other residents. Surely there must be other more suitable sites in the town where activities such as the ones proposed could be held that would have the access and car parking to cope with such numbers.

Public Safety : Ightenhill Park Lane is a residential area of family sized houses. There are no footpaths for the final 800mtrs of the Lane and no Street Lighting on the lower part. The Lane is used predominantly by residents, visitors to the Garden Centres and Stables. Walkers, joggers, cyclists and horse riders constantly use the Lane and it's a wonder that no one has been killed or seriously injured. Taxis are a common sight coming and going to the Hunters Oak Barn at the bottom of the Lane. The Lane is quite dangerous at times especially with speeding vehicles. Walkers and riders have to be especially aware of this threat at all times. Car Parking on the Lane is not practical and the site in question is mainly sloping fields where parking would be difficult at any time of the year. Should public transport or shuttle bus be mentioned as an option to private vehicles, the Lane is not suitable for this mode of transport due to the steep incline, narrow width and dangerous bends. Large numbers of visitors on foot would be detrimental to both open plan private properties and the area in general.

Yours sincerely

A handwritten signature in cursive script that reads "Barbara Wharton". The ink is dark and the signature is written in a fluid, connected style.

Mrs B Wharton

Petition to refuse licensing application – additional information

We wish the following facts to be taken into consideration regarding the planning application for a Drop the Beat music festival and related events at Hunter's Oak Farm, Ightenhill Park Lane, on 24th June 2017.



1. Prevention of crime and disorder.

✓ 1.1. Ightenhill Park Lane and its vicinity is a quiet, residential area with a number of desirable properties. It has, from time to time, been a target of criminals, but an influx of up to 5,000 people at an all day event, with alcohol and the possibility of drugs being freely available, leaves residents concerned for both themselves and their property.

1.2. The application implies that there may be up to seven events in the planning stage.

2. Public safety.

✗ 2.1. Ightenhill Park Lane is a narrow road, with only one access route to its lower end, where the proposed festival would take place. There are no pavements available for pedestrians from approximately 200 yards beyond Helvellyn Drive, at which point the road narrows considerably, and no street lighting.

2.2 The lane is a popular access route to areas of countryside that are frequently used by both families and walking groups.

2.3. There are also riding stables, with several horses, next to the proposed site. Horses and their riders use the lane and the adjacent housing developments on a daily basis.

2.4. We note that Ightenhill Park Lane is designated a highway as far as the river at its lower extremity. However, the road ends at a gate, stile and field, well before the river, and is unmade beyond the gate. ***We would urge you to visit the site and see for yourselves how inappropriate the term highway is.***

3. The prevention of public nuisance.

✓ 3.1 .Although the license application indicates an 11pm finish, we estimate at least 2 hours would be required to disperse a crowd of 5,000 people, many of them under the influence of various stimulants. If these attendees were on foot, it is entirely possible that they would disperse via various routes through the residential area. The prospect of unacceptable levels of litter, and possible vandalism, would seem inevitable. If attendees were to drive away using motor vehicles the noise and general disruption would be unacceptable.

3.2 .Noise pollution is expected from the festival. It is proposed that a "noise co-ordinator" be appointed (by whom?) and a mobile telephone number be provided for complaints. How would this telephone number be advertised?

3.3. The Licensing Application suggests use of the **Event Safety Advisory Group**, "so long as said group are in existence in the area".

4. The protection of children from harm.

✗ 4.1. The Bovis development of homes of homes in the area was built around the late 1970's and early 80's. The initial residents having moved on to some extent, the area is becoming popular again with families, and several young children now live in the area.

4.2. Attendees of the festival may not be screened for age, and, therefore, control of alcohol and other stimulants will be a difficult task.

4.3. At the bottom of the lane is a residential home for young people with behavioural problems. Ambulances and police vehicles are known to visit several times a week. We would urge you to consider how this festival might impact on their safety and wellbeing.

Wildlife

In addition to these points we urge you to consider that the area hosts many species of wildlife in their natural habitat, that the area is, we believe, greenbelt, and the residential areas nearby are quiet, peaceful, and semi-rural.

Furthermore, although permission has not yet been granted, tickets have been on sale since 28th March, artists have been booked and the event has been extensively promoted on Facebook.

The only indication local residents have had is a single sheet notice on the gate of a field on Ightenhill Park Lane, spotted by a very observant dog walker!

We hope that the accompanying petition, and individual letters from nearby residents, will demonstrate the strength of feeling against this event, and that you will give our objections the greatest consideration.

On behalf of petitioners listed



Petition to refuse licensing application

Petition summary and background
 Objection to licensing application for "Drop the Beat" music festival at Hunter's Oak Farm, Ightenhill Park Lane, Burnley BB12 0RW, on 24th June 2017 and subsequent smaller music and film events during the year.

Action petitioned for
 We, the undersigned, are concerned citizens who urge our leaders to act now to deny permission for the above Drop the Beat music festival. We believe that the licensing objectives have been undermined, which are: 1. Prevention of crime and disorder; 2. Public safety; 3. The prevention of public nuisance; 4. The protection of children from harm. Further details are attached for your consideration.

Printed Name	Signature	Address	Comment	Date
D. LEGGETT	<i>D. Leggett</i>	17 HELVELLYN DRIVE	SEE ATTACHED	28.4.17
F. MILLINGTON	<i>F. Millington</i>	4 " "	" "	28.4.17
S. PIXTON	<i>S. Pixton</i>	6 " "	" "	29.04.17
P. DOYLE	<i>P. Doyle</i>	1 Scafford Close	" "	28.04.17
J. MILLINGTON	<i>J. Millington</i>	4 HEVELLYN DR.	" "	28.4.17
J. WHITH	<i>J. Whith</i>	1 Helvellyn Drive	" "	
M. PARKER	<i>M. Parker</i>	3 HELVELLYN DR	" "	28-4-17
D. J. PARKER	<i>D. Parker</i>	" " "	" "	28.4.17
Julie Vintin	<i>J. Vintin</i>	1, HEVELLYN DR.	" "	" "
M. CHATFIELD	<i>M. Chatfield</i>	1 Yewbarrows Close	" "	28.4.17
STEVE CHATFIELD	<i>Steve Chatfield</i>	1 Yewbarrows Close	" "	28/4/17

Printed Name	Signature	Address	Comment	Date
PAUL KEENAN		7 HEVELLYN DRIVE	"	28/April/17
ANDREW SMITH		162 I Hill PARK LANE		29/4/17
CAROL DUCKWORTH		13 HEVELLYN DRIVE.		30/4/17
BRAND PULICKOCCI		13 HEVELLYN DR		
BRYAN PICKLES		11 HEVELLYN DRIVE		30-4/17
NIGEL BARRER		9 HEVELLYN DRIVE		30/4/17
ANNE BARRER		9 HEVELLYN DRIVE		30/4/17
NANCY KNOWLES		2 YEWBARROW CLOSE		30/4/17
PETER WHITEHART		7 YEWBARROW CLOSE		
DAVID SMITH		2 HEVELLYN DRIVE		30/4/17
JULIAN FEWRELL SMITH		3 YEWBARROW CLOSE		1/5/17
A SMITH		3 Yewbarrow Close		1/5/17
S AWILSON		170 TAFTENHILL PARK LANE		01/05/17
S. HARRISON		10 Arundel close		1.5.17
J. HARRISON		" "		"
O Porter		24 Lingmoor Drive		"

Printed Name	Signature	Address	Comment	Date
HILARY JACK	H Jack	8 KIRKFELL DR. BOBSTAZ	" "	1-05-2017
Brian Smithers	B Smithers	174 Ighten hill park lane	" "	1-05-17
Rachel Smithers	R Smithers	174 Ightenhill Park Lane	" "	1.5.17
Margaret Brand	M Brand	178 " " "	" "	1.5.17
Kenny Barber	K Barber	BANBESSR HOUSE	" "	1.5.17
Lee Robinson	Lee Robinson	Wesley Grove	" "	1.5.17
KEN BORDEN	K Borden	1 Elgarden Coburg	" "	1.5.17
SUSAN HASTON	S Haston	2 ELDYNDERS Cottage	" "	"
SUSAN SMITH	S. Smith	2 Holvellyn Drive	" "	1-5-17
Margaret Wright	M Wright	99 Egghenshill Park Lane	" "	2.5.17
Ken Wigham	K Wigham	" "	" "	"
J. Hindslay	J Hindslay	4 Skiddaw C. Bly	" "	2.5.17
C. Harris	C Harris	54 Cumbrian Way, Bly	" "	2.5.17
Rita Cooke	RITA COOKE	91. PARK LANE BLY,	" "	"
Jean Boyleffe	J Boyleffe	130 ISHTENHILL FkLn.	" "	2.5.17
Allen Gaunt	A. Gaunt	132 Ightenhill Park Lane	" "	2/5/17

Printed Name	Signature	Address	Comment	Date
LUNE GATE		12 SCAFELL CL B'low	DISCUSSION	2/5/17
M. MASEL		4 " "	DISTRICT	2-5-17
S. HARGREAVES		18 Helvellyn Dr. Bly.	See Attached	4/5/17
D. HARGREAVES		" "	"	4-5-17
T. MITCHELL		19 HELVELLYN DRIVE. BLY.	As attached	4-5-17
J. MITCHELL		" " " "	" "	4-5-17
GINA SMITH		162 LIGHTHILL PARK LANE	See attached	4-05-17

Lisa Tempest

From: Councillor Tom Porter
Sent: 05 May 2017 09:06
To: licensing
Subject: Fwd: Hunters Oak Farm

Sent from my iPad

Begin forwarded message:

From: <TPorter@burnley.gov.uk>
Date: 5 May 2017 at 08:45:47 BST
To: <ICarmichael@burnley.gov.uk>
Subject: Hunters Oak Farm

Dear Sirs

With reference to Hunters Oak Farm Licence Application. I would like to lodge my objection to the said application on the grounds of (1) public safety and (2) the prevention of public nuisance. With reference to public safety, the access to the site is via a derestricted public highway which is very narrow and unlit and my concern is people leaving the site on foot which they will, will be put at risk. Even though the site is obviously in a large field event goers who will be leaving the site around 11pm to midnight have to pass through a built up residential area before they can disperse onto major routes. This in my opinion will make the issue of noise and disturbance a reason of concern.

Yours faithfully

Tom Porter
Elected member for Whittlefield with Ightenhill

Sent from my iPad

Councillor Tom Porter
Councillors
Members

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John Yardley

From: John Yardley
Sent: 15 May 2017 10:48
To: Councillor Tom Porter
Subject: Hunters oak Farm application

✓ 1

Dear Councillor Porter,

With reference to the above and your objection to the application I ask that you forward details of your address to us.

By providing the requested details this will allow the Licensing Authority as required under the regulations to send a formal written invitation by post to attend the hearing and a right to speak at the hearing should you wish to do so.

In order to comply with statutory time parameters I ask that you forward these details at the earliest opportunity.

Regards

John Yardley

24 Lingwood Drive
BB12 8U4

Lisa Tempest

From: licensing
Sent: 09 May 2017 10:56
To: Tony-Jean Mitchell
Cc: Lisa Tempest
Subject: RE: HUNTER'S OAK FARM EVENTS LICENCING.

Dear Mr & Mrs Mitchell

In response to your comments:

This application is made under the Licensing Act 2003, it may have been a previous planning application you refer to in your email which is governed by different legislation.

There is no requirement under the Licensing Act for us to order any pre application studies or reports. Having said that Planning and other agencies such as Environmental Health, Police, Fire etc are all responsible authorities and will have received a copy of the application, as with yourself they may make representations in connection with the application.

Under the Licensing Act 2003 there is no requirement for the Licensing Authority to consult residents. The consultation process is the responsibility of the applicant and consists of an advertisement in the local newspaper and notices to be displayed at the premises/site giving details of the application and final date for objections which is today..

I hope my response answers your queries and your previous objections to this application have been received and noted along with many others received.

The likely outcome will be that this application will go to a hearing.

Regards

John Yardley

From: Tony-Jean Mitchell [mailto:tonyandjeanmitchell@live.co.uk]
Sent: 09 May 2017 10:05
To: licensing
Cc: Tony Moores; anthony grice; Maria Chattle; Pamela Willmott; Penny Eminson; Ian Bass; Councillor Tom Porter; Councillor Ida Carmichael; Stuart and Susan Wilson; bpixton@sky.com; frank.millington@ntworld.com; stevevintin@hotmail.com
Subject: FW: HUNTER'S OAK FARM EVENTS LICENCING.

Dear Madam/Sir,

Referring to my email to you below.

I have since been informed that there was a similar application for events on the site (for quad biking) some time ago.

On that occasion a full environmental study was ordered. On that basis the application did not proceed.

As nothing has materially changed on the site or in the area I trust another study will be ordered.

I have also been informed that on the previous occasion residents in the Lower Manor area of Barden Lane were consulted because of the noise disturbance. Has this been done for the current application?

Tony Mitchell.

For Ightenhill Parish Council

Sent from [Mail](#) for Windows 10

From: [Tony-Jean Mitchell](#)
Sent: 04 May 2017 19:56
To: frank.millington@ntlworld.com; stevevintin@hotmail.com
Subject: FW: HUNTER'S OAK FARM EVENTS LICENCING.

Frank/Stephen,

Please see below the email I sent to Burnley Council today on behalf of the parish council.

Best regards,

Tony.

Sent from [Mail](#) for Windows 10

From: [Tony-Jean Mitchell](#)
Sent: 04 May 2017 10:35
To: licensing@burnley.gov.uk
Subject: FW: HUNTER'S OAK FARM EVENTS LICENSING.

Sent from [Mail](#) for Windows 10

From: [Tony-Jean Mitchell](#)
Sent: 04 May 2017 10:25
To: licensing@burnley.gov.uk
Cc: [Tony Moores](#); [anthony grice](#); [Maria Chattle](#); [Pamela Willmott](#); [Penny Eminson](#); [Ian Bass](#); [Tom Porter](#); [Ida Carmichael](#); [Stuart and Susan Wilson](#); bpixton@sky.com
Subject: HUNTER'S OAK FARM EVENTS LICENSING.

Dear Madam/Sir,

The above licensing application has been discussed by councillors of IGHTEHILL PARISH COUNCIL.
I Have been asked to convey our comments regarding this issue.

Ightenhill is a purely residential area. The application clearly states that the events would be open to the public 10am until midnight. The influx of such a large number of people (up to 5,000!) arriving before 10am and leaving in the early hours of the morning, having consumed alcohol and possibly other stimulants would have a catastrophic effect on local residents. The application also states that "Any sales of alcohol made for consumption off the premises will be made in sealed containers". This implies that people will be leaving the event and walking through residential areas carrying and consuming alcohol.

This will undoubtedly result in antisocial behaviour and litter. Young families with children are particularly concerned about safety. The application mentions the involvement of an Event Safety Advisory Group. This is very vague. Who will these people be and who will coordinate this function?

Ightenhill Park Lane is around one mile long with housing on both sides and avenues/streets leading off. It would be virtually impossible to control crowds particularly leaving late at night and into the early hours.

The Lane is very narrow at the final third of it's length with no footpath or street lighting. It is designated as a public highway all the way down to the river but is a rough unmade surface beyond a gate. The application does not adequately explain how traffic will be controlled, where it will enter the site, or where parking will be available.

Safety of pedestrians must be ensured. It has to be understood that walkers, cyclists, and horse riders use the lane constantly. In our view a considerable police presence would be required.

Ightenhill Barn next to the venue is a home for young people with behavioural problems. How do we know how these events would impact upon these people? Surely the two should not be in close proximity.

The venue is a field of considerable size. It is green belt and is known for its diversity of wild life. This will be completely obliterated by regular invasions of these proportions. Who will deal with the resulting Litter and sewage?

Events will be both outdoors and indoors. Where will indoor events take place? No explanation. The applicant is not the owner of the property.

What is the significance of the licencing authority being Ribble Valley Borough Council?

It is of great concern that the applicant has been selling tickets for the Drop The Beat event since March and booking performers. They require the licence to start 10/05/17 whereas the deadline for comments and objections is only the day before this on the 9th. All this implies that the applicant knows the licence will be granted. A very unsatisfactory state of affairs!

We strongly request that the licencing authority and the highways department should view the area before a decision is made. This cannot be passed "on the nod".

Finally, this application was not adequately made known to the people most affected by it. That is to the hundreds of people who live in the area of Park Lane and surrounding streets. NO COPY WAS POSTED TO THE PARISH COUNCIL. The only way it was spotted was by an observant dog walker who saw a small notice posted near the site. This was long after tickets were on sale and the event was being organised. May I ask that with applications such as this, which will adversely affect our residents, We are given adequate and timely information.

Tony Mitchell.

For Ightenhill Parish Council.

Sent from [Mail](#) for Windows 10

John Yardley

From: Tony-Jean Mitchell <tonyandjeanmitchell@live.co.uk>
Sent: 15 May 2017 15:06
To: John Yardley
Subject: RE: Hunters Oak Farm application

✓

Hi John,

My address is:
19 Helvellyn Drive Burnley BB12 0TA.

Regards,

Tony Mitchell
Ightenhill Parish Council.

Sent from [Mail](#) for Windows 10

From: [John Yardley](#)
Sent: 15 May 2017 12:30
To: [Tony-Jean Mitchell \(tonyandjeanmitchell@live.co.uk\)](#)
Subject: Hunters Oak Farm application

Dear Sir/Madam,

With reference to the above and your objection to the application I ask that you forward details of your address to us.

By providing the requested details this will allow the Licensing Authority as required under the regulations to send a formal written invitation by post to attend the hearing and a right to speak at the hearing should you wish to do so.

In order to comply with statutory time parameters I ask that you forward these details at the earliest opportunity.

Regards

John Yardley

John Yardley
Licensing & Compliance Officer
Governance Law & Reg

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Frank

From: "Frank" <frank.millington@ntlworld.com>
Date: 04 May 2017 15:12
To: <licensing@burnley.gov.uk>
Subject: APPLICATION FOR "DROP THE BEAT" concert at Hunters Oak Farm. Ightenhill Park Lane. Burnley.BB12 0RW.

Madam/Sir.

I wish to object to the above concert on June 24th 2017 plus a further 7 concerts which are planned throughout the year.

Ightenhill area is a quiet residential area with a mixture of elderly residents & families with young children

The lane is a major recreational area for walkers, (with or without dogs) cyclists, horse riders, families with children in buggies & on small bicycles.

We have already seen an increase in traffic mainly due to the residential home at Hunters Oak Barn which is being used for young adults with behavioural problems. This is approximately 100 metres from the proposed venue.

The traffic includes Taxis (at high speeds) ambulances & police vehicles.

Ightenhill Park Lane is a very narrow lane with neither pavements nor lighting of any description.

To imagine what kind of noise & volume or traffic events like this would cause beggars belief

How it could take place without danger to the public is cause for concern.

A factor which has come to light is that Artists have been approached to perform at these venues & tickets have gone on sale.

This would seem to be against any democratic process, until the application for the license has first been passed

by the appropriate ruling body.

I can only hope that my objections are given a fair hearing which if successful will give peace of mind to the very concerned local council tax paying residents of the Ightenhill area.

frank.millington@ntlworld.com

A handwritten signature in black ink, appearing to read "F. Millington". The signature is written in a cursive, somewhat stylized script. Below the signature is a short horizontal line.

John Yardley

From: Frank <frank.millington@ntlworld.com>
Sent: 15 May 2017 13:57
To: John Yardley
Subject: Re: Hunters Oak Farm application

✓

Dear Sir,

Many thanks for your E. Mail.

Here are the details you requested.

Frank Millington.
4 Helvellyn Drive.
Ightenhill
Burnley
Lancs.
BB12 0TA

From: John Yardley
Sent: Monday, May 15, 2017 10:40 AM
To: frank.millington@ntlworld.com
Subject: Hunters Oak Farm application

Dear Sir,

With reference to the above and your objection to the application I ask that you forward details of your address to us.

By providing the requested details this will allow the Licensing Authority as required under the regulations to send a formal written invitation by post to attend the hearing and a right to speak at the hearing should you wish to do so.

In order to comply with statutory time parameters I ask that you forward these details at the earliest opportunity.

Regards

John Yardley

John Yardley
Licensing & Compliance Officer
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Ightenhill Park Lane Approach

Sir/Madam

Please find enclosed photographs which I believe support my original concerns in connection with Hunters Oak Farm application for a license.

Ightenhill Park Lane has a Park on the left as you approach the narrow part of the road and opposite the park is a recreational area for people to play Bowls and access Tennis courts on the road below, Part of the lane is crossed by a bus route. There are no other approach roads that are 30mph all others are 20mph. The bottom half of the lane is part of The Pendle Way, specifically designed for walkers.

The photographs were taken on a single afternoon between about 4-00pm and 4-30pm on Friday 19th of May. I have a digital copy of the pictures if required to indicate the times taken. I did not include the copy as I was unable to obliterate personal information such as number plates. Any individuals in the pictures were approached to ask their permission as was the lorry driver.

All in all there are over thirty pictures printed but more than 50 on the digital copy that I have. I only know one of the individuals whose picture I took and she was walking down the lane. All other vehicles/divers were unknown to me and I snapped them as events occurred.

The pictures are numbered and what I consider to be relevant information is written on the reverse. There are also two pages explaining each picture and why I felt them relevant to the objection. Any areas of interest I have labelled on the photograph using a letter to try and avoid confusion.

A most significant photo is number 24. It shows signs to Hunters Oak Barn (Not to be confused with Hunters Oak Farm). This is a property given to the residence of venerable adults which is only a few yards from the applicant's boundary. At the moment it is housing venerable females as I understand. Emergency services are OFTEN in attendance. For further information contact: Lancashire County Council and the emergency services. Ambulances attend regularly.

I would further comment that the applicant has continued to sell (and indeed has sold out three categories) of tickets. At the moment Acts have been invited as have DJ's which I and many other residents feel has a 'fishyness' about it, as though some sort of arrangement has already been made.

Stephen Vintin

Enclosures:

Original letter

Photographs (annotated on the reverse)

Two pages of commentary trying to explain each photograph in more detail.

Ightenhill Park Lane Approach

The number on the left relates to the numbered photographs which are enclosed.

1. The point at which the road narrows in the first instance, at point (a) there is a concealed driveway leading to a number of private residences.
2. (a) is the point at which the road further narrows to a situation where there are zero pavements. (b) is road where access is required to a number of private residences. This is a no through road – what goes in has to come out!
3. I asked the cyclist permission and also why he stopped and he replied ' because something was coming the other way'.
4. Closer view after the cyclist had gone. (b) Fairbairn Road (no through road) (further view as to where the pavements cease on both sides. This situation lasts for about 100 yards at which point a pavement appears on the left for about another 100 yards the both pavements disappear,
5. On the first section without pavements there are 4 access points to private houses point (a) shows the first.
6. Three further access points to properties at points (a), (b) and (c)
7. There is a concealed driveway (a) to a residential property. Final access for any traffic before no through road conditions comes into effect. The road (b) Helvellyn Drive is a minor road with a 20mph residential restriction.
8. (a) Sign indicating no through road begins (in actual fact it is about 100 yards before the sign). There is a designated public footpath on the right at (b). (c) Entrance to a thriving stable yard where unrestricted access is required at all times for feeding, cleaning and most importantly riding. Horses are emerging directly into a road without a pavement. Also down this same access is a designated public footpath.
9. Close up of the signs in the previous picture (8) showing warning signs for adults and children. (b) Designated bridal way and warning signs to show this. (c) Confirmation of no pavements for 800 yards. (d) Public footpath sign as indicated in picture (9).
10. Close up of warning signs.
- 11a A vehicle emerging from a property on the right hand to edge out to see its way as there is no footpath. The car going down the lane prevents that car from emerging.
11. (a) Access to the garden centre car park emerging on a narrow road without pavements. It is not just cars but locals on foot who emerge. (b) Second access to garden centre used for deliveries by larger vehicles.
12. (a) Access to a market garden. This property often has plant deliveries from abroad. The articulated wagons are so long the have to front up Helvellyn Drive and reverse down to the access as they cannot turn round once in the market garden.
13. After I had walked past the Garden centre there was a delivery and as can be clearly seen the delivery access and delivery id preventing the white van from emerging from the garden car park as the road id so narrow.
14. A further picture of the lorry entry showing a car in the background (a) waiting for the restriction, caused, to clear.

15. (a) Was a runner. The lane is popular with runners and cyclists. (b) is a private concealed entrance.
16. Further picture showing the concealed entrance (a) and (b) showing the position of a popular public footpath across the fields to Padiham Road. This path is next to 2 private residences.
17. Public right of way emerging onto the lane. It shows it is a well used and well worn path.
18. (a) Hard standing for vehicles at Cylinders' cottages . (b) two workmen were repairing the hard standing.
19. Walkers just beyond the cottages. It clearly shows how narrow the road is.
20. A cyclist appeared (a) almost as soon as I had taken the previous picture. On the left (b) is a concealed entrance to private residences which have horses and stables.
21. An occupied owl box near the cottages and next to the boundary for which the application has been made.
22. Public footpath onto Hunters Oak Farm (I think it is on Hunters Oak Farm)
23. Property on the left with concealed entrance and stables.
24. More signs that the council feel it necessary to display warning of the roads dangers (a) (b). Notice the road is a designated Cycle way and Greenway. The third sign is of major importance (c). It indicates that Hunters Oak Barn is coming up. Hunters Oak Barn is a home for vulnerable adults and at the moment the adults are venerable women. Please contact Lancashire County Council to verify this if necessary.
25. Council warning of sharp bends down the lane.
26. Some of the bends are blind.
27. There is not enough room for small vehicles to pass. Delivery vehicles for food, equipment and the like would be much bigger than this car. Any of the emergency services would have a problem here. With a potential attendance of 5000 (as quoted on the application) it is likely that services would be required.
28. The lane further narrows.
29. This is the entrance to Hunters Oak Farmhouse (a) it is more than 800 yards from the original photograph, Just a few more yards down the lane (b) where the width is less than 12 feet. Is the entrance to Hagg Wood a woodland trust reserve and the red sign (Hunters Oak Barn which is used by Lancashire County Council to house Venerable adults. I understand all the residents to be women at the moment.
30. The entrance to Hagg wood a Woodland Trust Reserve. I has hawks, deer, woodpeckers, bull finches, gold crests, owls just to name a few species of fauna, It also has a vast variety of flora and is a popular walk along the river to Gawthorpe Hall. Horses graze in the fields next to the woodland path (shown in picture).
31. Welcome sign to Hagg Wood. The local council is set to invest over £30,000 pounds to improving the pathway further along where it is a bit muddy. The Woodland Trust felt it important enough to take the land over to preserve its flora and fauna.
32. The path into Hagg Wood showing it is well worn and well used. All these attractions bring walkers down the lane.
33. A few yards further down this very narrow access is the entrance to Hunters Oak Barn (Not to be confused with Hunters Oak Farm) the residence for vulnerable adults. Beyond the barn entrance is a gateway (cycle path greenway and public footpath to Grove Road which leads to Padiham Town Centre.

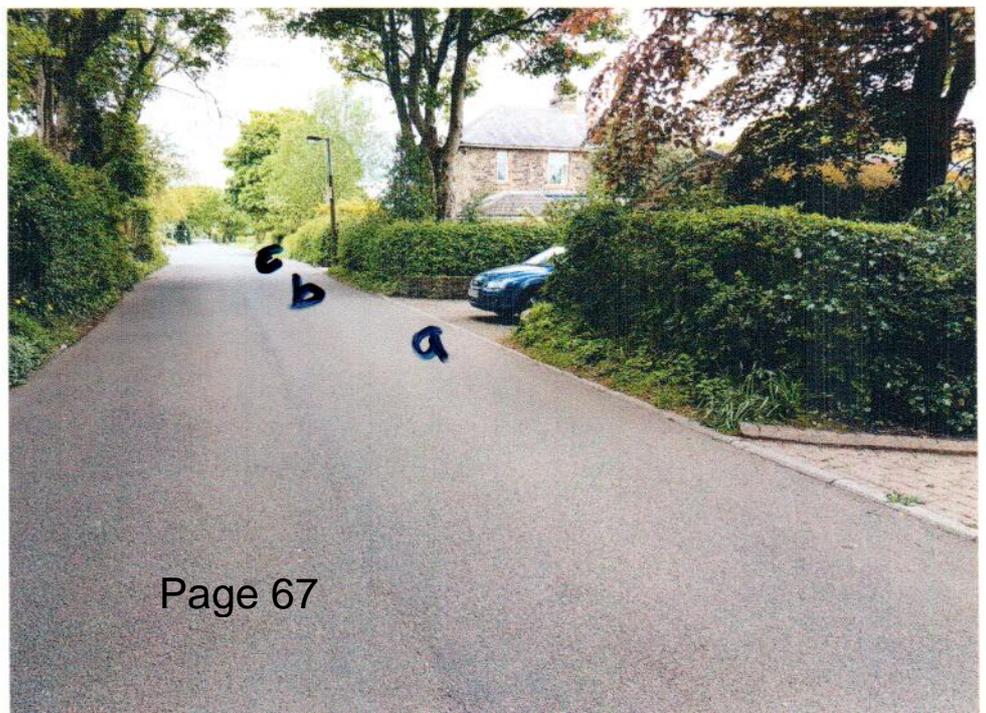




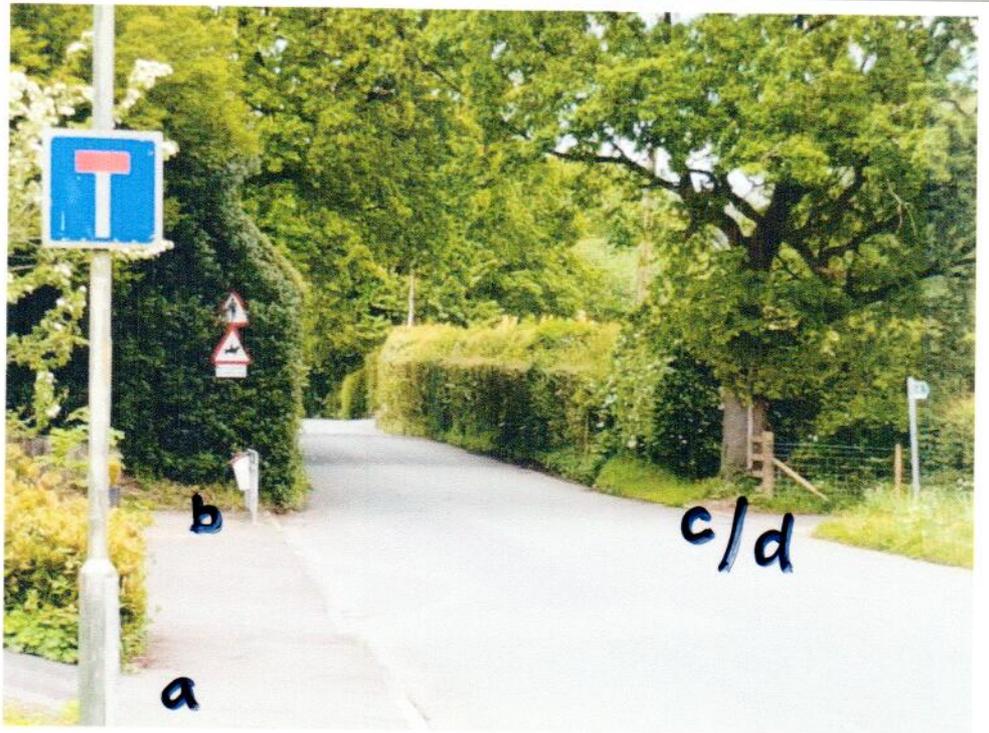
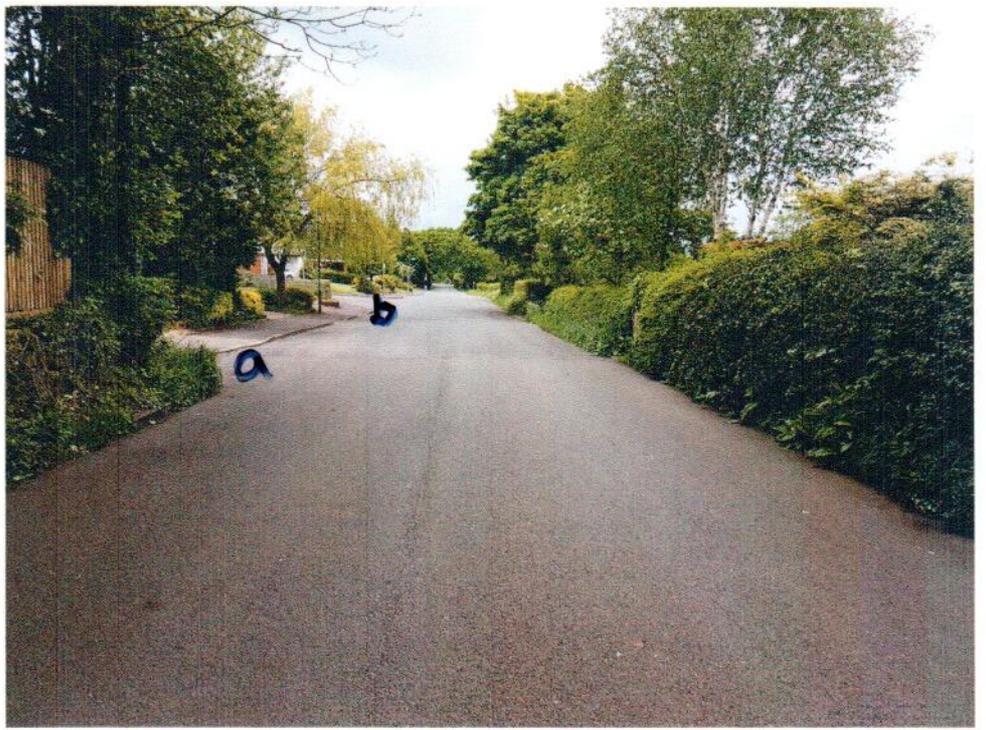
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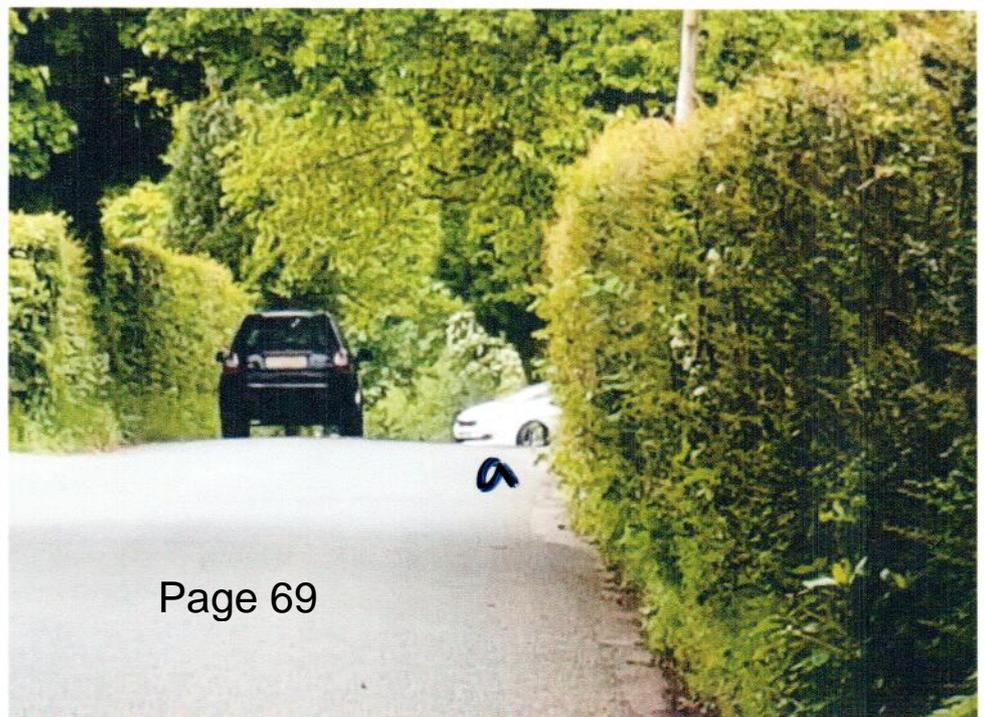


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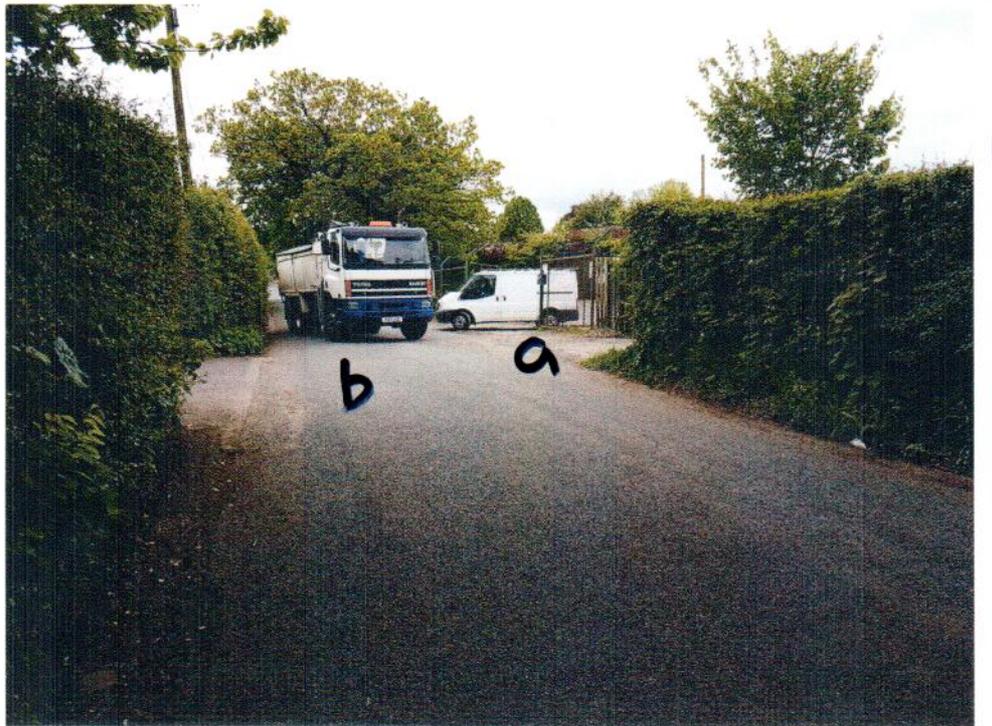
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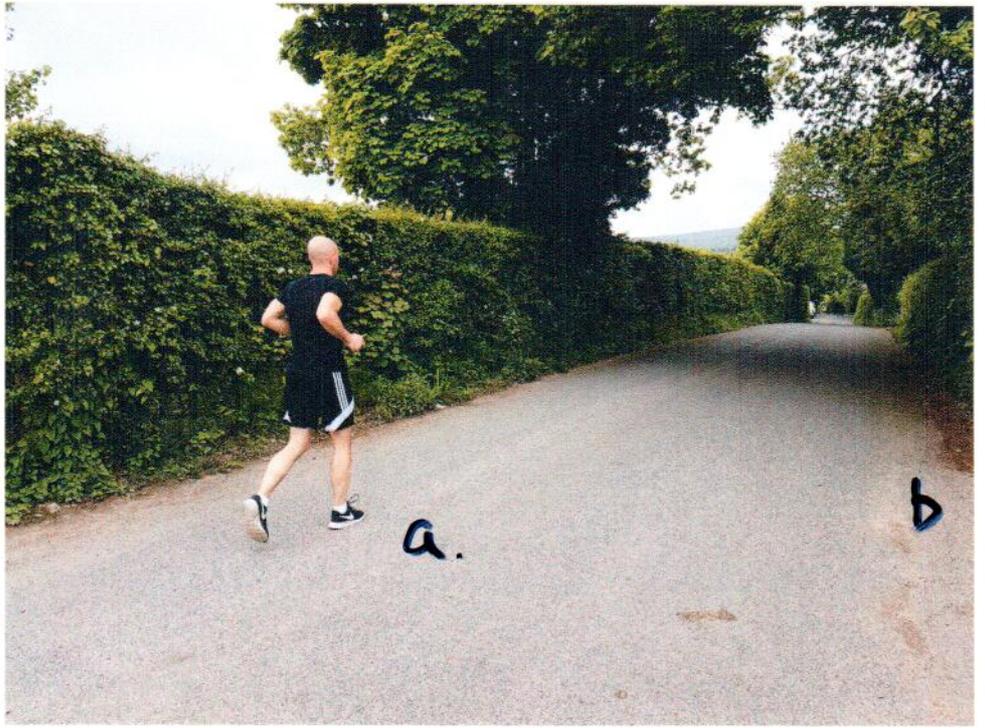
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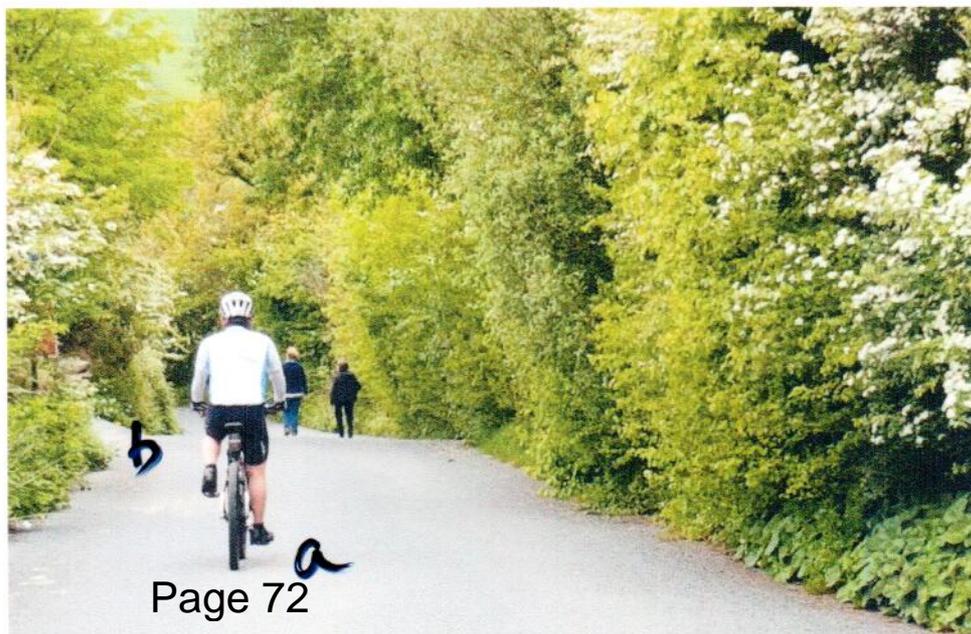
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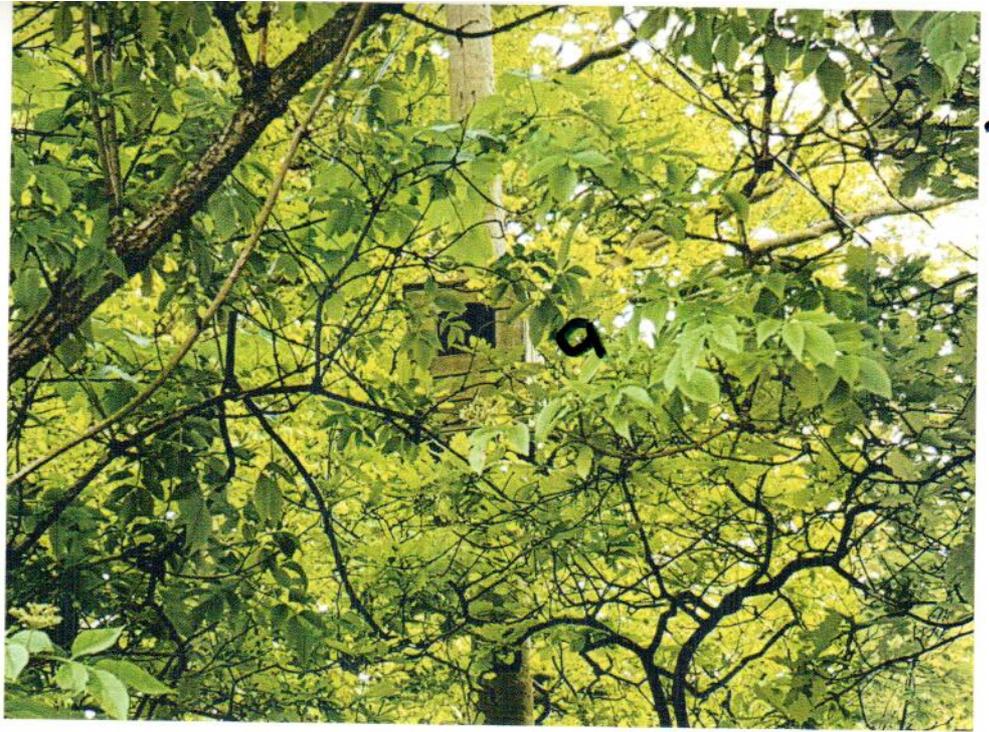
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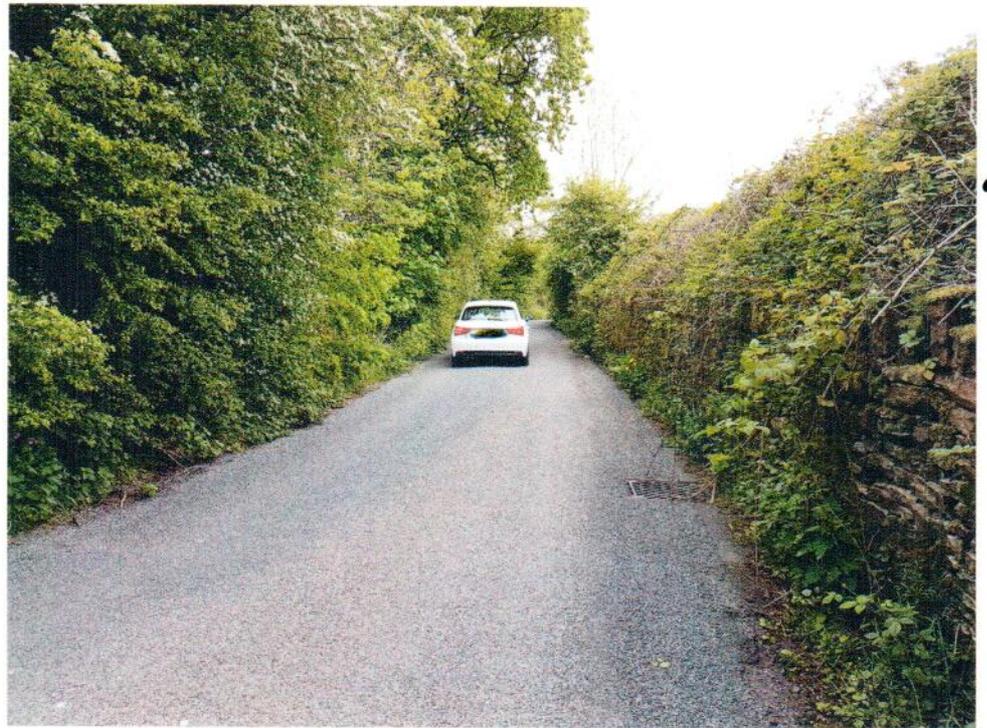
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BURNLEY BOROUGH COUNCIL

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. Schedule 1 details the hearing which are subject to this procedure.

2. Time of Hearing

- 2.1 Hearings will commence within the times illustrated in Column 2 of Schedule 1, 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.

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.
- 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 1

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 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)
9.	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)
10.	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)
11.	Section 105(2)(a) (counter notice following police	7 working days beginning with the day after the end of the period within which a chief

	objection to temporary event notice)	officer of police may give a notice under section 104(2)
12.	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 which the chief officer of police may give a notice under section 120(5)
13.	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 which the chief officer of police may give a notice under section 121(3)
14.	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 which the chief officer of police may give a notice under section 124(3)
15.	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)
16.	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
17.	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
18.	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