

Representation Form.

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Responsible Authority. Please delete as applicable.

Police / Fire / EH (nuisance) / Health and Safety / Child Protection / Weights and Measures / Planning Authority.

Your Name	Richard Brown
Job Title	Community Safety Officer
Postal and email address	Burnley Town Hall, Manchester Road, Burnley rbrown@burnley.gov.uk
Contact telephone number	01282 425011 ext 3375

Name of the premises you are making a representation about.	MODE nightclub
Address of the premises you are making a representation about.	Hammerton Street, Burnley.

Which of the four licensing Objectives does your representation relate to? Please state yes or no.	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
The Prevention of harm to children	Yes	The Aspire Hub is accessed via Chapel Place, adjacent to MODE nightclub. This building is a school for vulnerable children with complex social and emotional needs. Streetscene has received complaints in December 2019 and January 2020 expressing concern for the state of this access to the premises, with potentially hazardous litter being left on the ground.
To prevent Public Nuisance	Yes	Streetscene has dealt with a number of rubbish and waste problems relating to this premises. Flyposting: On 17/10/2019, following complaints from members of the public, the Holding Company (Burnley Holdings LTD) were issued a Community Protection Warning Notice (CPWN) as a result of flyposting in the town centre. The named individual contacted the issuing officer and after initial disagreement on the merits of flyposting were told if there was a repeat they would be prosecuted. There have since been no further incidents of flyposting. Trade Waste: While still trading as Vogue - 27/05/2015 a S47 EPA 1990 notice was served on DPS in relation to storage of waste. It was stipulated within the notice that the bins must have lockable lids. 15/06/2016 S34(5) was served in relation to the transfer of waste. 21/06/2017 while still trading under the name Vogue Nightclub the establishment was served a CPWN for failure to comply with Trade Waste regulations. This was then upgraded to a Community Protection Notice 01/08/2017 after the warning notice was not complied with. Flytipping/littering: during December 2019 and January 2020 there have been multiple complaints relating to the condition of Chapel Place at the side of MODE.
To prevent crime and disorder		

Public Safety	Yes	<p>On the issues outlined relating to waste management and litter, there have been recent pest control complaints relating to rats. Upon investigation MODE were asked to remove a skip.</p> <p>On 04/02/2020 Streetscene were forwarded a complaint to the leader of the council of the continued poor state of Chapel Place due to the poor management of waste.</p>

<p>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</p>	<p>In a number of the cases above there is already legislation that must be complied with and the problems have arisen when those obligations have not been met. However, these issues are not insubstantial and are detrimental to the area. Although the purpose of this review is only for MODE it should be noted that similar issues have arisen at the license holder's other premises, PROJEKT, also on Hammerton Street.</p> <ul style="list-style-type: none"> • At the close of business all waste must be stored within refuse containers with lockable lids. • Have sufficient number of waste containers to contain all waste produced including liquid waste. • Must not place commercial waste on the ground or otherwise allow it to escape from control. • The area where the waste is stored must be swept clear of litter and broken glass at the close of business.
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N.B If you do make a representation you will be expected to attend the Licensing Sub Committee and any subsequent appeal proceeding.

Signed:

Date: 28/02/2020

Please return this form along with any additional sheets to Burnley Borough Council Licensing by e-mail at licensing@burnley.gov.uk

This form must be returned within the Statutory Period.