

# Burnley Borough Council

Licensing Unit  
Parker Lane  
Burnley  
Lancashire  
BB11 2DT

Tel: 01282 425011  
Web: [www.burnley.gov.uk](http://www.burnley.gov.uk)  
[licensing@burnley.gov.uk](mailto:licensing@burnley.gov.uk)



## Licensing Act 2003 Premises Licence

# PLA0345

### Part 1 - Premises Details

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

##### Mode

77 Hammerton Street, Burnley, Lancashire, BB11 1LE.

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- any playing of recorded music
- the supply of alcohol

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
F. Playing of recorded music (Indoors)	Monday to Sunday	9:00pm	6:00am
J. Supply of alcohol for consumption ON the premises only	Monday to Sunday	9:00pm	6:00am

#### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	9:00pm	6:30am

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

- J. Supply of alcohol for consumption ON the premises only

### Part 2

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

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

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



PLA0345/48420 Summary

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

Licence No.

Issued by

## ANNEXES

### ANNEX 1 - MANDATORY CONDITIONS

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 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



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- (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-

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

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

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

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

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

Conditions removed following Review Hearing on 12th December 2017 - new conditions agreed at the hearing added in Annex 3.

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

Agreed conditions which were added added following a Review Hearing on 12th December 2017 have been removed and replaced with conditions below agreed at Review Hearing on 21st May 2020:

### CCTV

A colour CCTV system will be installed at the premises and will meet with the following criteria:

- The system will be recording during all times that members of the public are present at the premises.
- Any images will display on them the time and date of the image.
- Retained Images shall be of sufficient quality that there can be clear identification of persons.
- There shall be a sufficient number of cameras to ensure that all public areas of the premises (with the exception of the inside of the toilets) and the area immediately outside the public entrance to the premises are covered.

Signs will be displayed in the premises advising that CCTV is in use. When dealing with incidents or unruly behaviour, staff shall indicate to any persons involved that the CCTV is recording.

Checks of the CCTV will be made by the Designated Premises Supervisor or by his / her representative to ensure



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that the CCTV is in working order prior to every occasion that the premises carries on licensable activities. Said checks will be documented and will be made available to an authorised officer upon request.

On at least one occasion in every 3 month period, an external engineer will be retained to service the CCTV. Said services will be documented and will be made available to an authorised officer upon request.

Images recorded by the CCTV will be retained for a minimum of 28 days and will produced to an authorised officer upon request, so long as said request is made in accordance with the principles of the Data Protection Act or any subsequent or alternative legislation.

Following a request for images, the images will be provided as soon as practicable, but in any event no later than 48 hours after said request has been made (unless otherwise agreed with the party requesting the images).

Images provided to authorised officers will be provided in a commonly recognised format such as a USB stick or DVD. A supply of USB sticks, DVD's or alternatives shall be kept at the premises for this purpose.

Whenever licensable activities are taking place at the premises there shall be a member of staff on duty who has been trained in relation to the CCTV and who is subsequently able to access and operate the system and provide downloads.

### Door Supervisors

Prior to each occasion that licensable activities take place at the premises a risk assessment will be carried out to determine how many door supervisors are necessary. As a guide there should be at least two SIA registered door supervisors for the first 100 customers and then a further one for every additional 100 customers after that. An appropriate number of SIA registered door supervisors will be utilised in accordance with said risk assessment, which will be documented and made available to an authorised officer upon request.

As a minimum, at least two SIA Registered door supervisors will be utilised at the premises whenever licensable activities are taking place from 22:00hrs until thirty minutes after the last customer has left the premises.

When licensable activities take place after 4am there will be a minimum of 4 SIA registered door supervisors working.

Only door supervisors provided by an ACS-accredited company will be utilised at the premises.

Door supervisors will use clear visible counting devices at all times when the premises are open. Counting equipment and current numbers to be open to inspection by police at any time when in operation.

Whenever there are door supervisors utilised at the premises, at least one door supervisor will be positioned to monitor the external smoking area to prevent persons bypassing checks at the main entrance by gaining access to the premises through the external area, and to prevent any illegal substances being passed over or through the fencing

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All door supervisors will be equipped with body cam type cameras whenever they are on active duty. Door supervisors will be trained to record any incidents with the body cameras and where images of incidents are recorded, they will be retained for a minimum of 28 days and provided to an authorised officer upon request, so long as said request is made in the principles of the Data Protection Act or any subsequent or alternative legislation. Following a request for images from body cams, the images will be provided as soon as practicable, but in any event no later than 48 hours after said request has been made (unless otherwise agreed with the party requesting the images).

All door supervisors will be provided with a radio which allows communication with other door supervisors and at least one member of the premises management.

At all times that licensable activities are being carried on at the premises, one member of staff will be specifically tasked with monitoring the CCTV. Said member of staff will also have access to a radio that allows communication with door supervisors and a member of the management team to allow a quick response to any incidents.

When on duty, door supervisors will ensure that no customers leave the premises with open containers.

Door supervisors to wear high visibility clothing at all times when on active duty.

A record shall be kept on the premises by the DPS of every person employed on the premises as a door supervisor. The record shall contain the following details: name, address, date of birth and SIA licence number and signing in and out for each door supervisor. The record shall be available for inspection, on demand, by an authorised officer of the council, a police officer or the SIA.

### Drugs & Search Policy

The premises licence holder shall have a written policy in relation to drugs which will include search, seizure and disposal of drugs and weapons. The policy will be available for inspection on demand by an authorised officer of the Council, Police or SIA.

Posters will be displayed in prominent positions at the premises advising patrons that the premises operates a zero tolerance policy in respect of drugs.

It shall be a condition of entry that customers consent to being searched and signs to that effect will be prominently positioned at the entrance to the premises.

Every customer entering the premises will be searched on entry and on re-entry.

### Closing times and facilitating the safe passage home of patrons

There will a clear customer dispersal policy in place. Such a policy should minimise noise disturbance and potential disorder from customers leaving the premises. A policy should clearly set out measures to control the exit at the end of the evening.



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The premises will cease the selling of alcohol and will close at 6am with all patrons leaving the premises as soon as practicable and in any case within 30 minutes.

The premises will link in with at least one local private hire / taxi service to provide a taxi Freephone to assist the booking of vehicles so that people can leave the premises quickly and safely.

**Protection of Children**

Unless agreed in writing by the Police all events at the premises shall be strictly over 18's only with no person who is under 18 years being admitted to the premises whilst licensable activities are taking place.

The premises shall give a minimum of twenty eight days written notice to Lancashire Constabulary Licensing Department of any function targeted predominantly at persons under the age of eighteen.

A notice or notices shall be displayed in the premises where they can be clearly seen and read and shall indicate that it is unlawful for persons under 18 to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age.

Incident log to be kept on site and shall be maintained to record all challenges and refused sales.

An electronic ID scanner will be utilised at the premises and will be operational at all times that the premises is carrying on sales of alcohol. In the event of the scanner failing operationally, the Police and the Licensing Authority will be notified immediately upon discovery and a timescale for repair will be provided.

At least one member of staff who is conversant with the operation of the ID scanner will be on duty at the premises at all times when the premises is carrying on sales of alcohol. Said staff member will be able to demonstrate to the Police or to an authorised officer upon request that the ID scanner is working correctly.

The ID scanner will be utilised in respect of any customers entering the premises when sales of alcohol are taking place, with the exception of customers who are pre-existing members of the premises' membership scheme. It will be a condition of becoming a member of the scheme that proof of age is provided by the customer and verified using the electronic ID Scanner. Details of said proof of age will be retained for as long as the individual remains a member of the scheme.

The only forms of identification that shall be accepted by the premises for use with the electronic ID scanner are:

- UK Driving Licence
- Passport
- Citizen Card provided by the Home Office;
- Official ID card issued by HM Forces or EU Member State bearing a photograph and date of birth of the holder;



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- PASS ID Cards; and,
- Any other form of identification agreed in writing by a representative of Lancashire Constabulary Licensing Unit.

The Designated Premises Supervisor or his or her representative will provide data from the ID scanner to an authorised officer upon request, so long as said request is made in accordance with the principles of the Data Protection Act or any subsequent or alternative legislation.

Following a request for data, the data will be provided as soon as practicable, but in any event no later than 48 hours after said request has been made (unless otherwise agreed with the party requesting the images).

#### Staff training

All staff who are involved in the sale of alcohol will receive training upon commencement of their employment in relation to the licensing objectives so as to reduce crime and disorder, promote public safety, prevent public nuisance and promote the protection of children from harm. Staff will subsequently receive refresher training at intervals no greater than every six months and said training will be documented and will be made available to an authorised officer upon request.

All staff involved in the sale of alcohol will be trained upon commencement of their employment in how to identify drunk or drug-impaired customers. Staff will subsequently receive refresher training at intervals no greater than every six months and said training will be documented and will be made available to an authorised officer upon request.

Within one month of this condition coming into effect (for existing staff) or alternatively within one month of commencing their employment, any staff directly involved in the sale of alcohol shall receive accredited responsible alcohol retailing training. Thereafter, the member of staff shall receive refresher training every month. It is not a requirement that said refresher training is accredited.

#### **General**

People who are clearly under the influence of alcohol will not be sold any more and will only be allowed to consume free tap water as their next drink.

Adequate and appropriate supply of first aid equipment and materials is available on the premises.

At least one approved medic who has been trained to a minimum level of first responder will be on duty at the premises whenever the premises is carrying on licensable activities.

The premises will be completely glass free with all sales served only in plastic or polycarbonate containers. The exception to this will be in the VIP area only, when under the supervision of the staff.

Whenever licensable activities are being carried on at the premises, there shall be at least one member of staff on





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duty who holds a personal licence.

The Premises Licence Holder, Designated Premises Supervisor or a nominated representative shall actively participate in the local Pubwatch (or equivalent) scheme where such a scheme is in operation.

An incident register will be maintained at the premises which will detail any incidents that occur at the premises or in the immediate vicinity of the premises. The incident register will include details of:

- Incidents of refused sales or refused entry;
- Incidents of disorder;
- Incidents of the discovery or seizure of drugs or weapons;
- The discovery of any faults in the CCTV system; and,
- Incidents of ejections from the premises.

Unless otherwise agreed with a representative of Lancashire Constabulary Licensing Unit, on at least one occasion each week, the Designated Premises Supervisor or a nominated representative will contact Lancashire Constabulary Licensing Unit to inform of any relevant incidents or issues and to enquire whether Lancashire Constabulary have any current areas of concern in respect of the operation of the premises.

#### Health & Safety

At the close of business all waste which is not inside the building must be stored within refuse containers with lockable lids.

The premises will have a sufficient number of waste containers to contain all waste produced including liquid waste.

Commercial waste will not be placed on the ground outside the premises or placed in any other way which results in the waste not being controlled.

External areas which are used for the storage of waste must be swept at the close of business to ensure they are free from litter, including glass.

#### Welfare Officer

When the premises is engaged in any Licensable Activity there shall be on duty a person nominated as a Welfare Officer

The purpose of the Welfare Officer is to ensure that any persons who are deemed vulnerable, upset or in distress



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are dealt with efficiently and effectively.

The role will constantly liaise with the Duty Manager and Head Door Supervisor to ensure any situation that they are involved in is adequately communicated and reported.

The role will be diverse in as much as many situations arise where a person may need a welfare officer's assistance. The Officer should be constantly searching for such opportunities to help.

The Welfare Officers must be clearly identifiable and separated from the Door team so will be required to wear a different colour Hi Vis Bib as advised by the General Manager.

**Areas of assistance**

- Dealing with Drunk or Vulnerable Persons
- Offering First Aid Assistance
- Undertaking floor walks, toilet checks and hazard spotting
- Assisting people who have lost property or claim theft
- Assisting any person who claims they are a victim of inappropriate behaviour

If there are any incidents or visits made by Police Officers, Licensing Officers or Medical staff such as Ambulance personnel, the nominated welfare officer will make themselves known and liaise and co-operate with the official.

The designated Welfare Officer will not be involved in other activities like selling alcohol or being involved in other promotions.

Their role will predominantly be that of Welfare Officer when working.

**ANNEX 4 - Plan of Premises**

The official plan of the premises is attached and endorsed

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## Premises Details

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

**Mode**

77 Hammerton Street, Burnley, Lancashire, BB11 1LE.

**WHERE THE LICENCE IS TIME LIMITED THE DATES**

Not applicable

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

- any playing of recorded music
- the supply of alcohol

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES**

Activity (and Area if applicable)	Description	Time From	Time To
F. Playing of recorded music (Indoors)	Monday to Sunday	9:00pm	6:00am
J. Supply of alcohol for consumption ON the premises only	Monday to Sunday	9:00pm	6:00am

**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Monday to Sunday	9:00pm	6:30am

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

- J. Supply of alcohol for consumption ON the premises only

**NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE**

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

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

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



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Parker Lane  
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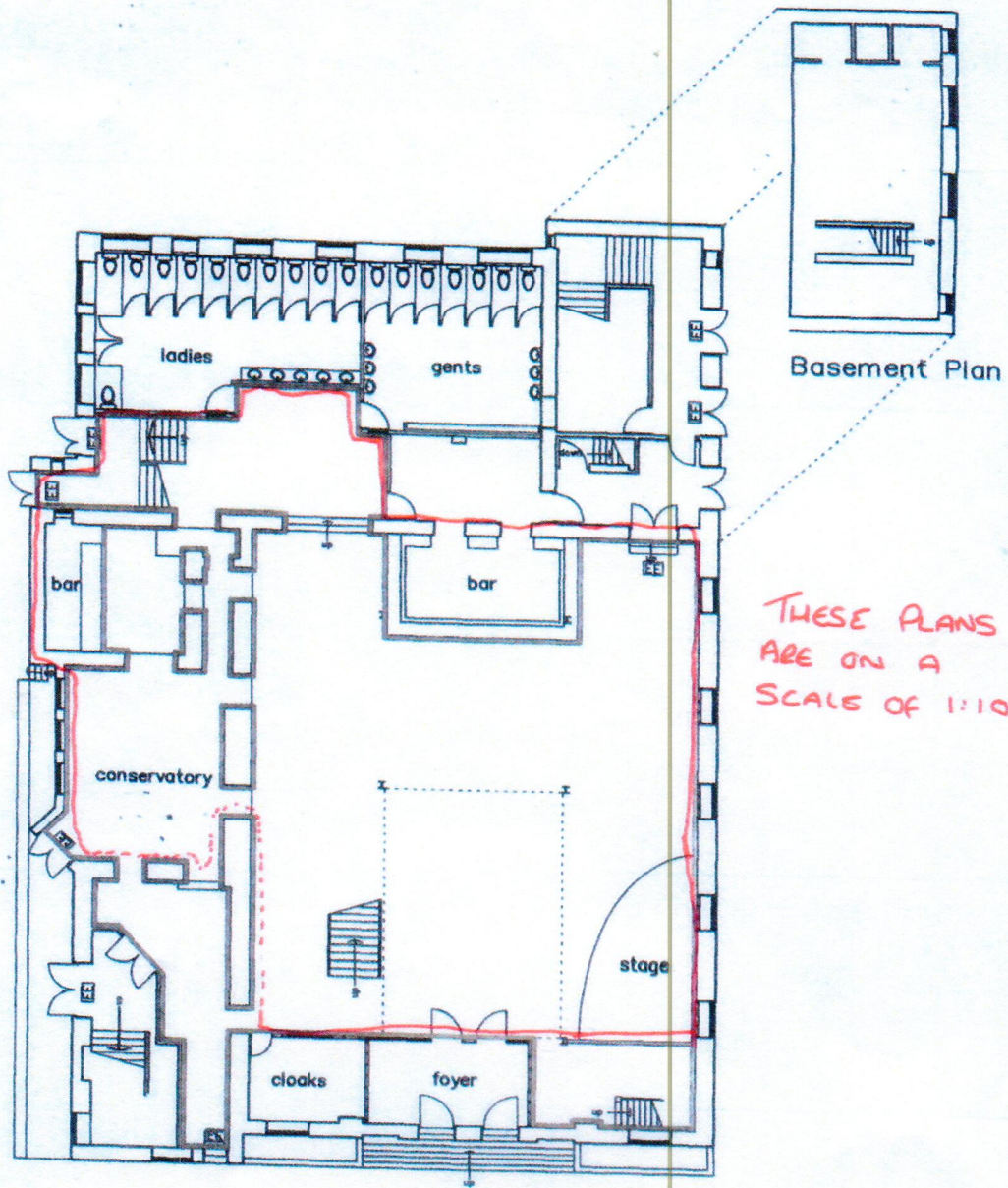


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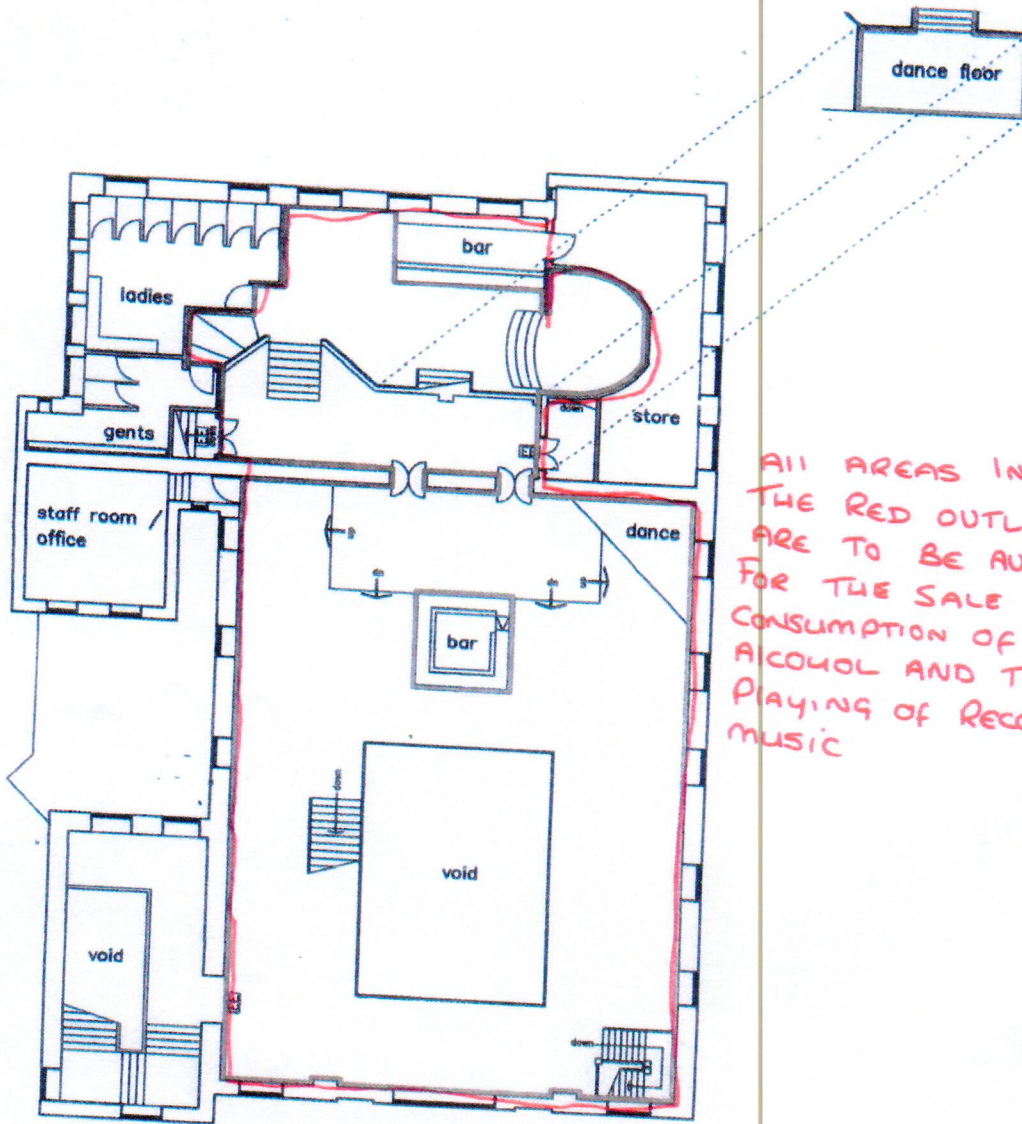
PLA0345





Ground Floor Plan

THESE PLANS  
ARE ON A  
SCALE OF 1:100



ALL AREAS INSIDE  
THE RED OUTLINE  
ARE TO BE AVAILABLE  
FOR THE SALE AND  
CONSUMPTION OF  
ALCOHOL AND THE  
PLAYING OF RECORDED  
MUSIC

First Floor Plan