

CARLISLE CITY COUNCIL

Report to:- THE CHAIRMAN AND MEMBERS OF THE LICENSING SUB COMMITTEE

Date of Meeting:- 4th August 2005

Agenda Item No:-

Public	Operational	Delegated Yes	
Responsible Authority Representations	Representations	Included	Attending
Cumbria Constabulary	No	No	No
Cumbria Fire Service	No	No	No
Environmental Protection Services	Yes	Yes	Yes
Planning Services	No	No	No
Social Services	No	No	No
Trading Standards	No	No	No
Health & Safety Executive	No	No	No
Interested Party Representations			
Mr & Mrs M Ruddick	Yes	Yes	Yes
Mr & Mrs G McKie	Yes	Yes	No
Mr P Baldotto & Mrs M Johnstone	Yes	Yes	No
Miss A K Toulson	Yes	Yes	No
CROWN & THISTLE, 53 CHURCH STREET, STANWIX, CARLISLE			
APPLICATION TO VARY A PREMISES LICENCE			
Report of:- HEAD OF ENVIRONMENTAL PROTECTION SERVICES			
Report reference:- EP 32/05			

Summary:-

The Crown and Thistle public house is situated at 53 Church Street, Stanwix, Carlisle. The applicant has successfully applied to convert his current licence to a Premises Licence and at the same time wishes to vary the hours to allow the sale and supply of alcohol and regulated entertainment in accordance with Part A – The Application. Representations have been received from Environmental Protection Services and Interested Parties.

Recommendation:-

Members to reach a decision from the options outlined after hearing the evidence.

J A Messenger
Licensing Manager

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:- The Application, written comments from: Environmental Protection Services, letter from persons living in the vicinity, copies of which are attached to this report.

To the Chairman and Members of the Licensing Sub Committee on 4th August 2005

A. THE APPLICATION

(Appendix 1)

Applicant:

Punch Taverns PLC, Jubilee House, Second Eve, Burton on Trent

Premises:

Crown and Thistle, 53 Church Street, Stanwix, Carlisle (Area plan Appendix 2)

Conversion application

The premises have the benefit of trading under a Justices 'on' licence, for many years. Application was made under Schedule 8 Para 2 Licensing Act 2003 for conversion of this licence under the same terms and conditions as currently held. Cumbria Constabulary are the only consultees for conversion and did not make any representations. The application for conversion was, therefore, successful.

Variation application

1. An application for the variation of Premises Licence during the transitional period under Schedule 8 Para 7(b) Licensing Act 2003 was also made. The operating schedule includes:

2. Relevant licensable activities:

- Sale by retail of alcohol (Para. M Appendix 1)
- Provision of regulated entertainment (live and recorded music) (Para's E & F Appendix 1)

3. Hours of licensable activities:

- Sunday to Wednesday 10.00hrs – 00.00hrs
- Thursday to Saturday 10.00hrs – 01.00hrs

An additional hour into the following morning for each bank Holiday weekend in accordance with the non standard timings.

4. Other times premises proposed to be open: An additional 30 minutes after the above times.

5. Designated Premises Supervisor: Christopher John Rowe

6. Supply of alcohol is for consumption both on and off the premises.

7. The area for the licensable activities at 2 above includes the 'outside seating' area shown on the premises floor plan (Appendix 3)
8. Additional steps to promote licensing objectives (Para. Q Appendix 1))
These have been taken from the Guidance on Sample Conditions Form GD6, which all attendees have a copy of.

General

- 30 minute drinking up time
- Movement of fire appliances, AWP machines etc.
- Abide by licensing policies and codes below

Crime and Disorder

- CD19 No purchase u/18yrs
- CD29 Notify pubwatch disorder

Public Safety.

- PS3 Alterations to premises
- PS6 Escape routes
- PS9 Escape routes – door sign
- PS10 Escape routes – door security
- PS12 Escape routes - door security
- PS14 Fire door
- PS16 Private doors
- PS21 Fire safety - upholstery
- PS22 Fire safety - furnishing
- PS23 Obstruction of exits & signage
- PS29 Access for emergency vehicles
- PS30 First Aid
- PS32 Lighting levels
- PS34 Emergency light controls

Public Nuisance.

- PPN4 Closure of external doors/windows during regulated entertainment
- PPN9 Offensive smells
- PPN11 Storage of waste foods
- PPN13 Collection of litter from premises
- PPN14 Light pollution

Protection of Children.

- PCH2 Age restriction
- PCH16 Portman Group Code of Practice

B. RELEVANT REPRESENTATIONS

Responsible authorities:

Environmental Protection Services – (Appendix 4)

The Principal Environmental Health Officer has visited the premises and considers that there is the potential for a noise nuisance from music until 1.00am (and 2.00am on occasions) at the premises, to the adjacent residential accommodation, which may not be prevented by keeping doors and windows closed.

The Officer made contact with the applicants solicitors, Ford and Warren, to discuss their concerns and was advised that a representation should be made.

Interested parties:

Persons living in the vicinity – (Appendix 5)

A letter has been received signed by a number of residents who live in Church Street wishing to raise an objection to the proposal to extend the licensing hours at the premises.

They raise concern at the potential for disturbed sleep during the extended hours from recorded and live music, drunken singing, noisy persons leaving, taxis and private cars collecting people etc. They point out that the area is colloquially known as 'Stanwix Village' and is a residential area.

C. LOCAL LICENSING POLICY CONSIDERATIONS

The Licensing Act 2003 requires the Council to publish a Statement of Licensing Policy that sets out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act.

Members should have regard to all relevant information and it is considered that the following sections of the policy, (though not exclusively) have a bearing upon the application:

Introduction

- 1.2 Carlisle City Council is a licensing authority (the Authority) for the purposes of the Act. The Authority must carry out its licensing functions with a view to promoting the four licensing objectives which are:

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

1.10. In determining its policy, the Authority considered the provisions of the Act and had particular regard to:

- the licensing objectives;
- the guidance issued by the Secretary of State under section 182 of the Act;
- the representations made following consultation;
- its duties and obligations under other legislation, including:

Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way that is incompatible with a Convention right. The Authority will have particular regard to the following relevant provisions of the European Convention on Human Rights:

- Article 6 that in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law;
- Article 8 that everyone has the right to respect for his home and private life; and
- Article 1 of the First Protocol that every person is entitled to the peaceful enjoyment of his or her possessions, including, for example, the possession of a licence.

1.19. The Act limits the representations which can be made about licence applications and who can make such representations. Essentially, representations must relate to one or more of the licensing objectives and must be made by a person living or working in the vicinity of the premises or an organisation which represents such persons. Anyone considering making an objection is invited to discuss their objection with licensing officers prior to submitting their representation.

n.b. The term "vicinity" is used within the Licensing Act 2003 on a number of occasions and, in particular, with reference to those "interested parties" who may lodge objections to applications for premises licences and who may make representations concerning existing premises licences. Section 13(3) defines an "interested party" as being "a person living in the vicinity, a body representing persons living in the vicinity, a person involved in a business in the vicinity or a body representing those persons".

The Act does not define the term "vicinity", therefore where the question arises, it is the responsibility of that particular Licensing sub committee considering the application, to determine in each case which person or body is considered to be living in the "vicinity".

Fundamental Principles

2.1 The policy will promote the four licensing objectives contained in the Act, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. These are the only matters that

will be taken into account in determining applications and any conditions imposed must be necessary to achieve these.

- 2.2 Nothing in the Statement of Licensing Policy will undermine the rights of any person to apply under the Act for a variety of permissions and have their application considered on its individual merits as well as against the relevant policy and statutory framework. It does not override the right of any person to make representations on any application or to seek a review of a licence or certificate where they are permitted to do so under the Act.
- 2.3 All licensing applications will be determined on their individual merits following consideration of the proposals in the application and any relevant representations. In general, licences will be granted on the terms applied for, but licences will not normally be granted in terms which conflict with any of the policies in this document, unless an applicant is able to demonstrate that the exceptional circumstances of their application justify a departure from the policy. The Authority will not depart from the policy if any of the licensing objectives will be undermined by a proposal in the application.
- 2.4 Licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the Act. The licensing function cannot be used for the general control of anti social behaviour once consumers are beyond the direct control of the individual, club or business holding the licence, certificate or other authorisation concerned. However the Authority expects holders of a licence, certificate or permission, to make every effort to minimise the impact of their activities and anti social behaviour by their patrons within the immediate vicinity of their premises.

4.2 General Policy

4.2.1. Consideration of the impact of licensable activities

4.2.2. In the event of relevant representations when considering an application for a licence, the authority may take into account the following factors in assessing its likely impact on the licensing objectives in addition to other relevant matters:

- the nature of activities proposed;
- the number of customers likely to attend the premises and the type of customers expected;
- the location of the premises;
- the proposed hours of operation;
- the level of public transport accessibility for customers either arriving or leaving the premises and the likely means of public or private transport that will be used by the customers;
- the physical and accessible nature of the premises;
- the level of likely car parking demand in relation to the use of the premises in comparison with the existing situation and the likely effect on the movement of priority traffic;
- the cumulative impact of licensed premises in an area;

- the scope for mitigating any impact;
- how often the activity is to occur.

4.2.3. In considering any application where premises are already licensed, or have in the past been licensed for any of the licensable activities (under this or previous legislation), the Authority will take into account any evidence from a responsible authority or interested party of demonstrable adverse impact from the activity in the past. If adverse impact has been caused, consider whether appropriate measures have been proposed or put into effect by the applicant to mitigate that adverse impact. The authority will also consider any changes of circumstances, or evidence that the premises have been well run since the past problems occurred.

4.3. Prevention of Crime and Disorder

4.3.1 General Policy

The Authority's starting point is to seek a reduction in crime and disorder throughout the District, consistent with its statutory duty under section 17 of the Crime and Disorder Act 1998.

Licences may be granted if applicants can demonstrate that a positive reduction in crime and disorder will result, or that it will not increase, as a result of the application being granted.

4.3.2. In the event of Police representations, the Authority will generally not grant a licence where it is likely that the premises will be used for unlawful purposes, or where it is considered that the use of the premises is likely to cause an increase in crime and disorder in the area. Where necessary and/or appropriate, and in relation to the type of premises and licensable activity being carried out, applicants are expected to consider the impact of their proposals on crime and disorder, both within and in the vicinity of the premises and to propose practical steps in their operating schedule to prevent crime and disorder. Such steps could include:

- use of CCTV inside and outside the premises;
- use of metal detection or other search equipment or procedures;
- crime and disorder risk assessment in relation to the proposed activities;
- measures to prevent the use or supply of illegal drugs;
- ensuring that all staff are appropriately trained;
- determine the safe occupancy capacity for the premises by carrying out a fire safety assessment;
- employment of sufficient security staff controlling admission and patrolling the interior and exterior of the premises (such staff will be required to be licensed by the Security Industry Authority). The Authority recognises that there is a greater need for security staff in some premises than in others. For example there will be a greater need for security staff in a town centre nightclub than in a village pub;
- participation in Pub Watch or other relevant schemes;
- agreed protocols with police and other organisations and a commitment to cooperate and provide evidence to the police if required;

- ensuring that measures are in place to disperse customers over an extended period and to ensure customers leave the venue in an orderly fashion and without bottles or glasses.

It is recognised that some premises will require minimum measures to promote the licensing objectives.

4.3.4. Carlisle and Eden Crime and Disorder Reduction Partnership

Where appropriate, applicants will be expected to have regard to the information published by the Carlisle and Eden Crime and Disorder Reduction Partnership and consider the impact of their proposals on the issues identified as being of particular concern in the area for example:

- violent crime;
- fear of crime;
- road safety;
- anti-social behaviour.

Applicants will be expected to propose steps to reduce the risks of such crimes increasing as a result of the licensable activities proposed.

4.5 Prevention of Public Nuisance

4.5.1 General policy on Licensing Hours

4.5.2. The Authority recognises that fixed and artificially early closing times can lead to peaks of disorder and disturbance on the streets when large numbers of people leave licensed premises at the same time. Longer licensing hours, particularly relating to the sale of alcohol, may therefore be a factor in reducing disorder at late night food outlets, taxi ranks and other sources of transport in areas where there have already been incidents of disorder and disturbance.

4.5.3. The Authority will not seek to introduce any form of 'zoning' in relation to licensing hours. Zoning is defined as the setting of fixed trading hours within a designated area. All residents living in the vicinity of licensed premises have equal rights to make representations concerning applications for, and reviews of, premises licences, including hours of trading and to have those representations given equal weight regardless of where they live.

4.5.5. In general, the Authority will deal with the issue of licensing hours on the individual merits of each application. However, in the event of relevant representations, when issuing a licence stricter conditions are likely to be imposed with regard to noise control in the case of premises that are situated in predominantly residential and other noise sensitive locations.

4.5.7. The Authority will assess the potential impact of the premises against the characteristics of the area in which they are situated. For example, in the event of representation being made there would be close scrutiny of applications for a closing time of later than 11pm in respect of premises situated in quiet residential or

other noise sensitive locations with low background noise. Greater flexibility on closing times would be considered where for example, applicants could demonstrate that:

- there is a high level of accessibility to public transport services;
- there is an appropriate amount of car parking, readily accessible to the premises, and in places where vehicle movement will not cause demonstrable adverse impact to local residents;
- the operating schedule indicates that the applicant is taking appropriate steps to comply with the licensing objective of preventing public nuisance;
- the licensable activities would not be likely to cause adverse impact especially on local residents, or that, if there is a potential to cause adverse impact, appropriate measures are to be put in place to prevent or minimise that impact.

4.5.9. In the event of representations, the Authority will not normally grant a premises licence in terms which are, in its opinion, likely to result in increased noise disturbance to people living or working in the vicinity.

4.5.10. In particular, the Authority will give careful consideration to an application for a licence, for premises situated in a predominantly residential or other noise sensitive location where the proposed hours of operation would be likely to result in unreasonable noise disturbance between the hours of 11pm and 7am.

4.5.11. The Authority expects the applicant to assess the likely sources of noise disturbance that could arise due to the proposed use consider the existing noise context of the area and propose practical steps to prevent noise disturbance or minimise its effects.

4.5.12. Potential sources of noise include:

- sound leakage from the licensed premises (from entertainment provided, customers on the premises, mechanical equipment etc);
- customers and staff arriving and leaving the premises (including car doors slamming);
- excessive noise from outside entertainment.

4.5.13. Practical steps could include:

- keeping doors and windows closed whilst entertainment is provided;
- installing soundproofing measures to the premises (specialist double glazing, acoustic hoods over extractor fan outlets etc);
- reducing sound levels inside the premises (inclusion of a sound limitation device in the sound system);
- ensuring that queues are directed to form leading away from residential premises;

- ensuring that sufficient door security staff manage queuing and leaving customers to minimise noise;
- erecting prominent notices at exits requesting customers to leave quietly;
- reducing the volume of music entertainment towards the end of the evening;
- giving free lollipops to customers leaving the premises;
- ensuring that sufficient transport is nearby to enable customers leaving the premises to disperse quickly;
- banning from the premises customers known to cause noise disturbance regularly on leaving the premises;
- ensuring that customers are encouraged to leave the premises (including any car park or forecourt) swiftly;
- ensuring the volume of outdoor entertainment does not cause noise disturbance;
- providing police supervision at closing times.

4.5.14. The Authority may impose conditions to ensure that appropriate steps are taken to minimise noise disturbance.

4.5.15. Live music, dancing and theatre

4.5.16. The Authority recognises the need to encourage and promote live music, dance and theatre for the wider cultural benefit of the economy and community, particularly for children and young people.

4.5.17. When considering applications for such events and the imposition of conditions on licences or certificates, the Authority will carefully balance the cultural needs with the necessity of promoting the licensing objectives.

4.5.18. Consideration will be given to the particular characteristics of any event, including the type, scale and duration of the proposed entertainment, especially where limited disturbance only may be caused.

4.5.22. 4.5.22 In the event of representations, licences for premises, in particular for the provision of late night refreshment for consumption off the premises, will not normally be granted where nuisance is likely to be caused by way of litter/food refuse being deposited on streets surrounding the premises and such nuisance is expected, due to the nature of the premises and likely customers, to exceed the level of nuisance caused by similar premises open during the day (for which no licence is required). In their operating schedule, applicants are expected to propose practical steps to reduce the likelihood of such problems arising, which could include:

- provision of litter bins on/in vicinity of premises;
- litter patrols in the area after the premises close (these could be organised in partnership with other premises or the local authority for example).

4.5.23 Conditions may be imposed seeking to limit the nuisance caused by litter

4.5.24 In the event of relevant representations, conditions may be imposed seeking to limit the nuisance caused by litter

4.8. Consideration of applications and the imposition of conditions

4.8.1. On granting a licence, the Authority may only impose conditions that are:

- required by law, and/or
- necessary for the promotion of the licensing objectives and
- proportionate

4.8.2 If no relevant representations are received, a licence will be granted on the terms sought, subject only to such conditions as are consistent with the operating schedule and which comply with the above paragraph and any relevant statutory conditions.

4.8.3. In deciding what conditions to impose, the Authority shall have regard to the operating schedule, together with the provisions of this policy statement, the law, government guidance and any relevant representations made. Where there is any ambiguity or uncertainty in the meaning of any part of the application, the application shall be interpreted in such a way as shall best promote the licensing objectives.

4.8.4. Where relevant representations are received, the Authority will consider those representations together with any representations of the applicant, having regard to the provisions of this policy, the law and government guidance. Where relevant representations have been made, the Authority will not normally grant a licence in terms which conflict with this policy statement. In particular it may:

- reject the application – if to do so is necessary to promote the licensing objectives and none of the following actions is reasonably practicable;
- grant the licence but exclude from its scope one or more of the licensable activities applied for in order to ensure that the licence complies with this policy and promotes the licensing objectives;
- grant the licence but modify such of the conditions imposed as is necessary to ensure compliance with this policy and to promote the licensing objectives;
- grant the licence but refuse to specify a particular person in the licence as the designated premises supervisor if to name that person would undermine the promotion of the licensing objectives;
- approve different parts of the premises for different activities.

4.8.5 The Authority will not impose conditions that duplicate other areas of regulation. For example, conditions will not be imposed which simply duplicate planning conditions or conditions attached to a fire certificate.

4.8.6. However, there may be occasions when conditions will be imposed which the Authority considers necessary for the promotion of the licensing objectives and which overlap with other areas of regulation, when for example the conditions on the fire certificate or planning permission do not adequately deal with those matters.

4.8.7. In general, any conditions imposed will be drawn from a pool of conditions.

4.8.8. Provided the licensing objectives are not undermined and the proposal does not conflict with the other statements in this policy, licences will be granted so that

premises will be able to open to provide licensable activities between such times as the applicant sets out in his application.

- 4.8.8. When deciding what conditions to impose, the Authority will have regard to the particular requirements of people with disabilities and will, so far as possible, seek to ensure that none of the conditions imposed on licences will have the effect of excluding such persons access to licensed premises.

D. NATIONAL GUIDANCE (Section 182 Licensing Act 2003)

Members should have regard to all relevant information and it is considered that the following guidance, (though not exclusively) have a bearing upon the application:

National guidance regarding control of areas outside the premises is as follows:

3.11 Statements of policies should make clear that licensing is about regulating the carrying on of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the 2003 Act, and that the conditions attached to various authorisations will be focused on matters which are within the control of individual licensees and others in possession of relevant authorisations. Accordingly, these matters will centre on the premises being used for licensable activities and the vicinity of those premises. Whether or not incidents can be regarded as being "in the vicinity" of licensed premises is a question of fact and will depend on the particular circumstances of the case. In cases of dispute, the question will ultimately be decided by the courts. But statements of licensing policy should make it clear that in addressing this matter, the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of public living, working or engaged in normal activity in the area concerned. A statement of policy should also make clear that licensing law is not the primary mechanism for the general control of nuisance and antisocial behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in town and city centres.

National guidance regarding licensing hours is as follows:

3.29 With regard to licensing hours, the statement of policy should generally emphasise the consideration which will be given to the individual merits of an application. The Government strongly recommends that statements of policy should recognise that longer licensing hours with regard to the sale of alcohol are important to ensure that the concentrations of customers leaving premises simultaneously are avoided. This is necessary to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which lead to disorder and disturbance. The Government also wants to ensure that licensing hours should not inhibit the development of thriving and safe evening and night-time local economies which are important for investment and employment locally and attractive to domestic and international tourists without compromising the ability to

resource local services associated with the night-time economy. Providing consumers with greater choice and flexibility is an important consideration.

National guidance regarding non-duplication of other regimes is as follows:

3.51 *[Policy should indicate]*

that planning, building control and licensing regimes will be properly separated to avoid duplication and inefficiency. Applications for premises licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned. Licensing applications should not be a re-run of the planning application and should not cut across decisions taken by the local authority planning committee or following appeals against decisions taken by that committee. Similarly, the granting by the licensing committee of any variation of a licence which involves a material alteration to a building would not relieve the applicant of the need to apply for planning permission or building control where appropriate.

E. OBSERVATIONS

Pursuant to the Licensing Act 2003, the Committee is obliged to determine this application with a view to promoting the licensing objectives which are:

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

In making its decision, the Committee is also obliged to have regard to Guidance issued under section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy.

The Committee must also have regard to the representations made and the evidence given before them.

F. OPTIONS

The Committee may take such of the following steps as it considers necessary for the promotion of the licensing objectives:

As a guide members may:

1. Grant the variation application as requested.
2. Modify the conditions of the licence, by altering or omitting or adding to them.
3. Reject the whole or part of the application.

When considering their decision, members should refer to paragraph 4.8.4 of the Council's statement of Licensing Policy with regard to the options they should consider.

The Committee is reminded that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

In order to assist members and applicants and to achieve consistency, sample conditions for premise licences and club premises certificates have been prepared which may be utilised (Guidance GD6)

Prepared by J A Messenger
Licensing Manager

(Part A) Application for an existing licence to be converted to a premises licence under the Licensing Act 2003 and (Part B) application to vary the premises licence simultaneously

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

We Punch Taverns Plc apply to convert an existing licence to a premises licence under Schedule 8 to the Licensing Act 2003 for the premises described in Part A1 below

Part A1 - Premises Details

Postal address of premises if any or, if none, ordnance survey map reference or description	
CROWN & THISTLE 53 CHURCH STREET STANYX	
Area B06 Outlet 202626	
Post town CARLISLE	Post code CA3 9DS
Telephone number of premises (if any) 01228 532965	
Non-domestic rateable value of premises £ 13,600	

Part A2 - Applicant Details

Please state the capacity in which you are applying to convert your existing licence

Please tick

- | | |
|---|---|
| a) An individual or individuals | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual | |
| i. as a limited company | <input checked="" type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> please complete section (B) |
| f) a health service body | <input type="checkbox"/> please complete section (B) |

- g) a person who is registered under Part 2 of the
Care Standards Act 2000 (c14) in respect of an
independent hospital
- k) the chief officer of police of a police force
in England and Wales

☐ please complete section (B)

☐ please complete section (B)

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title (for example, Rev) ☐

Surname

First names

Please tick

I am 18 years old or over

Yes

☐

Current postal
address if different
from premises
address

Post Town

Postcode

Daytime contact telephone number

E-mail address
(optional)

SECOND INDIVIDUAL APPLICANT IF APPLICABLE

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title (for example, Rev) ☐

Surname

First names

Please tick

I am 18 years old or over

Yes

☐

Current postal
address if different
from premises
address

Post Town

Postcode

Daytime contact telephone number

E-mail address
(optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name	Punch Taverns Plc
Address	Jubilee House Second Avenue Burton Upon Trent Staffordshire DE14 2WF
Registered number (where applicable)	03752645
Description of applicant (for example, partnership, company, unincorporated association etc.)	Company
Telephone number (if any)	01283 501 600
E-mail address (Optional)	n/a

Part A3 Operating Schedule

If 5,000 or more people attend the premises at any one time, please state the number

n/a

General description of premises (please read guidance note 1)

Public House with a public Bar and a lounge an outside drinking area and car parking for approx 20 cars.

Please tick Yes

What existing licensable activities are authorised by your existing licence(s)?

Provision of regulated entertainment

- | | | |
|----|--|-------------------------------------|
| a) | plays | <input type="checkbox"/> |
| b) | films | <input type="checkbox"/> |
| c) | indoor sporting events | <input type="checkbox"/> |
| d) | boxing or wrestling entertainment | <input type="checkbox"/> |
| e) | live music | <input type="checkbox"/> |
| f) | recorded music | <input checked="" type="checkbox"/> |
| g) | performances of dance | <input type="checkbox"/> |
| h) | anything of a similar description to that falling within (e), (f) or (g) | <input type="checkbox"/> |

Provision of entertainment facilities for:

- | | | |
|----|--|--------------------------|
| i) | making music | <input type="checkbox"/> |
| j) | dancing | <input type="checkbox"/> |
| k) | entertainment of a similar description to that falling within (i) or (j) | <input type="checkbox"/> |

Provision of late night refreshment

Sale by retail of alcohol

- | | | |
|----|----------------------------------|-------------------------------------|
| a) | for consumption on the premises | <input checked="" type="checkbox"/> |
| b) | for consumption off the premises | <input checked="" type="checkbox"/> |

Please state who you wish to be specified to be the premises supervisor under the new licence

Name Christopher John Rowe

Address Crown & Thistle, 53 Church St, Stanwix, Carlisle CA3 9DS

Personal Licence number, if known

State any limitations on the hours during which you are permitted by your licence(s) or any additional authorities to conduct licensable activities, including the sale of alcohol.

11:00 to 23:00 Monday to Saturday (inc)
12:00 to 22:30 Sunday

save

11:00 to 24:00 New Years Eve (31.12)
00:00 to 23:00 New Years Day (01.01)
12:00 to 15:00 and
19:00 to 22:30 Christmas Day (25.12)

Describe the conditions subject to which your existing licence(s) has/have been granted (please read guidance note 2):

a) General - all four licensing objectives (b,c,d,e)

20 minutes "drinking up" time

All embedded permissions and restrictions attaching to a justices on licence.

b) The prevention of crime and disorder

See a above

c) Public safety

See a above

d) The prevention of public nuisance

See a above

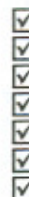
e) The protection of children from harm

See a above

Please tick

Yes

- I have made or enclosed payment of the fee
 I have enclosed my existing licence(s) or a certified copy of each licence
 I have enclosed a plan of the premises
 I have sent copies of this application to the Chief Officer of Police (please read guidance note 3)
 I have enclosed the consent form completed by the proposed premises supervisor, if relevant
 I have enclosed the consent of the justices' licence holder to my application, if relevant
 I understand that if I do not comply with the above requirements my application will be rejected



IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part A5 - Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent. (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity Solicitors to applicant

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (Please read guidance note 6). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact name (Where not previously given) and address for correspondence associated with this application (Please read guidance note 7)

Licensing Section
 Ford & Warren Solicitors
 Westgate Point
 Westgate

Post town LEEDS

Post code LS1 2AX

Telephone number 0113 243 6601

E-mail address (optional) liquor.licensing@forwarn.com

Area B06 Outlet 202626

IF YOU WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S) UNDER SECTION 34 OR 37 OF THE LICENSING ACT 2003, NOW COMPLETE PART B OF THIS FORM

IF YOU DO NOT WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S), YOU SHOULD LEAVE PART B BLANK

PART B - Application to vary a premises licence under the Licensing Act 2003

We Punch Taverns Plc being the proposed premises licence holder of an existing licence to be converted under the terms of Schedule 8 to the Licensing Act 2003 apply to vary it under section 34/section 37 of the Licensing Act 2003 (delete as applicable) for the premises described in Part A above.

Part B1 - Variation

Please tick

Do you want the proposed variation to have effect from the second appointed day?



If not when do you want the variation to take effect from

Day	Month	Year

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

n/a

Please describe briefly the nature of the proposed variation. (please read guidance note 8)

An additional two hours every Thursday, Friday and Saturday.
An additional hour every Mon Tues and Wednesday.
An additional hour and half every Sunday
A start time of 10 am every day.
A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.
A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.
A further additional hour every Christmas Eve.
A further additional hour every Boxing Day.
To reflect existing New Year's Eve/Day hours.
Drinking up time: an additional 10 minutes, to allow 30 minutes drinking up time, after the last permitted sale of alcohol.

All of the above to be for the sale of alcohol, recorded music and live music.

Part B2 - Operating Schedule

Please complete those parts of the operating schedule which would be subject to change if this application to vary was successful.

What licensable activities do you now intend to conduct on the premises and/or at what varied times do you intend to conduct them?

(Please see section 1 of the Licensing Act 2003 and Schedule 1 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick

Yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e),(f) or (g)
(if ticking yes, fill in box H)

☐
☐
☐
☐
☒
☒
☐
☐

Provision of entertainment facilities

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K)

☐
☐
☐

Provision of late night refreshment (if ticking yes, fill in box L)

☐

Sale by retail of alcohol (if ticking yes, fill in box M)

☒

Please complete Part B3 on this form.

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both - please tick [] (please read guidance note 9)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 10)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 11)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both - please tick [] (please read guidance note 9)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<u>Please give further details here</u> (please read guidance note 10)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 11)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 12)		
Sat					
Sun					

C

Indoor sporting events			Please give further details here (please read guidance note 10)	
Standard days and timings (please read guidance note 8)				
Day	Start	Finish		
Mon			State any seasonal variations for indoor sporting events (please read guidance note 11)	
Tue				
Wed				Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 12)
Thur				
Fri				
Sat				
Sun				

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick [] (please read guidance note 9)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 10)		
Mon					
Tue					
			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 11)		
Wed					
Thur					
			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
Fri					
Sat					
Sun					

E

Live music			Will the performance of live music take place indoors or outdoors or both - please tick [] (please read guidance note 9)	Indoors	✓
Standard days and timings (please read guidance note 8)				Outdoors	
Day	Start	Finish	Both		
Mon			<u>Please give further details here</u> (please read guidance note 10) Amplified/unamplified live music by up to two performers.		
	10:00	00:00			
Tue					
	10:00	00:00			
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 11)		
	10:00	00:00			
Thur					
	10:00				
Fri		01:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (Please read guidance note 12) None		
	10:00				
Sat		01:00			
	10:00				
Sun		01:00			
	10:00	00:00			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both - please tick [] (please read guidance note 9)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 10) To match sale of liquor at section M below. Amplified recorded music ancillary to sale of alcohol (section M) below.	Both	
	10:00	00:00			
Tue			State any seasonal variations for playing recorded music (please read guidance note 11)		
	10:00	00:00			
Wed					
	10:00	00:00			
Thur					
	10:00				
Fri		01:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (Please read guidance note 12)		
	10:00				
Sat		01:00	A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. A further additional hour every Christmas Eve. A further additional hour every Boxing Day. To reflect existing New Year's Eve/Day hours.		
	10:00				
Sun		01:00			
	10:00	00:00			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both - please tick [] (please read guidance note 9)		Indoors	
					Outdoors	
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 10)			
Mon						
Tue						
Wed						
Thur			State any seasonal variations for the performance of dance (please read guidance note 11)			
Fri						
Sat			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)			
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick [] (please read guidance note 9)	Indoor	
				Outdoor	
				Both	
Mon			Please give further details here (please read guidance note 10)		
Tue					
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 11)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat					
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 8)			Please give a description of the facilities for making music you will be providing	
			Will the facilities for making music take place indoors or outdoors or both - please tick [] (please read guidance note 9)	
Day	Start	Finish	Indoor	
			Outdoor	
			Both	
Mon			Please give further details here (please read guidance note 10)	
Tue				
Wed			State any seasonal variations for the provision of facilities for making music (please read guidance note 11)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)	
Sat				
Sun				

J

Provision of facilities for dancing			Will the facilities for dancing be indoors or outdoors or both - please tick [] (please read guidance note 9)	Indoors	
Standard days and timings (please read guidance note 8)				Outdoors	
Day	Start	Finish		Both	
Mon				<u>Please give further details here</u> (please read guidance note 10)	
Tue					
Wed			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 11)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 12)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both please tick <input type="checkbox"/> (please read guidance note 9)	Indoor	
				Outdoor	
				Both	
Mon			Please give further details here (please read guidance note 10)		
Tue					
Wed					
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 11)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick [] (please read guidance note 9)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 10)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 11)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night entertainment at different times, to those listed in the column on the left, please list (please read guidance note 12)		
Sat					
Sun					

Supply of alcohol

Day	Start	Finish
-----	-------	--------

On the premises

Off the premises

Both

✓

Mon

10:00

00-00

Tue

10:00

00:00

Wed

10:00

00:00

Thur

10:00

Fri

10-00

01-00

Sat

10:00

01:00

Sun

01:00

10:00

00:00

State any seasonal variations for the supply of alcohol (please read guidance note 11)

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 12)

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.

A further additional hour every Christmas Eve.

A further additional hour every Boxing Day.

To reflect existing New Year's Eve/Day hours.

IN ALL CASES PLEASE COMPLETE BOXES N, O, P and Q below

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 14)

1AWP machines

1 Cigarette machines

O

Hours premises are open to the public			State any seasonal variation (please read guidance note 11)
Standard days and timings (please read guidance note 8)			
Day	Start	Finish	
Mon		00:30	<p>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 12)</p> <p>A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.</p> <p>A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.</p> <p>An additional hour every Christmas Eve. ✓</p> <p>An additional hour every Boxing Day. ✓</p> <p>To reflect existing New Year's Eve/Day hours. ✓</p>
	10:00		
Tue		00:30	
	10:00		
Wed		00:30	
	10:00		
Thur		00:30	
	10:00		
Fri		01:30	
	10:00		
Sat		01:30	
	10:00		
Sun		01:30	
	10:00		

P

Please identify any of the conditions, terms or restrictions currently imposed on the converted licence which you believe could be removed as a consequence of the proposed variation you are seeking

None

Q Please describe any proposed additional steps that you intend to take in order to promote the four licensing objectives if the proposed variation is granted:

a) General - all four licensing objectives (b,c,d,e) (please read guidance note 15)

Following an assessment of the premises and its surrounding area the following is proposed:
30 minute "drinking up" time will allow appropriate dispersal, use of lavatories etc
In order to further the licensing objectives the licensee reserves the right to move the fire appliances, AWP machines, cigarette machines and or any other similar objects temporarily in a fixed location which may impact on the ability of individuals on the premises to use exits or escape routes without impediment.
I will abide by the licencing policies of the council as per the codes below.

b) The prevention of crime and disorder

cd19 cd29

c) Public safety

ps3 ps6 ps8 ps9 ps10 ps12 ps14 ps16 ps21 ps22 ps23 ps29 ps30 ps32 ps34

d) The prevention of public nuisance

ppn4 ppn9 ppn11 ppn13 ppn14

e) The protection of children from harm

pch2 pch16

PART B3 - Premises Supervisor

Full name of proposed designated premises supervisor

Christopher John Rowe

Address of proposed designated premises supervisor

Crwon & Thistle, 53 Church St, Stanwix, Carlisle CA3 9DS

Personal licence number of proposed designated premises supervisor, if any, and issuing authority of the personal licence, if applicable

Please tick Yes

- I enclose the consent form completed by the proposed premises supervisor ☒
- I will give a copy of Part B3 of this application to the chief office of police (section 37 of the Licensing Act 2003) ☒
- I have sent copies of this application to vary (except Part B3) to responsible authorities and others where applicable (section 34 of the Licensing Act 2003) ☒
- I understand that I must now advertise my application to vary (section 37 of the Licensing Act 2003) ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

Part B5 - Signatures (please read guidance note 16)

Signature of applicant (the proposed current premises licence holder) or applicant's solicitor or other duly authorised agent. (See guidance note 17) **If signing on behalf of the applicant please state in what capacity.**

Signature Ford & Warren

Date 31/5/05

Capacity Solicitors to applicant

Where the premises licence is jointly held signature of 2nd applicant (the proposed current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (please read guidance note 18) **If signing on behalf of the applicant please state in what capacity.**

Signature _____

Date _____

Capacity _____

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 19)

Licensing Section
Ford & Warren Solicitors
Westgate Point
Westgate

Post town LEEDS	Post code LS1 2AX
------------------------	--------------------------

Notes for Guidance

PART A

1. Describe the premises. For example the type of premises, it's general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you provide a place for consumption of these off-supplies you must include a description of where the place is and it's proximity to the premises.
2. Where the conditions to which your existing licence(s) is granted do not relate solely to any one of the four licensing objectives, please describe such conditions in the general box.
3. The law requires you to send a mandatory copy of this application to the chief officer of police for that area at the same time as sending to the relevant licensing authority.
4. The application form must be signed.

5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
7. This is the address we shall use to correspond with you about this application.

PART B

This application cannot be used to vary the licence to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act

8. Please give timings in 24 hour clock and only give details for days of the week when you intend the premises to be used for the activity.
9. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
10. Please state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
11. For example (but not exclusively), where the activity will occur on additional days during the summer.
12. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e Christmas Eve.
13. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
14. Please give information about anything to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gambling machines.
15. Please list here steps you will take to promote all four licensing objectives together.
16. The application form must be signed.
17. A applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
18. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
19. This is the address which we shall use to correspond with you about this application.



Carlisle City Council

Environmental Protection Services
Licensing Section

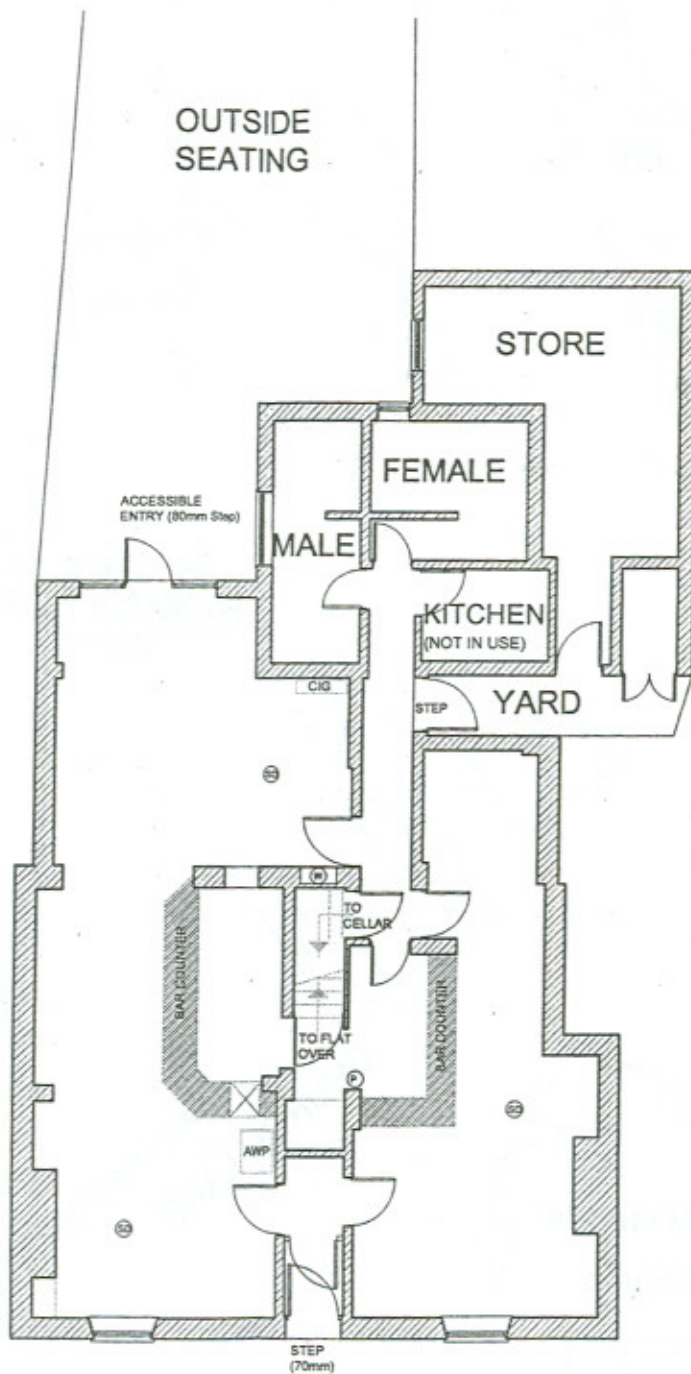
J A Messenger
Tel: 01228 817523

Fax: 01228 817023

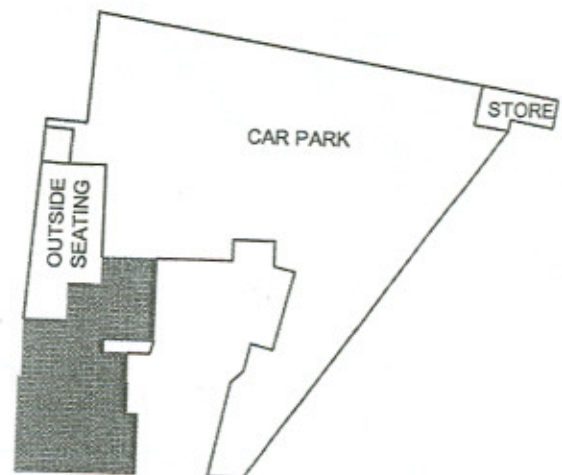
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APP. 3.

CROWN & THISTLE
CHURCH ST, CARLISLE



EXISTING GROUND FLOOR PLAN



LOCATION PLAN,
SCALE 1:500

Carlisle City Council
Environmental Protection Services
 Food Safety Team

INTERNAL MEMORANDUM

From: Principal Environmental Health Officer	Please ask for:	Ruth Harland
To: Licensing Section	Extension:	7334
FAO:	E-mail:	Ruth Harland
	Your ref:	
	Our ref:	3/002/7 RH/LB 27 June 2005

RE: PREMISES APPLICATION
CROWN & THISTLE, CHURCH STREET, CARLISLE

I refer to the above application for conversion/variation.

The applicant, Punch Taverns Plc, have made an application to vary the existing opening hours for the sale of alcohol, recorded and live music. The application seeks to gain approval for the playing of recorded music until midnight on Sunday, Monday, Tuesday and Wednesday and until 1.00 a.m. on Friday and Saturday and Sunday mornings, with an additional hour on other "special" occasions, eg bank holidays, Christmas

It also seeks approval for the playing of live music (both amplified and unamplified) by not more than 2 performers until midnight on Sunday, Monday, Tuesday and Wednesday and until 1.00 a.m. on Friday, Saturday and Sunday mornings.

The application details on page 24, that public nuisance will be prevented by Carlisle sample condition PPN4 which states, "all external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency".

The Crown & Thistle is a 'traditional' drinking pub in a quiet, mainly residential area. It is in the middle of a terrace of residential accommodation, with domestic property directly adjacent to the 2 rooms to which the application refers.

Having visited the site I consider that there is a potential for a noise nuisance from music until 1.00 a.m. (and 2.00 a.m. on occasions) at the premises, to the adjacent residential accommodation, which may not be prevented by keeping doors and windows closed.

On 27 June I telephoned Ford & Warren, Solicitors acting on behalf of the applicant, to discuss my concerns, but was unable to speak directly to the relevant person and was advised that a representation should be made.

R. E. Harland

R Harland

Principal Environmental Health Officer

Mr P Baldotto & Mrs M Johnstone
49 Church Street
Stanwix
Carlisle
CA3 9DS

Miss A.K. Towson
Mr & Mrs M A Ruddick
51 Church Street
Stanwix
Carlisle
CA3 9DS
Tel: 01228 595084

Mr & Mrs G McKie
55 Church Street
Stanwix
Carlisle
CA3 9DS
Tel: 01228 537935

Carlisle City Council Licensing Authority
Licensing Manager
Environmental Protection Services
Civic Centre
Carlisle
CA3 8QG
(Attn: Ruth Harland)

11 July 2005

**VARIATION TO THE PREMISES LICENCE UNDER THE LICENCING ACT
2003 AT THE CROWN & THISTLE INN, CHURCH STREET, STANWIX, CARLISLE**

We wish to raise an objection to the above proposal to extend the licensing hours at the Crown & Thistle Inn, Stanwix, Carlisle. We are concerned that allowing the pub to continue serving alcohol and playing music until 1 am on certain evenings of the week will be detrimental to our quality of life. The McKies have lived at No 55 for all of their married life (55 years) and indeed Mrs McKie has lived there all her life (80 years). Mr Baldotto and Mrs Johnstone have lived at No 49 for 12 years. Mrs Ruddick has lived at No 51 for 9 years. All parties have adjusted happily to life next door to a public house and to date have lived in harmony with the status quo. All parties realise it would be naïve to live next door to a public house and not expect a certain degree of noise disturbance from time to time. This, to date, has been minimal and acceptable within the current licensing hours and a "live and let live" attitude has been adopted by all. We all feel that this will change with the licensing hours extension.

Nos 51 and 55 abut either side of the pub. At No 51 the noise disturbance in the living room is minimal provided volume levels of live or recorded music are kept to a reasonable level. The bedrooms allow more noise to filter through. The potential for disturbed sleep at all properties but particularly Nos 51 and 55 will be increased with the extension of hours – Jukebox noise, live music performance, drunken singing, noisy drinkers leaving the pub at closing time together with taxis and private cars collecting leavers could be very detrimental to all parties as there are exits at both the front and rear of the pub. Anyone who has left a pub at "throwing-out" time will know that persons who have been drinking for any length of time can tend to lose their inhibitions together with their verbal volume control (we hear laughing, singing, loud chatting, shouts, car engines starting, car doors and horns and very occasional arguments). This is not such a problem at 11.15 – 11.30 hrs when we find most people filter away, but between 1 – 1.30 am, which would be the new leaving time (2-2.30am on Public Holidays), it may become very irksome and disturbing. Added to this the Ruddick's daughter is due to complete her final year of GCSE's from September and hopes to continue to A level. We are concerned that noise disturbance may disrupt her studies and affect her performance at this crucial time.

Church Street is located in what is colloquially known as "Stanwix Village". It is a residential area which has been well served by its local public house for many years. As a residential area it seems totally inappropriate to extend the pub hours to the equivalent of night club hours. Carlisle is well served within the city for night clubs and late pubs and to apply similar hours to a pub in this relatively peaceful area of town, which has been given Conservation Area status seems completely unnecessary. Late night drinking, as you will be only too aware, can lead to other problems of anti-social behaviour, e.g., damage to property (houses, cars, etc), littering (bottles, glass, cigarettes and packets, vomit, urinating, etc). Allowing virtual night club hours seems to be at odds with an area awarded Conservation status. This sort of disturbance can potentially extend way beyond the vicinity of the pub itself, therefore it is not just ourselves and near neighbours at risk of disturbance but also the wider community in and around the area of Church Street.

One final and very important factor is that if this change is allowed to go ahead it could affect our individual property values.

Please consider our objections carefully as approval of this licence extension could affect, not just ourselves, but future residents to come. If necessary we are prepared to make representation at a Licensing Board.

Yours faithfully



Mr Mark Alexander Ruddick



Mrs Jill Ruddick



Miss Alice Kate Toulson



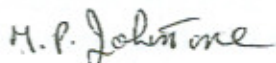
Mr George McKie



Mrs Sarah Evelyn McKie



Mr Pietro Baldotto



Mrs M Johnstone