

## RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING SUB-COMMITTEE

meeting date: MONDAY 11 JULY 2022  
 title: TAPAS FORTY SEVEN, 47 KING STREET, WHALLEY, CLITHEROE BB7 9SP  
 submitted by: HEAD OF LEGAL & DEMOCRATIC SERVICES  
 principal author: LICENSING OFFICER

### 1 PURPOSE

- 1.1 To advise the sub-committee on the determination of an application required under section 18 of the Licensing Act 2003.
- 1.2 Relevance to the Council's ambitions and priorities
- Community Objectives ]
  - Corporate Priorities ]      The Council aims to be a well-managed Council; a robust licensing process contributes to that objective.
  - Other Considerations ]

### 2 THE APPLICATION

- 2.1 Tapas Forty Seven Limited has made an application for a Premises Licence to be granted for Tapas Forty Seven, 47 King Street, Whalley, Clitheroe BB7 9SP.
- 2.2 A copy of the licence application is attached at **Appendix A**.
- 2.3 Details of the licensable activities applied for are set out in the table attached at **Appendix B**.
- 2.4 The applicant in its operating schedule (Appendix A Section M) describes the additional measures they intend to take to promote the four licensing objectives. These will become conditions of any licence granted.
- 2.5 The applicant has also agreed further conditions which have been added to the premises licence application. Details of these conditions are set out at **Appendix C**.
- 2.6 Three relevant representations have been received. Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.
- 2.7 Statutory guidance states: "A representation is "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives" and "representations should relate to the impact of licensable activities carried on from premises on the objectives."
- 2.8 A copy of the representations are attached at **Appendix D** and relate to the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm licensing objectives.
- 2.9 A plan is attached at **Appendix E** showing the location of the premises.
- 2.10 All parties have been given notice of the hearing in accordance with Regulation 6 of The Licensing Act 2003 (Hearings) Regulations 2005.

### 3 THE LICENSING ACT 2003

3.1 When determining an application, the Licensing Act 2003 requires you to have regard to the representations received from Responsible Authorities and/or Other Persons (including supporting information), statutory Guidance issued under s.182 of the Act, the authority's Licensing Policy Statement & Cumulative Impact Assessment for Whalley & Painter Wood and take such of the steps as you consider necessary for the promotion of the four licensing objectives i.e.

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

3.2 The steps you may take are set out at section 2 of the Licensing Hearings – Guidance for Members, together with the statutory guidance issued under section 182 Licensing Act 2003 commencing at section 8.

### 4. LEGAL IMPLICATIONS ARISING FROM THE REPORT

4.1 Members are reminded that they must follow the rules of natural justice and they are bound by the code of conduct for elected members in licensing applications.

4.2 Members are reminded that they should have read or should hear all the facts prior to making a determination.

4.3 Members are reminded of the consideration they should give to the Human Rights Act 1998, in particular Article 1 – the right to peaceful enjoyment of possessions, Article 6 – the right to a fair hearing, Article 8 – respect for private and family life and Article 10 – the right to freedom of expression.

### 5. WARDS AFFECTED

5.1 The premises are situated within the Whalley and Pinter Wood Ward. The ward councillors are not members of this sub-committee.

### 6. RISK ASSESSMENT

6.1 The approval of this report may have the following implications:

- Resources – none identified.
- Technical, Environmental and Legal – the report demonstrates that there has been proper consideration of the application and the relevant guidance and representations.
- Political – none identified.
- Reputation – none identified.
- Equality & Diversity – none identified.

### 7. RECOMMENDED THAT COMMITTEE

7.1 Members are asked to make a determination and state the reasons for that determination.



MAIR HILL  
HEAD OF LEGAL & DEMOCRATIC SERVICES



CATHERINE MOORE  
LICENSING OFFICER

For further information please ask for Catherine Moore on extension 4454.

**Application for a premises licence to be granted under the Licensing Act 2003**

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.

I/We TAPAS FORTY SEVEN LTD  
*(Insert name(s) of applicant)*

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 – Premises details**

Postal address of premises or, if none, Ordnance Survey map reference or description <u>47 KING STREET</u>	
Post town	<u>WHALLEY</u>
Postcode	<u>BB7 9SP</u>
Telephone number at premises (if any)	
Non-domestic rateable value of premises	<u>£12,750</u>

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as **appropriate** **Please tick as appropriate**

a)	an individual or individuals *		please complete section (A)
b)	a person other than an individual *		
	i as a limited company/limited liability partnership	<input checked="" type="checkbox"/>	please complete section (B)
	ii as a partnership (other than limited liability)		please complete section (B)
	iii as an unincorporated association or		please complete section (B)
	iv other (for example a statutory corporation)		please complete section (B)

c)	a recognised club		please complete section (B)
d)	a charity		please complete section (B)
e)	the proprietor of an educational establishment		please complete section (B)
f)	a health service body		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 in Wales		please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative

**(A) individual applicants (fill in as applicable)**

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over		Please tick yes	
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)					

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**Second individual applicant (if applicable)**

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

**(B) Other applicants**

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

Name	TAPAS FORTY SEVEN LTD
Address	47 KING STREET WHALLEY CLITEROE BB7 9SP
Registered number (where applicable)	14043058

Description of applicant (for example, partnership, company, unincorporated association etc.)  PRIVATE LIMITED COMPANY
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start? DD MM YYYY  

1	2	0	6	2	0	2	2
---	---	---	---	---	---	---	---

If you wish the licence to be valid only for a limited period, when do you want it to end? DD MM YYYY  

--	--	--	--	--	--	--	--

Please give a general description of the premises (please read guidance note 1) A TAPAS RESTAURANT, PROVIDING FOOD IN A PLEASANT ENVIRONMENT FOR ALL THE FAMILY. THE RESTAURANT WILL BE INDOORS ONLY AND WILL BE COMPLETELY FITTED OUT WITH INDIVIDUAL BOOTHS FOR INTIMATE GATHERINGS AND SEATING (FIXED) FOR BIGGER FAMILIES
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If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)	Please tick all that apply
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)	

<b><u>Provision of late night refreshment</u></b> (if ticking yes, fill in box I)	
<b><u>Supply of alcohol</u></b> (if ticking yes, fill in box J)	✓

In all cases complete boxes K, L and M

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon				<b><u>Please give further details here</u></b> (please read guidance note 4)	
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>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</u></b> (please read guidance note 6)		
Sat					
Sun					



**B**

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place <u>indoors or outdoors or both</u> – please <u>tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				<b>Please give further details here</b> (please read guidance note 4)	
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b>Please give further details</b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 5)
Wed			
Thur			<b>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</b> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>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</u></b> (please read guidance note 6)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					



**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>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</u> (please read guidance note 6)		
Sun					

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)</b>	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises <input checked="" type="checkbox"/>
				Off the premises <input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)	
Mon	1700	2200		
Tue	1700	2200		
Wed	1700	2200		
Thur	1200	2200		
Fri	1200	2200		
Sat	1200	2200		
Sun	1200	2200		
			<b>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</b> (please read guidance note 6)	

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	JOSEPH CROSS
Date of birth	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	DER 0885
Issuing licensing authority (if known)	RIBBE VALLEY

K

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 9).

N/A

L

**Hours premises are open to the public**  
Standard days and timings (please read guidance note 7)

Day	Start	Finish
Mon	1700	2200
Tue	1700	2200
Wed	1700	2200
Thur	2000	2200
Fri	1200	2200
Sat	1200	2200
Sun	1200	2200

**State any seasonal variations** (please read guidance note 5)

**Non standard timings. Where you intend 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 6)

## M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

THERE IS LIGHTING TO THE FULL FRONT OF THE PREMISES AND THERE WILL BE CCTV. THERE WILL BE NO LITTER AS FOOD AND DRINK WILL ONLY BE ALLOWED TO BE CONSUMED ON THE PREMISES

b) The prevention of crime and disorder

THERE WILL BE A RESPONSIBLE MANAGER IN PLACE WITH OVER 20 YEARS EXPERIENCE IN THE INDUSTRY. ALL STAFF WILL BE TRAINED & SUPERVISED. WE WILL NOT ALLOW UNDER AGE DRINKING, DRUNKENNESS ON THE PREMISES AND ANYONE EXHIBITING THESE BEHAVIOURS WILL BE REMOVED FROM THE PREMISES IMMEDIATELY. WE HAVE A ZERO TOLERANCE ON DRUGS, VIOLENCE AND ANTI SOCIAL BEHAVIOUR.

c) Public safety

THERE WILL BE A SUFFICIENT NUMBER OF PEOPLE EMPLOYED STAFF WILL BE TRAINED IN BEST PRACTICES. THERE WILL BE REGULAR APPLIANCE TESTING. THE DESIGN AND LAYOUT IS FOR SEATED OCCUPANCY ONLY THEREFORE NOT EXCEEDING ITS CAPACITY.

d) The prevention of public nuisance

THERE WILL BE SOUND PROOFING. SEATED GUESTS ONLY SO NO OVERFILL. THE LOCATION OF THE PREMISES IS IN THE CENTRE OF WHALLEY WITH GOOD TRANSPORT LINKS. THE CLOSING HOURS LESS LIKELY TO IMPACT ON THE EXISTING LICENSED VENUES VOLUMES. THE RESTAURANT IS GEARED UP FOR FAMILIES AND A RELAXED ATMOSPHERE WHICH IS ITS

UNIQUE SELLING POINT  
e) The protection of children from harm

THERE WILL BE A SUFFICIENT NUMBER OF STAFF TO SECURE PROTECTION OF CHILDREN FROM HARM WHO WILL BE TRAINED TO DETERMINE AGE AND CHILDREN WILL BE REQUIRED TO BE ACCOMPANIED BY AN ADULT.



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**Checklist:**

**Please tick to indicate agreement**

	• I have made or enclosed payment of the fee.	
	• I have enclosed the plan of the premises.	✓
	• I have sent copies of this application and the plan to responsible authorities and others where applicable.	✓
	• I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	✓
	• I understand that I must now advertise my application.	✓
	• I understand that if I do not comply with the above requirements my application will be rejected.	
	• [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	✓

It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.


It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

**Part 4 – Signatures (please read guidance note 11)**

**Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.**


<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in</li> </ul>
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	<p>the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	
Date	2/05/22
Capacity	DIRECTOR

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

<p>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)</p> <p>DANIELLE ROBERTS 47 KING STREET</p>			
Post town	WHALLEY	Postcode	BB7 9SP
Telephone number (if any)			
<p>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</p> <p></p>			

**Notes for Guidance**

I have lived in Whalley for 24 years and in this timeframe, I have played a major role within the community. My hairdressers is in the centre of the village, as too is my residence. I am heavily involved with the flood action group, and I have helped many local families through hardship over the years. I personally have been affected and seen first-hand the impact that the late-night drinkers and revellers have had on the village and its residents, many of whom are regular customers at the salon.

It is my intention to open a Tapas Bar that is family friendly, something that I believe Whalley is missing, and my opening hours (12.00 to 21.30) reflect this. Having read the Cumulative Impact Assessment Report it appears that most of problems that the residents (myself included) are experiencing occur late evening and in the early hours of the morning. As my proposed requested hours are 12.00 to 21:30 the Tapas bar will have minimal impact.

Whalley has become popular as a drinking hub, with many visitors coming from out of town. Most of the issues reported in the assessment relate to alcohol and anti-social behaviour. This is not the type of customer we want to attract, and we will have a zero-tolerance attitude towards any such behaviour.

I do not want to be part of the current problem nor impact the situation, but I do want to be able to provide a venue where people feel safe to go with their family and friends. A place where snacks can be enjoyed with a drink - a place where friends and family can come together and spend time, a place to come on any occasion to sit back, relax and enjoy the atmosphere, service, food, and drink.

According to the study relating to licensed premises in Whalley, the concern is that the number of licensed premises has reached saturation point, but what I am offering is something unique and different to the existing market.

Kellie Hughes  
Director

Consent of individual to being specified as premises supervisor

JOSEPH CROSS

[full name of prospective premises supervisor]

of

[REDACTED ADDRESS]

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

TAPAS FORTY SEVEN LTD

[type of application]

by

TAPAS FORTYSEVEN LTD

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

47 KING STREET  
WHALLEY  
CLITHEROE  
BB7 9SP

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

JC ~~Danielle Roberts~~ | Joe Cross  
[name of applicant]

concerning the supply of alcohol at

47 King Street  
Whalley  
BB7 9SP

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

PER0885  
[insert personal licence number, if any]

Personal licence issuing authority

Ribble Valley Borough Council  
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

  
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Name (please print)

JOSEPH CROSS  
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Date

10/05/2022  
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**LICENSING HEARING – 11 JULY 2022**  
**RIBBLE VALLEY BOROUGH COUNCIL**  
**APPLICATION FOR THE GRANT OF PREMISES LICENCE**  
**MADE BY TAPAS FORTY SEVEN LIMITED**  
**TAPAS FORTY SEVEN, 47 KING STREET, WHALLEY, CLITHEROE BB7 9SP**

	Authorised by Existing Licence	Applied for
<b>Supply of alcohol ON the premises only:</b>		
Mon	N/A	1700hrs-2200hrs
Tues	N/A	1700hrs-2200hrs
Wed	N/A	1700hrs-2200hrs
Thurs	N/A	1200hrs-2200hrs
Fri	N/A	1200hrs-2200hrs
Sat	N/A	1200hrs-2200hrs
Sun	N/A	1200hrs-2200hrs
<b>Opening hours of premises:</b>		
Mon	N/A	1700hrs-2200hrs
Tues	N/A	1700hrs-2200hrs
Wed	N/A	1700hrs-2200hrs
Thurs	N/A	1200hrs-2200hrs
Fri	N/A	1200hrs-2200hrs
Sat	N/A	1200hrs-2200hrs
Sun	N/A	1200hrs-2200hrs



Tapas 47, King Street, Whalley, BB7 9SP

### New Premises Licence application

#### General

Upon commencement of their employment, all staff who are involved in the sale of alcohol will be trained in relation to the licensing objectives so as to reduce crime and disorder, promote public safety, prevent public nuisance and promote the protection of children from harm. Refresher training will be provided at least once every twelve months and all training will be documented, kept on the premises and made available to an authorised officer on request.

#### The Prevention of Crime & Disorder

An incident register will be maintained at the premises and will record details of any public order offences and any refusals of the service of alcohol. Said register will be made available upon request to an authorised officer.

The premises shall be equipped with a CCTV system that shall comply with the following criteria:

- (a) the system shall be maintained in properly working order;
- (b) the system shall display on any recording, the correct time and date of the recording;
- (c) the system shall be recording during all operating times;
- (d) the recorded VCR tapes or digital recording media shall be held for a minimum of 31 days after the recording is made and shall be made available to the police for inspection on request as soon as reasonably practicable;
- (e) CCTV signage shall be displayed

#### Prevention of Public Nuisance

Notices will be displayed in a prominent position at the premises requesting that patrons respect the needs of local residents and leave the premises and the area quickly and quietly.

#### Protection of children from harm

The premises shall have in place a written Challenge 25 Policy. This policy shall be actively promoted and state that any person to whom the sale or supply is being made who looks or appears to be under 25 years of age, shall be asked to provide identification that they are 18 years of age or over. The following forms of identification are acceptable:

- (a) Passport;
- (b) Photo driving licence;
- (c) PASS accredited holographic proof of age card; or
- (d) Any other form of identification agreed with the Police Licensing Unit.

I hereby agree for the above conditions to be added to the new premises licence application for Tapas 47, King Street, Whalley, BB7 9SP.

Signed:  .....

Date: 30 - 05 - 2022 .



Ribble Valley  
Borough Council  
www.ribblevalley.gov.uk

LICENSING ACT 2003

APPLICATION BY TAPAS FORTY SEVEN LTD  
FOR THE GRANT OF A PREMISES LICENCE IN RESPECT OF  
47 KING STREET, WHALLEY, CLITHEROE BB7 9SP

LIST OF RELEVANT REPRESENTATIONS

A. RESPONSIBLE AUTHORITIES

None

B. OTHER PERSONS

1.

[REDACTED]

2.

Whalley Parish Council

3.

[REDACTED]



### Licensing Act 2003 – Representation Form

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four Licensing Objectives:

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

Please note all representations will be made available for applicants to view. If you make a representation objecting to an application you may also be called upon to attend a hearing and present your objection before the Licensing Sub Committee.

Personal Details	
Name:	[REDACTED]
Address:	[REDACTED] ..... ..... .....
Postcode:	[REDACTED]
Email:	[REDACTED]

Details of the Licence Application you wish to make a representation on
Name of Applicant(s): Tapas Forty Seven Ltd
Name of Premises: Tapas 47
Premises Address: 47 King Street, Whalley, Clitheroe ..... .....
Postcode: BB7 9SP .....

Reason(s) for your representation
Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four Licensing Objectives. Any representations that are considered to be vexatious or frivolous will not be considered.

Please fill in the reason(s) for your representation in the space provided under each Licensing Objective it relates to:

**The Prevention of Crime and Disorder**


**Public Safety**

**The Prevention of Public Nuisance**

Whalley is plagued with drunken anti-social activity, particularly at weekends, and any new applications for alcohol licences which are granted have the potential to add to this problem. This area of King Street is a mix of residential & commercial properties, yet the concerns of residents always seem to be overlooked when new food & drink establishments are given permission to sell alcohol. Tapas 47 may well do all it can to ensure that there is no anti-social behaviour, but that responsibility will end once patrons have exited the premises. Residents already suffer noise disturbance from revellers gathering on King Street, and the addition of another licensed premises will only exacerbate this problem.

**The Protection of Children from Harm**

**Declaration**

I   
(please print name)

hereby declare that all the information I have  
submitted is true and correct



Signed:  
Date: 07/06/2022

Please send the completed form to:

Administration & Licensing Officer  
Ribble Valley Borough Council  
Council Offices  
Church Walk  
Clitheroe  
BB7 2RA





Ribble Valley  
Borough Council  
www.ribblevalley.gov.uk

## Licensing Act 2003 – Representation Form

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four Licensing Objectives:

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

Please note all representations will be made available for applicants to view. If you make a representation objecting to an application you may also be called upon to attend a hearing and present your objection before the Licensing Sub Committee.

<b>Personal Details</b>
Name: Whalley Parish Council
Address: The Clerk, 27 Waddow Grove, Waddington, Clitheroe, Lancashire BB7 3JL
Email: clerk@whalleyparishcouncil.org.uk

<b>Details of the Licence Application you wish to make a representation on</b>
Name of Applicant(s): Tapas Forty Seven Ltd
Name of Premises: Tapas 47
Premises Address: 47 King Street, Whalley, Clitheroe BB7 9SP

<b>Reason(s) for your representation</b>
<p>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four Licensing Objectives. Any representations that are considered to be vexatious or frivolous will not be considered.</p> <p>Please fill in the reason(s) for your representation in the space provided under each Licensing Objective it relates to:</p> <p>The Parish Council acknowledges that the applicants have tried to recognise the requirements to prevent crime and disorder; protect public safety; prevent public nuisance; and importantly to protect children from harm.</p> <p>The Parish Council have concerns how this will be applied in practice. However, the Cumulative Impact assessment was recently extended with the further intention of limiting the number of licence applications granted where there is evidence to show that the number of licensed</p>

premises in a particular area is having a cumulative impact and leading to problems which are undermining the licensing objectives.

Residents have expressed concerns about the possibility of yet another licensed premises based on ongoing and recent problems with licensed premises in Whalley.

The Parish Council requests that the Borough Council applies the Cumulative Impact Assessment when considering this application. The Cumulative Impact Assessment Survey showed that 93.8% of respondents felt that the Councils Licensing Committee should in future consider restricting the number of new premises given a license to operate in Whalley and Painter Wood Ward.

The Parish Council believes that Enough is Enough.

#### **The Prevention of Crime and Disorder**

The applicant states that there will be no underage drinking and drunkenness on the premises and anyone displaying these behaviours will be removed from the premises.

This immediately displaces the problem and amplifies the problems already suffered in the village by residents.

The impact of this is evidenced in the statistics shown in the Cumulative Impact Assessment, with increased reports of anti-social behaviour, arrests and assaults causing physical harm to individuals largely down to the sale of alcohol.

#### **Public Safety**

Due to reduced numbers in the Police Force, there is insufficient policing around the village to help keep public order and therefore a lack of power and influence to monitor the licence holders to ensure they are complying with license regulations.

Whalley needs to first see that the increase in granting of licensing premises is matched with an increase in Policing that can deal with groups of drunk people intimidating others, urinating in public places, and vandalising public and private property. Evidence of this has been indicated in the Cumulative Impact Assessment.

#### **The Prevention of Public Nuisance**

To apply for a licence on the premise that it will be to attract families in a relaxed atmosphere is impossible to manage without discriminating against others and how would this work in practice?

The closing hours will impact upon the village as where will these patrons move on to after 10pm - another licensed premises in the village, exacerbating the current issues suffered with noise and potential anti-social behaviour?

The premises are set close to family residential properties and with upstairs living accommodation. The additional numbers of patrons to this new business will impact on the noise levels affecting the surrounding area when arriving and dispersing from the business.

In the year to March 2022 there were 319 reported instances of crimes in Whalley involving Anti-Social Behaviour, Violence and Public Order offences, largely down to the sale of alcohol.

The Cumulative Impact Assessment Survey showed that 75.4% of respondents had been affected by the cumulative impact of the number of licensed premises in the ward area varying from parking issues, not feeling safe to shop as a result of the number of people drinking there,

both during the day and late at night, drunk and disorderly on the streets, noise on the streets and vomit stained streets.

**The Protection of Children from Harm**

Many local residents have contacted the Parish Council voicing their concerns and objecting to another licensed premises in this already condensed licensed premises area of King Street, Whalley.

Some local foster carers have experiences of vandalism, witnessing abusive drunks awaking their sleeping foster children who have observed drunken arguments and assaults, in some cases outside of their homes.

The continuous disturbance that groups of loud voices cause every weekend are a detriment to the area as the residential surroundings are inappropriate for late night drinking.

The point of sufficient staffing in the actual premises doesn't help when the patrons have left the building referring back to the point of the Cumulative Impact Assessment and previous points herein.

**Declaration**

Whalley Parish Council hereby declare that all the information that has been submitted is true and correct

Signed: ...E Haworth..... Date: ...08/06/2022.....  
Parish Clerk

Please send the completed form to:

Administration & Licensing Officer  
Ribble Valley Borough Council  
Council Offices  
Church Walk  
Clitheroe  
BB7 2RA

Re: no 47 King Street  
Tapas Bar application



To: The licensing officer.

I am writing to object to the above application for a license to sell alcohol. I have lived in Whalley since 1986 and have seen considerable growth in the number of late night drinking establishments in Whalley. The hours proposed by the Tapas Bar are reasonable in themselves, but it could mean that alcohol will be available all day in Whalley. As the Tapas bar closes



Their customers are then likely to become customers at other establishments with late night drinking. In the past, once an establishment obtains a license for serving alcohol, they are then likely to apply for later drinking hours, which are allowed.

This has been so much the case, that a Cumulative Impact Assessment for the residents of Rainierwood and the centre of Whalley carried out last autumn, found that 80% of the respondents said that there were already too many licensed premises operating at night. 94% said that Ribbles Valley Borough Council should consider restricting the number of new

2

premises being given a license.  
Will the Cumulative Impact  
Assessment be part of the decision  
made about this application  
for a license?

Yours faithfully,

[Redacted signature]

[Redacted line]

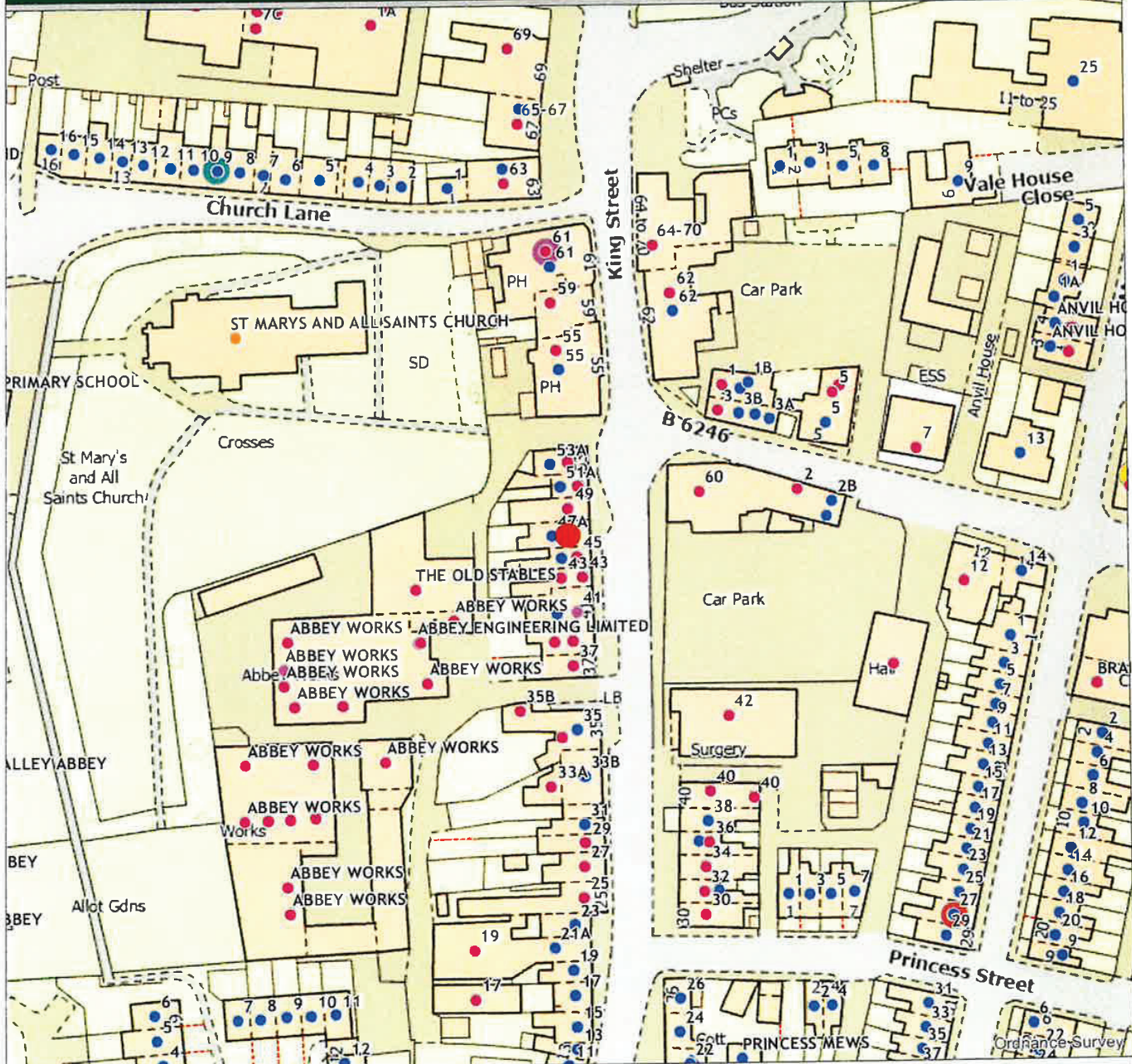
[Redacted line]

[Redacted line]



Author:

Date Created: 29/06/2022



**Addresses**

- Residential
- Commercial
- Other (Ordnance Survey Only)
- Object of Interest

- LATE NIGHT REFRESHMENT HOUSE
- MEMBERS CLUBS
- VILLAGE/CHURCH HALL/COMMUNITY CENTRE
- EDUCATIONAL ESTABLISHMENT

**Licensed Premises**

- ◆ Other
- PUBLIC HOUSE
- RESTAURANT / CAFE



Map Scale: 1:1,250  
Map Centre: 373,321 436,136

