

Appendix 2
West Lancashire District Council
Licensing Act 2003 - 1st revision of Statement of Licensing Policy

Consultation response analysis: consultation period 01/08/07 - 31/10/07

Reference no.	Respondent	Para	Comments	Appraisal	Council response
001/220807	A Hill - WLDC Env Protection Mgr	16.2	Use of term 'noise nuisance' confusing with definition in EPA 1990, and should be wider to include potential disturbance and not just statutory nuisance	Justified comment, the act considers wider impact on the licensing objectives other than statutory nuisance	Para amended
		16.3	Potential patron noise arising from the smoking ban should be mentioned	Justified comment, the health act impacts upon the licensing objectives	Para amended
		16.5	Emphasis required on the smoking ban and the potential noise from patrons	Justified comment, the health act impacts upon the licensing objectives	Para amended
		16.9	Steps required to control potential noise from patrons arising from the smoking ban	Justified comment, the health act impacts upon the licensing objectives	Para amended
002/030907	E-A Broad, clerk to Parbold and Dalton PCs	App 4	Incorrect details for Dalton PC and hilldale / bispham PCs	Justified	Section amended to de-personalise to allow for future changes in PC clerks
003/070907	N Clarke - English Partnerships	...	No comments	None	None
004/120907	P Garrett - Springfield road, Aughton	8	Site visits would be useful to allow members to understand the application	Justified, members currently undertake site visits	Improved reference has been made in section 8 & 9 with regard to site visits
		8	Wording of the application notice should be clearer and be published in stipulated papers including the free paper	Not justified - LA03 regulations stipulate the content of the notice and where it should be published	None
005/011007	J Brown - Assoc of Convenience stores	17	Support use of challenge 21 campaign & use of ID to prevent underage sales	Justified	Existing reference to use of ID, however support of challenge 21 campaign added

			Test purchasing not designed to catch out retailers & partnership approach required	Not justified, requirements for test purchasing not form part of the policy document, as section 11 provides general approach to enforcement to allow for future changes. However a partnership approach is acknowledged & fostered through enforcement	None
			S182 guidance states that DPS is not required on site at all times	Not justified, this requirement is stated in the s182 guidance and does not need to be explicitly repeated in the policy	None
006/081007	F Mayock - Oak Green, Ormskirk	3.7	Should be a finite number of complaints before LA takes action - then reference made to noise complaints about a premises	Not justified, each case taken on merits, visits may be required at any stage. EP service exists for noise complaints	None
		11.1	Call out service for licensing authority - then makes reference to specific premises	Not justified, no requirement for out of hours service, however visits can be made out of hours	None
		14.5	Monitoring of problem premises - then makes reference to specific premises	Not justified, problem premises are monitored in conjunction with police & EP	None
		Gen	Reference about specific premises & ask that LA take more responsibility rather than asking for dairy evidence	Not justified - apparent confusion between the role of EP and licensing	None
007/091007	L Le Clercq - BB&PA	11	Welcome risk based approach to enforcement & seek to promote Hampton principles	Noted - no implications for policy however 11.1 amended to emphasise risk based approach	Para 11.1 amended
		17.7	Confusing - between different types of card as some have been discontinued	Justified, paragraph is confusing in line with current standards	Para amended with current standards
		App3	Welcome high levels of prosecutions by Lancs. constabulary	Noted - no implications for policy	None
		App4	Wish to be consultee	Not justified, BB&PA already a consultee	None
		Gen	Several general statements required by the legislation	Noted - no implications for policy	None
008/161007	D Herne Lancs. PCT	14	Recommend best bar none as good practice	Noted - already stated in 14.6	None
		14	Recommend risk assessment of drinks promotions	Noted - already stated in 14.6	None
		14	All premises to display messages regarding safe drinking	Justified, message on responsible drinking valid	Para 14.6 amended

		17	Inclusion of trading stds age check scheme	Justified, age check is a useful scheme	Added to para 17.6
		17	Advertisements at age restricted films be appropriate for the audience	Justified, such requirements are appropriate	Added to para 17.6
009/171007	D Leeming LF&RS	Gen	No specific requirements that would contravene the regulatory reform (fire safety) order 2005 to avoid conflicting enforcement regimes	Noted, no such references in the policy	None
010/181007	CJ Heppenstall - 7 school house green, Ormskirk	14	Specific complaints regarding a single licensed premises	Noted, no comments on the content of the policy & therefore no implications for the policy	None
		15	Specific complaints regarding a single licensed premises	Noted, no comments on the content of the policy & therefore no implications for the policy	None
		16	Specific complaints regarding a single licensed premises	Noted, no comments on the content of the policy & therefore no implications for the policy	None
		17	Specific complaints regarding a single licensed premises	Noted, no comments on the content of the policy & therefore no implications for the policy	None
011/291007	GH Pegler - Mill Lane, Parbold	3.7	Nuisance arising from the smoking ban including the blocking of pavements etc	Noted, policy already includes implications from smoking ban in para 16.5	None
012/301007	J Scott - Lafford Lane, Upholland	3.1	Smoking ban causing potential for increased nuisance and disturbance. Need for a special outdoors licence to allow consumption outside. Also prudent for alcohol consumed outside to be in plastic containers	Noted, smoking ban implications included in para 16.5. No provision in LA03 that requires a strict outdoors licences or use of plastic (polycarbonate) glasses. However the use of outside areas and the use of safety glasses are already reference in the policy	None
013/311007	Sgt A Bushell - Lancs. constabulary	NA	No comments	Noted	None

Received after 31/10/07

014/011107	M Jones - Moss view, Ormskirk	Gen	Changes in licensing laws have been beneficial to our home. Staggered closing times has reduced large influx of people into the town and reduced noise in the early hours - no changes requested	Noted	None
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