

MEMBERS INTERESTS 2012

A Member with a disclosable pecuniary interest in any matter considered at a meeting must disclose the interest to the meeting at which they are present, except where it has been entered on the Register.

A Member with a non pecuniary or pecuniary interest in any business of the Council must disclose the existence and nature of that interest at commencement of consideration or when the interest becomes apparent.

Where sensitive information relating to an interest is not registered in the register, you must indicate that you have an interest, but need not disclose the sensitive information.

Please tick relevant boxes

Notes

	General		
1.	I have a disclosable pecuniary interest.	<input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 below</i>
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	I have a pecuniary interest because it affects my financial position or the financial position of a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest or it relates to the determining of any approval consent, licence, permission or registration in relation to me or a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest	<input type="checkbox"/> <input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i> <i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>
4.	I have a disclosable pecuniary interest (Dispensation 16/7/12) or a pecuniary interest but it relates to the functions of my Council in respect of: (i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease. (ii) school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends. (iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay. (iv) An allowance, payment or indemnity given to Members (v) Any ceremonial honour given to Members (vi) Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i>
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 20/2/13 – 19/2/17)	<input type="checkbox"/>	<i>See the terms of the dispensation</i>
6.	I have a pecuniary interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose	<input type="checkbox"/>	<i>You may speak but must leave the room once you have finished and cannot vote</i>

'disclosable pecuniary interest' (DPI) means an interest of a description specified below which is your interest, your spouse's or civil partner's or the interest of somebody who you are living with as a husband or wife, or as if you were civil partners and you are aware that that other person has the interest.

Interest

Employment, office, trade, profession or vocation

Sponsorship

Prescribed description

Any employment, office, trade, profession or vocation carried on for profit or gain.

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.

	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest; "director" includes a member of the committee of management of an industrial and provident society;

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income; "M" means a member of a relevant authority;

"member" includes a co-opted member; "relevant authority" means the authority of which M is a member;

"relevant period" means the period of 12 months ending with the day on which M gives notice to the Monitoring Officer of a DPI;

"relevant person" means M or M's spouse or civil partner, a person with whom M is living as husband or wife or a person with whom M is living as if they were civil partners;

"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

'non pecuniary interest' means interests falling within the following descriptions:

- 10.1(1)(i) Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) Any body (a) exercising functions of a public nature; (b) directed to charitable purposes; or (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
- (iii) Any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.
- 10.2(2) A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a connected person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision.

'a connected person' means

- (a) a member of your family or any person with whom you have a close association, or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph 10.1(1)(i) or (ii).

'body exercising functions of a public nature' means

Regional and local development agencies, other government agencies, other Councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.

NB Section 21(13) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.

LICENSING SUB-COMMITTEE

HELD:26 NOVEMBER 2013

Start: 10.40am

Finish: 1.25pm

PRESENT: Councillor Kay (In the Chair)

Councillors: Owen
Mrs Stephenson

Officers: Principal Solicitor (Mr L Gardner)
Senior Licensing Officer (Mrs M Murray)
Senior Licensing Officer (Mr A Denton)
Principal Member Services Officer (Mrs S Griffiths)
Member Services Work Placement (Mr M Birchall)
Environmental Health Work Placement (Mr P Garratt)

In attendance: Councillor Mrs Baybutt (Ward Councillor)
Councillor Mrs C Evans (Ward Councillor)
Mr T Callaghan (Owner Fifteens @ The Fox)
Ms L Langton (Operations Manager)
Mr. Johnson (Objector)
Mr. Gifford (Objector)
Ms Hale (Objector)

17. APOLOGIES

There were no apologies for absence received.

18. MEMBERSHIP OF THE COMMITTEE

There were no changes to Membership of the Committee.

19. URGENT BUSINESS

There were no items of urgent business.

20. DECLARATION OF PARTY WHIP

There were no declarations of a party whip.

21. DECLARATIONS OF INTEREST

There were no declarations of interest.

22. MINUTES

RESOLVED That the Minutes of the meeting held on 13 September 2013 be received as a correct record and signed by the Chairman.

23. LICENSING HEARING PROCEDURE

The Chairman outlined the Licensing Hearing Procedure.

24. APPLICATION FOR A VARIATION OF PREMISES LICENCE IN RESPECT OF FIFTEENS AT THE FOX, 24 ROBY MILL, UP HOLLAND, LANCASHIRE, WN8 0QF.

Consideration was given to the report of the Assistant Director Community Services as contained on pages 149 to 228 of the Book of Reports in respect of an application for a variation of a premises licence in respect of Fifteens @ The Fox, 24 Roby Mill, Up Holland, Lancashire, WN8 0QF.

In considering this matter the Sub – Committee had regard to its Licensing Policy and the guidance issued under S. 182 of the Licensing Act. It considered the relevant Licensing Objectives on this occasion was the ‘prevention of crime and disorder’, ‘protection of children from harm’ and ‘public nuisance’.

On hearing evidence from the Applicant and Objectors the Sub – Committee:-

- RESOLVED:
- A. That the sale of alcohol shall be permitted between the hours:- Sunday to Thursday 10.00 hours to 00.00 hours and Friday and Saturday 10.00 hours to 02.00 hours.
 - B. That the Premises shall be open to the public between the hours:- Sunday to Thursday 10.00 hours to 00.30 hours and Friday and Saturday 10.00 hours to 02.30 hours.
 - C. That late night refreshment shall be permitted between the hours:- Sunday to Thursday 23.00 hours to 00.00 hours and Friday and Saturday 23.00 hours to 02.00 hours.
 - D. That recorded music shall be permitted between the hours:- Sunday to Thursday 10.00 hours to 00.00 hours and Friday and Saturday 10.00 hours to 01.00 hours.
 - E. That live music shall be permitted between the hours Sunday to Thursday 10.00 hours to 23.00 hours and Friday and Saturday 10.00 hours to 00.00 hours.
 - F. That the Premises Licence Holder will have in place a written Operating Policy relating specifically to these premises and that at all times the premises is open, the Premises Licence Holder, DPS or person in charge will ensure that all activity at the premises is carried out in accordance with this policy.

- G. That the Premises Licence Holder, DPS or person in charge shall ensure regular toilet checks are carried out and that these checks along with any actions taken will be recorded and that a record of these checks will be provided to any responsible authority representative upon reasonable request.
- H. That the Premises Licence Holder will operate and maintain the CCTV system which shall be in use during all times licensable activities are taking place at the premises and comply as follows;
- i. The system shall cover all entrances and exits from the premises, in addition to covering all internal and external areas of the premises used to supply or consume licensed products.
 - ii. The focus of the camera(s) shall be so as to enable clear identification of persons on the premises.
 - iii. The system will be capable of accurate time and date stamping recordings and retaining said recordings for at least 21 days.
 - iv. That the premises licence holder or DPS shall make footage available to a police officer or authorised officer where such a request is made in accordance with the Data Protection Act 1998.
- I. That the Premises will operate a policy that prevents the sale of alcohol to persons under 18 to the satisfaction of the police and the local authority. This policy shall state that any person who does not appear to be at least 21 years of age, will not be served unless they can produce a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS), photocard driving licence or passport
- J. That notices will be displayed where they can be clearly seen and read in the premises indicating that the premises operates a Challenge 21 policy in relation to the sale of alcohol.

K. That the following conditions be removed from Annex 2 of the premises licence:-

- The Premises shall remain open to the public on Christmas Eve from 11.30 – 01.00 and to supply alcohol and provide recorded music from 11.30 - 00.30.
- Patrons who appear to be under 18 shall provide identification to bar staff.
- A fire risk assessment shall be carried out and implemented.
- Smoke detection systems shall be operational in all public and work areas.
- Children under 18 shall not be permitted to approach the bar servery and must be off the premises by 21.00.
- The AWP machine shall be monitored to ensure children are not using it.

This is the decision of the Sub – Committee.

.....
CHAIRMAN



WEST LANCASHIRE BOROUGH COUNCIL

LICENSING AND GAMBLING COMMITTEE LICENSING SUB COMMITTEE

HEARING PROCEDURE

1. The Chairman introduces the Members and the main Officers.
2. The Chairman invites the other parties to the hearing to introduce themselves.
3. The Chairman refers to this procedure, which will be followed.
(**NB.** The Chairman will explain that he will allow the parties to proceed without specific time constraints).
4. The Chairman asks the Assistant Director Community Services (or their representative) to outline the application.
5. Applicant's case
 - (a) The Applicant (or representative) will present their case. This will include general opening remarks followed by calling witnesses.
 - (b) The other parties to the hearing may then ask questions of the Applicant and witnesses, commencing with each Responsible Authority (if present) and concluding with the Sub-Committee.
6. Relevant representations – Responsible Authorities (if present)
 - (a) Each Responsible Authority (or representative) will present their case. This will include general opening remarks followed by calling witnesses.
 - (b) The other parties to the hearing may then ask questions of each Responsible Authority and witnesses, commencing with the Applicant and concluding with the Sub-Committee.
7. Relevant Representations – Interested Parties (if present)
 - (c) Interested Parties will be asked by the Chairman if they wish to elect a spokesperson or representative (or speak individually). Interested Parties will present their case. This will include general opening remarks followed by calling witnesses.

- (d) The other parties to the hearing may then ask questions of the Interested Parties and witnesses, commencing with the Applicant and concluding with the Sub-Committee.

- 8. If several representations (objections) have been received, Interested Parties may question the Applicant and witnesses in turn in an order to be determined by the Chairman. The same order will follow when it comes to the Interested Parties being questioned.

- 9. The Chairman to ask all parties and the Sub-Committee if they have any further relevant questions or comments arising from the hearing.

- 10. Interested Parties, Responsible Authorities and the Applicant to make their closing address in that order (so that the Applicant has the final say).

- 11. The Chairman will ask the Legal Adviser whether there are any other matters to be raised or resolved before the hearing is closed for deliberations.

- 12. The Sub-Committee will retire to determine the application calling the Legal Advisor and Member Services Officer as needed.

- 13. When the Sub-Committee returns the Chairman will announce the decision and give reasons. All parties to the hearing will receive confirmation of the decision in writing within five working days.

End.

If any of the parties, representative or observers, wish to discuss any matters relating to the hearing, Officers will be available at the conclusion of the hearing.



AGENDA ITEM: 8

LICENSING SUB-COMMITTEE

Wednesday 21 May 2014

Report of: Assistant Director Community Services

Relevant Managing Director: Managing Director (People and Places)

Contact for further information: Miss M Murray (Extn 5015)
(E-mail: michaela.murray@westlancs.gov.uk)

SUBJECT: APPLICATION FOR THE REVIEW OF A PREMISES LICENCE IN RESPECT OF TOWN GREEN INN, 17 TOWN GREEN LANE, AUGHTON L39 6SF

Wards affected: Borough wide

1.0 PURPOSE OF REPORT

1.1 To consider an application under the Licensing Act 2003 (the Act) for the Review of a Premises Licence in respect of Town Green Inn, 17 Town Green Lane, Aughton L39 6SF

2.0 RECOMMENDATIONS

2.1 The Sub-Committee's instructions are requested.

3.0 PREMISES INFORMATION

3.1 Address of Premises: Town Green Inn, 17 Town Green Lane, Aughton L39 6SF

3.2 Premises Licence Holder: Punch Taverns, Jubilee House Plc, Second Avenue, Burton-on-Trent, Staffordshire DE14 2WF

Designated Premises Supervisor: David Alan Dursham, Town Green Inn, (DPS) 17 Town Green Lane, Aughton L39 6SF

4.0 BACKGROUND INFORMATION

4.1 A Premises Licence was originally granted for the property in June 2005. Whilst the Premise Licence Holder has remained the same, the Designated Premises Supervisor (DPS) has changed on several occasions since the initial grant of the licence.

4.2 A location plan of the premises and the surrounding area is attached as Appendix A to this report.

5.0 THE APPLICATION FOR REVIEW

5.1 In accordance with the Act, on the 2 April 2014, an application for the Review of the Premises Licence granted in respect of the Town Green Inn, 17 Town Green Lane, Aughton was received from Lancashire Constabulary. The grounds for the Review as stated in the application are:

'These premises have historically come to Police attention as a result of complaints from local residents. The complaints relate in the main to noise nuisance from entertainment, noise from customers and the premises operating after it authorised hours. The complaints have been investigated and warnings given where appropriate. However the premise has seen a number of changes of management and so the policy of issuing warnings in the first instance had meant that any enforcement process has had to be restated when a new manager is appointed. This has effectively meant that no real action has been taken against the premises which had resulted in the local community suffering over a number of years.

In July 2013, after the departure of yet another manager who was responsible for a number of complaints relating to the premises, a meeting was held with the new manager and the representative for the Premises Licence Holder. At the meeting the police outlined that the situation could not continue and any further complaints relating to the premises would result in review proceedings being instigated. The new manager operated the premises between July and December 2013 with no issues being reported, however she left the premises which closed over Christmas and New Year.

In March 2014 new managers were placed into the premises and on 8th March a complaint was received by the Police from a resident who was subjected to excessively loud music

The Police are no longer prepared to carry on with issuing warnings as they have not previously provided a sustainable resolution to the problems. Therefore they have no option but to bring this to the attention of the Licensing committee with a view to seeking a more long term sustainable solution.'

5.2 A copy of the full application for Review is provided at Appendix B to this report (Members should note that this application also has Appendices 1, 2 & 3 attached) Lancashire Constabulary seek the following amendments to the Premises Licence:

- Operating hours at the premises Mon to Sun 11.00 hrs to 23.00 hrs
- Opening hours of the premises Mon to Sun 11.00 hrs to 23.30 hrs
- Removal of all regulated entertainment provision
- Removal of the exemption for conditions relating to live music to have no effect as per Section 177(A)(3)

- 5.3 The Police have also provided incident logs to support the review application dating from November 2010 attached as Appendix C to this report.
- 5.4 In accordance with Section 51(3) of the Act, the relevant Notices detailing the aforementioned grounds for Review, were displayed on the premises and in the immediate vicinity thereof, giving interested parties and responsible authorities, the right to make representations regarding the application for Review. The notice was also published on the Council's website. The Premises Licence Holder and DPS have been forwarded copies of the application for Review.

6.0 RELEVANT REPRESENTATIONS – MEMBERS OF THE PUBLIC

- 6.1 Representations have been received from 6 members of the public and are attached as Appendices D, E, F, G, H & I to this report. The representations support the Review application, highlighting details of numerous problems of noise and disturbance both from the premises and patrons leaving the premises. The representations are made under the 'Prevention of Public Nuisance' and 'Crime and Disorder' Licensing Objectives.
- 6.2 Appendix D to this report also provides video evidence which will be shown at the hearing.
- 6.3 Representations were also received from 2 members of the public in support of the premises which are attached as Appendix J and K to this report. These representations are against the Review application and state that they have no concerns with the premises.

7.0 RELEVANT REPRESENTATIONS – RESPONSIBLE AUTHORITIES

- 7.1 Representations have been received from 3 Responsible Authorities - namely, Environmental Protection Department, Planning Services & Lancashire Fire & Rescue Services and are attached as Appendices L, M & N to this report. The representations detail breach of licence conditions and complaints that have been received.

8.0 LICENSING POLICY AND LEGAL CONSIDERATIONS

- 8.1 Section 4 of the Licensing Act 2003 provides that a Licensing Authority must have regard to its Statement of Licensing Policy and to the guidance issued by the Secretary of State under Section 182 of the Act.
- 8.2 The Council's Licensing Policy provides that licence holders should be given sufficient warning of any concerns regarding problems, which have been identified at the premises, and the need to make improvements. Licensees are expected to respond to such warnings and implement the necessary remedial action. The message is clear that any failure to respond to such warnings would more than likely lead to a request for a review of the licence.
- 8.3 As Members will be aware, the four licensing objectives are as follows:

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

8.4 The Act provides that before determining the application, the Licensing Authority must hold a hearing to consider it and relevant representations.

8.5 The Licensing Authority in determining the application, having had regard to the application and any representations, may take the following steps if it considers it necessary for the promotion of the licensing objectives:

- (i) Modify the conditions of the licence
- (ii) Exclude a licensable activity from the scope of the licence
- (iii) Remove the designated premises supervisor
- (iv) Suspend the licence for a period not exceeding three months
- (v) Revoke the licence

8.6 In deciding which of the powers to use it is expected that the Licensing Authority should, as far as possible, seek to establish the causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response in the cause of promoting the licensing objectives.

8.7 In particular, Members' attention is drawn to the following sections of the Policy, which must be read in conjunction with this report:

Section 9	Review of Licences	pages 16-17
Section 10	Appeals	page 18
Section 16	Prevention of Public Nuisance	pages 26-28
Section 19	Licensed Operating Hours	page 34

9.0 HUMAN RIGHTS ACT IMPLICATIONS

9.1 The Human Rights Act 1988 makes it unlawful for a Local Authority to act in a way that is incompatible with the European Convention on Human Rights. The Council will have particular regard to the following convention rights;

Article 6

that in the determination of civil rights and obligations everyone is entitled to a fair 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 family life;

Article 1 of the First Protocol

that every person is entitled to the peaceful enjoyment of his/her possessions including for example, possession of a licence.

10.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

10.1 The recommendations contained in this report have limited sustainability and/or community strategy implications. However, the Council's Licensing Policy (required under the Licensing Act 2003), which underpins the Committee's decision, impacts upon many areas within the Community. The Licensing Objectives contained in the Policy fit closely with many aspects of the Community Strategy and has the following links with the Community Strategy: Community Safety (issues A, C and E); Economy and Employment (issue D); Health and Social Care (issue A).

11.0 FINANCIAL AND RESOURCE IMPLICATIONS

11.1 No additional financial or other resources are required.

12.0 RISK ASSESSMENT

12.1 The Council has a legal duty to administer the Licensing Act 2003 and is under a legal duty to determine the matter contained in this report. A failure to determine this matter would result in potential legal challenge.

Background Documents

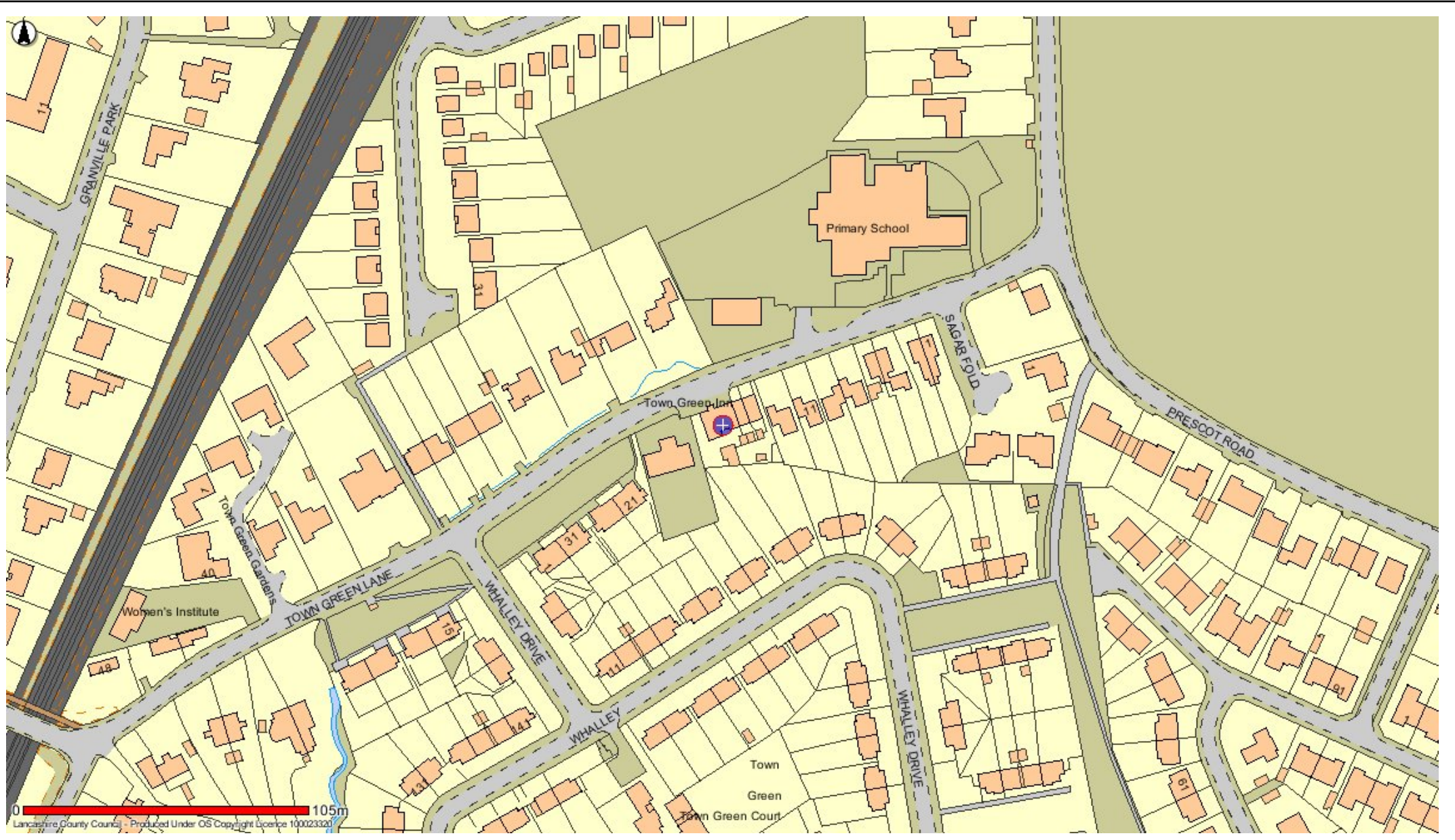
There are no background documents (as defined in Section 100 D (5) of the Local Government Act 1972) have been relied on to a material extent in the preparation of this report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

Location Plan	(Appendix A)
Application for Review	(Appendix B)
Police Incident Logs	(Appendix C)
Public Representations (in support of the Review application)	(Appendices D to I)
Public Representations (against the Review application)	(Appendix J to K)
Responsible Authorities Representations	(Appendices L to N)



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Town Green Inn



Date: 09/05/2014

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 Centre of map: 340441:405692

Application for the review of a premises licence or club premises certificate 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 PS 1506 Bushell on behalf of the Chief Officer of Police

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Town Green Inn 17 Town Green Lane	
Post town Aughton	Post code (if known) L39 6SF

Name of premises licence holder or club holding club premises certificate (if known) Punch Taverns PLC
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Number of premises licence or club premises certificate (if known) LN/000001420

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

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

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

These premises have historically come to Police attention as a result of complaints from local residents. The complaints relate in the main to noise nuisance from entertainment, noise from customers and the premises operating after it authorised hours. The complaints have been investigated and warnings given where appropriate. However the premises has seen a number of changes of management and so the policy of issuing warnings in the first instance has meant that any enforcement process has had to be restarted when a new manger is appointed. This has effectively meant that no real action has been taken against the premises which has resulted in the local community suffering over a number of years.

In July 2013, after the departure of yet another manager who was responsible for a number of complaints relating to the premises, a meeting was held with the new manager and the representative for the Premises Licence Holder. At the meeting the police outlined that the situation could not continue and any further complaints relating to the premises would result in review proceedings being instigated.

The new manager operated the premises between July and December 2013 with no issues being reported, however she left and the premises was closed over Christmas and New Year.

In March 2014 new managers were placed into the premises and on 8th March a complaint was received by the police from a resident who was subjected to excessivley loud music.

The Police are no longer prepared to carry on with issuing warnings as they have not previously provided a sustainable resolution to the problems. Therefore they have no option but to bring this to the attention of the Licensing Committee with a view to seeking a more long term sustainable solution.

Please provide as much information as possible to support the application
(please read guidance note 2)

See attached.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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

If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature



Date 1st April 2014

Capacity

licensing Montagu

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Premises Licence Review

The Town Green Inn, 17 Town Green Lane, Aughton

Applicant

Lancashire Constabulary

Premises Licence Holder

Punch Taverns PLC

Premises History

1. These premises are situated in the quiet rural area of Aughton and in close proximity to residential properties.
2. They have the benefit of a premises licence as a result of an application by the Premises Licence Holder to convert the licence during the transitional period of the Licensing Act 2003.
3. The application specified the Designated Premises Supervisor as being Yvette Lightfoot.
4. It should be noted that prior to the conversion the premises operated under a Justices licence which authorised the sale of alcohol within the standard hours of operation permitted under the 1964 Act, these being;

Mon – Sat 11:00 to 23:00

Sun 12:00 to 22:30

5. It should be further noted that the premises at this time did not have the benefit of a Public Entertainment Licence and was therefore unable to provide music and associated activities.
6. The premises is also subject to a number of planning conditions as a result of a planning application made in September 1999, one of which stipulates that no part of the land to the rear of the property shall be used for outside drinking.
7. This was no doubt imposed to provide some protection for local residents whose properties adjoin the premises.
8. In conjunction with the conversion application there was also an application made to vary the premises licence to increase the hours relating to the sale by

retail of alcohol and to include the provision of regulated entertainment in the form of live and recorded music.

9. The variation requested the following increase in hours for all licensable activity as follows;

Mon – Thur	11:00 to 00:00
Fri & Sat	11:00 to 01:00
Sun	11:00 to 23:30

10. The variation application also specified the opening hours of the premises to be an additional 30 minutes after the cessation of licensable activity and requested an additional hour to be added to the provision of licensable activities as non – standard timings for various days of importance throughout the year.
11. The police did not make representations against the granting of the variation however did make representations regarding the non-standard timings believing that the extra hour of operation would have an impact on the community.
12. The Council Environmental Health Department also made representations regarding the premises opening after 23:00, providing regulated entertainment and the potential impact of the noise on the local community.
13. The police representations were resolved through negotiations with the applicants who agreed to withdraw the non-standard timings.
14. The EHO representations were resolved by way of agreed conditions being imposed on the licence to ensure the local residents had some protection from potential noise breakout from the premises.
15. After the representations were withdrawn the premises licence was issued and became live from 25th November 2005.
16. The police will say that a historic check of their incident logging system from 25th November 2005 back to January 2000 revealed only 8 incidents connected to the premises
17. Of these 8 incidents 3 relate to reports of burglary at the premises, 2 reports of drink drivers at the premises, a concern for welfare for Yvette Lightfoot, a report of music disturbing local residents, which when investigated was a found not to be attributable to the premises and a report of after-hours drinking which was not resolved as there was no available patrols to deploy.

18. In essence then there was in 5 years only 1 genuine report from a local resident relating to being disturbed by the premises which was never resolved.
19. In January 2006 a new premises licence was applied for, believed as a result of structural alterations, this was granted with the same hours of operation and conditions as already held and is the current licence in operation. (Copy attached at Appendix 1).
20. In March 2006 an application was made to specify a change in DPS to JJ Whitehouse.
21. Mr Whitehouse remained at the premises for approximately 7 months during which the police received 1 complaint about loud music from the premises. (Details attached in document at Appendix 2).
22. In October 2006 an application was made to specify a change in DPS to Joanne Beamer.
23. Joanne remained at the premises for approximately 3 months during which the police received 1 complaint regarding noise from the premises. (Details attached in document at Appendix 2).
24. In January 2007 an application was made to specify a change in DPS to Patricia Nabli.
25. Patricia remained at the premises for approximately 18 months during which time the police received 8 complaints regarding loud noise and music from the premises. (Details attached in document at Appendix 2).
26. On 21st July 2008 the Local Authority received information that the premises was under new management, a visit to the premises revealed that Patricia Nabli had left the premises 2 weeks earlier with no notification from either her or Punch Taverns.
27. Further enquiries revealed that the premises was being managed by a Tina at the Royal Oak, she was contacted and advised of the requirement for Punch to make an application to transfer the DPS.
28. On 23rd July 2008 as no application was received a call was made to Punch Taverns, this resulted in an application being made the following day to transfer the DPS to Clare Andrews.

29. Clare remained at the premises for approximately 5 months during which time the police received 2 complaints relating to noise and loud music from the premises. (Details attached in document at Appendix 2).
30. In December 2008 an application was made to specify a change in DPS to Colin McTaggart.
31. Colin remained at the premises for approximately 20 months during which time the police received 2 complaints relating to noise and after hours drinking. (Details attached in document at Appendix 2).
32. In August 2010 an application was made to specify a change in DPS to Andrew Forber.
33. Andrew remained at the premises for 3 weeks during which time no complaints were received.
34. In August 2010 an application was made to specify a change in DPS to Margaret Murphy.
35. Margaret remained at the premises, on paper, for 8 months, however in real terms she was only there for approximately 7 months as is outlined below.
36. During the time Margaret was at the premises the police received 2 complaints of noise and rowdy behaviour at the premises. (Details attached in document at Appendix 2).
37. On 6th April 2011 the licensing officer from West Lancashire Borough Council visited the premises and spoke to an Emma Sharkey, who stated she was taking on the lease and that Margaret Murphy would remain as DPS until Emma had completed her course which she was due to take the following week.
38. Emma confirmed she was running the premises and that Margaret Murphy only worked there 3 nights a week
39. On 8th April 2011 a further visit was conducted at the premises by the licensing officer who provided Emma Sharkey with a copy of the premises licence and attached conditions.
40. It was noted that the premises was at this time advertising Champagne Breakfasts, however this was outside their operating times and they were advised that they needed to cancel it if they intended to sell alcohol before 11am as no TEN application had been made.

41. On 19th April 2011 the local authority received information that suggested Margaret Murphy was no longer at the premises, as such a call was made to the premises and a message left for Emma Sharkey to re-contact the council.
42. Emma did not return the call so the licensing officer visited the premises, however she was not available at this time.
43. In an attempt to establish the current situation with regards Margaret Murphy, being DPS, the licensing officer contacted the area manager for the premises Mark Wrigley.
44. Mark Wrigley stated that Margaret Murphy was still DPS at the premises and that Emma would take over when she had completed her course, it was however pointed out that it had been two weeks since Emma stated she was doing the course.
45. Mark Wrigley went on to state that Margaret Murphy was still at the premises and in fact worked there 30 hours a week, this was in complete contrast to what Emma Sharkey had told the officer.
46. The licensing officer was not happy with what they had been told and contacted the police licensing officer to raise concerns over Margaret Murphy being an absent DPS.
47. On 20th April 2011 the police licensing officer contacted Margaret Murphy and sent her an E-mail asking her to confirm her current involvement with the premises.
48. She replied by return of E- Mail that she was no longer involved with the premises and had in fact left three weeks ago, so what was effectively the end of March. (Copy of these E-Mails attached at Appendix 3)
49. This was of concern as it effectively meant that both the statements made by Emma Sharkey at para's 37 & 38 and Mark Wrigley at para 45 were at best erroneous or at worst mendacious.
50. This was brought to the attention of Mark Wrigley by leaving a message on his answerphone with a request to call back, however no call was received.
51. On Friday 22nd April the police licensing officer contacted Emma Sharkey to confirm if the premises were still trading in light of the fact that there was technically no DPS at the premises.

52. Emma Sharkey confirmed she was trading and had been told she could continue to do so by Mark Wrigley acting on instructions from Punch's solicitors as Margaret had not officially withdrawn herself as DPS.
53. The police licensing officer outlined the view that in reality there was no DPS at the premises as she had left and that technically as she had nothing to do with the premises the sale of alcohol could be unlawful.
54. The licensing officer requested she convey this view to Mark Wrigley as soon as possible and requested he ring the officer to discuss this, no call was received and it is understood that Emma Sharkey ceased trading for the weekend.
55. On 27th April 2011, an application was eventually made to specify a change in DPS to Brian Lammond, this being nearly 1 month after the previous DPS had effectively left the premises.
56. Brian remained at the premises for approximately 3 months during which time no complaints were received.
57. In July 2011 an application was made to specify a change in DPS to Laura Guilfoyle
58. Laura remained at the premises for 2 years during which time 5 complaints relating to noise, rowdy behaviour and after hours drinking were received. (Details attached in document at Appendix 2).
59. During her time at the premises the police and local authority received a number of E-Mails from local residents complaining about activity at the premises and questioning what action the authorities would be taking.
60. The Police and Local authority also had cause to speak to Laura on a number of occasions relating to complaints received regarding after hours sales.
61. The first of these was on 27th September 2012, where Laura accepted offences had been committed and was given a warning explaining that any further offences would be dealt with more robustly.
62. The second occasion was on 19th February 2013 and was prompted as a result of a complaint and an E- mail sent by the local community beat manager.

63. At this meeting Laura maintained it was a private party however this was found not to be the case, in an attempt to prove after hours sales the till was checked however it had been disabled so evidence of sales was unavailable.
64. There were CCTV cameras visible in the bar area however enquiries revealed that there was no actual system installed so no evidence could be obtained through this medium.
65. In light of this the Business Development Manager, Stephen Lafferty was contacted by the police to highlight concerns regarding Laura's operation of the premises and that there was a consideration to review the licence to have her removed.
66. The BDM stated that Punch were also unhappy with her and that they were currently seeking legal action to remove her from the premises, however he also supported the suggestion that a review would assist removing her from the premises.
67. In light of the legal proceedings to remove Laura the police licensing officer felt that a review may not be the best course of action in relation to the premises and conveyed this view to Ford and Warren Solicitors.
68. Subsequently Punch obtained an eviction order, however Laura was able to remain at the premises and in light of this the potential for a review to remove her was again tendered by the BDM.
69. The police concerns over submitting a review was again conveyed to the BDM and he agreed to wait and see what transpired.
70. Laura Guilfoyle eventually left the premises in July 2013.
71. This was now the 9th manager in as many years, and in all but 2 cases complaints had been received regarding noise and disturbance to local residents.
72. The local community were now demanding action be taken relating to the premises and that this situation had been going on for too long and therefore the police gave an undertaking that should there be any further problems with the premises they would seek a review of the licence.
73. In July 2013 an application was received to specify a new DPS in the name of Angela Grogan.

74. Angela remained as DPS at the premises for 8 months however only operated the premises for the first 5 months.
75. In view of the number of DPS changes experienced at the premises and the problems reported by the local residents, they were reticent at the appointment of yet another manager.
76. In an attempt to try and build bridges between the community and the operator the police licensing officer held a meeting at the premises with Angela Grogan, Stephen Lafferty, Michaela Murray and a local resident.
77. At the meeting the officer outlined the ongoing issues with the premises, the problems experienced by the residents and the need to operate the premises without it impacting on the local community.
78. Angela gave assurances that she would run the premises without it impacting on the community, the conditions attached to the licence were outlined to her and the officer gave the undertaking to all present that this was in fact the last chance and should any further complaints relating to the premises be received then review proceedings would be instigated.
79. Angela operated the premises from July until December and during that time there were no complaints received, in fact a courtesy call to the local resident revealed that they were very happy with the premises at this time.
80. In December 2013 Angela left the premises, there was no notification given by either Angela or Punch, this only came to notice when the police licensing officer received an application to transfer the DPS at another premises in the name of Angela Grogan.
81. Having some concerns re this, Angela was contacted and asked why she was transferring from the premises; she stated she was getting no support from Punch.
82. The premises were closed and remained so over the Christmas and New Year period.
83. The next time the authorities became aware that the premises were trading was as a result of a complaint received from a local resident about excessive music coming from the premises. (Details attached in document at Appendix 2).
84. In response to this the police licensing officer contacted Stephen Lafferty and left a message on his answerphone outlining his disappointment that there

had been no communication regarding new operators, regarding the fact that the premises was operating and no change of DPS had been received.

85. It was also pointed out that as we had received a serious noise complaint, in light of the undertaking given in July there was no option but to now consider a review of the premises licence.
86. No contact was made by Stephen Lafferty at this time.
87. In light of this the officer in company with the licensing officer and environmental health officer from the local authority attended the premises to speak to the new operators.
88. They arrived at the premises at 10:20 hours and found the premises closed, there were lights on inside but no one could be found.
89. Upon attending the rear of the premises they found the rear doors insecure and were able to enter the premises, a check of the whole premises revealed that there was no one inside.
90. Being concerned that the premises were vulnerable a further call was made to Stephen Lafferty informing him that the premises were insecure and that he should contact the officer as soon as possible.
91. About 10 minutes later Stephen Lafferty contacted the officer, he stated he had received the first call but decided not to respond.
92. He also stated that he thought the premises were opening later that week but they had opened earlier and he didn't know about it.
93. He further conceded that it was his failure to make the DPS application, but that he would contact the new operators and have them attend the premises.
94. The new operators eventually attended the premises and they were spoken to by the officers, they gave their details as David Dursham and James Duffy.
95. They stated that they did have music on but that it wasn't loud, it was pointed out that it could be heard inside a residential property and that this was a breach of a condition attached to the licence.
96. It transpired that they had not been made aware of the conditions attached to the premises licence, nor were they able to produce the full premises licence or a certified copy of it as required under Section 57(2) Licensing Act 2003.

97. In light of this they were provided with a copy of the full licence and the conditions were outlined to them.
98. Police conducted some background checks in relation to Mr Dursham and Mr Duffy, it transpired that although Mr Dursham had stated he had previous experience of running licensed premises this was in fact a total of 4 months in 2009.
99. This raised concerns as both persons were relatively inexperienced and it was felt these premises needed experienced operators in light of previous issues at the premises.
100. At the time of writing Mr Dursham currently remains as DPS at the premises and other than the noise complaint there have been no other complaints received about the premises.

Police Observations

1. There has, as can be seen, a historic problem with noise complaints connected with the premises, it is evident to note that these issues only seem to have arisen after the relaxation of the licensing hours under the Licensing Act 2003.
2. It could be said that this is down to the fact that there have been a large number of changes in management and that this is to blame, this would be acknowledged by the police but they would say that the main responsibility for this lies with the Premises Licence Holder Punch Taverns.
3. The police would say that there appears to have been no consideration by the Premises Licence Holder as to the suitability of managers they have appointed.
4. Further to this they have not adequately provided their managers with sufficient information relating to the Premises Licence or conditions to enable them to operate in accordance with the licence.
5. It is apparent that managers are put into premises and the Pub companies are not providing them with the basic information required to operate the premises.
6. It is not unusual that when speaking with new managers it is found they have not been given a copy of the premises licence or been made aware of the conditions attached to the licence.

7. This seems to be a common occurrence where premises are operated by pub companies and as such the police now take a copy of the licence to all meetings with new operators to ensure they are aware of the constraints attached to that premises.

8. It would be easy to level the blame for these problems at individual managers but the police would state that the responsibility for the issues at the premises ultimately lie with the Premises Licence Holder.

9. The police do not feel there are any conditions that would address these issues and would say that the only way to address the problem would be a reduction in the operating hours of the premises.

10. To this end the police would recommend the following amendments be considered by the licensing committee;

- Operating hours at the premises Mon to Sun 11:00 hrs to 23:00 hrs
- Opening Hours of the premises Mon to Sun 11:00 hrs to 23:30 hrs
- Removal of all regulated entertainment provision
- Removal of the exemption for conditions relating to live music to have no effect as per Section 177(A)(3).

APPENDIX

1



West Lancashire Borough Council

COMMUNITY SERVICES, ROBERT HODGE CENTRE, STANLEY WAY, SKELMERSDALE, WEST LANCASHIRE, WN8 8EE

Tel: 01695 577177 Fax: 01695 585126 email: licensing.enquiries@westlancs.gov.uk

Licensing Act 2003
Premises Licence **LN/000001420**

Part 1 – Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION:
Town Green Inn
 17 Town Green Lane, Aughton, Lancashire, L39 6SF Telephone: -

WHERE THE LICENCE IS TIME LIMITED THE DATES:
 N/A

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE			
Similar Facilities	Alcohol Sale/Supply	Recorded Music	Live Music

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES				
Activity	Location (if known)		Time From	Time To
Alcohol Sale/Supply	Whole Area	Monday	11:00	00:00
Similar Facilities		Tuesday	11:00	00:00
Recorded Music		Wednesday	11:00	00:00
Live Music		Thursday	11:00	00:00
		Friday	11:00	01:00
		Saturday	11:00	01:00
		Sunday	11:00	23:30

THE OPENING HOURS OF THE PREMISES:			
Description	Days	Time From	Time To
On & Off Sales	Monday	11:00	00:30
	Tuesday	11:00	00:30
	Wednesday	11:00	00:30
	Thursday	11:00	00:30
	Friday	11:00	01:30
	Saturday	11:00	01:30
	Sunday	11:00	00:00

WHERE THE LICENCE AUTHORIZES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON/AND/OR OFF SUPPLIES:
 On & Off Sales



West Lancashire Borough Council

COMMUNITY SERVICES, ROBERT HODGE CENTRE, STANLEY WAY, SKELMERSDALE, WEST LANCASHIRE, WN8 8EE

Tel: 01695 577177 Fax: 01695 585126 email: licensing.enquiries@westlancs.gov.uk

Licensing Act 2003

Premises Licence

LN/000001420

Part 2

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

Name: Punch Taverns Plc
Address: Jubilee House,
Second Avenue,
Burton Upon Trent,
DE14 2WF
Telephone: -
Email: -

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

-

NAME ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES FOR THE SUPPLY OF ALCOHOL

Name: Ms Angela Jean Grogan
Address: 17 Town Green Lane,
Aughton,
Lancashire,
L39 6SF
Telephone: -

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

Licence No: 003940 Issued by: Sefton Council



West Lancashire Borough Council

COMMUNITY SERVICES, ROBERT HODGE CENTRE, STANLEY WAY, SKELMERSDALE, WEST LANCASHIRE, WN8 8EE

Tel: 01695 577177 Fax: 01695 585126 email: licensing.enquiries@westlancs.gov.uk

Licensing Act 2003

Premises Licence

LN/000001420

ANNEX 1 - MANDATORY CONDITIONS

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence –
 - a) At a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) At a time when the designated premises supervisor does not hold a personal licence, or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Irresponsible promotions

1. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children –
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on –
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

Dispensing of alcohol into the mouth

1. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

Free tap water

1. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

Exhibition of films

1. Where the film classification body is specified in the licence, unless (2) applies, admission of children must be restricted in accordance with any recommendations made by that body
2. Where –
 - a) The film classification body is not specified in the licence, or
 - b) The Licensing Authority has notified the holder of the licence that this condition is applied to the film in question.

Admission of children must be restricted in accordance with any recommendation made by the Licensing Authority.

Door Supervision

1. Any individual employed on the premises to carry out a security activity must be licensed by the Security Industry Authority.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

An extension of 1 hour shall be permitted on the Saturday night and Sunday night of any weekend followed by a Bank Holiday Monday, Thursday prior to Good Friday and for Christmas Eve and Boxing Day.

Noise from music and associated sources (including D.J.s and amplified voices) shall not be audible at the nearest noise sensitive premises.

All external entrance doors and internal lobby doors shall be fitted with automatic self-closing devices, to be set or adjusted to ensure that doors do not bang shut.

The placing of refuse, such as bottles, into receptacles outside the premises shall take place between 8.00am and 10.00pm so as to prevent disturbance to nearby premises.

The exterior of the premises including the car park and external drinking areas shall be well lit.

There shall be a strict anti-drugs policy adopted and adhered to.

There shall be a selection of non-alcoholic drinks to promote anti drink driving policy.

There shall be a fire alarm in both public areas and private quarters.

There shall be fire extinguishers, illuminated exit signs and emergency lighting throughout the premises.

All food handlers shall hold Basic Food Hygiene Certificates.

All doors and windows shall be kept shut during any amplified entertainment.

Signs shall be placed at exits reminding customers to respect the neighborhood and depart quickly and quietly.

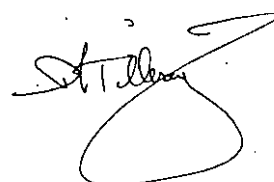
No unaccompanied children shall be allowed on the premises at any time.

All children shall be off the premises by 2100 one hour after final food orders are taken.

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

None

Dated: 10 March 2014



Assistant Director Community Services

APPENDIX

2

Date	Time	DPS	Incident Class	Informant	Complaint	Result
18/07/06	22:19	JJ White house	Licensing	Named	Loud music coming from the town green pub. Questioning they have a live band every Tuesday and if this is allowed?	Patrols attended 23:10 and spoke with landlord. They have a licence for music up until 01:00 and the noise was felt not to be excessive at this time
15/12/06	00:09	Joanne Beamer	Licensing	Anon	Need Police to do something about the noise coming from the town green - Totally unacceptable	Patrols attended 00:21 and stated totally unacceptable noise coming from the pub. Told to turn the music down. New landlord spoken to and advised there will be further action should the level of noise continue. Music turned down
27/04/07	23:47	Patricia Nabli	Noise	Named	Premises playing very loud music ongoing issue	Patrol attended 00:30 still people inside and patrols deemed no excessive noise at this time
01/06/07	23:48		Noise	Named	Noise from premises constantly disturbing us on a Friday night	Patrol attended 00:09 and entered premises. Not excessive at this time and was provided within the hours permitted
15/06/07	23:27		Noise	Named	Loud music and singing from the pub caller complained to council and licensing committee	Patrol attended 23:41 pub quiet at this time
18/07/07	22:43		Noise	Named	Very loud music and singing from the premises. Tried ringing landlord no reply noise is unacceptable. Further call from another resident complaining about noise	Patrols attended 23:37 and found to be quiet
03/11/07	03:19		Noise	Named	Woken up by loud noise coming from pub. Appears to be 5 people and possibly a child inside the premises	Patrols attended 03:43 and two friends and member of staff inside. no evidence of sales
09/12/07	00:27		Noise	Named	Noise in premises can be heard outside going on most of the evening. Has been and spoken to licensee but music not turned down.	Patrols attended at 00:53 no sound or persons at the premises complain referred to West Lancs EHO

Date	Time	DPS	Incident Class	Informant	Complaint	Result
01/06/08	00:16		Noise	Named	Loud music still playing cannot get to sleep every Saturday and occasionally during the week. Has complained previously but nothing seems to have been done	Patrols attended at 02:21 no noise coming from the pub
07/06/08	00:11		Noise	Named	Loud music coming from the pub, believes the pub does not have a licence for this	Patrols attended at 00:39 no noise people outside are staff. Patrols did not enter the premises
14/08/08	23:44	Clare Andrews	Noise	Named	Noise coming from pub, states as part of their licence they should not be able to hear the noise from the pub	Due to demand no patrols could attend. Complainant advised to contact the Council to report this.
26/10/08	00:18		Noise	Named	Music blaring out from pub, has reported to the Council but informed to ring police as breach of licence condition. Wants something done will be writing to the Chief Constable.	Patrols attended 00:30 no noise heard, complainant re-contacted and informed
15/08/09	02:25	Colin Mc Taggart	Noise	Refused	Reporting pub still open and operating out of hours, possibly malicious complaint from upset customer	Patrols attended at 03:43 hours and spoke to new landlord who had a couple of friends round after closing stated no drinks passed over the bar
09/08/09	18:52		Noise	Named	Inf reporting noise nuisance from vehicles on the pub car park. People are playing loud music from their cars and children playing football on the car park	Patrols attended at 19:43 Found a lone vehicle with windows down music on loud but no one with it. Evidence of drug use in vehicle but nothing found on search. Owner found and handed over some counterfeit t-shirts found in the boot
19/11/10	22:41	Margaret Murphy	Noise	Named	Reporting issues to the council about constant noise coming from the pub after midnight with live bands children can't sleep	Patrols attended at 23:09 and told to turn the music down.

Date	Time	DPS	Incident Class	Informant	Complaint	Result
05/12/10	11:50		Rowdy / Incons Beh'our	Named	Reporting that they has just witnessed an argument between license and a female both using foul language and threatening physical violence	As female drove off whilst inft on the phone call dealt with as third party report and advised to recall if she returns.
29/07/11	23:38	Laura Guilfoyle	Personal	Unknown	Reports of noise coming from the pub (music and customers)	Patrols attended at 00:39 and sat outside premises no entertainment coming from the premises
03/09/11	22:57		Nuisance	Named	Reporting excessive noise coming from the pub. Whenever they have live music there are always problems. Has been reported on number of occasions to licensing EHO and Police, nothing being done.	Patrols attended at 23:17. There was live music playing and the doors are shut. Seemed to be a party going on did not appear excessive. Patrols did not enter at this time.
01/09/12	03:50		Licensing	Named	Ongoing noise coming from the pub and there are still people inside.	Patrols attended at 04:15 and they were still serving. The last drink was served at 04:05. The pub was closed and all customers sent on their way.
17/02/13	03:20		Nuisance	Named	Guitarists are closed in the pub but there is clearly a lock in in the premises. States they always say it's a private party and it's not.	Patrols attended at 03:45 and spoke to the landlady. It was her 50 th birthday and a private party. Patrols told them to keep the noise down.
09/07/13	23:13		Nuisance	Named	Complaining of an ongoing party in the pub since 1pm. They have put tables and chairs out on the car park which they have no planning to do. Listed up as he has young grandchildren staying over and they keep breaching their agreements with licensing.	Email sent to licensing Department to inform them of incident.
08/03/14	22:11	David Dursham	Nuisance	Named	Noise nuisance coming from the pub. It is excessive. New owners have taken over. Have had taken a recording of the noise.	Patrols attended at 00:42 and the pub was closed at the time. An incident email was sent to licensing team.

APPENDIX

3

From: e-mail mag.2 [mailto:mag.2@blueyonder.co.uk]

Sent: 20 April 2011 14:10

To: Bushell, Anthony

Subject: Re: Town Green Inn

hi sorry about before no pen

i have nothing to do with the town green i left

3 weeks ago i told who i had meeting with when i 1st started there it was only going to be a short term as i have other job.

thanks

On 20 April 2011 12:06, Bushell, Anthony <Anthony.Bushell@lancashire.pnn.police.uk> wrote:

Margaret

Good to speak to you. As I said we are having some issues with the premises which could constitute breaches of the licence for which the DPS could be liable. You are still down on our records as DPS so technically are responsible. Mark Wrigley from Punch has informed the licensing officer at West Lancs that you are still DPS and working at the premises 30 hours a week. However after speaking to you this does not seem to be the case.

Could you therefore by return of e mail confirm with me your current status with regards the premises and whether you still have any involvement as DPS and if not how long have you been away

Thanks

**PS 1506 Tony Bushell
Southern Division Licensing Unit
Chorley Police Station
St Thomas Road
Chorley
Lancashire PR7 1 DR
Tel 01257 246227
Mob 07984650358
E-Mail - anthony.bushell@lancashire.pnn.police.uk**



Lancashire Constabulary Sleuth Live Sleuth

Welcome PS 1506 Bushell
 Thursday, April 24, 2014
 14:03:29
 ASP Version 3.3.0

Incident Report - LC-20101119-1857

Print

Cancel

Date: 19/11/2010
Time: 22:41 hours
Informant: [REDACTED]
Informant Contact Numbers: [REDACTED]
Informant Address: [REDACTED] TOWN GREEN LANE AUGHTON
 ORMSKIRK L396SF
Incident Location: CK5E
Incident Address: 17 TOWN GREEN INN TOWN GREEN LANE
 AUGHTON ORMSKIRK
Class: Noise
Type: NOISE
Details: INF HAS ALREADY REPORTED THIS ISSUE WITH THE COUNCIL STATES FROM THE PUB ACROSS CONTSTANTLY THERE IS LOUD MUSIC COMINGGOES ON UNTIL AFTER MIDNIGHTLIVE BANDS AT THE PUB AT THE MOMENT ADVISED INFT THAT THIS IS A COU
Officer Dealing: 1506
Involved Vehicles:
Officers Attended: 1506
Call Signs Attended: (1506)
Local Requirements: NQ NQ

Related Actions:

19/11/2010 22:47 hours 18619 18619 - (B-CAL105)
 INF HAS ALREADY REPORTED THIS ISSUE WITH THE COUNCIL STATES FROM THE PUB ACROSS CONTSTANTLY THERE IS LOUD MUSIC COMING

19/11/2010 22:48 hours 18619 18619 - (B-CAL105)
 GOES ON UNTIL AFTER MIDNIGHT

19/11/2010 22:49 hours 18619 18619 - (B-CAL105)
 LIVE BANDS AT THE PUB AT THE MOMENT ADVISED INFT THAT THIS IS A COUNCIL ISSUE SHE WILL REPORT THIS TO THE COUNCIL AGAIN

19/11/2010 22:51 hours 18619 18619 - (B-CAL105)
 INF HAS SMALL CHILDREN AND THE NOISE IS VERY LOUD CAN GET
 CHILDREN TO SLEEP

19/11/2010 22:51 hours 18619 18619 - (B-CAL105)
 Is it happening now?:YES

19/11/2010 22:51 hours 18619 18619 - (B-CAL105)
 Is this the first time it has happened?:NO

19/11/2010 22:51 hours 18619 18619 - (B-CAL105)
 Have you phoned the police before about this?:NO

19/11/2010 22:51 hours 18619 18619 - (B-CAL105)
 Have you contacted any other Agencies about this?:YES:COUNCIL

19/11/2010 22:51 hours 18619 18619 - (B-CAL105)
 Do you know who is responsible (i.e. offender?):YES:PUB

19/11/2010 22:51 hours 18619 18619 - (B-CAL105)
 How do you want to be notified of the outcome?:SOP MUSIC

19/11/2010 22:51 hours 18619 18619 - (B-CAL105)
 Have you completed the question set?:YES

19/11/2010 22:52 hours 18619 18619 - (B-CAL105)
 PC 1242 Ken Lees PCSO 7311 Jill Reid

19/11/2010 23:09 hours 13419 13419 - (C-DIS025)
 1506 - ADVISED AND THEY ARE TURNING IT DOWN

19/11/2010 23:09 hours 13419 13419 - (C-DIS025)
 Disposition code: `410`

19/11/2010 23:09 hours 13419 13419 - (C-DIS025)
 No. of Arrests 0 F.A. 0=N 1=Y 0 No. of Reports 0

19/11/2010 23:09 hours 13419 13419 - (C-DIS025)
 Handling Officer 1506

19/11/2010 23:09 hours 13419 13419 - (C-DIS025)
 Qualifiers No Qualifier

19/11/2010 23:09 hours 13419 13419 - (C-DIS025)
 Other Factors No Qualifiers

19/11/2010 23:09 hours 13419 13419 - (C-DIS025)
 LC-20101119-1857 HAS BEEN DISPOSED

Victim Management Incident Log Status: No Log Records Yet

[Add Victim Management Comment](#)

CLOSURE DETAILS

Date / Time Closed: 19/11/2010 2309 hours

Response: Planned Result: Arrested: 0

Crime: Assault Police:

Motorway: Press: Spatial:

Briefing Sheet: Management: INTL:

Emergency Changed: Details:

Case Closed: Follup Required: N Log Audited:

ALARM DETAILS

Alarm Cause: Alarm Type:

CRIME DETAILS

Crime Ref: HOC: Location:

OIC:

REPEAT VICTIMISATION DETAILS

Victim Surname: Victim Forename: Victim DOB: 01/01/1900

Victim Type: Person Index: 0 Person/Property Index: 0

Property Index: 0 Graded Response:

PERFORMANCE STATISTICS

Off Attended: 1 Call Handling Time: 9m 26sec Times Changed Total Time from Despatch To Scene: 0m 0sec

Call Handling Completion to Despatch: 27m 50sec Time for first Resource to Arrive at Scene: 15m 53sec

Total Officer Time Spent On Incident: 15m 42sec

*** End Of Report ***

[HomePage](#)

[Feedback](#)

[BCU Log](#)

[HQ Intranet](#) [Log Out](#)

1506 - 24/04/2014 14:03:25



Lancashire Constabulary Sleuth Live Sleuth

Welcome PS 1506 Bushell
 Thursday, April 24, 2014
 14:04:02
 ASP Version 3.3.0

Incident Report - LC-20101205-0740

Print

Cancel

Date: 05/12/2010
Time: 11:50 hours
Informant: [REDACTED]
Informant Contact Numbers: [REDACTED]
Informant Address: [REDACTED] TOWN GREEN LANE #A AUGHTON ORMSKIRK
Incident Location: CK5E
Incident Address: 17 TOWN GREEN INN TOWN GREEN LANE AUGHTON ORMSKIRK
Class: Rowdy or inconsiderate behaviour
Type: ROWDY/INCONS_BEH`OUR
Details: INFT REPORTING THAT AT 1140HRS SHE HAS HEARD AND WITNESSED ARGUMENT ON THE CAR PARK OF THE LOCATION BETWEEN WHO SHE BELIEVES WAS THE LICENSEE OF THE PREMISES AND A FEMALE-THEY WERE SHOUTING AND USING ABUSIVE LANGUAG
Officer Dealing: 12184
Involved Vehicles:
Officers Attended:
Call Signs Attended:
Local Requirements: NQ NQ

Related Actions:

05/12/2010 11:52 hours 13139 13139 - (C-CAL112)
 INFT REPORTING THAT AT 1140HRS SHE HAS HEARD AND WITNESSED ARGUMENT ON THE CAR PARK OF THE LOCATION BETWEEN WHO SHE BELIEVES WAS THE LICENSEE OF THE PREMISES AND A FEMALE

05/12/2010 11:52 hours 13139 13139 - (C-CAL112)
 -

05/12/2010 11:52 hours 13139 13139 - (C-CAL112)
 THEY WERE SHOUTING AND USING ABUSIVE LANGUAGE TO EACH OTHER AND THREATENING PHYSICAL VIOLENCE

05/12/2010 11:52 hours 13139 13139 - (C-CAL112)

-

05/12/2010 11:52 hours 13139 13139 - (C-CAL112)

THE FEMALE HAS NOW LEFT INA VEH (NO DETAILS OTHER THAN IT WAS PALE BLUE)

05/12/2010 11:52 hours 13139 13139 - (C-CAL112)

-

05/12/2010 11:52 hours 13139 13139 - (C-CAL112)

INFT REPORTING AS SHE IS CONCERNED THAT IF THE FEMALE RETURNS IT WILL KICK OFF

05/12/2010 11:52 hours 13139 13139 - (C-CAL112)

-

05/12/2010 11:53 hours 13139 13139 - (C-CAL112)

THIRD PARTY DETS AND THE INFT HAS BEEN ADVISED TO RECALL IF ANY FURTHER PROBLEMS

05/12/2010 11:53 hours 13139 13139 - (C-CAL112)

-

05/12/2010 11:53 hours 13139 13139 - (C-CAL112)

FOR INFO

05/12/2010 11:53 hours 13139 13139 - (C-CAL112)

QUESTION SET EXITED BEFORE COMPLETION:QUESTIONS NOT APPLICABLE

05/12/2010 12:03 hours 12184 12184 - (C-FAC054)

Disposition code: `431`

05/12/2010 12:03 hours 12184 12184 - (C-FAC054)

No. of Arrests 0 F.A. 0=N 1=Y 0 No. of Reports 0

05/12/2010 12:03 hours 12184 12184 - (C-FAC054)

Handling Officer 12184

05/12/2010 12:03 hours 12184 12184 - (C-FAC054)

Qualifiers No Qualifier

05/12/2010 12:03 hours 12184 12184 - (C-FAC054)

Other Factors No Qualifiers

05/12/2010 12:03 hours 12184 12184 - (C-FAC054)

LC-20101205-0740 HAS BEEN DISPOSED

Victim Management Incident Log Status: No Log Records Yet

Add Victim Management Comment

CLOSURE DETAILS

Date / Time Closed: 05/12/2010 1203 hours

Response: Telephone Result: Arrested: 0

Crime: Assault Police:

Motorway: Press: Spatial:

Briefing Sheet: Management: INTL:

Emergency Changed: Details:

Case Closed: Follup Required: N Log Audited:

ALARM DETAILS

Alarm Cause: Alarm Type:

CRIME DETAILS

Crime Ref: HOC: Location:

OIC:

REPEAT VICTIMISATION DETAILS

Victim Surname: Victim Forename: Victim DOB: 01/01/1900

Victim Type: Person Index: 0 Person/Property Index: 0

Property Index: 0 Graded Response:

PERFORMANCE STATISTICS

Off Attended: 0 Call Handling Time: 2m 55sec Times Changed Total Time from Despatch To Scene: 0m 0sec

Call Handling Completion to Despatch: 0m 0sec Time for first Resource to Arrive at Scene: 0m 0sec

Total Officer Time Spent On Incident: 0m 0sec

*** End Of Report ***

HomePage Feedback BCU Log
HQ Intranet Log Out

1506 - 24/04/2014 14:03:59



Lancashire Constabulary Sleuth Live Sleuth

Welcome PS 1506 Bushell
 Thursday, April 24, 2014
 14:05:51
 ASP Version 3.3.0

Incident Report - LC-20110729-2127

Print Cancel

Date: 29/07/2011
Time: 23:28 hours
Informant: UNKNOWN
Informant Contact Numbers: ..
Informant Address: UNKNOWN UNKNOWN UNKNOWN .
Incident Location: CK5E
Incident Address: 17 TOWN GREEN INN TOWN GREEN LANE
 AUGHTON ORMSKIRK
Class: Personal
Type: PERSONAL
Details: CALL FROM A LOCAL RESIDENT
 COMPLAINING ABOUT THE NOISE COMING
 FROM THE PUB (MUSIC/CUSTOMERS).INFT
 STATES THAT THE PREMISES IS ON THE
 "RAG LIST" - I HAVE EXPLAINED THIS IS NOT
 A TERMINOLOGY OF WHICH I AM AWARE
 OF AND P
Officer Dealing: 3161
Involved Vehicles:
Officers Attended: 3161
Call Signs Attended: CK44N
Local Requirements: NQ NQ

Related Actions:

29/07/2011 23:32 hours 12328 12328 - (D-CAL100)
 CALL FROM A LOCAL RESIDENT COMPLAINING ABOUT THE NOISE
 COMING FROM THE PUB (MUSIC/CUSTOMERS)

29/07/2011 23:32 hours 12328 12328 - (D-CAL100)

29/07/2011 23:34 hours 12328 12328 - (D-CAL100)
 INFT STATES THAT THE PREMISES IS ON THE "RAG LIST" - I HAVE
 EXPLAINED THIS IS NOT A TERMINOLOGY OF WHICH I AM AWARE OF and
 POSSIBLY A LOCAL THING?

29/07/2011 23:34 hours 12328 12328 - (D-CAL100)

29/07/2011 23:35 hours 12328 12328 - (D-CAL100)
 INFT IS AWARE THAT ENV HEALTH SHOULD BE DEALING - BUT WANTS
 THE LICENSING OFFICER and INSP DAVE ROBINSON TO BE MADE AWARE

29/07/2011 23:35 hours 12328 12328 - (D-CAL100)
 Is it happening now?:YES

29/07/2011 23:35 hours 12328 12328 - (D-CAL100)
 Is this the first time it has happened?:NO

29/07/2011 23:35 hours 12328 12328 - (D-CAL100)
 Have you phoned the police before about this?:YES

29/07/2011 23:36 hours 12328 12328 - (D-CAL100)
 Have you contacted any other Agencies about this?:YES:ENV HEALTH WHO
 HAVE ADVSD TO RING THE POLICE

29/07/2011 23:36 hours 12328 12328 - (D-CAL100)
 Do you know who is responsible (i.e. offender)?:YES:CUSTOMERS

29/07/2011 23:36 hours 12328 12328 - (D-CAL100)
 How do you want to be notified of the outcome?:N/A

29/07/2011 23:36 hours 12328 12328 - (D-CAL100)
 Finished with question set?:YES

29/07/2011 23:37 hours 12328 12328 - (D-CAL100)
 NO OTHER LOGS TONIGHT REF NOISE

29/07/2011 23:38 hours 12328 12328 - (D-CAL100)

29/07/2011 23:38 hours 12328 12328 - (D-CAL100)
 FROM INNWEB CONDITIONS ATTACHED TO THE LICENCE:

29/07/2011 23:38 hours 12328 12328 - (D-CAL100)
 2. Noise from music and associated sources (including DJs and amplified
 voices) shall not be audible at thye nearest noise sensitive premise. All Doors
 and Windows shall be kept

29/07/2011 23:39 hours 12328 12328 - (D-CAL100)
 shut during any amplified entertainment There shall be no unaccompanied
 children at any time. All Children shall be off the premises by 21.00 one hour after
 final food orders taken

29/07/2011 23:40 hours	12328	12328 - (D-CAL100)
29/07/2011 23:41 hours	12328	12328 - (D-CAL100) TRIED TO RING THE PUB ON 01695 420901 (FROM INNWEB) STATES IT DOES NOT ACCEPT INCOMING CALLS
29/07/2011 23:41 hours	12328	12328 - (D-CAL100)
29/07/2011 23:41 hours	12328	12328 - (D-CAL100) INFT STATES THAT HE LIVES IN THE NEAREST NOISE SENSITIVE PREMISE and WANTS POLICE TO ATTEND AS THERE IS A BREACH OF THE PEACE
29/07/2011 23:43 hours	10303	10303 - (C-DIS025)
29/07/2011 23:43 hours	10303	10303 - (C-DIS025) PASSED TO PATROLS
29/07/2011 23:43 hours	10303	10303 - (C-DIS025)
30/07/2011 00:19 hours	10421	10421 - (C-DIS025) CK44N: BEEN SAT OUTSIDE FOR A FEW MINS. ALL THE WINDOWS AND DOORS ARE CLOSED AND THERE IS NO NOISE OR ENTERTAINMENT COMING FROM THE PREMISES
30/07/2011 00:19 hours	10421	10421 - (C-DIS025) CK44N: IM RESUMING
30/07/2011 00:20 hours	10421	10421 - (C-DIS025) Disposition code: `470`
30/07/2011 00:20 hours	10421	10421 - (C-DIS025) No. of Arrests 0 F.A. 0=N 1=Y 0 No. of Reports 0
30/07/2011 00:20 hours	10421	10421 - (C-DIS025) Handling Officer 3161
30/07/2011 00:20 hours	10421	10421 - (C-DIS025) Qualifiers No Qualifier
30/07/2011 00:20 hours	10421	10421 - (C-DIS025) Other Factors No Qualifiers

30/07/2011 00:20 hours 10421 10421 - (C-DIS025)
LC-20110729-2127 HAS BEEN DISPOSED

Victim Management Incident Log Status: No Log Records Yet

Add Victim Management Comment

CLOSURE DETAILS

Date / Time Closed: 30/07/2011 0020 hours

Response: Planned **Result:** **Arrested:** 0

Crime: **Assault Police:**

Motorway: **Press:** **Spatial:**

Briefing Sheet: **Management:** **INTL:**

Emergency Changed: **Details:**

Case Closed: **Follup Required:** N **Log Audited:**

ALARM DETAILS

Alarm Cause: **Alarm Type:**

CRIME DETAILS

Crime Ref: **HOC:** **Location:**

OIC:

REPEAT VICTIMISATION DETAILS

Victim Surname: **Victim Forename:** **Victim DOB:** 01/01/1900

Victim Type: **Person Index:** 0 **Person/Property Index:** 0

Property Index: 0 **Graded Response:**

PERFORMANCE STATISTICS

Times Changed

Off Attended: 1 **Call Handling Time:** 7m 34sec **Total Time from Despatch To Scene:** 0m 0sec

Call Handling Completion to Despatch: 46m 40sec **Time for first Resource to Arrive at Scene:** 36m 29sec

Total Officer Time Spent On Incident: 31m 30sec

*** End Of Report ***

HomePage **Feedback** **BCU Log**

[HQ Intranet](#) [Log Out](#)

1506 - 24/04/2014 14:05:46



Lancashire Constabulary Sleuth Live Sleuth

Welcome PS 1506 Bushell
 Thursday, April 24, 2014
 14:06:25
 ASP Version 3.3.0

Incident Report - LC-20110903-1817

Print

Cancel

Date: 03/09/2011
Time: 22:57 hours
Informant: [REDACTED]
Informant Contact Numbers: [REDACTED]
Informant Address: [REDACTED] TOWN GREEN LANE #A AUGHTON
 ORMSKIRK L396SE
Incident Location: CK5E
Incident Address: 17 TOWN GREEN INN TOWN GREEN LANE
 AUGHTON ORMSKIRK
Class: Nuisance
Type: NUISANCE
Details: INFT REPORTING EXCESSIVE NOISE
 COMING FROM THE LOCAL PUB - TOWN
 GREEN INN-INFT STATES THAT WHENEVER
 THEY HAVE LIVE MUSIC ON IN THE PUB
 THERE IS ALWAYS PROBLEMS--INFT
 STATES THAT HE HAS REPORTED THIS ON
 SEVERAL OCCAS
Officer Dealing: 9062
Involved Vehicles:
Officers Attended: 7388 9062
Call Signs Attended: CK80
Local Requirements: NQ NQ

Related Actions:

03/09/2011 22:58 hours 10481 10481 - (C-CAL110)
 QUESTION SET EXITED BEFORE COMPLETION:TIME RESTRICTIONS

03/09/2011 22:59 hours 10481 10481 - (C-CAL110)
 INFT REPORTING EXCESSIVE NOISE COMING FROM THE LOCAL PUB -
 TOWN GREEN INN

03/09/2011 22:59 hours 10481 10481 - (C-CAL110)

03/09/2011 23:00 hours 10481 10481 - (C-CAL110)

INFT STATES THAT WHENEVER THEY HAVE LIVE MUSIC ON IN THE PUB THERE IS ALWAYS PROBLEMS

03/09/2011 23:00 hours 10481 10481 - (C-CAL110)

--

03/09/2011 23:01 hours 10481 10481 - (C-CAL110)

INFT STATES THAT HE HAS REPORTED THIS ON SEVERAL OCCASIONS TO THE VARIOUS BODIES - LICENSING ENVIROMENTAL HEALTH COUNCIL AND THE POLICE BUT NOTHING IS DONE TO ANY LASTING DEGREE

03/09/2011 23:01 hours 10481 10481 - (C-CAL110)

--

03/09/2011 23:04 hours 10481 10481 - (C-CAL110)

INFT DOES NOT NEED VISIT TO HOME ADDRESS JUST TO THE PUB TO GET THEM TO TURN THE NOISE DOWN

03/09/2011 23:04 hours 10481 10481 - (C-CAL110)

--

03/09/2011 23:04 hours 10481 10481 - (C-CAL110)

HE ALSO SAID THAT PEOPLE ARE OUTSIDE AT THE REAR SMOKING AND HE DOES NOT THINK IT IS JUST CIGARETTES THEY ARE SMOKING

03/09/2011 23:04 hours 10481 10481 - (C-CAL110)

--

03/09/2011 23:17 hours 10303 10303 - (C-DIS025)

CK80: .

03/09/2011 23:17 hours 10303 10303 - (C-DIS025)

CK80: APPEARS TO BE LIVE MUSIC PLAYING - THE DOORS ARE SHUT - I HAVE LISTENED OUTSIDE BUT I DO NOT THINK THE MUSIC EXESSIVE - DOES SGT WANT ME TO GO IN ?

03/09/2011 23:18 hours 10303 10303 - (C-DIS025)

CK80: THERE IS A PARTY GOING ON

03/09/2011 23:19 hours 10303 10303 - (C-DIS025)

03/09/2011 23:20 hours 10303 10303 - (C-DIS025)

DUE TO TIME WILL NOT GO IN AT THIS TIME - IF STILL GOING ON AFTER MIDNIGHT WILL CHECK IT

03/09/2011 23:25 hours 10303 10303 - (C-DIS025)

Disposition code: `471`

03/09/2011 23:25 hours	10303	10303 - (C-DIS025)
No. of Arrests 0 F.A. 0=N 1=Y 0 No. of Reports 0		
03/09/2011 23:25 hours	10303	10303 - (C-DIS025)
Handling Officer 9062		
03/09/2011 23:25 hours	10303	10303 - (C-DIS025)
Qualifiers No Qualifier		
03/09/2011 23:25 hours	10303	10303 - (C-DIS025)
Other Factors No Qualifiers		
03/09/2011 23:25 hours	10303	10303 - (C-DIS025)
LC-20110903-1817 HAS BEEN DISPOSED		

Victim Management Incident Log Status: No Log Records Yet

Add Victim Management Comment

CLOSURE DETAILS

Date / Time Closed: 03/09/2011 2325 hours

Response: Planned **Result:** **Arrested:** 0

Crime: **Assault Police:**

Motorway: **Press:** **Spatial:**

Briefing Sheet: **Management:** **INTL:**

Emergency Changed: **Details:**

Case Closed: **Follup Required:** N **Log Audited:**

ALARM DETAILS

Alarm Cause: **Alarm Type:**

CRIME DETAILS

Crime Ref: **HOC:** **Location:**

OIC:

REPEAT VICTIMISATION DETAILS

Victim Surname: **Victim Forename:** **Victim DOB:** 01/01/1900

Victim Type: **Person Index:** 0 **Person/Property Index:** 0

Property Index: 0 **Graded Response:**

PERFORMANCE STATISTICS **Times Changed**

Off Attended: 2 **Call Handling Time:** 1m 28sec **Total Time from Despatch To Scene:** 0m 0sec
Call Handling Completion to Despatch: 19m 30sec **Time for first Resource to Arrive at Scene:** 33m 46sec
Total Officer Time Spent On Incident: 8m 10sec

*** End Of Report ***

HomePage	Feedback	BCU Log
HQ Intranet	Log Out	

1506 - 24/04/2014 14:06:23



Lancashire Constabulary Sleuth Live Sleuth

Welcome PB 1506 Bushell
 Thursday, April 24, 2014
 14:07:29
 ASP Version 3.3.0

Incident Report - LC-20120901-0333

Print

Cancel

Date: 01/09/2012
Time: 03:50 hours
Informant: [REDACTED]
Informant Contact Numbers: [REDACTED]
Informant Address: [REDACTED] TOWN GREEN LANE #A AUGHTON
 ORMSKIRK L396SE
Incident Location: CJ8E
Incident Address: 17 TOWN GREEN INN TOWN GREEN LANE
 AUGHTON ORMSKIRK
Class: Licensing
Type: LICENSING
Details: AN EMAIL REQUEST HAS BEEN
 MADE.DEFAULT EMAIL NOTIFICATION HAS
 BEEN MADE TO
 [REDACTED] INF SAYS
 THAT THERE HAVE BEEN ONGOING
 PROBLEMS WITH NOISE FROM THE TOWN
 GREEN PUB.INF SAYS THAT HE WAS
 WOKEN EARLI
Officer Dealing: 977
Involved Vehicles:
Officers Attended: 2731 977
Call Signs Attended: CJ20N CJ33N
Local Requirements: NQ NQ

Related Actions:

01/09/2012 03:52 hours 12047 12047 - (C-CAL103)
 An Email request has been made.

01/09/2012 03:52 hours 99981 - (COMP_SERV)
 DEFAULT EMAIL NOTIFICATION HAS BEEN MADE TO
 [REDACTED]

01/09/2012 03:53 hours 12047 12047 - (C-CAL103)
 INF SAYS THAT THERE HAVE BEEN ONGOING PROBLEMS WITH NOISE
 FROM THE TOWN GREEN PUB

01/09/2012 03:53 hours 12047 12047 - (C-CAL103)

01/09/2012 03:53 hours 12047 12047 - (C-CAL103)
INF SAYS THAT HE WAS WOKEN EARLIER AND THOUGHT THAT IT WAS
JUST PEOPLE LEAVING

01/09/2012 03:53 hours 12047 12047 - (C-CAL103)
JHOWEVER INF GOT READY AND STATES THAT THERE IS STILL A LOT OF
NOISE COMING FROM THE PUB

01/09/2012 03:53 hours 12047 12047 - (C-CAL103)
AND THAT THERE ARE PEOPLE STILL INSIDE

01/09/2012 03:54 hours 12047 12047 - (C-CAL103)
HE HAS SEEN THEM FROM THE BACK

01/09/2012 03:54 hours 12047 12047 - (C-CAL103)
INF SAYS THAT THE CURTAINS ARE DRAWN TO FRONT OF THE PUB

01/09/2012 03:55 hours 12047 12047 - (C-CAL103)
INF SAYS THAT WHEN HE WENT OUT A POLICE CAR PASSED AND HE
TRIED TO FLAG THEM DOWN

01/09/2012 03:55 hours 12252 12252 - (C-DIS025)

01/09/2012 03:55 hours 12047 12047 - (C-CAL103)

01/09/2012 03:55 hours 12047 12047 - (C-CAL103)
THIS WAS AT 0335HRS

01/09/2012 03:55 hours 12047 12047 - (C-CAL103)

01/09/2012 03:55 hours 12047 12047 - (C-CAL103)
HOWEVER PATROL DID NOT SEE HIM

01/09/2012 03:55 hours 12047 12047 - (C-CAL103)

01/09/2012 03:55 hours 12047 12047 - (C-CAL103)
INF WOULD LIKE FOLLOW UP FROM NHPT AND ALSO LICENSING

01/09/2012 03:56 hours 12047 12047 - (C-CAL103)

01/09/2012 03:56 hours 12047 12047 - (C-CAL103)
IS THERE PATROL THAT CAN ATTEND THE AREA

01/09/2012 03:56 hours 12047 12047 - (C-CAL103)

01/09/2012 03:56 hours 12047 12047 - (C-CAL103)
WILL E-MAIL NHPT AND LICENSING FOR THEM TO CONTACT THE INF

01/09/2012 03:58 hours 12440 12440 - (C-FAC054)
NEIGHBOURHOOD OFFICERS

01/09/2012 03:58 hours 12440 12440 - (C-FAC054)
COLLAR NO'S: 3708 7311 7115

01/09/2012 03:59 hours 12047 12047 - (C-CAL103)
EMAIL SENT TO NHPT AND LICENSING

01/09/2012 04:00 hours 12047 12047 - (C-CAL103)
INF HAS GIVEN E-MAIL FOR RESULT AS DO NOT WANT TO WAKE HIM UP
TO ADVISE OF RESULT IF HE HAS MANAGED TO GET BACK TO SLEEP

01/09/2012 04:00 hours 12047 12047 - (C-CAL103)

01/09/2012 04:03 hours 12047 12047 - (C-CAL103)
FROM INN WEB - NO OPERATING HOURS SHOWN

01/09/2012 04:04 hours 12047 12047 - (C-CAL103)
HOWEVER CONDITIONS GIVE AN EXTENSION TO THE PUBLIC OF 1 HOUR
ON THE SATURDAY AND SUNDAY NIGHT OF ANY WEEKEND FOLLOWED
BY BANK HOLIDAY

01/09/2012 04:04 hours 12047 12047 - (C-CAL103)
FOR FULL CONDITIONS SEE INN WEBB

01/09/2012 04:12 hours 12252 12252 - (C-DIS025)
DEPLOYED AND BOOKED AT SCENE FROM ARLS

01/09/2012 04:12 hours 12252 12252 - (C-DIS025)

01/09/2012 04:26 hours 12252 12252 - (C-DIS025)
CJ20N: THE TOWN GREEN INN WAS STILL SERVING - THEY HAVE NOW
BEEN CLOSED AND ALL SENT ON THEIR WAY

01/09/2012 04:26 hours	12252	12252 - (C-DIS025)
-		
01/09/2012 04:26 hours	12252	12252 - (C-DIS025)
CJ20N: LICENSEE SPOKEN TO		
01/09/2012 04:26 hours	12252	12252 - (C-DIS025)
-		
01/09/2012 04:26 hours	12252	12252 - (C-DIS025)
CJ20N: THE LAST DRINK WAS SERVED AT 0403 HRS		
01/09/2012 04:26 hours	12252	12252 - (C-DIS025)
-		
01/09/2012 04:26 hours	12252	12252 - (C-DIS025)
CJ20N: PLSE ENSURE LICENSING IS AWARE		
01/09/2012 04:26 hours	12252	12252 - (C-DIS025)
-		
01/09/2012 04:35 hours	12252	12252 - (C-DIS025)
Disposition code: `340`		
01/09/2012 04:35 hours	12252	12252 - (C-DIS025)
No. of Arrests 0 F.A. 0=N 1=Y 0 No. of Reports 0		
01/09/2012 04:35 hours	12252	12252 - (C-DIS025)
Handling Officer 977		
01/09/2012 04:35 hours	12252	12252 - (C-DIS025)
Qualifiers No Qualifier		
01/09/2012 04:35 hours	12252	12252 - (C-DIS025)
Other Factors No Qualifiers		
01/09/2012 04:35 hours	12252	12252 - (C-DIS025)
LC-20120901-0333 HAS BEEN DISPOSED		

Victim Management Incident Log Status: No Log Records Yet

Add Victim Management Comment

CLOSURE DETAILS

Date / Time Closed: 01/09/2012 0435 hours

Response:	Planned	Result:	Arrested:	0
Crime:			Assault Police:	
Motorway:		Press:	Spatial:	
Briefing Sheet:		Management:	INTL:	
Emergency Changed:		Details:		
Case Closed:		Follup Required:	N	Log Audited:

ALARM DETAILS

Alarm Cause: Alarm Type:

CRIME DETAILS

Crime Ref:	HOC:	Location:
OIC:		

REPEAT VICTIMISATION DETAILS

Victim Surname:	Victim Forename:	Victim DOB:	01/01/1900
Victim Type:	Person Index:	0	Person/Property Index: 0
Property Index:	0	Graded Response:	

PERFORMANCE STATISTICS

Off Attended:	2	Call Handling Time:	1m 51sec	Times Changed		Total Time from Despatch To Scene:	0m 0sec
Call Handling Completion to Despatch:	22m 2sec	Time for first Resource to Arrive at Scene:	19m 13sec				

Total Officer Time Spent On Incident: 0m 8sec

*** End Of Report ***

HomePage	Feedback	BCU Log
HQ Intranet	Log Out	

1506 - 24/04/2014 14:07:26



Lancashire Constabulary Sleuth Live Sleuth

Welcome PS 1506 Bushell
 Thursday, April 24, 2014
 14:10:38
 ASP Version 3.3.0

[SLEUTH EXTRACT]
Incident Report - LC-20140308-1613

Date: 08/03/2014
Time: 22:11 hours
Informant: [REDACTED]
Informant Contact Numbers: [REDACTED]
Informant Address: [REDACTED] TOWN GREEN LANE AUGHTON
 ORMSKIRK L396SF
Incident Location: CJ8E
Incident Address: 17 TOWN GREEN INN TOWN GREEN LANE
 AUGHTON ORMSKIRK
Class: Nuisance
Type: NUISANCE
Details: NOISE NUIS FROM THE PUB - CAN BE HEARD WHILST INFT ON THE PHONE IT IS EXCESSIVE NEW OWNERS HAVE TAKEN OVER APPROX 2 WEEKS AGO LOCATION IS A QUIET VILLAGE INFT ASKING IF POLICE CAN HAVE A WORD - EXPLAINED RE LICENCING -
Officer Dealing: 3101
Involved Vehicles:
Officers Attended: 3101,
Call Signs Attended: CJ55L,
Local Requirements: NQ NQ

Related Actions:

08/03/2014 22:12 hours	14075	14075
NOISE NUIS FROM THE PUB - CAN BE HEARD WHILST INFT ON THE PHONE		
08/03/2014 22:12 hours	14075	14075
IT IS EXCESSIVE		
08/03/2014 22:13 hours	14075	14075
NEW OWNERS HAVE TAKEN OVER APPROX 2 WEEKS AGO		
08/03/2014 22:13 hours	14075	14075
LOCATION IS A QUIET VILLAGE		
08/03/2014 22:13 hours	14075	14075

Is this the first time it has happened?:YES

08/03/2014 22:13 hours 14075 14075

Have you phoned the police before about this?:NO

08/03/2014 22:13 hours 14075 14075

Have you contacted any other Agencies about this?:NO:BUT WILL BE CONTACTING COUNCIL MONDAY MORNING

08/03/2014 22:14 hours 14075 14075

Do you know who is responsible (i.e. offender?):YES:PUB LANDLORD

08/03/2014 22:14 hours 14075 14075

Is there any reason why this is happening to you or you family? (Prompt - i.e. hate issues):NO

08/03/2014 22:14 hours 14075 14075

How are you and/or your family affected by what is happening?:NOISE NUISANCE

08/03/2014 22:14 hours 14075 14075

How do you want to be notified of the outcome? i.e. police visit after the incident or by telephone/email/or other:POLICE TO HAVE A WORD

08/03/2014 22:14 hours 14075 14075

Finished with question set?:YES

08/03/2014 22:14 hours 14075 14075

INFT ASKING IF POLICE CAN HAVE A WORD - EXPLAINED RE LICENCING - SHE WILL CONTACT THEM MONDAY MORNING

08/03/2014 22:16 hours 12308 12308

Disposition code: `471`

08/03/2014 22:16 hours 12308 12308

No. of Arrests 0 F.A. 0=N 1=Y 0 No. of Reports 0

08/03/2014 22:16 hours 12308 12308

Handling Officer 12308

08/03/2014 22:16 hours 12308 12308

Qualifiers No Qualifier

08/03/2014 22:16 hours 12308 12308

Other Factors No Qualifiers

08/03/2014 22:16 hours 12308 12308

LC-20140308-1613 HAS BEEN DISPOSED

08/03/2014 22:48 hours 21059 21059

FOLLOW UP ACTIONS:INF RE-CALLED

08/03/2014 22:48 hours 21059 21059

INF RE-CALLED CHASING AN ETA - SHE HAS CALLED LICENSING AND LEFT A VM BUT SHE CANNOT COPE WITH THE NOISE THIS EVENING

08/03/2014 22:48 hours 21059 21059

..

08/03/2014 22:49 hours 21059 21059

INF HAS A SOUND METER AND THE NOISE IN HER HOUSE IS 95 DECIBELLS

08/03/2014 22:49 hours 21059 21059

..

08/03/2014 22:49 hours 21059 21059

INF HAS STATED THAT IF POLICE DO NOT ATTEND AND SPEAK TO THE OWNER THEN SHE WILL GO OVER AND KICK OFF

08/03/2014 22:49 hours 21059 21059

..

08/03/2014 22:49 hours 21059 21059

PLEASE CAN A PATROL ATTEND WHEN FREE TO SPEAK TO THE OWNER OF THE PUB ABOUT THE NOISE?

08/03/2014 22:50 hours 12308 12308

LOOKING ON INNWEB TO SEE WHAT TIME IT CLOSES

08/03/2014 22:50 hours 21059 21059

INF IS AWARE THAT THIS WILL NOT BE A PRIORITY/EMERGENCY JOB AND THAT WE WILL ATTEND AS AND WHEN WE CAN

08/03/2014 22:51 hours 12308 12308

PREMISES NOT FOUND ON INNWEB

08/03/2014 22:52 hours 12308 12308

NO RECENT CALLS FROM THE PUB - WILL TRY NAD FIND A LANDLINE

08/03/2014 22:54 hours 12308 12308

LANDLINE FOUND ON BT BUT NOT RECOGNISED - POSS NEW OWNERS HAVE GOT A NEW LANDLINE

08/03/2014 22:56 hours	12685	12685	ASKED TO DRIV EBY
08/03/2014 22:56 hours	12308	12308	FROM GOOGLE I HAVE FOUND A WEBSITE; TEL NUMBER TO RING FOR BOOKINGS - 6580 7899
08/03/2014 22:58 hours	12308	12308	WEBSITE OUT OF DATE - STILL SHOWING BOOKINGS FOR VALENTINES DAY
08/03/2014 22:59 hours	12308	12308	FROM YELL.COM 01629 542165
09/03/2014 00:39 hours	12184	12184	CJ55L - AM ROUND THE CORNER WILL SORT THIS OUT
09/03/2014 00:42 hours	12184	12184	CJ55L - PUB CLOSED FOR THE NIGHT
09/03/2014 00:43 hours	12184	12184	WILL EMAIL LICENSING
09/03/2014 00:47 hours	12184	12184	EMAIL TO 1506 SENT
09/03/2014 00:47 hours	12184	12184	Disposition code: `471`
09/03/2014 00:47 hours	12184	12184	No. of Arrests 0 F.A. 0=N 1=Y 0 No. of Reports 0
09/03/2014 00:47 hours	12184	12184	Handling Officer 3101
09/03/2014 00:47 hours	12184	12184	Qualifiers No Qualifier
09/03/2014 00:47 hours	12184	12184	Other Factors No Qualifiers
09/03/2014 00:47 hours	12184	12184	LC-20140308-1613 HAS BEEN DISPOSED

>
>

CLOSURE DETAILS**Date / Time Closed:** 09/03/2014 0047 hours

Response:	3	Result:	-1	Arrested:	0
Crime:		Racial:		Assault Police:	
Motorway:		Press:		Spatial:	
Briefing Sheet:		Management:		INTL:	

ALARM DETAILS**Alarm Cause:** **Alarm Type:****CRIME DETAILS**

Crime Ref:		HOC:		Location:	
OIC:	0	VRM:			

REPEAT VICTIMISATION DETAILS

Victim Surname:		Victim Forename:		Victim DOB:	01/01/1900
Victim Type:		Person Index:	0	Person/Property Index:	0
Property Index:	0	Graded Response:			

PERFORMANCE STATISTICS

Off Attended:	1	Call Handling Time:	1m 57sec	Total Time from Despatch to Scene:	0m 0sec
Call Handling Completion to Despatch:	151m 21sec	Time for First Resource to Arrive at Scene:	2m 30sec		

Total Officer Time Spent on Incident: 2m 29sec

*** End Of Report ***

Subject: Appendix D

-----Original Message-----

From: Michelle Loughlin
Sent: 25 April 2014 21:52
To: Licensing Enquiries
Cc: Michelle Loughlin; thecartmans
Subject: Licensing Review: Town Green Inn, Town Green Lane, Aughton

Dear Licensing Review Panel,

We are writing in support of the review of the license for the Town Green Inn, Town Green Lane, Aughton, Lancashire, as proposed by Sgt Anthony Bushell of West Lancashire Police.

We are residents who live in the two properties immediately behind the premises (27 and 29 Whalley Drive Aughton). For a number of years we have experienced nuisance from the premises under several different managers. This has included the following:

1. Excessively loud music from discos, karaoke and live bands into the early hours of the morning. We have one example of a party in summer of 2013 that went on until 3am, with many people congregating on the rear car park just behind our homes. Often the rear doors and windows have been opened, which has made the noise worse. We have complained to Environmental health on many occasions and kept noise diaries in order that action may be taken. We feel it is totally inappropriate for a village pub in a residential area to have a live music/ late night license and would welcome its withdrawal. We would welcome a restriction in the late night opening times of the premises and a return to closure at 11pm Monday to Saturday and 10:30 on Sundays.
2. Use of the rear car park as an unofficial and unauthorised 'beer garden' and a place for groups of drinkers and smokers to congregate during the day and in the evenings. We have often experienced noise nuisance as a result of this, including exposure of our children to foul language during the day, at weekends and early evening.
3. Piles of rubbish at the rear of the building, including food waste - attracting flies and vermin. This has been variable, depending upon the current management, but suggests that the premises have not been consistently well managed. We have also witnessed staff smoking from the upstairs windows at the premises.
4. A radio balanced on the open kitchen window at the rear of the premises causing noise nuisance.
5. Spotlights at the rear of the building that shone directly into the kitchens of our homes. These were left on permanently for a number of weeks but were switched off after an assessment by Environmental Health concluded that the lights were excessively bright and intrusive.

We are aware that action has been taken on a number of different managers by police, Environmental Health and Licensing. However, the premises has changed management on a number of occasions and the brewery (Punch Taverns) does not appear to have made sure that the same issues do not arise again and again. We feel that the only way to prevent the continuing nuisance from the premises is to review the licence to at least reduce the opening times to prevent late night nuisance and to withdraw all permission for live music, discos or karaoke. We would also welcome restriction in the use of the rear car park where people, continue to congregate to drink and smoke.

We look forward to a supportive and fair response from those considering this licensing review.
Yours faithfully

Dr Michelle Loughlin (27 Whalley Drive, Aughton, L39 6RD) Mr Kit Loughlin (27 Whalley Drive, Aughton, L39 6RD) Mrs Susan Cartman (29 Whalley Drive, Aughton, L39 6RD) Mr David Cartman (29 Whalley Drive, L39 6RD)

Denton, Antony

Subject: Appendix D

From: Michelle Loughlin
Date: 27 April 2014 15:35:29 BST
To: licensing.enquiries@weslancs.gov.uk
Subject: **Town Green Inn 27 April 2014**

<http://www.youtube.com/watch?v=KXs-sddt9go>

In regard to the review of the license for the Town Green Inn, Aughton, I attach a link to a YouTube clip which I recorded from my garden immediately behind the premises at 13:45 on Sunday 27th April 2014.

During this weekend we have experienced excessively loud music noise from the premises in the afternoon and into the evening. The rear doors have been opened, as seen on the attached clip and there appears to be complete disregard for neighbours, despite the manager's awareness of ongoing issues and pending review.

I look forward to a decision from the panel that will protect me, my family and my neighbours from the stress and nuisance that this business has caused us over a number of years now.

With kind regards
Michelle Loughlin
27 Whalley Drive
L39 6RD

Dr Michelle Loughlin

Denton, Antony

Subject: Appendix E

From: Michael&Chritine [Campbell](#)**Sent:** 25 April 2014 20:12**To:** Murray, Michaela**Subject:** appendix e

Hi Michaela

I am writing with regards to the Town Green Inn, Aughton.

I believe the license is under review.

I would like to make you aware of the issues we have had with the pub from time to time, depending on what tenants are in place.

The brewery have a constant turnover of new licenses coming and going. They aren't vetted properly & I doubt the brewery know much about their back ground.

We have recently had to put up with awful noise pollution, resulting in myself and my husband calling the police. From 8pm through to 1am, the noise levels were 95 decibels. (We conducted a recording with a phone app on my husbands I phone). We could still hear the karaoke word for word even at the back of our house, through the double glazing and two internal doors.

I was in shock when I spoke to the landlord the following day to be told they had a license to hold a disco every Friday & Saturday until 1am.

I am shocked and dismayed that the council have agreed to this. Aughton is a small village, not a town centre. Holding a disco until 1am in the morning does not sit well with the residents. I cannot understand who is the right mind would pass this?!

I have spoken to neighbours who have had to move their bedrooms from the front of the house, to the back. This just isn't fair. These people have lived here for years and are pensioners. Although the pub has always been here, there was never this kind of issue years ago.

We worry every 6 months, who's next, who will the new tenants be, will they be worse than the last ones.

The pub itself looks a mess from the outside. It's supposed to be a village pub, but with the food signs outside, it looks somewhat down market. It's also not a very nice environment inside either.

I know the brewery are not making any money with the Town Green, maybe it's a dying hobby these days? The brewery have mentioned they are wanting to sell the pub to builders for renovations. Maybe his would be a better solution for all of us.

I would lastly like to advise that since I asked the new landlords/tenants to respect the neighbourhood and keep the noise to a suitable level, to my knowledge, they have done so.

Kind Regards,
Christine Campbell
20 Town Green Lane
Aughton, Lancs
L39 6SF

Mob:
Fax:
Web:
Visit:
Add:

West Lancashire Borough Council
Licensing Section
Robert Hodge Centre
Stanley Way
Skelmersdale
WN8 8EE.

Dear Sir/Madam,

The Town green Inn, Aughton

I am writing in support of the Police in their request for a Review of the Premises Licence for the above public house. I consider that the current licensed hours are totally inappropriate for a small village pub. Operating until 1.30 am and on occasions until 2.30am encourages antisocial behaviour and the wrong type of clientele.

Over the last six or seven years the pub has changed hands on numerous occasions and almost without exception they have all disturbed us on a regular basis, playing loud music often well after midnight. The only exception was when Angie had the pub for a short period before last Christmas, but unfortunately she moved on.

This used to be a small welcoming village pub that we all enjoyed for years, but since the Licence changed it is a public nuisance. We need a decent manager and the pub shut before midnight, after all it is not a club in Matthew Street, Liverpool.

Yours faithfully,




Linda Bankier (Mrs).
5, Town Green Lane
Aughton,
Lancashire.

Licensing Section.
West Lancashire Borough Council
Robt Hodge Centre,
Stanley Way,
Skelmersdale,
WN8 8EE.

Dear Sirs,

I am writing to support the Police request for a Review of the Premises Licence at the Town Green Inn. The pub has been a source of nuisance to me and many of my neighbours for a number of years, with loud music and singing at all times of the night. I was astonished to learn that it is not only allowed to stay open until 1.30 am at weekends, but on Bank Holidays this extends to 2.30am, including Christmas and Sundays. Over recent years landlords have kept it open well into the early hours, with the noise and nuisance that causes to those of us in the local community, whose wishes and rights to privacy seem to be ignored.

Yours sincerely,


Mrs Ann Astley.
11, Town green lane,
Aughton;
Lancashire.

West Lancashire Borough council
Licensing Section
Robert Hodge Centre
Stanley Way
Skelmersdale
WN8 8EE

28.04.12

Dear Sir/Madam,


The Town Green Inn, Aughton

We are writing in support of the police in their request for a Review of the Premises Licence for the above public house. We consider the current licensed hours are totally inappropriate for a small village pub. Operating until 1.30am and on occasion until 2.30am encourages antisocial behaviour and the wrong type of clientele.

Over the last six or seven years the pub has changed hands on numerous occasions and almost without exception, they have all disturbed us on a regular basis, playing loud music often well after midnight. The only exception was when Angie had the pub for a short period before last Christmas, but unfortunately she moved on.

This used to be a small welcoming village pub that we all enjoyed for years, but since the Licence changed it is a public nuisance. We need a decent manager and the pub shut before midnight, after all it is not a club in Matthew Street, Liverpool.

Yours faithfully



Mr. & Mrs. L. Prescott,
3 Town Green Lane
Aughton
Lancashire.

EVIDENCE PACK

**In support of Police Application for a Review of the Premises Licence
at the Town Green Inn, Aughton.**

**Submitted by Mr & Mrs Knowles, residents of 11a, Town Green Lane
"The nearest sensitive dwelling".**

28/04/14.

Contents

1. Notice of Application for Review of Premises Licence.
2. Letter of Support.
3. Record of 22 instances when the Police have been telephoned about instances of anti-social behaviour at the Town Green Inn.
4. Record of 121 nuisance events, transposed by Mrs Knowles from her own records (available if required).
5. Copies of 23 of the complaints made by email to WLBC Licensing, Environmental Health and Planning Departments.
Together with emails to the Police and a Councillor (worst examples highlighted in red).





**LICENSING ACT 2003
NOTICE OF AN APPLICATION FOR REVIEW OF THE PREMISES LICENCE IN
RESPECT OF:**

TOWN GREEN INN, 17 TOWN GREEN LANE, AUGHTON, LANCASHIRE, L39 6SF

The grounds for the review are as follows:

"These premises have historically come to Police attention as a result of complaints from local residents. The complaints relate in the main to noise nuisance from entertainment, noise from customers and the premises operating after its authorized hours. The complaints have been investigated and warnings given where appropriate. However the premises has seen a number of changes of management and so the policy of issuing warnings in the first instance has meant that any enforcement process has had to be restarted when a new manager is appointed. This has effectively meant that no real action has been taken against the premises which has resulted in the local community suffering over a number of years.

In July 2013, after the departure of yet another manager who was responsible for a number of complaints relating to the premises, a meeting was held with the new manager and the representative for the Premises Licence Holder. At the meeting the police outlined that the situation could not continue and any further complaints relating to the premises would result in review proceedings being instigated.

The new manager operated the premises between July and December 2013 with no issues being reported, however she left and the premises was closed over Christmas and New Year.

In March 2014 new managers were placed into the premises and on 8th March a complaint was received by the police from a resident who was subjected to excessively loud music.

The Police are no longer prepared to carry on with issuing warnings as they have not previously provided a sustainable resolution to the problems. Therefore they have no option but to bring this to the attention to the Licensing Committee with a view to seeking a more long term sustainable solution."

The application may be inspected at West Lancashire Borough Council, Licensing Section, Robert Hodge Centre, Stanley Way, Skelmersdale, WN8 8EE between the hours of 9.00am and 4.30pm on Monday to Friday inclusive. Brief details can also be obtained from the Councils website www.westlancs.gov.uk/.

Any 'Interested Party' or 'Responsible Authority' may make representations in writing to the Council, at the above address, regarding this Application for Review before the **30th April 2014.**

It is an offence to knowingly or recklessly make a false statement in connection with the application subject to a maximum fine of £5000 upon summary conviction for the offence.

A handwritten signature in black ink, appearing to read "D.P. Tilleray", written over a horizontal line.

D.P. Tilleray (Assistant Director Community Services)



Eric Knowles

From: Eric Knowles [REDACTED]
Sent: 28 April 2014 23:12
To: 'samantha.jordan@westlancs.gov.uk'
Cc: 'michaela.murray@westlancs.gov.uk'
Subject: FW: Representation to WLBC Licensing Committee in respect of the Premises Licence at the Town Green Inn, Aughton. (28/04/14).

Samantha,

Please find below an amended letter, which includes an additional sentence in the penultimate paragraph confirming that Punch has put the Pub up for sale, which the Committee may judge to be relevant. We will include it in the hard copy of the information we will provide tomorrow.

Kind regards,

Eric & Pat Knowles.

From: Eric Knowles [REDACTED]
Sent: 28 April 2014 17:44
To: 'samantha.jordan@westlancs.gov.uk'
Cc: 'michaela.murray@westlancs.gov.uk'
Subject: Representation to WLBC Licensing Committee in respect of the Premises Licence at the Town Green Inn, Aughton. (28/04/14).

The Licensing Section
West Lancashire Borough Council
Robert Hodge Centre
Stanley Way
Skelmersdale
WN8 8EE.

Dear Sir/Madam,

My wife and I have lived at number 11a Town Green Lane, the "nearest sensitive dwelling" to the Town Green Inn (the Pub), since we moved here from Ormskirk in 1971.

We brought up our family here and were happy to live alongside the Pub and use the facilities, without problems and without its activities adversely affecting our quality of life for years.

The Pub was redeveloped in 1999 by Dave Corrin (an ex policeman) and access provided to a new car park, through the ground floor of what was the end cottage, number 13.

This development was discussed with us by WLBC Planning Officers who built in a number of conditions to the Planning Consent to protect us and prevent the car park being used as a "beer garden". Mr Corrin was an excellent neighbour and living next to the Pub continued without problems until the change of the Premises Licence and tenancy in 2006.

We were astonished to learn some time later of the terms of the new Premises Licence, especially the inappropriate early morning hours to which it could open, so close to homes in a quite village (Clause 3.6 of the WLBC Licensing Policy). It was only as we suffered the effects of the Licence and abuse of its conditions, by a succession of DPS/tenants, that we realised the appalling situation we and many of our neighbours had been placed in.

Had we have been afforded the level of consultation and transparency prior to the change of Licence, that we received in the Planning process , we and many of our neighbours would have been aware of the potential problems and as direct stakeholders, we would have raised our concerns in the hope that our representatives on the Licensing Committee would have considered our interests and not just Punch (Clause 6.2 of the WLBC Licensing Policy).

Since 2006 we have had a succession of tenants "managing" the Pub, some lasting as little as six months and most just over a year. With the exception of Angie the tenant who gave up last December, as a result she said of lack of support from Punch, all have breached Licence and Planning conditions. On numerous occasions my wife and I have brought these breaches to the attention of Council Officers in Licensing ,Environmental Health and Planning, together with the Police. We have considered and suggested that we call for a Licence Review ourselves , but were advised at a number of meetings to leave it to the Council Officers. We have been advised that the Pub was on the "RAG" list and probably the "yellow card/red card" system, all to no avail.

Recording equipment has been supplied on a few occasions by Environmental Health and on one occasion the officer involved confirmed that the music and singing was excessive. However the equipment is often not available or broken. Last time we asked for it, two out of three were broken and to be replaced by new units. This Licence and the effects of its abuse have been extremely stressful for both of us and we have often felt powerless to get anything done.

Now that the County Police have requested a Review ,we are delighted to support that application. You will see in our evidence pack (supplied in hard copy) records of:-

- 22 examples when we have telephoned the Police to respond to noise, music and disturbance at the Pub.
- 121 nuisance events, recorded by my wife over the years and now transposed onto Council forms (original records available).
- 23 extracts from our email records, with the worst examples highlighted, together with some copy photographs.

Hopefully these will give the Committee an insight into the continuing problems we have suffered as a result of noise, disturbance, loud music and singing, often into the early hours of the morning. We have been prevented from getting to sleep, woken up during our sleep with parties going on until as late as 4.00am, and then woken again again early in the morning when the bottles are collected from the Pub (outside consented hours).

For years, one tenant after another ignored Licence and Planning rules and operated a "beer garden" in the rear car park, which meant that in addition to late night abuse of our right to the quiet enjoyment of our property, we had to endure it in the afternoons and early evenings. We have had hens and rabbits kept in the car park to encourage parents to bring children in. Five a side football played in the car park and even an inflatable go-kart arena, with go-karts! My wife is a retired teacher and Chair of Trustees at a local Children's Nursery and she has expressed concern about young children being allowed to play in the car park, while cars are coming and going. Polite attempts by us to ask tenants to stop this practice was usually met with verbal abuse, and requests by Council Officers for tenants to display signs to protect children have been ignored.

Often in the good weather we could not sit outside in the afternoons or evenings, or allow our grandchildren to do so, because of bad language and noise from those drinking outside in the car park. In the warm weather if there is entertainment on at the Pub we have to sleep with our bedroom windows closed to reduce the noise, which can usually be clearly heard, and we use fans to keep cool. Four years ago we acquired a second hand caravan to get away at weekends for some peace and quiet and a decent night's sleep.

The Law and WLBC Licensing Policy is clear about Public Nuisance, and the Home Office Amended Guidance to Section 182 of the 2003 Act, clause 2.3 states that it is "important to recognise that the prevention of nuisance includes low level nuisance affecting a few people in the locality, as well as major disturbances"

We may only be a few people, but we have suffered sustained nuisance for an extended period of time as a result of abuse of the liberal hours allowed in Premises Licence.

The Planning Officer involved with us was the first to recognise that continuing to pursue successive individual tenants over breaches, was not the answer and that decisive action was required, also involving Punch. Throughout

this whole affair Punch have, in our opinion, been totally lacking in any sense of social responsibility, effective management, selection or training of managers/tenants/DPS' in their responsibilities to understand and comply with Licensing and Planning regulations. As further evidence of the lack of commitment by Punch the Pub was put up For Sale only a few weeks ago and we know of at least one builder who has contacted the Estate Agent in Manchester, to express interest in buying the Pub to convert it back into domestic dwellings. Action has been taken by Planning and we sincerely hope that a Licence Review, by the Licensing Committee, will lead to a substantial change in the Premises Licence.

The Committee will be better placed than us to know the courses of action available to it, but we believe that there needs to be a reduction in operating hours at the Pub, to 23.00hrs weekdays and midnight at weekends and bank holidays. No electronically amplified music or singing, other than low level background music (as at the Swan Hotel Aughton). All of which incidentally was the case for over 30 years in our experience and the Pub was busy, successful and never a nuisance.

Yours faithfully,

Eric & Pat Knowles

"Beechwood",

11a, Town Green Lane,
Aughton.

L39
6SE.



Eric Knowles

Subject: Town Green Inn.

Record of when the Police have been telephoned to report excessive noise at the Town Green Inn.

On advice my wife has kept a record of incidences of noise nuisance from the Town Green Pub, and as well as contact in recent times with Sergeant Bushell we have telephoned the Police on a number of occasions to report the noise issues in the hope that they could attend and do something about the problem.

Detailed below are extracts from my wife's notes which provide examples of when we telephoned the Police after having first telephoned the Pub:-

- 07/12/06. 23.15hrs loud music.
- 14/12/06. 23.00hrs loud music and singing.
- 29/12/06. 23.30hrs loud music and singing. Our neighbours Mr & Mrs Prescott complained from no 5 Town green lane.
- 01/06/07. 00.05 am loud music early hours of 2nd.
- 14/06/07. 23.25hrs loud music.
- 18/07/07. 22.45hrs --- : ----
- 31/10/07. 03.00hrs noise still going on in the early hours of 1st Nov. Police Log 395 (1/11/07)
- 31/05/08. 00.15hrs Loud music early hours of 1st.
- 07/06/08. 00.15hrs Loud music early hours of 8th. Police Log 24.
- 14/08/08. 00.00hrs --- : --- Police Log 2084.
- 25/10/08. 00.15hrs Loud music early hours of 26th. Police Log 42.
- 27/10/08. 00.15hrs Loud music phoned Police, Log 12930?
- 08/10/10. 23.50hrs Loud music called Police , couldn't get a log number at first, told it was for Environmental Health, eventually got Log 2185. Still noisy at 00.45hrs.
- 08/04/11. 23.00hrs Loud music and shouting , been going on since early evening, punters back from the Races. Like a party going on in our own bedroom, rang Police to no avail.
Complained to Licensing and Environmental health by email.
- 11/04/09. Loud music, time of call not recorded, but reported to Police.
- 24/04/09. Loud music and cars parked blocking our drive. Rang Police and emailed Environmental Health.
- 08/10/09. Loud music. Police Log 2185.
- 05/12/10. 11.40am Sunday morning violent domestic argument in car park of Pub, rang Police out of concern for the woman involved. There had also been a noisy argument on the night
of the previous Friday.
- 03/10/11. Loud music and singing rang the Police at 23.00hrs and music stopped abruptly about 20 minutes later. Police rang on 4th to confirm that they had visited the Pub.
- 01/09/12. 02.40 Woken up by raucous shouting, banging doors and peoples voices. This continued and at 03.30 I dressed and went to investigate, to find that the Pub was busy and customers were still drinking. I asked people at the rear door to keep the noise down and one shouted back "sorry". I rang the Police, who attended at about 04.20 but accepted that it was a private party! This was later rejected by the Community Policeman, who reported the matter to senior officers. I also reported it to the Licensing officers , but never received a satisfactory response on what action would be taken.
- 17/02/13. 03.00hrs Sunday morning, woken up by loud voices, music sounded like a party going on. Rang the Police, who attended. Log 254. Told them we had been woken up the previous Sunday morning at 02.00hrs as well.

NB. Following on from the above our contact with the Police has been directly with designated officers and we have had discussions with the local Community Police Officer, followed by meetings with Sergeant Bushell and correspondence with him and his Regional Inspector Christina Shorrock.

Eric & Pat Knowles.

2013/14

Continuation sheet

DIARY OF EVENTS

NAME: Mr & Mrs Knowles

Job No.

ADDRESS: 11A Town Green Lane L39 6SE

OFFICER: A-PIGKUP

ADDRESS OF NOISE SOURCE: Town Green Inn (13-17 Town Green Lane)

DATE	START TIME	FINISH TIME	NATURE OF NOISE	COMMENTS (How it affected you)
10.2.13	2 am.		Music & voices	We were awoken at 2 am.
17.2.13	3 am.		Party, people shouting	Awoken at 3 am - Police contacted Log 254
1.3.13			People drinking outside.	Photo sent to Peter Foster - planning
7.7.13	Most of day & into early hours.		Party outside at rear	Neighbours - neighbours reported to Police
9.7.13	Evening		Drinking at rear of pub & noise. Continues to weekend & planning.	Email sent to councillor O'Toole, Peter Foster planning
8.3.14	until after 11.30pm		loud music & flashing lights	(We were away, neighbours rang Police twice)
19.4.14	9.00pm approx	till after 11.30pm	loud music.	Disturbed our evening & Chen kept us awake.
27.4.14	3pm +	+	loud drumming & singing	Had to shut windows & door in conservatory & c. door between conservatory & lounge.

NOTE: Please keep a record of the date and times when you experience the problem. You should log down the start and finish times and a brief description of the effects. Do not forget to complete the declaration of record details.

Declaration of True Record

I (Name) PAT & ERIC KNOWLES confirm that the above list is a true record of events recorded from

(Date) 27/4/14

by persons residing at

(Address) AS ABOVE

Date: 27/4/14

Signature



I am/am not* prepared to appear in court to give evidence if required. (* please delete as appropriate)

2011/12

Continuation sheet

DIARY OF EVENTS

NAME: Mr & Mrs Knowles

Job No.

ADDRESS: 11A Town Green Lane L39 6SE

OFFICER: A-PICKUP

ADDRESS OF NOISE SOURCE: Town Green Inn, 13-17 Town Green Lane

DATE	START TIME	FINISH TIME	NATURE OF NOISE	COMMENTS (How it affected you)
11.9.11	8.00pm	11.20	loud music voices all evening	Turned up CD player whilst trying to read.
30.9.11	After 12.00am		Music & voices in rear of pub	awoken
1.10.11	8.00pm	till after midnight	loud music	kept awake
2012 7.4.12	11.22pm		Bottles being emptied into bin next to our house.	awoken.
26.5.12	Daytime		People drinking at rear	unable to sit in garden
4.6.12	Most of the day		Go-kart track set up in rear car park - later cleared & people drinking - noise	
25.8.12	8.00/9.00 till after 12.00am		loud music	
1.9.12	3am - 3.30am 4.00am		People in car park pub still open(?) 3.30 got dressed to see what happening. 4am shouted over wall from bedroom.	Awoken

NOTE: Please keep a record of the date and times when you experience the problem. You should log down the start and finish times and a brief description of the effects. Do not forget to complete the declaration of record details.

Declaration of True Record

I (Name) Mr & Mrs Knowles confirm that the above list is a true record of events recorded from

(Date) _____

by persons residing at

(Address) AS ABOVE

Date: 27/4/14

Signature _____

I am/am not * prepared to appear in court to give evidence if required. (* please delete as appropriate)

2010/11

Continuation sheet

DIARY OF EVENTS

NAME: Mr & Mrs Knowles

Job No.

ADDRESS: 11A Town Green Lane L39 6SE

OFFICER: A PICKUP

ADDRESS OF NOISE SOURCE: Town Green Inn, 13-17 Town Green Lane

DATE	START TIME	FINISH TIME	NATURE OF NOISE	COMMENTS (How it affected you)
28.12.10	6.45am		Bottle bins emptied	Woke us up
30.12.10	still heard at 11.30pm +		Loud music	kept us awake
2.1.11	still heard at 11.45 (11.30pm)		Loud music	" " "
28.1.11	still heard at midnight		" "	" " "
29.1.11			Tried reasoning with Manager re noise - no avail	
1.4.11	still heard after 11.30pm		Loud music - voices at rear	couldnt sleep
"	12.45am		Bottles being emptied into bin near to our home	" "
7.4.11	11.22pm		Bottles being emptied into bin	" "
8.4.11	early evening till after midnight		Ladies Day, A. Races excessive noise	" "
14.4.11	12.07am		Bottle emptied into bin	woke us up
15.4.11	12.20am		" "	" " "
21.4.11	10.45 +		People at rear - horse	kept awake
6.5.11	9.30pm	till after 12.00am	Loud music	" "
9.6.11	11.10pm		Ramesses laughter & voices at rear	" "

2011

NOTE: Please keep a record of the date and times when you experience the problem. You should log down the start and finish times and a brief description of the effects. Do not forget to complete the declaration of record details.

Declaration of True Record

I (Name) Mr Knowles confirm that the above list is a true record of events recorded from

(Date) 27/4/14

by persons residing at

(Address) As Above

Date: 27/4/14

Signature



I am/am not prepared to appear in court to give evidence if required. (* please delete as appropriate)

Continuation sheet

DIARY OF EVENTS

NAME: Mrs Mrs Knowles

Job No.

ADDRESS: 11A Town Green Lane L39 6SE

OFFICER: A-PICKUP

ADDRESS OF NOISE SOURCE: Town Green Inn, 13-17 Town Green Lane

DATE	START TIME	FINISH TIME	NATURE OF NOISE	COMMENTS (How it affected you)
15.11.10	still heard at 11.15pm++		loud music	kept awake
19.11.10	"	"	" "	" "
22.11.10	"	"	" "	" "
30.11.10	1.30am → +		People shouting, car doors banging, engines revving	Woke up
4.12.10	1.2.00am → +		Violent argument + bad language	" " "
5.12.10	11.40am →		Another violent argument + language	could not work in garden, did ring Police
10.12.10	still heard 11.30pm++		loud music	unable to sleep
12.12.10	still heard after 11.30pm+		" "	"
13.12.10	"	"	" "	"
17.12.10	"	"	" "	"
18.12.10	"	"	" "	"
20.12.10	"	"	" "	"
22.12.10	"	"	" "	"
27.12.10	"	"	open Mike night, loud music	"

NOTE: Please keep a record of the date and times when you experience the problem. You should log down the start and finish times and a brief description of the effects. Do not forget to complete the declaration of record details.

Declaration of True Record

I (Name) Mrs Knowles confirm that the above list is a true record of events recorded from

(Date) 27/4/14

by persons residing at

(Address) AS ABOVE

Date: 27/4/14

Signature



I am/am not * prepared to appear in court to give evidence if required. (* please delete as appropriate)

Continuation sheet

DIARY OF EVENTS

NAME: Mr & Mrs Knowles

Job No.

ADDRESS: 11A Town Green Lane L39 6SE

OFFICER: A PICKUP

ADDRESS OF NOISE SOURCE: Town Green Ln, 13-17 Town Green Lane

DATE	START TIME	FINISH TIME	NATURE OF NOISE	COMMENTS (How it affected you)
12.6.09	4.15pm	+++	loud voices, people sitting at rear had language	Prevented us from sitting in our garden
26.6.09	"	"	"	"
27.6.09			"	"
3.9.09	complained turned down at 11.30pm		loud music	unable to sleep
11.9.09	1.45am		Very loud voices in car park	woke us up
13.9.09	still noisy at 11.00pm	++	Open mike night loud music	unable to sleep
20.9.09	10.30pm	→ +	loud music	" " "
3.10.09	2.05am	→	loud noise of people leaving	woke us up
4.10.09	still hear at 12.45am		loud music + people at rear	unable to sleep
22.10.09			music & voices in car park	woke us up at 12.10am
25.10.09	still hear it at 12.00am		Open mike night	kept us awake
29.10.09	still hear it at 11.30pm	+	Loud music	" " "
30.10.09	still hear after 11.30pm		" "	" " "
1.11.09	still hear it after 11.50pm		open mike night	" " "

NOTE: Please keep a record of the date and times when you experience the problem. You should log down the start and finish times and a brief description of the effects. Do not forget to complete the declaration of record details.

Declaration of True Record

I (Name) Mr & Mrs Knowles confirm that the above list is a true record of events recorded from

(Date) 27/4/14

by persons residing at

(Address) 13 AS AS-JG

Date: 27/4/14

Signature 

I am/am not * prepared to appear in court to give evidence if required. (* please delete as appropriate)

2008/09

Continuation sheet

DIARY OF EVENTS

NAME: Mr & Mrs Knowles

Job No.

ADDRESS: 11A Town Green Lane L39 8SE

OFFICER: A-PICKUP

ADDRESS OF NOISE SOURCE: Town Green Inn, 13-17 Town Green Lane

DATE	START TIME	FINISH TIME	NATURE OF NOISE	COMMENTS (How it affected you)
6.11.08	10.00pm	++	loud music	unable to sleep
7.11.08	10.00pm	++	loud music	" " "
12.11.08	6.52am		Barrels delivered or removed	wake us up
20.11.08	6.50am	6.55am	Bins emptied	" " "
"	9.30pm	11.30pm	loud music	kept us awake
27.11.08	10.00pm	11.30pm	loud music	" " "
4.12.08	6.55am		Bins emptied	wake us up
13.12.08	9.45pm	still hear at 11.25pm	loud music	kept us awake
18.12.08	6.50am	6.55am	Bottles emptied	wake us up
2009 12.3.09	7.15am	7.20am	Bottles emptied	wake us up
14.3.09		still playing at 11.45pm	loud music	unable to sleep
11.4.09	"	"	" "	" " "
24.4.09	"	"	" "	" " "
9.6.09	9.00pm	++	People sitting at rear loud voices + bad language	

NOTE: Please keep a record of the date and times when you experience the problem. You should log down the start and finish times and a brief description of the effects. Do not forget to complete the declaration of record details.

Declaration of True Record

I (Name) Mr & Mrs Knowles confirm that the above list is a true record of events recorded from

(Date) 27/4/14

by persons residing at

(Address) 11A Town Green Lane

Date: 27/4/14

Signature _____

I am/am-not prepared to appear in court to give evidence if required. (* please delete as appropriate)

2007/2008

DIARY OF EVENTS

NAME: Mr & Mrs Knowles

Job No:

OFFICER:

ADDRESS: 11A Town Green Lane LS9 6SE

ADDRESS OF NOISE SOURCE: Town Green Inn, 13-17 Town Green Lane

DATE	START TIME	FINISH TIME	NATURE OF NOISE	COMMENTS (How Loud? e.g. woke me up, had to turn my television up to hear it.)
27.6.07	10.45pm	11.15pm	loud music	could not sleep
11.7.07	11.00pm	++	" "	" "
13.7.07	11.15pm	++	" "	" "
18.7.07	9.15pm	11.00pm ++	" "	" "
20.7.07	6.55am	7.00am	Barrels delivered or removed	woke us up
20.8.07	6.25am	++	" "	" " "
24.8.07	11.10pm	11.30pm	Raucous voices at tables at rear of pub + bad language	kept us awake
26.8.07	3.45pm	++	Voices again at tables at rear of pub + language	Prevented us sitting in our garden
7.9.07	6.57am	7.05am	Barrels	woke us up
15.9.07	7.00am	7.05am	Bottle bins emptied	" " "
24.7.08	9.45pm	11.30pm	Loud music	kept us awake
14.8.08	6.55am	7.00am	Bins emptied	woke us up
18.9.08	9.15pm	11.45pm	Loud music	could not sleep
25.10.08	10.00pm	12.09pm	" "	" "
30.10.08	10.00pm	11.30pm	" "	" "

See planning

"

2008

NOTE: It would be helpful if you could keep a record of the date and times when you experience the problem. You should log down the start and finish times and a brief description of the noise. Do not forget to complete the declaration of record details.

Declaration of True Record

I (Name) Mr Knowles confirm that the above list is a true record of events

recorded from (Date) _____ by persons residing at

(Address) 11A APNG

Date: 27/4/14

Signature

I am/am not* prepared to appear in court to give evidence if required. (* please delete as appropriate)

2006/7

DIARY OF EVENTS

NAME: Mr & Mrs Knowles

Job No:

OFFICER:

ADDRESS: 11A Town Green Lane L39 6SE

ADDRESS OF NOISE SOURCE: Town Green Inn, 13-17 Town Green Lane

2007

DATE	START TIME	FINISH TIME	NATURE OF NOISE	COMMENTS (How Loud? e.g. woke me up, had to turn my television up to hear it.)
21.12.06	11.00 pm	++	Load music	could not sleep
22.2.07	6.40 am	6.45 am	Bottle bins emptied	woke us up
8.3.07	6.45 am	6.50 am	" " "	" " "
15.3.07	6.40 am	6.45 am	" " "	" " "
22.3.07	6.40 am	6.45 am	" " "	" " "
29.3.07	6.40 am	6.45 am	" " "	" " "
5.4.07	6.55 am	7.00 am	" " "	" " "
12.4.07	6.35 am	6.40 am	" " "	" " "
4.5.07	6.35 am	6.40 am	" " "	" " "
18.5.07	6.20 am	6.25 am	" " "	" " "
1.6.07	12.05 am	++	Very loud music	" " "
8.6.07	6.20 am	6.25 am	Bottle bin emptied	" " "
14.6.07	11.25 pm	++	loud noise/music	could not sleep
20.6.07	11.40 pm	++	loud music	" " "
21.6.07	6.55 am	7.00 am	Barrels delivered	woke us up

NOTE: It would be helpful if you could keep a record of the date and times when you experience the problem. You should log down the start and finish times and a brief description of the noise. Do not forget to complete the declaration of record details.

Declaration of True Record

I (Name) Pat Knowles confirm that the above list is a true record of events

recorded from (Date) _____ by persons residing at

(Address) AS ABOVE

Date: 27/4/14

Signature: 

I am/~~am not~~ * prepared to appear in court to give evidence if required. (* please delete as appropriate)

2006

NAME: Mr. & Mrs Knowles

DIARY OF EVENTS

Job No.

OFFICER:

ADDRESS: 11A Town Green Lane LS9 6SE

ADDRESS OF NOISE SOURCE: Town Green Inn (13-17 Town Green Lane)

DATE	START TIME	FINISH TIME	NATURE OF NOISE	COMMENTS (How Loud? e.g. woke me up, had to turn my television up to hear it.)
26.6.06	6.37am	6.42am	Bottle bins emptied	woke us up
28.6.06	11.35pm	11.40pm	Bottles thrown in bin	" " "
5.7.06	4 ⁵ pm ++		Alarm went off	" " "
13.7.06	6.30am	6.35am	Bottle bins emptied	" " "
20.7.06	7.05am	7.10am	" " "	" " "
27.7.06	6.58am	7.04am	" " "	" " "
17.8.06	6.35am	6.40am	" " "	" " "
24.8.06	6.25am	6.30am	" " "	" " "
14.9.06	6.30am	6.35am	" " "	" " "
21.9.06	6.55am	7.00am	" " "	" " "
28.9.06	7.22am	7.27am	" " "	" " "
5.10.06	6.17am	6.21am	" " "	" " "
7.12.06	11.15pm	++	loud music	not able to sleep
14.12.06	11.40pm	12.30am	Very loud music	woken up/not able to sleep
30.12.06	Prior to 7am		Deliveries of barrels	wake us up

NOTE: It would be helpful if you could keep a record of the date and times when you experience the problem. You should log down the start and finish times and a brief description of the noise. Do not forget to complete the declaration of record details.

Declaration of True Record

I (Name) PAT KNOWLES confirm that the above list is a true record of events

recorded from (Date) _____ by persons residing at

(Address) AS ASNE

Date: 27/4/14

Signature: 

I am/am not * prepared to appear in court to give evidence if required. (* please delete (as appropriate))

Eric Knowles

From: E KNOWLES [REDACTED]
Sent: 26 April 2014 18:17
To: EricKnowles
Subject: Fw: IMG-20130710-00018.jpg Town green Inn
Attachments: IMG-20130710-00018.jpg

----- Forwarded Message -----

From: [REDACTED]
To: "Peter.Foster@westlancs.gov.uk" <Peter.Foster@westlancs.gov.uk>
Cc: MurrayMichaela <Michaela.Murray@westlancs.gov.uk>; AndrewPickup <Andrew.Pickup@westlancsdc.gov.uk>; "anthony.bushell@lancashire.pnn.police.uk" <anthony.bushell@lancashire.pnn.police.uk>
Sent: Thursday, 11 July 2013, 18:56
Subject: Fw: IMG-20130710-00018.jpg Town green Inn

Peter,
please see attached the photograph I took of the table on Wednesday morning. If you enhance it you can clearly see the beer glasses, although I now understand from Michaela that she took similar photographs when she was called in.

You may have heard from Mr & Mrs Loughlin, of Whalley Drive, whose garden backs onto the pub car park, if not I will ask them to confirm. Apparently they complained to the Police at 02.40am last Sunday morning about a "party" going on at the pub and in the car park. This had been going on all Saturday evening and into the early hours of Sunday morning and finished about 3.00am. The noise was clearly audible in their home and participants were seen drinking outside in the car park. My wife and I were away for the night.



We would be grateful if you will confirm what action is to be taken in light of these latest breaches of Planning Consent.
Kind regards,
Eric & Pat Knowles.

----- Forwarded Message -----

From: [REDACTED]
To: [REDACTED]
Sent: Thursday, 11 July 2013, 18:32
Subject: IMG-20130710-00018.jpg

Sent from my BlackBerry® wireless device

Eric Knowles

From: E KNOWLES [REDACTED]
Sent: 09 July 2013 15:42
To: EricKnowles
Subject: Fw: IMG-20130709-00016.jpg
Attachments: IMG-20130709-00016.jpg

----- Forwarded Message -----

From: E KNOWLES [REDACTED]
To: "Peter.Foster@westlancs.gov.uk" <Peter.Foster@westlancs.gov.uk>
Cc: MurrayMichaela <Michaela.Murray@westlancs.gov.uk>; "anthony.bushell@lancashire.pnn.police.uk" <anthony.bushell@lancashire.pnn.police.uk>
Sent: Tuesday, 9 July 2013, 15:40
Subject: Fw: IMG-20130709-00016.jpg

Peter,
hopefully you will have received a copy of the photograph I sent from my Blackberry, showing people drinking at a table in the Town Green Inn car park. I became aware of their presence about 13.30, because of the noise being made.
Further to our telephone conversation, we are hoping that the Council will now take legal action against the relevant persons (or better still the Brewery) for this latest breach of the Planning Consent. Since you wrote to me last year confirming that an Enforcement Notice and a Breach of Condition Notice had been issued warning the DPS/Brewery about future conduct, there have been a few minor incidents which I drew attention to but felt that formal action was not necessary. However, I now believe that because of the imminent change of ownership at the pub, people are flaunting the Planning Law.

Before speaking to you I had earlier spoken to your colleague and asked if an Officer could call out to witness the breach of Consent, personally.

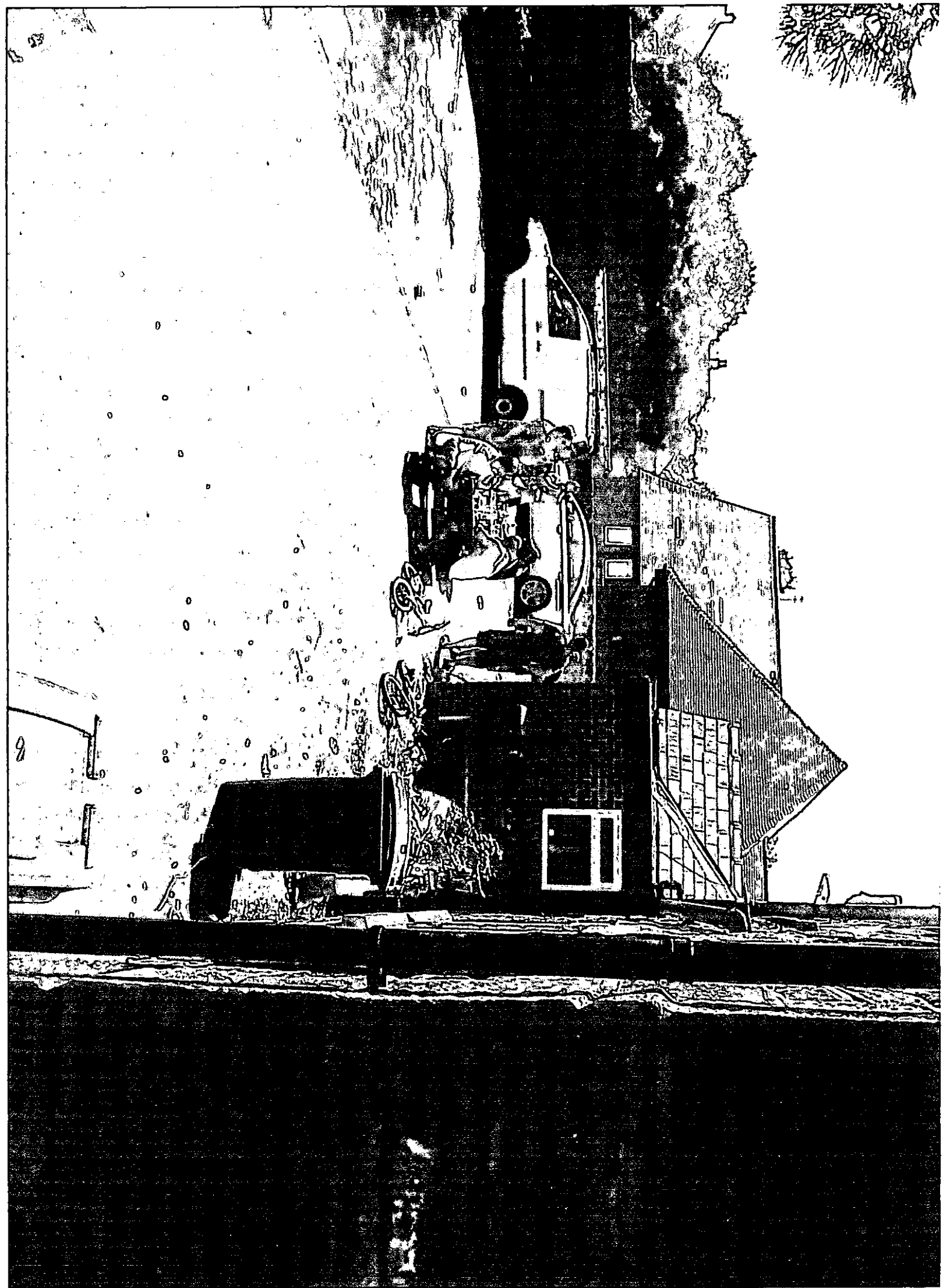
Your predecessors made provision in the Planning Consent to protect our privacy and prevent noise and nuisance from the car park being used as a beer garden. We would like that Planning Condition enforced.

If you need any further information please let me know.
Kind regards,
Eric.

Eric Knowles
'Beechwood',
11a, Town Green Lane
Aughton.
L39 6SE.

----- Forwarded Message -----

From: [REDACTED]
To: "Peter.Foster@westlancs.gov.uk" <Peter.Foster@westlancs.gov.uk>
Cc: [REDACTED]
Sent: Tuesday, 9 July 2013, 15:06
Subject: IMG-20130709-00016.jpg



Eric Knowles

From: Shorrock, Christina [Christina.Shorrock@lancashire.pnn.police.uk]
Sent: 27 July 2013 15:17
To: 'Eric Knowles'
Cc: Bushell, Anthony; 'David.O'Toole@lancashire.gov.uk'
Subject: RE: Town Green Inn.

Eric

Thanks for the feedback, I am pleased that following an effective partnership response from you, the residents, Tony and Planning, there have been some improvements.

Please do not hesitate to keep me informed if you have any further issues.

Regards

Christina

Inspector Christina Shorrock.
Geographic Inspector
West Lancs Borough
Skelmersdale Police Station
Tel: 01695 566080 or 07908 482690

From: Eric Knowles
Sent: 26 July 2013 15:09
To: 'O'Toole, David (Cllr)'
Cc: Shorrock, Christina
Subject: RE: Town Green Inn.

David,

We just wanted to thank you for your assistance in getting some action in response to the problems that we and our neighbours have had with the local pub.

The Planning Department have confirmed that they are prosecuting the Brewery over the repeated breaches of Planning Consent, in respect of the use of the rear car park for drinking.

Peter Foster, the Enforcement Officer has been very professional throughout and the one person who recognised that action was needed against the Brewery, rather than their succession of managers/DPS/tenants.

I met the Brewery Area Manager, together with the Licensing Officer and Tony Bushell and he is now in no doubt about public feeling and what we consider to be their failure to ensure responsible management within the Planning and Licence Conditions. Tony Bushell has been very helpful and unfortunately often at the sharp end of our anger at the situation. We just wish the Licensing Officers were as diligent and proactive. We are all still amazed and consider it totally inappropriate that the pub Licence allows for it to can stay open to 1.30 am and 2.30 am on certain occasions.

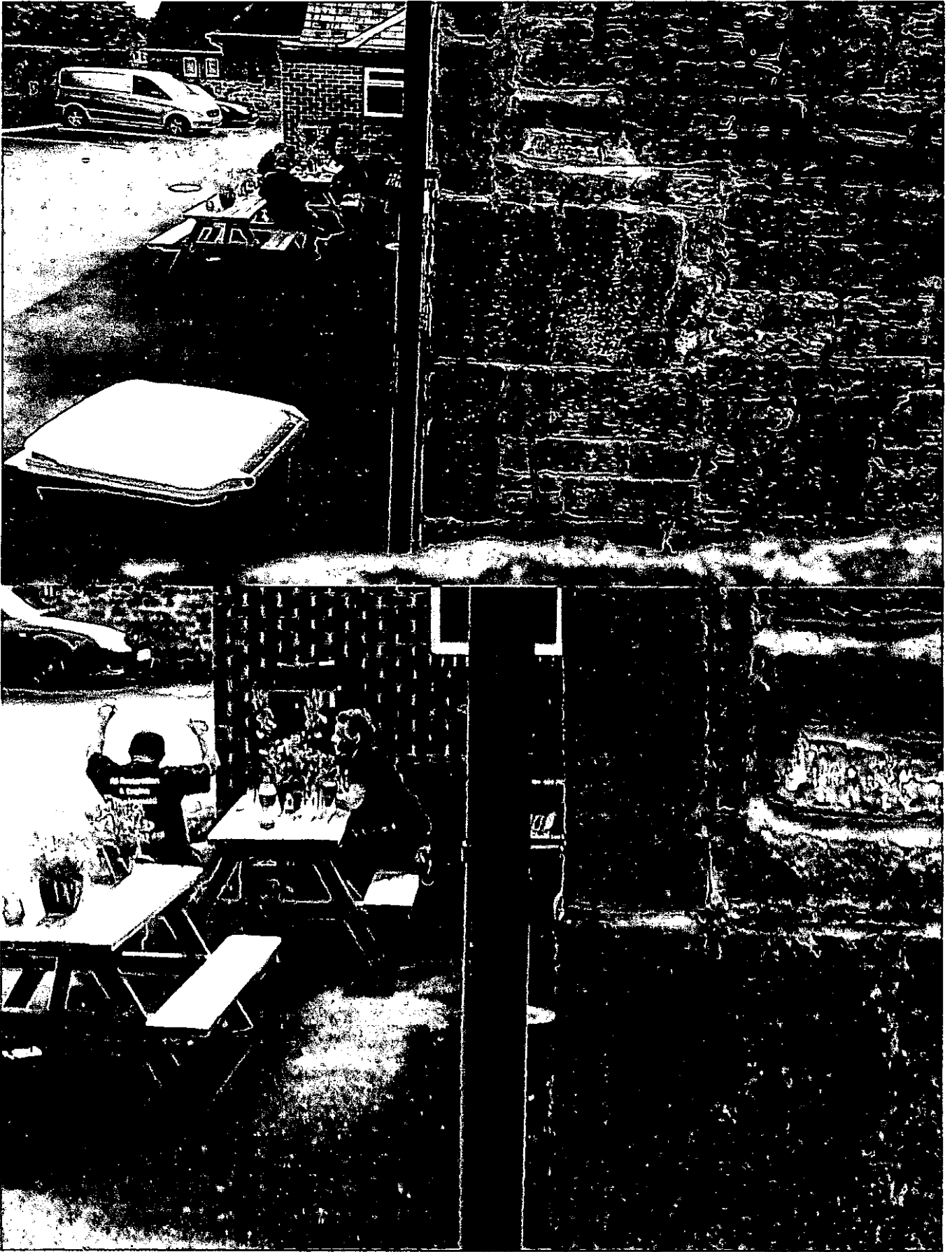
On a positive note there is a new DPS in place and she seems both experienced and with the right attitude for a small village pub, so hopefully we will all have some peace and a quiet drink.

Thank you again.

Kind regards,

Eric & Pat Knowles.

From: O'Toole, David (Cllr) [mailto:David.O'Toole@lancashire.gov.uk]
Sent: 10 July 2013 08:47



Eric Knowles

From: Eric Knowles [redacted]
Sent: 26 July 2013 15:09
To: 'O'Toole, David (Cllr)'
Cc: 'christina.shorrocks@lancashire.pnn.police.uk'
Subject: RE: Town Green Inn.

David,

We just wanted to thank you for your assistance in getting some action in response to the problems that we and our neighbours have had with the local pub.

The Planning Department have confirmed that they are prosecuting the Brewery over the repeated breaches of Planning Consent, in respect of the use of the rear car park for drinking.

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I met the Brewery Area Manager, together with the Licensing Officer and Tony Bushell and he is now in no doubt about public feeling and what we consider to be their failure to ensure responsible management within the Planning and Licence Conditions. Tony Bushell has been very helpful and unfortunately often at the sharp end of our anger at the situation. We just wish the Licensing Officers were as diligent and proactive. We are all still amazed and consider it totally inappropriate that the pub Licence allows for it to stay open to 1.30 am and 2.30 am on certain occasions.

On a positive note there is a new DPS in place and she seems both experienced and with the right attitude for a small village pub, so hopefully we will all have some peace and a quiet drink.

Thank you again.

Kind regards,

Eric & Pat Knowles.

From: O'Toole, David (Cllr) [mailto:David.O'Toole@lancashire.gov.uk]
Sent: 10 July 2013 08:47
To: [redacted]
Subject: FW: IMG-20130709-00016.jpg

Eric

please see below . reply from geographical police inspector . I will take it up with WLBC .

Regards David

To: O'Toole, David (Cllr)
Cc: Bushell, Anthony
Subject: RE: IMG-20130709-00016.jpg

Thanks David

I will speak to Tony Bushell about this, I know about the issues and I know Tony has had some intervention.

Obviously, we need more. Can keep me posted re the planning etc.

Thanks

Christina

Eric Knowles

From: E KNOWLES [REDACTED]
Sent: 25 February 2013 16:19
To: Jordan, Samantha
Cc: EricKnowles
Subject: Re: Delivered: RE: Town Green Inn --- Early hours of 1/9/12 ← AND

REFERS TO INCIDENT ON 16/17 FEB
2013

Samantha,

Thank you for your email regarding the sale of alcohol and I apologise for not responding sooner but i have had some IT issues.

Does the situation you describe not undermine the whole purpose of licensing and mean that a landlord could keep a licenesed premises open every night of the week, for private parties? A charter for "lock-ins" and onus would always be on the Police to prove if the alcohol was being paid for, or not.

During your investigation with Sergeant Bushell, did you ask about the incident the previous weekend that I referred to in my email to Michaela Murray. I look forward to hearing from you with the result of your investigations.

I note that we didn't get any response to our complaint last September, when we were woken at 2.40 am and activities in the pub continued until 4.20 am (I will forward it again). These are not the only incidents, but the ones we have brought to the attention of the Licensing Authority.

Surely the noise and nuisance caused by activities in this pub (usually in the early hours) are contrary to one of the four main objectives of the Act and the Licensing Policy of the Council. Under Home Office Ammended Guidance to Section 182 of the 2003 Act it states in 2.34 that it is important to recognise that the prevention of nuisance includes low level nuisance affecting a few people in the locality as well as major disturbances.

Regards,
Eric Knowles.

From: [REDACTED]
To: "Jordan, Samantha" <Samantha.Jordan@westlanCS.gov.uk>
Sent: Wednesday, 20 February 2013, 12:42
Subject: Delivered: RE: Town Green Inn --- Early hours of 1/9/12.

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Sent from my BlackBerry® wireless device

Eric Knowles

From: E KNOWLES [REDACTED]
Sent: 25 February 2013 16:29
To: EricKnowles
Subject: Fw: Town Green Inn --- Early hours of 1/9/12.

----- Forwarded Message -----

From: E KNOWLES [REDACTED]
To: "Samantha.Jordan@westlancs.gov.uk" <Samantha.Jordan@westlancs.gov.uk>
Sent: Monday, 25 February 2013, 16:28
Subject: Fw: Town Green Inn --- Early hours of 1/9/12.

Samantha,

please find below the incident we reported last September. Did you and Sargeant Bushell attend after this incident?

You will notice I referred to the old excuse of a "private party" in the final paragraph this email, although I still don't know what the actual excuse was?

I mentioned it simply because my uncle was an inspector in the Merseyside Police and my cousin is a serving Sergeant and both said that this was the usual excuse for "lock-ins".

Regards,

Eric Knowles.

----- Forwarded Message -----

From: E KNOWLES [REDACTED]
To: MurrayMichaela <Michaela.Murray@westlancs.gov.uk>
Cc: AndrewPickup <Andrew.Pickup@westlancsdc.gov.uk>
Sent: Tuesday, 4 September 2012, 11:36
Subject: Fw: Town Green Inn --- Early hours of 1/9/12.

Michaela,

You may recall all the problems we have had over the past six or seven years with breaches of licence conditions and noise nuisance from the ever changing incumbents at the pub next door. Planning has taken some action and the use of the rear car park as a drinking area has significantly reduced. It is also fair to say that in our opinion the current operators of the pub have been the least problematical, with noise audible on occasions in our home but most of the time not too great a nuisance, until the early hours of last Saturday morning.

We were woken up by shouting and raucous conversation at about 2:40 am, doors were banging and we assumed that late revellers were leaving the pub. However, the noise and doors intermittently banging continued and as we were unable to sleep I got dressed and went out at about 3:30 to see what was going on. The curtains were closed at the front of the pub, but lights were on and a window at the south end of the building was not curtained and I could clearly see people drinking. People were outside at the rear door smoking and windows were open at the rear. At 15.35 a taxi (no 1186) pulled up to collect some of the revellers. I went back in thinking it was over, but at 4:00 am, shouted over the wall to a noisy group of three to please keep the noise down as we were trying to sleep. A woman shouted "sorry". I had reported the problem to the police and at about 4:20 they spoke to the individuals concerned (according to the Community Policeman when he contacted me later).

I assume that you will have had confirmation of this incident from the police and I would be grateful to know what action is taken. I sincerely hope the "private party" excuse will not excuse this blatant breach of Licence Conditions and Environmental Protection Act.

We will be on holiday from today, but I will contact you again when we return if we haven't had a response.

Regards,

Eric Knowles.

Eric Knowles

STILL NO SIGNS UP - NO PICTURE

From: E KNOWLES [REDACTED]
Sent: 26 April 2014 16:53
To: Eric Knowles
Subject: Fw: Town Green Inn.

FW: BE ADVISED OF PROBLEMS
[By officers]

----- Forwarded Message -----

From: "Murray, Michaela" <Michaela.Murray@westlancs.gov.uk>
To: E KNOWLES [REDACTED]
Sent: Thursday, 11 July 2013, 11:57L
Subject: RE: Town Green Inn.

Hi

Yes I did go yesterday and took some photographic evidence of the table and chairs in the car park with empty glasses and bottles I will be sending them to Peter Foster.

The 'No Ball Games' signs had not been erected nor any sign regarding not using the car park as a beer garden. The responsibilities for these signs are via Health and Safety and Planning. I will speak to both departments and get back to you. I did ask Laura if she had erected the signs to leave quietly but unfortunately she had not.

I will contact you as soon as possible with regards to a new DPS and the Brewery's plans.

Thanks

Michaela Murray
Senior Licensing Officer
Direct Dial: 01695 577177 Ext: 5315
Fax: 01695 585126
e-mail: michaela.murray@westlancs.gov.uk

West Lancashire Borough Council
Robert Hodge Centre, Stanley Way, Skelmersdale WN8 8EE
www.westlancs.gov.uk

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From: E KNOWLES [REDACTED]
Sent: 10 July 2013 16:52
To: Murray, Michaela; Foster, Peter
Cc: anthony.bushell@lancashire.pnn.police.uk ; Pickup, Andrew
Subject: Fw: Town Green Inn.

Michaela,

I understand from Tony that you were able to visit the pub this afternoon and talk to Laura (who I think is still the DPS?).

Presumably you saw the table they sat around drinking all day and up until 11.30 last night, at which time I complained forcefully. The table still had beer glasses on this morning although it is likely that when you called they had been cleared. I will forward a photograph to Peter Foster that I took this morning, before it was cleared.

The table is still there this afternoon, but I notice that so far it only has tea or coffee cups on it, if that actually makes a difference?!

Were you able to get any answers on the question of notices which the pub should be displaying or if and when the pub ownership is changing?

Eric Knowles

From: E KNOWLES [redacted]
Sent: 26 April 2014 16:01
To: EricKnowles
Subject: Fw: Town Green Inn --- Early hours of 1/9/12 *See Brian*

----- Forwarded Message -----

From: [redacted]
To: "Murray, Michaela" <Michaela.Murray@westlancs.gov.uk>
Sent: Monday, 18 February 2013, 17:17
Subject: Re: Town Green Inn --- Early hours of 1/9/12.

Thank you, Eric Knowles.

Sent from my BlackBerry® wireless device

From: "Murray, Michaela" <Michaela.Murray@westlancs.gov.uk>

Date: Mon, 18 Feb 2013 17:00:49 -0000

To: E KNOWLES [redacted]

Subject: RE: Town Green Inn --- Early hours of 1/9/12.

Hi

I have forwarded your complaint to Samantha Jordan. She will contact you tomorrow.

Michaela Murray
Senior Licensing Officer
Direct Dial: 01695 577177 Ext: 5315
Fax: 01695 585126
e-mail: michaela.murray@westlancs.gov.uk

West Lancashire Borough Council
Robert Hodge Centre, Stanley Way, Skelmersdale WN8 8EE
www.westlancs.gov.uk

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From: E KNOWLES [redacted]
Sent: 18 February 2013 16:42
To: Murray, Michaela; Woollacott, Eileen
Cc: Pickup, Andrew
Subject: Fw: Town Green Inn --- Early hours of 1/9/12. *See Brian - Refers to 17/1/13*

Good afternoon Michaela,

I write to confirm the latest problems with, what in our opinion are breaches of Licence Conditions at the Town Green Inn.

We were woken up just before 3:00am on Sunday morning by noise from the pub, back door banging, people talking and shouting in the car park.

I looked through the window and it appeared that the pub was still open for business. I put some clothes on and went out into the Lane and saw a couple leaving the premises.

All the front and south side windows had closed curtains, but through the first rear window, I could clearly see a crowd of people, many of whom were drinking and music was playing.

At that time there were five or six cars parked in the car park and one outside the front.

I reported my complaint to the Police and was given a call log (254 at 3.21am on 17/1/13) together with an assurance that they would try to send a vehicle. In fact within minutes two Police vehicles arrived and I assume the officers went inside the pub.

FO - KARLES - DRINKS

Eric Knowles

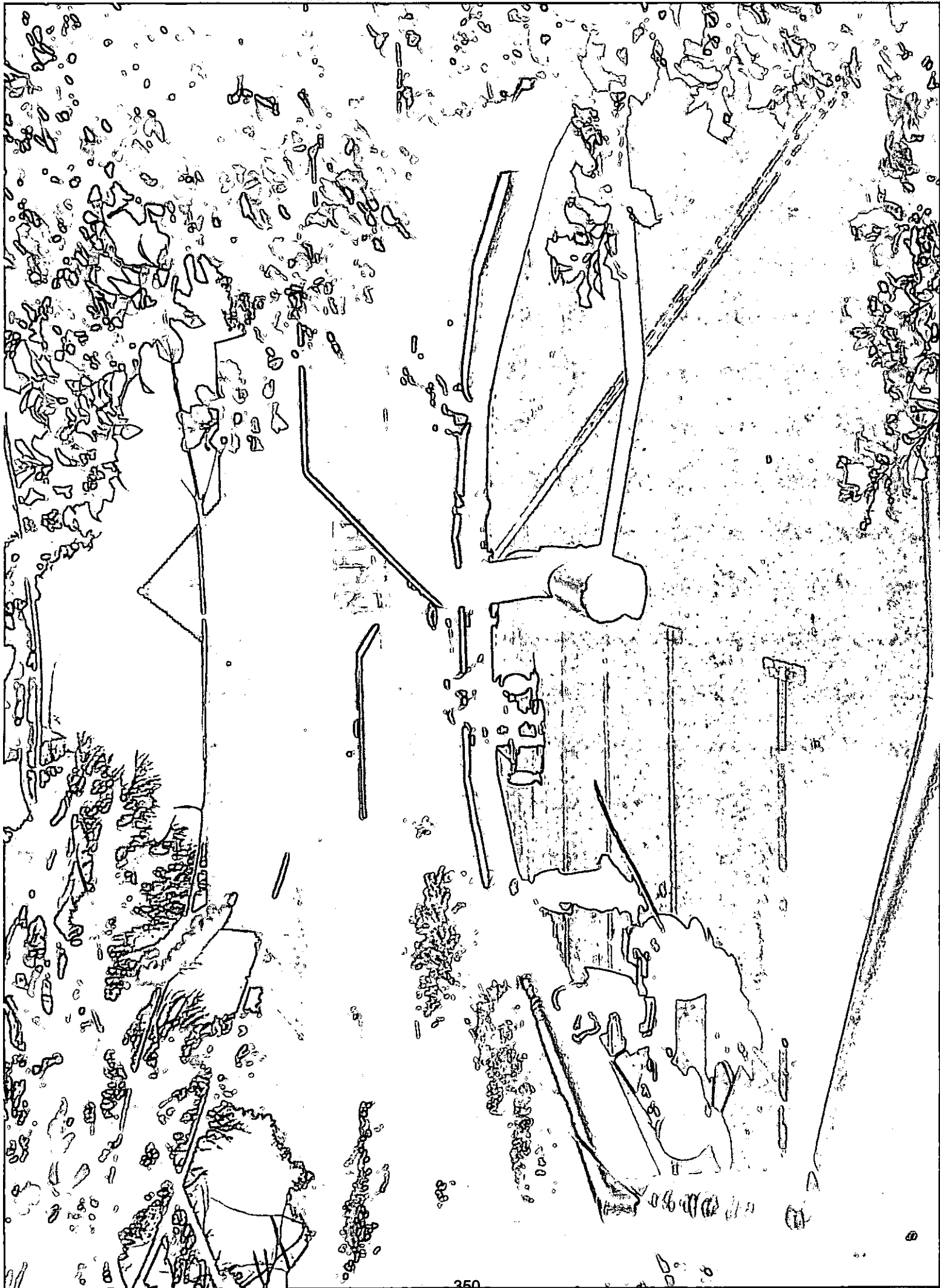
From: Eric Knowles [REDACTED]
Sent: 06 July 2012 17:50
To: 'peter.foster@westlancs.gov.uk'
Subject: FW: IMG00143-20120604-1651.jpg
Attachments: IMG00143-20120604-1651.jpg

Peter,
This is the 4th June.
If you zoom in you can see the adults sitting outside drinking.
Regards,
Eric.

-----Original Message-----

From: [REDACTED]
Sent: 06 July 2012 17:01
To: Eric Knowles
Subject: IMG00143-20120604-1651.jpg

Sent from my BlackBerry® wireless device



Eric Knowles

From: Eric Knowles [REDACTED]
Sent: 06 July 2012 17:54
To: 'peter.foster@westlancs.gov.uk'
Subject: FW: IMG00147-20120604-1920.jpg
Attachments: IMG00147-20120604-1920.jpg

Peter,

Finally, again the 4th but after the go kart area had been packed away.. More adults out at tables and standing drinking.

Regards,
Eric.

-----Original Message-----

From: [REDACTED]
Sent: 06 July 2012 16:58
To: Eric Knowles
Subject: IMG00147-20120604-1920.jpg

Sent from my BlackBerry® wireless device



Search Mail Search Web Hi, E

SENT CONTACTS CALENDAR Delivered: RE: Town... Delivered: FW: Town... Fw: Town Green Inn ... Fw: Town Green Inn ...

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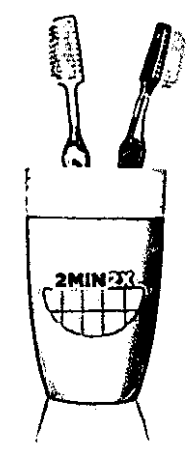
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I reported my complaint to the Police and was given a call log (254 at 3.21am on 17/1/13), together with an assurance that they would try to send a vehicle. In fact within minutes two Police vehicles arrived and I assume the officers went inside the pub.

This is the second incident in seven days, as the previous Sunday morning we had been woken up by the same type of disturbance, at just after 2.00am. On that occasion we did not report it to the police.

Can you confirm what action can be taken to resolve these problems?
Regards,
Eric Knowles.



2min2x.org

Ad Council Healthy Mouths Healthy Lives

----- Forwarded Message -----

From: E KNOWLES [redacted]
To: MurrayMichaela <Michaela.Murray@westlancs.gov.uk>
Cc: AndrewPickup <Andrew.Pickup@westlancsdc.gov.uk>
Sent: Tuesday, 4 September 2012, 11:36
Subject: Fw: Town Green Inn — Early hours of 1/9/12.
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 Regards,
 Eric Knowles.

----- Forwarded Message -----

From: E KNOWLES [redacted]
To: MichaelaMurray <Michaela.Murray@westlancs.gov.uk>
Sent: Friday, 8 April 2011, 9:20
Subject: RE: Town Green Inn
 Hello Michaela

Just to let you know we were awoken last night (7th) at 11-22pm by the bottles being emptied



Town Green Inn.

Wednesday, 6 April, 2011 11:12

From: "E KNOWLES" [REDACTED]

To: "Andrew Pickup" <Andrew.Pickup@westlancsdc.gov.uk>

Andrew,

It was good to hear from you yesterday afternoon and we look forward to meeting you at our home this afternoon, together with the Licensing Officer.

As I indicated on the phone, the latest incident with the pub was last Friday 1/4/11.

There was a karaoke and the volume was reasonable except when doors were opened.

Between 11.00 and 11.30 the noise from customers was particularly loud outside the rear of the pub (presumably smokers drinking outside). Three or four men were very loud and one woman was singing.

We eventually got to sleep but were woken up at 00.45 by bottles being emptied into the bottle bin outside. I recall this is a breach of the licence.

We can discuss this further with the Licencing Officer when we meet.

Kind regards,

Eric Knowles.

Eric Knowles.

--- On Tue, 19/4/11, Murray, Michaela <Michaela.Murray@westlancs.gov.uk> wrote:

From: Murray, Michaela <Michaela.Murray@westlancs.gov.uk>
Subject: RE: Town Green Inn.
To: "E KNOWLES" [REDACTED]
Date: Tuesday, 19 April, 2011, 11:02

Hi Mr Knowles

Had a great holiday thanks.

I visited the premises on Friday 8th April I left the DPS a copy of the conditions of the licence but unfortunately the premises was full with customers attending the Grand National.

I left advising that I would be visiting again this week. I am going today. I have all the emails you sent to me and will be advising them that I will be advising Sgt Bushell of the problems.

I will request Andrew install some noise equipment into your property, hopefully before next weekend.

I have visited once and again today therefore there will be no reasons that the DPS can give should any breach of conditions be made. Also if we have evidence from the noise equipment then a review hearing could be required.

Keep me informed of any further incidents.

Thanks

Michaela Murray
Senior Licensing Officer
Direct Dial: 01695 577177 Ext: 5315
Fax: 01695 585126
e-mail: michaela.murray@westlancs.gov.uk

West Lancashire Borough Council
Robert Hodge Centre, Stanley Way, Skelmersdale WN8 8EE
www.westlancs.gov.uk

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From: E KNOWLES [REDACTED]
Sent: 18 April 2011 19:16
To: Murray, Michaela
Cc: Pickup, Andrew
Subject: Town Green Inn.

Michaela,
I hope you had an enjoyable week's leave.
Meanwhile, not a lot has changed here.
Last Friday (15th) the noise from the Pub was less than the previous Friday (8th), however at about 22.35 I was upstairs and could clearly hear the music in both our rear and front double bedrooms.

<http://uk.mc871.mail.yahoo.com/mc/showMessage?sMid=0&fid=Sent&filterBy=&.ra...> 08/05/2011

I went outside and around the Pub, where a karaoke/disco was playing, the rear door was shut but two transom windows were open. At the front the door was open together with the sash window immediately above where the disco was located.

Things quietened down a lot earlier than the previous Friday and we were asleep by 24.00, only to be woken again by the bottles being dumped at 00.20!

Incidentally, Mr&Mrs Prescott, our neighbours at no5, told us that they could hear the din from the Pub on Friday 8th and were going to complain to Environmental Health. We asked them to copy you in to the letter. This is the couple I mentioned when we met who had complained to the Police about the Pub on two previous occasions.

Sorry to labour the point but I firmly believe that there are two fundamental issues here, the failure of successive managers (DPS) to manage in accordance with the Licence and the inappropriate terms of the Licence itself for a country pub, in close proximity with residential property.

Kind regards,

Eric Knowles.

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Re: Town Green Inn 13 to 17, Town Green Lane, Aughton

Tuesday, 24 May, 2011 17:59

From: "E KNOWLES" [redacted]
To: "Peter Foster" <Peter.Foster@westlancs.gov.uk>

Mr Foster,
Thank you for the acknowledgement of our complaint. It may assist you in your investigation if I briefly detail some background information, together with a couple of recent incidents.

Planning Consent 1999.

Prior to this being granted I had a site meeting with the Planning Officer responsible, David Rothwell. There were to be significant changes to the rear of the pub, including the demolition of out buildings which shielded our property. It was agreed that there would be no question of a beer garden, or drinking outside. It was also agreed that the development would include tree and shrub planting on the northern boundary of the proposed car park, to help shield us both visually and acoustically. We also had a great deal of confidence in Dave Corrin, the ex policeman who had taken over the pub. That confidence was fully justified and he was an excellent neighbour.

Various Managers.

Since Mr Corrin moved on we have had about seven managers/tenants/DPS in nine years. The first to ignore the planning condition prohibiting drinking in the car park, actually cleared part of the planted area, stoned it and placed tables and chairs there. We objected and eventually their successors moved the tables and chairs, but replaced them with a rabbit pen, which eventually also housed chickens! A bench then appeared for smokers and in due course a six seater table & benches. When I spoke to the tenant I was told it was only for their staff during breaks. This proved to be for both staff and customers, as expected. That tenant later moved on. Tom Nash, the tenant before the current DPS, added a further six seater table & benches. When I politely pointed out it was contrary to planning he became abusive.

Throughout this period we have suffered noise nuisance, not only on music nights, but early evening and weekends if the weather is fine, as customers sitting outside can be extremely noisy. It is particularly bad when their language is crude & offensive, especially if our grandchildren are in our garden or in the conservatory.

Recent Incidents.

Apart from the regular examples detailed above, Friday 8th April (Aintree Races) was the worst we have experienced to date. The pub was full at lunchtime, early evening and late into the night with customers sitting and standing outside drinking in the car park. The noise was like them having a party in our bedroom. We complained to Licensing and Environmental Health, as did at least two other residents of Town Green Lane.

We understand that this was repeated on Friday 29th April for the Royal Wedding, but we were away ourselves so did not experience the problem.



If it helps we do have a number of relevant photographs.

Enforcement Action.

The weather this weekend has for the most part been poor, but we still had men sitting outside drinking at 18.00hrs on Saturday evening and we expect that it will continue until enforcement action is taken, all the tables & benches are removed from the car park, and a sign is displayed advising customers not to drink in the car park.

In 1999 your colleagues were very considerate of our right to the quiet enjoyment of our property and included conditions to protect us, and other residents, we would be immensely grateful if you will enforce those conditions.

Kind regards,

Eric Knowles.

--- On Tue, 24/5/11, Foster, Peter <Peter.Foster@westlancs.gov.uk> wrote:

From: Foster, Peter <Peter.Foster@westlancs.gov.uk>
Subject: Town Green Inn 13 to 17, Town Green Lane, Aughton
To: [REDACTED]
Date: Tuesday, 24 May, 2011, 14:47

Hello Mr Knowles

The use of land at the above location as a beer garden is already under investigation following a complaint made by another party. I will update you when further information is to hand.

Regards

Peter Foster
Enforcement Officer
West Lancashire Borough Council

Tel: 01695 577177 ext 5347
Fax: 01695 585131
West Lancashire Borough Council,
52 Derby Street , Ormskirk , L39 2DF
www.westlancs.gov.uk

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RE: Town Green Inn.

Sunday, 8 May, 2011 23:50

From: "E KNOWLES" [REDACTED]

To: "MichaelaMurray" <Michaela.Murray@westlancs.gov.uk>

Michaela,

You asked me to keep you informed of any further incidents at the Pub, so here goes:-

We are unaware of any problems on 29th (Royal Wedding) or 30th April as we were away.

We returned at about 16.30 on Sunday 1st May and couldn't help but notice the cacophony of noise from the car park of the Pub. When I looked over the wall additional seating had been put out across the north end of the car park to accommodate additional customers.

What was of even more concern to us was that a number of children and youths were playing football in the car park. The noise of the ball banging against walls and floor is annoying but as parents and grandparents we were more concerned about safety. Surely the management has a duty of care in this situation?

The football continued and when I looked from our bedroom window, I was astonished to see that the numbers of players had increased and some were wearing black and white football strip! From what I could see players numbered 6,4 and 8 were involved but there could have been others. They were playing in and out of the north entrance to the car park, under what was the end cottage (no13), which amplified the noise. This all continued for the next hour or more and on one of the occasions that I looked there was also a young girl wandering about the car park with a drink in her hand.

The Pub was substantially altered in 1999, planning permission was granted to demolish the ground floor of the north end cottage to allow access and egress to the new car park, which was also subject to that planning consent. I was involved as part of the consultation process and in a site meeting with Mr Rothwell the Planning Officer, it was stated by him that consent, if given, would be for a car park and not a "beer garden". Thereby allaying one of our concerns. In view of recent events it is my intention to seek clarification from the WLBC

Planning Department. Incidentally, LCC Highways Dept are currently addressing the problems of parking in Town Green Lane and filling car parking spaces with three, four or more tables in the Pub car park can only exacerbate the problems.

Friday 6th May, was music night and initially the disco/karaoke did not cause a nuisance.

However by 21.30 it was getting louder so I checked and noted that two windows were open at the rear ground floor. I checked later and they were still open. I walked past the front at about 22.15 and the front door was open, with three men sheltering from the rain in the porch. We went to bed at around 23:00 hrs, but were unable to get to sleep as the music got louder the later it got, despite the Licence conditions. The last two numbers we could clearly hear in our bedroom around 24.00 hrs were "Valerie", which a female was singing followed by "Hey did you happen to see the most beautiful girl in the World" sung by a male. (I recorded these).

Nothing much changes despite all your efforts to explain licence obligations.

Saturday 7th, we were sitting in our conservatory when we could hear a football being banged about again. After a while I looked over the wall to find a man playing ball with a young boy in the car park. I politely asked them to stop and pointed out the danger of playing in a car park. It stopped for about five minutes and then started again.

Sunday 8th, football was also played again this afternoon. The adult went back into the Pub and the Young boy (black top with no3 on the arm) continued on his own.

I intend to raise my concerns with the Health & Safety Executive.

In your email of 19/4/11 you mentioned that you were going to speak to Andrew about recording equipment, has there been any response yet as we have not heard anything?

Also have you had any response or comment from Sgt Bushell?

Kind regards,

Subject: Re: Town Green Inn

Michaela,

By way of clarification, can you confirm if the 1 hour extensions allowed in Annex 2 mean that music can be played for an additional hour?

For example up until 2.00am on a Sunday morning?

Kind regards,

Eric. --- On **Wed, 6/4/11, Murray, Michaela** <Michaela.Murray@westlancs.gov.uk> wrote:

From: Murray, Michaela <Michaela.Murray@westlancs.gov.uk>

Subject: Town Green Inn

To: [REDACTED]

Date: Wednesday, 6 April, 2011, 14:48

Hi Mr Knowles

Conditions of licence for the above premises, as requested. Also I have just emailed the Police Licensing Unit to advise of the problems and requested the Premises go onto the Police RAG list.

Michaela

Michaela Murray
Senior Licensing Officer
Direct Dial: 01695 577177 Ext: 5315
Fax: 01695 585126
e-mail: michaela.murray@westlancs.gov.uk

West Lancashire Borough Council
Robert Hodge Centre, Stanley Way, Skelmersdale WN8 8EE
www.westlancs.gov.uk

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----- Forwarded Message -----

From: E KNOWLES [REDACTED]
To: MichaelaMurray <Michaela.Murray@westlancs.gov.uk>
Sent: Friday, 8 April 2011, 9:20
Subject: RE: Town Green Inn
Hello Michaela

Just to let you know we were awoken last night (7th) at 11-22pm by the bottles being emptied into the bin next to our house! Thanks again for your assistance, Pat K --- On **Thu, 7/4/11, Murray, Michaela** <Michaela.Murray@westlancs.gov.uk> wrote:

From: Murray, Michaela <Michaela.Murray@westlancs.gov.uk>
Subject: RE: Town Green Inn
To: [REDACTED]
Date: Thursday, 7 April, 2011, 10:21

Hi Mr Knowles

I will eventually provide you with the correct information!!! My apologies

Michaela

Licensable Activities

02.00am on Sunday (Saturday night into Sunday morning)
00.30am on Monday (Sunday night into Monday morning)

Opening Hours

2.30am on Sunday (Saturday night into Sunday morning)
00.30 on Monday(Sunday night into Monday morning)

Michaela Murray
Senior Licensing Officer
Direct Dial: 01695 577177 Ext: 5315
Fax: 01695 585126
e-mail: michaela.murray@westlancs.gov.uk

West Lancashire Borough Council
Robert Hodge Centre, Stanley Way, Skelmersdale WN8 8EE
www.westlancs.gov.uk

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From: Murray, Michaela
Sent: 07 April 2011 10:01
To: Subject: FW: Town Green Inn
Hi Mr Knowles

Sorry the information I just emailed was incorrect it should be as listed below:

)

Thanks



Town Green Inn — Noise.

Saturday, 9 October, 2010 17:07

From: "E KNOWLES" [REDACTED]

To: "Andrew Pickup" <Andrew.Pickup@westlancsdc.gov.uk>

Dear Andrew,

Just when we were begining to enjoy the reletive peace in our home, we have a new tennant at the Inn and the same old problem again!

Entertainment noise problems started again on Friday 3/9/10 when (after failing to get a response on the phone) my husband had to go in and complain and ask the tenant to switch the volume down to a reasonable level, at 23.15.

It was switched down and he had a discussion about the historical problems. He was given all the usual assurances, but advised the tenant that we were not prepared to be as patient as we had been with the two previous tenants and would take action if the levels of noise continued to be a nuisance.

I have logged a number of subsequent incidents since then which I will confirm in due course. However, the latest problem was last night, 8/10/10 when the noise from the entertainer was excessively loud from around 22.00. We went to bed just after 23.00 but could not get to sleep for the music and noise from people outside the rear of the Inn, presumably smoking.

At 23.50 Eric rang the Inn but there was no reply so he rang the local policemen. He was patched through to LCC Police who said that it was the Local Authority's responsibility and gave a number for West Lancs.

Eric asked for an incident number and was at first refused, but was eventually given 2185 dated 8/10/10.

The lady who answered for West Lancs was very helpful and under took to pass the details to Environmental Health.

Eric tried the Inn again at about 12.15 and the phone was eventually answered. The tenant agreed to switch the music down and it went quieter for about 20 mins but could still be heard in our home at 00.45.

Eric and I would like to meet you with a view to arranging noise monitoring equipment again in our house.

Perhaps you will confirm when you are available, please bear in mind that we are in London on 11th and 12th.

It is extremely frustrating that we are having to go through this process again for the third time, indeed each time the Inn changes hands. Eric is of the view that we should appeal the licence, the terms of which are constantly broken in relation to noise nuisance. Not to

mention that the opening hours are totally inappropriate for a village pub so close to residential property.

We look forward to hearing from you.

Kind regards,

Pat Knowles.



[No Subject]

Wednesday, 10 June, 2009 14:56

From: "E KNOWLES" [REDACTED]

To: "Andrew Pickup" <Andrew.Pickup@westlancsdc.gov.uk>

Hello Andrew

Our nuisance next door (Town Green Pub) unfortunately has not gone away. On Sunday evening we had boys playing football in the rear car park kicking the ball up against the adjoining wall to our property and also against the bins which are also situated there . Eric asked if it could be stopped citing noise nuisance and health and safety issues but Caroline the manager said she could do nothing about it. We could not sit in our conservatory and could still hear the kicking even with the patio door to the conservatory closed.

Last night (Tuesday 9th) we had to listen to raucous voices accompanied by bad language whilst trying to eat in our dining room! The noise eventually ceased at about 9pm. Again we had no windows open and had to shut the door into the conservatory. There are two picnic tables and benches at the back of the pub in the car park, we were under the impression that when original planning permission was granted there was to be no tables etc at the back to help protect our privacy. Indeed one manager sometime ago did move the one table from the back when we spoke to them.

Please advise us on any other action we can take as we CANNOT go through the rest of the Summer unable to enjoy our garden and worse still rooms in our property.

Pat and Eric Knowles



Town Green Inn

Friday, 24 April, 2009 21:37

From: "E KNOWLES" [REDACTED]

To: "Andrew Pickup" <Andrew.Pickup@westlancsdc.gov.uk>

Hello Andrew

We were enjoying a pleasant evening until 9pm when the music started and the noise of the people outside, it is usually a Saturday night when we are disturbed but now it seems we are to suffer on a Friday as well.

We would be grateful of your advice as our lives are becoming intolerable. We should not be able to hear the noise at the nearest sensitive premise which is our house. Eric has just rung for the manager of the Town Green and the person who answered the phone said he couldn't hear what he was saying as there was a party down stairs!!!! Eric is now currently talking to the owner/ manager Colin, but he does not appear to see/hear that there is a problem, unlike us.

HELP please

Pat and Eric Knowles

ps we have been bothered since our last email and I have dates etc.





Re: TOWN GREEN INN

Friday, 25 July, 2008 15:47

From: "E KNOWLES" [REDACTED]

To: "Pickup, Andrew" <Andrew.Pickup@westlancsdc.gov.uk>

Many thanks Andrew for the information that you sent last Friday.

Last night, Thursday 24th July there was again loud music at the Town Green Inn. I went outside and stood at the front door, which was pegged open and inside were a male duo singing and playing guitars. I went around to the back doors and these too were pegged wide open.

At 11-00pm Eric rang the manageress and asked if the music could be turned down and the doors closed. The response from her was that it was hot! Eric told her we knew that as we had had to close our bedroom windows in order to try and sleep.

The music did cease at 11:30pm but then ofcourse we had the noise of the people leaving which they did not do quietly.

I did leave a message for you at W L D C reception today.

Thanks again for your time,
Pat and Eric Knowles

"Pickup, Andrew" <Andrew.Pickup@westlancsdc.gov.uk> wrote:

Further to our earlier telephone conversation regarding the premises license. I am advised that we are unable to send out copies of the licence, but you are able to view the licence at the council office. I have however enclosed the licence conditions that relates to the control of noise from the premises.

An extension of 1 hour shall be permitted for the premises to open to the public, on the Saturday night and Sunday night of any weekend followed by a Bank Holiday Monday, Thursday prior to Good Friday and for Christmas Eve and boxing day

An extension of 1 hour shall be permitted for the sale of alcohol and the specified regulated entertainment, on the Saturday night and Sunday night of any weekend followed by a Bank Holiday Monday, Thursday prior to Good Friday and for Christmas Eve and boxing day

Noise from music and associated sources (including D.J.s and amplified voices) shall not be audible at the nearest sensitive premise.

All external entrance doors and internal lobby doors shall be fitted with automatic self closing devices, to be set or adjusted to ensure that doors do not bang shut.

The placing of refuse, such as bottles, into receptacles outside the premises shall take place between 8.00am and 10.00pm so as to prevent disturbance to nearby premises.

Should you require any additional information please do not hesitate to contact me directly.



Town Green Pub

Thursday, 4 December, 2008 12:58

From: "E KNOWLES" [REDACTED]

To: Andrew.Pickup@westlancs.gov.uk

Hello Andrew

Yet again today we were woken up by Biffa's refuse vehicle emptying bins before 7am, despite numerous requests to the company not to do this.

Does the Town Green's licence restrict the movement of bottles before 8am? I have not been too well and this morning I had just fallen asleep again when at 7-29am the bottles from inside were emptied into the bin at the side of our house. This then happened twice more before 7-55am.

We are still suffering with loud music heard in our bedroom on Thursdays so it is impossible to go to bed early or at a reasonable time. I am concerned that with the run up to Christmas more "musical" evenings are planned. It was exceptionally noisy at Hallowe'en. We did contact the Police again at 12-15am on the 26th October (log no 12930). The Police Liason contacted us re our complaints over the last year and advised us to keep doing this. I have also spoken to our community Policeman, Ken Lees.

I am now at the end of my tether and would be grateful of your assistance and advise.

Pat and Eric Knowles

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Town Green Inn - nuisance

Friday, 6 June, 2008 13:04

From: "E KNOWLES" [redacted]
To: Jill.antrobus@westlancsdc.gov.uk

Further to our telephone conversations this morning Jill, here is the information I promised. I have only included incidents from April 2008 to present date but I did say that my notes began in June 2006. Prior to April we were away in New Zealand so we do have a gap in our records.

Friday 25-4-08 6.20am bins including bottle bins emptied
Saturday 26-4-08 11.45pm loud music could be heard in our home and then at midnight loud voices outside.

Bank holiday Eric phoned again about loud music and the fact that a group of young boys were creating alot of noise whilst drinking ,some of whom appeared to be under age.Ten minutes later said group disappeared

Tuesday 6-5-08 Eric met with the manager, no positive responses or proposals to improve the situation

Friday 9-5-08 Bins emptied at 6.25am
Monday 12-5-08 10.00 - 10.30 Loud voices with bad language at the table in the car park

Friday 16-5-08 6.20am bins emptied
Friday 23-5-08 6.10am bins emptied
Saturday 31-5-08 12.15am Eric rang the Police as two phone calls failed to reduce the nuisance of loud music

Friday 6-6-08 6am bins emptied

The board outside the Town Green Inn states that it is Karoke on Friday nights and Party night on Saturday. As the weather improves this will mean even more disturbance for us as the doors will be left open. Anyone from your team is welcome to enter our home/garden to monitor this disturbance. Many thanks,

Pat Knowles

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Subject: Town Green Inn - nuisance
From: E KNOWLES [REDACTED]
To: Jill.antrobus@westlancsdc.gov.uk;
Date: Saturday, 7 June 2008, 12:33

Jill

As expected we had to give up trying to read last night between 9/9.30pm because of loud music and resort to the TV which needed the volume increasing. At 12.15am Eric again rang the Police (we have a log number) they said they would try and do something about it and would pass our complaint to the licencing authority. There was also a disturbance/heated argument going on outside in the car park at the back at the same time.

Everything suddenly went quiet at about 12.30am. Whether that was as a result of Police or Environment Health intervention I don't know but we were grateful as we had been awoken by the bins being emptied at 6am and were kept awake until after 12.30am, a very long day !

6/7-5-08.

Pat and Eric Knowles



Directorate of People and Places

John R Harrison DipEnvP, MRTPI
Borough Planner

PO Box 16 , 52 Derby Street
Ormskirk , West Lancashire L39 2DF
Telephone: 01695 577177
Website: www.westlancs.gov.uk
Fax: 01695 585131
Email: eileen.woollacott@westlancs.gov.uk

Date: 26th July 2011
Our ref: E/2011/0147/BCN
Your ref:

Please ask for: Miss E Woollacott
Direct dial no: 01695 585135
Extension: 5135

Mr Eric Knowles
Beechwood
11A Town Green Lane
Aughton
Ormskirk
Lancashire
L39 6SE

Dear Sir/Madam

Location: Town Green Inn, 17 Town Green Lane, Aughton, Ormskirk.
Alleged Breach of Planning Control: Breach of Condition No.5 of planning permission 8/99/0558. Land to the rear being used for outside drinking.

This is to advise you a breach of condition notice was issued on 21 July 2011.

This requires compliance with Condition No.5 by ceasing the use of the land to the rear of the building for outside drinking and remove the tables & benches, within 28 days beginning on the day on which the notice was issued (ie 18 August 2011).

There is no right of appeal against a breach of condition notice.

Yours faithfully,

John R Harrison DipEnvP, MRTPI
Borough Planner

Chief Executive: William J. Taylor MBE
Director of People and Places: Gill Rowe LL.B. (Hons) Solicitor





Directorate of Transformation

**John R Harrison DipEnvP, MRTPI
Borough Planner**

PO Box 16 , 52 Derby Street
Ormskirk , West Lancashire L39 2DF
Telephone: 01695 577177
Website: www.westlancs.gov.uk
Fax: 01695 585131
Email: eileen.woollacott@westlancs.gov.uk

Date: 31st October 2011
Our ref: E/2011/0147/BCN
Your ref:

Please ask for: Miss E Woollacott
Direct dial no: 01695 585135
Extension: 5135

Mr Eric Knowles
Beechwood
11A Town Green Lane
Aughton
Ormskirk
L39 6SE

Dear Sir

Location: Town Green Inn, 17 Town Green Lane, Aughton, Ormskirk.
Alleged Breach of Planning Control: Breach of Condition No. 5 imposed on planning permission 1999/0558. Land to the rear being used for outside drinking.

This is to advise you a breach of condition notice was issued on 18 October 2011.

This requires compliance with Condition No. 5 by:

1. Ceasing the use of the land for outside drinking
2. Removing the tables and benches.

within 28 days, beginning on the day on which the notice was issued (ie 15 November 2011).

There is no right of appeal against a breach of condition notice.

Yours faithfully,

John R Harrison DipEnvP, MRTPI
Borough Planner

**Chief Executive: William J. Taylor MBE
Director of Transformation: Kim Webber B.Sc., M.Sc.**



Mrs S.M Zougheib
27 Middlewood Dr
Aughton
Lancs
L39 6RP.

Dear Sir/Madam.

I have been in to the town Green Inn
Several times over the last 2 1/2 months, &
I have never heard any loud music being
played on any visit.

There has never also been any unsociable
behaviour that I have seen either

yours sincerely.



..... |

18, Granville Park
Aughton
Omskirk,
West Lancashire
L395DU
Tel 01695-422417
Mobile 07855304662
17th April 2014

The Licensing Department
West Lancashire Borough Council
Robert Hodge Centre
Stanley Way
Skelmersdale WN8EL

Dear Sir or Madam

Town Green Inn, Aughton

As a regular customer of the Town Green for the past 30 years I was sad to see the pub closed and read the notice about noise complaints on display nearby.

Let me say that we know as you probably do that the pub has been struggling for a long time. In fact there has been very little going on there. I also know that there have been a couple of vociferous complainants about the pub over the years, one opposite the pub and one adjacent, who have found fault with anything and everything.

However, I can tell you from my own experience that I have not heard or seen of any noise or nuisance from the pub for a long time, certainly not recently.

The pub and the new guy running it should be given a fair chance.

Yours sincerely



John Ashworth. MSc Physics (College Lecturer, retired)



Memorandum

To Senior Licensing Officer
From Environmental Protection and Community Safety Manager
Subject Re: Licence review
Premises: Town Green Inn
Date 9th April 2014

Ref:
Ref: 188021

Thank you for consulting me with regard to this premises licence review application.

In support of the application I will detail the complaints or calls received by this service over the course of approximately six years with respect to noise from the Town Green Inn. There have been 4 separate complainants over the years from residents in Town Green Lane or Whalley Drive. The timing of the complaints has always been consistent with a change of tenant or designated responsible person. The complaints have dealt with both informally and formally through a planning notice. Therefore I feel it appropriate to call for a review of the premises licence in light of the information below in order to prevent a reoccurrence of the same problems that arise each time the occupancy of the premise changes hands.

On the 10/03/2014 the service received a complaint from a resident of Town Green Lane. The complainant left a message to discuss noise from the Town Green Pub over the weekend, following a change in tenant. Letters and diary sheets were sent to both parties.

On the same day I Visited the Town Green Inn with Michaela Murray and Sgt Bushell, we entered the premise as the rear door was unlocked but there was nobody present. After waiting for some 20 minutes I left as Sgt Bushell was trying to contact the tenants as the premise was vulnerable so he was reluctant to leave.

On the 11/03/14 the complainant sent in a video recording which was taken outside on the evening in question. The music playing was clearly audible in the street above the noise of the passing traffic.

Diary sheets have not been returned and there have been no further complaints from this resident since. There was also a previous complaint from this address on the 19/10/10 with respect to people noise which had been resolved informally.

On the 09/08/13 a complaint was taken from a resident of Whalley Drive, stating the pub car park was being used as a beer garden and that since the early afternoon people had been outside shouting and drinking, and that at 9:20 pm there were still large amounts of people still there as if there was a party outside. As a consequence the windows to the children's bedroom had to be shut because of bad language and noise levels.

On the 07/07/13 the department received an earlier complaint from the above address. The complaint was with regard to loud party noise from the Town Green Inn from late Saturday 6th July to 03:00am Sunday 7th July. The complainant stated that the noise was disturbing their sleep and the sleep of the two young children whose bedroom overlooks the premises at the bottom of their garden. The complainant also stated that the doors and windows at the rear of the building were all open with a crowd of drunken people congregated at the back of the building drinking, smoking, shouting and using foul language, which her children could hear.

On the 11/07/13 the department received a message to say the tenant was leaving the premises the following day.

The same resident has made previous complaints, one being on the 17/09/12 regarding a live music event on the 14/09/12, where upon loud music could be heard at 11:25 until 11:40. The rear doors were said to be propped open and therefore no noise was contained.

Prior to that a complaint was received on the 29/05/2012 with respect to constant music noise all day from inside the pub on Sunday 27/05/12, and people congregating at the rear to smoke and drink, despite no permission for a beer garden there and the rear doors being left open from 10am until gone 10pm. Neighbour stated this was disturbing her and her young sons and was concerned as music was accompanied by shouting and swearing that her son could hear due to the location of their bedroom.

The first complaint from this address was taken on the 03/09/11 with respect to noise from a live music event.

On the 26/04/11 the service received a complaint with respect to loud music from a different address on Town Green Lane.

On the 12 /10/10 a different resident of Town Green Lane complained to the service regarding noise from the pub resulting from music and customers alleged to be heard in his home, following a change of tenant. After initial letters were sent the resident made several subsequent complaints which resulted in the installation of noise monitoring equipment on 3 occasions. The second attempt revealed that noise from the pub was clearly audible in the complainant's property. However as the DPS was not in fact the leaseholder on the occasion in question it was felt disproportionate to serve a Noise Abatement Notice as the leaseholder who was responsible at the time had acrimoniously left the pub.

Prior to this a complaint was taken on the 10/08/09 from the same address again regarding music & people noise. Noise recording equipment was installed and no nuisance was witnessed. The officer dealing with the complaint liaised with the tenant and the case was resolved informally.

On the 06/06/08 the service took a complaint from same address with respect to loud music on Friday & Saturday nights and noise from the weekly collection of the bottle bin. This was resolved informally.

The earliest complaint was received from the same address on the 10/12/2007 which was linked to the complaint above.

Michelle Street
Environmental Protection Officer
Ext 5633

Denton, Antony**Subject:** appendix L**Attachments:** Town Green Inn licence review EN and BCNs.pdf**From:** Woollacott, Eileen**Sent:** 04 April 2014 13:36**To:** Murray, Michaela**Cc:** Foster, Peter; Thomas, Catherine**Subject:** Town Green Inn E/2012/0116/BCN

Planning Services supports the review application, as the attached notices reflect the problems that have required enforcement action since 2011, particularly in breach of condition 5 of the 30th September 1999 planning permission 1999/0558 for a single-storey extension and fire exit staircase at the rear; use of the first floor as guest accommodation; the provision of a parking area at the rear; and the demolition of part of the ground floor to provide a through vehicular access. This condition states:

No part of the land to the rear of the building shall be used for outside drinking.

In complete disregard of the condition outside drinking has been taking place on the land to the rear of the building and this is being facilitated by the provision of tables and benches.

Having issued two BCNs (due to the DPS changing as BCNs have to be served on those responsible for the breach) the matter was reported to the Planning Committee in November 2011:

6.1 *Town Green Inn is a predominantly stone built, two-storey, detached public house located on the southern side of Town Green Lane within the main Aughton settlement area. There is a dedicated car park at the rear of the building. The boundaries are well established with good screening to the rear by high hedging.*

6.2 *In 1999 planning permission (1999/0558) was granted, subject to 8 conditions, for a single-storey extension and fire exit staircase at the rear; use of the first floor as guest accommodation; the provision of a parking area at the rear; and the demolition of part of the ground floor to provide a through vehicular access. Condition 5 states:*

No part of the land to the rear of the building shall be used for outside drinking.

The reason for the condition was to safeguard the amenity of adjacent properties and the area generally

6.3 *The Council has received complaints that tables and benches have been placed on the car park at the rear of the building and that outside drinking is taking place. Despite requests to cease these activities the practice continues. Therefore, a breach of condition notice (E/2011/0147/BCN) was served in the first instance on the 21st July 2011 on the Designated Premises Supervisor, given she has the responsibility to ensure the conditions are complied with. However, this has proved not to be effective in resolving the breach, as the person occupying that role has since changed, so a new notice was issued on the 18th October 2011.*

The EN was issued on the 7th December 2011 and came into effect on the 25th January 2012 as no appeal was submitted. The notice required that within one month of the effective date the use of the land at the rear of the building for outside drinking

should cease and the tables and benches removed from the land at the rear of the building. The notice has continuing effect and having complied with the notice does not allow the use to resume.

The BCNs have similar requirements to be done within twenty-eight days beginning on the day on which this notice is served:

1. Cease the use of the land to the rear of the building for outside drinking.
2. Remove the tables and benches

However, in 2012 Planning Services informed the brewery that licensing officers had witnessed a breach of the enforcement notice and this must not re-occur or a file will be prepared and sent to Legal Services to consider the case for prosecution. At the same time a third breach of condition notice was issued, this time on the brewery, as the Designated Premises Supervisor was changing yet again due to the problems being dealt with by Licensing.

As BCNs are issued on the person responsible for the breach and there is no right of appeal, Planning Services decided this was a reasonable option at that time given the brewery was involved with the licensing issues and so was seen to be responsible for the activities. This was more evident in 2012 than it was when the previous BCNs were issued. The brewery had a month to comply and this meant that any breach of condition occurring after that date would enable the case to be put to Legal Services to consider whether it is the public interest to prosecute.

Eileen Woollacott (Miss)

Planning Appeals Officer

West Lancashire Borough Council

Tel: 01695 585135

West Lancashire Borough Council,
52 Derby Street, Ormskirk, L39 2DF

www.westlancs.gov.uk

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MEMORANDUM

FROM Legal Services - **REF** JG/P26-002772

TO Eileen Woollacott - Principal Planning Officer-E/2013/0116/BCN1
Andrew Leyland - Planning Support Manager
Steve Tinsley - Procurement & Land Charges Manager
Licensing – Michaela Murray

SUBJECT BREACH OF CONDITION NOTICE – TOWN GREEN INN,
TOWN GREEN LANE, AUGHTON

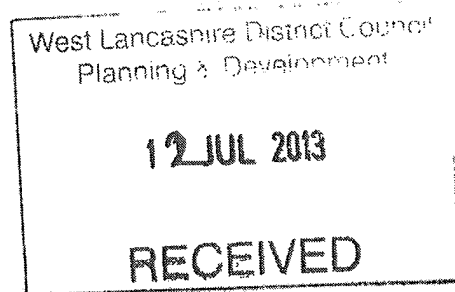
DATE 11th July 2013 **Ext** 5072

I enclose a copy of a Breach of Condition notice which has today been served by special delivery upon:

The Company Secretary
Punch Partnership (PTL) Limited
Jubilee House
Second Avenue
Burton upon Trent
Staffordshire
DE14 2WF

Please amend your records accordingly.


June Gaskell
Legal Services



IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

**BREACH OF CONDITION NOTICE
REFERENCE E/2013/0116/BCN
TOWN GREEN INN, 17 TOWN GREEN LANE, AUGHTON**

ISSUED BY: WEST LANCASHIRE BOROUGH COUNCIL ("the Council")

TO: The Company Secretary
Punch Partnership (PTL) Limited
Jubilee House
Second Avenue
Burton upon Trent
Staffordshire
DE14 2WF

1. THIS IS A FORMAL NOTICE issued by the Council under section 187A of the above Act as it considers a condition imposed on a grant of planning permission relating to the land described at paragraph 2 below has not been complied with. The Council requires you to comply with the condition specified in this notice. The annex at the end contains important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

The land at Town Green Inn, 17 Town Green Lane, Aughton outlined in black on the attached plan dated the 11th July 2013.

3. THE RELEVANT PLANNING PERMISSION

On the 30th September 1999 planning permission 1999/0558 was granted, subject to 8 conditions, for a single-storey extension and fire exit staircase at the rear; use of the first floor as guest accommodation; the provision of a parking area at the rear; and the demolition of part of the ground floor to provide a through vehicular access.

4. THE BREACH OF CONDITION

Condition 5 states:

No part of the land to the rear of the building shall be used for outside drinking.

Condition 5 is not being complied as outside drinking is taking place on the land to the rear of the building and this is being facilitated by the provision of tables and benches.

5. WHAT YOU ARE REQUIRED TO DO

As the person responsible for the breach of condition 5 specified in paragraph 4 of this notice, you are required to comply with the stated condition by taking the following steps:

1. Cease the use of the land to the rear of the building for outside drinking.
2. Remove the tables and benches.

6. TIME FOR COMPLIANCE

Twenty-eight days beginning on the day on which this notice is served.

Dated: 11th July 2013

Signed: 

T.P. Broderick
Borough Solicitor
on behalf of West Lancashire Borough Council
52 Derby Street
Ormskirk
L30 2DF

ANNEX

WARNING

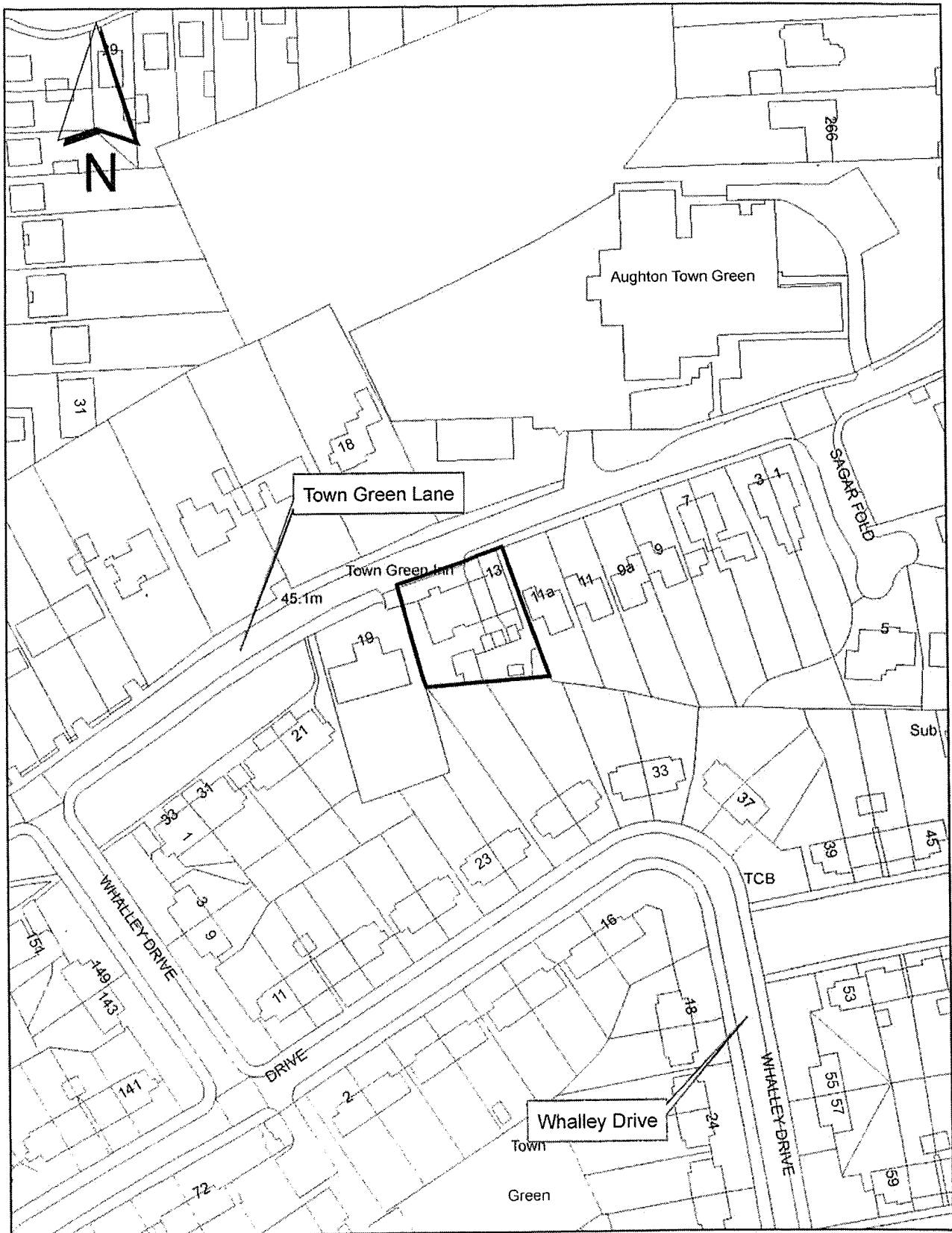
THIS NOTICE TAKES EFFECT IMMEDIATELY IT IS SERVED ON YOU IN PERSON OR ON THE DAY YOU RECEIVED IT BY POST.

THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE AGAINST THIS NOTICE.

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £2,500 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with Miss E O M Woollacott, Principal Planning Officer (01695 585135)

If you do need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.

Town Green Inn, 17 Town Green Lane, Aughton





Development & Amenities

FULL PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995


Applicant
Allied Domecq Inns,
85-89, Duke Street,
Liverpool,
L69 1BZ

Agent
Studio 3 Contracts Ltd,
27a, Banastre Road,
Southport,
Merseyside,
PR8 5AW

In respect of application number **8/99/0558** dated **03 JUN 99** and in pursuance of its powers under the above-mentioned Act and Order, West Lancashire District Council as Local Planning Authority, having considered your application, hereby **grants permission**

for: Single storey extension at rear; fire exit staircase at rear; use of first floor as guest accommodation; provision of parking area at rear; demolition of part of ground floor to provide through vehicular access.
at: Town Green Inn, Town Green Lane, Aughton.

subject to the Conditions (and Reasons for those Conditions) listed on the attached sheet.



T L Abernethy BSc MCD MRTPI
Director of Development & Amenities

Dated: 30 SEP 99

Condition(s) and Reason(s)

CONDITIONS

(1).The development must be begun not later than the expiration of five years beginning with the date of this permission.

(2).The development hereby approved shall be carried out in accordance with details shown on the following plans unless otherwise agreed in writing by the Local Planning Authority:-

Plan reference 99/09-03-A and 99/09-04-A received by the Local Planning Authority on 15th September 1999.

(3).Prior to the occupation of any of the guest bedrooms, or the use of the additional lounge/dining facilities, all of the alterations to the vehicular access to the premises shall be completed to the satisfaction of the Local Planning Authority.

(4).Prior to the occupation of any of the guest bedrooms, or the use of the additional lounge/dining facilities, all of the car parking facilities shall be laid out in accordance with the details on the approved plan, and these areas shall be retained thereafter for the parking of vehicles only.

(5).No part of the land to the rear of the building shall be used for outside drinking.

(6).Prior to the commencement of the development,a landscaping scheme shall be submitted to and approved by the Local Planning Authority.The landscaping scheme shall show the location,branch spread,and species of all existing trees and hedges;the location,species and number of all proposed trees,shrubs and hedges;and the location of all existing and proposed grassed and hard surfaced areas.Trees and shrubs planted shall comply with BS.3936(Specification of Nursery Stock) and shall be planted in accordance with BS.4428 (General Landscape Operations).Within a period of 9 months from the date when any part of the development is brought into use the approved landscaping scheme shall be carried out.All planting shall be maintained and dead or dying material shall be replaced for a period of seven years from the agreed date of planting to the satisfaction of the Local Planning Authority.

(7).Prior to the commencement of the development, full details of all proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority, and no external lighting other than that approved shall be installed thereafter without the prior consent in writing of the Local Planning Authority.

(8).Prior to the car park being brought into use, appropriate direction signs, to be approved in writing by the Local Planning Authority, shall be erected adjacent to the access points and shall be retained thereafter.

REASONS

(1).Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

(2).For the avoidance of doubt.

(3).To ensure the provision of a satisfactory means of access to the car park.

(4).To ensure the provision and retention of satisfactory on site parking facilities.

(5).To safeguard the amenity of adjacent properties and the area generally.

- (6). To assimilate the proposed development into its surroundings.
- (7). To safeguard the amenity of adjacent properties and the area generally.
- (8). To enable vehicles to enter and leave the premises in a safe manner without causing hazard to other road users.

NOTES

(1). Your attention is drawn to the attached comments made on your application by the Environment Agency.

(2). Your attention is drawn to the fact that this approval is based upon the original submission as amended by the further plans referred to in Condition No.2 above.

It is important that the development is implemented in accordance with the plans referred to in that Condition, and not in accordance with the superseded plans. The superseded plans were not acceptable, and should the development be implemented in accordance with them, you would be in breach of planning control and liable to enforcement action.

(3). The applicant's attention is drawn to the attached comments of the West Lancashire Access Group.

(4). With respect to Condition 8 above, the signs should comprise informatory blue and white signs which are included in the Traffic Signs Regulations and General Directions 1994 for the purpose of regulating the use of a private access to a public road, and numbered 833 'in', 834 'out', 835 'no exit' and 836 'no entry'.

(5). It is the responsibility of the person(s) implementing this development to ensure that, where appropriate, Approval under the Building Regulations has been obtained for the building works involved, and that the plans thus approved under those Regulations are for the same works as approved under this permission and do not conflict with this permission or the conditions contained on it. Any amendments to the plans approved by this permission must be drawn to the attention of the Planning Officer.

(6). Attention is drawn to Section 31 of the County of Lancashire Act 1984 where plans for the erection or extension of a building are deposited with a District Council in accordance with Building Regulations, the Council shall reject the plans, unless after consultation with the fire authority, they are satisfied that the plans show:-

a) that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and

b) that the building or, as the case may be, the extension of the building will not render inadequate any existing means of access for the fire brigade to a neighbouring building.

(7). This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

IMPORTANT - YOUR ATTENTION IS DRAWN TO THE NOTES ATTACHED

MEMORANDUM

FROM Legal Services – Sarah Mooney REF SM/P2-001167

TO ✓ Eileen Woollacott – Principal Planning Officer –
E/2011/0289/UAU
Andrew Leyland - Planning Support Manager
Steve Tinsley - Procurement & Land Charges Manager

SUBJECT Enforcement Notice – Land at Town Green Inn, Aughton

DATE 7th December 2011 Ext 5026

An enforcement notice has today been served by special delivery upon:


Ms Laura Gilfoyle
Town Green Inn
17 town Green Lane
Aughton
L39 6SE

Ms E Sharkey
Above address

The Company Secretary
Punch Partnership (PTL) Limited
Jubilee House
Second Avenue
Burton upon Trent
Staffordshire
DE14 2WF

The Company Secretary
Deutsche Trustee Company Limited
Winchester House
1 Great Winchester Street
London
EC2N 2DB

Please note your records accordingly.


Sarah Mooney
Legal Services

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

**ENFORCEMENT NOTICE
CHANGE OF USE
TOWN GREEN INN, 17 TOWN GREEN LANE, AUGHTON
REFERENCE: E/2011/0289/UAU**

ISSUED BY: WEST LANCASHIRE BOROUGH COUNCIL ("the Council")

- 1. THIS IS A FORMAL NOTICE** issued by the Council as it appears there has been a breach of planning control, within paragraph (a) of Section 171A(1) of the above Act, at the land described below. The Council considers it is expedient to issue this notice, having regard to the provisions of the development plan and to other material considerations.
- 2. THE LAND AFFECTED**

The land at Town Green Inn, 17 Town Green Lane, Aughton edged black on the attached plan dated the 10th November 2011.
- 3. THE BREACH OF PLANNING CONTROL ALLEGED**

Change of use of land at the rear of the building from car park to outside drinking area.
- 4. REASONS FOR ISSUING THIS NOTICE**
 - (i) It appears to the Council the above breach of planning control has occurred within the last ten years.
 - (ii) The change of use of the land at the rear of the building for the purposes of outside drinking results in harm to the amenity of the adjacent residential properties due to the resultant noise and disturbance contrary to Policy GD1 of the West Lancashire Replacement Local Plan.
- 5. WHAT YOU ARE REQUIRED TO DO**
 1. Cease the use of the land at the rear of the building for outside drinking.
 2. Remove the tables and benches from the land at the rear of the building.
- 6. TIME FOR COMPLIANCE**

One month after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on the 25th January 2012 unless an appeal is made against it beforehand.

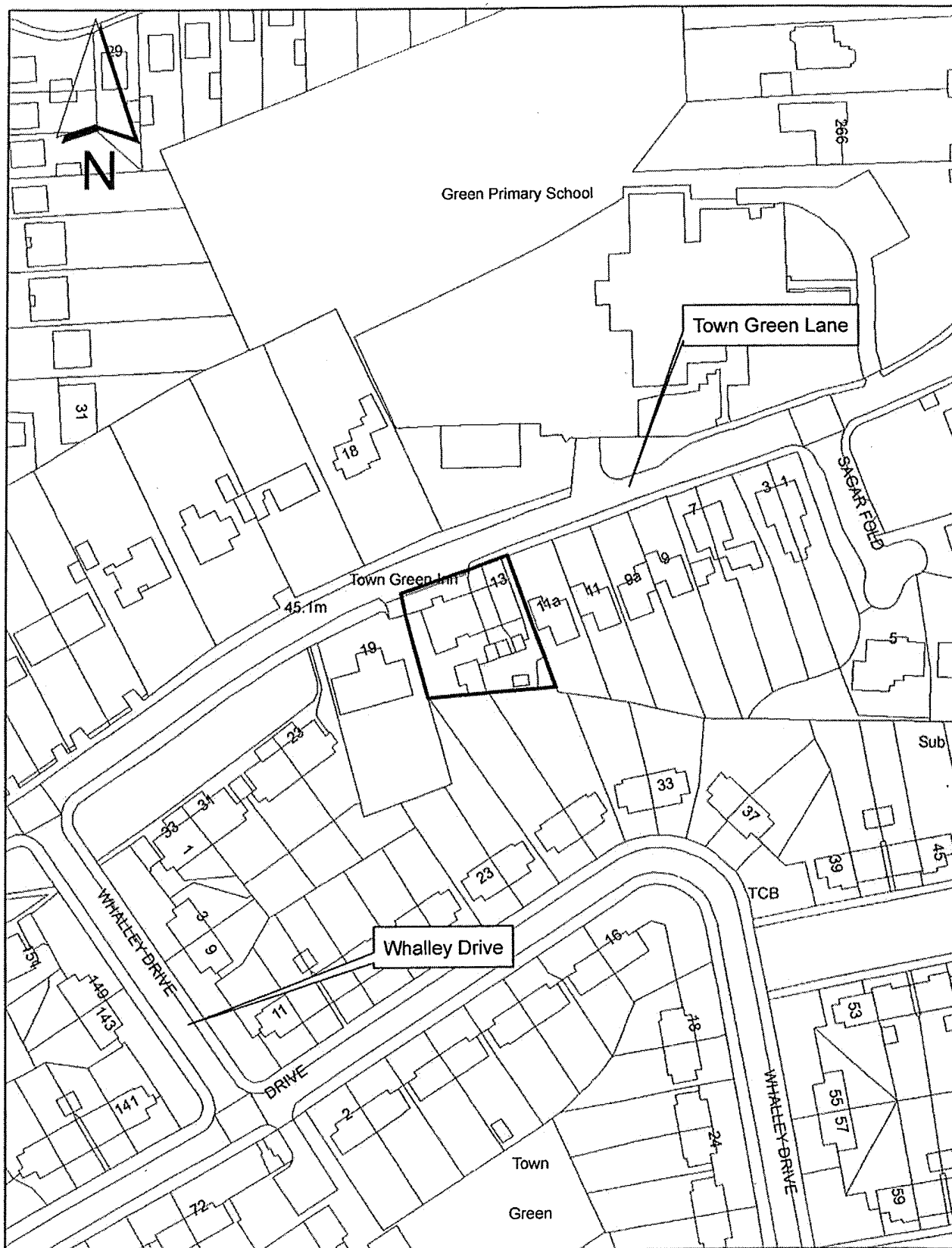
Dated: 7th December 2011

Signed:



Terry Broderick
Borough Solicitor
on behalf of West Lancashire Borough Council

Town Green Inn, Town Green Lane, Aughton





AGENDA ITEM:

**PLANNING COMMITTEE:
10th November 2011**

Report of: Director of Transformation

Relevant Head of Service: Borough Planner

**Contact for further information: Miss E.O.M. Woollacott (Extn. 5135
Principal Planning Officer**

SUBJECT: ENFORCEMENT ITEMS

1. PURPOSE OF REPORT

- 1.1 To bring to Members' attention those alleged breaches of planning control where a decision needs to be made as to whether authorisation be given to issue formal notices.

2. RECOMMENDATION

- 2.1 (a) That the Borough Solicitor be authorised to issue notices of the types and under the Sections of the Town and Country Planning Act 1990 as set out below, requiring the steps to be taken within the time periods and for the reasons, all as set out below.
- (b) That the Borough Solicitor be authorised to take proceedings where any steps required by the notice are not taken within the period for compliance and the Borough Planner be authorised to enter the land and take those steps. In the event of the Borough Planner having to take such action, he be authorised to recover the expenses reasonably incurred.
- (c) That the Borough Solicitor be authorised to withdraw, vary and re-issue notices if subsequent information indicates this to be necessary.
- OR
- (d) That no further action be taken.

3. BACKGROUND

- 3.1 Apart from report 4 the following are the alleged breaches of planning control on sites where I consider authorisation to issue notices would be appropriate. As with all such cases, I shall, during implementation of the appropriate procedures, continue to negotiate to try and achieve removal of the breaches without the need for formal action. The cases are set out below, including an indication of the type of notice, the steps to be taken, the time period for compliance, and the reasons for the notices.

ENFORCEMENT No.	E/2011/0289/JAU
LOCATION	TOWN GREEN INN, 17 TOWN GREEN LANE, AUGHTON
ALLEGED BREACH	CHANGE OF USE OF LAND AT THE REAR OF THE BUILDING FROM CAR PARK TO OUTSIDE DRINKING AREA

- 6.1 Town Green Inn is a predominantly stone built, two-storey, detached public house located on the southern side of Town Green Lane within the main Aughton settlement area. There is a dedicated car park at the rear of the building. The boundaries are well established with good screening to the rear by high hedging.
- 6.2 In 1999 planning permission (1999/0558) was granted, subject to 8 conditions, for a single-storey extension and fire exit staircase at the rear; use of the first floor as guest accommodation; the provision of a parking area at the rear; and the demolition of part of the ground floor to provide a through vehicular access. Condition 5 states:
No part of the land to the rear of the building shall be used for outside drinking. The reason for the condition was to safeguard the amenity of adjacent properties and the area generally
- 6.3 The Council has received complaints that tables and benches have been placed on the car park at the rear of the building and that outside drinking is taking place. Despite requests to cease these activities the practice continues. Therefore, a breach of condition notice (E/2011/0147/BCN) was served in the first instance on the 21st July 2011 on the Designated Premises Supervisor, given she has the responsibility to ensure the conditions are complied with. However, this has proved not to be effective in resolving the breach, as the person occupying that role has since changed, so a new notice was issued on the 18th October 2011.
- 6.4 Given the above problems I consider the issue of an enforcement notice will add belt and braces support to the breach of condition notices (BCN) and avoid the possibility of having to issue a further BCN.
- 6.5 Type of notice – Enforcement notice under section 172

Compliance period – One month

Steps to be taken:

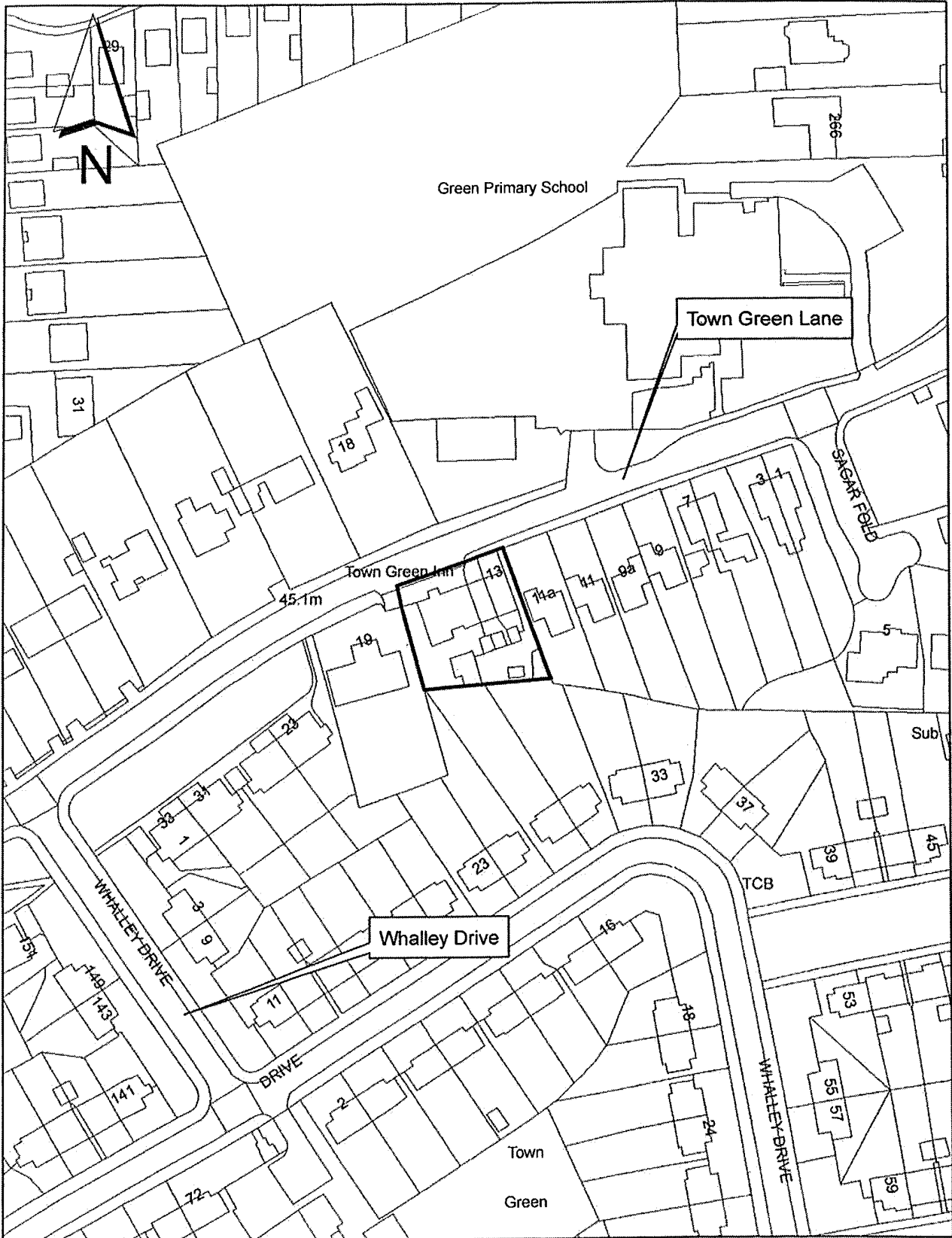
1. Cease the use of the land at the rear of the building for outside drinking.
2. Remove the tables and benches from the land at the rear of the building.

Reason for issuing the notice:

The change of use of the land at the rear of the building for the purposes of outside drinking results in harm to the amenity of the adjacent residential properties due to the resultant noise and disturbance contrary to Policy GD1 of the West Lancashire Replacement Local Plan.

EW/PF/OCTOBER2011

Town Green Inn, Town Green Lane, Aughton



MEMORANDUM

FROM Legal Services – Sarah Mooney REF SM/P26-001122

TO ✓ Eileen Woollacott – Principal Planning Officer –
E:/2011/0147/BCN
Andrew Leyland - Planning Support Manager
Steve Tinsley - Procurement & Land Charges Manager


SUBJECT Enforcement Notice – Land at Town Green Inn,
17 Town Green Lane, Aughton

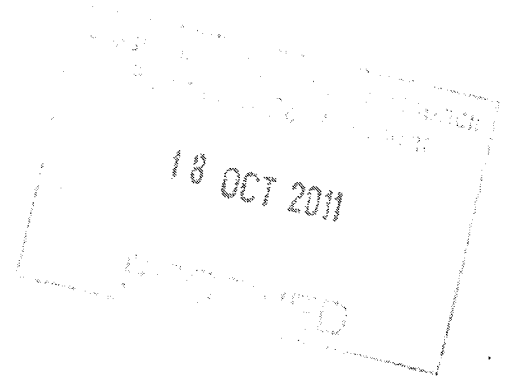
DATE 18th October 2011 Ext 5026

A breach of condition notice has today been served by special delivery upon:

Ms Laura Gilfoyle
Town Green Inn
17 Town Green Lane
Aughton
L39 6SE

Please note your records accordingly.


Sarah Mooney
Legal Services



IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

**BREACH OF CONDITION NOTICE
REFERENCE E/2011/0147/BCN
TOWN GREEN INN, 17 TOWN GREEN LANE, AUGHTON**

ISSUED BY: WEST LANCASHIRE BOROUGH COUNCIL ("the Council")

TO: Laura Gilfoyle
Town Green Inn
17 Town Green Lane
Aughton
W. Lancashire
L39 6SE

- 1. THIS IS A FORMAL NOTICE** issued by the Council under section 187A of the above Act as it considers a condition imposed on a grant of planning permission relating to the land described at paragraph 2 below has not been complied with. The Council requires you to comply with the condition specified in this notice. The annex at the end contains important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

The land at Town Green Inn, 17 Town Green Lane, Aughton outlined in black on the attached plan dated the 18th October 2011.

3. THE RELEVANT PLANNING PERMISSION

On the 30th September 1999 planning permission 1999/0558 was granted, subject to 8 conditions, for a single-storey extension and fire exit staircase at the rear; use of the first floor as guest accommodation; the provision of a parking area at the rear; and the demolition of part of the ground floor to provide a through vehicular access.

4. THE BREACH OF CONDITION

Condition 5 states:

No part of the land to the rear of the building shall be used for outside drinking.

Condition 5 is not being complied as outside drinking is taking place on the land to the rear of the building and this is being facilitated by the provision of tables and benches.

5. WHAT YOU ARE REQUIRED TO DO

As the person responsible for the breach of condition 5 specified in paragraph 4 of this notice, you are required to comply with the stated condition by taking the following steps:


1. Cease the use of the land to the rear of the building for outside drinking.
2. Remove the tables and benches.

6. TIME FOR COMPLIANCE

Twenty-eight days beginning on the day on which this notice is served. That is, the 15th November 2011.

Dated: 18th October 2011

Signed:


T.P. Broderick
Borough Solicitor
on behalf of West Lancashire Borough Council
52 Derby Street
Ormskirk
L30 2DF

ANNEX

WARNING

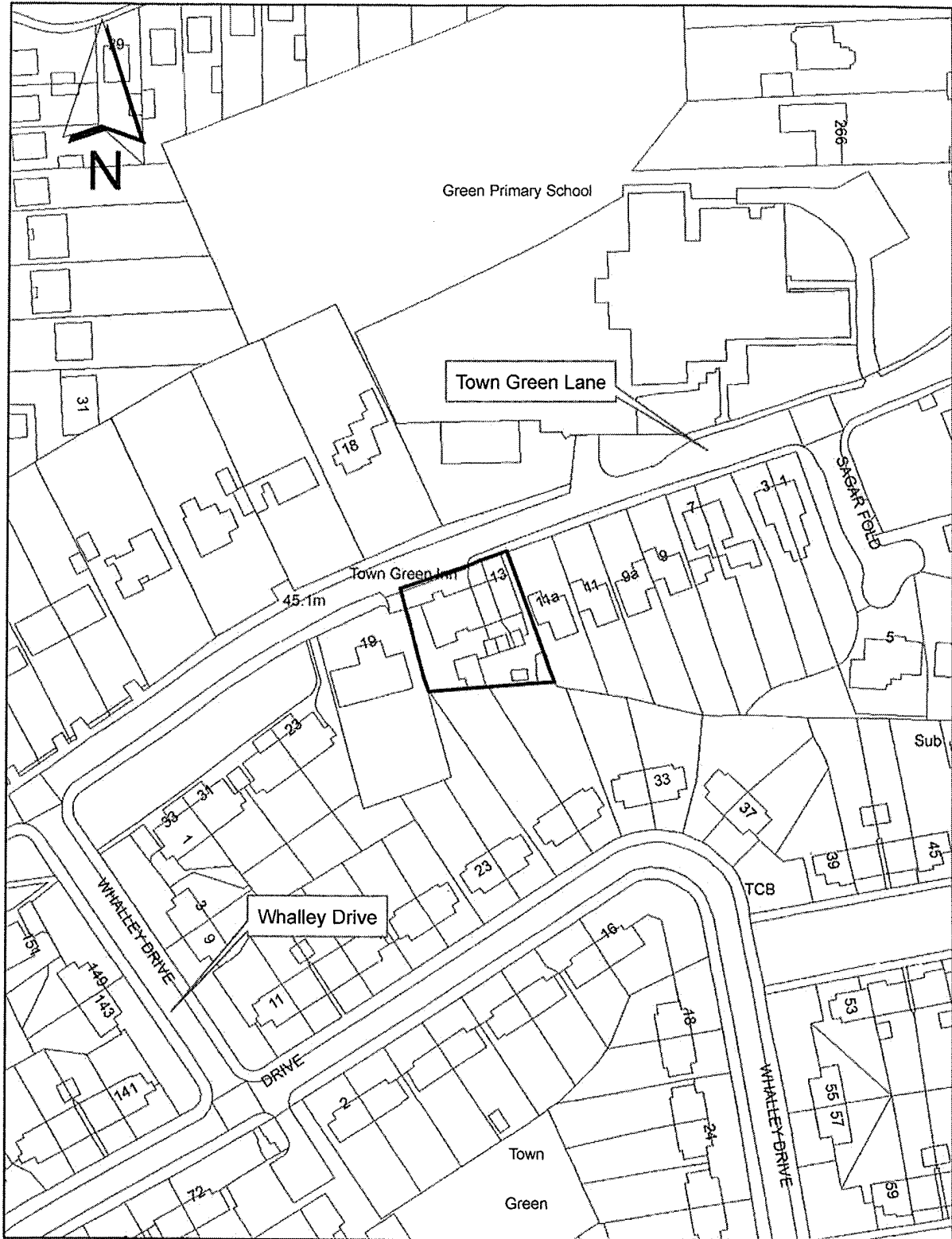
THIS NOTICE TAKES EFFECT IMMEDIATELY IT IS SERVED ON YOU IN PERSON OR ON THE DAY YOU RECEIVED IT BY POST.

THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE AGAINST THIS NOTICE.

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £1,000 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with Miss E O M Woollacott, Principal Planning Officer (01695 585135)

If you do need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.

Town Green Inn, 17 Town Green Lane, Aughton



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Licence No. 100024309. West Lancashire Borough Council. 2010.
18th October 2011

1:1,250



Development & Amenities

FULL PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995


Applicant
Allied Domecq Inns,
85-89, Duke Street,
Liverpool,
L69 1BZ

Agent
Studio 3 Contracts Ltd,
27a, Banastre Road,
Southport,
Merseyside,
PR8 5AW

In respect of application number 8/99/0558 dated 03 JUN 99 and in pursuance of its powers under the above-mentioned Act and Order, West Lancashire District Council as Local Planning Authority, having considered your application, hereby grants permission

- for: **Single storey extension at rear; fire exit staircase at rear; use of first floor as guest accommodation; provision of parking area at rear; demolition of part of ground floor to provide through vehicular access.**
- ∴ **Town Green Inn, Town Green Lane, Aughton.**

subject to the Conditions (and Reasons for those Conditions) listed on the attached sheet.



T L Abernethy BSc MCD MRTPI
Director of Development & Amenities

Dated: 30 SEP 99

Condition(s) and Reason(s)

CONDITIONS

(1).The development must be begun not later than the expiration of five years beginning with the date of this permission.

(2).The development hereby approved shall be carried out in accordance with details shown on the following plans unless otherwise agreed in writing by the Local Planning Authority:-

Plan reference 99/09-03-A and 99/09-04-A received by the Local Planning Authority on 15th September 1999.

(3).Prior to the occupation of any of the guest bedrooms, or the use of the additional lounge/dining facilities, all of the alterations to the vehicular access to the premises shall be completed to the satisfaction of the Local Planning Authority.

(4).Prior to the occupation of any of the guest bedrooms, or the use of the additional lounge/dining facilities, all of the car parking facilities shall be laid out in accordance with the details on the approved plan, and these areas shall be retained thereafter for the parking of vehicles only.

(5).No part of the land to the rear of the building shall be used for outside drinking.

(6).Prior to the commencement of the development,a landscaping scheme shall be submitted to and approved by the Local Planning Authority.The landscaping scheme shall show the location,branch spread,and species of all existing trees and hedges;the location,species and number of all proposed trees,shrubs and hedges;and the location of all existing and proposed grassed and hard surfaced areas.Trees and shrubs planted shall comply with BS.3936(Specification of Nursery Stock) and shall be planted in accordance with BS.4428 (General Landscape Operations).Within a period of 9 months from the date when any part of the development is brought into use the approved landscaping scheme shall be carried out.All planting shall be maintained and dead or dying material shall be replaced for a period of seven years from the agreed date of planting to the satisfaction of the Local Planning Authority.

(7).Prior to the commencement of the development, full details of all proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority, and no external lighting other than that approved shall be installed thereafter without the prior consent in writing of the Local Planning Authority.

(8).Prior to the car park being brought into use, appropriate direction signs, to be approved in writing by the Local Planning Authority, shall be erected adjacent to the access points and shall be retained thereafter.

REASONS

(1).Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

(2).For the avoidance of doubt.

(3).To ensure the provision of a satisfactory means of access to the car park.

(4).To ensure the provision and retention of satisfactory on site parking facilities.

(5).To safeguard the amenity of adjacent properties and the area generally.

(6).To assimilate the proposed development into its surroundings.

(7).To safeguard the amenity of adjacent properties and the area generally.

(8).To enable vehicles to enter and leave the premises in a safe manner without causing hazard to other road users.

NOTES

(1).Your attention is drawn to the attached comments made on your application by the Environment Agency.

(2).Your attention is drawn to the fact that this approval is based upon the original submission as amended by the further plans referred to in Condition No.2 above.

It is important that the development is implemented in accordance with the plans referred to in that Condition, and not in accordance with the superseded plans. The superseded plans were not acceptable, and should the development be implemented in accordance with them, you would be in breach of planning control and liable to enforcement action.

(3).The applicant's attention is drawn to the attached comments of the West Lancashire Access Group.

(4).With respect to Condition 8 above, the signs should comprise informative blue and white signs which are included in the Traffic Signs Regulations and General Directions 1994 for the purpose of regulating the use of a private access to a public road, and numbered 833 'in', 834 'out', 835 'no exit' and 836 'no entry'.

(5).It is the responsibility of the person(s) implementing this development to ensure that, where appropriate, Approval under the Building Regulations has been obtained for the building works involved, and that the plans thus approved under those Regulations are for the same works as approved under this permission and do not conflict with this permission or the conditions contained on it. Any amendments to the plans approved by this permission must be drawn to the attention of the Planning Officer.

(6).Attention is drawn to Section 31 of the County of Lancashire Act 1984 where plans for the erection or extension of a building are deposited with a District Council in accordance with Building Regulations, the Council shall reject the plans, unless after consultation with the fire authority, they are satisfied that the plans show:-

a) that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and

b) that the building or, as the case may be, the extension of the building will not render inadequate any existing means of access for the fire brigade to a neighbouring building.

(7).This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

IMPORTANT - YOUR ATTENTION IS DRAWN TO THE NOTES ATTACHED

MEMORANDUM

FROM Legal Services – Sarah Mooney REF SM/P26-00914

TO Eileen Woollacott – Principal Planning Officer –
E/2011/0147/BCN

Andrew Leyland - Planning Support Manager
Steve Tinsley - Procurement & Land Charges Manager


SUBJECT Breach of Condition Notice - Land at Town Green Inn, 17 Town
Green Lane, Aughton

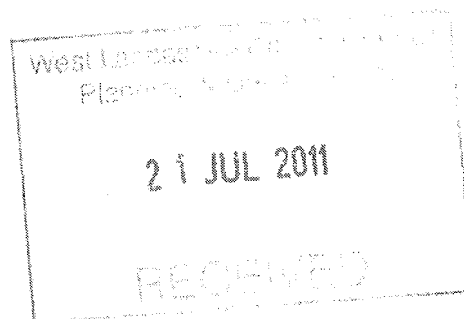
DATE 21st July 2011 Ext 5026

A breach of condition notice has today been served by special delivery upon:

Ms Emma Sharkey
Town Green Inn
17 Town Green Lane
Aughton
L39 6SE

Please note your records accordingly.


Sarah Mooney
Legal Services



IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

**BREACH OF CONDITION NOTICE
REFERENCE E/2011/0147/BCN
TOWN GREEN INN, 17 TOWN GREEN LANE, AUGHTON**

ISSUED BY: WEST LANCASHIRE BOROUGH COUNCIL ("the Council")

TO: Emma Sharkey
Town Green Inn
17 Town Green Lane
Aughton
W. Lancashire
L39 6SE

1. THIS IS A FORMAL NOTICE issued by the Council under section 187A of the above Act as it considers a condition imposed on a grant of planning permission relating to the land described at paragraph 2 below has not been complied with. The Council requires you to comply with the condition specified in this notice. The annex at the end contains important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

The land at Town Green Inn, 17 Town Green Lane, Aughton outlined in black on the attached plan dated the 19th July 2011.

3. THE RELEVANT PLANNING PERMISSION

On the 30th September 1999 planning permission 1999/0558 was granted, subject to 8 conditions, for a single-storey extension and fire exit staircase at the rear; use of the first floor as guest accommodation; the provision of a parking area at the rear; and the demolition of part of the ground floor to provide a through vehicular access.

4. THE BREACH OF CONDITION

Condition 5 states:

No part of the land to the rear of the building shall be used for outside drinking.

Condition 5 is not being complied with as outside drinking is taking place on the land to the rear of the building and this is being facilitated by the provision of tables and benches.

5. WHAT YOU ARE REQUIRED TO DO

As the person responsible for the breach of condition 5 specified in paragraph 4 of this notice, you are required to comply with the stated condition by taking the following steps:


1. Cease the use of the land to the rear of the building for outside drinking.
2. Remove the tables and benches.

6. TIME FOR COMPLIANCE

Twenty-eight days beginning on the day on which this notice is served. That is, the 18th August 2011.

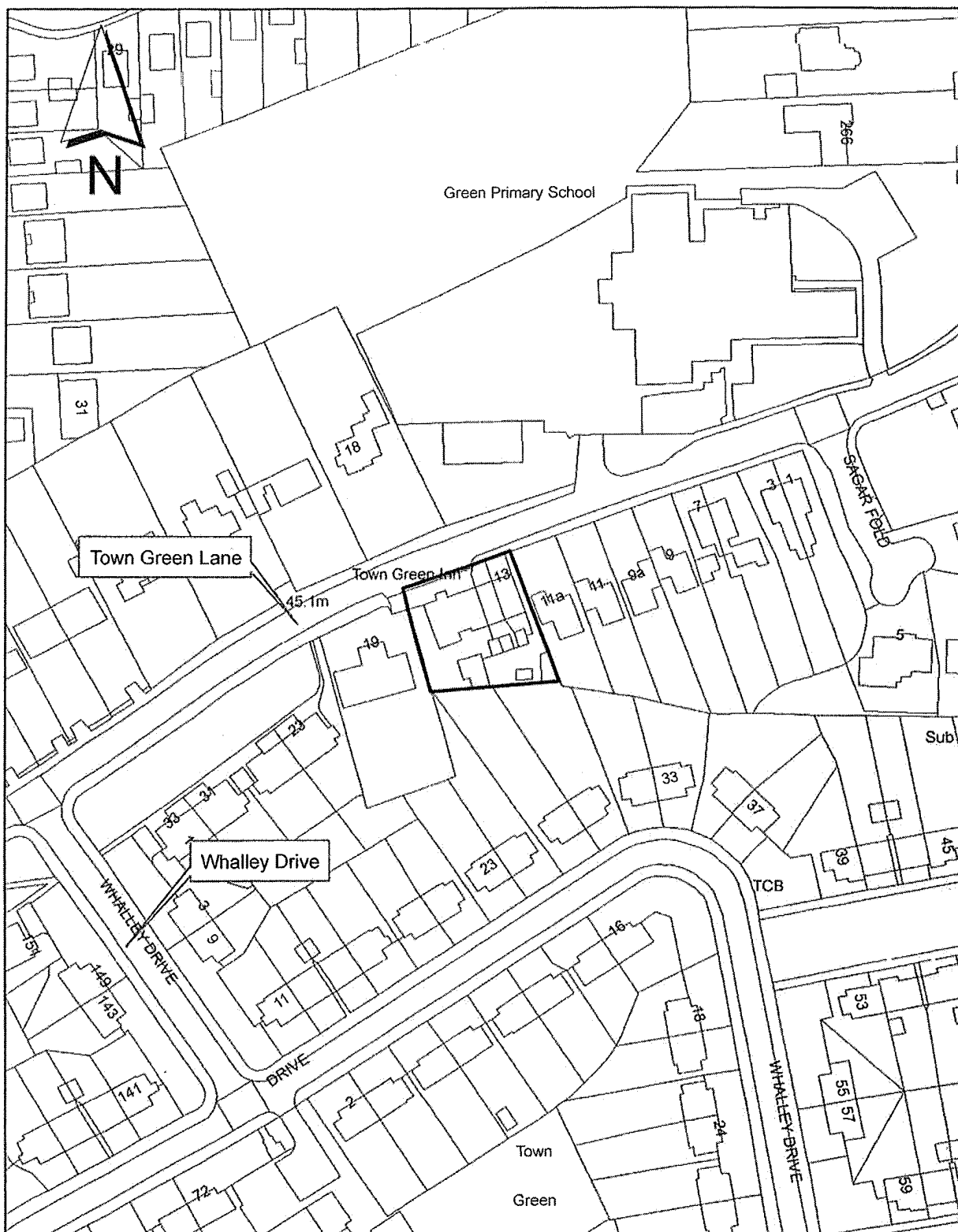
Dated: 21st July 2011

Signed:


T.P. Broderick
Borough Solicitor
on behalf of West Lancashire Borough Council
52 Derby Street
Ormskirk
L30 2DF



Town Green Inn, 17 Town Green Lane, Aughton





Development & Amenities

FULL PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

Applicant
Allied Domecq Inns,
85-89, Duke Street,
Liverpool,
L69 1BZ

Agent
Studio 3 Contracts Ltd,
27a, Banastre Road,
Southport,
Merseyside,
PR8 5AW

In respect of application number **8/99/0558** dated **03 JUN 99** and in pursuance of its powers under the above-mentioned Act and Order, West Lancashire District Council as Local Planning Authority, having considered your application, hereby grants permission

- for: **Single storey extension at rear; fire exit staircase at rear; use of first floor as guest accommodation; provision of parking area at rear; demolition of part of ground floor to provide through vehicular access.**
- ∴ **Town Green Inn, Town Green Lane, Aughton.**

subject to the Conditions (and Reasons for those Conditions) listed on the attached sheet.



T L Abernethy BSc MCD MRTPI
Director of Development & Amenities

Dated: 30 SEP 99

Condition(s) and Reason(s)

CONDITIONS

(1).The development must be begun not later than the expiration of five years beginning with the date of this permission.

(2).The development hereby approved shall be carried out in accordance with details shown on the following plans unless otherwise agreed in writing by the Local Planning Authority:-

Plan reference 99/09-03-A and 99/09-04-A received by the Local Planning Authority on 15th September 1999.

(3).Prior to the occupation of any of the guest bedrooms, or the use of the additional lounge/dining facilities, all of the alterations to the vehicular access to the premises shall be completed to the satisfaction of the Local Planning Authority.

(4).Prior to the occupation of any of the guest bedrooms, or the use of the additional lounge/dining facilities, all of the car parking facilities shall be laid out in accordance with the details on the approved plan, and these areas shall be retained thereafter for the parking of vehicles only.

(5).No part of the land to the rear of the building shall be used for outside drinking.

(6).Prior to the commencement of the development,a landscaping scheme shall be submitted to and approved by the Local Planning Authority.The landscaping scheme shall show the location,branch spread,and species of all existing trees and hedges;the location,species and number of all proposed trees,shrubs and hedges;and the location of all existing and proposed grassed and hard surfaced areas.Trees and shrubs planted shall comply with BS.3936(Specification of Nursery Stock) and shall be planted in accordance with BS.4428 (General Landscape Operations).Within a period of 9 months from the date when any part of the development is brought into use the approved landscaping scheme shall be carried out.All planting shall be maintained and dead or dying material shall be replaced for a period of seven years from the agreed date of planting to the satisfaction of the Local Planning Authority.

(7).Prior to the commencement of the development, full details of all proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority, and no external lighting other than that approved shall be installed thereafter without the prior consent in writing of the Local Planning Authority.

(8).Prior to the car park being brought into use, appropriate direction signs, to be approved in writing by the Local Planning Authority, shall be erected adjacent to the access points and shall be retained thereafter.

REASONS

(1).Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

(2).For the avoidance of doubt.

(3).To ensure the provision of a satisfactory means of access to the car park.

(4).To ensure the provision and retention of satisfactory on site parking facilities.

(5).To safeguard the amenity of adjacent properties and the area generally.

(6). To assimilate the proposed development into its surroundings.

(7). To safeguard the amenity of adjacent properties and the area generally.

(8). To enable vehicles to enter and leave the premises in a safe manner without causing hazard to other road users.

NOTES

(1). Your attention is drawn to the attached comments made on your application by the Environment Agency.

(2). Your attention is drawn to the fact that this approval is based upon the original submission as amended by the further plans referred to in Condition No.2 above.

It is important that the development is implemented in accordance with the plans referred to in that Condition, and not in accordance with the superseded plans. The superseded plans were not acceptable, and should the development be implemented in accordance with them, you would be in breach of planning control and liable to enforcement action.

(3). The applicant's attention is drawn to the attached comments of the West Lancashire Access Group.

(4). With respect to Condition 8 above, the signs should comprise informative blue and white signs which are included in the Traffic Signs Regulations and General Directions 1994 for the purpose of regulating the use of a private access to a public road, and numbered 833 'in', 834 'out', 835 'no exit' and 836 'no entry'.

(5). It is the responsibility of the person(s) implementing this development to ensure that, where appropriate, approval under the Building Regulations has been obtained for the building works involved, and that the plans thus approved under those Regulations are for the same works as approved under this permission and do not conflict with this permission or the conditions contained on it. Any amendments to the plans approved by this permission must be drawn to the attention of the Planning Officer.

(6). Attention is drawn to Section 31 of the County of Lancashire Act 1984 where plans for the erection or extension of a building are deposited with a District Council in accordance with Building Regulations, the Council shall reject the plans, unless after consultation with the fire authority, they are satisfied that the plans show:-

a) that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and

b) that the building or, as the case may be, the extension of the building will not render inadequate any existing means of access for the fire brigade to a neighbouring building.

(7). This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

IMPORTANT - YOUR ATTENTION IS DRAWN TO THE NOTES ATTACHED

OFFICIAL



Ms M Murray
Senior Licensing Officer
West Lancashire Borough Council
Licensing Service
Robert Hodge Centre
Stanley Way
Skelmersdale
Lancashire
WN8 8EE

Please ask for: Andy Hewitson
Extension 5630
Email: andyhewitson@lancsfireandrescue.org.uk
Your Ref: LN/000001420
Our Ref: S5103554/AMH/BJ
Date: 29 April 2014

Dear Ms Murray

REVIEW SUPPORT OF PREMISES LICENCE

Legislation: Licensing Act 2003
Name of Applicant: PS 1506 Bushell
Address of Premises: Town Green Inn, 17 Town Green Lane, Aughton, Ormskirk,
Lancashire, L39 6SF.

The above application has been inspected and the Fire Authority support the License Review

These premises are subject to the Regulatory Reform (Fire Safety) Order 2005. The responsible person is required to carry out a fire risk assessment.

The Fire Authority may inspect the premises to ensure compliance with the Regulatory Reform (Fire Safety) Order 2005, and the Risk Assessment may be required by the Licensing Authority to satisfy the licensing objective relating to public safety.

On the **18 October 2011** the premises above were made the subject of an audit, to ensure compliance with The Fire Safety Order 2005, as part of a Licence partnership targeted inspection. Present at the meeting was Miss Laura Gilfoyle, the Licensee, who accompanied the Fire Officer on the audit. Miss Gilfoyle subsequently agreed an Action Plan on 2 November 2011 for all remedial works to be completed by 15 January 2012.

Fire Safety Enforcement Department
Skelmersdale Fire Station
Tanhouse Road
Skelmersdale
Lancashire, WN8 9NN
Tel: 01695 723853

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The Plan detailed deficiencies:-

- 1) Inadequate fire risk assessment for the premises.
- 2) Inadequate emergency routes and exits.
- 3) Inadequate fire warning.
- 4) Inadequate Fire Alarm maintenance.
- 5) Inadequate Emergency Lighting maintenance.
- 6) Inadequate portable electrical appliance maintenance.
- 7) Inadequate fixed electrical maintenance.
- 8) Inadequate extinguisher maintenance.
- 9) Inadequate emergency lighting.
- 10) Inadequate fire procedures.
- 11) Inadequate staff training.

On the **29 January 2011** the premises above were made the subject of an audit, to ensure compliance with The Fire Safety Order 2005, as part of a Licence partnership targeted inspection. Present at the meeting was Miss Laura Gilfoyle, the Licensee, who accompanied the Fire Officer on the audit. None of the agreed work had been completed. Miss Gilfoyle was subsequently issued with an Enforcement Notice under the Regulatory Reform (Fire Safety) Order 2005, to rectify Fire safety Deficiencies by 1 May 2013. The Enforcement Notice includes a schedule of works to be completed to a satisfactory standard to ensure compliance with The Fire Safety Order.

The Enforcement Notice detailed deficiencies:-

- 1) Inadequate fire risk assessment for the premises.
- 2) Inadequate emergency routes and exits.
- 3) Inadequate fire separation.
- 4) Inadequate fire warning.
- 5) Inadequate Fire Alarm maintenance.
- 6) Inadequate Emergency Lighting maintenance.
- 7) Inadequate portable electrical appliance maintenance.
- 8) Inadequate fixed electrical maintenance.
- 9) Inadequate extinguisher maintenance.
- 10) Inadequate emergency lighting.
- 11) Inadequate fire procedures.
- 12) Inadequate staff training.
- 13) Inadequate co-operation and co-ordination.
- 14) Inadequate fire fighting equipment.

On **1 May 2013** Miss Gilfoyle requested an extension to the Enforcement Notice. This was granted with agreement to rectify Fire safety Deficiencies by 12:00 hours on 5 June 2013.

On **5 June 2013** Miss Gilfoyle requested an extension to the Enforcement Notice. This was granted with agreement to rectify Fire safety Deficiencies by 12:00 hours on 10 July 2013.

Fire Safety Enforcement Department
Skelmersdale Fire Station
Tanhouse Road
Skelmersdale
Lancashire, WN8 9NN
Tel: 01695 723853

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On **10 July 2013** the Enforcement Notice was withdrawn as Miss Gilfoyle was leaving the premises and unlikely that the works would be completed.

On the **10 October 2013** the premises above were made the subject of an audit, to ensure compliance with The Fire Safety Order 2005, as part of a Licence partnership targeted inspection. Present at the meeting was Miss Angela Grogan, the Licensee, who accompanied the Fire Officer on the audit. Miss Grogan subsequently agreed an Action Plan on 28 October 2013 for all remedial works to be completed by 28 November 2013.

The Plan detailed deficiencies:-

- 1) Inadequate fire risk assessment for the premises.
- 2) Inadequate Fire Alarm maintenance.
- 3) Inadequate Emergency Lighting maintenance.
- 4) Inadequate portable electrical appliance maintenance.
- 5) Inadequate fixed electrical maintenance.
- 6) Inadequate staff training.
- 7) Inadequate co-operation and co-ordination.

Miss Grogan seemed willing to work with the Fire Authority to remedy the deficiencies and seemed a suitable person to manage the premises.

It is understood that the premises has been provided with a new DPS.

It is not planned to perform a Fire Safety Audit until any review is completed.

Due to the history of the premises, it is the Fire Authority's view that:-

- 1) It is unlikely that any schedule of work has been implemented.
- 2) It is unlikely that the premises will be compliant with the Regulatory Reform (Fire Safety) Order 2005.
- 3) It is unlikely that due regard will be given to public safety.
- 4) It is unlikely that the present occupiers will be present long enough, or have inclination, to complete any schedule of works.

If you would like to discuss this, or any other matter of fire safety, please call me on 01695 723853.

Yours sincerely



Andrew Hewitson
Graduate of the Institution of Fire Engineers
Fire Safety Enforcement Officer
For Chief Fire Officer

Fire Safety Enforcement Department
Skelmersdale Fire Station
Tanhouse Road
Skelmersdale
Lancashire, WN8 9NN
Tel: 01695 723853