



Kim Webber B.Sc. M.Sc.
Chief Executive
52 Derby Street
Ormskirk
West Lancashire
L39 2DF

19 October 2017

TO: COUNCILLORS N DELANEY, T DEVINE AND J KAY

Dear Councillor,

A meeting of the **LICENSING SUB-COMMITTEE** will be held in the **CABINET/COMMITTEE ROOM, 52 DERBY STREET, ORMSKIRK L39 2DF** on **FRIDAY, 27 OCTOBER 2017** at **10.30 AM** at which your attendance is requested.

Yours faithfully

A handwritten signature in black ink, appearing to be "Kim Webber", written over a horizontal line.

Kim Webber
Chief Executive

AGENDA
(Open to the Public)

- 1. APOLOGIES**
- 2. MEMBERSHIP OF THE COMMITTEE**

To be apprised of any changes to the membership of the Sub - Committee in accordance with Council Procedure Rule 4.

- 3. URGENT BUSINESS**

Note: No other business is permitted unless, by reason of special circumstances, which shall be specified at the meeting, the Chairman is of the opinion that the item(s) should be considered as a matter of urgency.

4. DECLARATIONS OF PARTY WHIP

Party Whips are not to be used by this Committee in respect of functions concerning the determination of new Licence Applications, Revocations and Appeals. When considering any other matter which relates to a decision of the Cabinet or the performance of any Member of the Cabinet, in accordance with Regulatory Committee Procedure Rule 9, Members must declare the existence of the Committee's deliberations on the matter.

5. DECLARATIONS OF INTEREST

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If a Member requires advice on Declarations of Interest, he/she is advised to contact the Borough Solicitor in advance of the meeting. (For the assistance of Members a checklist for use in considering their position on any particular item is included at the end of this agenda sheet.)

6. MINUTES

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To note the Minutes of the meetings held on 24 May 2017 and 6 June 2017.

7. LICENSING HEARING PROCEDURE

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8. APPLICATION FOR A PREMISES LICENCE IN RESPECT OF 5 THE COMMON, PARBOLD, WIGAN, WN8 7HA

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To consider the report of the Director of Leisure and Wellbeing.

We can provide this document, upon request, on audiotape, in large print, in Braille and in other languages.

FIRE EVACUATION PROCEDURE: Please see attached sheet.

MOBILE PHONES: These should be switched off or to 'silent' at all meetings.

For further information, please contact:-
Julia Brown on 01695 585065
Or email julia.brown@westlancs.gov.uk

**FIRE EVACUATION PROCEDURE FOR:
COUNCIL MEETINGS WHERE OFFICERS ARE PRESENT
(52 DERBY STREET, ORMSKIRK)**

PERSON IN CHARGE: Most Senior Officer Present
ZONE WARDEN: Member Services Officer / Lawyer
DOOR WARDEN(S) Usher / Caretaker

IF YOU DISCOVER A FIRE

1. Operate the nearest **FIRE CALL POINT** by breaking the glass.
2. Attack the fire with the extinguishers provided only if you have been trained and it is safe to do so. **Do not** take risks.

ON HEARING THE FIRE ALARM

1. Leave the building via the **NEAREST SAFE EXIT**. **Do not stop** to collect personal belongings.
2. Proceed to the **ASSEMBLY POINT** on the car park and report your presence to the **PERSON IN CHARGE**.
3. **Do NOT** return to the premises until authorised to do so by the **PERSON IN CHARGE**.

NOTES:

Officers are required to direct all visitors regarding these procedures i.e. exit routes and place of assembly.

The only persons not required to report to the Assembly Point are the Door Wardens.

CHECKLIST FOR PERSON IN CHARGE

1. Advise other interested parties present that you are the person in charge in the event of an evacuation.
2. Make yourself familiar with the location of the fire escape routes and inform any interested parties of the escape routes.
3. Make yourself familiar with the location of the assembly point and inform any interested parties of that location.
4. Make yourself familiar with the location of the fire alarm and detection control panel.
5. Ensure that the zone warden and door wardens are aware of their roles and responsibilities.
6. Arrange for a register of attendance to be completed (if considered appropriate / practicable).

IN THE EVENT OF A FIRE, OR THE FIRE ALARM BEING SOUNDED

1. Ensure that the room in which the meeting is being held is cleared of all persons.
2. Evacuate via the nearest safe Fire Exit and proceed to the **ASSEMBLY POINT** in the car park.
3. Delegate a person at the **ASSEMBLY POINT** who will proceed to **HOME CARE LINK** in order to ensure that a back-up call is made to the **FIRE BRIGADE**.
4. Delegate another person to ensure that **DOOR WARDENS** have been posted outside the relevant Fire Exit Doors.

5. Ensure that the **ZONE WARDEN** has reported to you on the results of his checks, **i.e.** that the rooms in use have been cleared of all persons.
6. If an Attendance Register has been taken, take a **ROLL CALL**.
7. Report the results of these checks to the Fire and Rescue Service on arrival and inform them of the location of the **FIRE ALARM CONTROL PANEL**.
8. Authorise return to the building only when it is cleared to do so by the **FIRE AND RESCUE SERVICE OFFICER IN CHARGE**. Inform the **DOOR WARDENS** to allow re-entry to the building.

NOTE:

The Fire Alarm system will automatically call the Fire Brigade. The purpose of the 999 back-up call is to meet a requirement of the Fire Precautions Act to supplement the automatic call.

CHECKLIST FOR ZONE WARDEN

1. Carry out a physical check of the rooms being used for the meeting, including adjacent toilets, kitchen.
2. Ensure that **ALL PERSONS**, both officers and members of the public are made aware of the **FIRE ALERT**.
3. Ensure that **ALL PERSONS** evacuate **IMMEDIATELY**, in accordance with the **FIRE EVACUATION PROCEDURE**.
4. Proceed to the **ASSEMBLY POINT** and report to the **PERSON IN CHARGE** that the rooms within your control have been cleared.
5. Assist the **PERSON IN CHARGE** to discharge their duties.

It is desirable that the **ZONE WARDEN** should be an **OFFICER** who is normally based in this building and is familiar with the layout of the rooms to be checked.

INSTRUCTIONS FOR DOOR WARDENS

1. Stand outside the **FIRE EXIT DOOR(S)**
2. Keep the **FIRE EXIT DOOR SHUT**.
3. Ensure that **NO PERSON**, whether staff or public enters the building until **YOU** are told by the **PERSON IN CHARGE** that it is safe to do so.
4. If anyone attempts to enter the premises, report this to the **PERSON IN CHARGE**.
5. Do not leave the door **UNATTENDED**.

Agenda Item 5

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		Notes
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 20/09/16) 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 20/09/16 – 19/09/20)	<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.

Agenda Item 6

LICENSING SUB-COMMITTEE

HELD: Wednesday, 24 May 2017

Start: 10.30 a.m.

Finish: 1.40 p.m.

PRESENT:

Councillor: T Devine (Chairman)

Councillors: J Kay G Owen

Officers: Principal Solicitor (Mrs k Lovelady)
Senior Licensing Officer (Mrs M Murray)
Member Services/Civic Support Officer (Mrs J A Ryan)

In attendance: Mr P Boschetto – Premises Licence Holder
Mr E Burroughs – Premises Licence Holder
Sergeant S Ashcroft – Lancashire Constabulary
PC M Ginn – Lancashire Constabulary
PC J Stewart – Lancashire Constabulary

1 **APOLOGIES**

There were no apologies for absence received.

2 **URGENT BUSINESS**

There were no items of urgent business.

3 **DECLARATIONS OF PARTY WHIP**

There were no declarations of Party Whip.

4 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

5 **MINUTES**

RESOLVED: That the Minutes of the meeting held on 10 February 2017 be noted.

6 **LICENSING HEARING PROCEDURE**

The Chairman outlined the Licensing Hearing Procedure.

7 **APPLICATION FOR THE REVIEW OF A PREMISES LICENCE IN RESPECT OF JUNK, 12 CHURCH STREET, ORMSKIRK, L39 3AN**

Consideration was given to the report of the Director of Leisure and Wellbeing Services as contained on pages 7 to 58 of the Book of Reports in respect of an Application for the review of a Premises Licence in respect of Junk, 12 Church Street, Ormskirk, L39 3AN.

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'.

On hearing evidence from the Premises Licence Holders and Lancashire Constabulary the Sub – Committee:-

RESOLVED: A. That the current DPS be removed.

The operating hours will be as follows:-

- B. That the sale of alcohol shall be permitted between 10.00 hours and 01.00 hours Sunday to Thursday and 10.00 hours to 01.30 hours Friday and Saturday.
- C. That the premises shall be open to the public between 09.00 hours and 01.30 hours Sunday to Thursday and 09.00 hours to 02.00 hours Friday and Saturday.
- D. That the provision of films shall be permitted between 10.00 hours and 01.00 hours Monday to Sunday.
- E. That the provision of recorded music shall be permitted between 10.00 hours and 01.00 hours Sunday to Thursday and 10.00 hours and 01.30 hours Friday and Saturday.

The duplicated conditions contained within Annex 2 are removed and Annex 3 will be amended and modified as follows:-

- F. That the premises shall install, maintain and operate a CCTV system which will be in use during all times the premises is open to the public and will comply with the following requirements;
 - I. The system will cover all internal public areas of the premises and any external areas used by customers of the premises.
 - II. The system will cover all entrances and exits and be capable of capturing a head and shoulders image of all persons entering the premises.
 - III. The system will display the correct time and date and will be capable of time and date stamping any downloaded footage.
 - IV. The system will be capable of retaining recorded images for a minimum of 28 days.
 - V. At all times the premises is open to the public there will be a member of staff at the premises who can operate the system and provide any footage requested.
 - VI. The Data Controller will provide footage from the system, in a playable format, to any responsible authority on reasonable request and where that request complies with the Data Protection Act or equivalent legislation.

- VII. Any requested footage will be provided as soon as practicable and in any event within 72 hours.
- VIII. The premises will prominently display signage informing customers that CCTV is in operation at the premises.

- G. That on any day that the premises is authorised by the premises licence to provide licensable activity until 01.30 hours or later the provision of door supervisors will be on a risk assessed basis taking into account the nature and type of operation being conducted on that night.
- H. That the above risk assessment will be documented, retained on the premises and produced for inspection to any responsible authority upon request.
- I. That Notices will be displayed at public exits, in a clear prominent position, requesting that patrons respect the needs of local residents and leave the premises and area quietly.
- J. That whenever regulated entertainment is taking place, regular assessments shall be made of any noise emanating from the premises. Wherever said assessments indicate that noise is likely to cause nuisance to any local residents, remedial steps shall be taken to reduce the levels of noise.
- K. That the premises will operate a 'Challenge 25' policy whereby any persons who appears to be under the age of 25 shall be required to provide identification to prove that they are over 18. The acceptable forms of proof of identification shall be either:-
 - i. Passport
 - ii. A UK Photocard Driving Licence
 - iii. Official ID card issued by HM Forces or EU bearing a photograph and the date of birth of the holder
 - iv. Proof of age card accredited under the Proof of Age Standards Scheme (PASS)
- L. That all staff involved in the sale of alcohol will be trained in relation to the 'Challenge 25' policy, age related sales and the licensing objectives upon commencement of their employment. Staff will be subject to refresher training at regular intervals, this training will be documented and made available for inspection on request by any Responsible Authority.
- M. That the Premises Licence Holder/DPS will prevent customers taking glasses and bottles outside the premises after 21.00 hrs after which drinks will be provided in either plastic/polycarbonate containers.

- N. That a bound incident book shall be maintained at the premises which will be used to record the following;
 - i. Any challenges, both positive and negative, made to customers relating to the sale of age restricted products
 - ii. The time, date of the challenge, description and or name of the customer and details of identification produced
 - iii. Any incidents relating to the premises, its staff or customers
 - iv. This record will include the time, date, nature and outcome of the incident

- O. That the incident book will be made available for inspection by any responsible authority on reasonable request

- P. That the premises will operate a 'shopwatch' radio (or other compatible radio) and be part of the Ormskirk Town Centre Radio Link Scheme. The radio will be operated at all times the premises is open to the public in accordance with the Radio Link Scheme Protocols, which include the requirement to book on and off with Ormskirk CCTV Operators.

- Q. That the premises will be permitted to provide its authorised licensable activities for an additional hour on the following days:-
 - i. The last Friday before Christmas Eve
 - ii. Christmas Day
 - iii. Any Friday, Saturday, Sunday and Mondays of Bank Holiday Weekends
 - iv. From the end of permitted hours on New Years Eve to the start of the permitted hours on New Years Day

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- CHAIRMAN -

PRESENT: Councillor Delaney (Chairman)

Councillors J Kay M Mills

Officers: Principal Solicitor (Mrs K Lovelady)
Senior Licensing Officer (Mrs M Murray)
Environmental Protection and Community Safety Manager
(Mr A Hill)
Principal Environmental Health Officer (Ms J Antrobus)
Senior Environmental Health Officer (Mr C Carpenter)
Senior Environmental Health Officer (Ms G Perkins)
Member Services/Civic Support Officer (Mrs J Brown)

In attendance: Premises Licence Holder (Mr S Patel)
Premises Licence Holder (Mr D Kenyon)
Poppleston Allen Solicitors (Mr J Smith)
DPS (Mr D Webster)
Members of public (against the Review Application)

1 **APOLOGIES**

There were no apologies for absence received.

(Note: The Licensing Sub – Committee and attendees observed one minutes silence in respect of the recent London attack that occurred at the weekend).

2 **MEMBERSHIP OF THE COMMITTEE**

In accordance with Council Procedure Rule 4, the Sub Committee noted the termination of membership of Councillor Devine, and the appointment of Councillor Mills for this meeting only, thereby giving effect to the wishes of the political groups.

3 **URGENT BUSINESS**

There were no items of urgent business.

4 **DECLARATIONS OF PARTY WHIP**

There were no declarations of Party Whip.

5 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

6 **LICENSING HEARING PROCEDURE**

The Chairman referred to the Licensing Hearing Procedure.

7 **APPLICATION FOR THE REVIEW OF A PREMISES LICENCE IN RESPECT OF JYNX, WITHAM ROAD, SKELMERSDALE, WN8 8HP**

Consideration was given to the report of the Director of Leisure and Wellbeing as contained on pages 63 to 147 of the Book of Reports in respect of an Application for the review of a Premises License in respect of Jynx, Witham Road, Skelmersdale, WN8 8HP.

In considering this matter the Sub – Committee had regard to the Licensing Act 2003, 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 Public Nuisance'.

On hearing evidence from the Premises Licence Holders, Environmental Health Services, supporters and objectors the Sub Committee decided to impose the following additional conditions to the Premises Licence;

- RESOLVED:
- A. That in line with the Authority's Statement of Licensing Policy the Sub Committee has issued a yellow card warning which will remain on the licence for a period of 2 years. The decision of the Sub Committee will be displayed in a prominent position on the premises where it can be conveniently read from the exterior of the premises detailing the outcome of the review and the warning that has been given.
 - B. That the Premises Licence Holder will modify the smoking shelter to the front of the premises as soon as possible and no later than 31 October 2017, in accordance with the recommendations made in the "assessment of noise from a smoking shelter" report dated 31 May 2017, report No: 101522-3, prepared by Miller Goodall Environmental Services, and attached to the Premises Licence. The maximum number of customers permitted in the smoking shelter at any one time will be 15.
 - C. That the Premises Licence Holder will adopt and fully comply with the noise Management Plan, dated 31 May 2017, report No:101522-2. Prepared by Miller Goodall Environmental Services, and attached to the Premises Licence.

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CHAIRMAN



WEST LANCASHIRE BOROUGH COUNCIL

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 Director Leisure and Wellbeing (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).
 9. 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.
 10. The Sub-Committee will retire to determine the application calling the Legal Advisor and Member Services Officer as needed.
 11. 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:

LICENSING SUB-COMMITTEE

Date: Friday 27 October 2017

Report of: Director Of Leisure And Wellbeing

Contact for further information: **Michaela Murray (Extn 5315)**
(E-mail: Michaela.murray@westlancs.gov.uk)

SUBJECT: APPLICATION FOR A PREMISES LICENCE IN RESPECT OF 5 THE COMMON, PARBOLD, WIGAN WN8 7HA

Borough wide interest

1.0 PURPOSE OF REPORT

1.1 To consider an application under the Licensing Act 2003 (the Act) for a Premises Licence in respect of 5 The Common, Parbold, Wigan WN8 7HA.

2.0 RECOMMENDATIONS

2.1 The Sub-Committee's instructions are requested.

3.0 PREMISES INFORMATION

3.1 Address of Premises: 5 The Common
Parbold
Wigan
WN8 7HA

3.2 Premises Licence Holder: Stephen Williams
424 Southport Road
Scarisbrick
L40 9RE

4.0 THE APPLICATION

4.1 On 6 September 2017, an application for a Premises Licence was received. A copy of which is attached as Appendix 1 to this report.

4.2 A location plan of the premises is attached at Appendix 2 to this report.

- 4.3 For Members' information, the premises is currently a residential dwelling and the applicant intends to convert the lower floor into a Coffee Shop and the upper floor to remain as a residential dwelling. An application for 'change of use' has been submitted to the Council's Planning Service.
- 4.4 There have been six relevant representations received against the application that have been received from members of the public. Copies are attached as Appendices 3 to 8 to this report.

5.0 RELEVANT REPRESENTATIONS

- 5.1 The representations from the general public (Appendices 3 to 8) raise concerns regarding noise and antisocial behaviour and are made under the Prevention of Public Nuisance Licensing Objective.

6.0 LICENSING POLICY AND LEGAL CONSIDERATIONS

- 6.1 The Local Authority must have regard to the provisions of the Licensing Act 2003. In addition 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.
- 6.2 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
- 6.3 The Act provides that before determining the application, the Licensing Authority must hold a hearing to consider it and relevant representations.
- 6.4 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 objective:
- (i) Add conditions in respect of the New Application
 - (ii) Refuse a licensable activity from the New Application
- 6.5 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. Any action the Committee may wish to take should generally be directed at these causes and should always be no more than an appropriate response in the cause of promoting the licensing objectives.
- 6.6 In particular, Members' attention is drawn to the following sections of the Policy, which must be read in conjunction with this report:

7.0 HUMAN RIGHTS ACT IMPLICATIONS

7.1 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.

8.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

8.1 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).

9.0 FINANCIAL AND RESOURCE IMPLICATIONS

9.1 No additional financial or other resources are required.

10.0 RISK ASSESSMENT

10.1 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

Premises licence application

(Appendix 1)

Location plan

(Appendix 2)

Representations

(Appendices 3 to 8)



West Lancashire Borough Council Licensing Service

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

Robert Hodge Centre
Stanley Way
Skelmersdale
Lancashire
WN8 8EE
Tel: 01695 577177
Fax: 01695 585126
Email: licensing.enquiries@westlancs.gov.uk
Website: www.westlancs.gov.uk/licensing

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/~~we~~ [**STEPHEN WILLIAMS**] apply for a premises licence under section 17 of the
(insert name(s) of applicant)
 Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we
 are making this application to you as the relevant licensing authority in accordance with
 section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
5, THE COMMON PARBOLY	
Post town	WIGAN
Post code	WN8 7HA

Telephone number at premises (if any)

Non-domestic rateable value of premises

Part 2 – Applicant details

Please state whether you are applying for a premises licence as

- | | Please tick ✓ (yes) |
|---|---|
| a) An individual or individuals* | <input checked="" type="checkbox"/> Please complete section (A) |
| b) A person other than an individual* | <input type="checkbox"/> Please complete section (B) |
| i. as a limited company | <input type="checkbox"/> Please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> Please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> Please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> Please complete section (B) |
| c) A recognised club | <input type="checkbox"/> Please complete section (B) |
| d) A charity | <input type="checkbox"/> Please complete section (B) |
| e) The proprietor of an educational establishment | <input type="checkbox"/> Please complete section (B) |
| f) A health service body | <input type="checkbox"/> Please complete section (B) |
| g) A person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital | <input type="checkbox"/> Please complete section (B) |

ga) A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that part) in an independent hospital in England Please complete section (B)

h) The chief officer of police of a police force in England and Wales Please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

Please tick ✓ (yes)

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other
(for example, Rev)

Surname

WILLIAMS

First Names

STEPHEN GRIFFITH

Please tick ✓ Yes

I am 18 years old or over

Current postal address if different from premises address

424 SOUTHPORT RD
SCARISBRICK

Post Town

ORMSKIRK

Postcode

L40 9RE

Daytime contact telephone number

07841 350458

E-mail address (optional)

willophi@gmail.com

This section is intentionally blank

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Mr Mrs Miss Ms Other
(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 Postcode

Daytime contact telephone number

E-mail address (optional)

E-mail address (optional)

This section is intentionally blank

Please give a general description of the premises (please read guidance note 1)

SMALL COFFEE SHOP WITH VILLAGE LOCATION AND
APPROX 20 COVERS INTERNALLY WITH 12-16 SEATS
JUST OUTSIDE THE MAIN DOORS BUT STILL WITHIN
THE BOUNDARIES OF THE PROPERTY

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

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment:

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

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

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

In all cases complete boxes K, L and M

Please tick ✓
(yes)

(B) OTHER APPLICANTS

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

Name
Address
Registered Number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
0	1	11 20 17

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

Day	Month	Year

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

A

Plays Standard days & timings (Please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick [✓] (Please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thurs					
Fri			Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days & timings (Please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick [✓] (Please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thurs					
Fri			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days & timings (Please read guidance note 6)			Please give further details here (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Thurs			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days & timings (Please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [✓] (Please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thurs			Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days & timings (Please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [✓] (Please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for performing of live music (please read guidance note 4)		
Thurs					
Fri					
Sat					
Sun					

This section is intentionally blank

F

Recorded music Standard days & timings (Please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [✓] (Please read guidance note 2).	
			Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon	07.00 07.00	21.00 21.00		
Tue	07.00 07.00	21.00 21.00		
Wed	07.00 07.00	21.00 21.00	State any seasonal variations for playing of recorded music (please read guidance note 4)	
Thurs	07.00 07.00	21.00 21.00		
Fri	07.00 07.00	21.00 21.00	Non-standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	07.00 07.00	21.00 21.00		
Sun	07.00 07.00	21.00 21.00		

G

Performance of dance Standard days & timings (Please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick [✓] (Please read guidance note 2).	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for performing of dance (please read guidance note 4)	
Thurs				
Fri			Non-standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days & timings (Please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will the this entertainment take place indoors or outdoors or both – please tick [✓] (Please read guidance note 2).	Indoors	
					Outdoors
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed					
Thurs			<u>State any seasonal variations for entertainment</u> (please read guidance note 4)		
Fri			<u>Non-standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

This section is intentionally blank

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [✓] (Please read guidance note 2).	
			Indoors	
			Outdoors	
			Both	
Day	Start	Finish		
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed				
Thurs			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)	
Fri				
Sat			<u>Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sun				

This section is intentionally blank

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick [✓] (Please read guidance note 7).	On the premises <input checked="" type="checkbox"/>		
				Off the premises <input type="checkbox"/>		
				Both <input type="checkbox"/>		
Day	Start	Finish				
Mon	07.00	21.00	State any proposed seasonal variations for the supply of alcohol (please read guidance note 4)			
Tue	07.00	21.00				
Wed	07.00	21.00				
Thurs	07.00	21.00			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within J or K (please read guidance note 5)	
Fri	07.00	21.00				
Sat	07.00	21.00			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 10)	
Sun	10.00	21.00				

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name MR STEPHEN WILLIAMS

Address 424 SOUTHPORT RD

..... SCARBOROUGH ORMSKIRK

Postcode L40 9RE

Personal Licence Number (if known)

Issuing Licensing Authority (if known)

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NONE

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 6)</p>			<p><u>State any seasonal variations</u> (Please read guidance note 4).</p>
Day	Start	Finish	<p><u>Non-standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Mon	07.00	21.00	
Tue	07.00	21.00	
Wed	07.00	21.00	
Thurs	07.00	21.00	
Fri	07.00	21.00	
Sat	07.00	21.00	
Sun	07.00	21.00	

M

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

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 9)

By Making All Staff Aware Of The Objectives
And Ensuring All Rules Are Followed.
The Primary Use Is For Sales Of Coffee/ Snacks
And The Sale Of Alcohol Will Be A Smaller Percentage
But They Will Still Be Made Aware Of What Is
Required

b) The prevention of crime and disorder

Training Of Staff To Look Out For And Be Aware
Of What Is Taking Place Within The Premises
Utilising The 2 Free On Line Courses Available

c) Public safety

Ensuring All Staff Are Aware Of The
Licensing Objectives

d) The prevention of public nuisance

The Hours Of Opening Will Have A Large Bearing
On This As They Will Be Restricted. We Will
Not Be Open Late. Training Will Take Place
With All Staff

e) The protection of children from harm

We Will Introduce A Challenge 21 Policy
To Ensure No Alcohol Is Served To Anyone
Under Age.

- I have made or enclosed payment of the fee
- I have enclosed a plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected

Please tick

- (yes)
-
-
-
-
-

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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (Please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature: *[Handwritten Signature]*
 Date: 29/8/17
 Capacity: OWNER

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (Please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature:
 Date:
 Capacity:

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)	
Post town	Post code
Telephone number	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Appendix



Murray, Michaela

From: Elizabeth Broad [REDACTED]
Sent: 02 October 2017 17:37
To: Licensing Enquiries; Murray, Michaela
Subject: Re: Former Post Office, Station Road, Parbold

Application for premises licence - 5 The Common, Parbold, WN8

Parbold Parish Council has recently become aware of this application and wishes to comment as follows:

The premises are close to supported accommodation for the elderly so consideration must be given to protection of these vulnerable neighbours. The application appears to include permission for recorded music, from 7am until 9pm which could be quite disturbing.

Access to this site is poor - when the building was a Post Office drivers frequently stopped outside to nip in, it is hoped that the new owners can do something to discourage this, particularly if the sale of alcohol is permitted. It is possible to envisage passing trade, parking on the bend near the railway crossing there to pop into an Off Licence.

Mrs Elizabeth-Anne Broad
Clerk to Parbold Parish Council

On Monday, October 2, 2017 2:23 PM, Licensing Enquiries <Licensing.Enquiries@westlancs.gov.uk> wrote:

Hi

An application has been submitted and the deadline date is 4 October 2017 for representation to be made.

The application is on the Council's website.

If you are unable to find the application please email and I will send you the details

Thanks

Michaela Murray
Senior Licensing Officer
Tel: 01695 577177 ext 5326
Direct Dial: 01695 585015
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

Think before you print - save energy, paper and ink

From: Elizabeth Broad [mailto:parboldpc.clerk@yahoo.com]
Sent: 01 October 2017 22:44
To: Licensing Enquiries <Licensing.Enquiries@westlancs.gov.uk>
Subject: Former Post Office, Station Road, Parbold

I wonder if you can assist?

Parbold Parish Council has been asked by a resident if the former Post Office has a licence to sell alcohol now?

I did try to search the register but had no luck. Is this something you can assist with?

Murray, Michaela

From: Jean McGregor [redacted]
Sent: 01 October 2017 15:35
To: Licensing Enquiries
Subject: Premises License in respect of 5, The Common, Parbold

To whom it may concern:

Re.: Application for a Premises License at 5, The Common, Parbold by Mr Stephen Griffiths Williams

Our main concern, apart from the obvious issues of noise, parking and this being the busiest point of the village, especially at pick up and drop off times for the numerous school and college coaches, is the application for a license to sell alcohol and also a license for music. The two licenses combined are surely synonymous with increased noise and disturbance to those residents living locally.

We are living in a climate of alcohol abuse, so surely the serving of alcohol in a café/coffee shop is sending out the wrong message, especially to the younger generation. Are we not serious in our attempt to curb the nation's binge drinking culture?

A 7am - 9pm license is ludicrous when there is a plethora of beautiful country pubs within the village environs. We feel this is not the right location for a European bistro-type business.

Anyone who agrees with this proposal is obviously not sensitive to the real needs of our lovely village and is oblivious to the potential problems this could create.

We trust that due consideration will be given to the above points.

Faithfully,
J. & J.A. McGregor
Residents of Parbold village for over 30 years

Murray, Michaela

From: ALISON MCGREGOR [REDACTED]
Sent: 30 September 2017 23:14
To: Licensing Enquiries
Subject: Application for a Premises Licence in respect of 5, The Common, Parbold, Wigan WN8 7HA

To whom it may concern:

I wish to raise a formal objection to the application for a Premises Licence in respect of 5, The Common, Parbold, Wigan WN8 7HA. The aforementioned application has been submitted by Mr Stephen Williams of 424 Southport Road, Scarisbrick L40 9RE.

I am the property owner and resident of 7, Brandreth Drive, Parbold WN8 7HB. My home and garden is located immediately behind the fenced garden of 5, The Common, Parbold and, as such, I will be impacted directly by this proposed business.

I wish to object for the following reasons:

- Noise pollution and nuisance from delivery vehicles and staff entering and leaving the premises as per the licence application will impact on the quiet location of my property. My main reason for purchasing the property was it's undisturbed, quiet location within a village residential area [REDACTED]
-
- Noise pollution and nuisance from customers using the proposed "Coffee Shop" will likewise impact in the same way as above
-
- Noise pollution and nuisance from music used by the Coffee Shop will further reduce the current tranquility of the location in which I reside
-
- Consumption of alcohol served on the premises, particularly in the proposed outside seating areas is highly likely to cause noise and nuisance to myself and other residents in the immediate vicinity, particularly Brandreth Drive. It is feared that the driveway and garden area to the side of the above property would be utilised as an additional serving area, thus the ensuing noise pollution and nuisance would encroach even further onto the quiet residential area behind the fence
-
- The Premises licence application requests permission to serve alcohol between the hours of 7am and 9pm, seven days per week. It would appear that the intended business will be more of a public house in nature, rather than a traditional coffee shop. This will without doubt impact on my quality of life for the aforementioned reasons
-
- We currently have two popular, well-established coffee shops in Parbold which open during normal business hours and do not impact on local residents through noise or nuisance. The above application is therefore superfluous to the needs of the village
-

- We also currently have four popular, well-established public houses in Parbold and therefore the above application for a licence to serve alcohol is superfluous to the needs of the village [REDACTED]
-
- The proposed outdoor seating area is directly adjacent to the the main thoroughfare of the village. Small children would be at risk of harm from the traffic, if they ran out on to the road
-
- No provision has been made on the plans for customer parking. The existing parking bays in front of the parade of shops in the village are already full to capacity. Additional cars would put an additional burden on the existing parking facilities

It was with great dismay that I learnt of the above application, given that no written notification has been issued to residents who would be directly affected by the business venture. I therefore hope that the above points will be given due consideration by the West Lancs Planning team.

Yours faithfully,

Miss Alison A. McGregor
7 Brandreth Drive
Parbold
Wigan
WN8 7HB

[REDACTED]

Murray, Michaela

From: Licensing Enquiries
Sent: 29 September 2017 09:58
To: Murray, Michaela
Subject: FW: Licence application The Old Post Office 5 The Common Parbold

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

From: stephen morgan <[REDACTED]>
Sent: 21 September 2017 19:17
To: Licensing Enquiries <Licensing.Enquiries@westlancs.gov.uk>
Cc: Blake, Councillor Mrs [REDACTED]; Brian Arnold <[REDACTED]>
Subject: Licence application The Old Post Office 5 The Common Parbold

Dear sirs,

I would like to formally register an objection to this application and list the following reasons; 1. Parbold already has 4 pubs selling alcohol, 3 of which also provide food. Additional alcohol sales could create problems with regard to public disorder issues.

2. Parbold already has 3 cafe's selling hot snacks, teas and coffee's. Does the village really need another.
3. What parking arrangements is included in the application. Parking is a major issue in the village already, any additional needs would create substantial problems. There is no surplus capacity for car parking.
4. The proximity to the Beacon Crossing retirement accommodation could create a severe nuisance risk from the additional alcohol source. Historically the previous occupants of number 1 The Common, Leaf & Vine had an alcohol licence for similar hours which resulted in numerous complaints to the Parish Council and disruption to the vulnerable aged residents.
5. It will be no more than 50 metres from an existing cafe which will have its current business severely impacted upon.

Overall it is something the village is already fully catered for with no requirement needed to increase it.

Regards
Stephen Morgan

1 Bramble Way
Parbold
Wigan
WN8 7HZ

26th September, 2017.

Dear Sir/Madam,

I am writing regarding the application for an alcohol license at a new business to be opened as a cafe at 5, The Common, Parbold.

I strongly object to this request for a license as I think it unnecessary, particularly considering we have 3 licensed premises in the village of Parbold already, these being The Railway, The Windmill and the Stocks Tavern, and yet another situated just off the main street through the village on the main A5209 road, namely The Wayfarer's.

The hours this new business intends to be able to sell alcohol for - from 7am to 9.00pm on Monday to Saturday and 10.00am to 9.00pm on Sunday - would encroach on the existing businesses and again if this is intended to be a cafe seems unreasonable, as it would encourage people to be coming and going from very early in the morning until quite late at night, where there is very little provision for parking and is extremely close to Beacon Crossing sheltered accommodation, where there are some very elderly residents, who would not want increased disturbance at those hours of the morning or night, which this business may well cause.

Yours faithfully,

Murray, Michaela

From: david whittington [REDACTED]
Sent: 05 October 2017 09:50
To: Murray, Michaela
Subject: Re: 5A The Common, Parbold

Thank you for this information. As you may have gathered, this is the first time I have commented on a licensing application.

The concern relates to the problems that arose when a similar venture was situated very close to 5a The Common. The venture was called The Vine Leaf, or something similar - I cannot remember the exact name. Like the location of this application, it was very close to the old people's properties on Beacon Crossing. The most convenient car parking for both sites in the evening will be at Beacon Crossing/the station. In the earlier case loud & unruly behavior late in the evening, caused by customers of the licensed premises, disturbed the residents. I am told that complaints were made to licensing, although I have no independent confirmation of this. Obviously the residents of Beacon Crossing do not want a recurrence of such disturbance.

David Whittington

Sent from my iPad

> On Oct 3, 2017, at 13:21, Murray, Michaela [REDACTED]
>
>
>
> Thank you for your email. I am presuming that you wish to make a formal objection the above application. Unfortunately I will require further details regarding the problems caused as an objection can only be accepted if it is believed that the licensing objectives will be undermined or breached.
>
> I can confirm that I have received public objection to this application and will be organising a Licensing Sub Committee hearing for the application to be determined. This hearing must be held 28 days from the day after the consultation period. Anyone making a representation against the application will be invited to attend the hearing to discuss the reasons for their objection.
>
> Upon receipt of the required information I will provide the date of the hearing and a formal invitation to attend will be provided.
>
>
>
> Michaela Murray
> Senior Licensing Officer
> Tel: 01695 577177 ext 5326
> Direct Dial: 01695 585015
> 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
> -----
> Think before you print - save energy, paper and ink
>
>

