



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

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29 November 2017

**TO: COUNCILLORS N DELANEY, T DEVINE AND J KAY**

Dear Councillor,

A meeting of the **LICENSING SUB-COMMITTEE** will be held in the **COUNCIL CHAMBER, 52 DERBY STREET, ORMSKIRK L39 2DF** on **FRIDAY, 8 DECEMBER 2017** at **10.30 AM** at which your attendance is requested.

Yours faithfully

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

Kim Webber  
Chief Executive

**AGENDA**  
**(Open to the Public)**

- 1. APOLOGIES**
- 2. MEMBERSHIP OF THE SUB-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. DECLARATION 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**

291 -  
292

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 Member Services a checklist for use in considering their position on any particular item is included at the end of this agenda sheet).

#### **6. MINUTES**

293 -  
294

To note the Minutes of the meeting held on 27 October 2017.

#### **7. LICENSING HEARING PROCEDURE**

295 -  
296

#### **8. APPLICATION FOR A PREMISES LICENCE IN RESPECT OF 19 AUGHTON STREET, ORMSKIRK, L39 3AG**

297 -  
336

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](mailto: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 <b>because</b> it affects my financial position or the financial position of a connected person or, a body described in 10.1(1)(i) and (ii) <b>and</b> 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) <b>and</b> 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"/>	<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.

**LICENSING SUB-COMMITTEE**

**HELD: Friday, 27 October 2017**

Start: 10.30 am

Finish: 11.30 am

**PRESENT:**

Councillor: N Delaney (Chairman)

Councillors: T Devine J Kay

In attendance: Mr & Mrs Williams (Applicant)  
Mrs M Gibson (Objector)  
Ms R West

Officers: Kay Lovelady, Principal Solicitor  
Michaela Murray, Senior Licensing Officer  
Julia Brown, Member Services/Civic Support Officer

8 **APOLOGIES**

There were no apologies for absence.

9 **MEMBERSHIP OF THE COMMITTEE**

There were no changes to Membership of the Sub – Committee.

10 **URGENT BUSINESS**

There were no urgent items of business.

11 **DECLARATIONS OF PARTY WHIP**

There were no declarations of Party Whip.

12 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

13 **MINUTES**

RESOLVED: That the Minutes of the meetings held on 24 May 2017 and 6 June 2017 be noted.

14 **LICENSING HEARING PROCEDURE**

The Chairman outlined the Licensing Hearing Procedure.

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

Consideration was given to the report of the Director of Leisure and Wellbeing Services as contained on pages 257 to 289 of the Book of Reports in respect of an Application for a Premises Licence in respect of 5 The Common, Parbold, Wigan WN8 7HA.

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 Objective on this occasion was the 'Prevention of Public Nuisance'.

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

- RESOLVED: A. That, the premises shall be open to the public between 07.00 hours to 21.00 hours Monday to Sunday.
- B. That the sale of alcohol shall be permitted between 11.30 hours and 21.00 hours Monday to Sunday.
- C. That the provision of recorded music shall be permitted between 11.30 hours and 21.00 hours Monday to Sunday.
- D. That, the DPS or their nominated representative shall conduct regular assessments of the noise emanating from the premises on every occasion the premises are used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of the assessments in a log book kept on site for that purpose and shall include the time and date of the checks, the name of the person undertaking the checks and the results including any remedial action. The log book shall be made available to any authorised person on request.
- E. That signage will be displayed asking customers to respect the needs of the local residents.

.....  
**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 8 December 2017

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Report of: Director Of Leisure And Wellbeing

Contact for further information: Samantha Jordan (Extn 5315)  
(E-mail: [samantha.jordan@westlancs.gov.uk](mailto:samantha.jordan@westlancs.gov.uk))

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**SUBJECT: APPLICATION FOR A PREMISES LICENCE IN RESPECT OF 19 AUGHTON STREET, ORMSKIRK L39 3AG**

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Borough wide interest

### **1.0 PURPOSE OF REPORT**

1.1 To consider an application under the Licensing Act 2003 (the Act) for the grant of a premises licence in respect of 19 Aughton Street, Ormskirk L39 3AG.

### **2.0 RECOMMENDATIONS**

2.1 The Sub-Committee's instructions are requested.

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### **3.0 PREMISES INFORMATION**

- |     |                          |                                                                                         |
|-----|--------------------------|-----------------------------------------------------------------------------------------|
| 3.1 | Address of Premises:     | 19 Aughton Street<br>Ormskirk<br>L39 3AA                                                |
| 3.2 | Premises Licence Holder: | Vici Leisure Group Ltd<br>Satis Old Hall Farm<br>St Michael Road<br>Ormskirk<br>L39 6SA |

### **4.0 THE APPLICATION**

- 4.1 On 23 October 2017 an application for the grant of a premises licence was received, a copy of which is attached as Appendix 1 to this report.
- 4.2 A location plan is attached at Appendix 2 to this report.
- 4.3 There have been two relevant representations received against the application that have been received from Resident Groups. Copies are attached as Appendices 3 and 4.

## **5.0 RELEVANT REPRESENTATIONS**

- 5.1 The representation from New Way Tenants Residents Association (Appendix 3) raise concerns regarding disturbance to residents. The representation is made under the Prevention of Public Nuisance Licensing Objective.
- 5.2 The representation from New Ormskirk Residents Group (NORG) (Appendix 4) raise concerns regarding disturbance to residents. The representation is made under the Prevention of Public Nuisance Licensing Objective.

## **6.0 RESPONSIBLE AUTHORITIES**

- 6.1 A representation, including conditions, was initially made by Environmental Protection, and is attached as Appendix 5 to this report. The applicant subsequently agreed for the conditions to be attached to the Premises Licence should the application be granted.
- 6.2 Lancashire Constabulary have also submitted a set of conditions attached as Appendix 6 to this report. These have also been agreed by the applicant.
- 6.3 The above agreed conditions have been sent to New Way Tenants Residents Association and New Ormskirk Residents Group to ascertain whether they wish to withdraw or amend their representation. At the time of writing this report neither residents group had contacted the Licensing Service.

## **7.0 LICENSING POLICY AND LEGAL CONSIDERATIONS**

- 7.1 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.
- 7.2 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
- 7.3 The Act provides that before determining the application, the Licensing Authority must hold a hearing to consider it and relevant representations.
- 7.4 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) Modify/Add conditions in respect of the New Application
  - (ii) Refuse a licensable activity from the New Application.

7.5 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.

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

Section 4	The Prevention of Crime & Disorder	pages 10-12
Section 4	Public Safety	pages 12-14
Section 4	Prevention of Public Nuisance	pages 14-17
Section 4	The Protection of Children from harm	pages 17-19
Section 8	Consideration of Premises Licences & Club Premises Certificates	pages 28-32

## **8.0 HUMAN RIGHTS ACT IMPLICATIONS**

8.1 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.

## **9.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

9.1 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).

## **10.0 FINANCIAL AND RESOURCE IMPLICATIONS**

10.1 No additional financial or other resources are required.

## **11.0 RISK ASSESSMENT**

11.1 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.

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### **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)
Representation from New Way Tenants Residents Association	(Appendix 3)
Representation from New Ormskirk Residents Group	(Appendix 4)
Agreed Environmental Protection Conditions	(Appendix 5)
Agreed Lancashire Constabulary Conditions	(Appendix 6)

**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** VICI LEISURE GROUP LTD

*(Insert name(s) of applicant)*

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description <b>19 Aughton Street</b>			
<b>Post town</b>	<b>Ormskirk</b>	Postcode	<b>L39 3AA</b>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£19,000</b>

**Part 2 - Applicant details**

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

- a) an individual or individuals \*       please complete section (A)
- b) a person other than an individual \*
  - i as a limited company/limited liability partnership       please complete section (B)
  - ii as a partnership (other than limited liability)       please complete section (B)
  - iii as an unincorporated association or       please complete section (B)
  - iv other (for example a statutory corporation)       please complete section (B)
- c) a recognised club       please complete section (B)

- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

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

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b> over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT** (if applicable)



Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth over</b>		I am 18 years old or		<input type="checkbox"/>	Please tick yes
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

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

<b>Name</b> VICI LEISURE GROUP LTD
<b>Address</b> SATIS OLD HALL FARM ST MICHAEL ROAD ORMSKIRK LANCASHIRE ENGLAND L39 6SA
<b>Registered number (where applicable)</b>  11016561
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b>  Company
<b>Telephone number (if any)</b> 07894 119767

E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start? DD MM YYYY  
2 01 12 0 1 7

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

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

The premises are positioned on Ormskirk high street in the old post office, currently attached to an empty shop on one side and a walk way on the other.

The premises will be a restaurant/bar serving food with approximately 80-100 seats.

There is an existing access ramp suitable for disabled access and provisions for outside seating.

The ladies and men's toilets are positioned in the basement with a disabled toilet on restaurant floor level.

There is a Front and rear entrance/exit

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

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

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

- Provision of regulated entertainment (please read guidance note 2) Please tick all that apply
- a) plays (if ticking yes, fill in box A)
  - b) films (if ticking yes, fill in box B)
  - c) indoor sporting events (if ticking yes, fill in box C)
  - d) boxing or wrestling entertainment (if ticking yes, fill in box D)
  - e) live music (if ticking yes, fill in box E)
  - f) recorded music (if ticking yes, fill in box F)
  - g) performances of dance (if ticking yes, fill in box G)
  - h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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



**Supply of alcohol** (if ticking yes, fill in box J)



**In all cases complete boxes K, L and M**

**A**

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

**B**

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

C

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

**D**

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

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon	11:00	23:00	<b><u>Please give further details here</u></b> (please read guidance note 4)  We would like opportunity to play live music		
Tue	11:00	23:00			
Wed	11:00	23:00	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Thur	11:00	23:00			
Fri	11:00	23:00	<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	11:00	23:00			
Sun	11:00	23:00			



**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	02:00	<b><u>Please give further details here</u></b> (please read guidance note 4)  We wish background music to be played for customers. There May also be noise from televisions		
Tue	11:00	02:00			
Wed	11:00	02:00	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur	11:00	02:00			
Fri	11:00	02:00	<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	11:00	02:00			
Sun	11:00	02:00			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
<b>Day</b> <b>Start</b> <b>Finish</b>				Both	<input checked="" type="checkbox"/> <i>no</i>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

# H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11:00	02:00	<b>Please give further details here</b> (please read guidance note 4) We would like to have a few seats outside the front of premises like other places in Ormskirk.	Both	<input checked="" type="checkbox"/>
Tue	11:00	02:00			
Wed	11:00	02:00	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Thur	11:00	02:00			
Fri	11:00	02:00	<b>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</b> (please read guidance note 6)		
Sat	11:00	02:00			
Sun	11:00	02:00			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	11:00	02:00			
Tue	11:00	02:00			
Wed	11:00	02:00			
Thur	11:00	02:00			
Fri	11:00	02:00			
Sat	11:00	02:00			
Sun	11:00	02:00			
			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		

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

Name Stuart Anthony MacFarlane	
Date of birth 15/05/1987	
Address Satis Old Hall Farm, St Michael Road Aughton Lancashire	
Postcode	L39 6sa
Personal licence number (if known) PERS/567	
Issuing licensing authority (if known) West Lancashire District Council	



K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 9).

The consumption of alcohol

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	11:00	02:00	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 6)
Tue	11:00	02:00	
Wed	11:00	02:00	
Thur	11:00	02:00	
Fri	11:00	02:00	
Sat	11:00	02:00	
Sun	11:00	02:00	

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

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

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP:  
Strong management controls and effective training of all staff so that they are aware of the premises license and the requirements to meet the four licensing objectives with particular attention to: a/ no selling of alcohol to underage people b/ no drunk and disorderly behavior on the premises area c/ vigilance in preventing the use and sale of illegal drugs at the retail area d/ no violent and anti-social behaviour e/ no any harm to children - Operating Schedule providing the hours of operation and licensable activities during those hours. - Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale - Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers. – High Definition CCTV system installed with recording option available - Roller metal exterior window shutter will be fixed to ensure that shop front is safe and secure at all times. As a licensed premises we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

**b) The prevention of crime and disorder**

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted. Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed. Not selling of alcohol to drunk or intoxicated customers. Prevention and vigilance in illegal drug use at the premises area. Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol where they should not. Professional well trained Security staff will be employed to monitor customers internally and externally when needed.

**c) Public safety**

Internal and external lighting fixed to promote the public safety objective. Well trained staff adherence to environmental health requirements. Training and implementation of underage ID checks. A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation. All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and

other installations, will be maintained at all times in good order and in a safe condition.

**d) The prevention of public nuisance**

Noise reduction measures to address the public nuisance objective. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly. Staff will be trained to reinforce this and ask customers to leave quietly. Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents. The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents. Customers will be asked not to stand around loudly talking in the street outside the premises. Customers will not be admitted to premises above opening hours. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises. Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents. Adequate waste receptacles for use by customers will be provided in the local vicinity.

We will also attempt to reduce noise from extraction and ventilation such as air conditioning units. This will be positioned at the rear of the premises away from any other shops or residents. They will also be turned off outside of opening hours.

We will exceed all building regulations with regards to containing noise for example extra glazing and sound protection in ceiling and walls.

Odors and smells, although any smells will be pleasant the ventilation will be to the rear of the property, away from any shops and residents. New ventilations systems with improved filters and reduced decibel levels will mean they are unnoticeable.

**e) The protection of children from harm**

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol. Well trained staff about requirement for persons' identification, age establishment etc. All the details provided in Training Record Book available the retail unit. Log Book will be kept upon the premises all the time. Nothing belong existing Health & Safety requirements

**Checklist:**

**Please tick to indicate agreement**



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


**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

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

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

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

	her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	20/10/2017
Capacity	DIRECTOR

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
<del>of</del> company details			
Post town		Postcode	
Telephone number (if any)	07894118767		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
stuart@seakushii.co.uk			

**Consent of individual to being specified as premises supervisor**

Stuart MacFarlane

I

-----  
*[full name of prospective premises supervisor]*

of

Satis Old hall Farm  
St Michael Road  
Aughton  
L396SA

-----  
*[home address of prospective premises supervisor]*

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

Licensed Restaurant/Bar

-----  
*[type of application]*

by

Vici Leisure Properties Ltd

-----  
*[name of applicant]*

relating to a premises licence

-----  
*[number of existing licence, if any]*

for

19 Aughton Street, Ormskirk, L39 3AA

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

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

Vici Leisure Group Ltd

-----  
*[name of applicant]*

concerning the supply of alcohol at

19 Aughton Street, Ormskirk, L39 3AA

-----  
*[name and address of premises to which application relates]*

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

PERS/567

-----  
*[insert personal licence number, if any]*

Personal licence issuing authority

West Lancashire District Council

-----  
*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed



Name (please print)

-----  
STUART MACFARLANE

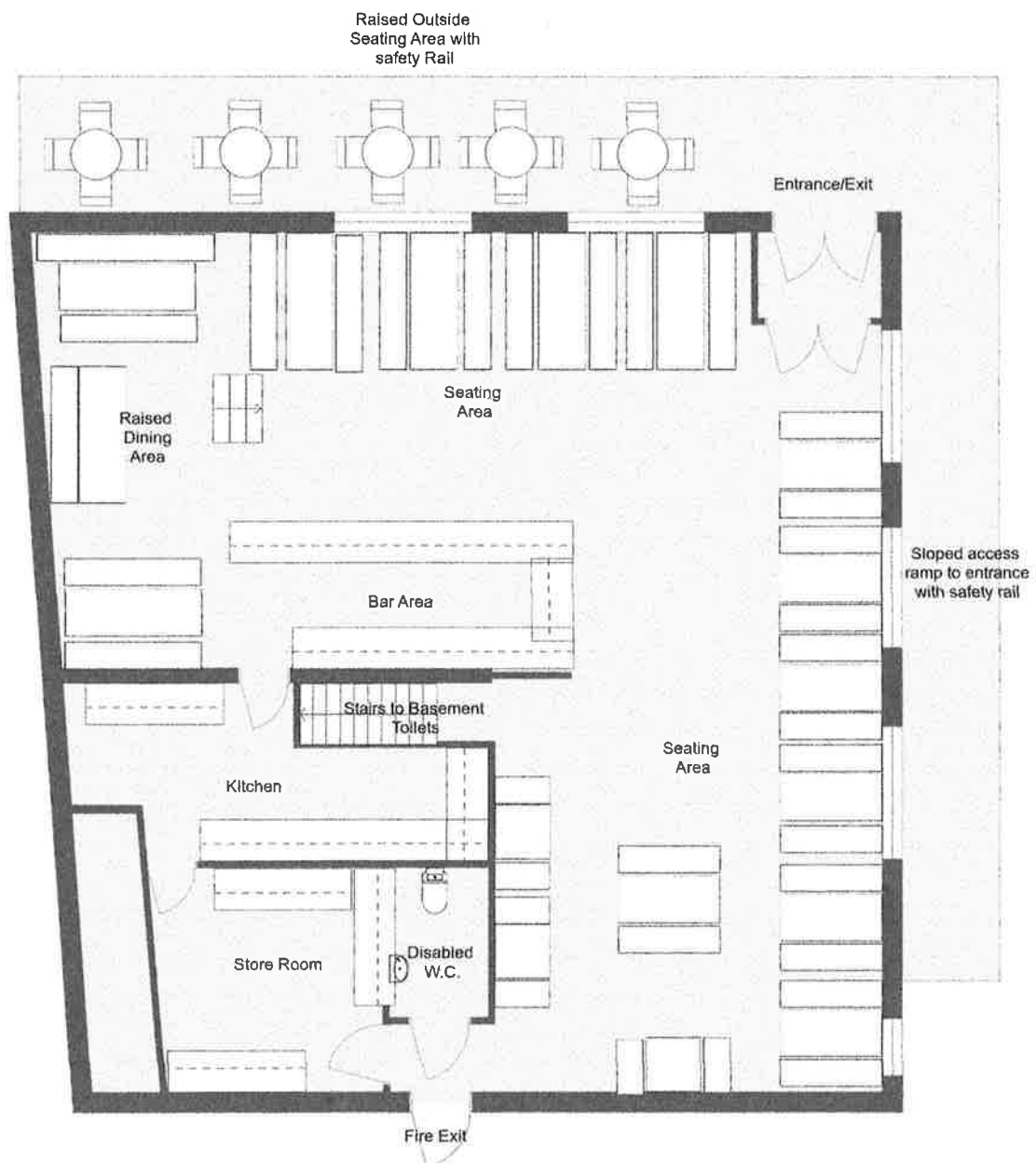
Date

-----  
20/10/2017

# Post office (1:100)

## Post Office

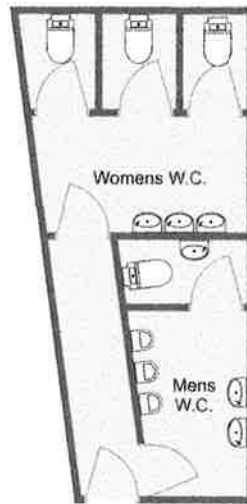
All Fire and building regulations to building control specification





# Post office (1:100)

## Basement









19 Aughton Street



Date: 22/11/2017

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 Centre of map: 341390:408142



**From:** mary wright

**Sent:** 15 November 2017 14:42

**To:** Licensing Enquiries <[Licensing.Enquiries@westlancs.gov.uk](mailto:Licensing.Enquiries@westlancs.gov.uk)>

**Subject:** 19-21 AUGHTON STREET - LICENSE APPLICATION

Dear Sirs, at present this property known as the 'Post Office ' is empty and only recently been sold at Auction. No planning applications have been put in , so it is very difficult to know what the owners intend to do with this property apart from applying for an alcohol License for the ground floor for an 'alleged ' restaurant. therefore we wish to object on the assumption they wish to put in residents on the upper floors. if this is the case we wish to object on the same grounds as 23 Church Street application.

, We would like to object to the Premises Licence for 19 - 21 Aughton Street for the following reason:

1. Prevention of Public Nuisance.

The application states recorded music until 2am in the morning , this will disturb not only residents in the flats above but also in the local vicinity.

Who would go to a restaurant after 11pm at night? So why do they need a License until 2am in the morning ?

The Applicant is wanting seating outside both day and night , surely at night this again will disturb residents at night.

They wish to supply alcohol until 2am in the morning ( both inside and on their outside seating area ) . This is allegedly a restaurant, so why do they need to sell alcohol until this time ? If this very late license is required it is a different type of Licence and not for a restaurant.

Application states there will be minimal movement of bins after 11pm, there should be no movement of bins at this late time , and will only disturb residents in the locality.

Furthermore we have enough bars/restaurants in Ormskirk , it is retail shops we need.

If you do decide to grant this License , we do request it should only be until 11.30pm when a restaurant would close.

Regards,

Mary Wright

Chair - New Way Tenants Residents Association .licensing



**From:** Ormskirk Residents [  
**Sent:** 16 November 2017 19:34  
**To:** Licensing Enquiries <[Licensing.Enquiries@westlancs.gov.uk](mailto:Licensing.Enquiries@westlancs.gov.uk)>  
**Subject:** APPLICATION 19 AUGHTON STREET ORMSKIRK

Dear Sir,

I am writing on behalf of New Ormskirk Residents Group (NORG), following discussion at our monthly meeting on 13/11/17. NORG wishes to object to a license application for the former Post Office building (19 Aughton Street, Ormskirk). This building was sold at auction fairly recently and the application from the very recently formed company VICI Leisure Ltd is for the building at the address given because, as yet, there has been no application to convert this building into a restaurant and no indication of the upper floor use.

The application is identical to that submitted for 23 Church Street. As with that application, NORG considers the 2am licence and food serving timing to be unacceptable under objective d. There is a considerable amount of residential accommodation above ground floor level in Aughton Street. The applicant gives no indication as to how noise reduction from extraction and ventilation equipment will be achieved or how, when bins and rubbish are removed after 11pm, noise will be kept to a minimum. A number of outside tables are shown at the front of the building – there is no indication as to how noise from diners eating and drinking alcohol, up to 2am will be prevented from being a public nuisance for nearby residents.

NORG requests that if a license is granted that there is an 11.30pm finish time imposed.

L.Hill NORG secretary

Sent from [Outlook](#)





# Memorandum

To Senior Licensing Officer Ref: 234611  
From Environmental Protection and Community  
Safety Manager  
Subject APPLICATION FOR A PREMISES LICENCE.  
19 Aughton Street, Ormskirk, L39 3AA  
Date 16<sup>th</sup> November 2017

Thank you for consulting me with regard to this application.

The applicant has not proposed a designated smoking area with this application/plan. Such areas have previously caused this department problems for neighbouring residential properties, due to patron noise. As a result I would suggest that the most appropriate siting of any smoking area would be at the front of the premises, combined with the proposed raised seating area. Any smoking area must comply with the requirements of the Smoke-free (Premises and Enforcement) Regulations 2006.

The applicant has mentioned lighting, noise, (from extraction and ventilation/air conditioning units), odours and smells in part 3(Md) of this application (The prevention of public nuisance). Further information will be required by this department before comment is made and any potential issues will be dealt with through conditions (if necessary). These would be attached to the Change of Use Planning Application that this department will be required to comment on.

I would object to the granting of this license unless the following conditions are attached:

- 1) All doors will be fitted with a self-closing device. All doors and windows shall be kept closed, other than for access and egress, at all times.
- 2) Notices shall be displayed at public exits, in a clear and prominent position, requesting that patrons respect the needs of local residents and leave the premises and the area quietly.
- 3) Door supervisors and other members of staff to request customers to leave quietly and have respect for their residential neighbours.
- 4) Noise from music and associated sources (including DJs and amplified voices) shall not be audible at the boundary of any neighbouring residential premises after 18:00 hours any day.

- 5) No Regulated Entertainment is to take place in the raised outside seating area of the premises at any time.
- 6) Any outside area, which is used for the consumption of alcohol, shall cease to be so used at 23.00 hours on any day.
- 7) The volume of all amplified sound used in connection with all entertainment provided shall at all times be under the control of the licensee or management and the controlling mechanism so installed shall be maintained and operated from a part of the premises inaccessible to the public.
- 8) No deliveries will take place between the hours of 20:00 and 08:00 hours.
- 9) The placing of refuse, such as bottles, into receptacles outside the premises shall take place between 08.00 and 21.00 only, so as to prevent disturbance to nearby premises.
- 10) The Designated Premises Supervisor shall ensure that staff arriving early morning or departing late at night when the business has ceased trading conduct themselves in such a manner to avoid disturbance to nearby residents.

.....  
Chris Carpenter  
Senior Environmental Health Officer  
Ext 5427



## CONDITIONS

1. The premises shall operate and maintain a CCTV system which shall be in use during all times licensable activities are taking place at the premises and comply as follows:
  - a) 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
  - b) The focus of the camera(s) shall be so as to enable clear identification of persons on the premises.
  - c) The system will be capable of time and date stamping recordings and retaining said recordings for at least 28 days.
  - d) The Data Controller shall make footage available to a Police Officer or authorised officer, where such a request is made.
  - e) Signage advising that CCTV is in operation.
  
2. A documented Challenge 25 scheme will be operated at the premises. The Challenge 25 scheme will be actively promoted and advertised at the premises and any person purchasing alcohol, who appears to be under 25 years of age, shall be asked to provide acceptable identification to prove that they are 18 years of age or over. Failure to supply such identification will result in no sale or supply of alcohol to that person.

The Proof of Age Standards Scheme (PASS) will be actively promoted at the premises by the display of Challenge 25 posters bearing the PASS logo. A PASS accredited holographic proof of age card will be the main identification document accepted at the premises as proof of age. A PASS card must be accepted as proof of age if a purchaser possesses one. Where a purchaser does not possess a PASS accredited proof of age card, only the following alternative forms of identification will be acceptable:-

- (a) Photo Driving Licence
- (b) Passport or
- (c) Her Majesty's Forces Warrant Card

3. A documented training scheme shall be introduced for all staff in a position to sell, serve or deliver alcohol. The scheme shall be made available for inspection at the request of any Police Officer, Trading Standards Officer or Local Authority Enforcement Officer.

The Designated Premises Supervisor of Premises Licence Holder shall conduct six monthly training reviews with all members of staff authorised to sell, serve or deliver alcohol in order to reinforce the training and to promote best practice. The written record shall be kept of the content of such reviews and be available for inspection by any responsible authority upon request.

4. An incident book / refusals register shall be kept and maintained at the premises indicating the date, time and reason for any refusal / incident of Crime and Disorder and will be made available for inspection by any responsible authority upon request.