



Jacqui Sinnott-Lacey  
Chief Operating Officer  
52 Derby Street  
Ormskirk  
West Lancashire  
L39 2DF

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Tuesday, 27 June 2023

**TO: COUNCILLORS P BURNSIDE, G OWEN AND I ECCLES**

Dear Councillor,

A meeting of the **LICENSING & GAMBLING SUB-COMMITTEE** will be held in the **COUNCIL CHAMBER, 52 DERBY STREET, ORMSKIRK L39 2DF** on **THURSDAY, 6 JULY 2023** at **10.30 AM** at which your attendance is requested.

Yours faithfully

A handwritten signature in black ink, appearing to be 'JS', written over a horizontal line.

Jacqui Sinnott-Lacey  
Chief Operating Officer

**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, 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** 1 - 2  
If a Member requires advice on Declarations of Interest, he/she is advised to contact the Legal and Democratic Services Manager 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** 3 - 6  
To note the Minutes of the meeting held on 17 April 2023.
7. **LICENSING HEARING PROCEDURE** 7 - 8
8. **APPLICATION FOR THE NEW PREMISES LICENCE IN RESPECT OF THE BROTHERS BAR & GRILL, LIVERPOOL ROAD, SKELMERSDALE** 9 - 48  
To consider the report of the Corporate Director of Place and Community.

**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:-  
Kirsty Breakell on 01695583312  
Or email [Kirsty.Breakell@westlancs.gov.uk](mailto:Kirsty.Breakell@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"/>	You cannot speak or vote and must withdraw unless you have also ticked 5 below
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	You may speak and vote
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"/>	You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below  You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below
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"/>	You may speak and vote  You may speak and vote  You may speak and vote  You may speak and vote  You may speak and vote  You may speak and vote
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 15/09/20 – 14/09/24)	<input type="checkbox"/>	See the terms of the dispensation
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"/>	You may speak but must leave the room once you have finished and cannot vote

**'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**

**Prescribed description**

Employment, office, trade, profession or vocation

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

Sponsorship

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.  
Page 1

	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 & GAMBLING SUB-COMMITTEE**

**HELD: Monday, 17 April 2023**

Start: 11.47 am

Finish: 2.23 pm

## **PRESENT:**

Councillor: N Furey (Chairman)  
J Mee (Vice Chairman)

Councillors: G Owen

In attendance: PC Steve Connolly – Lancashire Police Constabulary  
Carol Pollitt – Principal Environmental Health Officer  
Patricia Burnside – Burscough East Ward Councillor  
Brian Bailey – Town Councillor  
Brian Kennedy – Town Councillor  
Mr Gary Fletcher – Applicant  
Mrs Elizabeth Fletcher – Applicant

Officers: Kay Lovelady, Legal & Democratic Services Manager  
Michaela Murray, Senior Licensing Officer  
Kirsty Breakell, Democratic Services Officer  
Andrew Smith, Legal Assistant  
Claire Kelly, Principal Solicitor and Deputy Monitoring Officer

### 1 **APOLOGIES**

There were no apologies received.

### 2 **MEMBERSHIP OF THE COMMITTEE**

There were no changes to the Membership of the Committee.

### 3 **URGENT BUSINESS**

There were no urgent items of business.

### 4 **DECLARATIONS OF PARTY WHIP**

There were no Declarations of Party Whip.

### 5 **DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

### 6 **MINUTES**

RESOLVED: The minutes of the meeting held on 16 February 2023 be noted.

### 7 **LICENSING HEARING PROCEDURE**

The Legal & Democratic Services Manager briefed everyone on the hearing procedure.

**8 VARIATION APPLICATION FOR THE NEW PREMISES LICENCE IN RESPECT OF CACTUS RAYS, BURSCOUGH WHARF, LIVERPOOL ROAD NORTH, BURSCOUGH L40 5RZ**

Consideration was given to the report of the Corporate Director Of Place and Community as contained on pages 357 - 412 of the Book of Reports in respect of an Application for a Variation to the Premises Licence in respect of Cactus Rays, Unit 7 Burscough Wharf, Liverpool Road North, Burscough L40 5RZ.

Prior to the hearing the Applicant agreed to amend the application in relation to the operating hours for licensable activities as well as adding additional conditions to Annex 2 of the Premises Licence. The amendments were agreed with the Police and Environmental Protection.

**RESOLVED:**

**THE AMENDED APPLICATION GRANTED SUBJECT TO THE FOLLOWING:**

The application for the variation shall be granted in part as follows:

1. The Substitution of the new plan showing the use of the external area shall be rejected as the Applicant had varied the application to remove any licensable activities outside.
2. The variation will not become effective until either the date of the Notice and/or the police and environmental protection have confirmed that the policies outlined below meet their expected standard, whichever is the latest
3. The operating hours and conditions on the Premises Licence and submitted by the Applicant in relation to this application to vary the Premises Licence shall be amended as follows:

**A. Licensable Activities and Operating Hours**

**Provision of Live Music indoors ONLY**

Hours to be operated in accordance with the requirements of the Live Music Act 2012 (as amended)

**Provision of Recorded Music indoors ONLY**

Sunday to Thursday – 11.00 to 00.00 midnight  
Friday and Saturday – 11.00 to 01.00

**Supply of alcohol on and off the Premises**

Monday to Sunday – 11.00 to 00.30

**Hours premises are open to the public**



Monday to Sunday – 09.00 to 01.00

**B. Annex 2 Conditions added within the application**

The Applicant proposed the following additional conditions as part of the amended application to vary the premises licence:

Conditions

1. The Applicant shall submit and have approved by Lancashire Constabulary a written drugs policy detailing how possession of drugs & use of drugs within the premises shall be minimised, how any confiscated, found or surrendered drugs are stored and safely disposed of. This policy shall be reviewed at least once per annum and made available to any responsible authority on request.
2. The Applicant shall submit and have approved by Lancashire Constabulary and Environmental Protection at West Lancashire Borough Council a written dispersal policy detailing how the premises will minimise incidents of nuisance emanating from customers leaving the premises during the terminus hour. This policy shall be reviewed at least once per annum and made available to any responsible authority on request.
3. The Applicant shall submit and have approved a Noise Management Plan to West Lancashire Borough Council's Environmental Protection Department detailing how the premises will minimise outbreak of noise nuisance emanating from the premises. This policy shall be reviewed at least once per annum and made available to any responsible authority on request

**C. Annex 3 Conditions added as a result of the hearing**

4. That a contact telephone number for the Premises will be displayed on the front window/door of the Premises to allow anyone who wishes to report an issue directly to the Premises to do so. The said telephone must remain operational at all times licensable activities are taking place

.....  
**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 Corporate Director of Place and Community (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: 6 July 2023

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Report of: Corporate Director Of Place and Community

Contact for further information: Michaela Murray (Extn 3226)  
(E-mail:michaela.murray@westlancs.gov.uk)

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**SUBJECT: APPLICATION FOR THE NEW PREMISES LICENCE IN RESPECT OF THE BROTHERS BAR & GRILL, LIVERPOOL ROAD, SKELMERSDALE**

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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 a new premise licence application in respect of Brother Bar & Grill, Liverpool Road, Skelmersdale.

#### **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: The Brother Bar & Grill  
Liverpool Road  
Skelmersdale

3.2 The Applicant Shaun & Michael Taylor

#### **4.0 THE APPLICATION**

4.1 On 31 March 2023 an application for a new premises licence was received, a copy of which is attached as Appendix 1 to this report.

## **5.0 PREVIOUS HISTORY**

- 5.1 This premise has previously had a premise licence and has operated under that Licence until recently, a copy of that Premise Licence is attached as Appendix 2 to this report.

## **6.0 RESPONSIBLE AUTHORITY REPRESENTATION**

### **Lancashire Constabulary**

A representation was received by Lancashire Constabulary who advised that if specific conditions were accepted the representation would be withdrawn. The applicant has accepted the conditions. A copy of these conditions is attached as Appendix 3 to this report

### **Environmental Protection**

A representation was received by the Principal Environmental Protection Officer who advised if specific conditions were accepted the representation would be withdrawn. The applicant has accepted the conditions. A copy of these conditions is attached as Appendix 4 to this report.

## **7.0 PUBLIC REPRESENTATION**

- 7.1 Representations were received by 2 members of the public against this application and are attached as Appendix 4 to this report. The representations raise concerns regarding noise and public order issues.

## **8.0 LICENSING POLICY AND LEGAL CONSIDERATIONS**

- 8.1 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.
- 8.2 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
- 8.3 The Act provides that before determining the application, the Licensing Authority must hold a hearing to consider it and relevant representations.

8.4 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 Variation Application.
- (ii) Refuse a licensable activity from the Variation Application.

8.5 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.

8.6 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

## 9.0 HUMAN RIGHTS ACT IMPLICATIONS

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

### **Article 6**

that in the determination of civil rights and obligations everyone is entitled to a fair public hearing within a reasonable time by an independent and impartial tribunal established by law;

### **Article 8**

that everyone has the right to respect for his home and family life;

### **Article 1 of the First Protocol**

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

## 10.0 SUSTAINABILITY IMPLICATIONS

10.1 The Sub-Committee decision has the potential to impact upon the local community affected by the operation of the business. 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.

## **11.0 FINANCIAL AND RESOURCE IMPLICATIONS**

11.1 No additional financial or other resources are required.

## **12.0 RISK ASSESSMENT**

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

## **13.0 HEALTH AND WELLBEING IMPLICATIONS**

13.1 There are no health and wellbeing implications arising from this report.

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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)
Previous Licence at the premise	(Appendix 2)
Police Agreed Conditions	(Appendix 3)
Environmental Health Agreed Conditions	(Appendix 4)
Public Representations	(Appendix 5)





## 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](mailto:licensing.enquiries@westlancs.gov.uk)  
Website: [www.westlancs.gov.uk/licensing](http://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 [ SHAWN & MICHAEL TAYLOR ] 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	
144 LIVERPOOL ROAD SKELMERS DALE LANCASHIRE	
Post town	Post code
SKELMERSDALE	WN8 8BX

Telephone number at premises (if any)

N/A

Non-domestic rateable value of premises

£ 7,500

### Part 2 – Applicant details

Please state whether you are applying for a premises licence as

- |   | Please tick ✓ (yes)   |
|---|---|
| a) An individual or individuals*  | <input 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 checked="" 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

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)

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

**(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 A) SHAWN TAYLOR                      B) MICHAEL TAYLOR	
Address [Redacted]	
Registered Number (where applicable) 146 38741	
Description of applicant (for example, partnership, company, unincorporated association etc.) Company	
Telephone number (if any) [Redacted]	
E-mail address (optional) <del>Shawn@thebrothersbars.com</del> Shawn@thebrothersbars.com	

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day		Month		Year		
1	4	0	4	2	0	23

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

X 

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.

X

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

The Premises is located on a main road adjacent to residential properties.

there are flats located above the premises and are accessible via a separate entrance.

the premises is a restaurant and bar with a garden located at the rear of the property.

the internal footprint of the premises has capacity to seat around 50 people at any given time.

**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)

Please tick ✓  
(yes)

**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**

**A**

N/A

<b>Plays</b> Standard days & timings (Please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick [✓]</b> (Please read guidance note 2).	Indoors	
				Outdoors	
				Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thurs					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**B**

N/A

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

C N/A

<b>Indoor sporting events</b> Standard days & timings (Please read guidance note 6)			<u>Please give further details here</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thurs			<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 5)
Fri			
Sat			
Sun			

D N/A

<b>Boxing or wrestling entertainment</b> Standard days & timings (Please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [✓]</b> (Please read guidance note 2).	
Day	Start	Finish	Indoors	Outdoors
Mon				
Tue				
Wed				
Thurs				
Fri				
Sat				
Sun				



**E**

<b>Live music</b> Standard days & timings (Please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick [✓]</b> (Please read guidance note 2).		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon			Amplified music via live entertainment Such as Vocalists and Sax Players		
Tue					
Wed			<b>State any seasonal variations for performing of live music</b> (please read guidance note 4)		
Thurs	6pm	10pm	N/a		
Fri			<b>Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat			N/a		
Sun					

This section is intentionally blank

**F**

<b>Recorded music</b> Standard days & timings (Please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick [✓]</b> (Please read guidance note 2).	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)	
Mon	12.00	23.00	Amplified music streamed via a music app subscription such as "apple music"	
Tue	12.00	23.00		
Wed	12.00	23.00	<b>State any seasonal variations for playing of recorded music.</b> (please read guidance note 4)	
Thurs	12.00	23.00	N/A	
Fri	12.00	23.00	<b>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</b> (please read guidance note 5)	
Sat	12.00	00.00	N/A	
Sun	12.00	22.00		

**G**

N/A

<b>Performance of dance</b> Standard days & timings (Please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick [✓]</b> (Please read guidance note 2).	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)	
Mon				
Tue				
Wed			<b>State any seasonal variations for performing of dance</b> (please read guidance note 4)	
Thurs				
Fri				
Sat			<b>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</b> (please read guidance note 5)	
Sun				

H

N/A

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

This section is intentionally blank

N/A


<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick [✓] (Please read guidance note 2).</b>	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed					
Thurs			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Fri					
Sat			<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 5)		
Sun					



This section is intentionally blank


**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick [✓] (Please read guidance note 7).</b>	On the premises <input checked="" type="checkbox"/>
				Off the premises <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish		
Mon	12.00	23.00	<b>State any proposed seasonal variations for the supply of alcohol</b> (please read guidance note 4)  Alcohol will be served both within the premises building and at the garden area of the premises during summer.	
Tue	12.00	23.00		
Wed	12.00	23.00		
Thurs	12.00	23.00	<b>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within J or K</b> (please read guidance note 5)  N/A	
Fri	12.00	23.00	<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 (please read guidance note 10)</b>	
Sat	12.00	00.00		
Sun	12.00	22.00		
			N/A	

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

Name 

Address   


Postcode 

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)

N/A.

**L**

**Hours premises are open to the public**  
Standard days and timings (please read guidance note 6)

Day	Start	Finish
Mon	11.00	00.00
Tue	11.00	00.00
Wed	11.00	00.00
Thurs	11.00	00.00
Fri	11.00	00.00
Sat	11.00	01.00
Sun	11.00	23.00

State any seasonal variations (Please read guidance note 4).

N/A.

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 (please read guidance note 5)

During special promotional events or client booked events and requests.

## 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)

Close on Site management of the business, Sufficiently trained Staff, we have CCTV with DVR Recorder.  
We intend to build strong relationships with local authorities and our neighbours (business and residents).  
We will set up agreements to maintain the premises and its operational aspects.

### b) The prevention of crime and disorder

Trained Staff  
CCTV  
Strong relations with local authorities.  
Risk assessments,  
Emergency Preparedness.

### c) Public safety

Relations with Neighbouring Committees  
General upkeep and maintenance.  
Strong relations with local authorities

### d) The prevention of public nuisance

Trained Staff.  
Maintenance Contracts.  
Attended Committee meetings.  
Complaints Procedure

### e) The protection of children from harm

Trained Staff.  
Site policies & procedures  
Risk assessments  
Strong relations with local authorities.

- 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: 

Date: .....

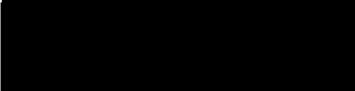


Capacity: Co-owner & founder of Brothers bar & Grill

**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 12). If signing on behalf of the applicant please state in what capacity.

Signature: 

Date: 26-3-23

Capacity: Co owner founder of Brothers bar

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)</b> <u>SHAWN TAYLOR</u> 	
<b>Post town</b> <u>WORSLE</u>	<b>Post code</b> 
<b>Telephone number</b> 	
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b> <u>Shawn@the.brothers.bars.com</u>	









# West Lancashire Borough Council

LEISURE AND ENVIRONMENT SERVICES, ROBERT HODGE CENTRE, STANLEY WAY,  
SKELMERSDALE, WEST LANCASHIRE, WN8 8EE

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

## Licensing Act 2003

## Premises Licence

LN/000002062

### Part 1 – Premises Details

#### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION:

## The Coach House Bar & Function Rooms

The Coach House Bistro, 144 Liverpool Road, Skelmersdale, Lancashire, WN8 8BX,

Telephone: 01695 550079

#### WHERE THE LICENCE IS TIME LIMITED THE DATES:

N/A

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE:

On & Off Sales	Facilities for Music	Dance performance	
Alcohol Sale/Supply	Facilities for Dance		
Film exhibition			
Similar Entertainment			
Live Music			
Recorded Music			

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES:

Activity	Location (if known)		Time From	Time To
<b>Alcohol Sale/Supply</b>	Whole Area	Monday	09:00	00:00
		Tuesday	09:00	00:00
		Wednesday	09:00	00:00
		Thursday	09:00	00:30
		Friday	09:00	01:30
		Saturday	09:00	01:30
		Sunday	09:00	00:00
<b>Film exhibition</b>	Indoors only	Monday	10:00	00:00
		Tuesday	10:00	00:00
		Wednesday	10:00	00:00
		Thursday	10:00	00:00
		Friday	10:00	01:00
		Saturday	10:00	01:00
		Sunday	10:00	00:00
<b>Similar Entertainment</b> <b>Recorded Music</b> <b>Facilities for Music</b> <b>Facilities for Dance</b> <b>Dance performance</b>	Indoors only	Monday	09:00	00:00
		Tuesday	09:00	00:00
		Wednesday	09:00	00:00
		Thursday	09:00	00:30
		Friday	09:00	01:30
		Saturday	09:00	01:30
		Sunday	09:00	23:00

<b>Live Music</b>	Indoors only	Monday	18:00	23:00
		Tuesday	18:00	23:00
		Wednesday	12:00	23:00
		Thursday	12:00	23:30
		Friday	12:00	00:30
		Saturday	12:00	00:30
		Sunday	12:00	23:00

**THE OPENING HOURS OF THE PREMISES:**

Description	Days	Time From	Time To
On & Off Sales	Monday	09:00	00:30
	Tuesday	09:00	00:30
	Wednesday	09:00	00:30
	Thursday	09:00	01:00
	Friday	09:00	02:00
	Saturday	09:00	02:00
	Sunday	09:00	00:00

**NON STANDARD TIMINGS:**

See conditions under Annex 2

**WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES:**

both ON and OFF the premises.



# West Lancashire Borough Council

LEISURE AND ENVIRONMENT SERVICES, ROBERT HODGE CENTRE, STANLEY WAY, SKELMERSDALE,  
WEST LANCASHIRE, WN8 8EE

Tel: 01695 577177 Fax: 01695 585126 email: [licensing.enquiries@westlancs.gov.uk](mailto:licensing.enquiries@westlancs.gov.uk)

## Licensing Act 2003

# Premises Licence

LN/000002062

### Part 2

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

Name:  
Address:  
Telephone:  
Email:

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

-

#### NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL:

Name:  
Address:  
Telephone:

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

Licence No: LN/8764

Issued by: WLBC



# West Lancashire Borough Council

LEISURE AND ENVIRONMENT SERVICES, ROBERT HODGE CENTRE, STANLEY WAY, SKELMERSDALE,  
WEST LANCASHIRE, WN8 8EE

Tel: 01695 577177 Fax: 01695 585126 email: [licensing.enquiries@westlancs.gov.uk](mailto:licensing.enquiries@westlancs.gov.uk)

## Licensing Act 2003

## Premises Licence

LN/000002062

### ANNEX 1 - MANDATORY CONDITIONS

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

1. No supply of alcohol may be made under the Premises Licence –
  - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
  - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
    - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
    - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
    - (a) a holographic mark or
    - (b) an ultraviolet feature.

6. The responsible person shall ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

#### **Minimum Drinks Pricing**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 –
  - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
  - (b) “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$

Where –

- (i) P is the permitted price
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
    - (i) The holder of the premises licence
    - (ii) The designated premises supervisor (if any) in respect of such a licence, or
    - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
  4.
    - (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
    - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

#### **If the Premises Licence allows Exhibition of Films**

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where
  - (a) The film classification body is not specified in the licence, or
  - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section “children” means any person aged under 18; and  
“film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

**If the Premises Licence has conditions in respect of Door Supervision except theatres, cinemas, bingo halls and casinos**

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
  - (b) be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
- (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
  - (b) in respect of premises in relation to:
    - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
    - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
3. For the purposes of this section:
- (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
  - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

The Mandatory Conditions on this licence are those that were in force at the time the Licence was printed, but that they are subject to amendment by Central Government. Current Mandatory Conditions can be viewed at [www.gov.uk](http://www.gov.uk).

The premises licence holder should be warned that it is a requirement that they must comply with the Mandatory Condition in force not merely the ones contained on the licence.

## **ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

An additional hour on New Year's Day, Valentine's Day, Thursday before Good Friday, Easter Saturday, Easter Sunday, Easter Monday, Sunday and Monday of all Bank Holiday Weekends. St Patrick's Day, St Georges Day, St David's Day, St Andrews Day and 23rd - 30 December inclusive for both regulated entertainment and for the premises to remain open to the public.

The standard start timing on 31 December to the standard start timing on 1st January.

If applicable, and additional hour to the standard and non-standard times on the day when British summertime commences.

The premises will continue to operate in accordance with all relevant legislation, which promotes the crime and disorder objective.

A zero tolerance towards illegal drugs will operate at all times.

Any drinks promotions will not adversely affect the promotion of responsible drinking.

Customers will be encouraged to leave the premises in a quiet and orderly manner.

The premises will have a written drugs policy and all staff employed shall be trained aware of its contents.

The premises will operate in accordance with all relevant legislation which the public nuisance objective including but not limited to the Environmental Protection Act 1990 and the Noise Act 1996.

The placing of refuse, such as bottles, into receptacles outside the premises shall take place between the hours of 08:00 and 22:00 so as to prevent disturbance to nearby premises.



The outside area shall be kept clean and tidy and bins emptied regularly

Notices will be displayed in the premises reminding customers to leave the premises quietly.

Noise from music and associated sources (including DJ's and amplified voices) shall not be audible at the boundary of any neighbouring residential premises after 23.00 hours on any day. Regular noise checks during regulated entertainment shall be carried out and recorded. This record shall be maintained and made available for inspection on the reasonable request of any responsible authority.

The premises will operate in accordance with all relevant legislation, which promotes the protection of children objective.

A zero tolerance towards illegal drugs will operate at all times.

All sales of alcohol will cease in the outside area (including the bar area) of the premises after 22:00 hours each day.

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

There will be no licensable activities to the area at the front of the premises at any time, and signs to be displayed accordingly in a clear and prominent position.

No alcohol consumption in the outdoor area to the rear of the premises to take place after 10.00pm.

The premises shall install, operate and maintain a CCTV system which shall be in use all times the premises is open to the public and comply as follows:-

- 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 shall cover all internal and external areas of the premises used to supply, or store licensed products.
- IV. The focus of the camera(s) shall be so as to enable clear identification of persons on the premises
- V. The system will display the correct time and date and will be capable of time and date stamping any downloaded footage.
- VI. The system will be capable of retaining recorded images for a minimum of 28 days.
- VII. 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.
- VIII. 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.
- IX. Any requested footage will be provided as soon as practicable and in any event within 72 hours.
- X. The premises will prominently display signage informing customers that CCTV is in operation at the premises

A documented training scheme shall be introduced for all staff in a position to sell, serve or deliver alcohol. The scheme shall include training on alcohol sales and regulated entertainment. The training 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 or 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.

Customers shall not be permitted to enter or leave the premises with any open bottle, glass or other alcohol container

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

The incident book will be made available for inspection by any responsible authority on reasonable request

A refusals log will be kept and reviewed regularly by the DPS and made available for inspection by the police and an appropriate local authority representative on reasonable request

Contact details of the Designated Premises Supervisor and the Premises Licence Holder are available to staff and the authorities at all times.

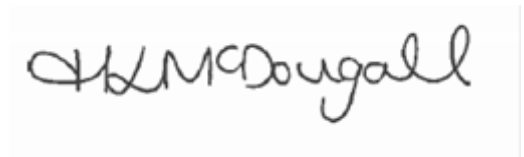
The premises will operate a 'Challenge 25' policy whereby any persons who appears to be under the age of 25 shall be required to provide identification to prove that they are over 18. The acceptable forms of proof of identification shall be either:-

- 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)

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.

Wherever noise assessments indicate that noise is likely to cause nuisance to any local residents, remedial steps shall be taken to reduce the levels of noise.

**Dated: 27 June 2023**

A handwritten signature in black ink, appearing to read "H. McDougall", is enclosed in a light grey rectangular box.

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Director Of Leisure And Environment Services



# West Lancashire Borough Council

LEISURE AND ENVIRONMENT SERVICES, ROBERT HODGE CENTRE, STANLEY WAY, SKELMERSDALE,  
WEST LANCASHIRE, WN8 8EE

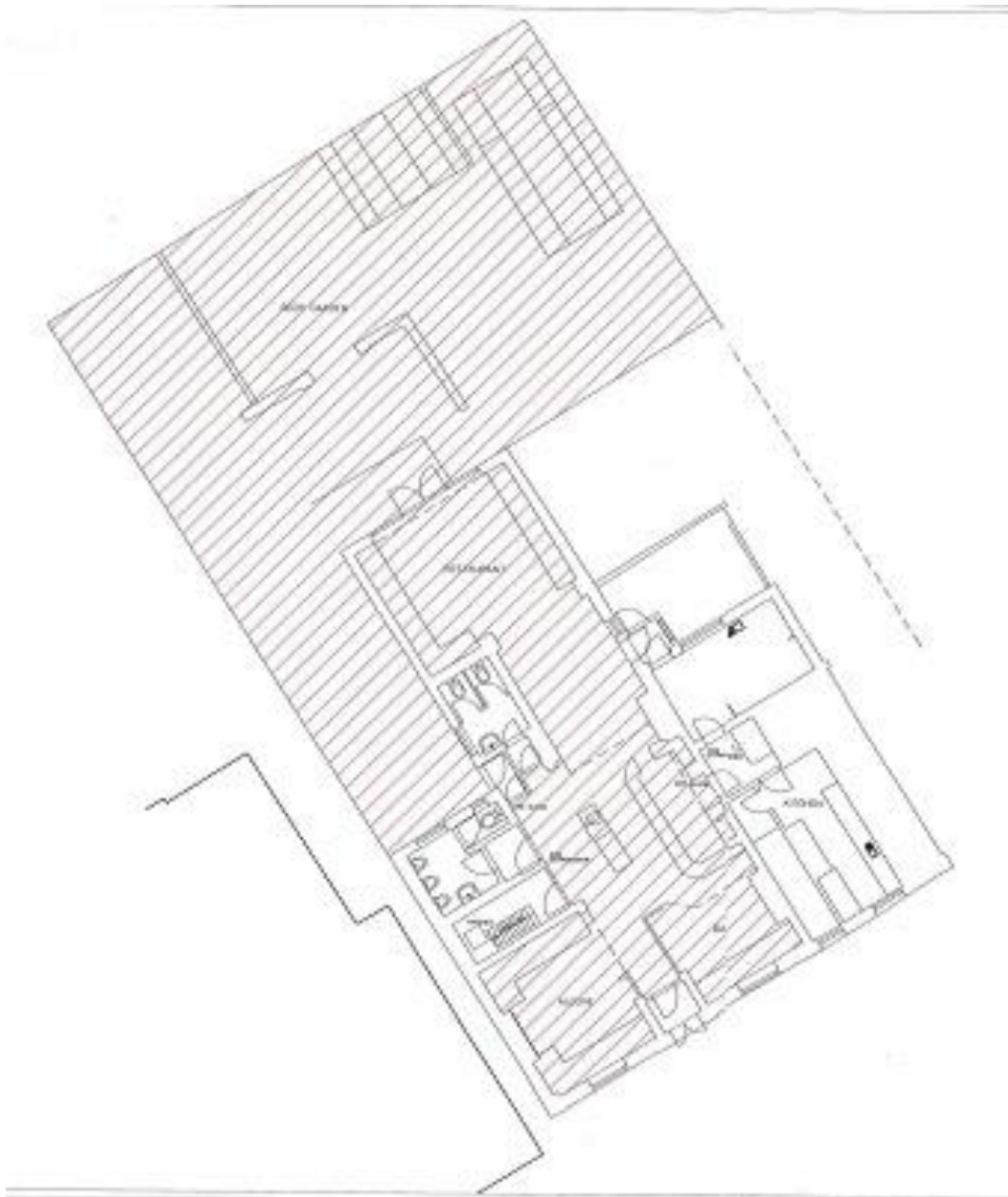
Tel: 01695 577177 Fax: 01695 585126 email: [licensing.enquiries@westlancs.gov.uk](mailto:licensing.enquiries@westlancs.gov.uk)

**Licensing Act 2003**

**Premises Licence**

**LN/00002062**

## ANNEX 4 - PLANS





On 13 May 2023, at 16:32, Connolly, Stephen - 6884 <[Ste.Connolly@lancashire.police.uk](mailto:Ste.Connolly@lancashire.police.uk)> wrote:

Hi Shaun,

Thanks very much for your time the other day.

Could I ask for you to just take a moment out to have a look at the proposed conditions below? I will need a response by midday on 17<sup>th</sup> May. If you're happy to agree them then we'll notify the council that we have no objections:

1. The premises shall operate and maintain a digital 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 providing recordings from 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 making correct time and date stamped recordings and retaining said recordings for at least 28 days.
  - d. Signage advising that CCTV is in operation will be displayed.
  - e. The DPS shall undertake an inspection of the system at least once monthly to determine that the system is compliant with the above conditions & any issues shall be remedied within 5 working days. The date and time of the inspection shall be recorded in the incident logbook.
  - f. There will be, at all times licensable activity is provided a member of staff at the premises who can access, operate, and download CCTV from the system at the request of any responsible authority on reasonable request.
  
2. A documented Challenge 25 scheme will be the adopted Age Verification Policy operated at the premises. The Challenge 25 scheme will be actively promoted and advertised at the premises and suitable signage will be in place. 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 and the refusal shall be recorded in the dedicated Refusals Register which must be made available for inspection by any responsible authority upon request.

Acceptable forms of identification: -

Photo Driving Licence

Passport

National, including EU Identity Cards

A PASS accredited holographic proof of age card

3. The premises shall have a written dispersal policy to determine action staff will take towards the end of trade to ensure that customers shall leave the premises with minimal disturbance. The policy shall be held at the premises in writing, reviewed annually and made available to responsible authorities upon request.

4. Customers may utilize the external smoking areas of the premises for the consumption of alcohol until 2100hrs daily. These areas must be illuminated in such a manner that it does not have any negative impact on the CCTV recordings.
  
5. A documented training scheme shall be introduced for all staff in a position to sell, serve or deliver alcohol. The training must include but need not be limited to: serving alcohol to young persons, serving alcohol to persons who are drunk, allowing disorderly conduct on licensed premises, Challenge 25, and Drug Awareness.

The Designated Premises Supervisor or Premises Licence Holder shall conduct, as a minimum, training reviews annually with all members of staff authorised to sell alcohol in order to reinforce this 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.

6. An incident log shall be kept on the premises to record any notable incidents, such as a report of crime and disorder, evidence or suspicion of drug related activity and any requests made for persons to leave the premises. The log should record the date and time, the nature of the incident and the person recording it, the outcome or action taken and a police log number if appropriate. Entries should be completed as soon as possible and, in all cases, no later than the close of business on the day of the incident. The written record shall be available for inspection by any responsible authority upon request.

Thanks

<image001.jpg>

<image004.jpg>

**PC 6884 Stephen Connolly**

South Licensing Team

**Phone:** 01772209785

**Mobile:** 07970600217

**Email:** [southlicensing@lancashire.police.uk](mailto:southlicensing@lancashire.police.uk)

Preston Police Station

Lancaster Road North

Preston

PR1 2SA

[www.lancashire.police.uk](http://www.lancashire.police.uk)

## **ENVIRONMENTAL PROTECTION CONDITIONS**

1. All external doors and windows shall be kept closed, other than for access and egress, whenever regulated entertainment is occurring.
2. Noise from music and associated sources (including amplified voices) shall not be clearly distinguishable at the boundary of any neighbouring residential premises after 20.00 hours.
3. The Designated Premises Supervisor shall conduct regular assessments of the noise coming 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 those assessments in a log book kept for that purpose and shall include, the time and date of the checks, the person making them and the results including any remedial action.
4. No music or speech shall be relayed via external speakers other than for events where the prior approval of the Licensing Authority has been obtained.
5. 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.
6. The Designated Premises Supervisor and other members of staff to request customers to leave quietly and have respect for their residential neighbours.
7. The external seating area, which is used for the consumption of alcohol, shall cease to be used between the hours of 22:00 hours and 09:00 hours.
8. The Designated Premises Supervisor or nominated person shall regularly monitor levels of noise in any external area used for consumption and / or smoking, and advise customers of the need to respect local residents where appropriate. Any patrons continuing to cause any disturbance or disorder will be asked to leave the premises.
9. The placing of refuse, such as bottles, into receptacles outside the premises shall take place between 08:00 and 22:00 hours only, so as to prevent disturbance to nearby premises.





**From:**

**Sent:** 24 April 2023 09:18

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

**Subject:** New premises licence - Coach House Skelmersdale

To whomever it may concern,

I would like to express grave concerns regarding the proposed new licence at the former Coach House, Liverpool road Skelmersdale. I'm making this objection to the licence being granted on behalf of myself as owner of .....

I'm shocked that another licence is being considered with the hours of operation proposed. Who drinks until 1am in the morning? Young people, partying and doing drugs (from past knowledge). Whilst contained in the pub the nuisance level is managed but throughout the evening crowds of people stand at the front door smoking and drinking, laughing and shouting. Taxis come and go. This pub has no parking unlike the Sandpiper and the Stanley Gate both within half a mile and both with large car parks. The Sandpiper is surrounded by farmland and the Stanley Gate has minimal housing. Both of these lend themselves to such a licence. The former Coach House has neighbouring properties which run right up to its boundary wall. Residents cannot park outside their own houses as places are taken by pub goers throughout the day. When these revellers return to their cars there's slamming doors and loud voices keeping residents awake. Beer bottles, glasses and gas canisters get thrown into front gardens. Even at the back of our properties, which is private people still unashamedly park. Particularly if there is a funeral on also.

These comments are not a description of what we think might happen it's true experience of what has happened previously. In the time the pub has been closed it has been peaceful except for the odd funeral or football match when parking becomes a problem. Neither are antisocial and last only a couple of hours. The pub will be open daily for very long hours. The noise nuisance can even be heard from the beer garden at the back of the pub. It echoes loudly along the row of terraced houses meaning in summer you can't have bedroom windows open.

You'll know from previous reports that police were called on several occasions due to anti social behaviour from the small graveyard car park. This car park is all the residents have and is particularly useful for families with more than one car.

The council have never considered resident parking when granting such licences and we have never had clear signage stating residential parking only even at the back of our private addressees, like you see at other towns and streets.

It would not be tolerated if a house on a housing estate or on Liverpool Road had people around daily and nightly, coming and going and playing music into the early hours. Parking vehicles blocking resident parking. The fact of the matter is this pub, without its own parking and a reasonable boundary away from residents is not fit for such a licence. Not when there are other pubs as previously described more suitable, yet not doing it.

I'm sending this within the date guidelines given, yet I notice the pub probably already has the licence as signage has been in place and work has been getting carried out for months. The pub is even now open I believe.

Yours worryingly



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

From:

Sent: 08 April 2023 10:31

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

Subject: Brothers Bar and Grill

As several previous owners have tried, and failed, to attract customers I am particularly concerned re the opening hours. Recorded music until midnight will risk a repeat of previous situations whereby the windows are opened and as close neighbours we find ourselves effectively in a disco. The closing time of 1am on Sunday is absurd. Why is it necessary to be open an hour after alcohol is shut down and just who will monitor that very late hour?

There is no mention of any monitoring of patrons at the front of the premises. No smoking signs are ignored leading to countless cigarette ends being blown into my garden. Again, who monitors this? The most recent owners, in response to my complaints re the above, posted "security" at the front door. The two guys on duty were quite openly smoking along with customers! After the second night they disappeared and shortly afterwards the venue closed. Yet again!

I forecast yet another failure I'm afraid. It would be an asset to Liverpool Rd if a well run venture were to be successful. But I'm afraid that should the previous customers, many of whom leave evidence of their drug habits scattered in the road, return to the Brothers, the cycle of fighting for custom will be repeated and an eventual closure will occur.

