

Jordan, Samantha

From: Scott Craig [REDACTED]
Sent: 17 June 2016 13:01
To: Licensing Enquiries
Cc: Jordan, Samantha
Subject: 42837/warbreck

Hi,

Following telephone conversation this morning with one of your colleagues. We are shocked and appalled that Warbreck garden Centre have put in for a Application for an out of hours alcohol licence. The alcohol licence I believe is for late night music events, indoor and outdoor to be allowed seven nights a week upto 1am in the morning directly across from our family home.

This is a complete change of usage of the garden centre and is not in keeping with its rural location. Warbreck Garden Centre over the last ten years has aggressively expanded their business and this is already causing an impact with local residence with light and noise pollution but this is just a step to far.

My main concerns will be the noise of revellers partying until 1am as the premises faces my house. The other major concern will be the nuisance caused by the drunken revellers leaving the premises after they have stopped serving alcohol which will be past 1am. There will be noise and disturbance from taxis and cars leaving the premises all evening long and the overspill of people walking home down dark country roads and the potential hazard that it brings.

The granting of this licence will have a direct negative impact with residence within a ½ mile radius of the premises and gravely reduce the quality of life in a small rural area

I and my family and like many others in the area moved to our current home over 13 years ago to get away from such noise and light pollution which we experienced in our local town for a quieter life.

Lastly and I do not know if this holds any bearing to my appeal against this licence, there will also be a quite severe negative impact to property values in the area with a noisy entertainment venue within ear shot of our homes. I will appreciate if you can make contact with myself to discuss my concerns and advise me on what course of action can be taken to prevent this licence application going through.

Please note we are happy to see a local business thrive but Warbreck garden centre is just that a garden centre and not a events venue such a thing would never of been allowed when the business started up.

SCOTT CRAIG

THE BROWSIDE
DICKETS LANE
LATHOM

WN8 8UH

HOME: [REDACTED]

OFFICE: [REDACTED]
[REDACTED]
[REDACTED]

Jordan, Samantha

From: [REDACTED]
Sent: 20 June 2016 10:13
To: Jordan, Samantha
Subject: Warbreck garden centre application

We wish to register our objections to the application for the license for alcohol and music at Warbreck Garden Centre. The reasons for this are as follows:

Public nuisance on what is a quiet residential area.

Public Safety on a narrow country lane with little and no pavements, increased volume of traffic and minimal street lighting at night time could be compromised, especially where alcohol is consumed.

Public welfare of the community, indoor and outdoor loud music will create noise pollution for properties within a few miles radius as it will carry quite easily over the surrounding fields causing disturbance.

Insecure boundaries of the garden centre could cause adjacent properties potential for intrusion.

We oppose all applications for alcohol and music to be consumed on this property as it implies more of a change of business considering this is but a garden centre when all is said and done.

Yours sincerely
Mr & Mrs Earnshaw
46, Lyelake Lane
L406JZ

Jordan, Samantha

From: Sydney Warburton [REDACTED]
Sent: 17 June 2016 11:35
To: Jordan, Samantha
Subject: licence application at warbreck garden centre

I have serious concerns over the recent application seeking an out of hours alcohol licence and late night music events, seven days a week

this application can only spell trouble and aggravation, not to mention the noise disturbance for the residents, many of whom are retirees like myself.

I had to retire early due to ill health and sort a quiet location with views, the noise from events until early morning will cause a lot of stress on myself and other residents, who have sort a quite location to spend our later days in peace

The recent planing given to warbreck to build the named plantation restaurant stated its use was in conjunction with the garden centre, NOT! for holding all night /early morning events.

I put up with the noise of construction knowing it would stop when finished, however the late night music and alcohol consumption will not go away and as stated earlier this will have a great impact on health issues not only to myself but other residents due to sleep deprivation.

~~Not to mention attracting undesirables (drunks) to what is a very respectful area, surely there are enough venues nearby for this sort of activity (late night drinking and loud music)~~

PLEASE NOT HERE IN LATHOM.

Kind regards
Mr S. Warburton.
74 Dickells Lane

Jordan, Samantha

From: David Mitchell [REDACTED]
Sent: 15 June 2016 13:02
To: Jordan, Samantha
Subject: Licensing objection

Samantha,

I would like to strongly object to the licensing application for a change of use at Warbreck Garden Centre.

Specifically that it become licensed for the sale of alcohol and late night music events.

When all said and done this is a "garden centre" in a quiet rural area. Was the application for the expansion of the Plantation Restaurant just a decoy in order to push forward for a fully licensed music venue. I am sure had the application for that expansion included a request for a liquor license and entertainment license it would have been declined.

I am glad to see a local business thrive and improve but not to the detriment of the local community. With regards the safety aspect it is located on a poorly lit B road immediately adjacent to what is already a very busy and dangerous junction at Iyelake / Dickets Lane, an increase in the volume of traffic at this location late at night coupled with drunken revellers in the road trying to hail taxis can only to the likelihood of more serious and potentially fatal road accidents. The disturbance to the local community would also be colossal, the buildings are adjacent to open ground both front and rear which means that the carriage of sound from live or pre recorded music would go for miles disturbing large portions of the community and livestock.

There is also the Railway PH which is no more than a mile from the location which has closed due to lack of business, it is apparent that this community would not financially support the addition of another licensed premises.

We have well established public houses in the area which are struggling to survive why would we need to permit the addition of another, particularly one that would obviously cause a huge disruption to a quiet rural community and for the reasons described present a hazard to both locals and potential customers given its dubious location.

When all said and done this is a garden centre with a new restaurant why does it need to sell alcohol and become a concert venue..???

Yours sincerely

Dave Mitchell
Local Resident

Jordan, Samantha

Subject: FW: Licensing objection

From: David Mitchell [REDACTED]
Sent: 22 June 2016 14:31
To: Jordan, Samantha
Subject: Re: Licensing objection

Samantha,

I note the points you raised in your previous response in relation to potential restrictions that would be placed in the event of a licence being granted.

It also comes as no surprise that the applicant is prepared to accept these in order to progress their application. I am fairly confident they would agree to walk on hot coals on a daily basis if required.

I note that there is no method of controlling the noise, behaviour or nuisance of perspective patrons who may visit.

Nor is there any provision for the attendance of taxis at the site, which given its rural location would be required.

Finally from a safety perspective there is no provision for a continuous pavement running to either Ormskirk or Skelmersdale, Burscough or St Helens which is where the patrons will gravitate towards. This will necessitate that drunken revellers walk in the live roadway on at best poorly lit areas but invariably without lighting. That alone is a recipe for a fatality and who will that responsibility lie with...??? You, the applicant, the council, certainly not me.

As requested my address
Oaklea, Dickets Lane, Lathom WN8 8UH

Finally yes I have endorsed the petition.

Yours sincerely

Dave Mitchell

Sent from my iPhone

On 22 Jun 2016, at 09:46, Jordan, Samantha <Samantha.Mullen@westlancs.gov.uk> wrote:

189 Wigan Road,
Lathom,
Ormskirk,
Lancashire
L40 6JN
June 19th 2016

Ms S. Jordan
Senior Licensing Officer
WLBC

Dear Ms Jordan,

Licensing application: Warbreck Garden Centre, Lyelake Lane, Lathom

We wish to lodge our objections to this application.

The application states that the location is a 'rural area with a low density of residential property'. The area is actually semi-rural, with a number of residences within the immediate vicinity of the garden centre. It is also within a few hundred yards of the A577, with its linear residential development. Due to this semi-rural location, noise carries a long way, particularly at night. Private functions have caused noise issues in the past, but fortunately they have only taken place infrequently. However, should this application be granted, then neighbours and residents further afield could be subject to noise seven days a week, every day of the year and up to 1am in the morning.

The application also states that 'ticketed events' will be taking place on site. Surely this also becomes a planning issue for change of use?

It also claims that alcohol will not be served as part of its normal trading pattern, but if this application is granted as it stands, then the opportunity to do just that is being granted.

There is also the issue of road safety. The garden centre entrance is on an unlit 'B' road. Should these 'ticketed events' take place there will be a vast increase in traffic leaving the premises during the evening/night. There will also be general noise from the patrons leaving the venue, voices and slamming car doors at 1.30am. The quality of life of residents will be severely impacted, should this application be granted.

This is a garden centre and to change its use so dramatically is not acceptable at this location.

We are aware that a number of residents are most unhappy with this application and hope that all objections will be taken in to account when making your decision.

Yours sincerely,

Mrs R Halsall
Mr B Halsall

Mr & Mrs B.V. Mitchell
27 Lyelake Lane
Lathom
Ormskirk
L40 6JW

20 June 2016

Samantha Jordan. Senior Licensing Officer
West Lancs Borough Council
Licensing Department

REF. WARBRECK GARDEN CENTRE PREMISES LICENSE APPLICATION
428371

We live in the closest property to the garden centre, in fact the previous owners of our house used to run the garden centre. We are a family with two young children, 13 and 10 years old.

We decided to buy and invest a substantial amount of money in renovating the property in 2013. The quite rural location was a big part of our family decision.

During our ownership we have had many dealings with the new owners of "Warbreck" having their water supply through our kitchen and enforcing "rights of drainage" through their property to name but a few. I can not say they have been dealt with to our satisfaction. We treat people as we expect to be treated ourselves with honesty and respect. We have been promised action over many mutual issues such as the boundaries and security of our property but unfortunately no promises are kept. We are happy to see the business do well but we feel that this application is the thin end of the wedge to develop a quite garden centre into an evening entertainment venue. Regardless of any restrictions or promises to keep these events to a minimum. We feel it would not be long until marques were erected for all manner of events. e.g. Live bands, weddings, birthday parties etc

We therefore wish to register strong objections to the application of a Premise license for alcohol and music at the above premises for the following reasons:

1, **Evening Noise**, in a quiet residential and rural area. Any noise after close of business hours i.e. 9:00-18:00 hours seven days a week will interfere with the quality of life. My 10 year old daughters bedroom is approximately 150 feet from the proposed venues door. Indoor music, out door voices and vehicles doors slamming, starting up and driving away carry great distances at night.

2, **Road Safety**. Lyelake Lane is a fast B road with no street lights. The garden centre has just erected road side signage which obstructs the view of exiting vehicles and obstructs the on coming vehicles view of us leaving our driveway. Without new highway infrastructure in place future accidents are certain. The location prevents customers walking to the garden centre and if alcohol was served the necessity of taxis dropping off and collecting patrons adds to the noise.

3, Public Safety. The location of the garden centre does not allow easy pedestrian traffic due to the lack of pavements. Patrons may not be aware of this fact and may try to walk home after events where alcohol has been consumed. Street lights are imperative to protect the venerable pedestrian.

We are encouraged by the unanimous condemnation of this proposal by our neighbours along Lyelake Lane, Dicketts Lane and surrounding properties. We hope that the weight of our objection is taken in to consideration when the final decision is reached.

Thank you for time taken reading our letter. Please feel free to call and arrange a visit us to see the negative impact this license would have on our quality of life.

Yours sincerely,

A large black rectangular redaction box covering the signature of the sender.

Mr & Mrs Bradley Mitchell 27 Lyelake Lane Lathon L40 6JW 

Jordan, Samantha

Subject: FW: Warbreck Garden Centre-New Premises Application

From: jackie croft [REDACTED]
Sent: 20 June 2016 17:48
To: Jordan, Samantha
Subject: FW: Warbreck Garden Centre-New Premises Application

Hi Samantha,

I have spoken to my family of four adults living at 42 Dickets lane, Lathom. WN8 8UH.

I would like to object to application to serve alcohol and extend the opening hours to Warbeck Garden Centre.

I live at the rear of the garden centre, we will be in a direct line to hear the noise made from people being outside in a rural area, sound travels far in a rural setting and especially during the evening. We feel that the garden centre have not considered the people who live locally to them. They are putting financial gain ahead of the quality of people's lives. We have only lived in the area for two and half years, the reason we chose this area was because of the quiet rural setting with no late night disturbance and the quietness of the neighbourhood.

Myself and my all family feel very strongly that this application should not be allowed and the garden centre operate within the capacity of gardening, we understand that for financial reasons it operates a cafe during the normal day time opening hours. The cafe draws a lot of extra people to visit the garden centre as you can see from the car park, this can on Sundays cause a queue to get in and out of the garden centre onto what is already a busy road (Lylake Road).

Less than half a mile away from the garden centre is a Cricket Club which has a licence to sell alcohol and also has space for large car park and outside area for entering if required. Only a few miles in Ormskirk there is a Rugby club, Golf Club and many other venues that have drinks licence and outside entertaining spaces.

The garden centre is duplicating what is already in the very local area, such as a aquatics centre, there is already 2 local pet shops and a farm suppliers all within 2.5 to 3 miles away. They are renting space out to a business for a therapy site when again there are already many therapy centres close by. They are now selling food in the deli, which is replicating the food sold at Taylors Farm Shop and also the farm Shop on the Rainford By Bass, i do understand that they need to make a profit but i feel by allowing the garden centre to serve alcohol this could possibly have adverse effects on the local community and vast amount of animals, pigs, sheep, Shetland ponies, horses, chickens and other farm animals with the noise, pollution from increased road traffic would not be beneficial to the animals.

With late nigh entertainment there will be many taxis causing noise from people getting in and out of the taxi.

Pedestrians would be walking around the local area late at night to get home, especially if a taxi does not arrive from them. People who might potentially use the garden late at night will not be vandals but when people are fuelled by alcohol they have a tendency to cause damage to property and cars.

There are many elderly people living in the area who would be very scared if they saw people lurking around late at night.

It is a potential for people to drink and drive, with Lylake Road being a road made of many bends and already notorious for accidents from people driving without due care and attention, this will only increase the amount of accidents along this road and the junctions either end.

Lylake road is not a road built for pedestrians but if people were unable to get a taxi and they ventured late at night along the dark unlit road this is a accident or even a fatality waiting to happen.

The reasons for objecting to the licence application are as you state below but as a resident i fear for what will happen when music and alcohol are put together and the consequences on people to live in peace in a quiet rural area with the sound of the animals.

I like many other people support the garden centre, buying plants and eating regularly as one does in garden centres these days to ensure the local business stays viable BUT when the owners repay the local people by applying for late night music and a drinks licence this is grossly unfair and i object and only hope that the licensing board agree with myself and family by declining the application as the extra arrangements that you have suggested are going to be hard to police during the early hours of the morning.

Kindest regards

Jackie Croft

Jordan, Samantha

From: [REDACTED]
Sent: 21 June 2016 21:47
To: Jordan, Samantha
Subject: Fwd: Warbreck garden centre s application for an alcohol andmusic license

Hi Samantha. Sorry sent you a incomplete email please find attach finished item

Sent from my iPad

Begin forwarded message:

From: [REDACTED]
Date: 21 June 2016 21:26:03 BST
To: "Samantha.Mullen@westlancs.gov.uk" <Samantha.Mullen@westlancs.gov.uk>
Subject: Warbreck garden centre s application for an alcohol andmusic license

We live beside the garden centre

our land boarders warbreck garden centre we are a retired couple who enjoy the peace that is afforded by living in a quiet rural community .if this license is granted our quality of life will be greatly affected for the following reasons

Noise from the venue from live and dj music
Noise from drunken revellers before during and after the event
Constant traffic coming and going from the venue taxis pick ups and people walking past the house may i add poorly lit lane and the dangers that brings

And the safety fears for our young grand children who will be disturbed by the noise .we fear the children will not feel safe in in the garden.this is a complete change of usage for this business and not what any of the local residents expected when they moved here.we feel that our privacy will be invaded ,as well as our peace of mind .I note from you email that warbrecks are proposing to maintain the fence bordering our property ,well they haven't managed to do so for the last 15 years so i don't have any faith in that .we have no issues with warbreck garden centre as a thriving business however this licence for the events and late night alcohol sales runs rough shod over all the local residents and will make there lives a misery.

Robert and Joan Craig.
lane

Sincerely,

37 Lyelake

L406JW.
[REDACTED]

This

Sent from my iPad

Jordan, Samantha

From: Lawrence Raeburn [REDACTED]
Sent: 17 June 2016 09:31
To: Jordan, Samantha
Subject: 428371 Warbreck Application

Hello Samantha,

My name is Lawrence Raeburn from 199 Wigan Road, Lathom and I am writing to you about my concerns over the above application.

Let me say from the outset I have no objections over the application for the license regarding the sale of alcohol in their trading hours at it stands i.e. 9.30am – 5.00pm, this would no doubt help with their restaurant. But, extending this to the evening and in to the early hours is a different matter entirely.

You may appreciate the road is a major route for traffic during the day and sometimes the noise can be deafening, it does ease up in the evenings, by allowing the license in the evenings and with their proposal to have music inside (which I think we would hear) and outside, where are we to go to have some relief from the noise? Therefore may I suggest it will make the quality of the lives of the surrounding residents take a retrograde step.

My wife has similar views,

Thank you for taking the time to read this,

Yours sincerely,

Lawrence Raeburn



Lathom South Parish Council

serving our local community

*Clerk: Mrs Elizabeth-Anne Broad JP, LLB (Hons), MA, CiLCA
1 Pinewood, Skelmersdale, Lancashire, WN8 6UZ
01695 557678 07973340254
Lathomsouthpc.clerk@yahoo.com*

West Lancashire Borough Council, Licensing Section,
Robert Hodge Centre, Stanley Way,
Skelmersdale, WN8 8EE. By email to licensing.enquiries@westlancls.gov.uk

20th June 2016

Dear Sirs,

Re: Warbreck Garden Centre, Lyelake Lane, Lathom, Lancashire.

With reference to the new Premises Licence application currently under consideration, Lathom South Parish Council has received a number of enquiries from neighbours in the area concerned that their amenity will be impacted upon by the granting of the proposed licence.

In view of their concerns, the Parish Council wish to comment that it is essential that the prevention of public nuisance measures mentioned be added as conditions to the application, namely:-

- Noise from music and associated sources (including D.J.'s and amplified voices) shall not be clearly distinguishable at the boundary of any neighbouring residential premises at any time.
- Any outside area, which is used for the consumption of alcohol, shall cease to be so used at 2200 hours.
- The placing of refuse, such as bottles, into receptacles outside the premises shall not take place between 2000 hours and 0800 on any day so as to prevent disturbance to nearby premises.
- All external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency
- The licensee 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.

Yours sincerely,

Mrs Elizabeth-Anne Broad
Clerk to Lathom South Parish Council

Jordan, Samantha

From: Paul Cotterill [REDACTED]
Sent: 21 June 2016 09:18
To: Licensing Enquiries
Subject: Warbreck Garden Centre application

Good morning

Having looked at the above application, and heard representations from people living in the vicinity of Warbreck Garden Centre, I feel found to register my objection to the application, including in its amended form.

I support the concerns raised in the joint letter from local residents, and ask that these concerns be taken fully into account. A 'catch-all' application of this type, seeking permission for extended hours for each day of the week, is not suited to the location of the premises rural area, given both the impact of noise and site movements on nights when it might be used, and even the impact that the 'threat' of its use might have on residents in the immediate area.

I am always loathe to seek restrictions on businesses, especially well run ones like Warbreck Garden Centre, but on this occasion I feel this is a stretch too far, and benefits to the business in terms of growth and jobs, in an area of service quite distinct from the Garden Centre's original offer, is outweighed by the valid concerns of local residents. There is nothing to stop the business making occasional stand along applications for functions, and any such application should be considered on its merits, but an application for a permanent licence of this type cannot be justified at this location.

I would therefore suggest refusal of this current application.

Best regards

Paul Cotterill
Councillor for Bickerstaffe Ward