

**Appendix D: Consultation response analysis  
West Lancashire Borough Council  
Licensing Act 2003 - draft Statement of Licensing Policy 2020**

**Consultation representation analysis : consultation period 01/08/19 - 31/10/19**

Ref No.	Date	Respondent	Para	Comment	Appraisal	Response
1	14/08/19	resident - Ormskirk	4.4	Section 4:4. I know that the issue of live music has been excluded from the Licensing regulations, with some reference to the offset to this issue set out in the 4 objectives defined in this section. Section 4:32 refers to keeping doors and windows closed, and the provision of ventilation as a solution, though this will be difficult to enforce in hot weather. A time limit similar to that observed by convention by householders of say 11 pm might be appropriate here.	<p>Noted. The stipulation of a specific time is not appropriate to all cases. However, the implications of warm weather should be taken into account.</p> <p>The Licensing Principles are discretionary and are distinct from the statutory Licensing Objectives contained in the Licensing Act. If applicants do not address the principles, it is more likely that representations will be attracted and the matter brought to the Committee, which may then either refuse the application or impose conditions. On appeal, the Court is also obliged to have regard to the Policy and can only depart from it if it has good reason.</p>	Additional bullet point added to para 4.32 :" Understanding the implications of the weather on the above point and making suitable contingencies".
			4.26	The omission of the deleted sentences in Section 4:26 regarding low-level nuisance affecting just a few people I find a bit alarming. The population of the Ormskirk town centre is increasing substantially with the construction of student apartments, and even a moderate level of noise until the early hours of the morning will cause a substantial nuisance. Incidentally I find the definition of public nuisance in 4.24 a very helpful and pragmatic way of handling this often very contentious issue. Also I find the reference to quieter music in section 4.33 and the reference to monitoring outside the premises very useful.	Noted. Para 4.26 was amended to ensure consistency with the guidance. the amendment does not detract away from the generality of para 4.26 which is intended to address nuisance from licensed premises regardless of low or high level.	No amendment made.

			12.12	<p>Section 15 covering cumulative effects is probably the key part of the document. This issue was ducked in the previous consultation, as the promised schedule of potentially affected areas was left blank. The inclusion of the Ormskirk town centre as a potential problem area (15:7) is one that many residents will applaud, though to be fair the majority of people who frequent licensed premises in later hours of the night tend to be people from outside Ormskirk where licensed premises close earlier. From my experience of students at Edge Hill, many prefer to save money by getting their alcohol from off-licence premises in Ormskirk. I think the variable licensing hours proposed in 15:4 will certainly help, but in general I think there needs to be some sort of control over the number of licensed premises in the Ormskirk town centre, given the association between alcohol and crimes of violence.</p>	<p>Noted. The process for cumulative impact within the statutory guidance is clear. As stated the number of premises is monitored by the MALT and cumulative impact would be likely be instigated by one or more of the partners represented at these meetings.</p>	No amendment made.
2	28/10/19	resident - Parbold	General	<p>Please take into consideration people who live in close proximity to these premises. It goes without saying that owners and employees need to make a living and they can also be an asset to the area but they need to be properly managed and with a licensing policy that is fair to all concerned.</p>	<p>Noted. The Policy clearly addresses these issues.</p>	No amendment made.
3	02/11/19 (outside of consultation period, but included for completeness)	resident - Ormskirk	General	<p>The voting public cannot understand why it is fair to grant licenses for premises to be able to sell alcoholic drinks long after midnight when we do not have the resources to police antisocial behaviour .</p> <p>This practice is very unpopular , and the residents would be grateful if it was stopped , at least until policing could prevent the antisocial behaviour.</p>	<p>Noted. The process for the determination of any licence application/permission is set by statute and statutory guidance. The Council and the Policy is bound by these requirements based on the available evidence, case law and the individual merits of the application.</p>	No amendment made.

Miscellaneous amendments						
4		Licensing Service	Various	Inconsequential typos.	N/A	N/A
5		Licensing Service	Various	Update of job titles throughout the document	N/A	N/A