

**From:** Councillor Patricia Burnside <[Cllr.P.Burnside@westlancs.gov.uk](mailto:Cllr.P.Burnside@westlancs.gov.uk)>

**Sent:** 16 January 2023 18:01

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

**Cc:** Councillor Andy Fowler <[Cllr.A.Fowler@westlancs.gov.uk](mailto:Cllr.A.Fowler@westlancs.gov.uk)>; Councillor Damian Owen <[Cllr.D.Owen@westlancs.gov.uk](mailto:Cllr.D.Owen@westlancs.gov.uk)>

**Subject:** Licensing application - unit 14 Burscough wharf

Good evening,

I have been made aware of an application for a premises licence relating to Unit 14 Burscough Wharf, Burscough L40 5RZ seeking a license for live/recorded music Monday-Sunday night until 2am. I have already been made aware of ongoing, unresolved issues regarding anti social behaviour, (drunk behaviour, drug taking, public urination and general noise/nuisance including fighting), in the council carpark behind Burscough Wharf which is affecting residents in nearby Stanley Court. I feel that licenses should not be extended until a resolution is found that is satisfactory to all those involved (including local residents and the town council).

I fear that granting a license for music and alcohol until 2am every night of the week could serve to increase the anti social behaviour that has already been a reported issue on the car park behind the Burscough Wharf, especially whilst the matter remains unresolved, and feel at this time the license should not be extended until the current issues are resolved to everyone's satisfaction.

Many thanks

Cllr Patricia Burnside

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

From: [REDACTED]

Sent: 17 January 2023 15:54

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

Subject: Licensing objection

To whom it may concern

I've been made aware of a licensing request for unit 14, Burscough wharf, L40, for music and live entertainment until 2am Monday to Sunday.

As a resident of Stanley Court living next door to the wharf and having to listen to the live music that goes on in venues up to midnight, I would have to say that this going on until 2am every night would be a nightmare for all residents. The noise is not the only problem that would stem from this licence being granted. There is also the antisocial behaviour that comes with people drinking until 2am and spilling out into the car park beside the wharf where we often get fights and assaults taking place when they've been kicked out of the bars. There was also an instance on New Year's Eve 2022 where some people came out of the wharf drunk and untied a lot of houseboats down the canal at the wharf so they drifted away from their moorings and blocked the canal, no doubt doing some damage to the boats as well.

Therefore, I would like to lodge my protest against this licence being granted. The wharf has no soundproofing and no door security for the people drinking to excess in their premises. To grant an establishment a licence until 2am so close to residential buildings would be a huge mistake. A licence

that matches the other venues in the village - i.e. 11pm Monday to Thursday and midnight over the weekend would be acceptable, but no later than this.

Yours sincerely

[REDACTED]

Sent from my iPhone

**From:** [REDACTED]  
**Sent:** 17 January 2023 12:33  
**To:** Licensing Enquiries <[Licensing.Enquiries@westlancs.gov.uk](mailto:Licensing.Enquiries@westlancs.gov.uk)>  
**Subject:** Licensing Objection - Unit 14 Burscough Wharf

To whom it may concern,

Further to your notice in the Ormskirk Advertiser, dated 12th of January 2023.

I am writing to object to the licensing application for Unit 14, Burscough Wharf, to open as licensed premises until 2 am from Monday through to Sunday each week with the added proposal of an extension on New Year's Day from 2 am until 8 am, playing live music in a building with no soundproofing with music being amplified through a PA system or independent sound system with no statement as to how loud this would be up to, in such very close proximity to the residential area around Burscough Wharf.

The proposed premises is located too close to a residential area, where many residents work Monday to Friday and at Weekends and the lack of soundproofing in the building will cause excessive and unacceptable noise levels, which will interfere with our right to peace and quiet in our homes and will disrupt sleep for many of the residents in the area.

Over the last eighteen months, several violent attacks and a great deal of antisocial behaviour have occurred, due to late-night drinking at Burscough Wharf. These have been reported to the police over an 18-month period, West Lancashire Borough Council and the Management officers of the wharf. This anti-social behaviour continues to be an issue.

On New Year's Eve / early hours of New Year's Day this year several boats moored on the canal were untied and set a drift. So, anything that affects us as residents of this area also affects the transient boat population that uses Burscough as a stopping point.

Then there are the issues of a lack of public transport (none at all) and taxis (very few) at that time of night/early morning, which encourages people to be hanging around, beyond 2 am and in other cases, it leads to drinking and driving, due to the lack of a police presence or any security staff for Burscough Wharf. It also encourages people to hang around in the adjacent Smithy Walk car park.

Every other licensed premise in Burscough town, including the Hop Vine, the Packet House, The Bridge and the Stanley Club are all shut by 11 pm Monday to Friday and midnight at the weekends. Most of the aforementioned premises are not as close to residential areas as Burscough Wharf.

I believe that the granting of this license would be detrimental to the ongoing quality of life for the residents of Stanley Court, Lord Street and the surrounding area. I, therefore, urge West Lancashire Borough Council Licensing Officers to reject this application.

I have attached a recent report from the Police in connection to the issues with the Smithy Walk car park and would also like to bring to your attention that there is an ongoing investigation by the LGSCO, case number 22009685, with regard to the issues mentioned above.

I hope the information provided is sufficient; however, should you require anything further, please do not hesitate to ask.

Also, I would be grateful if you could acknowledge receipt of this email by return.

Yours Sincerely,

[Redacted signature]

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

From: [Redacted]  
Sent: 20 January 2023 12:21  
To: Licensing Enquiries <[Licensing.Enquiries@westlancs.gov.uk](mailto:Licensing.Enquiries@westlancs.gov.uk)>  
Cc: ParishClerk, Burscough <[Jackie.Maguire@burscoughtc.org.uk](mailto:Jackie.Maguire@burscoughtc.org.uk)>  
Subject: Objection to the granting of licence at The Wharf, Burscough

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- > Dear Sir/Madam,
- >
- > I have been a resident of Burscough for 37 years, I would like to make a comment regarding this license application.
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- > I object to this License being granted for the following reasons:
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- > Granting of licensing beyond normal opening hours is most likely to attract on occasions persons who may have been drinking at other venues for the evening and may lead to antisocial behaviour and drunkenness in the early hours of the morning.
- > With opening hours beyond midnight, it is highly likely that the clientele will be attracted from areas outside of Burscough, and even West Lancashire.
  
- > To support this I do remember when there were venues opened in Ormskirk such as the Brahms and Liszt as well as another venue on Moor Street, The Chelsea Reach, these attracted people from Southport, Maghull, Knowsley, Kirby, Saint Helens, Skelmersdale and even further afield.
- >
- > At these two venues, there were regularly violent disturbances, drunkenness, antisocial behaviour and criminal damage throughout Ormskirk Town Centre caused by those who had visited these premises. I personally witnessed these events on a regular Basis, there were many physical assaults, not just between youths and men, but also on young women to an extent that would clearly be seen

to be unacceptable today. Nobody would now consider this a "Safe environment" for people, in particular young women.

> Should this license be granted, then there is every likelihood that these problems would be brought to Burscough. It would be unrealistic given the shortages currently experience within the Police Service to expect even a minimum response given the very few numbers of Officers who will be on duty throughout West Lancashire to be able to cover such incidents.

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> The Police Officers who would be on duty throughout West Lancashire after midnight on any day of the week are shockingly few in number (I do not believe for one second that the senior officers in the Police service, would ever want to divulge the true numbers to the public) and they should be engaged in the prevention and detection of crime as well as keeping us safe. There is no spare capacity to deal with further drunkenness and antisocial behaviour within this area.

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> West Lancashire Borough Council and Lancashire Police are very well aware of antisocial behaviour and drunkenness in areas very close to the premises for which this application is being requested. What is concerning, is the responses or failure to take action by both WLBC and the Police as of yet.

>

> This issue was raised recently at a meeting with Burscough Town council. In attendance, were Borough Councillors who, it would appear we are answering on behalf of West Lancs Borough Council in relation to the significant number of complaints of antisocial behaviour near to the Wharf. It is alleged that there are in excess of 100 recorded complaints by Residents nearby.

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> I was shocked to hear the response from the Councillors in so far as they stated there was an insufficient number of complainant's for the Police or West Lancashire Borough Council to take any action and that those complaints so far recorded, fall below the threshold required for the Police to take action. These statements from the Councillors should certainly require some clarification, but by association and their obvious close liaison with West Lancashire Borough Council, it would appear that they are reflecting the views of the Borough Council as well as themselves when they made these statements. I don't believe what they said was a true reflection of the facts.

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> I am aware that there has been correspondence with the Police service on this matter, and I understand that the Police contradict the suggestions made by these Councillors, and by association, West Lancs Borough Council regarding the threshold for any action.

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> What concerns me greatly is that it does appear to reflect the attitude of the Borough Council in giving protection or promoting businesses within Burscough in the full knowledge that it is against the best interest or to the detriment of the Residents, and in this case significantly impacts on the health and well-being of those residents who have made the aforementioned complaints.

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> I also have concerns about music being played. I live 1 km away from Burscough town centre, and I regularly hear music coming from that distance on many weekend afternoons. I have no complaints about this, as I think it is entirely appropriate at weekends during daytime for people to be able to enjoy themselves, and the music that is being played I don't believe causes any serious objections. What it does demonstrate however is that sound travels, in particular at night when all else around is quiet and the background noise from traffic and people milling about disappears, and so any noise at night will carry a great distance. If this license was granted the music would be played at a time when the majority of the Residents of Burscough are trying to sleep because they have work to go to the following morning. I believe it is entirely inconsiderate to in anyway disrupt what is currently a peaceful environment, and adversely affect many people who are not just in immediately proximity, but much further afield.

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> West Lancashire Borough Council, have regularly failed to enforce conditions in other areas for which they have responsibility. They do not have the Staff to come out at night, and neither do the Police have the staff to monitor the volume of music if someone should complain . Any complaints that are made would involve a long a lengthy process of sound monitoring before any effective remedy could be implemented.

>

> In terms of business that is brought to Burscough, there are already many public houses, many of these will have reduced numbers of customers primarily because of the current financial situation within the Country, the knock on effect from Covid, and the change in lifestyles of many people who drink less than they did some years ago.

> Some public houses have been closed and the Red Lion that was on Liverpool Road South has now been demolished. There is only so much money to go around and the long established Public Houses need as much support as is possible to maintain their businesses. Every additional license that is granted takes a small percentage from the existing Licensed premises.

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> Burscough has now a population of around 10,000, the majority of them will be working people and very few would have the finances to support a lifestyle which had them go out drinking till 2 o'clock in the morning. The majority of working people would want to ensure they had adequate sleep before the next days work. So if this late license is to prove financially viable, then it is highly probable that it will have to attract people from outside the area which brings with it the problems as mentioned earlier.

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> I would also add that when the Wharf was being renovated it was intended to fit comfortably within its environment, I don't believe that late night drinking and entertainment was ever part of the original plan, nor that it would fit comfortably within its environment.

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> Further to this, I would question whether this application is merely a test to see what will be tolerated and would be followed by an application for a license at weekends rather than the full week. I would stress that all of the above still applies and if there is a variation on this application for fewer days I still object to any licenses being granted on any day beyond 11 pm.

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> I object to the granting of this Licence.

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Please note, Unless it is a legal requirement, I would prefer that my address is redacted from this submission if it is to be published. At the most recent town council meeting when this was discussed, there were unpleasant and disruptive interruptions from persons supporting this application who were disrespectful of the Chairman and Council procedure.

**From:** Jackie Maguire <[jackie.maguire@burscoughtc.org.uk](mailto:jackie.maguire@burscoughtc.org.uk)>

**Sent:** 20 January 2023 12:53

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

**Subject:** Objection - License Request Unit 14 Burscough Wharf

**Importance:** High

Dear Officer,

Please see Burscough Town Councils comments and objections with regard to the application from James William Prescott, Unit 14 Burscough Wharf.

I would be grateful if you could provide an acknowledgement that you have received our email and letter.

If you have any queries, please do not hesitate to contact me.

Many thanks Jackie

Jackie Maguire CiLCA  
Town Clerk  
Burscough Town Council



**BURSCOUGH TOWN COUNCIL**

01704 894914  
Monday – Thursday  
Email [Jackie.maguire@burscoughtc.org.uk](mailto:Jackie.maguire@burscoughtc.org.uk)

Date 20<sup>th</sup> January 2023

Dear Sir / Madam,

**Burscough Town Councils comments on the Application to obtain a premises licence for the following location.**

Unit 14 Burscough Wharf, Liverpool Road North, Ormskirk, West Lancashire L40 5RZ.

**Application.** For the following, Live & Recorded music and anything of a similar description, late night refreshments and the retail sale of alcohol on/off the premises every day of the week between 11.00pm and 02.00 am. This application also included proposals for an extension on New Year's Day from 2.00am until 8.00am.

Firstly, Burscough Town Council would wish to highlight several concerns about unsocial activities around the Wharf and the Smithy Walk car park next to the Wharf which has caused concerns as to the noise and disturbances to families in the nearby homes, which have been of an unacceptable nature with reports which remain ongoing to the police and WLBC, subsequently a resident has sent a formal

complaint to the Local Government Ombudsman and an investigation has commenced.

In looking closely at the Legislation regarding alcohol licence we note the main objectives of the Licensing Act 2003 are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance, and
- The protection of children from harm.

These are important statements and there is a need to ensure these points are being met and where not then action needs to be undertaken to stop the problems being continued.

We also have concerns about how the initial concept of the Wharf has changed and is no longer operating in the function that Public Money was provided, from the predecessor of English Heritage. This funding was to support the creation of a local historical environment for the use of families. The wharf has over the past two years changed with increased number of licenced premises and the Town Council has needed to undertake research as it was not informed about the changes taking place, it is now not the type of tourist attraction that was in the initial projects concept and subsequently in now more a venue for drinking and music activities and this new application takes this to a none intended environment.

BTC have been working with a local police officer regarding the Police report that was produced on the 7 October 2022 following a visit on the 28 September 2022. This report was produced by Rachel Hines the South Designing Out Crime Officer at HQ Hutton Lancashire, and I understand a copy and its recommendations is now with WLBC. We as a Council hope that WLBC will engage in discussion with the Town Council and residents, to enable a way forward in implementing plans and actions in obtaining a suitable solution to all parties.

WLBC have a Public Sector Duty of Care for its residents to live in a safe, healthy and supportive environment. This will not only apply to the residents but to the users of wharf licenced premises. Right next to the wharf is the Leeds and Liverpool Canal and this could be a source for accidents in an environment where alcohol is involved, both Liverpool and Manchester cities have accidents with people falling into the canals and rivers.

At a recent BTC meeting one of four Borough Councillor's attended provided information about the trigger points before police became involved. Following the meeting with the police the point made by the Councillor was shown to be an inaccurate statement as both the police and the police commissioner confirmed that there is no threshold or trigger points.

BTC recognise that many residents enjoy going to the Wharf and don't cause any problems, we also recognise that the venues employ a number of local staff who need the work and the income from the work. Subsequently we must have a solution to current situation and improve the current situation and not to worsen it.

**Burscough Town Council have previously resolved to support and resolve the anti-social behaviours raised at a Town Council meeting - (8th June 2022.)**

**With regards this application for Unit 14 Licence.**

Burscough Town Council are **objecting to this application** for all the extensions applied for.

We have serious concerns that this application is not in Burscough best interests and has the potential to cause the Wharf further problems with increased late night social issues which will involve residents in different and unnecessary ways, one such way will be people's health and, in some instances, it will lead to stress and mental health.

The Wharf and its location is not the place for a late night Licence of this nature. We don't feel that there is a need or a demand for this premises functions. We have concerns that this could lead to further requests in this and other locations. We also have concerns about this venue turning into a club venue, as this was mentioned when the previous business closed.

BTC don't see the demand from members of the local community during the week of at weekends as they rightly put work first and with people experiencing high cost of living, money is unlikely to be available. We also don't see many people wanting meals at midnight and the attraction will be alcohol as at that time of night its most likely to be recorded music.

Part of problems for the wharf area is the annoyance of loud music for Burscough residents at night when roads have less traffic and other



noises have stopped the noise from music travels further when everything else has stopped.

Therefore, we can only see that this application if granted will need to attract people from other areas and may need to change away from being a restaurant as is its current function. There will be no public transport and taxis will be very rare leading to additional problems. BTC have been concerned about the very limited monitoring, checks and responses to the issues raised about the issues around this venue and surrounding area, much to the annoyance of residents. It is our wish to see the unacceptable instances eradicated and for our residents to have seven full nights a week, a peaceful and uneventful night sleep.

In looking at this application for Unit 14 in the Wharf. we would ask you when making a decision would you want yourself or members of your family living in an unhealthy environment and have to put up with drunken behaviour, urinating in public, foul language and persistent loud music/noise.

**Therefore, taking all of these points into consideration Burscough Town Council would like to object to the Licence extension Monday through until Sunday until 2am, with a further application until 8am on New Years Eve for unit 14 situated in the wharf.**

Thank you for considering this issue.

Yours faithfully

*Jackie Maguire*

Jackie Maguire  
Clerk to Burscough Town Council  
On behalf of Burscough Town Council