

# Public Document Pack



MEETING: LICENSING SUB-COMMITTEE

DATE: 17th May 2021

TIME: 11.00 am

VENUE: Remote Meeting

## **Member**

Cllr. John Kelly  
Cllr. Susan Bradshaw  
Cllr. Sean Halsall

COMMITTEE OFFICER: Amy Dyson Democratic Services Officer  
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# **A G E N D A**

## **1. Appointment of Chair**

## **2. Declarations of Interest**

Members are requested at a meeting where a disclosable pecuniary interest or personal interest arises, which is not already included in their Register of Members' Interests, to declare any interests that relate to an item on the agenda.

Where a Member discloses a Disclosable Pecuniary Interest, he/she must withdraw from the meeting room by switching their camera and microphone off during the whole consideration of any item of business in which he/she has an interest, except where he/she is permitted to remain as a result of a grant of a dispensation.

Where a Member discloses a personal interest he/she must seek advice from the Monitoring Officer or staff member representing the Monitoring Officer to determine whether the Member should withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest or whether the Member can remain in the meeting or remain in the meeting and vote on the relevant decision.

## **3. Licensing Act, 2003 – Premises Licence - Grant - The Village Tap & Bottle, 192 Cambridge Road, Southport PR9 7LS**

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Report of Head of Highways and Public Protection

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<b>Report to:</b>	Licensing Sub-Committee	<b>Date of Meeting:</b>	17 May 2021
<b>Subject:</b>	Licensing Act, 2003 – Premises Licence - Grant The Village Tap & Bottle, 192 Cambridge Road, Southport PR9 7LS		
<b>Report of:</b>	Head of Highways and Public Protection	<b>Wards Affected:</b>	Meols
<b>Portfolio:</b>			
<b>Is this a Key Decision:</b>	N	<b>Included in Forward Plan:</b>	N
<b>Exempt / Confidential Report:</b>	The Report is not exempt, however parts of the Annexes have been redacted by virtue of Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972. The Public Interest Test has been applied and favours the information being treated as exempt.		

## Summary:

To give consideration to an application for the grant of a Premises Licence.

## Recommendation(s):

The Sub-Committee's instructions are requested.

## Reasons for the Recommendation(s):

Under the Scheme of Delegation Officers cannot determine applications which have received relevant representations.

## Alternative Options Considered and Rejected: (including any Risk Implications)

N/A

## What will it cost and how will it be financed?

### (A) Revenue Costs

There are no financial costs associated with the proposals in this report

### (B) Capital Costs

There are no financial costs associated with the proposals in this report

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## Implications of the Proposals:

### **Resource Implications (Financial, IT, Staffing and Assets):**

There are no financial implications arising directly from this Report except in the event of any Appeal made against the Sub-Committee's eventual decision, the costs of which would depend upon the length of the Appeal process.

### **Legal Implications:**

The Chief Legal and Democratic Officer will provide legal advice to the Licensing Sub Committee on the issues set out in this report.

### **Equality Implications:**

There are no equality implications.

## Contribution to the Council's Core Purpose:

The Sub-Committee is acting in an administrative capacity under the Licensing Act 2003.

## What consultations have taken place on the proposals and when?

### **(A) Internal Consultations**

Consultation has taken place as per the provisions of the Licensing Act 2003.

### **(B) External Consultations**

Consultation has taken place as per the provisions of the Licensing Act 2003.

## Implementation Date for the Decision

Immediately following the Committee meeting.

Contact Officer:	Tony Jennings
Telephone Number:	0151 934 3117
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## Appendices:

Annex 1 – Objections against the application received.

Annex 2 – Representations in support of the application received.

## Background Papers:

There are no background papers available for inspection.

## 1. Application details

Application: Grant of a Premises Licence

Premises: The Village Tap & Bottle,  
192 Cambridge Road,  
Southport PR9 7LS

Applicants: The Village Tap & Bottle Limited

Representative: Kuit Steinart Levy LLP

Designated Premises Supervisor: Mr Christopher Adams

Licensable activities applied for:

- The sale of alcohol by retail (on and off the premises):

Days of Operation	Hours of Operation
Sunday to Thursday	08.00 to 23.00
Friday and Saturday	08.00 to 00.00

- The provision of late night refreshment:

Days of Operation	Hours of Operation
Sunday to Thursday	23.00 to 23.30
Friday and Saturday	23.00 to 00.30

Hours premises to be open to public:

Days of Operation	Hours of Operation
Sunday to Thursday	08.00 to 23.30
Friday and Saturday	08.00 to 00.30

The applicants also wish the following non standard timings to be applicable:

- From the start time on New Year's Eve to the terminal hour for New Year's Day.

## 2. Details of proposed Operating Schedule

### 2.1 GENERAL

No items indicated.

### 2.2 THE PREVENTION OF CRIME & DISORDER

- i) A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.

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- ii) Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
- iii) CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
- iv) Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
- v) SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS. When employed, door staff will wear high visibility armbands.
- vi) When employed, a register of those door staff employed shall be maintained at the premises and shall include:
  - i) the number of door staff on duty;
  - ii) the identity of each member of door staff;
  - iii) the times the door staff are on duty.
- vii) Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.
- viii) Staff will be trained in the requirements of the Licensing Act 2003 with regard to the Licensing Objectives, and the laws relating to under age sales and the sale of alcohol to intoxicated persons, and that training shall be documented and repeated at 6 monthly intervals.
- ix) A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.

## 2.3 PUBLIC SAFETY

- i) A first aid box will be available at the premises at all times.
- ii) Regular safety checks shall be carried out by staff.
- iii) Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
- iv) The premises shall maintain an Incident Log and public liability insurance.

## 2.4 THE PREVENTION OF PUBLIC NUISANCE

- i) Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
- ii) No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- iii) The exterior of the building shall be cleared of litter at regular intervals.
- iv) Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
- v) Doors and windows at the premises are to remain closed after 11pm, save for access and egress.
- vi) A Dispersal and Smoking Policy will be implemented and adhered to.
- vii) The emptying of bins into skips, and refuse collections will not take place between 11pm and 7am.
- viii) The external area shall not be used for drinking or dining after 22:30 daily. After this time the area will be used for smokers only, and for the avoidance of

doubt they shall not be permitted to bring drinks into the external area with them.

ix) There shall be no external speakers.

## 2.5 PROTECTION OF CHILDREN FROM HARM

- i) A “Challenge 25” Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of ID are photographic driving licences, passports, HM forces warrant cards, EU/EEA national ID card or similar document or a form of identification with the "PASS" hologram.
- ii) Staff training will include the Challenge 25 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.
- iii) Notices advising what forms of ID are acceptable must be displayed.
- iv) Notices must be displayed in prominent positions indicating that the Challenge 25 policy is in force.

## 3. Objections/Representations received

- 3.1 Objections have been received against the application from several local residents covering a number of the licensing objectives. A copy of these objections are attached in Annex 1 to this Report.
- 3.2 Representations in support of the application have also been received from several local residents. A copy of these representations are attached in Annex 2 to this Report.

## 4. Additional licensing information

- 4.1 Paragraph 1.17 of the Guidance issued under S.182 of the Act (“the Guidance”) states that each application *“must be considered on its own merits and in accordance with the licensing authority’s statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.”*
- 4.2 With regard to conditions, Paragraph 1.16 says that these are *“are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged. Licence conditions:*
  - *must be appropriate for the promotion of the licensing objectives;*
  - *must be precise and enforceable;*

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- *must be unambiguous and clear in what they intend to achieve;*
- *should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;*
- *must be tailored to the individual type, location and characteristics of the premises and events concerned;*
- *should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;*
- *should not replicate offences set out in the 2003 Act or other legislation;*
- *should be proportionate, justifiable and be capable of being met, (for example, whilst beer glasses may be available in toughened glass, wine glasses may not);*
- *cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and*
- *should be written in a prescriptive format.”*

4.3 However paragraph 10.10, with respect to proportionality, underlines that the Act *“requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises. Conditions that are considered appropriate for the prevention of illegal working in premises licensed to sell alcohol or late night refreshment might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check is retained at the licensed premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.”*

4.4 In respect of Hearings, Paragraph 9.37 states that as *“As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.”* Paragraph 9.38 continues: *“in determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:*

- *the steps that are appropriate to promote the licensing objectives;*



- *the representations (including supporting information) presented by all the parties;*
- *this Guidance;*
- *its own statement of licensing policy.”*

- 4.5 Paragraph 9.39 states that the *“licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety. Any conditions added to the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.”* Paragraph 9.40 states that alternatively *“the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information”.*
- 4.6 In addition to the above, Paragraph 9.42 states that *“Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be”* and further within Paragraph 9.43 that the *“authority’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.”*
- 4.7 Paragraph 9.44 indicates that determination *“of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business....The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination. ”*

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## 4.8 SEFTON'S STATEMENT OF LICENSING POLICY

### PREVENTION OF CRIME & DISORDER

Paragraph 3.5 states that when making licence applications, in providing evidence within the Operating Schedule that suitable and sufficient measures will be in place to address the Crime and Disorder objective, applicants should consider the following matters in particular:

- The capability of the person in charge to ensure effective and responsible management of the premises;
- The training given to staff in crime prevention measures;
- Procedures for risk assessing promotions and events, such as 'happy hours' in relation to crime and disorder, and the plans to minimise such risks;
- Adoption of best practice in relation to safer clubbing etc;
- Physical security features installed in the premises (i.e. location and standard of CCTV equipment, toughened drinking glasses etc);
- Measures to prevent the supply of illegal drugs, including search and entry policies;
- Employment of SIA licensed door supervisors;
- Participation in an appropriate crime prevention scheme (e.g. 'pubwatch');
- Measures to be taken for the prevention of violence and disorder;
- The presence, or access to, sufficient transport facilities to ensure that customers can leave the premises safely and swiftly;
- Weapon detection and search facilities;
- Illegal sale of alcohol to those who are already drunk;
- Participation in any existing radio network scheme

### PUBLIC SAFETY

Paragraph 3.7 advises applicants when making licence applications, in providing evidence within the Operating Schedule that suitable and sufficient measures will be in place to address the Public Safety objective, to consider the following matters in particular:

- The safe occupancy capacity of the premises, in particular having regard to floor area and means of escape;
- The age, design and layout of the premises, including the means of escape;
- The nature of the licensable activities provided, in particular the sale of alcohol;
- Hours of operation;
- Customer profile (age, disability etc);
- The necessary Health and Safety and Fire risk assessments for the premises, and other measures to reduce risk to public safety;
- The number of people employed or engaged to secure the safety of all persons attending the premises or event;
- Where appropriate, noise exposure controls, for both staff and public, which have been detailed in accordance with the appropriate legislation;

- Arrangements to ensure that litter, generated by activities at the premises, does not present a fire hazard;
- Implementation of appropriate crowd management measures

## PUBLIC NUISANCE

In relation to the prevention of public nuisance objective, paragraph 3.9 advises applicants to consider the following matters when making an application:

- The type of activity, its frequency and the number and nature of customers likely to attend;
- Measures taken, or proposed, to prevent noise and/or vibration escaping from the premises given its location and proximity to residential and other noise sensitive premises. This would include music, plant noise and human voice, whether amplified or not;
- Measures taken to prevent the transmission of sound and/or vibration to adjoining properties;
- Measures taken, or proposed, for management and supervision of the premises and open areas to minimise unreasonable disturbance by customers and staff arriving or leaving the premises, including the delivery of goods and services;
- The proposed hours of operation for all, or parts, of the premises;
- Measures taken to prevent cooking odours and other smells escaping from the premises;
- Means of access to and egress from the premises, including customer entrances and exits on principal pedestrian routes;
- Whether routes to and from the premises pass residential premises;
- Whether the premises would result in increased refuse storage, disposal problems or additional litter in the vicinity of the premises, including measures taken to ensure the collection and disposal of litter and waste outside the premises;
- Measures to be taken to reduce drunkenness on the premises, e.g. the “Drink Less Enjoy More” scheme;
- If appropriate, a ‘wind down’ period between the end of the licensable activities and closure of the premises;

Should the applicant, or a responsible authority, identify possible sound leakage from the premises paragraph 3.10 indicates that the Authority would expect this to be addressed in practical ways, such as:

- Keeping doors and windows closed and providing adequate mechanical ventilation, or if necessary, air conditioning;
- Reducing sound levels and installing a sound limiting device to prevent sound exceeding the appropriate level;
- Installing soundproofing measures to contain sound and vibration

In premises where customers leave late at night, or early in the morning paragraph 3.11 states that the Authority would expect the applicant to have included, in the Operating Schedule, such practical steps as:

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- Erecting prominent notices at the exits to the premises asking customers to leave quietly and not to slam car doors;
- At appropriate time making loud speaker announcements to the same effect;
- Instructing door staff to ask customers leaving the premises to do so quietly;
- Reducing the volume of music towards the end of the evening and where appropriate playing quieter, more soothing music as the evening winds down;
- Improving availability of licensed taxis or private hire vehicles to take customers from the premises;
- Refusing entry to people known to regularly leave in a noisy manner;
- The supervision of any queues so as to keep noise and disturbance to a minimum

## PROTECTION OF CHILDREN FROM HARM

In relation to the protection of children from harm objective, paragraph 3.13 advises applicants to consider the following matters when making an application:

It is not possible to anticipate every issue of concern that could arise with regard to each individual premises in respect of children, however, when making licence applications, in providing evidence within the Operating Schedule that suitable and sufficient measures will be in place to address the protection of children from harm objective, applicants should, in particular, consider how they will prevent children from:

- Acquiring or consuming alcohol;
- Being exposed to drugs, drug taking or drug dealing;
- Being exposed to gambling;
- Being exposed to entertainment of an adult or sexual nature;
- Being exposed to incidents of violence or disorder;
- Being exposed to excessive noise.

Paragraph 3.14 states that with regard to the mandatory conditions (imposed as of 1<sup>st</sup> October 2010) the Authority recommends that the following documents should be used as proof of age:

- Passport;
- 'Photocard' Driving Licence; or,
- Any PASS (Proof of Age Standards Scheme) card (details from [www.pass-scheme.org.uk](http://www.pass-scheme.org.uk))

In paragraph 3.15, the Authority states that it will normally require persons working with children, in respect of premises holding under 18 regulated entertainment, to undergo an enhanced Criminal Records Bureau check before they are appointed.

Paragraph 3.16 underlines that it is *this Authority's opinion that Child Safeguarding is everyone's responsibility and that licensed premises should be vigilant in this regard particularly those premises which may be expected to attract under 18 year olds such as nightclubs, fast food outlets, cinemas screening*

*children's films etc. Operators of licensed premises should have in place appropriate child safeguarding measures and should seek the advice of the Council's Safeguarding Children's Unit in this respect.*

## 4.9 GUIDANCE ISSUED UNDER SECTION 182 OF THE LICENSING ACT 2003

### PREVENTION OF CRIME & DISORDER

Paragraph 2.1 states that the *"Licensing authorities should look to the police as the main source of advice on crime and disorder."*

Paragraph 2.2 states that in the exercise of their functions *"licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed."*

Paragraph 2.3 states that Conditions *"be targeted on deterrence and preventing crime and disorder. For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition."*

Paragraph 2.4, with regard to radio links and ring-round phones systems, states that these *"should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises."*

Paragraph 2.5 states that *"Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate*

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*in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.”*

Paragraph 2.6 underlines that the “*prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.”*

## PUBLIC SAFETY

Paragraph 2.7 states that under the Act “*Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person’s health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority’s powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.”*

Paragraph 2.8 underlines that a “*number of matters should be considered in relation to public safety. These may include:*

- *Fire safety;*
- *Ensuring appropriate access for emergency services such as ambulances;*
- *Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts...;*
- *Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;*
- *Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);*
- *Ensuring appropriate and frequent waste disposal, particularly of glass bottles;*
- *Ensuring appropriate limits on the maximum capacity of the premises...; and*
- *Considering the use of CCTV in and around the premises.”*

Paragraph 2.11 underlines that “*Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a*

*certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.”*

*With regard to safe capacities Paragraph 2.12 states that they “should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.”*

## PUBLIC NUISANCE

*Paragraph 2.15 states that the Act “enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.”*

*Public nuisance is given a statutory meaning in many pieces of legislation. Paragraph 2.16 states that it is “however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.”*

*Paragraph 2.17 states that Conditions “relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate*

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*sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable...Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.”*

Paragraph 2.18 continues that as with all conditions *“those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.”*

Where applications have given rise to representations, any necessary and appropriate conditions should normally focus on the most sensitive periods, Paragraph 2.19 stating for example *“the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.”*

Paragraph 2.20 states that measures to control light pollution should also require careful thought: *“Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.”*

Finally Paragraph 2.21 underlines that beyond *“the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.”*

## PROTECTION OF CHILDREN FROM HARM

The Guidance states that the *“includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities*



*must also consider the need to protect children from sexual exploitation when undertaking licensing functions.”*

Paragraph 2.23 states that the “Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:

- *adult entertainment is provided;*
- *a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);*
- *it is known that unaccompanied children have been allowed access;*
- *there is a known association with drug taking or dealing; or*
- *in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.”*

Paragraph 2.24 indicates that it “also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.”

Paragraph 2.25 states that applicants “must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.”

Paragraph 2.26 underlines that “Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.”

Paragraph 2.27 goes on to state that “Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- *restrictions on the hours when children may be present;*

# Agenda Item 3

- *restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;*
- *restrictions on the parts of the premises to which children may have access;*
- *age restrictions (below 18);*
- *restrictions or exclusions when certain activities are taking place;*
- *requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and*
- *full exclusion of people under 18 from the premises when any licensable activities are taking place.”*

*Paragraph 2.29 indicates that “Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.”*

*Finally Paragraph 2.31 states that “Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.”*

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

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██████████  
30.03.2021

Representation against The Village Tap and Bottle bar 192 Cambridge road Churchtown.

Dear Sirs,

Regarding the proposed opening and licensing hours for the above new business in Churchtown, I have several points I would like to be considered by the committee.

We live ██████████ the proposed site and feel that the position is totally inappropriate for the style of business being proposed, this is a small part of Churchtown that is not a commercial area but a totally residential.

The site used to be a coffee shop and before that a garden centre style shop that had normal opening and closing times and did not impact on the residents lives too much, however, a drinking establishment with the proposed licensing hours will be a very different story with much disturbance expected everyday and night. And given the proposed licensing hours it seems inevitable that there will be issues between residents and the owners of the bar, that will inevitably put further strain on local policing services, as well as the strain on the local resident's mental well-being.

The late-night dispersal within such a residential area will lead to a regular problem which again could involve the local police services.

In terms of the local area we have already 7 local establishments for drinking and eating within approx a ½ mile area – in fact 1 of the bars – Peaky Blinders - is approx less than 100 yards from our front door and in such a small area it seems there is no need to add any further similar businesses, we already have dispersal throughout every evening that causes noise and disturbance and the new proposed bar would add to this.

See enclosed map showing existing drinking establishments and restaurants (circled) and also showing residential property (marked with red lines) in and around the new site (marked with an X)

As you can see the proposed new bar is actually next door to some residential homes and across the road from many more on several fronts.

It does also follow that because this is a bar with a large outdoor area it will be noisy without doubt and this will be a disturbance for the local residents in their gardens etc throughout the day as well as the evening until closing time and dispersal.

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There must be a question of how the extra late night activity in such a residential area will be controlled and policed with fairness to the local residents and how this might affect their quality of life.

It is clear that if the proposed license was granted all the late night drinkers would spill from other bars and restaurants to this site causing heavy footfall late at night again affecting the local residents peace of mind.

Within the village we have already had several different occasions where the late license has been brought into question, including Botanic bar and eatery and The Grapevine due to noise disturbance.

I am sure you are aware that Churchtown is a reasonably quiet village area with many children of all ages living and going to school in the surrounding area to the new bar - in fact the bar is on the route for the local primary school – I do not think parents will be wanting to walk past a noisy, drinking establishment each afternoon with their young children, especially if the bar patrons are sat outside the premises.

As the proposed site does sit on the route to the local primary school and as we have already many vehicles all trying to pass through the roundabout area of Cambridge, Manor and Denmark roads directly outside of the proposed bar site– then add the extra traffic and parked cars from the bar customers that will add further chaos to the already over busy roundabout area when the school day finishes.

At least 2 of the local neighbours that are living opposite to the proposed site work for the NHS and can work shift patterns that means they will be coming and going at unusual hours which could put them in a bad public safety position if they have to cross paths with the drinkers leaving late at night and then also causing them disturbance when they need to rest at unusual hours during the day.

Further concerns that are not made clear on the notice in regard to;

Live music – clearly an issue if there was any within such a tight residential area

Outside drinking after a certain time – clearly an issue within such a tight residential area

In summary given the 4 licensing objectives as below there are key issues with each objective as listed.

- The prevention of crime and disorder; - more bars equals more drinkers which undoubtedly leads to more disorder
- Public safety; - there is an inevitability that late night drinkers will cause damage to private properties as they leave the site, we already experience glass and litter from then customers of other drinking establishments mentioned.

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- The prevention of public nuisance; - Late night bars are renowned for causing a nuisance to local areas with noise, litter, and unwanted behaviour among the chief concerns
- The protection of children from harm; – as above for the local school route and also children playing in gardens that are local to the bar will subject to bad language and possibly poor behaviour

It is without doubt that the opening of this site as a bar, and as possibly a late-night venue, will affect the local resident's quality of life and have a lasting effect on the area that will diminish the good feel, values and reputation of this small part of Churchtown village.

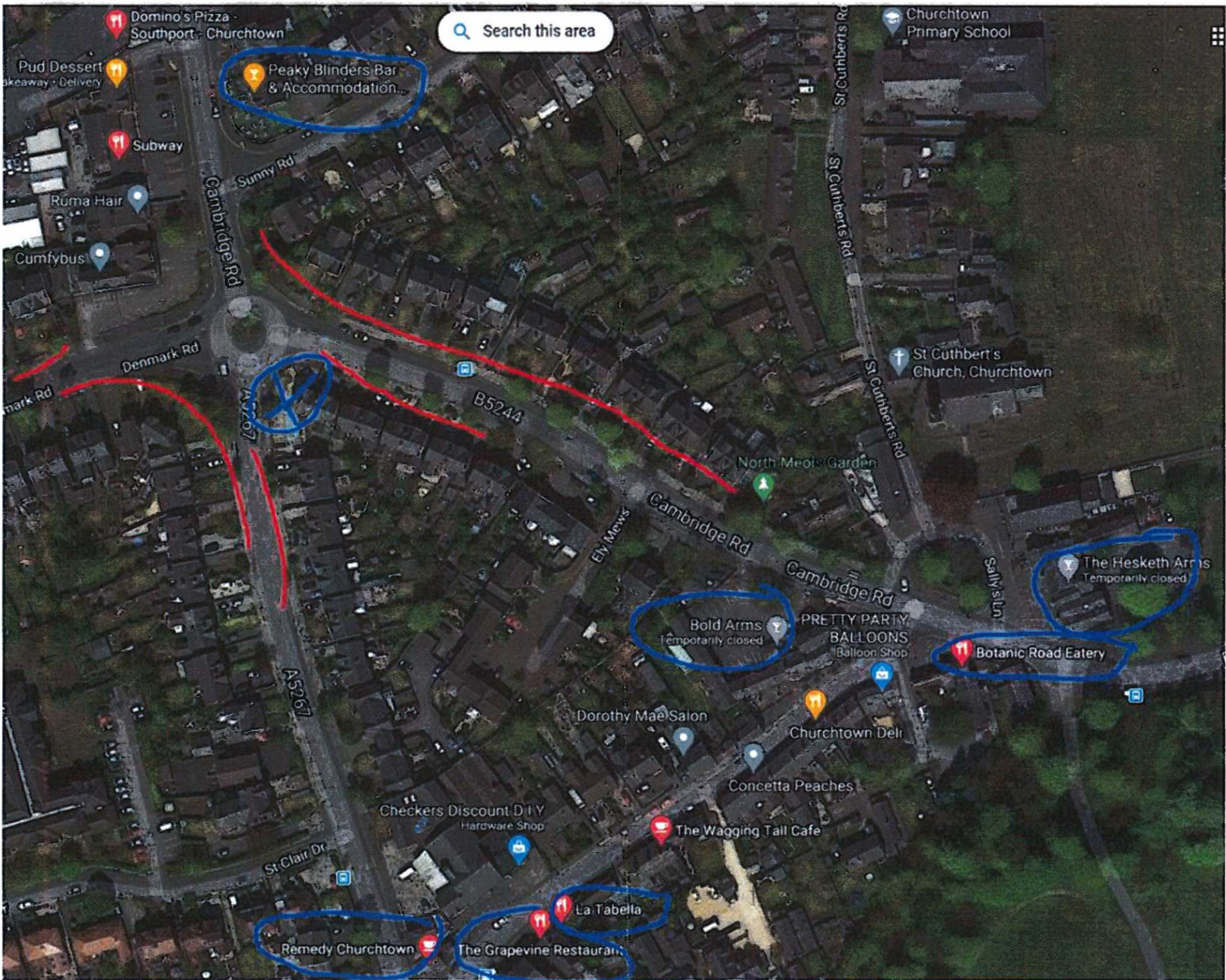
Is it not valid that we have to consider the mental well being of our neighbours at all times and a venue such as this could cause terrible mental stress to local residents?

I would like to ask the committee members if they think they would like this proposal of a bar to be within the area of where they reside and how would it make them feel?

Yours Faithfully,

████████████████████

(CC to Damien Moore)





██████████  
██████████  
██████████  
6<sup>th</sup> April 2021

Licensing Authority

Sefton MBC

Magdalen House

30 Trinity Road

Bootle L20 3NJ

Dear Sir/Madam

The Village Tap & Bottle Ltd, 192 Cambridge Road, Southport PR9 7LS

We are writing to make strong representations against the application for a licence to be granted at the above premises .

We understand that the above Company has applied for a licence to permit the sale of alcohol between the hours of 8 am – 23.00 Sunday to Thursday, and 8am – 00.00 Friday and Saturday plus 30 minutes dispersal time on each of these days.

We understand that our representations need to be relevant to one or more of the four Licensing Objections and my representations are relevant to:

1. Prevention of Crime & Disorder – We believe that granting a licence to permit the sale of alcohol during these hours of operation requested will most definitely lead to an increase in noise emanating from the premises, increased lighting and litter. In accordance with S17 of The Crime and Disorder Act 1998 the Licensing Authority must have due regard to the likely effect of the exercise of its functions on Crime and Disorder and to the need to do all that it reasonably can to prevent crime and disorder.
2. Prevention of Public Nuisance – The granting of this licence will inevitably have an impact and create a noise nuisance, light pollution and increased amounts of litter.

The premises are situated in a wholly residential, conservation area, with a mixture of young families and elderly residents, there is a very large school close to these premises, which 868 children attend every day, a large amount of these children walk or cycle to school and the junction these premises are situated at, is extremely busy with cars and lorries at all times of the day but especially during the school run.

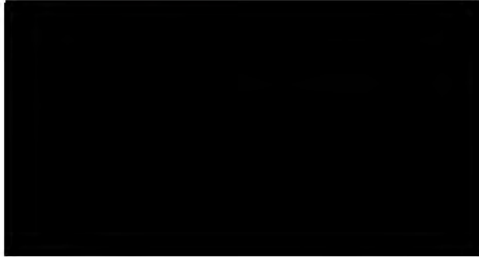
These premises have no off street parking, so permitting this licence will inevitably result in a very large increase in cars being parked on the roads surrounding these premises, which will create a loss of clear vision for children and families trying to cross the roads resulting in an increased risk of accidents and injury.

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We believe that the granting of this licence, to permit the sale of alcohol during the hours applied for, will have serious detrimental effects on the conservation area of Churchtown and the residents who live in and around these premises.

We look forward to hearing from you with your comments in early course.

Kind regards,



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**From:** [REDACTED]  
**To:** [Licensing](#)  
**Subject:** 192 Cambridge road ,Churchtown - Tap and Bottle License Application  
**Date:** 12 April 2021 11:57:15

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Dear Mr Jennings,

I write to object in the strongest terms to the application to sell alcohol at this premises for the following reasons :-

- residential adjacencies render this an unsuitable location for a bar . This is a family housing area.
- This is not a "commercial" location but a residential one. this is neither the village heart , or the Cambridge Road/Preston New Road commercial area .
- a bar here will extend the drinking circuit, impacting directly on residential amenity.
- Residential amenity,meaning the right to sleep and relax will be lost as revellers drink in the external garden at the roads edge .
- It is overlooked by /is adjacent to numerous back gardens where children will have to listen to alcohol induced language and unsuitable banter .
- revellers will depart in the early hours , taxi's will loiter , beep horns, engines running, pollute , make noise and with associated unpleasant drunken behaviour which is not appropriate in a residential setting.
- noise from disposal of bottles throughout the evening in commercial bins will disturb residents.
- the previous Cafe use closed at 4pm and respected its neighbours , this is the opposite extreme and will only attract drinkers.
- The local area is already served by sufficient drinking venues , so there is not a need for this outlet.
- it will encourage car parking in a residential area and on a bus route where there is regular congestion .
- parked cars on Manor Road are already creating pinch points and jams,particulary when buses /lorries travel through .
- the location is totally unsuitable for Dray deliveries of beers and wines and should be refused on highway safety grounds alone.

I own a house [REDACTED] from the premises , where 3 young children reside and this application will change the nature of the residential area , and granting this application will destroy the amenity of local residents.

Operation as a cafe or restaurant would be the first step in establishing the applicants suitability to run a venue in such a sensitive location .

By applying for a drinking licence until the early hours they show no respect for the neighbourhood and it is clear that they will operate in an inconsiderate way , which is why I urge you to please recommend refusal .

Thank you for considering my objection.

kind regards  
[REDACTED]

# Agenda Item 3

The Licensing Authority Licensing Unit  
Sefton MBC  
Magdalen House  
30 Trinity Road  
L20 3NJ

12 April 2021

## **Objections to proposed licensed activities at 192 Cambridge Road, Southport ('Village Tap and Bottle')**

We object to the application due to the following reasons:

1. Unsuitable location in a residential area
2. Significant increase in noise for neighbours
3. Safety concerns, including anti-social behaviour
4. Decrease in property value
5. Increase in pollution
6. Significant harm to living conditions

### **1. UNSUITABLE LOCATION**

#### **Residential area**

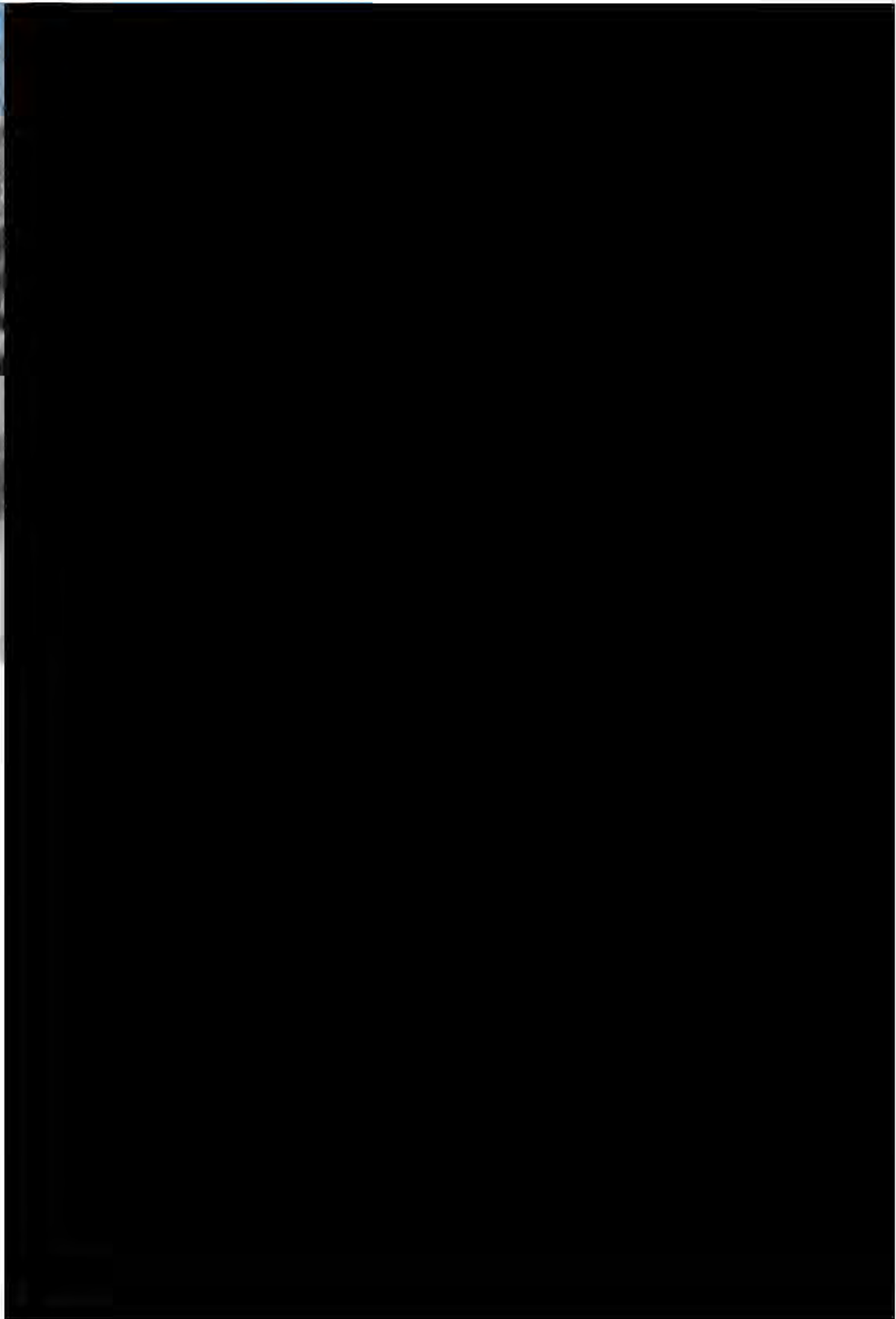
192 Cambridge Road is situated on a very busy roundabout joining four roads, three of which are already extremely busy and often have long spells of queues, causing traffic noise and pollution. At busy times, it also makes it difficult for pedestrians to cross the road safely and difficult for residents to come and go from their driveways.

These four roads are residential and are not commercial.

192 Cambridge Road is in extreme close proximity to residential homes, in particular for a number of homes on Cambridge Road and Manor Road.

If the licence is approved, an outdoor seating area will no doubt attract large crowds, of which will have direct viewing into several homes, causing security and privacy concerns for those residents.

In relation to our home, [REDACTED]



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concerns for sound, lack of privacy, safety, odours, pests, a detrimental impact on the ability to enjoy the surroundings of our home and more. All points will be discussed below.

## Previous planning conditions

We would like to bring your attention to a previous planning application for the property.

DC/2015/00983 | Continuation of use as a cafe (Class A3 Use) | 192 Cambridge Rd  
[Conditions](#)

- 1) The premises shall not be open for business outside the hours of 08.00 to 20.00 on Mondays to Saturdays and 10.00 to 18.00 on Sundays  
  
Reason:- To ensure that nearby properties are not adversely affected by the development and to comply with Sefton UDP Policy H10
- 2) A scheme of noise control for any plant and equipment to be installed on site shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The approved scheme shall be implemented before the plant and machinery is brought into operation and the approved noise protection measures shall thereafter be retained  
  
Reason: To prevent the emission of noise above a level that would be detrimental to the aural amenity of the area and to comply with policy EP6 in the Sefton Unitary Development Plan.
- 3) A scheme of odour control for any proposed kitchen extraction equipment shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The approved odour control scheme shall be implemented on site prior to the proposed extraction system being brought into use and shall thereafter be retained  
  
Reason: To prevent the emission of fumes that would be detrimental to the amenity of the area in accordance with Policy EP2 in the Sefton Unitary Development Plan.
- 4) The development hereby granted shall be carried out strictly in accordance with the details and plans hereby approved and shall not be varied other than by prior agreement in writing by the Local Planning Authority.  
  
Reason: To ensure a satisfactory development.

Sefton Council planning department previously agreed that the Box Tree café location was extremely close to homes and as such was only granted the opening

hours listed above (to 8pm Monday to Saturday, 6pm on Sunday) to comply with Sefton UPD Policy H10. This policy remains in place and, therefore, the proposed application should be rejected as the hours are in breach of the pre-determined opening hours of the premises.

We are not aware that a Change of Hours request has been submitted to the Council, calling into question how an alcohol license can be granted until 12:30am given the above conditions.

Furthermore, we would like to be informed of the action that has been taken to address the concern for odours from the kitchen.

Due to an absence in planning permission, residents are unable to make an informed decision when it comes to submitting objections or not. We believe that had planning permission been submitted (including opening hours, plans etc) more residents would object to this application.

Opening a restaurant is the most common way of gaining a premises license, however, we are extremely concerned with the probability of shifting the emphasis from food to alcohol. This is done by limiting the food offer to a "light bite" menu or only serving food during daytime hours. However, they remain open to the public for the whole of their published license hours.

From reviewing several objection letters online relating to the nearby Peaky Blinders establishment on Cambridge Road (Application DC/2017/00092 and DC/2018/01579), we are naturally concerned that, in the absence of planning applications and in fear of history repeating itself at 192 Cambridge Road. Those concerns were heightened by learning of the company name, 'Village Tap and Bottle' – this does not sound like a café/eatery/restaurant.

We would like to object to the application due to high likelihood that the plans for 192 Cambridge Road will shift to the sale of predominately alcohol rather than food, in the evenings and at the weekend in particular, which would contravene a number of Sefton Council policies.

## **Conservation Area**

Cambridge Road is within the Churchtown Conservation Area, where it is important that special character is preserved or enhanced. Equally important are the features, including the layout of roads, paths, grouping of buildings, the materials used, landscape features and the quality of public and private spaces.

We believe that the status as a Conservation Area is under threat due to the ever-increasing amount of alcohol licenced premises within such a small area, many of which do not preserve or enhance the special character.

Furthermore, the appearance of the building may be required to change to comply with soundproofing and odour policies, which may change the appearance and character, and will need to be considered carefully.

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## Saturation within the village

Within Churchtown village, there are already 13 independent licensed premises and three supermarkets licensed to sell alcohol, and 12 of those have outside facilities. The map below highlights how the local residents have more than enough options to buy and drink alcohol and to increase this further would be harmful to the village.

Hesketh Arms  
Bold Arms  
Remedy  
Peaky Blinders  
Botanic Road Eatery  
Grapevine  
La Tabella  
Conservative Club  
Churchtown Deli  
Cambridge Road Café Bar  
Wagging Tail Café  
Vintage Tea Room  
The Settle Inn  
  
Co-op  
Tesco Express  
Spar



Key: Blue and Orange = alcohol licensed premises

Red = Proposed Village Tap and Bottle

The high volume of alcohol licenced establishments within the village is resulting in it becoming a “bar crawl” location, which is not just for local residents, but for people to travel in for from away to visit. This naturally causes overcrowding and an increase in traffic and pollution.

It would appear in certain circumstances; residents have very little power to prevent the increase in the number of premises selling alcohol in the village. The main legislative control is that the local Authority can declare an area as ‘saturated’ and can refuse planning permission. We would like the Council to recognise that the village is in fact saturated and that no further businesses based on the sale of alcohol be granted a license.

We are aware that law does not allow us to make assumptions as to how a venue might impact the location prior to its opening. However, it is possible to accurately



review the impact of existing establishments within the area which allows you to make an informed decision (available within previous planning applications for Peaky Blinders, Grapevine, Remedy etc). As such, the application should be refused on the basis of its contravention of the Local Plan for Sefton Section EQ10 Food and Drink paragraph 1b, 1ci and 1cii.

## **Building Structure**

The majority of the front of the building is an extension and largely glass with multiple windows. Both factors cause many concerns regarding the protection of sound (people and music), odours (from the kitchen) and the lack of control of customers opening windows during summer months.

The building material of the extension itself makes it hard to determine what sound barrier this will be, please refer to the photographs above.

## **Increase in traffic and parking issues**

Whilst the increase in traffic and parking issues may not be considered as a direct link to the sale and consumption of alcohol, we believe that the increase in visitors, increase in parked cars and possible increase in anti-social behaviour, causing public safety concerns to all, including children, will be as a direct impact of granting the alcohol license.

192 Cambridge Road comes with no parking facilities, meaning this is an unsuitable location for many reasons. The issue with the location in relation to public safety will be discussed in-depth within the 'Safety' section.

## **We would like to object to the application due to the unsuitable location which would be a breach of:**

- **Local Sefton policy HC3 Residential Development and Primarily Residential Areas:** The purpose of this policy is to ensure that development in PRAs protects the residential character and the living conditions of the residents in those areas – should an alcohol license be approved, it would result in an unacceptable residential environment and it would be inconsistent with other policies in the Plan, therefore, the licence should be refused.
- **Local Plan for Sefton Section EQ10 Food and Drink paragraph 1a, 1c, 1ci, 1cii**
- **Public safety (one of the four Licensing Register objections)**
- **Public nuisance (one of the four Licensing Register objections)**
- **Protecting children from harm (one of the four Licensing Register objections).**

Note; there are already numerous unused previously licensed premises available in commercial locations, including Southport town centre, which are far more suitable for such a venture without causing significant impact to others.

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## **2. SIGNIFICANT INCREASE IN NOISE FOR NEIGHBOURS**

The increase in volume of noise as a result of the approval of the alcohol license will be a breach of our welfare, health and our lawful right to peacefully enjoy our property (Human Rights Action – Protection of property).

A significant amount of sound will egress through the front door every time people enter or exit the premises, which will be heard by neighbours.

As mentioned earlier, the building appears to largely consist of an extension – making it hard to determine what sound barrier this will provide. The building itself has a large number of windows, of which will of course allow sound to transmit easily.

### **Smokers**

Smokers will bring their drink outside into the street, as they do at every other venue, where they often stay outside until closing time and beyond, which of course is a concern. We are not aware of where a designated smoking area would be situated, however, looking at the space available, it is likely to be very close to either of the adjoining properties – causing both health issues and the generation of unpleasant odours for those living on either side of the premises, not to mention the sound of smokers, possibly intoxicated, talking in the designated area.

### **Taxi's/ Pick-ups**


192 Cambridge Road is situated on a busy roundabout joining four main roads. As such, there is currently double yellow lines covering the entire building.

Where will taxis/pick-ups wait for the customers?

Where will customers wait for the taxi/pick-up to arrive?

There can only really be a few options, all of which are outside residential homes which will likely breach over the boundary of driveways for neighbours. All the while, customers from 192 Cambridge Road will be outside our homes causing noise.

### **Outdoor Seating**

192 Cambridge Road as a large outdoor space which will likely to become a seating area, a 'beer garden'. As you can see from the photograph above . It is unimaginable that this is acceptable to approve an alcohol license so close to residential homes.

What controls will be in place to prevent customers of 192 Cambridge Road sitting outside making a lot of noise?

Furthermore, when customers come and go from the premises?

## **Deliveries**

Required deliveries of alcohol to this location will also cause many problems which will be discussed further during the 'Safety' section. However, we would like to raise our concerns relating to the noise of deliveries. As we know, alcohol deliveries are more than likely going to be via a large lorry. Barrels and glass bottles will be carried off this lorry into 192 Cambridge Road. Not only is there nowhere suitable for the lorry to park without parking over residents' driveways or causing a significant blind spots for pedestrians and drivers on the roundabout, it will also cause an increase in harm to the close neighbours due to the sound caused. Deliveries of heavy items such as crates and barrels over the pavement also has a potential health and safety issue for pedestrians (including children walking to and from school and joggers etc).

Where will delivery lorries park?

## **Glass and bottles**

We have all heard the noise of bottles being collected via staff at restaurants/bars and placed in outside bins and recycling collections. The noise is very loud and the sound travels far. We can already hear the bottles from other establishments in the village from our home, albeit faintly, but that will change dramatically for us with the approval of an alcohol license. Please refer to the photographs within section 'Unsuitable Location'. You can see that the outside area where one can assume bottles will be kept (as there is no other hidden area) that this is unacceptably close



## **Music**

We are concerned regarding music. Music will likely be played for the outside customers and most certainly inside.

What controls are in place to prevent this from causing significant harm to us?

Will sound-proofing be provided to residential homes?

## **Harm to children**

There are a large number of families with young children in the close proximity to 192 Cambridge Road. The proposed alcohol license hours will cause significant harm to them, especially when attempting to sleep. Furthermore, residents work shifts and weekends, and having noise throughout the day and into the late evening will impact them greatly. The quality of life will significantly decrease once they are unable to sleep due to the noise caused by an alcohol license being granted within a stone throw away from their bedrooms.

## **General increase in noise**

Due to the nature of alcohol intake, gatherings of people would give rise to noise-generating activities such as loud talking, raised voices and laughter, coupled with movement of chairs, glasses and crockery. Such noise levels are likely to be exacerbated by customer clusters being in high spirits which could lead to levels of conversation being increasingly audible through either a number of voices

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being raised at any one time or louder individual voices – inside and outside of the property. Furthermore, there would also be noise and disturbance to neighbours through general coming and goings of customers, and the opening and closing of the front entrances, cars and taxis arriving to drop and collect. Unacceptable noise and disturbance to neighbours at any hour of the day causing disruption, but this is significant harmful during the evenings.

Whilst I understand that once customers leave the premises, the owners are not responsible for their behaviour, their actions may have a negative impact to our welfare and that should not be ignored when considering the application.

The village is already experiencing disturbance from drinkers, especially in the evening. From speaking with neighbours on Manor Road, Cambridge Road and Botanic Road, it would appear that the disturbance increases during summer months when the demand for outdoor seating increases. The majority of houses in the centre of the village were built prebuilding regulations and, due to their Listed Building status, are unable to install double-glazing and soundproofing. Residents want to see far more rigorous enforcements of conditions attached to licenses, especially those governing outdoor drinking.

What is being done about the existing concerns?

Surely there is a need to address these issues ahead of approving even more alcohol licences in the village. Please refer to “Safety - Anti-social behaviour’ for more details.

According to National Geographic, noise pollution can cause health problems for people as it can cause stress, high blood pressure, sleep disturbance and should be considered as an invisible danger. It can affect all age groups, especially children.

Residents have a legal right to be protected against statutory noise nuisance as defined by part three of the 1990 Environmental Protection Act. Please reject this application to lawfully protect the residents of these four adjoining roads.

**We would like to object to the application due to the significant increase in noise which would be a breach of:**

- **Local Sefton policy HC3 Residential Development and Primarily Residential Areas**
- **Public safety (one of the four Licensing Register objections)**
- **Public nuisance (one of the four Licensing Register objections)**
- **Protecting children from harm (one of the four Licensing Register objections)**
- **Environment Protection Act**
- **Human Rights Act 1998 – Protection of property**

## 3. SAFETY CONCERNS

### Traffic

We have been informed that traffic concerns will not be considered by the licensing committee, however, we feel that the following is too important not to draw to your attention to. The Sefton Local Plan 10.13 states that “sites, streets and other places must be designed to ensure safe and easy movement into, through and out of them for all potential users, including those of limited mobility for pedestrians, cyclists, public transport users, car users and for servicing, deliveries and collection”. With an increase in visitors to 192 Cambridge Road, this will increase traffic (the roads are used as a throughway, increase in visitors in cars, increase in taxi’s attempting to pull up/drop off), parked cars, deliveries and people intoxicated by alcohol, making it even more difficult for pedestrians to cross roads and neighbours to simply move in and out of their driveways – resulting in a breach of the Sefton Local Plan 10.13.

Crossing Manor Road or Cambridge Road can be a difficult task during busy times. Drivers speed around the roundabout with barely any consideration to pedestrians or residents exiting their driveway, which is a concern when considering inviting more people to the location on foot or in a vehicle. This increases the risk of safety to all ages, including children, and a concern for customers of 192 Cambridge Road leaving the premises after consuming alcohol.

192 Cambridge Road is on a busy roundabout with double yellow lines. Either side of those lines there is space for one small vehicle to park before breaching into the boundary of resident’s driveways. The likelihood is that the car space will be taken from customers/staff meaning that the only space available will cause the lorries to block driveways.

What controls can be put in place to prevent this?

How will this be managed?

Wherever the delivery lorries find a space to park, it will cause a significant issue to traffic and neighbours attempting to come and go from their homes. This will cause disruption and safety concerns should this be during school/work rush hours or if an ambulance is trying to pass.

We already experience difficulty getting out of our driveway due to traffic jams and/or parked cars on the road which block our vision further. This can often be worrying when we can see children approaching the driveway and will increase the risk further by adding more pedestrians partaking on a village “bar crawl”.

All of this is also a concern for safety of pedestrians and other vehicles, which will be discussed further below.

Please note that Manor Road highway and public pathway is much narrower than Cambridge Road where the Peaky Blinders premises is, for example.

# Agenda Item 3

## **Bus Route**

Manor Road and Cambridge Road are used as bus routes. An increase in parked cars and cars dropping off and picking up will likely cause impact to the buses fulfilling their duty.

## **Ambulance route**

It is important to note that Manor Road is a very busy ambulance route. Traffic queues and parked vehicles will potentially cause a delay in ambulances, putting lives at risk.

## **Parking**

192 Cambridge Road provides inadequate parking provision and causes loss of parking for visitors of residential homes and those visiting the village's existing amenities.

## **Access to drives**

Several neighbours from Manor Road and Cambridge Road have experienced trouble in the past when 192 Cambridge Road was the Box Tree café. Staff and customers would park outside their homes, making it increasingly more difficult to drive in and out of their properties and personal deliveries were often unable to be completed due to a lack of parking space. Furthermore, we have spoken with neighbours who have had to enter the café to ask the owner of vehicles to move as they were actually blocking their driveways.

What will be done about this?

## **Smoking**

As referred to previously, whether the premises becomes a bar or a restaurant, there will be a requirement for a designated smoking area.

Has consideration been given to the location of that?

Either side of the property will certainly cause smoke to blow into either adjoining property to 192 Cambridge Road. This is a serious breach of the Sefton Local Plan EQ4 Pollution and Hazards. This will mean that we are unable to open our windows to prevent the unpleasant odour from entering our homes. The smell will also come into our homes when we open and close our doors.

Many establishments allow customers to smoke anywhere within the beer garden.

What restrictions will be in place for smoking outside at 192 Cambridge Road?

## **Anti-social behaviour**

According to Merseyside Police (<https://www.police.uk/your-area/merseyside-police/sefton-community-police-team---hub-two/?tab=Statistics>), anti-social behaviour accounts to 26% of crimes within the area. Within the last three years there were 6,000 cases reported, yet in the last 12 months there have been 2,500 cases – indicating there is an upward trend and the trajectory for the next thrice-yearly report is worrying.

Despite this, the village has comparatively low levels of policing in evenings which would give visitors the impression that they can get away with behaving anti-socially or illegally. Furthermore, the density of parked vehicles from early evening suggests that a number of people are visiting pubs and restaurants and many hours later, driving elsewhere. From a drink-driving and public safety perspective, this is alarming.

Should we be addressing the anti-social behaviour within the area, rather than approving more alcohol licenses, which will likely increase such behaviours further?

Especially considering the long hours alcohol will be available to customers should the application be approved.

We have reviewed many complaints and concerns received from neighbours relating to previous planning applications at establishments including Peaky Blinders, Grapevine, Remedy etc which is extremely alarming that similar incidents will likely happen to us should the application be approved.

## **Pedestrians**

Whilst an increase in parked cars and cars dropping/picking up will be detrimental to neighbours travelling by car, this will also impact the safety and ability to cross over roads safely. Navigating across these busy roads with a decrease in visibility due to parked cars/deliveries/taxis is concerning. There are many children in the area and many visit the Botanic Gardens whom we need to consider during this application in order to comply with the Protection of Children from Harm License objection.

Furthermore, pedestrians will need to be protected from an increase in empty bottles and glasses on the footpath. We have already experienced many glass items left on the wall of 192 Cambridge Road and the on the public footpath outside of our driveway, which is very close to the path our vehicles take to exit and enter. More needs to be done to address this and hold the existing licensees accountable for the rubbish (harmful or not) left on our roads before adding more licenses to the area.

There is a concern for the safety of those customers of 192 Cambridge Road, whom are likely to have consumed alcohol and will exit on to four busy roads with a roundabout. We are concerned that after the air hits them, a few steps are taken and they could be in the line of oncoming traffic.

## **Pests**

Alcohol bottles and commercial waste both bring pests with them. The only space for waste storage is at either border with residential homes. This will likely be in the 'backstage' area, which from photographs included earlier, indicates that this is extremely close to our property. This is highly likely to cause an increase in pests entering gardens and homes.

What will be done about this?

# Agenda Item 3

**We would like to object to the application due to the increase in safety concerns which would be a breach of:**

- **Local Sefton policy HC3 Residential Development and Primarily Residential Areas**
- **Public safety (one of the four Licensing Register objections)**
- **Public nuisance (one of the four Licensing Register objections)**
- **Protecting children from harm (one of the four Licensing Register objections)**
- **Crime and disorder**

## **4. PROPERTY VALUE**

We purchased [REDACTED] and have invested in a large amount of costly home improvements within that time to enhance its style and property value. We now feel like the decision to sell our home could be pushed upon us as a result of this application.

As confirmed by a local estate agent, being within such close proximity to a restaurant/bar would come with a detrimental financial impact to us. The value of the property will be impacted, and we will likely have to reduce the asking price further, as such a location brings a reduced amount of interest in prospective buyers.

Furthermore, the risk associated with home and car insurance will highly likely to increase should the application be approved.

Why should we be negatively financially impacted by this decision?

How can a reduction in asking price for our property ever be compensated?

## **5. POLLUTION**

### **Increase in traffic**

With the village inadvertently becoming a destination to visit for food and nightlife, there is an increase in traffic. Adding another establishment to the village will likely hinder the achievement of Air Quality Management Area objectives. The traffic queues along Manor Road and Cambridge Road will no doubt be impacting the air quality and perhaps should be investigated in order to comply with Sefton Local Plan EQ4 Pollution and Hazards.

### **Other pollution**

Another establishment within the small area of the village will have an impact to street cleansing and to residents' gardens and driveways as empty bottles and other rubbish could be left.

**We would like to object to the application due to the increase in pollution which would be a breach of:**



- **Local Sefton policy HC3 Residential Development and Primarily Residential Areas**
- **Public safety (one of the four Licensing Register objections)**
- **Public nuisance (one of the four Licensing Register objections)**
- **Protecting children from harm (one of the four Licensing Register objections).**

## **6. SIGNIFICANT HARM TO LIVING CONDITIONS**

We believe that the approval of the alcohol license will cause undoubtable negative impact to our living conditions and cause significant loss of enjoyment to our home.

**We would like to object to the application due to the negative impact to living conditions which would be a breach of:**

- **Local Sefton policy HC3 Residential Development and Primarily Residential Area**
- **Public safety (one of the four Licensing Register objections)**
- **Public nuisance (one of the four Licensing Register objections)**
- **Protecting children from harm (one of the four Licensing Register objections).**

## **CONCLUSION**

The existing licensed premises in Churchtown village clearly meet the needs of the food and alcohol market segment and by granting an additional license, with no known difference to the others, will create unnecessary competition at a time when pubs are already closing daily across the country.

We urge Sefton Council to use their powers to refuse the selling of alcohol in this location on the grounds that:

- It would contravene a number of key policies outlined in the Sefton Local Plan, including HC3 and EQ10
- The premises are in very close proximity to residential properties which will decrease property value and cause harm to living conditions
- Decreases safety of neighbours and visitors
- Weakens the village's retail prospectus by reducing the number of general-purpose retail outlets available and shifts emphasis to a night-time economy with a different clientele (also impacting key policies within Sefton Local Plan)
- Does not promote the four alcohol Licensing Register objectives.

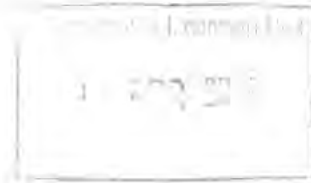
Yours sincerely,

[REDACTED]

# Agenda Item 3



The Licensing Authority Licensing Unit  
Sefton MBC  
Magdalen House  
30 Trinity Road  
Bootle  
L20 3NJ



9<sup>th</sup> April 2021

**Ref: The Village Tap & Bottle, 192 Cambridge Road, Southport PR9 7LS**

Dear Sir/Madam

We are writing to make a representation in respect to the premise licence application to the above property at 192 Cambridge Road in Southport. We have significant concerns in the change of function of this property from a small charity run café with no outdoor seating [REDACTED] to a late night bar with a clear focus on the supply of alcohol (as indicated by the name) in to the late hours of the night/early morning.

Our home is located [REDACTED] and we live with our two very young children (one who attends nursery and the other the local primary school). Within just 6 minutes walk we have 10 businesses that have premise licences with the majority staying open until 11:30pm during the week and even later at the weekend (see tables in addendum). With this number of premises there are already issues (when bars/pubs were open before the global pandemic) such as litter, noise and anti social behaviour (particularly since the opening of Peaky Blinders). Having yet another bar open within a very residential part of the village will only exacerbate the challenges.

We are disappointed that the door to door canvassing the new owner did after purchasing the property was focused on assuring us that the main purpose of the new property was primarily on a café environment with alcohol and was not going to be a new bar, when it is clear from the name (Tap and Bottles) and the opening hours and alcohol serving hours requested clearly identify the purpose as a bar first and foremost.

Our primary concerns are around noise pollution and anti-social behaviour particularly as an NHS worker with very young children. With the premise license application being one of the latest within the 6 mile walking distance it will also mean everyone will want to congregate at the bar for 'last drinks' further exacerbating the concerns around noise, anti-social behaviour and littering (we already have the odd beer bottle and empty pint glass deposited on our garden wall or occasionally in our garden/driveway from the existing licensed premises).

My secondary concern is around privacy with the potential for outdoor seating [REDACTED] our property with two bedrooms and our primary living room facing this area I am deeply concerned about lots of strangers, drinking alcohol, sitting [REDACTED] a [REDACTED] [REDACTED]

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We bought our property in 2019 as it was in a lovely, quiet residential area in the historic village of Churchtown. This proposal to place an early morning to late night beer bar is not in keeping with the residential nature and we strongly oppose the license application.

Yours faithfully,



CC: Damien Moore MP  
Councillor John Dodd



The Licensing Authority Licensing Unit  
Sefton MBC  
Magdalen House  
30 Trinity Road  
Bootle  
L20 3N

Dated: 13/04/2021

Subject:

**Objections to proposed licensed activities at 192 Cambridge Road, Southport – “Village Tap and Bottle”**

To whom it may concern,

We wish to formally lodge our objection to the granting of the proposed license for the above referenced venue, on several grounds as laid out in detail within this letter.

Our family (including two children aged 7 and 5) are the residents of number [REDACTED] [REDACTED] across the road from 192 Cambridge Road (Please see Appendix 1 for a map of the locations and photographs from our property), approximately [REDACTED] away. [REDACTED] by 192 Cambridge Road.

The grounds on which we object fall under the below categories.

### 1. The Prevention of Public Nuisance

There will be significant detrimental impact to the quality of our lives and enjoyment of our property, because of the granting of said license. Due to an increase in the noise, lighting and vibrations created by the venue, it's customers (both whilst on site and leaving) and the vehicles servicing the venue (including, but not exclusively, taxis, delivery lorries, refuse collection). Patrons of the venue, seating inside or outside, [REDACTED]

### 2. The Preventing of Crime and Disorder

We would submit that the granting of the licence would provide for an increase in the volume of public order offences, drunk and disorderly offences, criminal damage and alcohol related anti-social behaviours. Which are already a concern in the area resulting from the increase in existing licensed premises. The correlation between alcohol and crime is a well-researched and reported topic.

### 3. Public Safety

The venue is situated at an extremely busy junction, with the surrounding arterial A roads facilitating both Ambulance and Bus Routes. The increase traffic and the risk of intoxicated patrons exiting on to the busy roundabout would, in our submission, cause concern for public safety.

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## 4. The Protection of Children from Harm

There are two local schools and a nursery in the surrounding area. The proposed opening hours and application to serve alcohol during the hours suggested, we submit would increase the risk of harm to the children (from intoxicated customers, increase of traffic whether that be commercial vehicles or customers) particularly at peak finishing times in an area where there are already a number of licensed premises.

It is also a serious concern regarding the detritus left by drinkers, that is happened upon by children on the walk to school/nursery, such as bottles and glasses. This already happens now and would be increased due to the addition of a new venue with likelihood of outside drinking.

In summary, we submit that there are significant concerns with the granting of this license across several areas. Whilst we support the growth in local businesses, it is our position that 192 Cambridge Road – Village Tap and Bottles, would be detrimental to the amenity of the local area and residences and cause disturbance and distress to those living in the area.

We appreciate your consideration of this letter and can be reached on the below for further clarity and discussion.

With Thanks

[Redacted signature block]

## Public Nuisance

The main grounds for our objection fall under the above, in so far that:

Sefton's Unitary Development Plan Policy H10 states that 'non-residential developments will be permitted in primary residential areas provided that it can be demonstrated that the proposal will not have an unacceptable impact on residential amenity'.

Furthermore Sefton Local Plan EQ4 states that 'development proposals should demonstrate that environmental risks have been evaluated and appropriate measures have been taken to minimise risks on adverse impact on amenity', most significantly in our application, 'to noise vibrations, dust, odour and artificial light pollution'.

Finally, EQ4 also states that 'development will be permitted where the impact of noise/vibration and lighting will not be significant or can be reduced to an acceptable level'.

On the basis of the above we do not consider that the application for the license at the said venue is compatible with Sefton Local Authority key policies in relation to public nuisance for the following reasons:

1. In relation to the site the adjoining and surrounding premises are on the whole residential dwellings, making it more sensitive to changes in the noise environment than the wider area. We consider that the change in use from a café to a licensed premise would see a significant increase in the noise pollution emitting from this venue.
2. The previous usage was a café, the opening hours being from 9am until approximately 5pm and this venue was not opened 7 days a week. As an unlicensed premise the noise levels were manageable. In fact, in the previous planning application of the property DC/2015/00983 Sefton Council clearly stated that the premises could not be open for business outside the hours of 08:00 – 20:00 on Mondays to Saturday and 10:00 – 18:00 on Sundays. The reasons given for this decision was 'To ensure that near by properties are not adversely affected by the development and to comply with Sefton UDP Policy H10'. It is on that basis that we object to the granting of the license applied for by Churchtown Tap and Bottle. The inference from the reason given by Sefton Council clearly indicated that opening hours alone would have an adverse effect on the residential properties.
3. The further significant change, the application to serve alcohol throughout the day and into the night is such that gatherings of people would give rise to noise generating activities such as talking, raised voices and laughter; coupled with the movement of chairs, glasses and crockery. Such noise levels are likely to be exacerbated by some customers being intoxicated which leads to levels in conversation being increasingly audible through either several voices being raised at one time or louder individual voices.

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4. There would be noise and disturbance to us and other residences through the general comings and goings of customers via the opening and closing of the two front entrance doors and the two gates. Noise will also be generated from cars/taxis to drop off and collect customers throughout the evening. As experienced from the existing establishments, those leaving on foot also create a significant volume of noise late at night when in high spirits. We consider this would generate an unacceptable level of noise and disturbance late into the evening when we would reasonably expect lower levels of noise.
5. In our views there would be further disturbance from the alcohol deliveries and the disposing for the bottles/waste during the day and at the end of the night. Similarly, the refuse collection of the same in the early hours of the morning. There are little measures that can be put in place to limit the sounds of glass bottles being disposed of.
6. It is our submission that the noise from both the venue and its patrons would continue to be generated after the licensed hours, as patrons finish their drinks and conversations. From experience with the other local venues, this can often continue with people lingering outside of the premises. This of particular concern at the weekends when there is a proposed finish time of 12:30am in an area where there are many families with young children.
7. The issues of the above noise pollution are compounded by the fact the venue is, in the main, glass fronted offering a reduced level of sound proofing. The largest section of the venue, where the majority of internal patrons would sit/stand, is an extension to the original building, and from inspection, appears to also have a glass/plastic roof structure (Visible on diagram 2, Appendix 1). Our submission is that this would help reverberate the noise generated within, rather than dampen it. The large outdoor space will inevitably be used as a beer garden, and will therefore generate noise with no barriers, controls, or measures to limit the noise generated or emitting from the area.
8. [REDACTED] the beer garden and a large section of the internal seating, [REDACTED] but more importantly in the summer months, when we would ordinarily have windows open the noise would have a significant impact on our ability to enjoy our property. Already during summer months, we are able to hear alcohol related noise from a licensed premise which is further away than the applicant.
9. We are concerned that we will be prohibited from having our children's window open in the summer months due to the noise disturbance after 7pm when our children would go to bed.
10. As would be expected, the venue will be lit both inside and outside, especially so at night. We submit that this would provide unwelcomed distraction to both residents in the surrounding properties [REDACTED] [REDACTED], but also to drivers on the roads, in contravention of EP7 1.(b) Sefton UDP.



11. Any music or audio from sport shown on TV's or similar, will be likely heard from our property, especially if played via speakers outside. There are no significant barriers in place to provide any mitigation of this. In fact as referenced above the very design and materials used for the property would suggest that any attempts of mitigation would be nominal or futile.
12. Given the high density of existing licensed premises in the immediate area, we raise concerns that an additional venue would change the character of the area, from being a quiet and village, to a destination drinking area, in contravention of MD6 1.(a)/(b) and 2.(a) and 4. (given the proposed late licensed hours) Sefton UDP.
13. Further, given beer garden element of the venue that would likely attract large numbers of patrons (as evidenced by the existing establishments), and the proximity of residences to the venue, we propose that it will have a detrimental impact to the visual and residential amenity of the area, in contravention of EQ10 1.(b) – Local Plan for Sefton 2017
14. At all times of use, cigarette smoke, smells and litter would be concern.

In conclusion and in relation to our opposition in the grounds of public nuisance we do not consider that the applicant has demonstrated in any capacity or any appropriate methods of reducing or addressing any of the risks or impacts that the application would have on the local amenities.

The communication that we have had in writing with the allege proprietor suggests that there is not definite plan for the intended use referring to it as a café/coffee/eatery/wine bar.

We consider that in line with Sefton Local Plan any attempts to demonstrate the alleviation of risk and impacts should have been done prior to the application. Without such information Sefton Council cannot make an informed decision and the application should fail.

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## Prevention of Crime and Disorder

Our objections to the granting of this licence under this category are as follows.

1. By his own admission when in discussion with us, the proprietor - Mr Chris Adams, confirmed he has no prior experience in running a licensed premise. This raises concern that he will be insufficiently equipped to deal with the demands of addressing the concerns detailed throughout this document.
2. We question the ability he may have to deal with the on-going challenges that come with running a bar, such as dealing with drunk customers, underage drinking, violence, and drug usage. Should this license be granted, we propose it will add to the area becoming a drinking destination and would give rise to an upsurge the incidents of the above in the area.
3. Further, there is no safe space outside of the venue for customers to be dropped off or collected, which will see those taxis/cars parking illegally on a busy and dangerous junction. The roads in the surrounding area are Double Yellow lines (as visible Appendix 1. Diagram 1). Should vehicles park on the Double Yellow lines, it will force other cars into the middle of the busy roads. Note Manor Road (A5267) and Denmark Road are particularly narrow for the volume of traffic the already handle.
4. It should be noted that there are already parking challenges on these roads, with staff from the local school and retailers parking in this area, alongside homeowners having multiple vehicles leading to congestion.
5. We hold concerns that the proximity of the venue and the outside drinking spaces to the roundabout could also provide a distraction for drivers navigating the roundabout. Those distractions could be in the form of the lights used within/outside the premise and patrons entering/leaving and drinking in the grounds.
6. With the proposed opening hours being later than that of the some of the established venues nearby, there will be a movement of drinkers from those premises to 192 Cambridge to continue their drinking. This will lead to increased numbers of people on the streets (in the late evening) which will increase noise and disturbance and may also lead to increased public order offences as groups merge following last orders at other venues.

## Public Safety

1. The main entrance to the venue leads directly on the roundabout (as visible in Diagram 1. Appendix 1) There is no barrier to prevent a patron from walking/falling directly into the road and subsequently the path of traffic, a situation that can be envisaged where alcohol consumption is concerned.
2. Additionally, the secondary exit also has no protection for those leaving the venue from entering the road.
3. Should the venue need to be evacuated, there is no safe and secure area for people to wait, save for the pavement outside of people's residences. Similarly, should the venue be at capacity, patrons queuing to enter would need to do so on the public footpath.
4. Given the large volume of glass in the structure of the venue, particularly in the extension section of the property, any noise exposure controls will be of limited value, given the poor acoustic control properties.
5. Residents are already greeted by the detritus of drinkers from the existing establishments, including glasses, glass bottles, litter, cigarette stubs and food waste (such as pizza boxes) or worse (such as urine/vomit) which are all found on garden walls, within gardens and along the pavement. This is especially unpleasant for those walking their children to the local schools/nursery.

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## Appendix 1.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## Appendix 2.

### References

[https://sefton.gov.uk/media/3626/epd\\_licensing\\_act\\_dcms\\_making\\_representations\\_march\\_2010.pdf](https://sefton.gov.uk/media/3626/epd_licensing_act_dcms_making_representations_march_2010.pdf)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/810197/NPPF\\_Feb\\_2019\\_revised.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf)

<https://www.sefton.gov.uk/media/2181/lo1-sefton-unitary-development-plan-smbc-june-2006.pdf>

<https://www.sefton.gov.uk/localplan>

<https://modgov.sefton.gov.uk/documents/s99459/Enc.%201%20for%20Planning%20Appeals%20Report.pdf>

<https://www.sefton.gov.uk/media/1133/a-local-plan-for-sefton-for-adoption-final.pdf>

# Agenda Item 3

To whom it may concern

Re: licensing proposition for The Village Tap and Bottle Limited, 192 Cambridge Road

I am objecting to the licensing being applied for at The Village Tap and Bottle Limited. I appreciate I t was a coffee shop/lunch venue however this will become an over intensive use of a site in a predominantly residential area. There will be significant negative impacts on existing amenities in terms of noise, smells, nighttime activity, cars, taxis et and long hours will attract customers all day and night. This will turn this particular park of Churchtown from a residential area to a more commercial area.

Please see further points below:

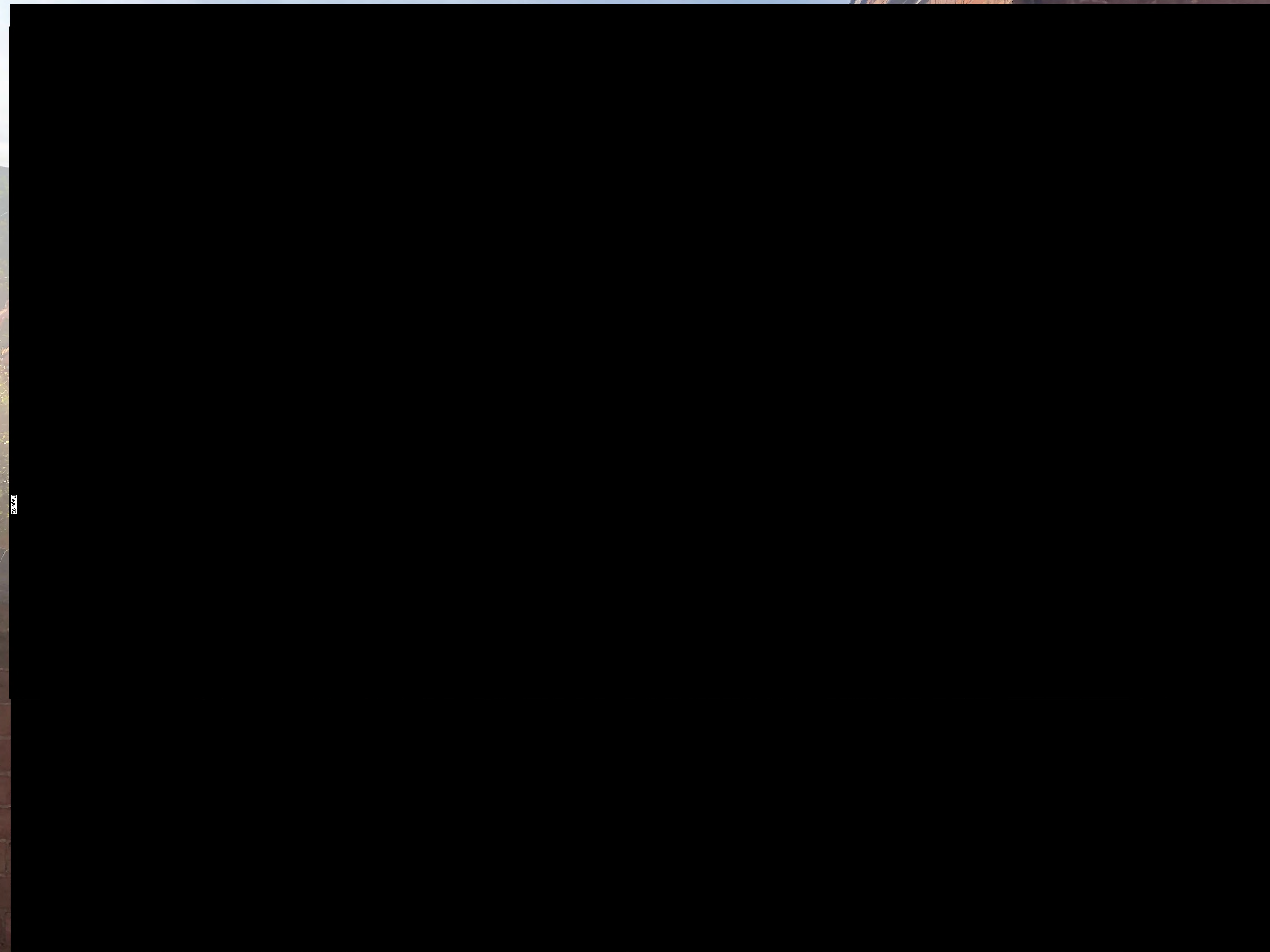
- This part of Churchtown is predominantly residential we are slightly away from the bars and have chosen to live away from this so do not choose to live so near a wine bar. This will make the area which is away from the other bars much noisier and I personally have a bedroom at the front.
- This will now create a triangle of bars in churchtown creating much more rowdy noise at night with more people walking past
- The license has been applied for from 8:00 in the morning until the late hours. There is a primary school nearby and I wonder if this may attract clientele that like to drink early. I am not sure this will be a good thing for the children walking home from school to witness people having had the opportunity to drink from early in the day. This would concern me for the safety of children if they having to walk past inebriated clientele in the day as many walk home on their own. Not only is this near a primary school but a lot of pupils from the secondary school walk past – this property has a large outside space so will be inevitable that the children will witness everything.
- Deliveries to the bar will be a challenge – I often have people parking across the drive of my house which is a few doors down and there are double yellow lines around the bar which is located on a busy roundabout. I presume these deliveries may often be in the morning adding to the congestion at a busy school time and also making the traffic more dangerous which may be a safety concern – how they going to cross when there is a lorry around?
- The likelihood of large bins and sugary alcohol bottles outside will mean the possibility of attracting rats etc – as you can see on the picture this will impact many gardens/houses in the area.
- A lot of this property that will be used as a bar is an extension – I am unsure how this has been sound proofed? Will it be warm so windows will be open? If this is the case this will dramatically increase the noise level.
- Due to the location of the bar on a consistently busy roundabout this will further add to congestion and will risk taxis turning round dangerously on the road. Mr Adams said that he would be asking if they could park over the road where there is space near the solicitors however I do believe this property belongs to the Village Tap and Bottle and there are several different taxi companies that can be called which I am sure will be unaware of this.
- Due to the property being on a corner this backs into many gardens – simply the noise/bottles clanging and barrels etc being changed will echo down the back of our properties.
- The applicant came to discuss his proposals but has misled neighbours as to the actual proposal and down played what he applied for simply stating it would be similar to its previous use but with possibly “some” license hours. I feel that many people have not

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objected as the A4 sign outside the property is unnoticeable and I feel they may have taken him at his word. Please find the letter enclosed.

Yours sincerely

A large black rectangular redaction box covering the signature area.



Small, faint, illegible mark or text on the left edge of the page.



Dear Neighbour

Thank you for taking the time to briefly speak to me, or my apologies if you were not in when I've attempted to hand deliver this letter.

To briefly explain once more.

My name is Christopher Adams, I've recently purchased the property, 192 Cambridge Road. Previously known as "The Box Tree Nursery".

My plan with the property is to further develop the café use on the premises, continuing to serve food in the establishment alongside the option of alcohol.

Over the course of the coming weeks, it is my wish to apply for a Licence whereby I can sell alcohol on the premises. With your support I would intend on opening a lovely wine bar, coffee shop, eatery business all in keeping with Churchtown Village, of which I would be the sole shareholder and director of.

Being a resident of Churchtown Village myself I felt it's important to come and introduce the idea to the immediate neighbours and welcome your thoughts, wishes and feedback to the project.

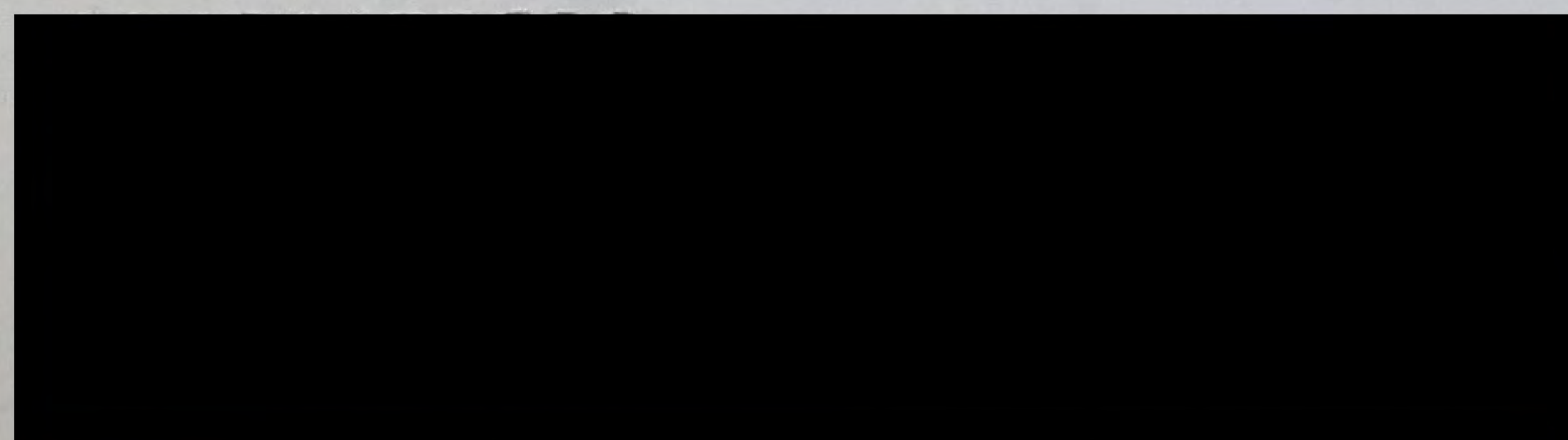
I will of course endeavour to keep you happy and try as best I can to meet your wishes and needs.

Please if you want, make your thoughts known to me in writing via the email address below or alternatively there is contact number to call, I will be more than happy to respond or accept your call.

Thank you for taking the time to speak to me and/or taken the time to read this letter.

*Kindest regards,*

Christopher Adams



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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

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# Agenda Item 3

## ANNEX 2

**From:** [REDACTED]  
**To:** [Licensing](#)  
**Subject:** 192 Cambridge Road  
**Date:** 15 April 2021 19:33:49

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To whom it may concern

I'm writing in relation to the proposed bar/license in the Churchtown village area (192 Cambridge Road)

I'd like to start by saying as a Churchtown resident, I absolutely believe the village needs a bar like this and that it would benefit the local area greatly.

Churchtown has a couple of typical pubs but is missing an upmarket 'wine bar' to add some variety to the area. I think the opportunity to turn the old box tree nursery site into a wine/tapas bar is a hugely positive step to raise the charm and attractiveness of the village. I feel as a resident it will also benefit the value of properties in the area.

I have no concerns with the opening hours of the potential bar and I believe they fit in with the rest of the local pubs.

I only see this bar bringing positive aspects to the village for example a local place I could go with friends/family with a more 'upmarket' feel.  
I have zero concerns about any disruption or noise pollution.

I whole heartedly support these premises successfully receiving a license. I would welcome the addition of this potential wine bar adding further character to this pretty, historic village.

Thank you

[REDACTED]

[REDACTED]

# Agenda Item 3

From: [REDACTED]  
To: [Licensing](#)  
Subject: New wine bar - Churchtown Southport  
Date: 15 April 2021 17:39:23

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To whom it may concern

My name is [REDACTED] I live at [REDACTED] I reside here with my wife and three children who attend the local school.

I felt compelled to write in simply because being a local resident to the premises, several houses away from the property infact. I talk to neighbours and the general thoughts are that is this a great idea for Churchtown Village, I have to agree.

It's my understanding this is set to be a wine bar / eatery. With a lot of money spent on it, uplifting the area. Something that compliments a vibrant hospitality sector in the village that between pubs and gin bars is really needed. I think it naturally lends itself going from already being a cafe to this next idea. Which I support.

Respectfully what I wasn't in agreement with some points neighbours make, which I believed are floored was increased noise pollution. The bar is situated in between several other licence premises it's not as though it will be attracting people from one area to new area that was once "away" from the drinking establishments of Churchtown, this is very much in the centre of it all. Providing its hours match the other bars then I think it's a seamless addition to the vibrant evening life of the village.

I've heard comments it's not in keeping with the village. I couldn't disagree more. Corporational giants are already here. And have been for some time. Aesthetically the property is already built around serving people in the hospitality sector.

Finally comments on traffic. Again I'm not really understanding this. We live [REDACTED] the second busiest school in the Sefton Borough. It's very busy [at 8.30am](#) and [3pm](#) weekdays. I would think the wine bars peak business hours of trading will be the weekend? And evenings?

They are just my points from a view of someone who lives in [REDACTED] of it.

It's been a struggling time for most in the past year. What better breath of fresh air can the Village wish for. Who knows how long the property could have gone empty for?? We should be encouraging and supporting bold moves like this in the current climate.

It certainly gets my full support.

Thank you

Best Regards  
[REDACTED]

# Agenda Item 3

**From:** [REDACTED]  
**To:** [Licensing](#); [REDACTED]  
**Subject:** Box tree license  
**Date:** 15 April 2021 19:46:49

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Dear Council,

My name is [REDACTED] I live at [REDACTED] is in the heart of Churchtown Village. I have been a resident here for most of my life and brought up my two children here.

Effectively I live [REDACTED] to two of the licensed premises in Churchtown, which are; La Tabella and The Grapevine, and I am stones throw away from some of the other establishments.

I honestly can't wait for this project to start, it's something the Village is missing. The clientele in the village will prove this to be a popular spot, I am sure. I think the wine bar vibe will attract the same type of people who respectful leave the venues I live [REDACTED], and have never had a problem with.

Thanks for taking the time to read my opinion.

[REDACTED]

[REDACTED]

# Agenda Item 3

**From:** [REDACTED]  
**To:** [Licensing](#)  
**Cc:** [REDACTED]  
**Subject:** Box Tree Nursery License  
**Date:** 15 April 2021 19:46:51

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Dear whom this may concern within Sefton Council,

My name is [REDACTED] and I have lived in and been a resident in Churchtown all my life. I grew up down [REDACTED] which was my family home for 26 years and then moved to [REDACTED]. However I currently live down [REDACTED] which is within walking distance to the potential new bar and the village. I was super excited to hear and see the Box Tree Nursery was going to be a new bar. I believe it will be another great aspect for our Village and will encourage people aswell as the locals to visit and spend time and money here.

Thankyou very much for taking the time to read my opinion within this matter.

[REDACTED]



**From:** [REDACTED]  
**To:** [Licensing](#)  
**Subject:** Fwd: The Village Tap and Bottle Premises Licence  
**Date:** 17 April 2021 09:49:17

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My apologies - I sent the below to the wrong email address.

----- Forwarded message -----

**From:** [REDACTED]  
**Date:** Thu, 15 Apr 2021 at 20:27  
**Subject:** The Village Tap and Bottle Premises Licence  
**To:** <[Licensing@sefton.co.uk](mailto:Licensing@sefton.co.uk)>  
**Cc:** [REDACTED]  
[REDACTED]

Good evening,

I am writing this email regarding the premises licence application for The Village Tap and Bottle in my local area of Churchtown. My family and I live just [REDACTED] the road from the site on Denmark Road.

I was happy to see that the premises had been bought and that there are plans to develop and use the building. It seems a shame that the property has had a number of periods of closure in recent memory, and as yet it does not seem to have been utilised to its full potential. It's time as a charity cafe for Queenscourt was of course a worthy cause, but the opening hours were limited and the hospitality inconsistent as a result of having volunteer staff.

Having lived locally all my life, it has been brilliant to see the regeneration of Churchtown in recent years, and it has made it such a lovely place to live, as well as for others to visit from other parts of town and further afield. It's a shame to walk past an empty building when popping into the village or to the park, and I would therefore absolutely support the granting of this licence application.

The existing restaurants, bars and pubs in Churchtown have never in my experience brought negatives to the village, and as a local resident I do not have concerns that this additional venue will bring any either, on a site that actually seems suited to this kind of business. The application to me seems to be in line with other licences in Churchtown, so I do not see an issue in terms of the operating hours and any kind of anti-social behaviour.

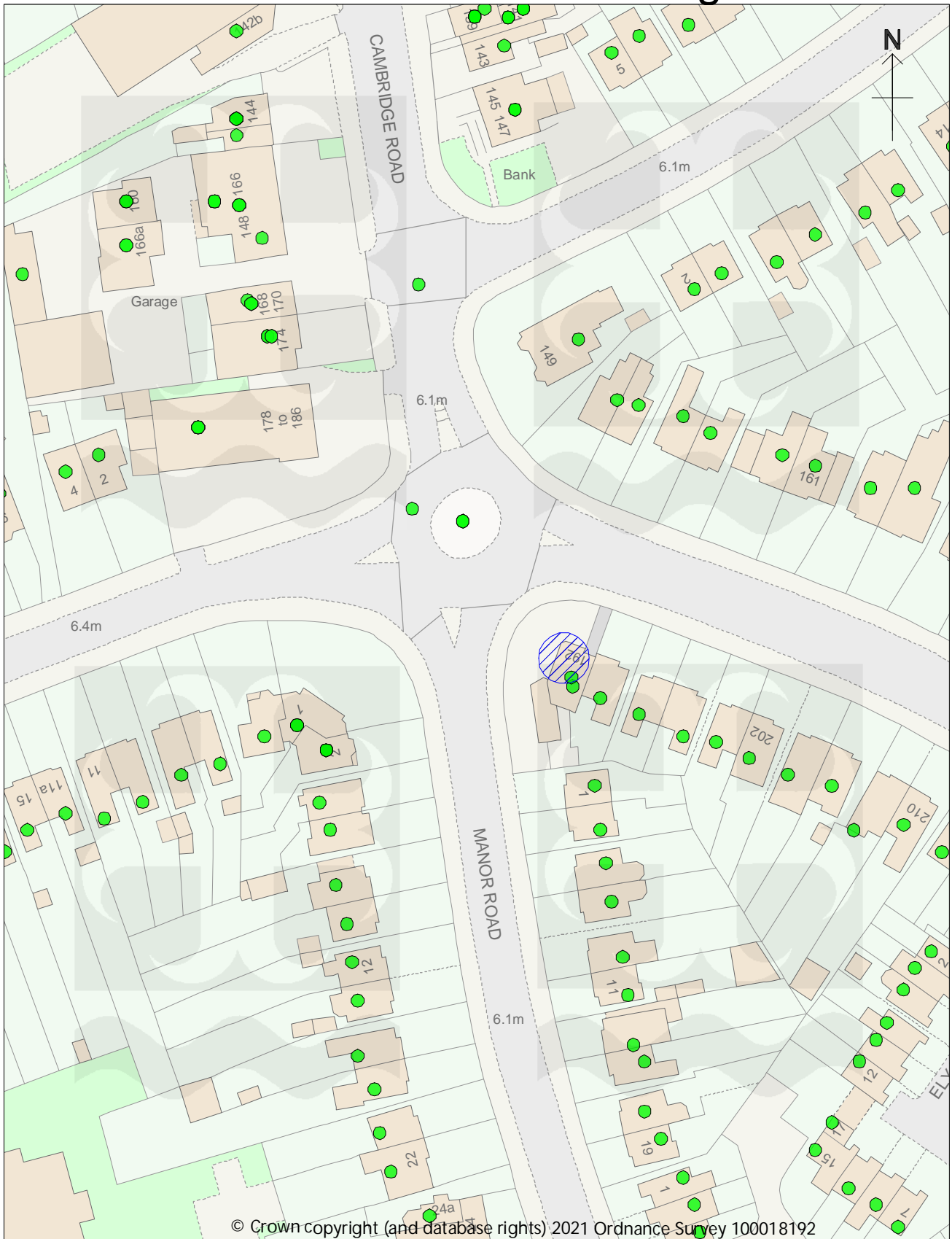
Living so close to the village on Denmark Road means that I do believe that the commercial development of Churchtown has a limit, and I would not blindly support any and every application made. However, this new commercial venture going into this vacant commercial property is not something that concerns me, and I would actually much prefer this to an empty, closed or under-utilised site that I have become accustomed to seeing in recent years.

I would appreciate being made aware of any updates with the application if this is possible.

Thank you for your time,

[REDACTED]

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Reference: Grant application  
Date: 24/03/2021  
Scale: 1:1000  
Created by: KC

The Village Tap and Bottle  
192 Cambridge Road  
Southport

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