

[REDACTED]

From: Philip Maynard <[REDACTED]>
Sent: 17 June 2019 10:30
To: Joanne Gallagher
Subject: Re: Licensing application: The Lord Derby

Hello Joanne,
Thanks for your rapid reply: very helpful.

I confirm that I would like you to accept my email(s) as a representation; my name and address details are:

Philip Maynard
Chairman, Braxfield (St Annes) Management Company Limited
[REDACTED]

Just to prove that I've read (!) the Police conditions that you kindly included: the last sub-point of the first group says "cited": that should be "sited" (this does involve the coverage of the new areas we are talking about).

And, though it is beyond my remit, I would add a further comment about the Police conditions.

It is probably standard wording, but I'm surprised that the second sub point says merely that the camera "... will **be capable of** providing an image ..." (my emphasis).

Such cameras will usually be able to be set at different video resolutions: using a lower resolution will result in smaller files which are easier and cheaper to store and back up, but which - though the camera could be argued still to be capable of doing so - may not in fact provide an image to the required standard?

I would suggest the requirement:

- The system will incorporate a camera covering the entrance doors and **will provide** an image which is regarded as identification standard.

This wording is more demanding: but if the images are not, in practice, of the required standard, what is the point of them?

And at the risk of completely overstepping the mark, given that this point concerns the coverage from the camera, I would add in here - so that it's all in one place, rather than tacking on at the end - the point about the siting of the camera(s) to cover the external bar, bottle bar and external seating, so as to specify in one point the coverage that is required.

Thanks for your assistance with this.

Phil Maynard

On 17 Jun 2019, at 09:15, Joanne Gallagher <joanne.gallagher@fylde.gov.uk> wrote:

Hello Mr Maynard,

Thank you for your email.

The Lord Derby is currently licensed for consumption on & off the premises, which allows alcohol to be supplied from the bar inside the premises and consumed in the outside area.

The licensable activity with regards to alcohol sales is regarded as the sale or supply of alcohol and the application has been submitted in order to amend the licensing plan to include the outside area - a new bar has been installed next to the seating area at the front of the building as you face it from St Annes Road West and a van installed which will be the bottle bar. The granting of this licence will enable customers to purchase alcohol from either of these locations without going inside the pub. I've attached a copy of the plan which has been submitted with the application.

The police have agreed 2 additional conditions with the licence holders which will be added to the licence if the variation is granted. These are –

- CCTV will be installed at the premises and will comply with the following:
 - The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary.
 - The system will incorporate a camera covering the entrance doors and will be capable of providing an image which is regarded as identification standard.
 - The system will display on any recording the correct time and date of the recording.
 - The system will make recordings during all hours the premises are open to the public.
 - Digital recordings shall be held for a minimum of 21 days after the recording is made and will be made available to the Police or any authorised persons acting for a Responsible Authority for inspection upon request.
 - A staff member who is conversant with the operation of the CCTV system will be on the premises at all times the premises are open to the public. This staff member will be able to show recent data or footage with the absolute minimum of delay when requested to a Police Officer or to a Local Authority Enforcement Officer.
 - CCTV cameras will be cited so that the licensed external areas are covered which will include the external bar and bottle bar areas and external seating.
- The external bar/bottle bar will close from 20:00hrs each day.

Please can you confirm if you would like me to accept your email as a representation. In order to do this, I will need you to provide me with your full address and details of your representation will be passed to the licence holder (Greene King/Spirit Pub Company/services Ltd), who may contact you to discuss your representation.

If you have any further questions please do not hesitate to contact me.

Kind regards

Joanne

From: Philip Maynard [mailto:

Sent: 14 June 2019 20:57

To: Joanne Gallagher <joanne.gallagher@fylde.gov.uk>

Cc: Michael Jackson <

Subject: Fwd: Licensing application: The Lord Derby

Hello Joanne,

Thanks for your email and the attached information.

In your email you repeat the information from the application:

“... to include the external area within the licensed area incorporating an external bar and bottle bar “

But I'm afraid that I don't really see or understand exactly what that means, and what precise change(s) are being proposed?

The application also says “For full and further details please view the licensing plan.”

This licensing plan does not seem to be attached or included with the information that you kindly supplied?

Are you able to provide the plan, and / or provide further details of what is being proposed?

Subject to those details of the proposal, it would seem almost self-evident (based on the wording "... external bar and bottle bar ...") that granting the proposals will:

- act against the prevention of public nuisance by the encouragement of additional outdoor consumption of alcohol, in very close proximity to public pavements and to numerous adjacent residential properties;
- act against the protection of children from harm, given the Brewery's ongoing efforts to turn more of the outdoor area of the pub into a children's playground, and thus add even more conspicuous consumption of alcohol within the very area of the children's play facilities.

I can understand the Brewery's encouragement of children into the pub via the play facilities, as it will bring in their parents with them as paying pub customers; I cannot understand any acquiescence of the licensing authority - with their objective of the protection of children from harm - to this business plan, which would seem to use the children as pawns to attract pub customers.

Phil Maynard

Begin forwarded message:

From: Joanne Gallagher <joanne.gallagher@fylde.gov.uk>

Subject: RE: Licensing application: The Lord Derby

Date: 10 June 2019 at 09:54:44 BST

To: "[REDACTED]" <[REDACTED]>

Hello Mr Maynard,

Your email has been forwarded to the licensing team for a response.

Please find a copy of the application form which has been submitted for the variation of the premises licence attached.

As you will see the application is to vary the licensing to include the external area within the licensed area incorporating an external bar and bottle bar.

Anyone can make a representation (objection) against an application. I've attached a form which you can complete and return to us in order to make a representation, which needs to be relevant to one of more of the licensing objectives –

Public Safety

Prevention of Public Nuisance

Protection of Children from harm

Prevention of crime & disorder

Please note that the contact details of any person who has made representations will be passed to the applicant, who may contact you to discuss your representation.

If we receive one or more representations on or before the final date (in this case 27th June 2019) then a committee hearing will be arranged with a panel of councillors from our licensing committee no more 20 working days after the final date. Any person who has made a relevant representation will be invited to speak at the hearing and the councillors will make a decision on whether to refuse the application or grant it either with or without additional conditions.

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

Kind regards

Joanne

Joanne Gallagher

Technical Enforcement Officer- Licensing

Fylde Borough Council

DDI: 01253 658609

Main: 01253 658609

You can now sign up to the 2019/20 green bin collection service, please visit:

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Visit our website for all the latest information at your fingertips:

<http://www.fylde.gov.uk>

Fylde Borough Council's email disclaimer can be found at:

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Visit <http://www.fylde.gov.uk/privacy-notice/> to see how departments at

Fylde Council use the data that they hold about you and how they keep it safe.

From: Philip Maynard [REDACTED]

Sent: 08 June 2019 10:46

To: Phil Dent <phil.dent@fylde.gov.uk>

Subject: Licensing application: The Lord Derby

Mr Dent,

My apologies as I think this issue is not your area of responsibility: but I'm hoping that you can pass it on to the appropriate colleague for me? I have included below part of the text of an email of 3 June to me (as Chairman of the Braxfield Court Management Company) from a director and resident, enquiring about the licensing application mentioned:

There is a notice attached to the Lord Derby sign adjacent to the public footpath advising of an application to the Licensing Department of Fylde Council, for variation of the current License to permit the use of a bar situated within the outside area of the premises.

I have looked on line, and finally found a list of applications, but this has not been updated since early May, and does not include the Lord Derby. The public notice displayed outside the pub does not give any detail of exactly what is being applied for.

The details as quoted are rather vague: also, it does not seem (at that time, at least) as though the details of the application were available from FBC's online information?

I would like to ask that FBC let me have details of the precise nature of the application, and of the ways to lodge any objections to the application being approved.

Any potential objections from the Management Company are of course be subject to first ascertaining the exact details of the application; but the apparent nature of the application (an outside bar ...) leads me to believe that the Company will wish to make objections on several bases, including:

- the likely increase in noise;
- the likely increase in the consumption of alcohol on the streets;
- the likely increase in the consumption of alcohol in immediate proximity of the - growing - children's play area in The Lord Derby's car park.

Thanks in advance for your assistance with is matter.

Phil Maynard

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e:

Fylde Borough Council

www.fylde.gov.uk