

Appendix 4 – Relevant Representation from other person and associated correspondence

From: The Shipwreck <>
Sent: 06 November 2023 11:21
To: Cantley,Patrick <Patrick.Cantley@wyre.gov.uk>
Subject: Re: Corkscrew Wine Bar 57 Victoria Road West Cleveleys Representation

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Hi Patrick

I'd still like to keep my objections.. My main objection is a planning issue which I acknowledge is nothing to do with licensing but I still believe that the council should check in on the outside drinking issue.

The shipwreck has seating for 24 most of which is under cover.

If you look at Decades they have seating for around 30, You basically multiplying that by 3 units and the space in between so realistically between Decades and the 2 units next door you're potentially looking at outside seating alone for over 100 people (not including the shipwreck.) That's over 124 just seating.Let alone standing . You are going to have antisocial behaviour issues on warm sunny days . You're going to have elderly shoppers terrified. You only have to look at what happened at The Shipwreck during COVID tier 2

Thanks for your consideration
Paul

On Mon, Nov 6, 2023 at 10:37 AM Cantley,Patrick <Patrick.Cantley@wyre.gov.uk> wrote:

Good morning Paul,

Further to our most recent correspondence please see attached from the agent representing the applicant.

Thanks,

Patrick

Attachment -

Dear Mr Sampson,

I am writing to you in response to your objection to the premises licence being granted at 57a Victoria Road West, Cleveleys, FY5 1NL. Having taken your concerns into account regarding noise, we have had extensive talks with the licensing officer and the environmental protection officer and have agreed conditions to protect the residential apartments above the premises. We thank you for raising your concerns as it enabled us to fully risk assess our operating schedule with the relevant authority and ensure that our responsibilities under the licensing

act have been fully considered and appropriate measures put in place (please see below for additional agreed conditions).

Prevention of Public Nuisance

1. *Any outside area which is used for the consumption of alcohol shall cease to be so used at 22.00 hours. Signs shall be displayed in prominent positions warning customers that they will not be permitted to drink in the external areas after these times*
2. *Any outside seating area is to be clearly defined and separated from the public footpath. A fixed or removable barrier must enclose the outside seating area.*
3. *All tables and chairs in the outside area shall be stacked, secured and covered promptly and in any event no more than 30 minutes after the time at which patrons are no longer permitted to consume drinks in the area.*
4. *In the outside area, all customers consuming alcohol shall be seated.*
5. *There shall be no amplified sound including but not limited to music or voices emitted to the external licensed area.*
6. *The volume of amplified sound including but not limited to music and voices shall, at all times, be under the control of the Licence Holder or Management and the controlling mechanism shall be operated from a part of the premises inaccessible to the public.*
7. *The designated premises supervisor or the personal licence holder for the premises who is supervising the sale or supply of alcohol at that time, shall not permit customers to congregate and consume alcohol sold or supplied by that premises in a public place within the immediate vicinity of the premises and in an area not so licensed for consumption to the annoyance or obstruction of others and shall prevent the removal of alcohol if it is intended for such a purpose.*
8. *Management at the premises will routinely assess the noise emanating from the premises and take steps to reduce the level of noise where it is considered likely to cause a disturbance to residents living in the vicinity. A written record shall be made of those assessments in a log book kept for that purpose and shall include, the time and date of the checks, the person making them and the results including any remedial action.*
9. *No nuisance shall be caused by noise coming from the premises or vibration transmitted through the structure of the premises.*
10. *There shall be no emission from the premises of any offensive smells, which are likely to cause a nuisance.*
11. *No light from or on the premises and any other light under the control of the premises shall be provided where that light causes a nuisance to any nearby premises.*
12. *Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around licensed premises.*
13. *There shall be provided at the premises containers for the storage and disposal of waste foods and other refuse from the premises. Those containers shall be constructed, maintained and located so that access to them by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents.*
14. *There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, (or member and their guests) notices requiring customers to leave the premises and the area quietly. (Note, this may also include a reference to vehicles).*
15. *The premise licence holder will arrange for litter and cigarette debris dropped in the vicinity of the licensed premise to be collected and removed at the end of operating hours each night.*

With the above information considered, would you be willing to withdraw your representation against the application, or would you rather attend a hearing?

I am available to answer any questions you may still have regarding this application as would the licensing officer. It is my understanding that the licensing officer has already attempted to contact you, to no avail. If I can be of any assistance, please do not hesitate to contact me directly, my contact details are below.

Kind regards,

*Edith Lake
Licensing Consultant at Innpacked Ltd
08000 786 056
edith@innpacked.com*

From: The Shipwreck <>
Sent: 01 November 2023 17:10
To: Cantley,Patrick <Patrick.Cantley@wyre.gov.uk>
Subject: Re: Corkscrew Wine Bar 57 Victoria Road West Cleveleys Representation

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Im happy to just leave my concerns as they are . I neither want to remove or move forward.

Do i have to do anything else

On Wed, Nov 1, 2023 at 4:50 PM Cantley,Patrick <Patrick.Cantley@wyre.gov.uk> wrote:

Hi Paul,

No problem.

Are you aware of the attached measures formally agreed between the applicant and our Environmental Health Team? If not please feel free to review and digest.

At this time your representation is the only formal representation in respect of this application because the other respondent has confirmed their withdrawal.

Please can you consider the proposed application and agreed measures before confirming how you would like to proceed.

Thanks,

Patrick

Attachment -

Arrangements shall be put in place to ensure that waste collection contractors do not collect refuse between 19:00 and 07:00.

No person shall be allowed to leave the licensed area whilst in the possession of any open drinking vessel or open glass bottle, whether empty or containing any beverage.

The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and ensure that there is no public nuisance.

Signage requesting customers to be respectful of others when entering or leaving the premises shall be installed in a prominent position by the premises' exit.

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From: The Shipwreck <>

Sent: 31 October 2023 14:35

To: Cantley,Patrick <Patrick.Cantley@wyre.gov.uk>

Subject: Re: Corkscrew Wine Bar 57 Victoria Road West Cleveleys Representation

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Thanks for the reply Patrick

I mostly wanted the council to be aware that the licence will mainly be for outdoor use and maybe that's an issue or not.

The planning thing is obviously a completely separate issue from your perspective.

Regards

Paul

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On Mon, Oct 30, 2023 at 11:12 AM Cantley,Patrick <Patrick.Cantley@wyre.gov.uk> wrote:

Morning Paul,

Thanks for your email. Your concerns relating to potential noise nuisance associated with the premises are relevant and have been accepted as such. I will pass on your comments to the agent handling this application for their consideration.

Please note this application is made under the Licensing Act 2003 and concerns / observations relating to the planning status of premises and overall planning framework cannot be considered (applications can be granted without appropriate planning permission in place). Please also note business models cannot be considered either. However, if you have concerns relating to the potential for crime and disorder at the premises please feel free to outline them and I will also pass those on to the agent for their consideration.

If there are any written measures you feel the applicant could commit to that would mitigate your concerns I would be more than happy to liaise with the agent to see whether mutual agreement can be reached.

Kind regards,

Patrick

From: The Shipwreck < >

Sent: 21 October 2023 11:13

To: Licensing <Licensing@wyre.gov.uk>; The Shipwreck < >

Subject: Corkscrew Wine Bar 57 Victoria Road West Cleveleys Representation

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I've no particular objection regarding the alcohol licence as it might be a good thing for the high street in the evening . The only risk is that if there was more of a social hub in the evening it that might manifest itself with a noise issue and unlike Decades and The Shipwreck the wine bar will be directly below residential.

However I am concerned about issuing an alcohol licence on an A1 Retail Unit on a protected high street without applying for change of use planning permission. This is important, there has to be a level playing field and due diligence should be observed . The proposal is for a Public Bar with outside trading. The premises only closed as a retail unit a few weeks ago . The protection order exists to protect the look and feel of a retail high street and as such the protection order only allows for 1 A3 establishment in every 3 retail . It took several months for The shipwreck to successfully apply for a property that had been empty for 3 years and it took 2 appeals to be allowed to operate. The classification system and Protection order exists for a reason and the process should be observed otherwise anyone can just grab an empty shop and stick a bar in it and that wont be good for Cleveleys in the long term.

Finally I think there may be a different force at play here which we should at least acknowledge

I suspect the real purpose of the licence is for a **Daytime outdoor land grab** for the existing Decades . Decades could easily trade as a wine bar in the evening, traditionally a wine bar has a night time appeal and I can tell you that both decades and the Shipwreck struggle for customers in an evening as it is and Decades almost always close early. In reality this is a daytime businesses model and your effectively going to have 3 bars next door to each other with open air drinking on the high street which is fine and manageable now but I'm not sure if it might start to affect the core demographic which is elderly people using the high street to socialise and shop.. We have lovely customers but what if the increase in bars and outside drinking areas start to attract the wrong sort. Its a thin line and could backfire on the council.

I submit this without malice or prejudice

Thank you

Paul Samson

Owner

The Shipwreck Cleveleys