

**Swift, Matthew**

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**From:** Swetnam, Kath  
**Sent:** 04 August 2010 14:12  
**To:** 'andrew.bartlett@harrison-drury.com'  
**Cc:** Licensing  
**Subject:** RE: Environmental Health Representations - Carltons, 117 Liverpool Road, Longton, Preston. PR4 5AA

Dear Andrew

Thank you for your Email below. I note your requests; however, I am not prepared to further amend any of the conditions.

Therefore my recommendations for Conditions 2 and 3 still remain, together with my request that the application be modified with a terminal hour of 23:00 hours for all forms of regulated entertainment.

I trust your client will be in agreement with these. However, should your client not wish to agree to these recommendations, then I shall put these forward as representations to the Licensing Sub-Committee.

Yours sincerely

**Katherine Swetnam**  
Team Leader - Environmental Health

South Ribble Borough Council  
Civic Centre  
West Paddock  
Leyland  
PR25 1DH

**Tel No.** 01772 625 336  
**Fax No.** 01772 625 590

Email: [kswetnam@southribble.gov.uk](mailto:kswetnam@southribble.gov.uk)

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

**From:** Andrew Bartlett [mailto:Andrew.Bartlett@harrison-drury.com]  
**Sent:** 02 August 2010 08:47  
**To:** Swetnam, Kath  
**Subject:** RE: Environmental Health Representations - Carltons, 117 Liverpool Road, Longton, Preston. PR4 5AA

Kath

Thank you for your email. I have discussed the points with my client and tried to telephone you but were advised that you are out of the office until Wednesday. I therefore thought that it would assist to progress matters if I reply by email.

I think that we are all but in agreement:

Condition 1 – agreed

Condition 2 – I still think that it is reasonable to incorporate a start time for this condition. Given that daytime ambient noise is greater than nighttime ambient noise and always bearing in mind agreed condition 1, I do not think it unreasonable to preface condition 2 with "After 22.00 hours....."

Condition 3 – I take your point BUT TENs cost money and it would be preferable to have the matter resolved in the licence itself. Would a compromise be (same points as condition 2) to preface the condition with "After 22.00 hours ..."?

Condition 4 – we could argue but my client has instructed me to accept this condition

Condition 5 - new wording agreed – thank you

Condition 6 – agreed

Condition 7 – we could argue but my client has instructed me to accept this condition

Condition 8 – thank you

Condition 9 – agreed

With regard to the general hours when regulated entertainment will take place, Carltons will be a food led operation (indeed I have agreed a condition with the police "The premises will not become a music led establishment and will remain food led until a variation is applied for"). I note that you again suggest TENs but would refer you to my comments regarding condition 3. I would also re-emphasise that condition 1 offers sufficient protection to the neighbouring properties. Would an acceptable compromise be "After 23.00 regulated entertainment will be at a significantly lower volume"?

I hope that you agree that my client is being more than reasonable and can agree the three outstanding points.

I look forward to your comments.

Regards,  
Andrew

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**From:** Swetnam, Kath [mailto:KSwetnam@southribble.gov.uk]

**Sent:** 30 July 2010 14:14

**To:** Andrew Bartlett

**Cc:** Licensing

**Subject:** Environmental Health Representations - Carltons, 117 Liverpool Road, Longton, Preston. PR4 5AA

Dear Mr. Bartlett

Further to our telephone conversation of 28 July 2010, regarding Environmental Health's representation (attached) to the granting of a premises licence at Carltons, 117 Liverpool Road, Longton, Preston PR4 5AA, in the terms applied for, I have considered your concerns and wish to respond as follows:

**Condition 1** – You confirmed you are satisfied with this condition.

**Condition 2** – You requested consideration of a cut off time at which all external windows and doors to the premises shall be closed. I do not wish to change this condition and my recommendations shall therefore remain as detailed.

**Condition 3** – You queried what would happen if your client wished to have a trio of performers, one of whom may play the drums. I do not wish to change this condition and my recommendations shall therefore remain as detailed. Your client of course has the right to apply for a Temporary Events Notice should she wish to have regulated entertainment outside terms of her licence.

**Condition 4** – You requested that the wording be amended to the "**reasonable** approval of Environmental Health". As approval is either given or not given, I am not prepared to change this condition and my recommendations shall therefore remain as detailed.

**Condition 5** – You requested the wording of this condition be amended to "best endeavours" as follows:

**Swift, Matthew**

---

**From:** Swetnam, Kath  
**Sent:** 30 July 2010 14:14  
**To:** 'andrew.bartlett@harrison-drury.com'  
**Cc:** Licensing  
**Subject:** Environmental Health Representations - Carltons, 117 Liverpool Road, Longton, Preston. PR4 5AA

Dear Mr. Bartlett

Further to our telephone conversation of 28 July 2010, regarding Environmental Health's representation (attached) to the granting of a premises licence at Carltons, 117 Liverpool Road, Longton, Preston PR4 5AA, in the terms applied for, I have considered your concerns and wish to respond as follows:

**Condition 1** – You confirmed you are satisfied with this condition.

**Condition 2** – You requested consideration of a cut off time at which all external windows and doors to the premises shall be closed. I do not wish to change this condition and my recommendations shall therefore remain as detailed.

**Condition 3** – You queried what would happen if your client wished to have a trio of performers, one of whom may play the drums. I do not wish to change this condition and my recommendations shall therefore remain as detailed. Your client of course has the right to apply for a Temporary Events Notice should she wish to have regulated entertainment outside terms of her licence.

**Condition 4** – You requested that the wording be amended to the "**reasonable** approval of Environmental Health". As approval is either given or not given, I am not prepared to change this condition and my recommendations shall therefore remain as detailed.

**Condition 5** – You requested the wording of this condition be amended to "best endeavours" as follows:

*"From 23:00, the DPS or their nominated representative shall use their best endeavours to ensure that patrons leaving the premises do so as quietly as possible and that motor vehicles/taxis on the premises car park shall not cause a noise disturbance to neighbouring residents".*

I am happy to re-word the condition to the following:

*"From 23:00, the DPS or their nominated representative shall take reasonable steps to ensure that patrons leaving the premises do so as quietly as possible and that motor vehicles/taxis on the premises car park shall not cause a noise disturbance to neighbouring residents".*

**Condition 6** – You confirmed you are satisfied with this condition.

**Condition 7** – You expressed concerns regarding what would happen should a waste contractor arrive on site prior to 08:00 hours. If your client has a contract with a waste collection company which states that waste must not be collected from the premises between the hours of 18:00 and 08:00, she would be able to rely on the defence of due diligence should the contractor operate outside their agreed hours.

**Condition 8** – You expressed concerns regarding the restrictions placed on deliveries, in particular if your client wanted to provide breakfasts and receive early morning dairy deliveries. I am happy to withdraw this condition.

**Condition 9** – You confirmed you are satisfied with this condition.

You also expressed concerns regarding Environmental Health's request that the application be modified with a terminal hour of 23:00 hours for all forms of regulated entertainment. I do not wish to change this request and my recommendations shall therefore remain as detailed. I understand Carlton's is to be a food led business and your client always has the option to apply for a Temporary Events Notice to extend the permitted hours of regulated entertainment.

Should your client wish to provide regulated entertainment beyond 23:00 hours, then Environmental Health would request that a noise limiting device be fitted and maintained to control all sources of amplified music at the premises.

I trust I have detailed the above in a clear and understandable manner. However, please do not hesitate to contact me should you require any further information.

Yours sincerely

**Katherine Swetnam**  
Team Leader - Environmental Health

South Ribble Borough Council  
Civic Centre  
West Paddock  
Leyland  
PR25 1DH

**Tel No.** 01772 625 336  
**Fax No.** 01772 625 590

Email: [kswetnam@southribble.gov.uk](mailto:kswetnam@southribble.gov.uk)

► Licensing Act 2003  
► Statutory Consultee Response



To:	Matthew Swift	From:	Katherine Swetnam
Position:	Licensing Officer	Position:	Team Leader
Division:	Legal Services	Division:	Environmental Health
Your Ref:	-	Our Ref:	10/2568/LICENC
Extension No:	5310	Extension No:	5336
Copy To:	-	Date:	28 July 2010

Name of Premises: Carltons

Address: 117 Liverpool Road, Longton, Preston, Lancashire. PR4 5AA

Premises Application Number: Not currently applicable

Thank you for consulting me on this application. Further to my investigations I have the following comments to make:

The Environmental Health Department, in its capacity as a Responsible Authority under the provision of the Licensing Act 2003, hereby gives notice of its **objection** to the granting of a premises licence in the terms applied for.

The applicant has requested regulated entertainment from 08:00 hours until 01:00 hours, 7 days a week. Residential apartments are situated within the same building complex as the proposed premises, with other residential dwellings also situated nearby.

Regulated entertainment during the hours applied for is likely to cause noise nuisance to neighbouring residents and so undermine the public nuisance objective. To prevent late night noise nuisance, Environmental Health would like the application to be modified with a terminal hour of 23:00 for all forms of regulated entertainment.

With respect to non standard timings, Environmental Health objects to the additional hour for regulated entertainment on the day when British Summertime begins. This application does not seek to provide entertainment beyond 02:00 and so the effect of British Summertime has no impact on the requested permitted hours.

Environmental Health would also like the application to be modified to read an extra hour until midnight (00:00 hours) for regulated entertainment on:

- Burns Night – 25 January
- St. David's Day – 1 March
- St. Patrick's Day – 17 March
- St. George's Day – 23 April
- St. Andrew's Day – 30 November
- Christmas Eve – 24 December
- Boxing Day – 26 December
- Thursday immediately preceding Good Friday
- Sunday immediately preceding a Bank Holiday Monday

**Andrew Smith**

---

**From:** Wordsworth, Colin [Colin.Wordsworth@lancashire.pnn.police.uk]  
**Sent:** 28 July 2010 11:38  
**To:** Licensing  
**Subject:** FW: Premises Licence Reply South Ribble; representation; CARLTONS, LONGTON

Bonjourno

As a consequence of this agreement to the condition, the police now withdraw their representation.

Regards

Colin

---

**From:** Andrew Bartlett [mailto:Andrew.Bartlett@harrison-drury.com]  
**Sent:** 28 July 2010 08:06  
**To:** Barrett, Niky  
**Cc:** Wordsworth, Colin  
**Subject:** FW: Premises Licence Reply South Ribble; representation; CARLTONS, LONGTON

Niky

I have received a representation from Colin.

On behalf of the applicant I am pleased to confirm that the suggested clause is acceptable. In view of this I assume, but Colin will no doubt confirm, that the representation is withdrawn.

Regards,  
Andrew

---

**From:** Wordsworth, Colin [mailto:Colin.Wordsworth@lancashire.pnn.police.uk]  
**Sent:** 27 July 2010 17:08  
**To:** licensing@southribble.gov.uk; Andrew Bartlett  
**Subject:** Premises Licence Reply South Ribble; representation; CARLTONS, LONGTON

Good evening

Small representation for you!

regards

Colin Wordsworth  
Southern Division Police Licensing Unit  
ph. 01257 246215  
fax.01257 246217

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28/07/2010

**Andrew Bartlett**  
**Partner**  
**For and on behalf of Harrison Drury & Co**

E-mail: [Andrew.Bartlett@harrison-drury.com](mailto:Andrew.Bartlett@harrison-drury.com)  
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Notification - South Ribble Borough Council

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28/07/2010

**Andrew Smith**

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**From:** Barrett, Niky  
**Sent:** 28 July 2010 09:26  
**To:** Andrew Smith; Swift, Matthew  
**Subject:** FW: Premises Licence Reply South Ribble; representation; CARLTONS, LONGTON

FYI

Niky Barrett  
Licensing Enforcement Officer  
Office: 01772 625357  
Mobile: 07771 832982

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

**From:** Andrew Bartlett [mailto:Andrew.Bartlett@harrison-drury.com]  
**Sent:** 28 July 2010 08:06  
**To:** Barrett, Niky  
**Cc:** Colin.Wordsworth@lancashire.pnn.police.uk  
**Subject:** FW: Premises Licence Reply South Ribble; representation; CARLTONS, LONGTON

Niky

I have received a representation from Colin.

On behalf of the applicant I am pleased to confirm that the suggested clause is acceptable. In view of this I assume, but Colin will no doubt confirm, that the representation is withdrawn.

Regards,  
Andrew

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**From:** Wordsworth, Colin [mailto:Colin.Wordsworth@lancashire.pnn.police.uk]  
**Sent:** 27 July 2010 17:08  
**To:** licensing@southribble.gov.uk; Andrew Bartlett  
**Subject:** Premises Licence Reply South Ribble; representation; CARLTONS, LONGTON

Good evening

Small representation for you!

regards

Colin Wordsworth  
Southern Division Police Licensing Unit  
ph. 01257 246215  
fax.01257 246217

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**Andrew Bartlett**  
**Partner**  
**For and on behalf of Harrison Drury & Co**

E-mail: [Andrew.Bartlett@harrison-drury.com](mailto:Andrew.Bartlett@harrison-drury.com)  
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Notification - South Ribble Borough Council

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28/07/2010

# Lancashire Constabulary

Licensing Unit, Police Station, St Thomas's Road, Chorley, PR7 1DR

Tel: 01257 246215

Fax: 01257 246217

e-mail: southern-licensing@lancashire.pnn.police.uk

Date 27/07/2010



**Lancashire  
Constabulary**

police and communities together

Licensing Officer  
South Ribble Borough Council  
Civic Centre  
West Paddock  
Leyland  
PR5 1DH

Dear Sir

**RE: PREMISES LICENCE REPLY:- LICENSING ACT 2003 - REF; NEW LICENCE**

Premises: CARLTONS, 117, LIVERPOOL ROAD, LONGTON

There are the following Police representations to make in respect of this application:-

Due to the nature and location of the premises the police wish the following condition to be added:-

- The premises will not become a music led establishment and will remain food led until a variation is applied for.

Yours faithfully

Police Constable 290 Wordsworth  
Southern Division Police Licensing Unit

**Andrew Smith**

---

**From:** Husain, Shabiah [Shabiah.Husain@lancashire.gov.uk]  
**Sent:** 14 July 2010 16:58  
**To:** Licensing  
**Subject:** South Ribble Licensing Act 2003, zixencrypt

We have received premise licence application from

Carltons  
117 Liverpool Road  
Longton  
Preston  
PR4 5AA

We have no objections.

Regards

Shabiah Husain  
Lancashire County Council  
Trading Standards  
55 Guildhall Street  
Preston  
PR1 3NU

Tel: 01772 533528

\*\*\*\*\*

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Notification - South Ribble Borough Council

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14/07/2010

**Lovelady, Kay**

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**From:** Swift, Matthew  
**Sent:** 20 August 2010 09:17  
**To:** Lovelady, Kay  
**Subject:** FW: 117 Liverpool Rd

Regards

Matthew Swift  
Licensing Officer  
South Ribble Borough Council

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

**From:** Barrett, Niky  
**Sent:** 05 August 2010 10:04  
**To:** Licensing  
**Subject:** FW: 117 Liverpool Rd

Hi Matt

Reps from the Fire Service

Niky Barrett  
Licensing Enforcement Officer  
Office: 01772 625357  
Mobile: 07771 832982

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

**From:** C53 - Crook, Steve [mailto:SteveCrook@lancsfirerescue.org.uk]  
**Sent:** 05 August 2010 08:38  
**To:** Barrett, Niky  
**Subject:** 117 Liverpool Rd

Hello Niky

Following our recent telephone conversation regarding the above premises, I believe from discussions with the Building Control department (SRBC), that there are still issues regarding compliance with the Building Regulations. These will need to be resolved before any decision is made about whether the premises is suitable for Licensing.

Regards

Steve Crook

\*\*\*\*\*

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20/08/2010