

[REDACTED]  
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[REDACTED]  
31 October 2016

Licensing Manager  
Lancaster City Council  
Town Hall  
Dalton Square  
Lancaster  
LA1 1PJ

**Application for a live music/alcohol license at Regent Park**

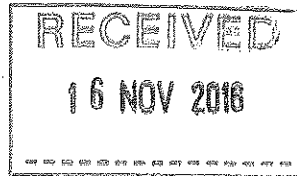
I wish to raise objections to the above application on the following grounds:

- 1 The premises is situate in a public park frequently used by children both accompanied by parents/guardians and on their own. The park contains two children play areas and sports/recreation areas. I do not think that it is wise to have the sale of alcohol so easily accessible in such a place.
2. The premises (The Pavilion) is already established as a small cafe/shop and is frequently used by small children to purchase crisps, sweets, ice lollies etc. I don't think it is wise to have alcohol on sale in such circumstances.
3. The only toilets in the park are located within the premises that has applied for the license. Again these toilets are currently mainly used by children using the park and cafe/shop.
4. There is a condition in place that the park closes to the public at dusk the gates are locked. This is not compatible with the granting of a license until 24.00.
5. The park is currently experiencing problems with vandalism and anti-social behaviour. This includes the setting of fires and illicit alcohol consumption as well as suspected drug taking.
6. I understand that the reason for the historical closing of the park and the demolition of the public toilets was for the reasons stated above and for undesirable behaviour in the toilets.
7. The gates to the park - which would be the only egress of the customers of music events and the bar are on public residential streets. Noise caused by persons leaving or entering after dark is very likely to be offensive.
8. Again, the area is residential. The performance of live music will certainly be detrimental to the peace of the local residents.
9. There is no parking available in the park and street parking nearby is limited to the areas outside people's houses. Many of the houses have dropped crossing access to the premises (including mine) thus reducing the parking availability and increasing the likelihood off access to private houses being blocked by patrons of the venue.

[REDACTED]  
Robert Nelson [REDACTED]  
[REDACTED]

tel: [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
31 October 2016



Licensing Manager  
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### Application for a live music/alcohol license at Regent Park

I have read and considered very carefully the conditions agreed by the proposed licensee regarding the above application and it has not changed my objections to the application in the slightest degree. In fact it raised another concern: It seems that, previously unknown to me, CCTV will be installed and 'outside lighting illuminating the full exterior of the grounds shall be installed'. I there add the following objections to my previous ones.

10. CCTV with recording is not appropriate in a public park whose occupants are largely children.

11. The installation of lighting outside the premises is at best a nuisance to local residents and at worse a danger as it will inevitably further encourage local 'gangs' to congregate.

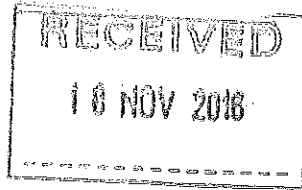
12. Such lighting will provide a location for smokers to gather when prohibited from smoking inside the building. I bring to the committees attention that It is a policy of Lancaster City Council that smoking is prohibited in all its public parks and spaces. Indeed, the park gates have signs to that effect. It is inevitable that these signs will be ignored no matter how many signs and warnings are in place. Apart from the danger caused by smoking the practice will obviously escalate a litter problem.

I very strongly urge the committee to deny this application for the sake of the quality of life of the local residents and the protection of the peaceful and safe haven that is Regent Park. After all, there are many music and drinking establishments in the area already and another one is not needed. I would have thought that Lancaster City Council would have policies in place to protect its public parks and to discourage, not encourage the partaking of alcohol and smoking.

[REDACTED]  
Yours sincerely

[REDACTED]  
Robert W Nelson.

Licensing Manager  
Lancaster City Council  
Dalton Square  
Town Hall  
Lancaster LA1 1PJ



[REDACTED]

15 November 2016

Dear Licencing Manager

**REPRESENTATION LICENCE APPLICATION –  
REGENT PARK CROWN GREEN BOWLING TUITION BOWLING CENTRE**

As a resident living in the vicinity of Regent Park with my home very close to the Pavilion and directly opposite the main park gates, and one who uses the park with my grandchildren, I am an interested party of the above licence application, and wish to make the following representations:

**General Points About The Submission Of The Licence Application**

The licence application contradicts Lancaster City Council's objectives of its Corporate Plan 2016 – 2020 (for example The intention to protect the most vulnerable in our society will be a thread that runs through all of our priorities and improving the quality of local areas, parks and public spaces in a way that is sustainable.). This can be read at <file:///C:/Users/Peter/Downloads/Corporate-Plan-2016-2020.pdf>

It also contradicts Lancaster City Council's policy of Winning Back the West End and the West End Masterplan.

There is also the ethical consideration of submitting the application to the Lancaster City Council Licencing Committee, because of the conflict of interest that may occur for the licencing of a property that belongs to Lancaster City Council, and the line between fairness to Representations and the impartiality of the interests of Lancaster City Council being overstepped.

There has also been a lack of ethical fairness in that Lancaster City Council has made no effort to contact West End residents, schools and organisations by a public consultation letter (as they have done in the past about the Regent Park Masterplan) with the details of the licence application and asking the residents views on it. Also the Council should have taken into account that not everyone will have read the Visitor, nor seen the notice of application in the window of the pavilion due to less footfall in the park at this time of year. There is also a perfectly good notice board at the park entrance on Albert Road that has not been used and is in a state of disrepair. Also Regent Park Masterplan showed the Pavilion being used as a community café, however the council closed this down last year! This lack of ethical fairness contradicts the local government transparency code at: <https://www.gov.uk/government/publications/local-government-transparency-code-2015>

Does the application need to be submitted to the Competition and Markets Authority Pubs Code Adjudicator, because they do not pay any non-domestic rates and only a nominal rent to lease the pavilion? (For example the Chieftain pub in Morecambe is rated at £43000 non-domestic rates). Will the licensee's receive free energy within the pavilion and will they receive free rubbish collections?

The deeds for Regent Park should also be examined to see if there is a clause prohibiting the sale of alcohol within the park and/or changing the use of the Pavilion into a public house.

The applicants have made a general statement about the licencing objectives, but have not placed these objectives in the appropriate boxes on the application form, making their objectives muddled and very difficult to follow! Due to the effect that this application being passed will make on the users of the park and the residential area surrounding it, it is most important for clarity and understanding that the application should have been completed in a proper and professional manner.

There is also the question of grants being provided for the improvements to Regent Park; if it were known that there was a public licenced premises within the grounds of Regent Park, this has the potential of applications for grants towards the improvements to the park being refused (particularly as the sports annex will be used by the 'pub'. It is understood that the applicants are applying for grants for the cctv and lights. (See Friends of Regent Park Minutes dated 10 October 2016 item 5). Would this not be unethical and could it even be treated as fraud as these lights and cctv will be used purely by the licenced premises – see the licence application?

The applicants would be making a huge profit from the sale of alcohol from the pavilion due to their low overheads (no non-domestic rates to pay, nominal rent on the lease, no repairs to make to the building, no energy costs and free rubbish collection)! And none of these profits will find its way to the finances of Lancaster City Council nor towards improvements to the park.

There is also a grave risk that should there be a serious crime committed within the park, and that due to the reduction in police numbers and the police budget there will be officer available to attend.

### **The responsibilities of Lancaster City Council**

**This licence application is unique to any other licence application in that the premises is owned by Lancaster City Council, and is a Queen Elizabeth II Field, Fields in Trust, and the following descriptions/statements should be taken into account:**

- The pavilion was never designed to be a licenced premises and therefore there would be a lot of building work to be undertaken to upgrade it to today's standards that are required by law.
- There is no living accommodation within the premises and therefore alcohol and items of value will be left unattended overnight and may be a temptation for burglars. Once the applicants leave the public house their responsibilities end!

- The premises are in the middle of a public park surrounded by play areas used by children, and by members of the general public for walking, relaxing and dog walking.
- The pavilion was never designed to be used as a public house, and there is nothing to show in Regent Park Masterplan a planned public house.
- It also should be noted that the annex that was built on to the pavilion, where the toilets are housed, was provided by a grant from Sporting England some years ago so is it ethical, and indeed legal, that this grant aided building should be used by a private drinking establishment?
- The application does not state who will be responsible for the open areas of the park in relation to the objective of the prevention of crime and disorder. It is vital that the following officers of Lancaster City Council confirm and state the responsibilities of the Council to this objective and attend the Licensing Act 2003 And The Licensing Act (Hearings) Regulations 2005 and also state who will be responsible for the park grounds: that is whether the applicants are only responsible for the pavilion, or the pavilion and the park. If they (the applicants) are only responsible for the pavilion then the following Chief Officers and Councillors of Lancaster City Council have a duty to make a statement on this objective so that there is no misunderstanding who is responsible, and what actions are to be taken to enforce good behaviour and deterrence of crime.

Chief executive - Susan Parsonage

Chief officer (Environment) - Mark Davies

Councillor Terrie Metcalfe Chairman of the Licencing Act Committee

Councillor Margaret Pattison portfolio holder for older people

Councillor Tracy Brown Champion for Young Children

Councillor David Whittaker Harbour Ward

Councillor Darren Clifford Harbour Ward

Councillor Janice Hanson Harbour Ward

## **MY REPRESENTATION**

### **The prevention of crime and disorder (Part Mb of the application)**

In part M,b), the applicants have made no effort to identify (nor put in place any preventative measures or carry out a risk assessment) that the effects that having a public house within the confines of the park would have on crime that will occur within the green areas of the park and the surrounding areas such as:

- Itinerant drinkers who are two-ing and fro-ing the park approaching children who are playing in the park, and/or their parent(s) in an aggressive or threatening manner;
- Fighting between drinkers;

- Foul and disgusting language being used by itinerant drinkers and being overheard by park users.
- Old and vulnerable people being mugged by opportunists who are encouraged by the knowledge that there is a public house within the park.

With Morecambe Football stadium close by and the Park being on the main route into Morecambe, the applicants have not made any effort to identify (nor put in place any preventative measures or carry out a risk assessment) about the risk that home and away fans walking past the park will use the pavilion as an 'oasis' to stop off to replenish their alcoholic thirst, of the crime and disorder that this may cause such as:

- Making approaches to children who are playing in the park, and/or their parent(s) in an aggressive or threatening manner;
- Fighting between fans;
- Foul and disgusting language being overheard by park users.

The applicants have not made any effort to identify, (nor put in place any preventative measures or carry out a risk assessment), that the effect that having a licenced premises will have on the spread of drug dealing to the park and the pavilion. (And it should be noted that a resident of Regent Park Ave has just been convicted of drug dealing and sentenced to six years in jail)! – see the Visitor at <http://www.thevisitor.co.uk/news/morecambe-man-who-hid-drugs-in-anus-sent-to-prison-1-8225131>

The applicants have not made any effort to identify (nor put in place any preventative measures or carry out a risk assessment) of the behaviour of those itinerant drinkers who are refused entry to the premises and their resultant actions which will affect members of the public who are using the green areas of the park – children and adults.

The applicants have stated that they will have a buzzer entry system not an open door policy to allow entry to the premises. The buzzer system contradicts the free entry licence that the applicants are applying for and has the potential for the cause of crime such as; causing arguments and violence breaking out if someone/a group of people are refused entry and others are allowed in at the same time as the refusal – they could also just barge in at the same time!

The door on the Annex DO1 can also be used to gain entrance to the pavilion, and it would be very difficult for staff to recognise this has occurred particularly in busy periods. And this door will have to remain unlocked during the time that the park is open for the use by café users.

They have made no effort to identify that itinerant drinkers can easily enter the premises via the bowling green and the veranda door, and this will be a potential area of crime and disorder, particularly as this is where the bowlers congregate.

It should also be noted here that the Regent Park Crown Green Bowling Tuition Centre is being sponsored by The Exchange pub on Regent Road in the West End, and as the

applicants are well known by the pub, the patrons of that pub may become regulars at the Pavilion and there is a potential for crime to spread to the park. (See The Visitor Tuesday 3 May 2016 <http://www.thevisitor.co.uk/news/sporting-centre-bid-at-west-end-park-1-7890175>)

To support my objections and concerns about the **licencing objective of the prevention of crime and disorder** statements I will quote here from the **West End Million Community Profile** that anyone can read and study at: <http://lancastercvs.org.uk/wp-content/uploads/2014/03/West-End-Million-Community-Profile-v2.4.pdf>

*'High levels of anti-social and drunken behaviour are a major area of concern in the West End. The West End also has an unenviable reputation for drug dealing on its streets and for drug abuse in a section of its population.'*

*'Government statistics indicate that the West End is one of the most disadvantaged communities in England. It is ranked in the bottom 10% of communities nationally when measured by poverty, unemployment, poor health and low educational achievement. Crime levels were worse than the national average.'*

*'Between March 2014 and February 2015 there were 257 reported offences for violence and sexual offences'*

**There is nothing to show on the application form about the licencing objective of public safety (should be part M,c) of the form.** (Whether this omission is intentional or accidental I do not know, but it certainly appears in the Government's notes for applicants).

The applicants have made no effort to identify (nor put in place any preventative measures or carry out a risk assessment) of the likelihood of an itinerant drinker(s) feeling 'worse for wear' and/or to satisfy their need for bravado, using the children's play apparatus after using the Pavilion or walking to or from the pavilion, which will not only put themselves in danger of injury, **but much more serious putting the lives of children using the apparatus in danger!**

There are no fire exits marked on the plan nor is an evacuation plan nor an assembly area shown, and this is mandatory for all public assets under the Health and Safety at Work Act 1974 (<http://www.hse.gov.uk/lau/index.htm>)

As the park is owned by Lancaster City Council (see above) then the following council officers/councillors should comment on this objective:

Chief officer (Environment) - Mark Davies  
Councillor Brendan Hughes Portfolio holder for: Community Safety  
Councillor Tracy Brown Champion for Young Children

**The prevention of public nuisance (part M,d) of the form)**

The applicants have made no effort to identify (nor put in place any preventative measures or carry out a risk assessment) to prevent public nuisance such as:

In the application at section M,d) there is no mention of the control of noise during the playing of live music. As you are aware the pavilion is in an open area enabling the noise levels to travel far and wide to the surrounding residential property and as there is a policy of culling trees in the park at present this will allow the music to be heard louder and travel further. (Also the pavilion was never designed to have live music played inside its walls). Such as:

- a) Will the pavilion be sound proofed to reduce the noise level that the music will generate that will disturb the residential areas surrounding the park?
  - b) During the summer months and periods when the pavilion windows need to be opened (as well as those of the residents) what preventative measures are to be taken to reduce the levels to lower the noise of the live music?
- Will smoking be allowed outside the pavilion when as you know there are byelaws against it in the park, in the children's play areas. Smoking will be in full view of the children even when smoking is allowed on the veranda next to the bowling green. The smoking area should be outside the park and should be marked.
  - No procedures have been put in place to stop unauthorised entry to the park during the period the park is closed to the general public but open to itinerant drinkers. If the park is to be left open for itinerant drinkers to visit the pavilion what measures are to be taken to stop unauthorised entry to park which will result in vandalism, crime and nuisance. If the park is left open during the hours of darkness then this will have a dire consequence on the improvements being undertaken by the Council and The Friends of Regent Park, and much of the fixed equipment in the park will be open to vandalism.
  - The applicants have stated in the Licence Application that they will install outside lighting illuminating the full exterior of the grounds to a high standard and suitably maintained. The grounds cover the full area of the park and no risk assessment nor assessment the affects that the lighting will have on the nuisance the bright lights will cause to the residents around the park of shining in to their homes and causing them disturbance within their homes. Neither have they made any assessment that the effect the lights will have on light pollution. **Have the applicants applied for planning permission for the lighting installation?**
  - The application does not state which park gate will be used for gaining access and exiting the park during the hours when the park is closed and the pavilion is opened. If it is the main gate on Albert Road what preventative measures have been put in place to stop unauthorised use of cars driving into and exiting the park, particularly when private parties have been arranged, (or on Saturdays when live music is playing and big crowds are expected) causing a nuisance to residents. If it is via the pedestrian gates on Regent Park Avenue what preventative measures have been put in place to prevent public nuisance and vandalism.
  - What preventative measures are being are being put in place to stop people causing a nuisance to residents when leaving the pavilion late at night: ie banging of car doors, unruly behaviour etc.



- What preventative measures are being put in place to prevent the nuisance of noise which may occur when the premises close and the staff leave in their cars, and all the ancillary noises that occur due to the slamming of car doors when they get out of their car to close the main gates. Also when closing the main gate it makes a loud scraping noise and also loud clanging when being closed and can clearly be heard in our home. What preventative measures are being put in place to reduce this nuisance?

As the park is owned by Lancaster City Council (see above) then the following council officers/councillors should comment on this objective:

Chief officer (Environment) - Mark Davies

Chief officer (Regeneration and Planning) - Andrew Dobson (regarding the lighting)

Karen Leytham Portfolio holder for: Housing, Environmental Health

**The protection of children from harm (part M,e) of the form)**

## **This Licencing objective of the protection of children from harm causes me very grave concern.**

The applicants have made no effort to identify (nor put in place any preventative measures or carry out a risk assessment) that the effects that having a drinking establishment within the confines of the park would have on the harm to children. (There is a grave risk that in time, and due to familiarity of the park culture, it could very well become a known place through a paedophile ring for child grooming!

I am also concerned about the effect that itinerant drinkers will have on children playing in the park, particularly the unaccompanied ones as parks are the prime target of paedophiles, my concerns are:

- What protection will be given to the children if approached by one of the itinerant drinkers who has been partaking in the consumption of alcohol which will be on sale from 1100am?
- Children using the pavilion cafe are allowed to use the pavilion toilets and these toilets will also be used by drinkers, and this is a most unsavoury position and the potential to put children in an unsafe environment and becoming sexually exploited/sexually assaulted. (The café must provide toilet facilities).
- The Annex has two shower areas and two changing facilities areas for sporting facilities/events and although not used at the moment with the development of the park continuing by the Friends of Regent Park there is nothing to say that they will not be used in the future, and again, this has the potential to put children/sport users in an unsafe environment and becoming sexually exploited/sexually assaulted.
- There is the risk that itinerant drinkers using the pavilion have the potential to harass and intimidate, use aggressive and threatening language and behaviour, hate incident/crime and actual violence against children.

- Due to the many itinerants visiting the park to use the bar it will be difficult to identify those whose objective it is to 'pick up' children for sexual exploitation. (At the present time these sorts stand out because they have no purpose to visit the park). There is also a grave danger that 'child grooming' will occur if a child becomes familiar with an itinerant (**drinker or not**). Indeed, Lancaster City Council dedicates a whole web page on Child Sexual Exploitation at <https://www.lancaster.gov.uk/community/child-sexual-exploitation>
- There is also a conflict of interest between the Regent Park Crown Green Bowling Tuition Bowling Centre and the application for the licence to sell alcohol in that their age for tuition starts at 8 years and will be required to use the tuition centre when alcohol is being served.

Between April 2015 and March 2016, Lancashire Constabulary received 1754 child sexual exploitation referrals and 630 crimes related to CSE were recorded.

Read more at: <http://www.thevisitor.co.uk/news/crime/lancashire-police-launch-their-annual-child-sexual-exploitation-awareness-week-1-8220155>

As the park is owned by Lancaster City Council (see above) then the following council officers/councillors should comment on this objective and should also state what arrangements they will be making for the protection of children using the park, and whether they will be employing a full time children's protection officer?

Chief officer (Environment) - Mark Davies  
 Councillor Tracy Brown Champion for Young Children  
 Councillor responsible for policy on crime

### Summary

It is difficult for me to understand why there was never a public consultation undertaken by Lancaster City Council when in every other case of major changes in the area they have undertaken one, and I also cannot understand why the Council have not admitted nor made any comment of their responsibilities within the park to safe guarding children from sexual exploitation, due to the major change to the use of the park as a licenced premises.

It is time that Lancaster City Council started to be honest about their running of the Regent Park and state whether they are going to hand the park over to **Regent Park Crown Green Bowling Tuition Bowling Centre!** Not only does this organisation wish to open a 'public house' in the pavilion but they also want to run a coaching centre! As one of the applicants Brian Cooke said: "We are leasing the whole building which includes the tuition centre and the cafe. "We want to sell and hire bowls and we also have two green friendly wheelchairs and walking aids and seats to encourage those with disabilities to take part. We could offer French boules and perhaps five-a-side football, we could be a base for that." **However he never stated that he had plans to sell alcohol for drinking on the premises of this tuition centre and café!**

The article also states that Lancaster City Council has also revealed plans for a multi-use games area costing £75k and an all-weather football pitch for the park. Read more at: <http://www.thevisitor.co.uk/news/sporting-centre-bid-at-west-end-park-1-7890175>

Although these plans are in the Regent Park Masterplan issued a few years ago this master plan has disappeared from the Council's website at <http://www.lancaster.gov.uk/> And there is no information on the website about what is happening about these plans now! The information on their website at <https://www.lancaster.gov.uk/parks-and-open-spaces/regent-park> about Regent Park (updated 05 July 2016) is way out of date and it is over 4 years since there were three bowling greens, and a very long time since there was a bowling festival in the park)! This has had the knock on effect of the Fields in Trust website also being out of date at <http://www.fieldsintrust.org/Regents-Park>

The park is enjoyed and used by children, and by members of the general public for walking, relaxing and dog walking, who will be put at grave risk by the increase of crime that a licenced premises will have on the park.

The last time the pavilion was licenced (as a small bowling club) I and my family members were often disturbed by patrons leaving the premises by their loud voices, the clanging of the large double gates and the banging of car doors.

Finally, why do we need another licenced establishment in the West End? There are seven pubs all in a close vicinity to one another and umpteen off-licences, do you not think this is enough in a deprived area? To allow another one, particularly in a park used by children, seems a very irresponsible attitude by the Council who own the land!

Yours faithfully

A black rectangular redaction box covering the signature of Peter W Cooper.

Peter W Cooper