



19th August 2013

The Licensing Unit
Rossendale Borough Council
Futures Park
Bacup
Rossendale
Lancashire
OL13 0BB

Dear Sir/Madam


**Re: Licensing – The Whitaker - Rossendale Museum and Art Gallery,
Whitaker Park, Haslingden Road, Rawtenstall, BB4 6RE**

We should like to object to the proposed licence for The Whitaker, as has been displayed both within the park and the Rossendale Free Press. Our objections are on several grounds:

1. The application is for, amongst other things, the performance of live or recorded music, dance or films. This is applicable, according to the notice, until 24:00 hours (although I understand that this is to be reduced to 11:00pm). Such activities will clearly cause a nuisance to the neighbouring, domestic households who should not have to endure such potential noise, disturbance and pollution. The park has always been a place of relative peace and tranquillity; there is the potential for this to be destroyed.

We understand that the applicants say that such music will not be a regular occurrence. Whilst that may be in the present applicants' minds, once such a licence is granted, there can be no guarantee that a change in the 'ownership' of the facilities will not alter this intention. History proves that this is often the case.

2. The licence is also for the sale of alcohol for consumption 'on or off the premises' every day of the week from 10:00 to 24:00 (23:00?) hours. Again, whilst the intention may be good, the possibility of people being able to buy and consume alcohol within the park, during the day and evening, has serious implications. The park is used by a large number of children -- do we really want people drinking, possibly to excess,



whilst youngsters are playing? Similarly, there is already the occasional, antisocial behaviour, during the evenings (I have seen broken beer bottles on the bowling green). Such an alcohol licence can only lead to an increase in noise, disturbance and harm to the environment of the park and those living adjacent to it.

3. We believe that the proposals may contravene the requirements of the deed which gave the buildings and land to the Corporation. We understand that the park and buildings were purchased and given to the town by Mr R Whitaker in 1900. His intentions and requirements were clear. The conveyance of what was called Oakhill is specific:

"for the public purposes following that is to say, as to the said Mansion House known as Oakhill and such of the buildings and grounds adjoining or near thereto as to the Corporation shall deem expedient for the purposes of the Public Libraries Act 1892"

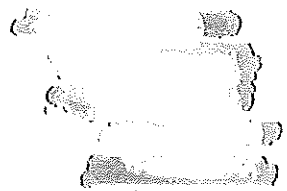
Our understanding is that the public libraries act 1892 was a Consolidation Act (primarily of the Acts of 1850 and 1855) by which corporations could establish and run libraries and museums/Art Galleries for the public benefit. These benefits were seen as 'social, moral and educational'. This was the intention of Mr Whitaker (and we would suggest of his wife, who was a moving force in Mr Whitaker's philanthropy). To suggest that the performance of live music, films, and dances, etc. is in accordance with the specific intention of this gift is surely incorrect. Ironically, one of the arguments to support the original legislation was that such facilities would keep workers from the perils of alcohol ('the evils of gin')!

Similarly, the land, originally known as the Oakhill estate, was given for a specific purpose:

"and as to the residue of the said premises hereby conveyed for the purpose of being used as public walks or pleasure grounds and for no other purpose or purposes whatsoever."

The park was given for peaceful recreation. To turn it into an area where music and dance, accompanied by the consumption of alcohol and hot food, is clearly not allowed nor envisaged under the covenants.

It is for the above three reasons, but particularly on the grounds of the intended usage and limitations placed upon that usage by the 'deeds' that we object to this particular licence. Mr and Mrs Whitaker were benefactors to the town (and not just via Whitaker Park) and their beliefs and practices would not



have led them to allow, or we suggest to countenance, such a proposal. We ask that the application is refused.

Yours faithfully

G. Skilling

P.H. Skilling