

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Peter Lawrence Taylor

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

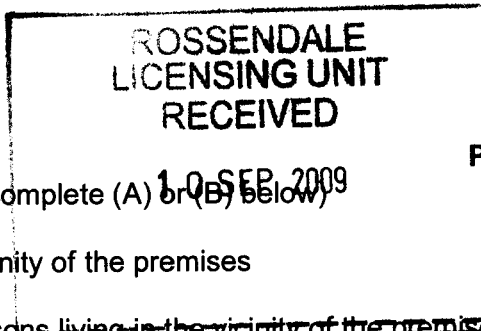
Postal address of premises or, if none, ordnance survey map reference or description New Hall Social Club, 104 Bury Road, Rawtenstall, Rossendale, Lancs.	
Post town Rawtenstall	Post code (if known)

Name of premises licence holder or club holding club premises certificate (if known) David Lee Nickson
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Number of premises licence or club premises certificate (if known)

Part 2 - Applicant details

I am



Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons ~~living in the vicinity of the premises~~
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Peter Lawrence Taylor Rossendale Borough Council Senior Environmental Health Officer Business Directorate, Environmental Health Services Stubbylee Hall Stubbylee Lane Bacup Lancs. OL13 0DE
Telephone number (if any) 01706 252594
E-mail address (optional) petertaylor@rossendalebc.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

Environmental Health Services make application for a review of the premises licence on the grounds of the prevention of public nuisance.

Environmental Health Services consider that the performance of live music and the playing of recorded music on Friday/Saturday nights is seriously detrimental to the residential amenities of nearby occupiers, by reason of the noise and disturbance and general activity associated with the social club.

Please provide as much information as possible to support the application
(please read guidance note 2)

The New Hall Social Club has been the subject of noise complaints since the initial complaint was made to the Council in July 2008. The complainant occupies a first floor flat at Lomas Lane, Rawtenstall, and is a tenant of Green Vale Homes. The flat is located directly at the rear of the Social Club.

During the period from 31 July 08 and 17 August 08 the complainant had kept a diary log of the noise nuisance [copy attached] which refers to loud music blaring out, car horns blaring, shouting and arguing outside the club, loud music from live band with 25 - 30 people outside at rear of club drinking, fighting and police called, taxis beeping horns for customers.

In August 2008 the tenant at Lomas Lane complained to the Pennine Night Time Noise Service which operates an out of office hours service for noise complaints. The complaint was in regard to loud amplified music coming from the club premises. The Officer on call visited the complainant and reported loud punk type music witnessed from the lounge at Lomas Lane, the noise being excessively loud and in his opinion was deemed to be a statutory nuisance. The noise was witnessed for 20 minutes within the club and 10 minutes outside some distance from the rear door of the club.

During June 2009 a late Friday evening visit was made jointly by officers from both the Council's Licensing and Environmental Health sections to the tenants flat at Lomas Lane. Music could clearly be heard within the lounge with the window slightly ajar and was deemed to be a nuisance. Observations on the same evening at a distance from the club on Lomas Lane itself, was that the amplified music emanating from the club was loud and excessive. This matter was reported to the club during the week following when a daytime site visit was made to the club when both officers from the Council spoke to the Manager of the club who was willing to deal with the noise problem by asking the DJ to lower the volume of the amplified music.

Since that visit, noise complaints have continued to be received by the Council with two additional complaints being made by residents of houses on Bury Road who complained about loud music from the Social Club at weekends.

During August 2009 a late Friday evening visit was made by the Council's Senior Licensing Enforcement Officer who reports that when on the club car park at the rear the noise was excessive from the club from the music being played inside.

It can be noted that the construction of the club does not lend itself to retaining sound within the building. Some windows at the rear of the club are not double-glazed and the roof of the club is of a non-traditional building type with metal cladding to sides.

The Licensing Section report that there are no noise conditions attached to the licence.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

Not applicable

Please tick yes

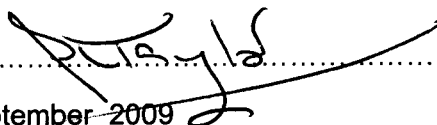
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date 7th September 2009

Capacity Senior Environmental Health Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Name and address of the person keeping the record:
Lomas Lane

Address of premises where the noise is coming from:
104 Bury Road, Rossendale - New Hall Hey Social Club

Please make clear notes and be as specific and accurate as possible. Description of noise should enable source to be identified, please avoid generalities or making assumptions that cannot be substantiated.

	DATE	TIME	DURATION	DESCRIPTION/COMMENTS	PERSON RECORDING DETAILS
13th	31st JULY 08	4 p.m till 3 a.m.	11 hrs	10-12 CUSTOMERS OUTSIDE DRINKING, EAR HORNS BLARING SHOUTING & ARGUING.	
SAT.	2nd AUG 08	6:30 p.m.	4 hrs	OUTSIDE NOISE	
Tues.	5th AUG 08	1:45 a.m. 2:00 a.m.	15 mins.	SCREAMING, ABUSIVE LANGUAGE SHOUTING, INSIDE CLUB	
THURS	7th AUG 08	1:45 a.m. 2:30 a.m.	45 mins.	TAXI'S BEEPING HORNS FOR CUSTOMERS, CUSTOMERS SHOUTING LEAVING CLUB	
FRID.	8th AUG 08	9 p.m. 2 a.m.	5 hrs	LOUD MUSIC FROM LIVE BAND, 25-30 PEOPLE OUTSIDE DRINKING, FIGHTING BROKE OUT. OUT OF HOURS OFFICER ARRIVED TO ACCESS NOISE & POLICE ARRIVED	
SUN.	17th AUG 08	5 p.m. - 6 p.m.		FIGHTING ARGUING & SHOUTING BROKE OUT.	
		10 p.m.		LOUD MUSIC BLARING OUT.	

EVERY EVENING TILL 2-3 a.m. TAXI'S PULL UP
Blaring HORNS & BARRIER ON DOOR FOR CUSTOMERS
CUSTOMERS ARE ALWAYS LOUD WHEN LEAVING CLUB.
RANG. N.E.A.T. 28/7/08 TO CLEAN CAR PARK
OFF BOTTLES & CANE DEBRIS