

**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 Miss Andrea Guthrie

(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 The Station Hotel 505 Helmshore Road Helmshore	
Post town Rossendale	Post code (if known) BB4 4JR

Name of premises licence holder or club holding club premises certificate (if known) Miss Nicola Barcroft

Number of premises licence or club premises certificate (if known) 010704

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 Please tick yes

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 Miss Andrea Guthrie Senior Environmental Health Officer Environmental Health Rossendale Borough Council Business Directorate Futures Park Bacup Lancashire OL13 0BB
Telephone number (if any) 01706 252567
E-mail address (optional) andreaguthrie@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)

In May 2013 the Environmental Health department received a noise complaint from a resident of Limewood Close. Since then there have been numerous complaints from various neighbours about noise from The Station Hotel due to loud music from live bands and amplified music.

On a number of occasions the excessive noise has been witnessed by authorised officers working on the Council's Out of Hours Night Time Noise Service.

Environmental Health feels this undermines the Public Nuisance objective of the Licensing Act 2003.

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

Environmental Health first became involved with complaints about loud amplified music from the Station Hotel in August 2011 following a one day outdoor music event. A number of local residents had then complained about loud music from bands at weekends but at that time these complaints were unable to be substantiated as a Statutory Nuisance.

Since May 2013 a total of 7 residents have complained and been sent letters and diary sheets to record when the noise occurs. The Station Hotel was informed of the initial complaint in May 2013. The department received completed diary sheets at the end of May and because of the frequency and duration of the music a second formal letter was sent to the Station hotel.

The department received complaints after a second outdoor music event held on the 25th August 2013. A number of residents had also raised concerns through their MP or Local Councillors. The additional complainants who wished to complain about the ongoing noise at weekends from the live bands were sent letters and diary monitoring sheets.

On September 5th 2013 noise monitoring equipment was placed in a complainant's property which was then collected on the 13th September 2013. Recordings indicated the levels of amplified music from the Station Hotel would be considered a statutory nuisance.

On the 14th September 2013 Carmela Lo Presti an officer from the Out of Hours Noise Service visited one of the complainants property at 22.20 following a complaint of loud music and reported she could clearly hear the music from the pub and would find it hard to sleep with the window open or shut.

I received a telephone message from another complainant left on Saturday 14th September 2013 informing me the music was loud. The message was left at 11pm.

On the 19th September 2013 a Statutory Noise Abatement Notice was served on Miss Nicola Barcroft as the person responsible for the nuisance, to cease or reduce the volume of amplified music so as not to cause nuisance to neighbouring properties with immediate effect.

The Out of Hours Noise service was called on the 21st September 2013 however the music had stopped before an officer could visit.

On the 28th September 2013 Paul Thwaites an officer from the Out of Hours Noise service visited a complainant's property at 23.36 and reported he could clearly hear the loud live music coming from the Station Pub and stated he thought it was a nuisance.

On the 3rd October 2013 a letter was sent to both the brewery and licence holder inviting them to attend a meeting to discuss next steps following a breach of the abatement notice witnessed on the 28th September. The meeting took place on the 22nd October 2013. Following the meeting structural works and installation of a noise limiting system were agreed. These works were planned for completion in early 2014.

On the 22nd November the premises was visited by Danny Dobson, Licensing Public Protection Officer and Sergeant Dixon, Police Licensing, who reported the following:

'Music from DJ could be heard outside the premises. DPS not on premises. Told to

turn volume down.'

On the 23rd November 2013 David Johnson from the Out of Hours Noise Service visited a complainant's property on Limewood Close and could hear a band playing very loud in the Station Pub. Inside the property with the doors and windows closed the sound was much reduced with the bass being audible.

On the 6th December 2013 Frank Mallon an officer from the Out of Hours Noise Service visited Limewood Close at 22.09 and reported that the music was audible in the bedroom, overlooking the pub, when playing and would be a nuisance.

I contacted the brewery in January 2014 for an update on the works previously agreed. Structural works requested were planned for completion by the middle of January 2014.

On the 11th January 2014 Paul Thwaites an officer from the Out of Hours Noise service visited Limewood Close from 22.45 to 23.55 and reported he could hear a number of heavy rock tracks, bass and drums whilst in the complainant's properties.

A meeting was arranged with Environmental Health and Licensing. It was held at the Station Hotel on the 5th February 2014. The installation of the noise limiter was outstanding and it was agreed that once the limiter was in place Environmental Health would arrange for an acoustic consultant to set the noise limiter.

The noise limiter was installed on the 4th March 2014. Throughout March, April and early May numerous attempts were made to arrange for the limiter to be set to coincide with a 'typical' rock band playing at the Station Hotel. During this period the department received a further 3 noise complaints about loud music.

A visit to set the limiter was eventually arranged for Saturday 17th May. Following the visit a meeting was arranged on the 3rd June 2014 to discuss the findings. It was agreed that the licence holder would arrange for another acoustic company to carry out an assessment in order to identify what their recommendations would be to find a solution.

On the 11th July 2014 David Johnson from the Out of Hours Noise service visited from 23.45 to midnight and reported that with open windows the band were very loud and would prevent sleep.

On the 19th July 2014 Joanna Burtonwood an officer from the Out of Hours Noise service visited the complainants properties between 22.20 and 23.53 and reported the level of noise heard inside the properties would constitute a statutory nuisance.

As a consequence of the continued breaches of the abatement notice and despite works and actions being agreed and still ongoing to provide a long term solution, I feel that applying for a review of the licence is now required to prevent public nuisance.

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

1							
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If you have made representations before relating to this premises please state what they were and when you made them

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 *Aputhi*

Date *12/08/14*

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.

