

# Public Document Pack

# Blackpool Council

13 February 2015

To: Councillors Hutton, M Mitchell, Mrs Taylor and Brown (Reserve)

The above members are requested to attend the:

## LICENSING PANEL

Monday, 23 February 2015 at 10.00 am  
in Committee Room A, Town Hall, Blackpool

## A G E N D A

### 1 APPOINTMENT OF CHAIRMAN

To appoint a Chairman for the meeting.

### 2 DECLARATION OF INTEREST - LICENSING

Members are asked to declare any interests in the items under consideration and in doing so state:-

(1) the type of interest concerned

(2) the nature of the interest concerned; and

(3) whether they have or have not sat on a Planning Committee which has previously considered a planning application in respect of a licensed premises which is also subject to consideration for a premises licence as part of the agenda for this meeting.

If any Member requires advice on declarations of interests, they are advised to contact the Head Democratic Governance in advance of the meeting.

(Members are asked to also pay particular attention to the guidance sheet on interests supplied with the agenda).

### 3 PROCEDURE FOR THE MEETING

The Chairman of the Panel will summarise the procedure and announce the equal maximum amount of time for each party to speak for the hearing.

A. Items 1 and 4 (b) will be undertaken in private session by the Panel and not in

the Meeting Room.

B. Items 2, 3, 4(a) and 4(c) will be recommended to the Panel to be held in public.

C. The Panel may decide to exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. (This includes a party and any person assisting or representing a party)

**4 APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- WATERLOO HOTEL AND BOWLING CLUB**

(Pages 1 - 28)

a. APPLICATION AND REPRESENTATIONS SUBMITTED. To consider the attached report

b. DETERMINATION OF THE APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- Waterloo Hotel and Bowling Club

c. ANNOUNCEMENT OF THE DECISION FOR THE APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- Waterloo Hotel and Bowling Club

**Venue information:**

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

**Other information:**

For queries regarding this agenda please contact Lennox Beattie, Executive and Regulatory Manager, Tel: 01253 477157, e-mail [lennox.beattie@blackpool.gov.uk](mailto:lennox.beattie@blackpool.gov.uk)

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at [www.blackpool.gov.uk](http://www.blackpool.gov.uk).

<b>Report to:</b>	<b>Licensing Panel</b>
<b>Decision or Item number</b>	<b>4</b>
<b>Relevant Officer:</b>	Sharon Davies, Head of Licensing Services
<b>Date of Meeting :</b>	23 <sup>rd</sup> February 2015

## APPLICATION TO REVIEW A LICENCE – WATERLOO HOTEL AND BOWLING CLUB

### 1.0 Purpose of the report:

- 1.1 Waterloo Hotel and Bowling Club, Waterloo Road, Blackpool has the benefit of a premises licence permitting live music (indoors and outdoors) 12.00-00.00, recorded music (indoors and outdoors) 09.30 – 00.00 and the sale of alcohol 09.30 – 00.00.
- 1.2 On 1<sup>st</sup> December 2014, the Licensing Service received an application to review the licence on the grounds of prevention of public nuisance.
- 1.3 The review application was submitted by the Licensing Authority. No representations have been received.
- 1.4 At the time the review was submitted the licence holders were Nicholas John Lowe and Peter Thomas Flynn. This licence was surrendered on 19<sup>th</sup> January 2015 but was reinstated by an application for transfer made on 30<sup>th</sup> January 2015. The new licence holder is HS Inns (Waterloo) Ltd. The new Designated Premises Supervisor is Christopher George.

### 2.0 Recommendation(s):

- 2.1 The panel is requested to determine the review application.

### 3.0 Reasons for recommendation(s):

- 3.1 This application must be determined by a panel.
- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No
- 3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

None, once a request for a review is received it must be considered by the Licensing Panel.

#### 4.0 **Background Information**

##### 4.1 **Local policy considerations**

None

##### 4.2 **National policy considerations**

Section 11 reviews is relevant

The panel have the following powers:

1. Take no action
2. Modify the conditions of the licence (by adding removing or varying conditions)
3. Exclude a licensable activity from the licence
4. Remove the Designated Premises Supervisor
5. Suspend the licence for up to three months
6. Revoke the licence.

##### 4.3 **Observations**

The licence has the following conditions endorsed on the licence:

###### **Annex 1 - Mandatory conditions**

- 1 No supply of alcohol may be made under the premises licence -
  - a) At a time when there is no designated premises supervisor in respect of the premises licence,
  - or
  - b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 2 Every supply of alcohol under the premise licence must be made or authorised by a person who holds a personal licence.
- 3 The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

An irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

- a. Games or other activities which require or encourage, or are designed to require or encourage individuals to -
    - i. Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - ii. Drink as much alcohol as possible (whether within a time limit or otherwise);
  - b. Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined by section 159 of the Act);
  - c. Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - d. Provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependant on -
    - i. The outcome of a race, competition or other event or process, or
    - ii. The likelihood of anything occurring or not occurring;
- 4 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 5 The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 6 The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 year of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

- 7 The responsible person shall ensure that -
  - a. Where any of the following alcoholic drink is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
    - i. Beer or cider: ½ pint;
    - ii. Gin, rum, vodka or whisky: 25ml or 35ml; and
    - iii. Still wine in a glass: 125ml; and
  - b. Customers are made aware of the availability of these measures.

## **Annex 2 - Conditions consistent with the Operating Schedule**

- 1 No entertainment of an adult or sexual nature will take place on the premises.
- 2 CCTV will be installed internally and externally at the premises. Said CCTV system shall comply with the following criteria:
  - (a) The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises, with the exception of the toilets, shall be covered by the system;
  - (b) The system shall display on any recording the correct time and date of the recording;
  - (c) The system shall be recording during all hours the premises is open to the public;
  - (d) VCR tapes or digital recording shall be held for a minimum of 30 days after the recording is made and will be made available to the Police for inspection upon request;
  - (e) The system shall, as a minimum, record images of the head and shoulders of all persons entering the premises.
- 3 A staff member who is conversant with the operation of the CCTV system will be on the premises at all times the premises are open to the public. This staff member will be able to show police recent data or footage with the absolute minimum of delay when requested and will be able to provide a copy of such footage to the police in a readable format within 24 hours.
- 4 An A4 advisory sign indicating that CCTV is in operation at the premises should be displayed on the outside of the building, at the main entrance and inside the premises.

- 5 The Police Licensing Unit shall be notified on any occasion when the CCTV system is to be inoperative for a period in excess of one working day and shall provide a certificate from a competent person stating the reason for the system being inoperative and the measures which have been taken to satisfy the licence conditions.
- 6 At least one personal licence holder (whose identity will be known to all other staff engaged in the sale or supply of alcohol) will be on the premises whilst the sale or supply of alcohol is being undertaken, except in the case of emergency.
- 7 A drugs prevention strategy for the venue shall be developed, applied and documented. This strategy shall include arrangements for the location of posters and the distribution of other information relating to drugs risks, the dangers associated with drugs and the legal provisions relating to drug use.
- 8 Clearly visible notices shall be displayed advising those entering the premises that it is a condition of entry that customers agree to be searched and that Police will be informed if anybody is found to be in possession of controlled substances or weapons.
- 9 Any drugs found shall be confiscated, stored, disposed of or transferred in accordance with procedures agreed with the Lancashire Constabulary.
- 10 Records of incidents involving the use and/or detection of drugs shall be maintained and those records shall be made available to the Police for inspection upon request.
- 11 Security arrangements will be sufficient to discourage the sale and consumption of drugs: such arrangements to include regular documented checks of toilet areas.
- 12 The premises shall be a member of the local Pubwatch scheme and the local Pubwatch protocols shall be adhered to. Entry will be refused to any persons who can be identified as currently under Pubwatch ban.
- 13 An authorisation of sales, signed and dated by the DPS, shall be kept at the premises showing all persons authorised by them to make sales of alcohol at the premises. All staff involved in sales will be at least 18 years of age and will receive training to promote the licensing objectives. All training to be documented and records made available on request to Lancashire Police or any authorised officer.

- 14 All staff to have received suitable training in relation to the Proof of Age Scheme to be applied upon the premises. Records to evidence this will be made available to an authorised officer upon request.
- 15 An incident book will be maintained, in which shall be recorded:
- (a) All incidents of crime and disorder
  - (b) Refused sales to suspected under age / drunken persons
  - (c) A record of any person refused admission or asked to leave the premises
  - (d) Details of occasions upon which the Police are called to the premises
  - (e) The use or discovery of drugs
- That book shall be available for inspection by a Police Officer or authorised person.
- 16 An adequate number of licensed door supervisors will be on duty as appropriate to any risk assessment, however on a Friday and Saturday night and when a pre-arranged function takes place on the premises there will be at least one SIA registered member of door staff on duty from 21:00hrs until close.
- 17 A record shall be kept on the premises of every person employed at the premises as a door supervisor. The record shall contain the following details:
- (a) Name and address
  - (b) date of birth;
  - (c) SIA licence number;
  - (d) time duty commenced and time duty terminated.
- Said records shall be made available for inspection upon demand by the Police.
- 18 All door staff employed at the entrance / exit of the licensed premises will wear a reflective jacket / tabard of a design approved by the Lancashire Constabulary.
- 19 Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the licensed premises.
- 20 Any person under the age of 16 must be accompanied by a responsible adult and remains the responsibility of the accompanying adult at all times when using the premises. Members of staff are not allowed to be in sole supervision of children.



- 21 Persons under the age of 16 are not allowed to remain on the premises after 21.00 hours.
- 22 Functions which specifically target young people aged 17-18 years (for example 18<sup>th</sup> birthday parties) will not be allowed to take place on the premises.
- 23 The licence holder and the Designated Premises Supervisor shall nominate another person, who will deputise for the Designated Premises Supervisor in the DPSs absence, and shall ensure that the identity of the deputy is known by all other staff when such absence occurs.
- 24 All internal doors to any entrance / exit point, fire exit doors and external windows shall be closed during hours of any Regulated Entertainment except in the event of an emergency, save for the purpose of access and egress.
- 25 Appropriate measures will be taken to ensure staff prevent the removal of bottles or glasses from the curtilage and grounds of the licensed premises.
- 26 The outside area may only be used for the consumption of alcohol until 21.30 hours daily.
- 27 Beverages for consumption outside must be supplied in polycarbonate glasses or bottles only.
- 28 Polycarbonate glasses will be used at all home Blackpool FC fixtures. No glass will be used 2 hours prior to kick off, during and 2 hours after full time of any home Blackpool FC fixtures. Alcohol in glass bottles will be de-canted into polycarbonate glasses. When changing between the use of glass bottles to polycarbonates staff must ensure all glass is cleared from the venue. Plastic bottles are permitted to be used.
- 29 Risk assessments carried out by or on behalf of the Licence holder which relate to a licensing objective will be available for inspection by an officer or a Responsible Authority.

4.4 Does the information submitted include any exempt information?

No

**4.5 List of Appendices:**

Appendix 4a: Application for a review of a Premises Licence

**5.0 Legal considerations:**

5.1 Please see local and national policy in the background information.

**6.0 Human Resources considerations:**

6.1 None

**7.0 Equalities considerations:**

7.1 None

**8.0 Financial considerations:**


8.1 None

# Blackpool Council

## APPLICATION FOR THE REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE

LICENSING ACT 2003

<b>Review requested by:</b>	Licensing Authority
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Licensing Service  
Blackpool Council  
Municipal Buildings, PO Box 4  
Blackpool, FY1 1NA

**Contact**

T: (01253) 47 8572 / 8589  
F: (01253) 47 8372

[www.blackpool.gov.uk](http://www.blackpool.gov.uk)

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

<b>I</b>	Mark Marshall
----------	---------------

[insert name of person requesting review]

apply for the review of a premises licence under section 51 or 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.

### Part 1 – Premises Details

Postal address of premises or club premises if any, or if none the ordinance survey map reference or description.									
<b>Premises Name and Address</b>	Waterloo Hotel & Bowling Green								
	Waterloo Road								
	Blackpool	<b>Post Code</b>	F	Y	4		2	A	F
State the Name of the premises licence holder or the name of the club holding the club premises certificate (if known)									
Premises Licence or Club Premises Certificate Reference Number (if known)									

### Part 2 – Applicant details

I am:

1) an individual, body or business which is not a responsible authority	Please tick
2) a responsible authority (please also complete 2C below)	<input type="checkbox"/>
3) a member of a club to which this application relates (also complete section 2A below)	<input type="checkbox"/>

**(2A) Individual Applicants (fill in as applicable)**

Title:	Mr	Mrs	Miss	Ms	Other	I am 18 years old or over	Please tick	
							Yes	No
Forenames						Surname		
Home address								
		Post Code						
Telephone Number						Mobile Number		
E-Mail Address								

**(2B) Other Applicant or Representing Body**

Name								
Address								
	Post Code							
Telephone No.								
Email Address								

**(2C) Responsible Authority applicant**

Name	Mark Marshall									
Address	BICKERSTAFFE HOUSE									
	BICKERSTAFFE SQUARE									
	TALBOT ROAD		Post Code		F	Y	1		3	A
Telephone Number	01253-478493									
Email Address	<a href="mailto:Mark.marshall@blackpool.gov.uk">Mark.marshall@blackpool.gov.uk</a>									

### Part 3 – Reason for Review

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

	Please tick
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 2 before completing)**

During the weekend of 22<sup>nd</sup> & 23<sup>rd</sup> August 2014 The premises held two charity days this event was authorised in part by the official granting of a Temporary Event Notice.

A letter of complaint from Mrs Jane Lean was received by the Council on 23<sup>rd</sup> September 2014 Mrs Lean is a resident of Lunedale Avenue the complaint was regarding extremely loud music coming from the Waterloo Hotel & Bowling Green. The information in the letter stated that on the 22<sup>nd</sup> of August, music from a charity event lasted from dinner time until 22.45hrs with the music getting louder and louder throughout the day, the vibration from the bass could be felt throughout the buildings with Mrs Lean and other residents ringing the Police to make complaint regarding the noise nuisance..

A representative of the Council namely Marion Dunne attended the Waterloo Hotel and Instructed them to turn the volume down which they did at that time. Mrs Lean later reported that the volume became louder again later that day.

A warning letter from Marion Dunne was sent to the Waterloo Hotel and Bowling Green in relation to noise nuisance emanating from the premises. A letter along with diary sheets was sent to Mrs Lean to evidence further instances of noise nuisance from the Waterloo Hotel.

A further letter dated 26<sup>th</sup> September 2014 was received from the office of local M.P Gordon Marsden, with an enclosed petition signed by a total of 49 residents all of Lunedale Avenue objecting to any further outdoor events being authorised for the Waterloo Hotel & Bowling Green

The clear message from the complainants and local residents is that outdoor entertainment such as amplified music should not be permitted at any time. This authority seeks this requirement and requests that the prohibition of all types of amplified music and live bands should not be permitted in any outdoor location around this premises.

Document 1. Letter of complaint from Mrs J Lean

Document 2. Letter from Local M.P Gordon Marsden

Document 3. Petition (4 pages) from residents of Lundale Ave/Weston Place

Document 4. Copy of letter from Marion Dunne, to manager of Waterloo Hotel

Document 5. Copy of letter from Marion Dunne to Mrs J Lean

LS/F/009/14/3

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**Please provide as much information as possible to support the application. Continue on a separate sheet if necessary. (Please read guidance note 3 before completing)**

[Large empty rectangular box for providing information]

**Part 4 – Other relevant information**

<b>Have you made an application for review relating to this premises before?</b>	Please tick		
	Yes	No	
<b>If yes please state the date of that application</b>	Day	Month	Year

**If you have made representations before relating to this premises, please state what they where and when you made them.**



<b>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.</b>	Please tick <input type="checkbox"/>
<b>I understand that if I do not comply with the above requirements my application will be rejected</b>	<input type="checkbox"/>

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 5 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent.** (Please read guidance note 5) **If signing on the behalf of the applicant please state in what capacity.**

<b>Signed</b>	<i>Mark Marshall</i>
<b>Print Name</b>	<i>Mark Marshall</i>
<b>Capacity</b>	<i>Licensing + Health + Safety Manager</i>
<b>Date</b>	

**Contact name and address for correspondence associated with this application. (Where not previously given) (See guidance note 6)**

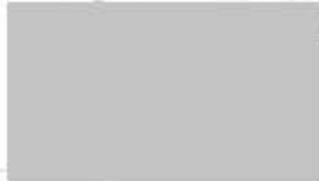
<b>Title:</b>	<b>Mr</b>	<b>Mrs</b>	<b>Miss</b>	<b>Ms</b>	<b>Other</b>	
<b>Forenames</b>					<b>Surname</b>	
<b>Address for Correspondence associated with this application</b>						
						<b>Post Code</b>
<b>Telephone Number</b>					<b>Mobile Number</b>	
<b>E-Mail Address</b>						

## Notes for Guidance

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

LS/F/009/14/3

MRS J. LEAN



ALL  
RECEIVED  
24 SEP 2014

23/9/14

FROM THE RESIDENTS OF  
LUNEDALE AVE FYI LLL

AFTER A BOXING TOURNAMENT EARLIER  
THIS SUMMER & 2 CHARITY DAYS 22ND &  
23RD AUGUST 2014, WE OBJECT TO  
FURTHER OUTSIDE MUSIC AT THE  
WATERLOO HOTEL & BOWLING GREEN.  
THE MUSIC WAS EXTREMELY LOUD  
WITH THE BASS VIBRATING THROUGH  
OUR HOUSES WITH NO CONSIDERATION  
FOR RESIDENTS LIVES ON THE 22ND  
AUG. IT LASTED FROM DINNER TIME  
UNTIL 12-45 AM GETTING NOISIER &  
LOUDER. SOME OF US RANG THE  
POLICE & REPORTED IT TO THE  
COUNCIL

HOPING SOMETHING WILL BE DONE  
SO WE DON'T HAVE THIS AGAIN  
THANK YOU



**GORDON MARSDEN MP**  
*Labour Member of Parliament for Blackpool South*

*Westminster Office*  
House of Commons  
London SW1A 0AA  
Tel. 020 7219 1262  
Fax 020 7219 5174

*Constituency Office*  
304 Highfield Road  
Blackpool FY4 3JX  
Tel. 01253 344143

Email: [gordonmarsdenmp@parliament.uk](mailto:gordonmarsdenmp@parliament.uk)  
Website: [www.gordonmarsden.co.uk](http://www.gordonmarsden.co.uk)

Blackpool Council  
Chief Executive

John Blackledge  
Director of Community & Environmental Services  
Blackpool Council  
Number One Bickerstaffe Square  
Blackpool FY1 3AH

30 SEP 2014

Allocation .....

26 September 2014

Our Ref: LEAN01001/01140377

Dear John

**Re: Mrs. Janet Lean,** [REDACTED]

Please find enclosed a letter with petition from Ms. Lean with regards to loud music from the Waterloo Hotel and Bowling Green.

Any assistance you can provide on this matter will be greatly received.

Yours sincerely

  
GORDON MARSDEN MP

Enc

## LETTER OF COMPLAINT.

Blackpool Borough Council.  
Licencing Authority.

To whom it may concern.

We the undersigned, wish to raise an objection to any further outdoor events that include loud music at the Waterloo Hotel and Bowling Green.

The reason for our objection, is that in the recent past events the extreme loud noise has been unbearable. It has been so loud that it has left our home's vibrating, and we have been unable to live a normal home life, I.E. impossible to have a conversation or hear the TV etc.

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
S Franklin		<i>S Franklin</i>
J LEAN		<i>J. Lean</i>
P. WEBBER		<i>P. Webber</i>
K. LEECH.		<i>K. Leech</i>
R. THAW.		<i>R. Thaw</i>
E PRESTON		<i>E. Preston</i>
C ROWLEY		<i>C. Rowley</i>
S GLAY		<i>S. Glay</i>
O THOMPSON		<i>O. Thompson</i>
B PARKER		<i>B. Parker</i>
H. J. THOMPSON		<i>H. J. Thompson</i>
I Smart.		<i>I. Smart</i>
J. D SMITH.		<i>J. D. Smith</i>
M. LEAN		<i>M. Lean</i>
L. BROWN		<i>L. Brown</i>
Sue Franklin		<i>Sue Franklin</i>
MAY CORNWELL		<i>May Cornwell</i>
Susan Jones		<i>Susan Jones</i>
A. STUBENRAUCH		<i>A. Stubenrauch</i>

DATED 22/9/14

## LETTER OF COMPLAINT.

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The reason for our objection, is that in the recent past events the extreme loud noise has been unbearable. It has been so loud that it has left our home's vibrating, and we have been unable to live a normal home life, I.E. impossible to have a conversation or hear the TV etc.

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
Susan McIntosh		<i>[Signature]</i>
R. Samsville		<i>R Samsville</i>
Kelly French-Halberath		<i>Kelly French Halberath</i>
MONA DRAPER		<i>Mona Draper</i>
WENDY MULHALL		<i>Wendy Mulhall</i>
JAN GLEADON		<i>[Signature]</i>
Marie Dupre		<i>[Signature]</i>
Marie Dupre		<i>[Signature]</i>
Eric Grainger		<i>E Grainger</i>
E Grainger		<i>E Grainger</i>
Y Hill		<i>Y Hill</i>
S. Johnson		<i>S Johnson</i>
Colin Horan		<i>[Signature]</i>
D Newton		<i>D Newton</i>
SUSAN McINTOSH		<i>S. McIntosh</i>

DATED 22/9/14


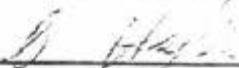





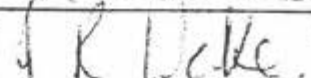
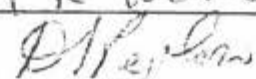
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<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
JAMIE ETHERINGTON		
CRAIG HOICKINSON		
TIERH CLAY		
DAVID THOMPSON		
JOHN NEVILL		
MR WILKINSON		
JOHN WALKER		
JOHN WALKER		
DAVE PERLOW		

DATED 22/9/14





Date: 27<sup>th</sup> August 2014

The Manager  
The Waterloo Hotel  
Waterloo Road  
Blackpool  
FY4 2AF

Our Ref: 1641318/MD/DW  
Your Ref:  
Direct Line: 07717 225 252  
Email: marion.dunne@blackpool.gov.uk

Dear Sir/Madam

**ENVIRONMENTAL PROTECTION ACT 1990**

**Re: The Waterloo Hotel, Waterloo Road, Blackpool, FY4 2AF**

I have to inform you that the Council has recently received a complaint alleging that excessive levels of noise caused by loud music are arising from your premises to such an extent as to cause annoyance to nearby residents.

The purpose of this letter is to firstly advise you of the complaint and secondly to advise you of the legal situation. The Council is under a duty to investigate all complaints and it may be necessary to undertake a monitoring exercise subsequently.

Under the Environmental Protection Act 1990, action can be taken through the Magistrates' Court against any persons who cause noise, as loud or unreasonable as to constitute a Noise Nuisance. Such action can be taken directly by the complainant.

I must therefore ask you to consider carefully the level of noise being emitted from your premises. If it could be causing a nuisance to others I respectfully suggest that you take immediate steps to control the noise to avoid the risk of potential further action.

I trust with your cooperation and goodwill that this matter can be resolved amicably.

Yours faithfully

For Head of Community & Environmental Services



Community &  
Environmental Services  
John Blackledge, Director  
Number One Bickerstaffe Square  
Blackpool, FY1 3AH

Contact  
T: (01253) 477477

[www.blackpool.gov.uk](http://www.blackpool.gov.uk)

Date: 27<sup>th</sup> August 2014

Mrs Jane Lean  


Our Ref: 1641318/MD/DW

Your Ref:

Direct Line: 07717 225 252

Email: marion.dunne@blackpool.gov.uk

Dear Madam,

**ENVIRONMENTAL PROTECTION ACT 1990**

**Re: The Waterloo Hotel, Waterloo Road, Blackpool, FY4 2AF**

I refer to your complaint regarding the above and write to inform you that this Division has sent a letter to the person allegedly responsible for the noise, a copy of which is enclosed for your information.

I am also sending to you a Questionnaire/Diary sheet, which you should fill in and return to this office within six weeks if the letter does not resolve the situation. This will provide a record of noise observations to this Division on how the noise is directly affecting yourself or others within your household; therefore it is very important that you provide sufficient information when completing the self-recording forms. I am asking for you to complete the record of noise observations for a period of up to fourteen days.

Officers will then be able to assess whether you are being subjected to a Statutory Noise Nuisance, and staff resources may then be allocated to investigate the complaint, as is reasonably practicable. Where the source of the noise is intermittent in its duration, the records will provide an overview of when the noise is more likely to recur so that investigating officers can target times to attempt to witness the problem.

I should also advise you that in the event of formal action being instituted by the Local Authority on your behalf, it is possible that you will be required to attend the Magistrates' Court as a witness and the information you have supplied may be used as evidence.

Please be advised that your complaint file will be closed should the diary sheets not be returned to Community & Environmental Services, Lee House, Layton Depot, Plymouth Road, Blackpool, FY3 7HW within six weeks from the date of this letter.

Upon receipt of your completed diary sheets a officer will contact you as soon as possible to discuss progressing the nature of your complaint.

Yours faithfully

Head of Community & Environmental Services



Community &  
Environmental Services  
John Blackledge, Director  
Number One Bickerstaffe Square  
Blackpool, FY1 3AH

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**Witness Statement**

(Criminal Procedure Rules 2005, r27.1(1);  
Criminal Justice Act 1967, s.9, Magistrates' Courts Act 1980, s5A(3)(a) and s.5B)

Statement of Anthony Michael Stubenrauch

Age if under18, over 18.

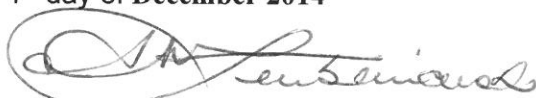
Occupation. Retired Civil Servant

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 1<sup>st</sup> day of December 2014

Tick if witness evidence is visually recorded   
(supply witness details on rear)

Signature



This is my account of witnessing and experiencing noise nuisance effecting my health and wellbeing.

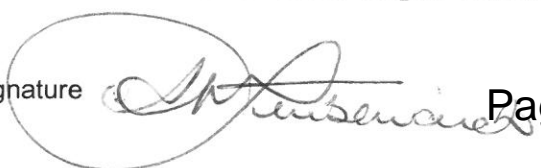
I shall now introduce the people I shall be making mention to in my statement I am Anthony Michael Stubenrauch a retired civil servant. I have retired due to a stress related illness and have been diagnosed as having Angina. I am currently a resident in Lundale Avenue, Blackpool.

I would describe my address at Lundale Avenue as a two storey double glazed terraced property in a predominately residential area.

The second area and location I would make mention to is the Waterloo Hotel and Bowling Green. A licensed premise located at the junction of Waterloo Road and Central Drive. The Waterloo Hotel comprises of the main building with a large bowling green to the rear, and car park to the side of the main building. This building is approximately 500 to 600 meters away from my address.

At approximately lunch time on August 22<sup>nd</sup> 2014 I was at home relaxing when I became aware of loud music with the bass vibrating throughout the house, I was unaware of any planned events in the area and I went outside into the rear garden and was met with what I would describe as a wall of sound despite ensuring all the windows and doors were closed I could still

Signature



Signature witnessed by

hear the loud music. At first I could not make out where the extremely loud music was coming from and then realised it was from the direction of the Waterloo Hotel. I later spoke with a neighbour who had been round to the Waterloo Hotel and confirmed a charity event was taking place. The excessively loud music continued throughout the afternoon and continued into the late evening this caused me to become stressed as I was unaware what time this noise nuisance would end and despite turning my television up to a higher than normal level I could not escape from the annoying and frustrating vibration and beat from the bass.

I recognise that licensed venues sometimes require the need to hold events such as these but I object to the intrusion of excessively loud music disturbing me in the privacy of my own home I think that consideration should be given to local residents and the volume of such events should be monitored and kept to a reasonable level.



Signature 

Signature witnessed by

**Witness Statement**

(Criminal Procedure Rules 2005, r27.1(1);  
Criminal Justice Act 1967, s.9, Magistrates' Courts Act 1980, s5A(3)(a) and s.5B)

Statement of Phillip Webber

Age if under 18 over 18.

Occupation Retired (Ambulance driver)

This statement (consisting of      page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 3rd day of **December 2014**

Tick if witness evidence is visually recorded   
(supply witness details on rear)

Signature



This is my account of witnessing and experiencing noise nuisance effecting my health and wellbeing.

I am Phillip Webber a retired ambulance driver and resident of Lunedale Avenue where I have lived for fourteen years. I would describe my address at Lunedale Avenue as being a two storey building in a block of four houses, my house is fully double glazed with a conservatory at the rear of the property and a double glazed inner door and glass unit, leading into the conservatory.

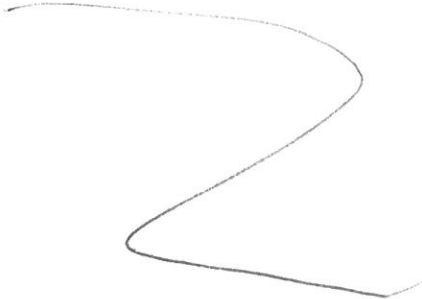
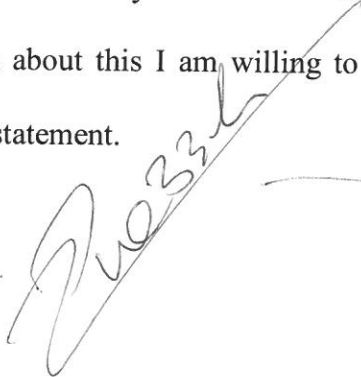
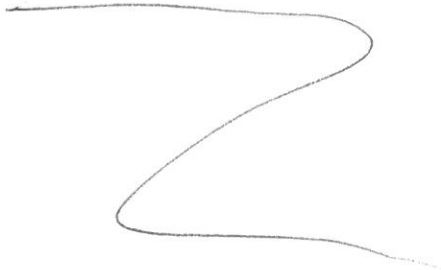
I live approximately 150 meters away from the Waterloo Hotel and Bowling green a licensed premise situated at the junction of Waterloo Road and Central Drive, Blackpool. The Waterloo Hotel is a large building with a large enclosed bowling green to the rear of the main building.

I have an unobstructed view of part of the wall which surrounds the bowling, green from my rear garden. On 22<sup>nd</sup> August 2014 in the early afternoon I cannot recall the exact time, I was sitting in my front room talking to my brother-in-law, who lives in Crewe and had travelled to visit me for the day. As we were in conversation we were suddenly interrupted and startled by extremely loud music so loud that I felt the vibration through the floor of the house. I was sitting approximately ten feet from my brother-in-law and we had to shout at each other to be heard. I walked to the rear of the house and into the back garden and realised the extremely loud music was coming from the Waterloo Hotel I was unaware of any planned event taking place. I closed any open windows to try and reduce the extremely loud music but this was totally ineffective living in line of site of the

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Waterloo Hotel it was as though my house was taking the full brunt of the sound waves. Within ten minutes of the loud music starting my brother-in-law could not stand it any longer and decided to leave. I was left alone and decided to try and watch the television but it was impossible to do I could not hear anything, I then spoke to my neighbour who called and she explained that she had rung the Environmental Department of Blackpool Council to make complaint about the noise nuisance. After this conversation I decided that it was totally unbearable to stay in my house, which had been going for about an hour and decided to drive to Bispham to visit a friend in order to escape the constant thumping of the bass from the music which was vibrating through my house. I was away for approximately two and a half hours and on arriving back to my house was disappointed to hear that the noise was still going on. I went inside my house and cooked and ate my evening meal with the continual vibration and deafening sounds invading my home. I then got changed and left my home and went to the number one club of which I am a member to escape the noise. I returned home at approximately 1am and thankfully the extremely loud music had stopped. I am not against the management of the Waterloo Hotel holding events but the owners should be more respectful of neighbouring homes and the residents that have to put up with this type of unacceptable noise nuisance. And at least make nearby residents aware of any outdoor events that is likely to include live bands or music, and act on any complaints received in relation to the volume of any live events. No one has the right or authority to act in such an antisocial way by causing such noise nuisance and I wish to complain about this I am willing to attend any Council committee hearing in relation to the content of my statement.



Signature 

Signature witnessed by