

## Licensing Act 2003

### Representation form / Guidance Notes

If you are considering making a representation (i.e. an objection) with regard to a Premises Licence Application form, please note the following points:

1. The Licensing Act 2003 is based on the following four licensing objectives:
  - **The Prevention of Crime and Disorder**
  - **Public Safety**
  - **The Prevention of Public Nuisance**
  - **The Protection of Children from Harm**
2. Any representation relating to an application made under the Licensing Act 2003, **must** relate to a situation which may impact upon one or more of the above licensing objectives. If your representation does not relate to one (or more) of the licensing objectives, **it must be rejected.**
3. Any relevant representations must be made by completing the attached form (see below) and sent to:

**Licensing Manager  
Lancaster City Council  
Town Hall  
Marine Road East  
Morecambe  
LA4 5AF**

4. Please note that very strict time limits apply to applications and representations. Any representation must be received by Lancaster City Council **within 28 days of the application being made.**

Following this period, Lancaster City Council has 10 working days (usually 2 weeks) to consider whether a Hearing will be required.

It may be necessary to contact you urgently to discuss your representation and therefore it would be appreciated if you could supply a daytime or mobile telephone number and / or email address.

**PLEASE NOTE THAT ALL REPRESENTATIONS ARE TREATED AS PUBLIC DOCUMENTS AND THEREFORE YOUR DETAILS WILL BE DISCLOSED TO THE APPLICANT AND DURING ANY HEARINGS.**

Name of Premises:	Royal Hotel
Address of Premises:	Main Road Bolton-le-Sands Carnforth LA5 8DQ
Your full name:	David Wiles Denise Wiles
Your full address: (Inc. postcode)	██████████ ██████████ ██████████ ██████████
Your contact telephone number(s)	1. ██████████ 2. ██████████ 3. ██████████
Your Email Address	████████████████████

**Please insert your comments in the table below**

<b>The Prevention of Crime &amp; Disorder</b>	No comments.
<b>Public Safety</b>	No comments
<b>The Prevention of Public Nuisance</b>	<p>The bar that has been constructed in the Royal Hotel's beer garden is situated no more than 10 metres away from our back garden and no more than 20 metres away from our bedroom window.</p> <p>The bar is fully visible, and clearly audible, from our back garden and our garden is also visible to anybody stood at the bar. This is an unacceptable loss of our privacy and the quiet enjoyment of our garden.</p> <p>Since the bar was constructed it has been used by means of Temporary Event Notices (and sometimes without them) and, when it was open, there was a significant increase in the noise</p>

nuisance from the beer garden, particularly as evenings wore on and more alcohol was consumed. There have been a number of instances of raucous laughter and shouting well after the bar was closed at 10.00 p.m., which could be clearly heard from our bedroom.

These are some examples of the disturbances that we have had:-

Saturday 04/07/20 - 10.20 p.m. Shouting and loud laughter from a group of several men stood around the bar, which prevented us from sleeping.

Tuesday 07/07/20 - 11.50 p.m. Woken up by loud shouting from the beer garden.

Saturday 11/07/20 - Woken up by loud singing of 'Happy Birthday' song at 12.18 a.m. Saturday morning.

Sunday 12/07/20 - Woken up by loud shouting after midnight on Sunday morning.

As a result of the above incidents, we contacted the Environmental Health department to complain, following which a visit was made to the Royal Hotel by officers from the Environmental Health and Licensing departments. The licensees were asked to monitor noise levels more proactively and to ensure that consumption of alcohol in the beer garden ceased at 11.30 p.m.

Following that visit, things did improve somewhat, although there do continue to be problems with noise. Some of the more recent issues are as follows:-

Monday 10/08/20 - Prevented from sleeping by loud noise from the beer garden at 9.40 p.m. This included loud shouting and screaming from children in the beer garden playground.

Thursday 13/08/20 - Prevented from sleeping by loud laughter and shouting from the beer garden at 10.12 p.m.

Saturday 22/08/20 - Prevented from sleeping by loud laughter and shouting from the beer garden at 10.19 p.m. On this occasion, it went on until 11.03 p.m., when my wife rang the Royal to complain. The lady on the phone was apologetic and the noise stopped shortly afterwards.

Saturday 05/09/20 - Woken up at 11.55 p.m. by noise from someone laughing and shouting, apparently as they were leaving the Royal from the back door.

Monday 07/09/20 - Very noisy all late afternoon and evening from the beer garden. This could be heard inside the house with the doors and windows closed. Loud swearing from smokers gathered at the back door of the Royal at about 7.30 p.m. Also woken again by smokers outside the back door at 10.30 p.m.

	<p>Sunday 13/09/20 - Woken at 12.18 a.m. on Sunday morning by loud laughter and shouting from smokers, either in the beer garden or outside the back door.</p> <p>Monday 14/09/20 - Prevented from sleeping by loud noise and laughter from the beer garden area between 10.15 p.m. and 10.45 p.m.</p>
<p><b>The Protection of Children from Harm</b></p>	<p>Children could be heard shouting and screaming from the Royal beer garden play area between 9.40 p.m. and 10 p.m. on Monday 10/08/20 (see above). I believe children are supposed to be off the premises by 9.00 p.m. in order to protect them from harm.</p>
<p><b>Additional Comments</b>  <small>(please put in this box any comments which relates to one or more of the above licensing objectives)</small></p>	<p>To summarise our concerns:-</p> <p>The use of an outside bar in the beer garden is completely unacceptable. It is detrimental to our privacy and has resulted in a significant increase in the level of noise, particularly at night when we are trying to sleep.</p> <p>It has been constructed (without planning permission) in the worst possible position, at the point at which the beer garden is closest to neighbouring residential properties, without any consideration being given to the effect it would have on local residents.</p> <p>It is not sufficient to say that noise levels in the external areas will be checked 'at least every hour'. They need to be controlled at all times, particularly after, say, 9.00 p.m. My wife and I are both of pensionable age and often retire to bed early.</p> <p>We have lived in this house for over 20 years, during which time the Royal Hotel has always had a beer garden, and we have never had any cause to complain about the noise before. So clearly something has changed. We believe that this is linked to the significant investment by Punch Taverns in the development of the beer garden in order to attract more customers to that area.</p> <p>We would like to propose that:-</p> <ol style="list-style-type: none"> <li>1. The application to use the garden bar be refused.</li> <li>2. The licence conditions be amended, so that 'Any outside area, which is used for the consumption of alcohol, shall cease to be so used at 22.00 hours'. We believe that time is much more reasonable than 23.30 in a residential area.</li> <li>3. The licensees be required to install a soundproof barrier or wall/fence between the bottom area of the beer garden and the neighbouring properties.</li> <li>4. Smokers are not permitted to use the area immediately outside the rear door of the Royal Hotel for smoking, but should use the purpose-built shelter that is situated on the opposite side of the building.</li> </ol>

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**Please attach any additional sheets used to this document.**

Signature	David Wiles Denise Wiles
Print Name	David Wiles Denise Wiles
Date	15 <sup>th</sup> September 2020