

**Eglin, David**

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**From:** [REDACTED]  
**Sent:** 22 October 2015 14:08  
**To:** licensing; Stainton, Rachel  
**Subject:** Fwd: Dalton Rooms

Sent: Mon, 13 Jan 2014 14:09  
Subject: Dalton Rooms

Hello Mr Finlayson

The current situation with The Dalton Rooms is that the noise levels are virtually back to where they were, despite the Stringers's undertakings. We were, for example, kept awake till after 3am this morning with the excessive shouting.

So we're looking forward to collecting some 'hard evidence' by means of your sound monitoring machines. We are at home for the rest of the day, and available all this week, daytime and evenings, except tomorrow early afternoon (hospital appointment) and Friday afternoon (weekend visitor). So please let us know when's best for you or whoever to install the kit.

Perhaps then, after the readings have been analysed, we can finally draw a line under this matter. It has gone on for far too long.

Looking forward to hearing from you very soon, and with belated New Year's greetings,

Sincerely,

Michael Nunn

-----Original Message-----

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## Eglin, David

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**From:** [REDACTED]  
**Sent:** 22 October 2015 14:09  
**To:** licensing; Stainton, Rachel  
**Subject:** Fwd: Dalton Rooms

Sent: Tue, 26 Nov 2013 17:48  
Subject: Dalton Rooms

Hello Dan

Forgive the delay in getting back to you: I'm actually glad I held off replying to your email till today.

Last night the noise levels were back to how they had been after the recent approaches to the Dalton Rooms. Patrons were using the glass fire doors (now seemingly fitted with self-returning arms) often during the time we were watching, and we could hear the DJ and the music loudly and clearly, even when the fire doors were shut, above our television, a little after midnight. The shouting and braying from the customers outside was significantly worse than it has been for a while now.

This continued till getting on for 2am when we finally got off to sleep - albeit with the bedroom window shut to block out some of the noise, despite the inconvenience to my breathing and the state of my lungs. We can't say how long after that it went on for.

Sunday night was just the same. There was the same continuous loud shouting from outside, despite the presence of two security staff in fluorescent jackets. We were not able to see whether smoking is still going on in that area between the glass doors and the pavement, though there seem to be plastic crowd barriers in place to keep the patrons off the road. Again we had to close the window - against the medical advice I have received for many years. On this occasion the disturbance continued till well after 3am.

Accordingly I am forwarding this email you your colleagues in Licensing who have contacted me before about this matter.

What do you suggest? It seems that the management and their staff have no interest whatever in ensuring the activities at their establishment do not disturb or inconvenience local residents. It is now early six months since we approached the Council about this, and there has been no real or significant change in the levels and frequency of the disturbances.

**Eglin, David**

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**From:** [REDACTED]  
**Sent:** 22 October 2015 14:10  
**To:** licensing; Stainton, Rachel  
**Subject:** Fwd: Dalton Rooms

Sent: Tue, 12 Nov 2013 13:01  
Subject: Dalton Rooms

Hello Mr Finlayson and Ms Strachan

Thank you both for the visit to our flat last night. It was good to see you both, and we're glad you have had a chance to hear/see some of the noise problem for yourself. Unsurprisingly the noise got considerably louder after you left around midnight, and by 0130 it was well up to its usual volume with customers outside shouting as is usual for Sunday and Monday nights. It was more or less quiet again by 0230.

As we agreed, the problem is well on the way to being solved after the Rooms agreed to keep their fire doors closed. This means that we are spared the loud music, the DJ and some of the noise.

But there still remains the problem of the noise from their customers who hang about in the outside 'smoking area' between the fire doors and the pavement. Your colleague Ms Morphet has agreed to inform the Dalton Rooms that this cannot be used as a smoking area. We also agreed last night that notice should be given to Mr Stringer to instruct his security staff to ensure that customers 'keep the noise down' and respect the rights of local residents to a good night's sleep.

I'm sure that yourselves and Ms Morphet's department have this in hand between you, and am looking forward to hearing how far this aspect of the matter has progressed.

Meanwhile we shall continue to monitor the situation and keep you posted with future occurrences of loud noise.

Best wishes,

Michael Nunn and John Burkinshaw

Regards Mrs J Millatt

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From: Michaelpunn@aol.com [mailto:Michaelpunn@aol.com]  
Sent: 21 October 2013 18:18

Subject: Noise at The Dalton Rooms

Dear Mrs Millatt

Your colleague David Findlayson telephoned me again earlier today regarding this matter. I am very concerned and disappointed that there has still been no progress with the noise problem.

I first contacted your office and received an acknowledgement on 23 July. I have since then (in late September) submitted you a detailed log of the disturbance which contains ample evidence of the problem over a substantial period of time.

Despite seeing Ed Lawrence (manager of the Dalton Rooms) and receiving verbal assurances that he would make efforts to ensure that the disturbances would be better contained, still nothing tangible has happened.

I recently saw my GP about these noise disturbances, compiling the log and loss of sleep, and they agreed that this matter, with others, was causing anxiety, and accordingly prescribed anti-depressants and sleeping medication. This is also affecting my physical health since I suffered a TIA (minor stroke) at the beginning of September. I was also advised that I should stop maintaining the record of the disturbances.

Whilst on the telephone earlier, I mentioned my concern that the Dalton Rooms 'smoking area' at the front of the building (ie the covered area outside the premises doors & windows and the pavement) was not a 'Designated Smoking Area' within the terms of UK non-smoking legislation.

Can you please investigate this aspect of the situation, send me full details of their Designated Smoking Area which I believe is part of their licence? I look forward to receiving your response very soon.

Your colleague also informed me that you have received a number of other complaints about this. He also explained that he has had some first-hand experience of the noise, as he too is a local resident, but this was at a relatively early time on what is usually a 'reasonable' night. Perhaps he would care to take a discreet walk past the premises late on a Sunday or Monday night so he can hear the scale of the problem - the volume and lateness on weekday mornings - for himself? Or at 0330 on a Monday or Tuesday morning?

This has gone on for long enough - without resolution. I am asking you again to intervene very soon as I have had quite enough.

I have copied this email to my local City Councillor for his comments and advice.

Yours sincerely

Michael Nunn

UK businesses use up 2 million tonnes of paper each year. Think before you print this email - do you really need to?  
Thank you. An Investor in People/Positive about Disabled People.  
DISCLAIMER:

**Eglin, David**

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**From:** [REDACTED]  
**Sent:** 22 October 2015 14:13  
**To:** licensing; Stainton, Rachel  
**Subject:** Fwd: Ongoing noise and nuisance at The Dalton Rooms

Subject: Fwd: Ongoing noise and nuisance at The Dalton Rooms

Dear Mrs Millat

I send this to you as I've had an automatic 'out of office' acknowledgement from Mr Brownjohn's address.

Best,  
Michael Nunn

Sent: 28/10/2013 15:13:01 GMT Standard Time  
Subj: Ongoing noise and nuisance at The Dalton Rooms

Dear Messers Finlayson and Brownjohn

My latest records re disturbance at the Dalton Rooms are:

Sat 16/10/13 2308 fire doors open;

Mon 28/10/13 fire doors open at 0103 and loud shouting and music clearly audible at 0109.

These are from date/time-stamped texts I sent myself and which I have retained. I shall continue to keep further records in text messages.

Mr Brownjohn has stated (in an email to Cllr Brookes) that the council wishes 'to maintain a spirit of co-operation with a businesses such as The Dalton Rooms'. That is fair enough in the normal way of things, but when things go wrong - as they patently have in this instance, and for some months now - then it is surely right and proper that the Council should address any shortcomings on the part of businesses who choose to ignore the terms of their licence and ride roughshod over complaints from the public.

To do otherwise lays Council officials open to question whether they are supporting the intransigences of commercial enterprise at the expense of the well-being and peaceful existence of citizens and Council-taxpayers who of course do, in effect, pay the wages of Council employees.

If the Council does 'require to monitor the noise problem from the complainant's property during the late evening when the problem is occurring', then I have no problem whatever with this. The Council is free to come and install any such equipment in our flat for however long it takes to reach a solution. Just let me know when you want access and I will make sure I'm in. The sooner the better I think for a speedy resolution for all concerned.

As for noise generated by people on the street - passers by - I did not know

that this was best handled by the police, although I think that security staff at the Dalton Rooms have some leeway in urging noisy gawpers and the like to move on and keep the noise down. It does reflect badly on the management and the staff if they do not take the initiative and demonstrate some sense of responsibility for the disturbances.

That said, I am looking forward to hearing what response you have had from Mr Stringer about his security staff controlling the noise in the front, covered 'smoking area'. And, of course, to see what your monitoring equipment shows about this in due course.

Why do you assert that 'it is unlikely that we would be successful in bringing [a licence review] about in a busy city centre, bearing in mind the current guidelines on licensing premises'? Exactly which guidelines are you referring? Those that I have seen (see my email to Mr Finlayson of 22/13/13) show precisely the opposite, regardless of the location of the premises. Please explain, and show me the guidelines to which you refer.

Also, as requested in the same email cited above, I have not yet had a reply to my request for details of The Dalton Rooms' 'Designated Smoking Area'. Will you please arrange to send this document to me soonest.

Like Cllr Brookes, I believe that both the City Council's officers and the management and staff of The Dalton Rooms are 'continuing to string us along with a series of broken promises'.

Please give me the evidence that disproves this belief. If you cannot, I see no alternative to seeking other means of resolution.

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Thank you for your email, which has been passed to me for attention.

Dan Finlayson has been involved in dealing with Mr Nunn's complaint regarding the Dalton rooms, and was able to carry out a late-night observation recently, when he was able to confirm that the front doors of the Dalton Rooms were open, allowing noise to escape from the premises. This is in contradiction of the owner, Grant Stringer's assertion that doors were being kept closed late in the evening. Dan has written to Mr Stringer to bring this to his attention, and to advise him that we would be likely to take further action to prevent recurrence of this problem, either by service of statutory notice for noise nuisance, or by seeking a licence review.

It is reasonable to give Mr Stringer the opportunity to comply with this request before embarking on a course of more formal action. This not only allows the council to maintain a spirit of cooperation with a business such as the Dalton Rooms, it also avoids the inconvenience to the complainant which would be necessary in order to gain sufficient evidence for formal action (In order to serve notice, we would require to monitor the noise problem from the complainant's property during the late evening when the problem is occurring, and this is something we avoid if other measures are available). This is not to say we avoid being 'heavy handed', it is simply a means of achieving results with minimum inconvenience to the complainant. If a solution is not achieved, then we will of course resort to more formal action after gathering sufficient evidence.

Mr Nunn also reports being particularly concerned regarding noise from persons congregating outside the Dalton Rooms. Noise from patrons using the front sheltered area is clearly under that control of the management, and this has been brought to Mr Stringer's attention. If, however, this refers to persons in the street outside the Dalton Rooms, this would not be not actionable by ourselves as a noise nuisance, and is best addressed at the time by contacting the police. Mr Nunn has been advised accordingly.



Review of the licence to bring about a reduction in operating hours would of course, reduce the noise problem significantly, but I feel it is unlikely that we would be successful in bringing this about in a busy city centre, bearing in mind current guidance on licensing premises.

I hope I have been able to explain the action being taken to resolve this situation. Should you require any further information on this case, please do not hesitate to contact myself or Dan,

regards

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Dear Mr Finlayson

Whilst I realise that it is a late hour to contact you, I must inform you that the noise from the Dalton Rooms is yet again interrupting our sleep.

I have been in the living room of our flat since about 2200 (and noticed that I had to turn up the volume of the television at about 2300 to hear what we want to enjoy (check the date/time stamp of this email).

Going through to my bedroom just now I see that the telescopic doors of The Dalton Rooms are open and that there is a large group of noisy patrons outside who seem to have any concern for local residents. Security staff and management seem also to be oblivious to their legal responsibilities for the adequate management of the premises and their obligations to local residents.

I am sure that this is further evidence that you require to instigate a formal Review of the Licence of The Dalton Rooms, and I am looking forward to your prompt response to my concerns.

Yours sincerely,

Michael Nunn