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24 SEP 2015

[Insert name and address of relevant licensing authority and its reference number (optional)]

**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 RACHEL STANTON**

*(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 Dalton Rooms 14 Dalton Square	
Post town Lancaster	Post code (if known) LA1 1PL

Name of premises licence holder or club holding club premises certificate (if known) Lancaster Lounge and Bars Ltd, Hustle, Spring Garden Street, Lancaster, LA1 1RQ
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Number of premises licence or club premises certificate (if known) LAPLWA0345
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**Part 2 - Applicant details**

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible  
authority (please read guidance note 1, and complete (A)  
or (B) below)

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 ✓ yes

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 CHIEF OFFICER (HEALTH & HOUSING) ENVIRONMENTAL HEALTH SERVICES MORECAMBE TOWN HALL MORECAMBE LA4 5AF  CONTACT: RACHEL STANTON
Telephone number (if any) 01524 582707
E-mail address (optional) Rstanton@lancaster.gov.uk

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

**Please state the ground(s) for review (please read guidance note 2)**

**Public nuisance from licensable activities associated with the playing of and recorded amplified music and noise associated with patrons entering and exiting the premises and congregating outside the premises. Local residents have been substantially adversely impacted over a number of years.**

Please provide as much information as possible to support the application (please read guidance note 3)

In June 2015 Lancaster City Council's Environmental Health Services received a complaint from a resident living on Dalton Square Lancaster that noise emanating from the Dalton Rooms during the early hours of the morning was causing sleep disturbance and causing them substantial interference with their rights to peaceful enjoyment (within reason) of their home. The disturbances are associated with patrons congregating outside the premises, some music noise and disturbances with people entering and leaving the premises.

Environmental Health Services (EHS) contacted the Designated Premises Supervisor (DPS) at the beginning of July to advise that a complaint had been made. The DPS was aware of previous complaints and described the measures already taken to minimise noise and public nuisance. Information gathered by Environmental Health Services and information provided by the complainant substantiated allegations of public nuisance and unreasonable disturbance from noise. Furthermore, during the initial stages of investigation other complaints were received from local residents, including from the Lancaster City Centre Residents Association.

EHS arranged and met at the beginning of August with Mr Grant Stringer, company director of Lancaster Lounge and Bars Ltd, the DPS of the Dalton Rooms, Lancashire Constabulary and representatives of the Lancaster City Council's Licensing section. During that meeting:

- it was established that there were justified complaints about noise and public nuisance that were having unacceptable impacts upon local residents
- The club representatives acknowledged there could be possible noise disturbances from amplified music and patrons using the premises.
- Some practical measures were recommended to prevent public nuisance and mitigate noise from the premises reaching nearby residents including limiting number of smokers outside the premises, improved control of patrons by door staff and limiting the time when the outdoor seating area could be used. Mr Stringer agreed that the outdoor seating area would not be permitted to be used after 00.00hours and improvements would be reviewed after a 5 week period. Following the meeting Mr Stringer contacted EHS and advised that the outdoor area would cease to be used (until after the review period) but limiting smokers outside or controlling customers leaving and entering the premises was unrealistic.

Following the review period it has been established that there is continued problems with early morning noise disturbances. As a result Mr Stringer proposed further measures, including provision of temporary acoustic barriers (with exception of Tues/Weds evening – unless open or busy), exit of the premises via the Glow Rooms at the rear of the premises on Mondays, Fridays and Saturdays after 02.00hrs and, creation of a temporary acoustic barriered smoking area at the front.

Ongoing review and investigation show that public nuisance continues and the measures implemented so far appear to be ineffective. There is a history of noise and public nuisance complaints associated with these premises dating back to early 2012. Following review of file information it appears that measures have been proposed and implemented by the business operator to reduce public nuisance/noise impacts to complainants. However, these appear to have achieved only short term/temporary improvements. It is therefore evident that more permanent and effective measures are required to prevent continuing public nuisance.

During the course of investigation Environmental Health Services has obtained wider information suggesting that nuisance is being experienced by other local residents who have either previously complained or not complained to Lancaster City Council about these premises. There is strong reason to suspect that this nuisance does in fact have a wider impact on the local residential community. This information is still being confirmed and will be provided at the review hearing.

Detailed information about specific dates / times and events will be presented at the review hearing without compromising the confidentiality of complainant personal information or the

regulatory investigation.

The investigation by Environmental Health Services into this matter remains ongoing at the time of writing.

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

Please tick  yes

If yes please state the date of that application

Day Month Year

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

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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 4)

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

Signature

.....

Date

.....

Capacity

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

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. 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 which we shall use to correspond with you about this application.