

# Public Document Pack

**Date of meeting** Monday, 23rd June, 2014  
**Time** 10.00 am  
**Venue** Committee Room 1, Civic Offices, Merrial Street,  
Newcastle-under-Lyme, Staffordshire, ST5 2AG  
**Contact** Ms Jan Barron - Ext 2224

## Licensing Sub-Committee

### AGENDA

#### PART 1 – OPEN AGENDA

- |   |  |                   |
|---|--|-------------------|
| 1 | Appendix A - Natural Justice Guidance Notes                          | (Pages 3 - 4)     |
| 2 | Appendix B Human Rights Guidance Notes                               | (Pages 5 - 6)     |
| 3 | Appendix C Procedure to be followed by the Sub-Committee             | (Pages 7 - 8)     |
| 4 | Application For a Review of a Premise Licence - The Crewe Arms Hotel | (Pages 9 - 10)    |
| 5 | Application for Review from Environmental Health                     | (Pages 11 - 206)  |
| 6 | Letters of Objection   | (Pages 207 - 248) |
| 7 | Representations from Staffordshire Police                            | (Pages 249 - 280) |

**Members:** Councillors Eastwood, Hambleton T and Mrs Winfield (Chair)

**PLEASE NOTE:** The Council Chamber and Committee Room 1 are fitted with a loop system. In addition, there is a volume button on the base of the microphones. A portable loop system is available for all other rooms. Should you require this service, please contact Member Services during the afternoon prior to the meeting.

**Members of the Council:** If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

**Meeting Quorums :-** 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

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## GUIDANCE NOTES

### NATURAL JUSTICE AND FAIRNESS

These are the principles used in the determination of just or fair processes and stem from the common law legal system.

According to Roman law, certain basic legal principles were so obvious that they should be applied universally without the need to be enacted into the law.

The rules of natural justice are now regularly applied by courts in both common law and civil law jurisdictions.

Natural justice operates on the principles that man is basically good, that a person of good intent should not be harmed and one should treat others as they would like to be treated.

Natural justice includes the notion of procedural fairness and may incorporate the following guidelines:-

- A person accused of a crime, or at risk of some form of loss, should be given adequate notice about the proceedings (including any charges);
- A person making a decision should declare any personal interest they may have in the proceedings;
- A person who makes a decision should be unbiased and act in good faith. He therefore cannot be one of the parties in the case, or have an interest in the outcome. This is expressed in the Latin maxim, *nemo iudex in causa sua*: "no man is permitted to be judge in his own cause";
- Proceedings should be conducted so they are fair to all the parties – expressed in the Latin maxim, *audi alteram* : "let the other side be heard";
- Each party to a proceeding is entitled to ask questions and contradict the evidence of the opposing party;
- A decision-maker should take into account relevant considerations and extenuating circumstances, and ignore irrelevant considerations;
- Justice should be seen to be done. If the community is satisfied that justice has been done they will continue to place their faith in the courts.

Where a person's legal rights are concerned, the principles of natural justice are bolstered by Article 6 of the European Convention on Human Rights which is now incorporated into domestic law.

### THE RULE AGAINST BIAS

It is elementary to the rules of natural justice that the deciding body is to be free from bias.

The rule is that the body must be and be seen to be impartial, independent and disinterested.

There are two broad categories of bias:

- (a) Actual Bias: when the decision-maker has an economic interest in the outcome of the case (also known as a material or pecuniary interest) subject to the De Minimum doctrine;
- (b) Reasonable Apprehension: unbiased appearance is an essential part of procedural fairness. The test is whether, having regard to the circumstances, a well informed person ("reasonably informed bystander") would consider that the interest might have an influence on the exercise of the decision-maker's duties.



## **GUIDANCE NOTES**

### **HUMAN RIGHTS ACT 1998**

In addition to the Rules of Natural Justice, you must also have regard to the provisions of the Human Rights Act 1998.

### **Rights and Freedoms to be considered when determining matters**

#### ARTICLE 6: RIGHT TO A FAIR TRIAL

1. In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgement shall be pronounced publicly, but the press and public may be excluded from all or part of the trial in the interest of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.
2. Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law.
3. Everyone charged with a criminal offence has the following minimum rights:
  - (a) to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him;
  - (b) to have adequate time and facilities for the preparation of his defence;
  - (c) to defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means, to pay for legal assistance, to be given it free when the interests of justice so require;
  - (d) to examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
  - (e) to have the free assistance of an interpreter if he cannot understand or speak the language used in court.

#### ARTICLE 8: RIGHT TO RESPECT FOR PRIVATE AND FAMILY LIFE

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

#### ARTICLE 10: FREEDOM OF EXPRESSION

1. Everyone has the right to freedom of expression. This rights shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

#### ARTICLE 14: PROHIBITION OF DISCRIMINATION

The enjoyment of the rights and freedoms set fourth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

NB This is not a substantive right, but comes into play if other rights are likely to have been infringed. The prohibition is wide, but not exhaustive

#### ARTICLE 1: OF THE FIRST PROTOCOL PROTECTION OF PROPERTY

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

NOTE Possessions, in this context, includes the right to apply for a licence, the right to hold and retain a licence, the goodwill of a business and liquor licences.

## **PROCEDURE FOR REVIEW TO BE FOLLOWED BY THE LICENSING SUB-COMMITTEE AT A REVIEW HEARING**

### **NOTE:**

All hearings will normally be held in public. However, the Licensing Sub-Committee may 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. A party or that party's representatives may be treated as a member of the public and therefore excluded from the meeting for all or part of the hearing, and all parties have the right to be represented and to call witnesses.

The Clerk to the Committee will have the right to ask questions on behalf of the Committee of any party to the proceedings.

### **PROCEDURE:**

1. The Chair of the Sub-Committee will open the meeting and introduce the members of the committee and call upon the parties to identify themselves and their representatives and to identify any witnesses they intend to call.
2. The Chair of the Sub-Committee will call upon the Clerk to the Committee to explain to the parties the procedures which will be followed at the hearing. Unless the Chair directs otherwise, each party will normally have a maximum period of one hour in which to give further information and call any witnesses in support of their case. In every case, all parties will have an equal maximum period.
3. The Chair of the Sub-Committee will then normally call upon the interested party or the responsible authority which has made the application for a review, to provide evidence in support of their application.
4. The holder of the premises licence will then have an opportunity to question that party or responsible authority.
5. Members of the Sub-Committee will then have the opportunity to question that party or responsible authority.
6. Any person who has made relevant representations will then call any witness in support.
7. The holder of the premises licence will then have an opportunity to question that witness.
8. Members of the Sub-Committee will then have the opportunity to question that person.
9. Stages 6 to 8 will then be repeated for each person making relevant representations.
10. The holder of the premises licence will then have the opportunity to give evidence in response to the application and in response to the relevant representations which have been made.

11. The interested party or responsible authority will then have an opportunity to question the holder of the premises licence.
12. Members of the Sub-Committee will then have the opportunity to question the holder of the premises licence.
13. Stages 10 to 12 will be repeated for any witnesses on behalf of the holder of the premises licence.
14. The interested party or responsible authority will have the right to address the sub committee.
15. The holder of the premises licence will have the right to address the Sub-Committee in summing up his case.
16. All parties will then leave the room while the Sub-Committee consider their decision.
17. The Sub-Committee will normally make their determination at the conclusion of the hearing, but when this is not possible, will make its determination as soon as possible and in any event the decision will be communicated in writing to all parties.

## **APPLICATION FOR THE REVIEW OF A PREMISE LICENCE UNDER SECTION 51 OF THE LICENSING ACT 2003**

### **1. DETAILS OF APPLICATION**

**PREMISES:** Crewe Arms Hotel

**LOCATION:** Wharf Terrace, Madeley, Crewe, Cheshire, CW3 9LP

**APPLICANT:** Environmental Protection, Newcastle under Lyme Borough Council.

**APPLICATION FOR:** Review of the Premise licence on the grounds of the Prevention of Public Nuisance.

### **2. GROUNDS FOR REVIEW**

This application to review relates to the failure of the premises to meet the Licensing Objectives for the Prevention of Public Nuisance.

### **3. APPLICANT FOR REVIEW**

The Police Review and Social Responsibility Act 2011 amended the Licensing Act 2003 to remove the term "Interested Party" so that anyone "likely to be affected by the application" is able to make representation or bring a review. There is no longer a vicinity test. However, any such representations must relate to one or more of the licensing objectives.

### **4. CONSULTATIONS**

Representations have been received from Environmental Protection, Staffordshire Police and local residents in respect of the licensing objective concerned with the prevention of public nuisance associated with regulated entertainment covered by the existing premise licence and de-regulated entertainment (live music up to 11.00pm) as well as regulated entertainment which has taken place in contravention of the requirements of the Licensing Act 2003 and issues related to the management of patrons using the exterior parts of the premises (noise, litter, glass and vomiting), and also the licensing objective relating to the prevention of crime and disorder.

### **5. POLICY CONSIDERATIONS**

a). Licensing Objectives

The Licensing Act 2003 requires the Council to carry out its various licensing functions so as to promote the following four licensing objectives;

- (i) The Prevention of Crime and Disorder
- (ii) Public Safety
- (iii) The Prevention of Public Nuisance
- (iv) The Protection of Children from Harm

b). Policy Statement

The Licensing Act 2003 required the Council to publish a “Statement of Licensing Policy” that set out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act.

The Council made a number of policy decisions in its Statement of Licensing Policy. The following policy decisions are relevant to this application;

The Prevention of Public Nuisance – (paragraph 4.2)

The Prevention of Crime and Disorder – (paragraphs 2.12 and 4.4)

- (i) National guidance which promotes best practice ensuring consistent application of licensing powers and promotes fairness and equal treatment and proportionality came into force in June 2013.
  - The Review Process - (paragraph 11.1 to 11.28).

Copies of the Council’s Statement of Licensing Policy and the Government’s Statutory Guidance will be available at the Sub-Committee meeting.

## 6. COMMENTS

In making their decision on the application, the Sub-Committee are obliged to have regard to the Statutory Guidance and the Council’s own Statement of Licensing Policy. The Sub-Committee must also have regard to all the representations made and the evidence they hear. However the Sub-Committee must disregard any representations that do not relate to the promotion of the four licensing objectives.

The Sub-Committee may where it considers that action under its statutory powers is appropriate take any of the following steps for the promotion of the licensing objectives as set out in paragraph 5 (a) above:-

- (a) to modify the conditions of the licence;
- (b) to exclude a licensable activity from the scope of the licence;
- (c) to remove the designated premises supervisor;
- (d) to suspend the licence for a period not exceeding three months;
- (e) to revoke the licence.

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

The Sub-Committee are asked to note that they may not modify the conditions or take any other steps merely because they consider it desirable to do so. Any action taken must actually be appropriate in order to promote the licensing objectives

**Date of hearing: Monday 23rd June 2014**

*[Handwritten signature]*

24/5/14

# Newcastle under Lyme Borough Council

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 **Darren Walters (Team Leader – Environmental Protection)**

*Apply for the review of a premises licence under section 51*

#### Part 1 – Premises or club premises details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>  Crewe Arms Hotel Wharf Terrace Madeley	
<b>Post town</b> Newcastle under Lyme	<b>Post code (if known)</b> CW3 9LP
<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Punch Tavern's PLC, Jubilee House, Second Avenue, Burton upon Trent, Staffordshire. DE14 2WF	
<b>Number of premises licence or club premises certificate (if known)</b> PL0230 010212	

#### 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) (B) below)

responsible authority (please complete (C) below)

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 <b>Head of Environmental Health Environmental Health Division Newcastle under Lyme Borough Council Civic Offices Merrial Street Newcastle under Lyme Staffordshire ST52AG</b>
Telephone number (if any) <b>01782 717717</b>
E-mail address (optional) <u>envprotection@newcastle-staffs.gov.uk</u>

**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 2)

The application is made in respect of the licensing objective concerned with the **PREVENTION OF PUBLIC NUISANCE** associated with regulated entertainment covered by the existing premises licence and deregulated entertainment (Live Music up until 11pm) as well as regulated entertainment which has taken place in contravention of the requirements of the Licensing Act 2003 and issues related to the management of patrons using the exterior parts of the premises (noise, litter, glass, vomiting).

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

This application is lodged on the grounds of the prevention of public nuisance in respect of issues associated with licensable entertainment falling under the control of the current premises licence Ref PL0230, performances of live music which are currently deregulated under the provisions of section 177 of the Licensing Act 2003 and issues related to the management of patrons using the exterior parts of the premises (noise, litter, glass, vomiting).

Given the significant and ongoing issues and the seeming unwillingness by the Premises Licence Holder to ensure that the premises is run in accordance with the licence and failure to take measures to prevent continuing public nuisance and their view that compliance with the licence is an issue for the tenant, the Environmental Health Division would request that the premises licence is revoked unless conditions can be agreed to address the legitimate concerns of the responsible authorities and local residents and assurances given by the Premises Licence Holder that they will fully observe their legal responsibilities.

#### **The premises and its surroundings**

The Crewe Arms Hotel is a long established hotel and public house / restaurant. It is situated in a predominately residential area in Wharf Terrace Madeley and is surrounded on all sides by residential properties.

The premises licence is held by Punch Taverns and is currently occupied on a tenanted basis by Three Castles Warrington Limited whom it understood have further 5 years or so left on their lease.

The premises operate as a traditional public house and hotel with entertainment provided on most Friday, Saturdays and Sundays. The entertainment giving rise to this review application mainly consists of pre-recorded disco type music (covered by the existing licence) on a Friday and Live groups and bands on Saturday evenings (which is deregulated entertainment under the Live Music Act up until 11pm). There are also issues relating to the management of patrons at the front. This review application seeks to ensure that all musical entertainment is covered by a modified premises licence along with additional appropriate noise related conditions. Conditions are also sought to improve the management of patrons outside of the premises.

#### **Complaint Summary**

The current occupants of the premises took up residency in February 2013. Not long after the Environmental Health Division started to receive complaints from local residents about the level of amplified music emanating from the premises, noise from patrons using the front of the premises where the tables and smoking area is situated and litter and vomiting from patrons affecting the reasonable use and enjoyment of residential premises.

The Environmental Health Division is concerned to see that the licensing objective associated with the Prevention of Public Nuisance is achieved for these premises to prevent continuing public nuisance being caused to the local community. It will be apparent from the submission to the Licensing Authority that the Environmental Health Division has attempted to work with the tenant and the premises licence holder throughout. However, there has been no long lasting or meaningful improvement in noise levels associated with musical entertainment with the premises being operated with little regard to the surrounding neighbourhood in which it is situated despite numerous approaches being made not only by local residents but also the police and Environmental Health staff. It is considered that the frequent changeover in the DPS has not helped the

situation with the DPS not being present on any occasions when the premises has been Visited during trading hours.

There followed a series of meetings with the premises tenant and their representatives and also the representatives of the premises licence holder where the issues were discussed. However there was no significant improvement in noise levels and therefore on the 24<sup>th</sup> December 2013, the tenant was served with a noise abatement notice under section 80 of the Environmental Protection Act as in the opinion of the Council the noise was actionable under the Environmental Protection Act 1990 as a statutory noise nuisance. The notice prohibits the tenant from causing noise nuisance from amplified music and vocals. A business may be fined upto £20,000 on conviction of a breach of the notice and this is clearly detailed. There is also a right of appeal against the notice which has not been exercised and no contact has been forthcoming from Three Castles to discuss this.

On the 14<sup>th</sup> February 2014 a meeting was convened at the request of Environmental Health with representatives from Staffordshire Police, The Premises Licence Holder (Keith Roberts – Area Manager) and the current manager acting on behalf of the tenant (Mr David Williams). The tenant, the DPS and the licence holders area manager were informed of the various issues of concern relating to entertainment noise from the premises and the potential consequences of continuing to allow excessive noise to affect local residents were clearly outlined.

Despite the effects on the local community and the evidence being discussed with the licence holder and the current tenant, the premises has continued to operate so as to be likely to cause a public nuisance and it is apparent that the current tenant and premises licence holder have little regard for the local community with the operation of the business taking precedence over the legitimate rights of the local community to be able to use their homes and bedrooms in a reasonable manner without being disturbed by excessive noise. At the time of this review application the most recent event occurred on the 12<sup>th</sup> April with the resident advising the following in their own words

*Tonight is that bad I thought that the pub had the back fire door open; however, it is just the loudness of the music. We can hear very deep bass - which is actually making me feel sick, drums and singing with all our windows and curtains closed, even I recognised the song 'another brick in the wall'.  
I look forward to being able to express how this has ruined our lives since early last year in the licensing review hearing*

The only steps which the Council has been advised have been undertaken has by the business at the time of this application has been to spend £2000 on insulating the roof above the dance floor to the rear of the main bar. Had the Premises Licence Holder and management adopted a responsible and considerate approach to addressing the legitimate concerns of local residents and the council, they would have been able to see for themselves that this measure in itself is insufficient to address the issue. Should the venue want to continue with amplified music and live bands that appropriate measures would need to be taken to sound proof and control the noise from the premises. As it is, the type of entertainment provided and the associated volume has not changed and the public nuisance associated with the premises from amplified music and patrons has continued unabated on most weekends.

Residents have variously described the following to myself and my colleagues:-

- not being able to use their homes in a reasonable way, for example having to shut windows to reduce the noise impact but then still being able to identify lyrics and hearing a thudding bass beat;
- Having to keep windows shut throughout the year and especially during the warm

summer months (It is commonly accepted that people have a right to ventilate their property at any time of year.)

- being unable to use parts of their property as they would normally like to do so for example use a computer read a book, relax in bed, watch tv, due to loud music
- Having to alter sleeping arrangements by moving a bedroom from the master bedroom to at the front of the property to a music smaller secondary bedroom to the rear of the house just so they are no longer disturbed by patrons or music when in bed.
- Glass bottles and litter deposited in hedges
- Drunken patrons observed urinating up walls or in hedges abutting the car park
- Rowdy patrons fighting or being noisy on the car park or at the front of the premises.

Officers have witnessed excessively loud music and noise from patrons within neighbouring residential premises with both double glazed windows fully closed and partially opened for ventilation. In the professional experience of the investigating officers the noise is excessive, unreasonable and disturbing in nature and character and there is little that residents can do themselves to mitigate the effects, not that they should be expected to do so. The type of entertainment which takes place on the premises namely live music and disco's does not take into account the poor acoustic insulation afforded by the fabric of the building and the proximity to local residents and there are no controls in place to ensure that music is kept to a reasonable level such that it does not cause public nuisance. Patrons have been observed from within neighbouring residential premises drinking and talking loudly outside sometimes with offensive language with control of patron's behaviour to prevent public nuisance given little attention.

A summary of key events, copies of communications between the Council and the Premises Licence Holder along with the sound recordings made on the council's equipment in nearby dwellings is appended

#### **Supporting evidence**

- Annexe 1 contains a plan and a series of photographs showing the premises and the surrounding area.
- Annexe 2 contains a plan of the premises showing the licensed areas
- Annexe 3 is a summary of key events in the live of the premises relevant to this application
- Annexe 4 contains the documents referred to in Annexe 3
- Annexe 5 contains details of the sound recordings and CD/DVD discs.  
Instructions on how to access the recordings are contained on disc 1. Facilities will be made available at the hearing for the recordings to be played back.

#### **Requested change to the current licence**

It is requested that the licence is revoked as the Environmental Health Division has no confidence in the current premises licence holders ability to ensure that the premises licence is fully complied with as they have consistently failed to ensure that the premises is operated with due regard for the prevention of public nuisance in that they have allowed the local community to be subjected to persistent noise disturbance and public nuisance associated with live music, recorded music and the management of patrons on the premises.

**Please tick ✓ yes**

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

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**

tick ✓ yes

Please

- 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 **x**
- I understand that if I do not comply with the above requirements my application will be rejected **x**

**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 **25<sup>th</sup> April 2014**

Capacity **Environmental Health Officer**

**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)** 01782 742587

**If you would prefer us to correspond with you using an e-mail address your e-mail address** [darren.walters@newcastle-staffs.gov.uk](mailto:darren.walters@newcastle-staffs.gov.uk)

**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.

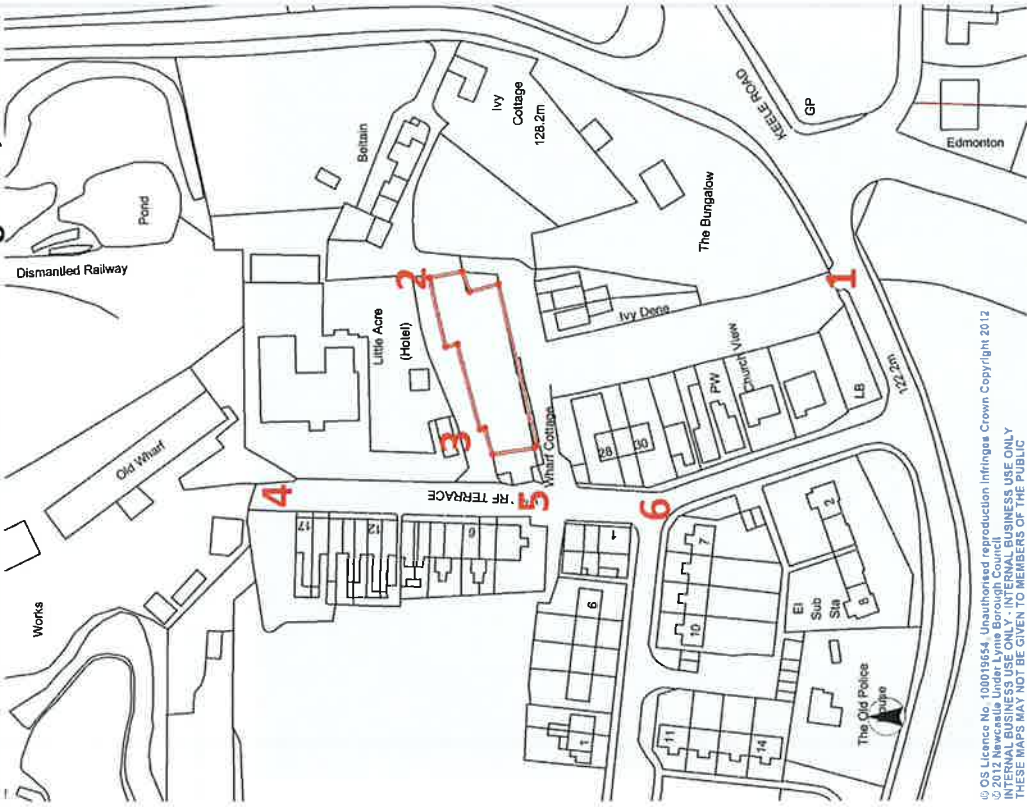


## **Annexe 1**

### **Crewe Arms Hotel Licence Review – April 2014**

#### **Premises setting and photographs of surrounding area and premises**





RTH 1 – Map showing the positions from which the photographs below (RTH 2 to RTH 16) were taken.



RTH 2 - The entertainment board displayed upon the Keele Road outside the pub near to position 1



RTH 3 - The advertisement board in place upon the pub's car park (position 1) advertising live entertainment twice per week.





RTH 4 - View from the end of the pub car park (position 1) showing the pub (centre) and residential properties to either side.



RTH 5 - View from the edge of the pub car park (position 1) showing the close proximity of residential units to the side.



RTH 6 - View from the car park showing (position 1) the close proximity of residential units to the side.





RTH 7 - View from rear of the hotel accommodation (position 2) towards Wharf Terrace and the residential units



RTH 8 - View from the rear façade by the function room of the pub (position 3) showing the close proximity of the residential units upon Wharf Terrace.





RTH 9 - View from Northern end of Wharf Terrace (position 4) showing pub (centre) and residential units (left and right)



RTH 10 - View from the Wharf Terrace (position 5) along the front façade of the pub showing close proximity of nearby residential premises (right).





RTH 11 - View from Wharf Terrace (position 5) along the rear façade of the pub showing the function room fire door (right of centre), nearby farm (distant centre) and the boundary to nearby residential premises (left).



RTH 12 - View from Wharf Terrace (position 5) showing the close proximity of a residential unit to the rear of the pub.





RTH 13 - View from Wharf Terrace (position 5) showing the close proximity of residential units to the front façade of the pub (which is a continuation of Wharf Cottage on the left).

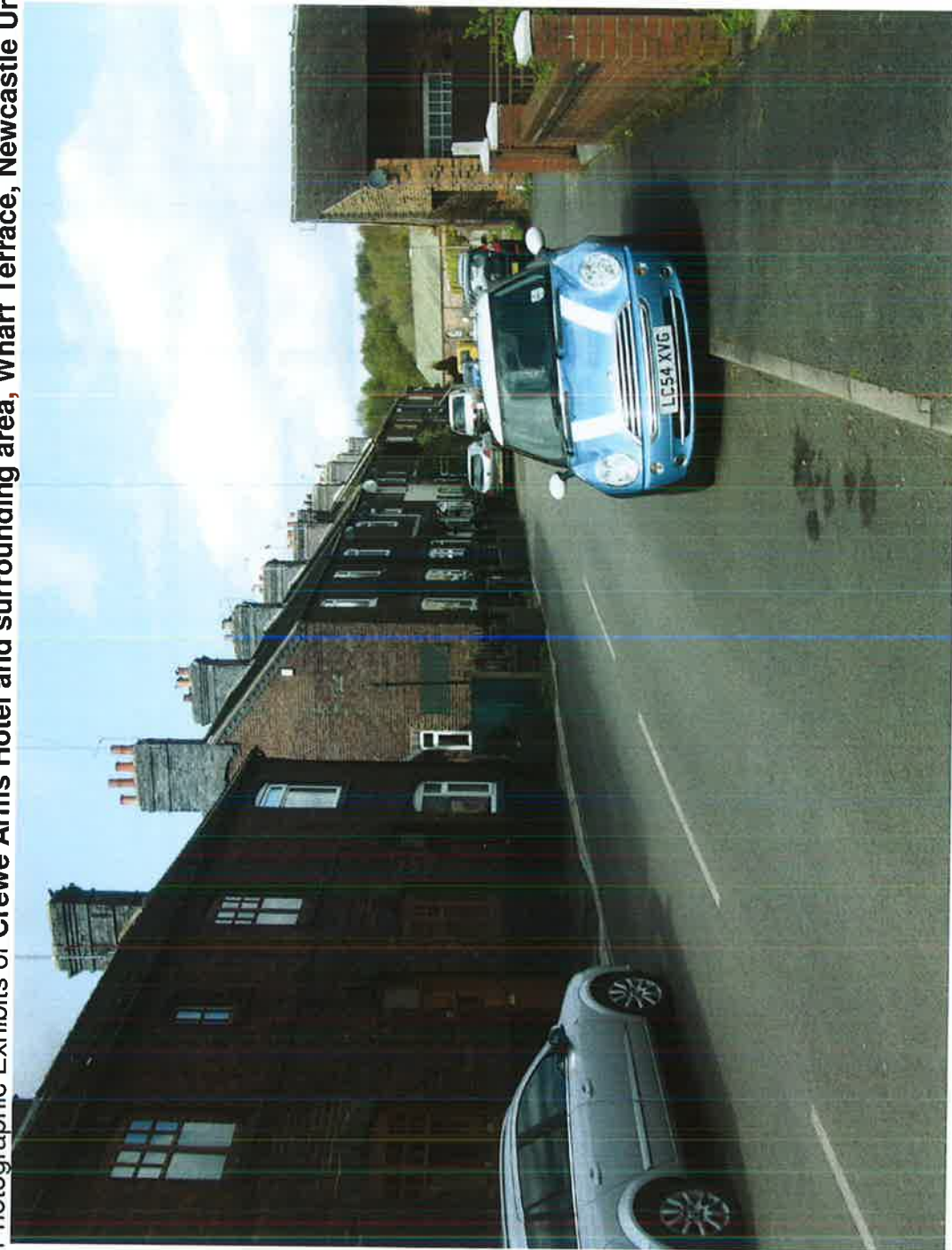


RTH 14 - View north from the junction of Wharf Terrace and Heath Row (position 6) showing the close proximity of residential units to the front façade of the pub (right).





RTH 15 - View South East from the junction of Wharf Terrace and Heath Row (position 6) towards Keele Road showing the residential premises which back onto the pub car park.

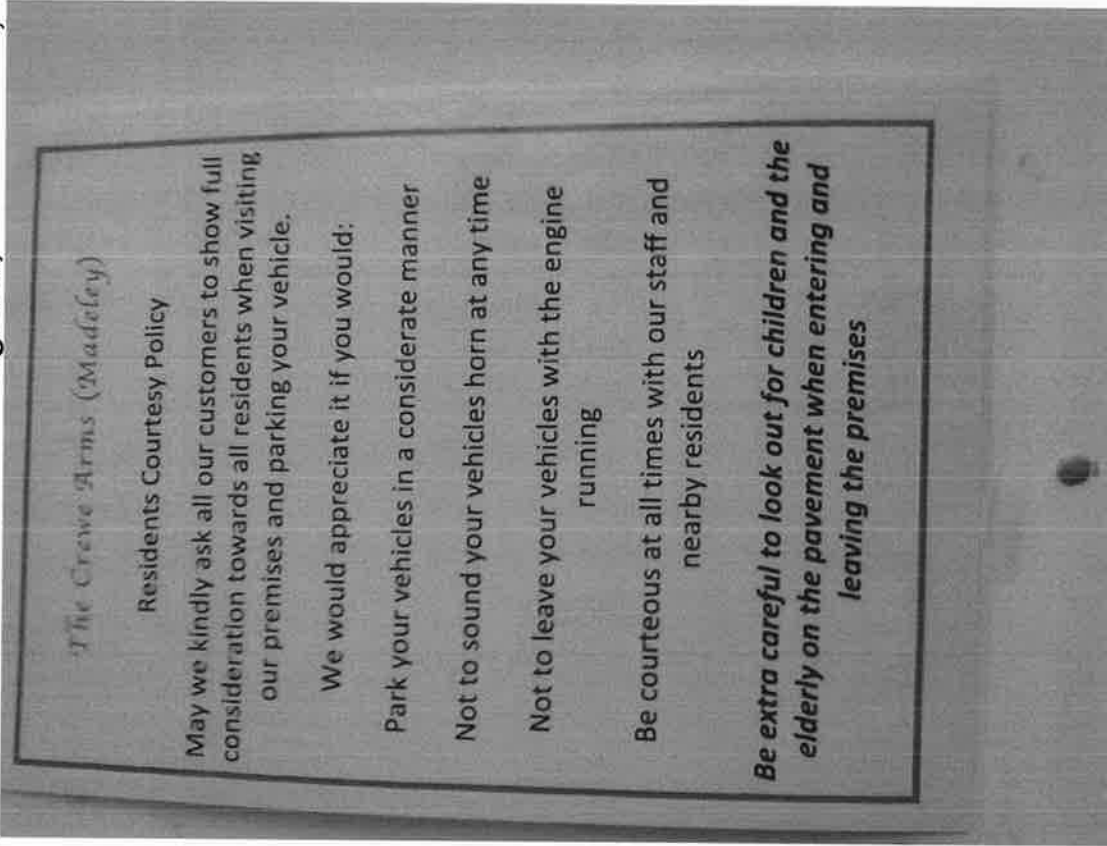


RTH 16 - View along Wharf Terrace from the junction of Wharf Terrace and Heath Row (position 6) showing the close proximity of the terraced premises to the Pub which adjoins Wharf Cottage (right).





Function room opposite Ivydene Wharf Terrace. Single glazed windows and doors





**View from function room to Ivydene**



**View from bar area to front of premises. Single glazed windows. Hedge line belongs to Ivydene**





**Main bar where disco's and live music takes place. Windows are single glazed. Door opens out onto single glazed lobby**



**Main bar function area where live bands perform. Single lightweight fire door in corner faces onto Wharf Terrace**



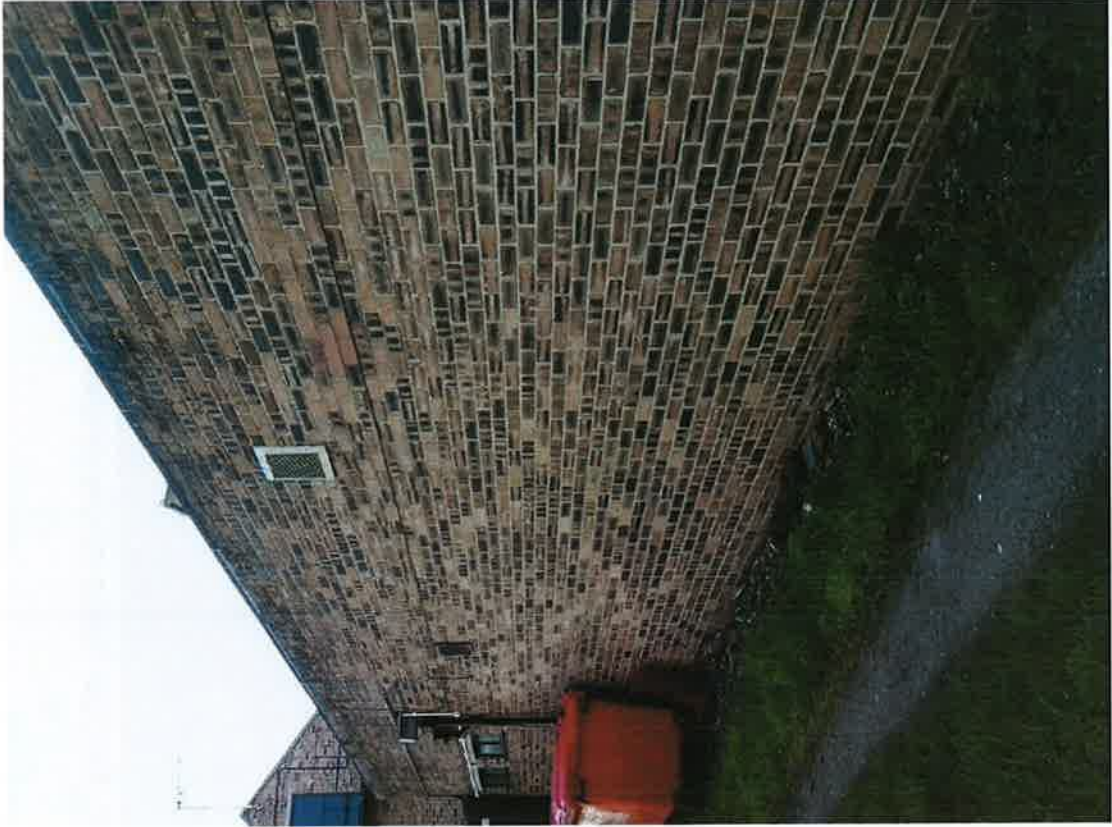
**Fire door from function room – note cigarette bin on wall**





**View from fire door (adjacent to area where live bands perform) to Wharf Terrace**





**Wall to rear of function room. Note wall vents**



**Views from main bar. Hedge lines show proximity of residential premises. Windows are single glazed**



Advertised entertainment





**Main bar main entrance from car park at front. Door opens onto single glazed lobby**



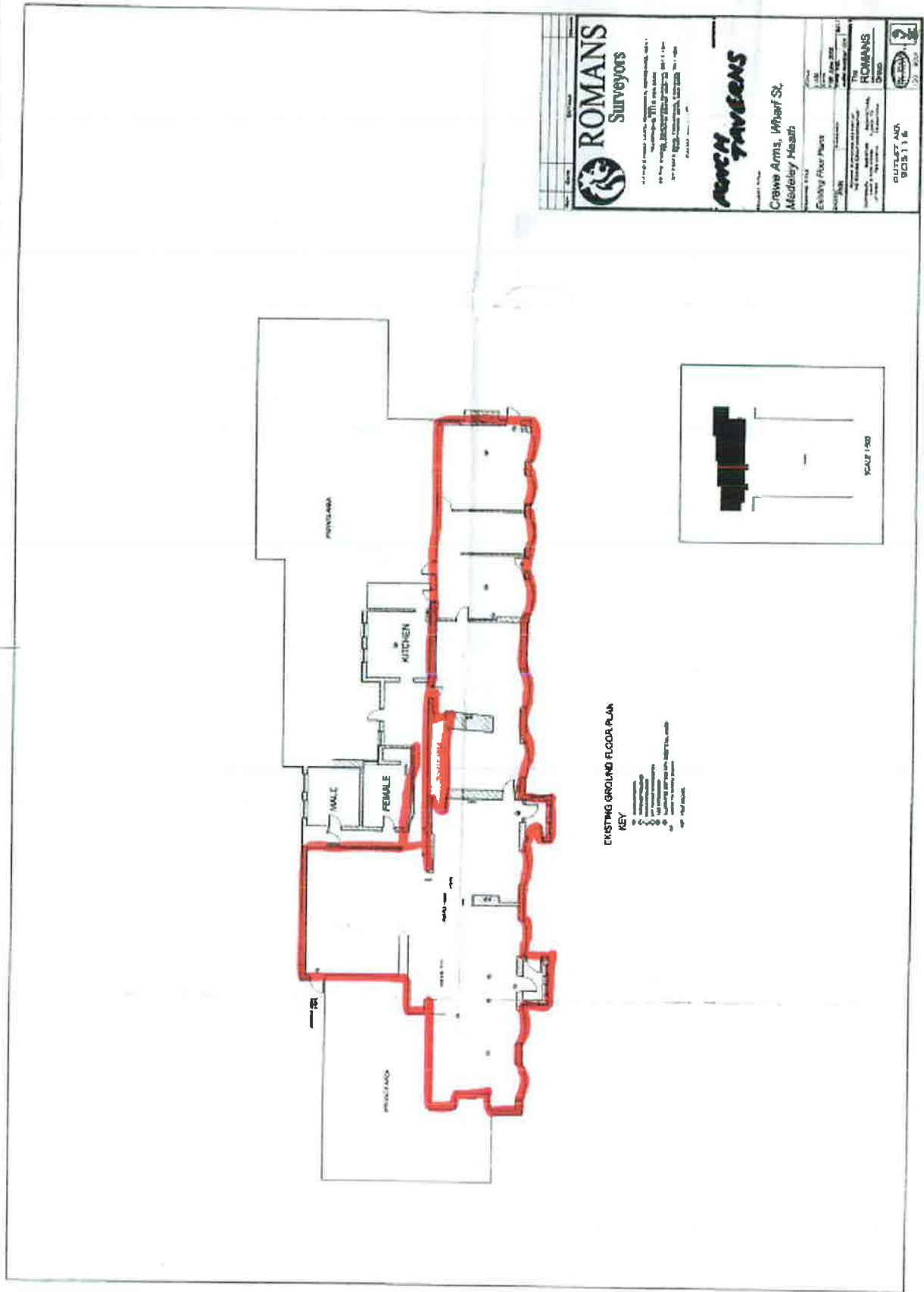
**Main bar. Views from window to front of premises and side of residential premises. Clear line of sight to rear bedrooms**



**Annexe 2**

**Crewe Arms Hotel Licence Review – April 2014**

**Crewe Arms Hotel Floor Plan**









## **Annexe 3**

# **Crewe Arms Hotel Licence Review – April 2014**

## **Summary of Key Events**

**Annexe 3**  
**Crewe Arms Hotel Licence Review**  
**Summary of Key Events**

Date	Issue	Reference
25 January 2013	Change of DPS from Christopher Fiddaman to Tina Mary Dutton	
29 April 2013	<p>Site visit to Crewe Arms. Met with SUSAN LAWSON (TENANT - THREE CASTLES WARRINGTON LTD)(3CW) and spoke with TINA DUTTON (DPS). They stated that they were intending to install secondary glazing to the windows, insulate the roof void of the function room and enquiring about the fire door to the function room with the fire brigade which will either be replaced or removed and the opening blocked up. SUSAN LAWSON (TENANT - THREE CASTLES WARRINGTON LTD) also stated that they were looking into a noise limiter. Advice provided regarding query to vary their licence.</p> <p><b><u>NOISE CONTROL PROPOSALS NOT IMPLEMENTED WITH EXCEPTION OF ROOF VOID INSUALTION</u></b></p>	CA1
13 May 2013	Complaint received concerning noise from an event held on 11 May 2013.	
13 May 2013	<p>Site visit to the Crewe Arms. Informed that a band performed on Saturday 11.5.13 and they had a variation licence which allowed them to hold live music events until 23.30 hours. Mrs Lawson stated that the roof to the function room had been insulated along with the fire door. The fire door had a mattress and black plastic material placed in the recess with a sheet placed over the doorway to hide it from view. Informed that this was not acceptable and hazardous as it was blocking a fire exit. Mrs Lawson stated that the level of music was checked on three occasions during the evening of the 11.5.13 and it was thought not to be excessive.</p> <p><u>Informed no notification of such application to vary the licence had been received.</u></p> <p><b><u>NO RECORD OF TEN APLIED FOR / ISSUED FOR EVENT</u></b></p>	CA2
13 May 2013	Telephone call to. SUSAN LAWSON (TENANT - THREE CASTLES WARRINGTON LTD) Informed that no application to vary the licence had been received therefore live and recorded music would have to cease at 2230 hours.	
15 May 2013	<p>Site visit to Crewe Arms. Met with SUSAN LAWSON (TENANT &amp; SOLE DIRECTOR - THREE CASTLES WARRINGTON LTD). Reiterated that the council have not received an application to vary their hours therefore they have to abide by the current licence conditions. Mrs Lawson contacted MR D TENANT MANAGER - THREE CASTLES WARRINGTON LTD (RESIDENT) by phone who then spoke to me and stated that PUNCH TAVERNS (PREMISES LICENCE HOLDER) would be submitting the licence shortly.</p> <p>Advice provided. Solo artist was advertised for the 18 May 2013. Mrs Lawson stated she does not book the events and is told what events are being held.</p> <p>Noise records viewed for 11 May 2013. Entries were incomplete, three entries made, these being 21.00 hours, 21.30 hours and 22.00 hours. Reiterated that assessments had to be made every 30 minutes for the duration of the event in accordance with their licence conditions. Mrs Lawson stated that PUNCH TAVERNS (PREMISES LICENCE HOLDER) were replacing the fire door and</p>	CA3

	she would then consider the installation of a noise limiter. <b><u>NOISE CONTROL PROPOSALS NOT IMPLEMENTED</u></b>	
16 May 2013	Correspondence sent to the DPS and PUNCH TAVERNS (PREMISES LICENCE HOLDER).	CA4 / CA5
20 May 2013	Email from PUNCH TAVERNS (PREMISES LICENCE HOLDER) acknowledging receipt of correspondence.	CA6
20 May 2013	Email to PUNCH TAVERNS (PREMISES LICENCE HOLDER). Advised of complaints received on 6.4.13, 20.4.13 and 11.5.13. Also advised of council's procedure when investigating noise complaints.	CA7
21 May 2013	Email from PUNCH TAVERNS (PREMISES LICENCE HOLDER) stating that the matter has been passed to the area manager Keith Roberts.	CA8
<b>11 June 2013</b>	<b>Change of DPS from Tina Dutton to Ian Moulding</b>	
24 June 2013	Complaint received from (RESIDENT). Noise from patrons outside the front of the premises on the evenings of 20.6.13, 21.6.13 & 22.6.13 until 02.30 hours. Live music event on 22.6.13 went on until 00.30/01.30 hours. <b><u>NO RECORD OF TEN APLIED FOR / ISSUED FOR EVENT</u></b>	
26 June 2013	Letter and statement received from RESIDENT concerning issues experienced between 31 <sup>st</sup> May to 22 <sup>nd</sup> June 2013	CA9
5 July 2013 to 8 <sup>th</sup> July 2013	Noise monitoring equipment installed in nearby residential premises with evidence of noise from premises live music and patrons	DISC
12 July 2013	Telephone call to PUNCH TAVERNS (PREMISES LICENCE HOLDER) requesting a meeting to discuss noise recordings.	CA10
12 July 2013	Telephone call to IAN MOULDING (DPS). Stated for the evening of the 12.7.13 and the 13.7.13 a doorman would be present on the door, no glasses would be allowed out of the premises, the entrance to the hotel would be closed whilst there is an event on and the windows and doors to the premises would be closed. IAN MOULDING (DPS) also stated that there would be an attendant on the car park outside to prevent public disturbance by patrons. Meeting requested and licence conditions reiterated.	CA11
18 July 2013	Six complaints received from separate complainants FOR EVENTS HELD ON THE 12/07/13. Amplified music/noise from patrons after hours on the car park.	
18 July 2013	Telephone call to IAN MOULDING (DPS). Informed of complaints received and requested a meeting to discuss the matter. IAN MOULDING (DPS) passed the telephone to MR WILLIAMS (TENANT MANAGER - THREE CASTLES WARRINGTON LTD) (RESIDENT) and a meeting was scheduled for 19.7.13 at 0915 hours.	CA12
18 July 2013	Telephone call to PUNCH TAVERNS (PREMISES LICENCE HOLDER). Message left.	



18 July 2013	Telephone call to Sergeant Dave Wright. Informed that a letter would be sent to the DPS and premises licence holder in relation to breaching their licence by having the windows and doors open whilst regulated entertainment was held and late trading. Police did not attend on 12.7.13	
19 July 2013	Meeting at Crewe Arms. Met with IAN MOULDING (DPS) and MR WILLIAMS (TENANT MANAGER - THREE CASTLES WARRINGTON LTD) Following proposals made by 3CW: <ul style="list-style-type: none"> <li>• Additional attendants to be present on the car park of the premises and one on the door.</li> <li>• Entertainment to be reviewed and chosen to suit the premises and the surroundings</li> <li>• Proposed meeting with the residents and/or letters to be sent to residents to try and open lines of communication and gain feedback on provisions implemented.</li> <li>• Co-operation with the Police</li> <li>• Consider installation of air conditioning units and a noise limiter should the previous provisions not be acceptable.</li> </ul> <p><b><u>NOISE CONTROL PROPOSALS NOT IMPLEMENTED TO DATE</u></b></p>	
29 July 2013	Complaint received from resident in Wharf Terrace Noise from patrons outside the premises on 26.7.13. Stated only one attendant present. Stated that the noise was bad. DPS was monitoring the noise from the perimeter of the premises but when approached about the level of noise the DPS did not respond.	
29 July 2013	Complaint received from residents in Wharf Terrace. Noise from patrons outside the front of the premises. 27.7.13 Music clearly audible in the complainant's property. Bass beat, guitar and drums audible. Music continued until 00.30 hours. <p><b><u>NO RECORD OF TEN APLIED FOR / ISSUED FOR EVENT</u></b></p>	
29 July 2013	Telephone call to Sergeant Dave Wright. 3 incidents recorded 22.10 hours on the 26.7.13, 13.15 hours on the 27.7.13 14.12 hours on the 27.7.13.	
31 July 2013	Telephone call to IAN MOULDING (DPS) He stated that he was present on the 26.7.13 until 23.00 hours carrying out noise monitoring at the designated locations. IAN MOULDING (DPS) stated that no noise was audible from the premises apart from the cooling fan. He stated that 2 Police Officers attended the premises at midnight and no-one was present on the car park at this point or when he left. IAN MOULDING (DPS) stated that music played on 27.7.13 did not go beyond their licensed hours. Confirmed one attendant present and they were looking for an additional attendant for that weekend. Notices had been placed inside and outside the premises to request patrons to stay on the premises and to be courteous to residents in relation to noise. Reiterated proposals discussed at the meeting. <p><b><u>NOTICES IN PLACE</u></b></p>	CA13
31 July 2013	Telephone call to PUNCH TAVERNS (PREMISES LICENCE HOLDER). Informed of complaints and discussion with KEITH ROBERTS (PUNCH TAVERNS AREA MANAGER) manager to speak with IAN MOULDING (DPS) to ensure that the proposals provided in the meeting are adhered to. <p><b><u>NOISE CONTROL PROPOSALS NOT IMPLEMENTED TO DATE</u></b></p>	CA14

01 August 2013 to 5 <sup>th</sup> August 2013	Noise monitoring equipment installed in nearby residential premises with evidence of noise from premises live music and patrons	DISC
1 August 2013	Complaint received from (RESIDENT). Noise from patrons outside the premises and the level of music on 26.7.13 & 27.7.13. 27.7.13 Music from amplified music, bass beat audible. Audible with the windows to the complainant's property shut.	
8 August 2013	Telephone calls to complainants to request an update for the weekend of the 2.8.13 & 3.8.13. Stated that it was unusually quiet.	
20 August 2013	Complaint received from Wharf Terrace Residents 16.8.13 Noise from live music event from 21.30 hours – 23.00 hours. Noise audible outside the front of the premises. 17.8.13 Bass beat audible from the premises, not as loud as the previous evening. Audible from 20.40 hours.	
21 August 2013	Complaint received from resident in vicinity of premises. Car park checks not being carried out.	
23 August 2013	Evening site visit to Crewe Arms 23.00 hours until 23.30 hours. No music audible from the premises. Male and female voices audible from individuals present outside the premises. Traffic noise from the motorway audible in the background and noise from the main road sporadic.	
28 August 2013	Complaint received from (RESIDENT) 23.8.13 Noise from patrons outside the front of the premises until 00.30hours/01.00 hours. <b><u>NO RECORD OF TEN APLIED FOR / ISSUED FOR EVENT</u></b> 24.8.13 Noise from patrons outside the front of the premises until 02.30 hours/02.45 hours. Only one attendant present on the car park. <b><u>NO RECORD OF TEN APLIED FOR / ISSUED FOR EVENT</u></b>	
17 September 2013	Telephone call to Sergeant Dave Wright. Premises to be included on list of late night visits for a profile to be compiled before they approach PUNCH TAVERNS (PREMISES LICENCE HOLDER).	
12 <sup>th</sup> September to 16 <sup>th</sup> September 2013	Noise monitoring equipment installed in nearby residential premises with evidence of noise from premises live music and patrons	DISC
23 September 2013	Complaint received from RESIDENT 3 incidents occurred on 22.9.13 in relation to public disorder; police were notified and will be investigating.	
28 September 2013	Complaint received from Resident concerning ongoing music	CA15
09 October 2013	Email to client providing an update	CA16
10 <sup>th</sup> October 2013	Email from RESIDENT adzing issues of excessive noise on 5 <sup>th</sup> and 6 <sup>th</sup> October where music was excessive.	CA16
14 October 2013	Complaint received (RESIDENT). 11.10.13 Music audible after 00.30 hours. Live band playing also	

	<p>noise from patrons outside the front of the premises. Police were called; they attended and witnessed the serving of alcohol after 01.00 hours.</p> <p><b><u>NO RECORD OF TEN APLIED FOR / ISSUED FOR EVENT</u></b></p> <p>12.10.13 Music was loud in the early evening but then went quiet</p>	
24 October 2013	<p>Telephone call from Sergeant Dave Wright. Informed that the premise has been observed twice trading beyond the licensed hours.</p> <p>The weekend of the 18.10.13 Officers attended with video recorders and recorded people drinking inside and outside the premises beyond the licensed hours.</p> <p><b><u>NO RECORD OF TEN APLIED FOR / ISSUED FOR EVENT</u></b></p>	
24 October 2013	<p>Complaint received from (RESIDENT).</p> <p>Bass beat audible until 01.15 hours on the 19.10.13</p> <p><b><u>NO RECORD OF TEN APLIED FOR / ISSUED FOR EVENT</u></b></p>	
4 November 2013	<p>Complaint received from (RESIDENT).</p> <p>1.11.13 Noise from patrons outside the front of the premises from 22.30 hours until 23.00 hours. Police were called but the noise had stopped by the time the officers attended.</p> <p>2.11.13 Loud music audible inside the complainant's property until approximately 23.30 hours/midnight, however the complainant went to sleep around 22.30 hours &amp; didn't hear the music after this point although partner kept awake.</p> <p><b><u>NO RECORD OF TEN APLIED FOR / ISSUED FOR EVENT</u></b></p>	
13 <sup>th</sup> November 2013	<p>LATE TEN APPLICATION RECEIVED FROM IAN MOULDING For event planned from 11am on 23<sup>rd</sup> November to 01:00 on 24<sup>th</sup> November 2013.</p> <p>TEN form also confirms that zero TENS applied for in this calendar year at time of application.</p> <p>Environmental Health OBJECTED on public nuisance grounds due to noise issues and glass litter. As a late TEN automatic refusal.</p>	CA18 – CA20
19 November 2013	<p>Complaint received from (RESIDENT).</p> <p>15.11.13 Live band playing. Music audible up until approximately midnight. Very loud between 20.45 hours and 22.00 hours &amp; clearly audible in the complainants property. Also noise from patrons outside the front of the premises.</p> <p><b><u>NO RECORD OF TEN APLIED FOR / ISSUED FOR EVENT</u></b></p>	DISC

22 <sup>nd</sup> November to 25 <sup>th</sup> November 2013	Noise monitoring equipment installed in nearby residential premises with evidence of noise from premises live music and patrons	DISC
22 November 2013	Complaint received from (RESIDENT) re: public disorder. Advised for the complainant to contact the Police.	
27 November 2013	<p>Site visit to Crewe Arms. Met with Mrs Lawson re: weekend of 22.11.13. She stated that she had not been at the premises for a few months. Mrs Lawson contacted MR WILLIAMS (TENANT MANAGER - THREE CASTLES WARRINGTON LTD) by telephone and he stated that the event on the weekend of the 22.11.13 stopped within their licensed hours and everyone vacated the premises by 00.10 hours. Informed both Mrs Lawson and Mr WILLIAMS (TENANT MANAGER - THREE CASTLES WARRINGTON LTD) that they would be contacted with the results from the noise monitoring equipment that was equipment that was installed the weekend of the 22.11.13.</p> <p><b><u>NO RECORD OF TEN APLIED FOR / ISSUED FOR EVENT. EVIDENCE SUGGESTS THAT EVENT WENT AHEAD IN SPITE OF TEN REFUSAL</u></b></p>	
30 November 2013	Evening site visit to complainant's property. Noise from event taking place at the premises barely audible on the public highway of Wharf Terrace and not audible in the complainant's property.	
2 December 2013	<p>Complaint received (RESIDENT). With witness statement for events on 22/11/13 and 23/11/13</p> <p>29.11.13 Noise from patrons outside the front of the premises.</p>	CA22 – CA23
6 <sup>th</sup> December 2013	Change of DPS from Ian Moulding to Kevin John Whitefield	
7 December 2013	Telephone message received from (RESIDENT) at 21.08 hours stating noise from event being held at the premises audible in the property.	
7 December 2013	Evening visit 23.45 hours. No music audible from the premises and no patrons present outside. A group of males and a female left the premises on arrival and walked down Wharf Terrace.	
12 December 2013	Telephone call to Susan Lawson Appointment made to visit 19.12.13	
12 December 2013	Telephone call to PUNCH TAVERNS (PREMISES LICENCE HOLDER). Update provided and informed of meeting scheduled on 19 <sup>th</sup> December 2013.	CA21
13 December 2013	Evening visit by NG 22.00 hours to 22.20 hours. Disco only audible from approximately 6 metres from the premises. Approximately 6 to 7 smokers outside the front. Very low level of talking and laughing. Silence behind, to the side and the car park of the premises. Noise from motorway audible.	

19 December 2013	<p>Site Visit to Crewe Arms with Harry Wilshaw. Met with Mrs Lawson. Spoke to MR WILLIAMS (TENANT MANAGER - THREE CASTLES WARRINGTON LTD) (RESIDENT) on the telephone who apologised for not being present and stated that a meeting would not be appropriate without him or the DPS Kevin Whitefield present. Mrs Lawson stated that Mr David WILLIAMS (TENANT MANAGER - THREE CASTLES WARRINGTON LTD) is a legal advisor and he arranges the entertainment at the premises. Informed of evidence from recordings made on 22.11.13 &amp; 23.11.13 and advised on the basis of the evidence collated an abatement notice may be served. Mr WILLIAMS (TENANT MANAGER - THREE CASTLES WARRINGTON LTD) stated that he would appeal the notice. Advised that a future meeting would be scheduled but this would not prevent action being taken by the Environmental Protection Team. Log book was not produced when asked. Mrs Lawson stated that it was locked in MR WILLIAMS (TENANT MANAGER - THREE CASTLES WARRINGTON LTD) office and she did not have access to the room. Informed that the logbook should be available on request from an officer of the council or the Police. Fire door was still to be replaced. Mrs Lawson stated that she was director of the company Three Castles Management Ltd. Mrs Lawson informed of her responsibilities in relation to the premises. Reiterated proposals previously agreed by MR WILLIAMS (TENANT MANAGER - THREE CASTLES WARRINGTON LTD) and IAN MOULDING (DPS).</p> <p>Premises licence not visible in the bar area. Informed this is the second time a visit had been carried out and it was not visible where public accessing the premises can view it. Mrs Lawson stated that she was awaiting a copy of the new licence with the change of DPS. Advised the old licence should be displayed until the replacement licence is received. Mrs Lawson stated that she patrols the perimeter of the premises every hour when entertainment is held. Advised that the licence condition states the noise should be monitored every 30 minutes from 10pm until the event ceases to which she replied MR WILLIAMS (TENANT MANAGER - THREE CASTLES WARRINGTON LTD) patrols more frequently. MR WILLIAMS (TENANT MANAGER - THREE CASTLES WARRINGTON LTD) stated that he was not present at the premises on the 22.11.13 or the 23.11.13.</p>	CA24
23 <sup>rd</sup> & 24 <sup>th</sup> December 2013	<p>Noise abatement notice served on Three Castles Warrington Limited following consideration of recorded evidence.</p> <p>No contact received from Three Castles to date concerning this matter or request for advice / guidance</p>	CA26 – CA26A
24 <sup>th</sup> December 2013 to 2 <sup>nd</sup> January 2014	<p>Noise monitoring equipment installed into 4 Wharf Terrace</p> <p>Recordings clearly evidence excessively loud amplified music and patron noise from the premises into the early hours.</p>	Disc
6 January 2014	<p>Complaint received from (RESIDENT).</p> <p>Saturday 4.1.14 noise from a band called Casino (Rock Group). Group finished within licensed hours. Noise from patrons outside the front of the premises. Door to the premises being left open.</p>	
6 January 2014	<p>Complaint received from (RESIDENT).</p> <p>Saturday 4.1.14 noise from group playing at the premises. Music audible from 20.30 hours and finished before their licensed hours. Door to the premises kept being opened throughout the event.</p>	



7 January 2014	Telephone call to PUNCH TAVERNS (PREMISES LICENCE HOLDER). Not aware abatement notice was served on the 24 December 2013. Advised recordings over the Christmas period show a breach of the notice which the Environmental Protection Team are progressing. Requested for a meeting to be arranged with the area manager, the DPS and SUSAN LAWSON (TENANT - THREE CASTLES WARRINGTON LTD).	CA27
9 <sup>TH</sup> January 2014	Email from Darren Walters to Kerry Dunning with copies of noise abatement notices	CA28 – ca28a
9 <sup>th</sup> January 2014	Email from KERRY Dunning advising matter passed to KEITH ROBERTS	CA29
21 <sup>ST</sup> January 2014	Correspondence sent to Three Castles Warrington with copies to Punch Taverns and DPS concerning ongoing noise and licensing matters at the premises.	CA30- CA31a
21 <sup>ST</sup> January 2014	Email received from Kerry Dunning advising issue has again been discussed with Keith Roberts	CA32
25 <sup>th</sup> January 2014	Email from resident concerning further issues over the weekend with a rock band	CA36
27 January 2014	Complaint received from (RESIDENT). 25.1.14 Noise from rock music being played at the premises causing a noise disturbance.	
27 January 2014	Complaint received from (RESIDENT). 25.1.14 Noise from event held at the premises. He stated that he fell asleep before the music went too bad but it kept his wife awake and believe it went on beyond 23.30 hours  <b><u>NO RECORD OF TEN APPLIED FOR / ISSUED FOR EVENT</u></b>	
31 <sup>st</sup> January 2014 to 3 <sup>rd</sup> February 2014	Noise monitoring equipment installed in nearby residential premises with evidence of noise from premises live music and patrons	DISC
3 February 2014	Complaint received from (RESIDENT). 31.1.14 music audible until 23.25 hours. Police attended the premises due to an incident and the premises closed at 23.30 hours. <b><u>NO RECORD OF TEN APPLIED FOR / ISSUED FOR EVENT</u></b> 1.2.14 live band audible until 23.30 hours.  <b><u>NO RECORD OF TEN APPLIED FOR / ISSUED FOR EVENT</u></b>	
3 February 2014	Complaint received from (RESIDENT). 31.1.14 incident outside the premises. 1.2.14 Live band audible from the premises, event ceased at 23.00 hours.	

7 <sup>th</sup> February to 10 <sup>th</sup> February 2014	Noise monitoring equipment installed in nearby residential premises with evidence of noise from premises live music and patrons	DISC
11 <sup>TH</sup> February 2014	Email to KERRY DUNNING advising ongoing issues and requesting meeting on site.	CA33
11 <sup>TH</sup> February 2014	Email to KERRY DUNNING and correspondence to PLH and DPS and 3CW	CA34
14 February 2014	<p>Site visit to Crewe Arms and Darren Walters. Up to date contact details received for Three Castle Management Ltd. Confirmed SUSAN LAWSON (TENANT - THREE CASTLES WARRINGTON LTD) still the director and her address. PC Owen stated that on the 12.10.13 &amp; 19.10.13 Officers attended and noted that they were trading beyond their licensed hours. Karen Leigh confirmed receipt of the abatement notice. It was stated that IAN MOULDING (DPS) organised the events in November 2013. The reasons for the service of the abatement notice was outlined. Enforcement options available to police and Environmental Health discussed with potential outcomes were issues to continue. Log book produced, last entry was 26.1.14 and samples of entries were times, doors closed, walk round and no noise. Mr WILLIAMS (TENANT MANAGER - THREE CASTLES WARRINGTON LTD) confirmed that only measures taken to control noise were to install sound insulation in the ceiling over the bar function area</p> <p>Nominated persons of responsibility: Rebecca Jones, bar manager and Darren Jones, manager. Options to abate the nuisance discussed Mr WILLIAMS (TENANT MANAGER - THREE CASTLES WARRINGTON LTD) advised to alter type of music and level performed to control noise from entertainment pending any improvements to the structure of the building. Premises licence displayed in the hotel lobby.</p> <p>Details of meeting confirmed in writing to DPS, PLH and 3CW.</p>	CA35
14 <sup>th</sup> February 2014 to 17 <sup>th</sup> February 2014	Noise monitoring equipment installed in nearby residential premises with evidence of noise from premises live music and patrons	DISC
26/02/14	Correspondence sent to DPS/ PLH AND 3CW following meeting held on 140214	CA38 – CA43
26/02/14	Email from Staffordshire Police with complaints from 14.03.14 to 16.03.14 concerning live music and patron noise late at night	CA44
17 March 2014	<p>Out of hours complaint received from (RESIDENT)</p> <p>15.3.14 at 00.00 hrs. Noise from patrons outside the premises.</p> <p><b><u>NO RECORD OF TEN APPLIED FOR / ISSUED FOR EVENT</u></b></p>	
18 March 2014	<p>Out of hour's complaint received from (RESIDENT)</p> <p>Noise from customers leaving the premises at 23.54 hours on the 14.3.14 and 00.17 hours on the 16.3.14</p>	

18 2014	March	Out of hour's complaint received from (RESIDENT). Noise from customers leaving the premises at 10.00 hours on 15.3.14	
19 2014	March	Complaint received from (RESIDENT). 15.3.14 music from a live band called Badgers was excessive. When asked what time the music was audible until (RESIDENT) stated that they went to bed at 21.00 hours but the last time he looked at the clock and noticed the bass beat was 22.45 hours.	
21 <sup>st</sup> 2014 to 24 <sup>th</sup> March 2014	March	<p>Noise monitoring equipment installed in Poppy Cottage. Recordings made on the 22<sup>nd</sup> March from 21.00 to 23.15 shows that amplified music and vocals from live band is clearly audible in the bedroom with windows closed and open for ventilation. Witnessed by DARREN WALTERS (ENVIRONMENTAL HEALTH OFFICER). No proactive monitoring of premises by staff observed as per licence condition. Brick wall to rear of performance area vibrating, significant sound breakout from fire door and front of premises. Patrons heard in conversation behind partially closed window of property and occasional laughing and shouting. Music continued until 23:15. No control of patrons at the front of the premises.</p> <p><b><u>NO RECORD OF TEN APPLIED FOR / ISSUED FOR EVENT AUTHORISING MUSIC AFTER 11PM</u></b></p> <p>Approached premises at 23.40 and spoke with Mr WILLIAMS. Advised that I had witnessed excessive music and considered it to contravene licence and noise abatement notice. Informed him that I had not seen a doorman on site. Advised him that consideration was now being given to proceedings in respect of matters observed. Mr WILLIAMS demonstrated no concern for effects on local residents and threatened injunction on Council and residents due to perceived harassment. He also stated that residents should have double glazed windows.</p>	Disc
22 <sup>nd</sup> 2014	March	Complaint received from (RESIDENT) concerning loud amplified music. (See comment for recordings made on 22 <sup>nd</sup> March above)	
31 2014	March	<p>Complaint received from (RESIDENT)</p> <p>Noise from the premises</p> <p>28.3.14 Noise from patrons outside the front of the premises.</p> <p>29.3.14 noise from live group playing at the premises. Function also held in the function room but the predominant noise source was from the live group. No times provided for both evenings.</p>	
11 April 2014		Telephone call to (RESIDENT) Two notices fixed to the exterior of the premises yesterday by an electrician requesting patrons not to disturb residents.	
11 <sup>th</sup> April 2014		Police called to premises following incidents reported by RESIDENT	

12 <sup>TH</sup> 2014 April	Complaint received from RESIDENT <i>thought that the pub had the back fire door open, however, it is just the loudness of the music. We can hear very deep bass - which is actually making me feel sick, drums and singing with all our windows and curtains closed, even I recognised the song 'another brick in the wall'.</i>	
14 <sup>th</sup> April 2014	EMAIL to Ford and Warren and Kerry Dunning PLH advising of incident over the weekend period and impending review	CA45
15 <sup>th</sup> April 2014	EMAIL to Ford and Warren and Kerry Dunning PLH.  Invitation to meet with Police and Environmental Health sent. Request to advise how they will resolve problems in interests of local community.	
16 <sup>th</sup> April 2014	EMAIL to Ford and Warren and Kerry Dunning PLH.  Request to advise how premises will be managed to ensure compliance with licence and also advised of visit to premises	CA46
17 <sup>th</sup> April 2014	EMAIL Received from Ford and Warren on behalf of PLH.  Belief that tenant is responsible for licence compliance. Appears to suggest that Punch consider tenant is legally responsible for compliance with licence conditions and that they are doing everything reasonable to manage the situation.	CA47
18 <sup>th</sup> - 21 <sup>st</sup> April 2014	Noise monitoring equipment installed and provides evidence of ongoing noise disturbance from live music in a nearby residential property. Resident advised that manager Mr Williams was seen patrolling exterior of premises	Disc

## **Annexe 4**

### **Crewe Arms Hotel Licence Review – April 2014**

**Documents, notes of meetings,  
documents from residents**



**Annexe 4**  
**Crewe Arms Hotel Licence Review**  
**Correspondence concerning noise matters**

<b>Date</b>	<b>Description</b>	<b>Ref No.</b>
29/04/13	Notes relating to site visit made by Karen Benson (Licensing Enforcement Officer) on 29/04/13	CA1
13/05/13	Notes of telephone conversation between Karen Benson and Susan Lawson (Tenant)	CA2
15/05/13	Notes of site visit made by Karen Benson and meeting with Susan Lawson and telephone conversation with David Williams	CA3
16/05/13	Letter to Premises Licence Holder (Punch Taverns) regarding noise complaints	CA4
16/05/13	Letter to Mrs Tina Dutton (DPS) regarding noise complaints	CA5
20/05/13	Email to Karen Benson from Kerry Dunning (Punch) acknowledging receipt of letter dated 16/05/13	CA6
20/05/13	Email from Karen Benson to Kerry Dunning (Punch) concerning complaints and action to date	CA7
20/05/13	Email reply from Kerry Dunning advising matter had been referred to Keith Roberts for him to liaise with their tenant Three Castles	CA8
23 <sup>rd</sup> June 2013	Letter of complaint from resident and section 9 statement for events from 31 <sup>st</sup> May 2013 to 22 <sup>nd</sup> June 2013	CA9
12/07/13	Notes of telephone conversation between Karen Benson and Kerry Dunning concerning sound recorded evidence and requesting meeting with Punch	CA10
12/07/13	Notes of telephone conversation between KAREN Benson and Ian Moulding (DPS) concerning noise complaints and measures to be put in place	CA11
18/07/13	Notes of telephone conversation between Karen Benson and Ian Moulding concerning complaints over the previous weekend and requesting meeting.	CA12
31/07/13	Notes of telephone conversation between Karen Benson and Ian Moulding (DPS) concerning further noise issues	CA13
31/07/13	Notes of telephone conversation between Karen Benson and Kerry Dunning concerning ongoing issues	CA14
28/09/13	Email from local resident concerning issues over the weekend	CA15
09/10/13 & 10/10/13	Emails from local resident concerning ongoing issues	CA16
12/12/13	Section 9 Statement from local resident concerning noise disturbance between 19/10/13 to 06/12/13	CA17
13/11/13	LATE TEN application made by Ian Moulding for retirement event from 23 <sup>rd</sup> November 11am to 01.00am on 24 <sup>th</sup> November 2013	CA18
13/11/13	Email from LICENSING ADMIN concerning request to Mr Moulding to complete late TEN	CA19

14/11/13	Environmental Health Objection to LATE TEN on Grounds of Prevention of Public Nuisance due to noise and other matters	CA20
12/12/13	Notes of telephone conversation between Karen Benson and Kerry Dunning	CA21
02/12/13	Section 9 Statement from resident concerning noise from music and patrons on the 22 <sup>nd</sup> November and music on the 23 <sup>rd</sup> November which went onto 11.50pm	CA22
02/12/13	Section 9 Statement from resident concerning noise from music and patrons on the 22 <sup>nd</sup> November and music on the 23 <sup>rd</sup> November which went onto 11.50pm	CA23
19/12/13	Notes made by Karen Benson concerning site visit on 19 <sup>th</sup> December 2013 and meeting with Susan Lawson, Kevin Whitefield concerning issues recorded on 22/11 and 23/11	CA24
-	No document	CA25
23/12/13	Noise abatement notice and letter to Three Castles Warrington in respect of noise nuisance from amplified music, vocal and musical instrument	CA26
24/12/13	Noise abatement notice and letter to Three Castles Warrington in respect of noise nuisance from amplified music, vocal and musical instrument	CA26A
07/01/14	Notes of telephone conversation between Karen Benson and Kerry Dunning re ongoing noise issues over the Christmas period and noise abatement served	CA27
09/01/14	Email from Darren Walters to Kerry Dunning with copies of noise abatement notices served and reasons for service	CA28
09/01/14	Attachment to email to KERRY Dunning with notice and letter	CA28a
09/01/14	Email from Kerry Dunning advising matter to be referred to Keith Roberts	CA29
21/01/14	Email to Kerry Dunning with copy of letter to DPS (as per CA31)	CA30
21/01/14	Letter to DPS & Three Castles re ongoing issues and potential breach of noise abatement notice and licence issues	CA31
21/01/14	Email from KERRY Dunning with contact details for Keith Roberts	CA32
11/02/13	Email to Kerry Dunning re ongoing issues and requesting meeting on site	CA33
11/02/13	Email to KERRY Dunning with copies of letters re licence breaches to Punch and DPS	CA34
14/02/14	Notes of site meeting between agencies DPS/ PLH AND 3CW	CA35
25/01/13	Email from local resident concerning ongoing noise over the weekend from live music	CA36
	No document	CA37

26/02/14	Letter to DPS in respect of meeting held on 14/02/14	CA38
26/02/14	Letter to 3CW in respect of meeting held on 14/02/14	CA39
26/02/14	Letter to Punch in respect of meeting held on 14/02/14	CA40
26/02/14	Email to Kerry Dunning with copies of letters dated 26 <sup>th</sup> to various parties concerning meeting on 14/02/14	CA41 - 43
03/03/14	Email from John Coen (Ford & Warren)	
17/03/14	Email from David Wright concerning issues reported to police between 14/03/14 to 16/03/14	CA44
14/04/14	Email to John Coen re ongoing noise issues	CA45
15/04/14	Email from John Coen concerning noise matters and offer to meet	CA46
16/04/14	Email to John Coen and Kerry Dunning requesting details of action to be taken by PLH to resolve issues for residents pending review	CA46
17/04/14	Email from John Coen setting out Punch's Position on noise matters and relationship between Punch and Tenant.	CA47

## STATISTICAL TABLE

## **Annexe 5**

### **Crewe Arms Hotel Licence Review – April 2014**

#### **Sound recordings**

#### **Instructions for use BZ7820 Evaluator software**

#### **Recordings made in residential premises**

	<b>05.07.13</b>
	<b>01.08.13</b>
	<b>16.09.13</b>
	<b>22.11.13</b>
	<b>02.01.14</b>
	<b>31.01.14</b>
	<b>07.02.14</b>
	<b>14.02.14</b>

**Disc 2 - -**



**Recordings made in residential  
premises 24<sup>th</sup> December 2013  
to 2<sup>nd</sup> January 2014**

**Recordings made in residential  
premises 24<sup>th</sup> December 2013  
to 2<sup>nd</sup> January 2014**

**Disc 3 - Recordings made in residential  
premises 17<sup>th</sup> April 2014 to 22<sup>nd</sup>  
April 2014**



CA1

**Notes relating to site visit on the 29/ 4/2013 by Karen Benson**

Also spoke to DPS Tina Dutton by phone. Advice provided regarding variation of their licence. They stated that they are intending to secondary glaze the windows, insulate the roof of the function room and they are enquiring about the fire door to the function room with the fire brigade which will either be replaced or removed and the opening blocked up. Mrs Lawson stated that they are also looking into a noise limiter. Advice provided. She stated that they are currently complying with the times on their licence. Informed no complaints received from the event held on the 27 April 2013.



CA 2

**Notes of telephone conversation between Karen Benson and Susan Lawson 13/ 5/2013**

Informed no variation application for change of hours received therefore live and recorded music has to cease at 10.30p.m. on the weekends. Susie stated that Dave from Warrington would be attending that afternoon and she would have him call me.





**Notes of site visit on 15/ 5/2013 by Karen Benson**

Met with Susie Lawton. Informed that the council have not received an application to vary their hours therefore they have to abide by the current licence conditions and hours of operation for licensable activities.

Mrs Lawton contacted Dave at Warrington & passed the telephone to me. After informing him that no application to vary the hours has been received and the premises has been breaching their licence conditions in relation to entertainment he stated that Punch Taverns will be submitting an application shortly.

Informed that due to the current active complaints there may be objections to the application. Dave asked if Mrs Clarke was one of the complainants as she lives in Warrington but is regularly complaining about various Punch Taverns premises and he is in discussion with many licensing authorities concerning her. Informed that we are unable to provide complainants details, however we only accept noise complaints from residents affected by the noise therefore she would not be one of the complainants if she lived in Warrington. Solo artist Nicola Jayne advertised for Saturday 18 May 2013. Mrs Lawton stated that she was unaware that they have any acts booked for the bank holiday weekend and she is told what events are being held at the premises rather than booking them herself. Noise records from Saturday 11.5.13 viewed. Entries are incomplete given the period of time the event was held for (entries only for 21.00hrs, 21.30 hours and 22.00 hours). Reiterated that assessments have to be made every 30 mins whilst for the duration of the event. Mrs Lawton stated that Punch Taverns will be replacing the fire door and she will then consider the installation of a noise limiter.



CASLA

**Our ref:** APP071592/  
Environmental Services Division

**Your ref:** 10th May 2013.

**Date:**

Punch Taverns  
Jubilee House  
Second Avenue  
Burton upon Trent  
Staffordshire  
DE14 2WF

Dear Sir/Madam

**Licensing Act 2003  
Environmental Protection Act 1990 – Section 79(1)(g)  
Re: Complaints of noise from Crewe Arms Hotel, Wharf Terrace, Newcastle Under Lyme.**

I am writing to you in your capacity as the current premises license holder for the above premises. Newcastle under Lyme Borough Council has received complaints regarding the above matter. The person(s) who have complained have told us that the noise from your premises is affecting the use of their property. By law we cannot tell you who has complained.

I have also written to the current designated premises supervisor concerning this matter.

**What are you being asked to do?**

Should such a problem exist I would ask that you take any reasonable action to reduce the noise and stop any cause for another complaint. You can contact myself for advice if you need it.

**What will the Council do if more complaints are made?**

If further complaints are made, the Council is required by law to investigate the complaint to identify if the noise that is being complained about is a "statutory nuisance" for the purposes of section 79(1)(g) of the Environmental Protection Act 1990. If the Council considers your noise is a "statutory nuisance" then the Council must issue those responsible with a "noise abatement notice". This is a legal document which would impose controls on the noise.

If a notice is issued, you will be advised of the reasons why and the rights of appeal.

Our investigation may also identify if any conditions on the current premises licence are not being adhered to or if additional conditions are required and we may also take appropriate action under the Licensing Act 2003 to secure compliance with the licensing objectives. This may range from seeking an informal resolution, to requesting a formal review of your license by the Licensing Committee and a prosecution if current conditions are not being complied with.

Continued/...

Our investigations may use sound recording equipment, visits and evidence from professional officers such as Environmental Health staff, Police and evidence from the person(s) affected by the noise.

**What is a Statutory Nuisance?**

It is not easy to define this, but it could be described as an unreasonable interference with the enjoyment with the use of a person's property. It must happen regularly and continue for a period of time that makes it unreasonable.

If a notice is issued, you will be advised of the reasons why and the rights of appeal.

**For further help and advice**

If you need any help or advice regarding anything in this letter please contact the Officer whose name appears at the head of this letter.

You may also wish to read the "Bothered by Noise Leaflet" which is enclosed with this letter. Further details on how we investigate noise complaints can be found on our website at [www.newcastle-staffs.gov.uk/noise](http://www.newcastle-staffs.gov.uk/noise).

I am usually out of the office for most of the working day. If you would like to contact me please call between 9am and 10am, Monday to Friday. You can also arrange to meet with me to discuss this matter further. Please telephone 01782 742523 and also quote your unique reference number **APP071592** . If you would like to write to the Council regarding this matter, your please address your letter to the Executive Director – Regeneration and Planning Services at the address shown below. Please also state your unique reference number **APP071592** .

Yours sincerely



Karen Benson  
Enforcement Officer

**Direct Line** 01782 742523  
**Departmental Fax** 01782 713251  
**Email** karen.benson@newcastle-staffs.gov.uk

**Data Protection Act Notice**

Newcastle under Lyme Borough Council is registered as a Data Controller under the Data Protection Act 1998. The Council aims to fulfill its obligations under the Act to the fullest extent, obtaining, holding, processing and disclosing personal data only in accordance with the provisions of the Act. The information you provide will be processed for the purpose(s) of assisting the Council in dealing with this matter and any related matters.

CASS  
CAS

**Our ref:** APP071592 /  
Environmental Health Services  
**Your ref:** 16th May 2013  
**Date:**



Civic Offices  
Merial Street  
Newcastle-under-Lyme  
Staffordshire  
ST5 2AG

**Ms T. M Dutton**  
2 Birch Avenue  
Winwick  
Warrington  
WA2 9TN

Dear Ms Dutton

**Licensing Act 2003**  
**Environmental Protection Act 1990 – Section 79(1)(g)**  
**Re: Complaints of noise from CREWE ARMS HOTEL, WHARF TERRACE, NEWCASTLE UNDER LYME.**

I am writing to you as the current Designated Premises Supervisor for the above premises. Newcastle under Lyme Borough Council has received complaints regarding the above matter. The person(s) who have complained have told us that the noise from your premises is affecting the use of their property. By law we cannot tell you who has complained.

I have also written to the current Premises Licence Holder concerning this matter.

**What are you being asked to do?**

Should such a problem exist I would ask that you take any reasonable action to reduce the noise and stop any cause for another complaint. You can contact myself for advice if you need it.

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If further complaints are made, the Council is required by law to investigate the complaint to identify if the noise that is being complained about is a "statutory nuisance" for the purposes of section 79(1)(g) of the Environmental Protection Act 1990. If the Council considers your noise is a "statutory nuisance" then the Council must issue those responsible with a "noise abatement notice". This is a legal document which would impose controls on the noise.

If a notice is issued, you will be advised of the reasons why and the rights of appeal.

Our investigation may also identify if any conditions on the current premises licence are not being adhered to or if additional conditions are required and we may also take appropriate action under the Licensing Act 2003 to secure compliance with the licensing objectives. This may range from seeking an informal resolution, to requesting a formal review of your license by the Licensing Committee and a prosecution if current conditions are not being complied with.

Continued/...

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2002 -- 2005

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E-mail [webmaster@newcastle-staffs.gov.uk](mailto:webmaster@newcastle-staffs.gov.uk) • [www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.gov.uk)



Our investigations may use sound recording equipment, visits and evidence from professional officers such as Environmental Health staff, Police and evidence from the person(s) affected by the noise.

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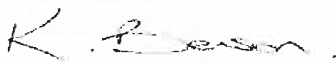
**For further help and advice**

If you need any help or advice regarding anything in this letter please contact myself.

Further details on how we investigate noise complaints can be found on our website at [www.newcastle-staffs.gov.uk/noise](http://www.newcastle-staffs.gov.uk/noise).

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Yours sincerely



Enforcement Officer

**Direct Line:** 01782 742523

**Departmental Fax:**

**Email:** karen.benson@newcastle-staffs.gov.uk

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C A 02  
C A 6

**Benson, Karen**

---

**From:** smb\_risk <risk@punchtaverns.com>  
**Sent:** 20 May 2013 13:18  
**To:** Benson, Karen  
**Subject:** Crewe Arms, Wharf Terrace - Noise nuisance. Punch ref 905116  
**Attachments:** 905116 - Alleged noise complaints.pdf

Good afternoon Karen

Many thanks for the attached correspondence, I acknowledge safe receipt.

Punch Taverns provide guidance booklets on matters such as noise nuisance and responsible retailing. We aim to ensure that all conditions on our premises licences are complied with, ultimately promoting the licensing objectives.

The matter will be raised with our Partner at the premises by the Partnership Development Manager (PDM), Keith Roberts. However, before he does so, whilst I appreciate you cannot advise me who made the complaints, I would be grateful if you could provide dates and/or times as to when the noise nuisances occurred so that he can discuss these with our Partner.

I look forward to hearing from you soon. In the meantime, if you have any further queries or concerns, please do not hesitate to contact me on the number below.

Regards

**Kerry Dunning**  
**Risk Assistant North (Property Department)**  
Email: [kerry.dunning@punchtaverns.com](mailto:kerry.dunning@punchtaverns.com)  
Tel: 01283523521  
Punch Taverns: Jubilee House - Second Avenue - Burton upon Trent - DE14 2WF



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Punch Partnerships (PTL) Limited (3512363), Punch Partnerships (PML) Limited (3321199), Punch Partnerships (PGRP) Limited (3988664), Punch Taverns (Services) Limited (4221944).

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CAB

CA7.

**Benson, Karen**

---

**From:** Benson, Karen  
**Sent:** 20 May 2013 14:43  
**To:** 'smb\_risk'  
**Subject:** [PROTECT/PER] RE: Crewe Arms, Wharf Terrace - Noise nuisance. Punch ref 905116

[Classification: NULBC PROTECT Personal]

Dear Kerry,

Thank you for email. The council's procedure on receipt of a complaint is to provide complainants with diary sheets which we request they keep and fill out for a four week period. In the meantime we liaise with the premises licence holder and the designated premises supervisor to try and resolve the matter amicably. We are in the process of obtaining information from the complainants, however I do have three dates that the complainants provided at the start of the complaint process, these being, Saturday 6 April 2013 when a live band were playing and the music was audible until 00.20 hours, Saturday 20 April 2013 when another live band were playing and Saturday 11 May 2013 where it was noted that music was audible at 23.30 hours and the windows and doors to the premises were open. On receipt of noise diaries the council will assess the information to see if it is necessary for monitoring to take place to gather evidence of what the complainants are experiencing. Evidence from noise monitoring will establish if the noise from the premises is a statutory nuisance.

There has been some confusion with the management at the premises concerning their licensed hours. The manager Susie Lawton stated that she thought they had a variation of their licence to hold live music until 23.30 hours. I have informed both Mrs Lawton and a gentleman called Dave from JMC Licensing that the authority has not received an application to vary their hours for entertainment and only an application to vary the designated premises supervisor has been received and processed. During my visits I have noted that there isn't a copy of the licence on display at the premises, on questioning this I was informed that they are waiting for a copy to be sent to them. Could you confirm if a copy has been sent to the premises so that it may be displayed?

We will continue to work with the management of the premises and you to try and resolve any issues. Once we have received further information from the complainant's I will contact you, alternatively Mr Roberts can contact me on the telephone number below and I would be happy to meet him at the premises if he wishes. I trust now that the management are aware of the conditions of their licence they will adhere to them to prevent further breaches from occurring.

Kind regards

**Karen Benson**

Enforcement Officer  
Regeneration and Development  
Newcastle-under-Lyme Borough Council  
[karen.benson@newcastle-staffs.gov.uk](mailto:karen.benson@newcastle-staffs.gov.uk)  
Telephone: 01782 742523

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---

**From:** smb\_risk [mailto:risk@punchtaverns.com]  
**Sent:** 20 May 2013 13:18  
**To:** Benson, Karen  
**Subject:** Crewe Arms, Wharf Terrace - Noise nuisance. Punch ref 905116

Good afternoon Karen

Many thanks for the attached correspondence, I acknowledge safe receipt.

Punch Taverns provide guidance booklets on matters such as noise nuisance and responsible retailing. We aim to ensure that all conditions on our premises licences are complied with, ultimately promoting the licensing objectives.

The matter will be raised with our Partner at the premises by the Partnership Development Manager (PDM), Keith Roberts. However, before he does so, whilst I appreciate you cannot advise me who made the complaints, I would be grateful if you could provide dates and/or times as to when the noise nuisances occurred so that he can discuss these with our Partner.

I look forward to hearing from you soon. In the meantime, if you have any further queries or concerns, please do not hesitate to contact me on the number below.

Regards

**Kerry Dunning**  
**Risk Assistant North (Property Department)**

Email: [kerry.dunning@punchtaverns.com](mailto:kerry.dunning@punchtaverns.com)

Tel: 01283523521

Punch Taverns: Jubilee House - Second Avenue - Burton upon Trent - DE14 2WF



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CAD4

CAS

**Benson, Karen**

**From:** smb\_risk <risk@punchtaverns.com>  
**Sent:** 20 May 2013 16:59  
**To:** Benson, Karen  
**Subject:** RE: [PROTECT/PER] RE: Crewe Arms, Wharf Terrace - Noise nuisance. Punch ref 905116

Dear Karen

I have forwarded your email onto Keith Roberts for him to liaise with our Partner.

In relation to the Premises Licence, a Licence should be displayed at all times but the DPS change was carried out as noted below & our Solicitors only received the Licence back on the 9<sup>th</sup> May, so this may well just be a timing issue as a certified copy is sent to all of our Partners when any changes have been carried out.

If you could forward me any other information regarding the complaints when you receive it, that would be great.

If you have any further concerns, please do not hesitate to contact me.

Regards

**Kerry Dunning**  
**Risk Assistant North (Property Department)**

Email: [kerry.dunning@punchtaverns.com](mailto:kerry.dunning@punchtaverns.com)  
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We will continue to work with the management of the premises and you to try and resolve any issues. Once we have received further information from the complainant's I will contact you, alternatively Mr Roberts can contact me on the telephone number below and I would be happy to meet him at the premises if he wishes. I trust now that the management are aware of the conditions of their licence they will adhere to them to prevent further breaches from occurring.

Kind regards

## Karen Benson

Enforcement Officer  
Regeneration and Development  
Newcastle-under-Lyme Borough Council  
[karen.benson@newcastle-staffs.gov.uk](mailto:karen.benson@newcastle-staffs.gov.uk)  
Telephone: 01782 742523

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I look forward to hearing from you soon. In the meantime, if you have any further queries or concerns, please do not hesitate to contact me on the number below.

Regards

Kerry Dunning

**Risk Assistant North (Property Department)**

Email: [kerry.dunning@punchtaverns.com](mailto:kerry.dunning@punchtaverns.com)

Tel: 01283523521

Punch Taverns: Jubilee House - Second Avenue - Burton upon Trent - DE14 2WF



The company sending this e-mail is a member of the Punch Taverns group of companies, the ultimate parent of which is Punch Taverns plc (company number 3752645). Punch Taverns plc, along with the group's principal subsidiaries listed below, is registered in England and Wales and has its registered office at Jubilee House, Second Avenue, Burton-upon-Trent, Staffordshire DE14 2WF.

Punch Partnerships (PTL) Limited (3512363), Punch Partnerships (PML) Limited (3321199), Punch Partnerships (PGRP) Limited (3988664), Punch Taverns (Services) Limited (4221944).

The statements and opinions expressed in this message are those of the author and therefore do not necessarily reflect those of any member of the Punch Taverns group of companies. The Punch Taverns group of companies does not take any responsibility or liability whatsoever for the views of the author.

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CAS  
CA9.



Karen Benson  
Enforcement Officer  
Newcastle Borough Council  
Merrial Street  
Newcastle  
Staffs

NEWCASTLE UNDER-LYME RESOURCES DIRECTORATE	
DATE RECEIVED	
23 JUN 2013	
REPLY NEEDED YES/NO	DATE OF REPLY
DEALT DATE BY	FILE REF:

Dear Karen

Please find enclosed diary sheets from 31<sup>st</sup> May – 22nd June 2013 in relation to The Crewe Arms Hotel, Madeley Heath. As you know the pub is in a quiet residential area with houses very close by, our house is approximately 20 metres from the pub and there are residential houses closer than ours.

As you can see from the sheet that we have completed our complaint is mostly around the noise emitting from the building when the pub has music playing whether that be live bands or a DJ playing tracks. We often hear and see people outside the pub after 11pm shouting, swearing and drinking and a couple of weekends this has been 2am in the morning which we understand to be against the conditions of the current licensing agreement. We have seen drinkers leave the pub with their pints in hand and wander across the road into Heath Row and the playing fields behind Heath Row and wander back again to the pub.

Whilst we do not want to see the pub close, we do feel that since the live music events which seem to be every other week our quality of life is disappearing. We live in a terraced house which has double glazed windows which we have to keep closed and we can still here the thump, thump, thump of the music in the rooms we use. We dread the weekends coming up not only does the music mean that we have to turn the television sound up to drown out the music from the pub or in rooms where we are not listening to the tv we have needed to wear head phones to concentrate on other devices, even with head phones on the noise of the music can be heard. We cannot go to sleep at the times we want to, we have to wait until the music finishes (after 12pm usually) before

we go to bed as the noise from the pub causes problems getting to sleep. We are also aware that the pub has had at least one shut in recently with people leaving the pub at 2,3 and 4am.

We have had a visit from the landlord offering to mend bridges and provide a family Sunday lunch for free but we have chosen not to take the landlord up on his offer as this would be hypocritical given we have been keeping a diary on the noise pollution.

We now feel we do not want to be in our own home at weekends as we dread the level of noise from the music being played. As a home owner in a quiet residential street we should not have to feel this way and we look forward to hearing what steps the Borough Council will be putting into place so that our quality of life improves.



**Criminal Justice Act 1967 s9; Magistrates Court Act 1980 s.5A(3)(a) and 5B Criminal Procedure Rules 2005 p27**





Statement of (full name)  X Age if under 21  X (if over 21 insert "over 21")

This statement (consisting of 2 pages X pages, 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  X day of  X 20013 X (Signature)  X

**DIARY OF DISTURBANCES**

Date of Issue		Please Return Your Diary To: Licensing and Enforcement Regeneration and Development Civic Offices Merial Street Newcastle-under-Lyme Staffordshire ST5 2AG		Your Unique Complaint Number	Complaint Summary:
<b>22 May 2013</b>				<b>APP/071864</b>	<b>Amplified Music</b>
				Your Case Officer Karen Benson	Premises Where Nuisance is Originating <b>Crewe Arms Hotel</b>
				Tel No. <b>01782 717717</b>	<b>Wharf Terrace, Newcastle Under Lyme</b>
Date	Time Started	Time Ceased	Duration Hours/Minutes	Rooms / Area Affected	Nature of Nuisance
12/07/08	6:10pm	8:45pm	2:35	Living Room, Bedroom, Kitchen.	Smoke from bonfire.
3/5/13	10pm	12pm	2 hrs	Living room + bedrooms study room	Music background throughout + drums
11/6/13	11pm			Living room, bedroom	People smoking outside the pub
1/6/13	approx 9pm				
8/6/13	11pm			Living music playing can be heard inside	people carrying pots from pub across the road to the field by wharf terrace + back garden. 11 unable to go to bed at the time as fed up of living here. <sup>located</sup>
8/6/13	removed from curio music club heard.	11:23pm	1:20 seen		MUSIC heard louder, had to turn TV up to hear Note: The noise

**Person Keeping The Diary**  
Name:   
Signature:   
Address:   
Tel No: 

**Neighbour / Witness Verifying Disturbance**  
Name: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
Tel No: \_\_\_\_\_

Any neighbour/witness, if relevant, should sign their initials against the particular disturbances verified. This form may be used as an exhibit appended to a section 9 witness statement. A witness may be required to attend court and give evidence under oath.

CAS



Statement of (full name) \_\_\_\_\_

Continued. Page: 2

Your Unique Complaint Number: APP/071864

Date	Time Started	Time Ceased	Duration Hours/Minutes	Rooms Affected	Nature of Nuisance	Describe How You Were Disturbed and How This Made You Feel
5/14/13						12:30 start at work we go to bed + sleep.
5/16/13	9:30 PM	11:20 PM		Living room, dining room, bedroom	loud thumping music	Absolutely fed up, why should we have to put up with this!

Signature: \_\_\_\_\_ (Person keeping the diary)

CA 10

**Notes of telephone conversation between Karen Benson and Kerry Dunning Punch 12/7/2013**

Meeting requested to discuss noise recordings and proposals to resolve the matter. Kerry stated that she would contact the area manager Kevin Roberts and request for him to contact me.



CALL

**Notes of telephone conversation between Karen Bennon and Ian Moulding DPS on the 12/7/2013**

Mr Moulding stated for that evening and the following evening a doorman would be present on the door and no glasses would be allowed out of the premises. He also stated that the bar door entrances to the hotel will be closed permanently whilst there is an event on and the windows and doors to the premises would be closed. Mr Moulding also stated that there would be an attendant on the car park outside to prevent public disturbance by patrons. Meeting requested to discuss the noise complaints and advised that I will contact the complainants again the following week to see if the measures taken had any effect. Reiterated licence conditions, especially that windows and doors are to remain closed during regulated entertainment.



CA12

**Notes of telephone conversation between Karen Bennon and Ian Moulding DPS on the 18/7/2013**

Informed of additional complaints received after the weekend and requested the meeting to discuss the matter and their proposals to resolve the noise problems. Mr Moulding passed me onto a colleague "Dave". Meeting scheduled for 19.7.13 at 9.15 a.m. It was being intimated that the complaints are being borne from residents not wishing for the premises to be operating rather than it being a problem. Advised that we have noise recordings supporting the complaints of the residents and we expect proposals to be made by them tomorrow to resolve the matter and prevent enforcement action being taken.





**Notes of telephone conversation between Karen Bennon and Ian Moulding DPS on the 31/7/2013**

Mr Moulding stated that he was at the premises on Friday night until 23.00 hours carrying out noise monitoring at the designated locations. He stated that no noise was audible from the premises apart from the cooling fan. Mr Moulding stated that 2 Police Officers attended the premises at midnight and no-one was present on the car park at this point or when he left. On Saturday he stated that music was being played at the premises but it was not played beyond their licensed hours. Confirmed that one attendant present last week and they are looking for an additional attendant for this weekend and to move people away from outside the premises. He stated that notices have been placed inside and outside the premises to request patrons to stay on the premises and to be courteous to residents in relation to noise. Reiterated proposals discussed at the meeting and that we would continue to monitor.



CA14.

**Notes of telephone conversation between Karen Benson and Kerry Dunning on the 31/7/2013**

Informed of complaints received regarding the last weekend. Kerry to contact Kevin the area manager who in turn will speak with Ian Moulding and ensure the provisions stated in the meeting are adhered to.



CAISAD

**Benson, Karen**

---

**From:** [REDACTED]  
**Sent:** 28 September 2013 22:25  
**To:** Benson, Karen  
**Cc:** Welsh, Billy (Cllr); White, Simon  
**Subject:** The Crewe Arms

Good evening Karen

We seem to keep missing talking directly to each other and here we are another weekend of loud music at The Crewe Arms pub. We thought we would email you so that you have another way of contacting us regarding what actions are now being taken against the pub. We are keeping a log still of the times the music is being played and how this is affecting us but we now need some more sheets so could you please post more to us.

We have copied both Councillor Welsh and Councillor White into the email as we really feel that we need to meet with you directly as residents to find out what actions either are being taken or what actions you can take. We appreciate you working with us to gain enough evidence to stop the music and presume you have enough now to do this.

We look forward to hearing from you with a breakdown on the action that the Council will be taking with regards to Punch Taverns and the registered landlords.

Regards

[REDACTED]

[REDACTED]

[REDACTED]



CALL  
CA16

**Benson, Karen**

**From:** [REDACTED]  
**Sent:** 10 October 2013 15:29  
**To:** Benson, Karen  
**Cc:** Welsh, Billy (Cllr); White, Simon  
**Subject:** Re: [PROTECT/PER] RE: The Crewe Arms

Hi Karen

Thank you for keeping me updated, we are still having noise problems, there has only been 2 weekends where there has not been any loud music all the other Friday and Saturday evenings there has been. On a Friday night there is always live music and they have DJ's - they have a happy hour 9.30-11 where beer and ciders are £2 a pint, they even boast that there are cheaper prices for house spirits. The crewe arms has a facebook page where this information is posted (I have extracted it below so that you can see what they are posting). We have been filling the sheets in but to honest with you we have stopped phoning and informing you because it doesn't appear as if anything has been happening from the Borough Councils side. I wonder if its the same for other residents. As our property is in direct line to the back fire door where a lot of the music is emanating from we cannot escape it. I am guessing on the weeks that it is slightly quieter it could be when the "responsible parties" have put a mattress against the fire door.

The weekend of the 5th/6th October we had relatives stopping and they were unable to get to sleep because of the music. We can't go to bed when we are tired if there is music on as this stops us sleeping. I am happy to have the sound monitoring equipment installed in our property again however we are on holiday from tomorrow for a week so this will have to be when we get back. We are also happy to have members of your team with us on a Friday/Saturday evening so you can see for yourselves what it is like. Its always good to get it first hand!!

Given that the police licensing are involved now do we contact the Police when there is loud music? Is this our means of communication to report problems from now on?

Regards

[REDACTED]

[REDACTED]

**JOIN US ON FRIDAY NIGHT!!**

Live football England vs Montengro. Followed by Live music with our in house DJ's Banger Lewis with fresh new playlists, ranging from 60's to present. Along with our happy hour 9:30 till 11 £2 a pint on all draught beer and ciders, and cheaper prices for house spirits! Get yourselves there!!

**From:** "Benson, Karen" <Karen.Benson@newcastle-staffs.gov.uk>  
**To:** [REDACTED]  
**Sent:** Wednesday, 9 October 2013, 14:54  
**Subject:** [PROTECT/PER] RE: The Crewe Arms

[Classification: NULBC **PROTECT** Personal]

Dear [REDACTED]

Thank you for emailing me and providing another means of communication to allow me to keep you updated on this matter. I trust that my colleague, Nigel Gardner, provided you with the most current update whilst I was on leave last week. Due to the nature of the complaints we were receiving being more public disorder matters with patrons

shouting, swearing and urinating outside the premises I referred the matter to the Police Licensing Department who have added the premises to their list of late night inspections with a view to carrying out visits and building up a profile before they contact the owners of the premises. With regards to noise from events being held at the premises, until we received a complaint concerning a wedding held at the premises at the weekend we have not received a complaint concerning loud music to some time. The council's noise monitoring equipment has been installed on three separate occasions. The first occasion was when you had it installed into your property which resulted in a meeting taking place with the responsible parties, the second no recordings were made and the third resulted in recordings of people talking and shouting outside the premises being made which I referred to the Police Licensing Department. If the noise from regulated entertainment held at the premises is becoming a problem once more then I will request for the noise monitoring equipment to be installed again.

I would be grateful if you could keep me updated on this matter and I will send out more log sheets for you this week.

Kind regards

**Karen Benson**

Enforcement Officer  
Regeneration and Development  
Newcastle-under-Lyme Borough Council  
[karen.benson@newcastle-staffs.gov.uk](mailto:karen.benson@newcastle-staffs.gov.uk)  
Telephone: 01782 742523

**It takes 24 trees to produce 1 tonne of paper - think before you print !**

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**From:** [REDACTED]  
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**To:** Benson, Karen  
**Cc:** Welsh, Billy (Cllr); White, Simon  
**Subject:** The Crewe Arms

Good evening Karen

We seem to keep missing talking directly to each other and here we are another weekend of loud music at The Crewe Arms pub. We thought we would email you so that you have another way of contacting us regarding what actions are now being taken against the pub. We are keeping a log still of the times the music is being played and how this is affecting us but we are [REDACTED] more sheets so could you please post more to us.

We have copied both Councillor Welsh and Councillor White into the email as we really feel that we need to meet with you directly as residents to find out what actions either are being taken or what actions you can take. We appreciate you working with us to gain enough evidence to stop the music and presume you have enough now to do this.

We look forward to hearing from you with a breakdown on the action that the Council will be taking with regards to Punch Taverns and the registered landlords.

**Criminal Justice Act 1967 s9; Magistrates Court Act 1980 s.5A(3)(a) and 5B Criminal Procedure Rules 2005 p27**

Statement of (full name) \_\_\_\_\_

X Age if under 21 \_\_\_\_\_ X (if over 21 insert "over 21") \_\_\_\_\_

This statement (consisting of \_\_\_\_\_ X pages, 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 \_\_\_\_\_ X day of \_\_\_\_\_ X 2000 X (Signature) \_\_\_\_\_ X

**DIARY OF DISTURBANCES**

Date	Time Started	Time Ceased	Duration Hours/Minutes	Rooms / Area Affected	Nature of Nuisance	Your Unique Complaint Number	Complaint Summary:
10 October 2013						APP/071864	<b>Amplified Music</b>
Please Return Your Diary To: Licensing and Enforcement Regeneration and Development Civic Offices Merrial Street Newcastle-under-Lyme Staffordshire ST5 2AG				Premises Where Nuisance is Originating <b>Crewe Arms Hotel</b> <b>Wharf Terrace, Newcastle Under Lyme</b>			
Your Case Officer Karen Benson				Your Case Officer Karen Benson			
Tel No. <b>Customer Services: 01782 717717</b>				Tel No. <b>Customer Services: 01782 717717</b>			
Date	Time Started	Time Ceased	Duration Hours/Minutes	Rooms / Area Affected	Nature of Nuisance	Describe How You Were Disturbed and How This Made You Feel	
12/07/08	6:10pm	8:45pm	2:35	Living Room, Bedroom, Kitchen.	Smoke from bonfire.	Had to shut windows, couldn't hang washing out. Ash falling on property.	
19/10/13	8:20pm	10:40pm	2:20	Living Room, Bedrooms Lounge	Loud music	HAD TO TURN TV UP. 157 DB MUSIC SO LOUD I PLUCED HEADPHONES IN TO MY TV TO LISTEN TO IT.	
23/10/13	8:30	11:20pm		All rooms front The pub	Loud music followed by Loud music followed by shouting and shouting	UNABLE TO GO TO BED DUE TO THE NOISE EARLIER HAD TO PUT MUSIC ON NEGATIVE DUE TO NOISE AND SHOUTING TO HEAR OVER THE TV	
2/11/13	8:55	10:35		All rooms front THE PUB	MUSIC SO LOUDER THAN LAST 2 WEEKS MUSIC SO LOUD I KNOW THEY ARE DRINKING BECAUSE THEY ARE DRINKING BECAUSE THEY ARE DRINKING	Note: Any neighbour/witness, if relevant, should sign their initials against the particular disturbances verified. This form may be used as an exhibit appended to a section 9 witness statement. A witness may be required to attend court and give evidence under oath.	

**Neighbour / Witness Verifying Disturbance**

Name: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
Tel No: \_\_\_\_\_



CAT 7

Statement of (full name) \_\_\_\_\_

Continued. Page: \_\_\_\_\_

Your Unique Complaint Number: APP/071864

Date	Time Started	Time Ceased	Duration Hours/Minutes	Rooms Affected	Nature of Nuisance	Describe How You Were Disturbed and How This Made You Feel
20/11/13	8:50	10 pm		Living / computer room	loud music	could even hear it over doctor who + we had that on hand for the sound effect. Have 30 min window to go to bed Didn't <del>manage</del> manage to get to sleep
"	10:40	11:50		Bedroom, lounge computer room	loud music	
21/12/13	8:15			living, computer room	Drumming	at time, kept awake until 11:50 when music went off
"	8:35			"	loud music	<del>Drumming</del> Rang pub to give them the opportunity to turn the music down.
"	9 pm					no attempt to make music quieter

Signature: \_\_\_\_\_ (Person keeping the diary)

~~XXXXXXXXXXXX~~

Statement of (full name) \_\_\_\_\_ Continued. Page: \_\_\_\_\_ Your Unique Complaint Number: APP/071864

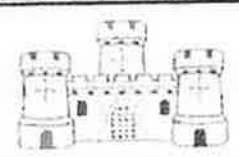
Date	Time Started	Time Ceased	Duration Hours/Minutes	Rooms Affected	Nature of Nuisance	How long has this been going on for? How often? How often? How often?
14/11/13	9pm	9.45	45 mins	ALL ROOMS FACING THE PUB	LOW MUSIC	
-	10.05pm	10.40pm	35 mins	ALL ROOMS FACING THE PUB	MUSIC RESTATED FROM LOWER THAN BEFORE	
15/11/13	10.40pm	10.55pm	15 mins	ALL ROOMS IN HOUSE	Very loud dance music from car pulled up at pub entrance and lots of people shouting and swearing	
16/11/13	9.20pm	10.05	45 mins	ALL ROOMS FACING THE PUB	Low Music Audible over the T.V.	
-	10.50pm			ALL ROOMS FACING THE PUB	AS ABOVE	

Signature: \_\_\_\_\_ (Person keeping the diary)



CA18

**NEWCASTLE · UNDER · LYME**  
**BOROUGH COUNCIL**



**Temporary Event Notice**

**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 should keep a copy of the completed notice for your records. You must send two copies of this notice to the licensing authority and an additional copy to the chief officer of police and the Environmental Health office for the area in which the premises are situated. The licensing authority will endorse one of the copies and return it to you as an acknowledgement of receipt.

**1 – The personal details of premises user (please read note 1)**

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

I am applying for a **LATE** Temporary Event Notice  (please read note 7.)  
 YES  NO

**This DOES NOT relate to the additional hours you are requesting. Please read note 7 at the end of this form before selecting your answer.**

Title	(Delete as appropriate) Mr / Mrs / Miss / Ms / Other (please state)	
Surname	MOULDING	
Forenames	IAN	
I am over 18 years old	<input checked="" type="checkbox"/>	
Previous Names	(Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Surname		
Forenames		
Your date of birth	2   5   0   1   6   4	
Your place of birth	WARRINGTON	
National Insurance No	NE 611645D	
Current Address	37 PRESTBURY DRIVE THEWAL WARRINGTON CHESHIRE	
	Post Code	W A 4 2 1 Z
Telephone: Day	01695 23178 (work)	
Evening	01925 471005	Mobile 07784858823
Fax		
E-Mail	ian.moulding@gmail.com	

Created on 19<sup>th</sup> March 2013 JT



**3 - The Licensable Activities**

Please state the licensable activities that you intend to carry on at the premises (please mark an 'X' next to the licensable activities you intend to carry on). (Please read note 6)

The retail sale of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you applying for a LATE temporary event (Please read note 7)	<input type="checkbox"/>

Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)

23rd NOVEMBER 2013

Please state the times during the event period that you propose to carry on licensable activities (Please give times in 24 hour clock). (Please read note 9)

1100am  
UNTIL  
0100 AM SUNDAY 24TH NOVEMBER

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an 'X' next to the appropriate box) (Please read note 11)

On the premises only	<input checked="" type="checkbox"/>
Off the premises only	<input type="checkbox"/>
Both	<input type="checkbox"/>

**4 – Personal Licence Holders. (Please read note 12)**

Do you currently hold a valid personal licence? (Please mark an 'X' in the box that applied to you)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If 'Yes' please provide the details of your personal licence below			
Issuing licensing authority	WARRINGTON		
Licence number	WBC/P21142		
Date of issue	08/2008		
Date of expiry	08/2013		
Any further relevant details			

**5 – Previous Temporary Event Notices you have given. (Please read note 13)**

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an 'X' in the box that applies to you.)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an 'X' in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

During the current calendar year how many temporary events have been hosted at the premises detailed on this application 0. (You must include New Years Day if an event held on New Years Eve continued past midnight).

**6 – Associates and business colleagues. (Please read note 14)**

Have any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an 'X' in the box that applies to you.)	Yes	No X
If answering yes, please state the number of temporary event notices your associate(s) have given for events in that same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?  (Please mark an 'X' in the box that applies to you)	Yes	No X
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an 'X' in the box that applies to you)	Yes	No X
If answering yes, please state the number of temporary event notices your business colleague(s) have given for events in that same calendar year		
Has any person with whom you do business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?  (Please mark an 'X' in the box that applies to you)	Yes	No X

**7 – Checklist. (Please read note 15)**

<b>I shall (Please mark the appropriate boxes with an 'X')</b>	
Send two copies of this notice to the licensing authority for the area in which the premises are located.	X
Send a copy of this notice to the chief officer of police for the area in which the premises are located.	X
Send a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are located.	X
If the premises are situated in one or more licensing authority areas, send two copies of this notice to each additional licensing authority.	X
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police.	X
If the premises are situated in one or more local authority areas, send a copy of this notice to each local authority exercising environmental health functions.	X
Make or enclose payment of the fee for the application (£21.00)	X
Sign the declaration in Section 9 below	X

Created on 19<sup>th</sup> March 2013 JT

Correspondence Address (if different)										
	Post Code									

Alternative Contact Address										
	Post Code									

Telephone: Day											
Evening						Mobile					
Fax											
E-Mail											

**2 - The Premises**

Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)

THE CREWE ARMS HOTEL  
 WHARF TERRACE  
 MADELEY HEATH  
 CREWE

Post Code: CW3 9LP

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

Please describe the nature of the event below. (Please read note 5)

LARGE RETIREMENT PARTY  
 WITH PAY BAR

**8 – Condition. (Please read note 16)**

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

**9 – Declarations. (Please read note 17)**

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and

(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

**I have:**

a) Enclosed the fee



b) Submitted two copies of my application to the Licensing Section



c) Sent one copy to each of the application to the Responsible Authorities:

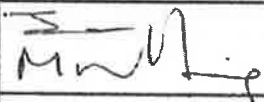
one copy to Environmental Health Service



one copy to the Chief Officer of Police



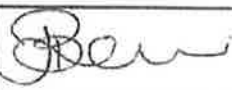
d) I understand that if I do not comply with the above requirements my application will be rejected.

Signature		Date	0	6	1	1	1	3
Name of Person signing	IAN MOULDING							

For completion by the Licensing Authority

**10 – Acknowledgement. (Please read note 18)**

I acknowledge receipt of this temporary event notice.

Signature		Date	1	3	1	1	1	3
Name of Officer signing	Jan Brown							

Created on 19<sup>th</sup> March 2013 JT

Does a premise licence or club premise certificate have effect in relation to the premises (or any part of the premises)?		Yes	No X
Please mark an 'X' in the box that applies			
If 'Yes' please provide the details of the premise licence below			
Issuing licensing authority	Newcastle - Under - Zyme		
Licence number	9926 - P20230 - 009926		
Date of Issue	9-6-2013		
Date of expiry	NOT SHOWN		
Any further relevant details	Premises Licence Holder Punch Taverns Ltd		

Created on 19<sup>th</sup> March 2013 JT



# NEWCASTLE·UNDER·LYME BOROUGH COUNCIL

## Licensing Department Customer Satisfaction Survey

The Licensing Section provides a wide range of services to many customers throughout the Borough.

These services comprise:

- The Licensing Act 2003 including:
  - Premises Licences
  - Temporary Event Notices
  - Variations to Designated Premises Supervisors
  - Variations to Premises Licences
- Private Hire
- Taxis

We are always looking at ways in which to improve, and we would ask you to spare a few minutes of your time to fill in the questionnaire.

Your feedback will help us to do this.

### Q1. How did we do?

#### How satisfied were you:

- With the appointment times offered prior to your visit
- With the location of the offices
- With the opening hours of the offices
- With the length of time you waited to speak to a member of staff
- With any information you were given
- With how competent the staff were
- With how helpful the staff were
- With the length of time it took to resolve your query
- With the payment methods available
- That your business was treated fairly
- With the overall level of service

Very Satisfied	Fairly Satisfied	Neither Satisfied nor Dissatisfied	Fairly Dissatisfied	Very Dissatisfied
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**If you have answered either fairly or very dissatisfied to any of the above questions please add any further comments or suggestions here that may help us to improve the services we provide:**

---



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Please Turn Over For Questions 2, 3 and 4.

Created on 19<sup>th</sup> March 2013 JT





# NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

Q2. Are you male or female?

Male  Female

Q3. What is your age?

Under 18     25 - 34     45 - 54     65 - 74  
 18 - 24     35 - 44     55 - 64     75 +

Q4. To which of these groups do you consider you belong?

<input checked="" type="checkbox"/> White British	<input type="checkbox"/> Mixed African	<input type="checkbox"/> Pakistani
<input type="checkbox"/> White Irish	<input type="checkbox"/> Mixed Asian	<input type="checkbox"/> Bangladeshi
<input type="checkbox"/> White Eastern European	<input type="checkbox"/> Black Caribbean	<input type="checkbox"/> Chinese
<input type="checkbox"/> White Gypsy/Traveller	<input type="checkbox"/> Black African	<input type="checkbox"/> Other
<input type="checkbox"/> Mixed Caribbean	<input type="checkbox"/> Indian	

If other, please state \_\_\_\_\_

I would like to thank you for taking the time to complete this questionnaire

Please return this with your application form to:

The Licensing Section  
Civic Offices  
Merrial Street  
Newcastle-under-Lyme  
Staffs  
ST5 2AG

Created on 19<sup>th</sup> March 2013 JT



CA19.

**Benson, Karen**

---

**From:** Robinson, Lynne  
**Sent:** 13 November 2013 11:56  
**To:** 'northern.licensing@staffordshire.pnn.police.uk'; Gardner, Nigel; Austin, Sonya; Webb, Julie; Ryles, Claire  
**Subject:** Received TENS  
**Attachments:** Scan\_legr\_13112013.pdf

Hi

Please find attached received TENS. I have left a message for Mr Moulding to ring mr regarding the need to tick the "Late Ten " box for the Crewe Arms TEN.

Regards

Lynne Robinson  
Licensing

Tel: 01782 742231

This e-mail communication may be intercepted for regulatory, quality control, or crime detection purposes as per the Regulation of Investigatory Powers (RIP) Act. This message is intended only for the use of authorised person (s) ("the intended recipient") to whom it is addressed. It may contain information that is privileged and confidential within the meaning of the applicable law. Accordingly any dissemination, distribution, copying or other use of this message or any of its content by any other person may constitute a breach of civil or criminal law and is strictly prohibited. If you are not the Intended recipient please contact the sender as soon as possible. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Newcastle under Lyme Borough Council.

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

From: Robinson, Lynne  
Sent: 13 November 2013 11:44  
To: Robinson, Lynne  
Subject: Attached Image



CA 20

**Benson, Karen**

---

**From:** Gardner, Nigel  
**Sent:** 14 November 2013 16:05  
**To:** Patrick, Steve  
**Cc:** Robinson, Lynne; Cleary, Julia; Benson, Karen  
**Subject:** [UNCLASSIFIED] FW: RE: Received TENS

[Classification: NULBC UNCLASSIFIED]

Good Afternoon Steve,

Please find attached

Licensing Act 2003

Application for extension of hours for Alcohol and Regulated Entertainment at The Crewe Arms Hotel, Warf Terrace, Madeley Heath, CW3 9LP.

Newcastle under Lyme Borough Council's Environmental Health Division in its capacity as a responsible Authority under the Licensing Act 2003 OBJECTS to the TENS application for a temporary event license for the above establishment.

The area in which the public house is situated is a residential area and we are currently investigating complaints of nuisance and dis-order from the premises.

We have obtained evidence from noise equipment showing that noise from entertainment at the premises is potentially causing nuisance issues. In order to resolve the matter a meeting with the DPS Ian Moulding was organised and the issues concerning the level of music and noise from patrons outside the premises were discussed. During the meeting we were informed that additional attendants would be employed to monitor the exterior of the premises and future acts would be hired that would be fitting for the type of premises and its location.

We have continued to receive complaints and on two further occasions evidence was attained that the problems also include public disorder matters outside the property. Private property has been damaged and a number of broken bottles and glasses have been left outside local properties.

Staffordshire Police Licensing section have also visited the premises and are pursuing lines of enquiry which include two incidents of trading after the premises license hours, this may result in a review of the licence. Staffordshire Police were advised that the same measures agreed with the council during the initial meeting with the DPS would be implemented, however these have never been put in place.

We have received further complaints that the level of music from the premises is a problem at weekends, especially when live music is played on Saturday nights.

Therefore the Environmental Health Division considers that the licensing objective "Prevention of Public Nuisance" will not be met.

Nigel Gardner

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

From: Gardner, Nigel  
Sent: 14 November 2013 12:35  
To: Robinson, Lynne  
Cc: Ryles, Claire; Cleary, Julia; Benson, Karen  
Subject: [UNCLASSIFIED] RE: Received TENS

[Classification: NULBC UNCLASSIFIED]

Good Afternoon Lynne,

Licensing Act 2003

Application for extension of hours for Alcohol and Regulated Entertainment at The Crewe Arms Hotel, Warf Terrace, Madeley Heath, CW3 9LP.

Newcastle under Lyme Borough Council's Environmental Health Division in its capacity as a responsible Authority under the Licensing Act 2003 OBJECTS to the TENS application for a temporary event license for the above establishment as it considers that the licensing objective "Prevention of Public Nuisance" will not be met.

The area in which the public house is situated is close to a residential area. We are currently investigating complaints of nuisance and dis-order at this premises. Allowing regulated entertainment to continue until 1am would impact on the objective "Prevention of Public Nuisance" with noise to the surrounding residents.

Regards

Nigel Gardner

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

From: Robinson, Lynne

Sent: 13 November 2013 11:56

To: 'northern.licensing@staffordshire.pnn.police.uk'; Gardner, Nigel; Austin, Sonya; Webb, Julie; Ryles, Claire

Subject: Received TENS

Hi

Please find attached received TENS. I have left a message for Mr Moulding to ring mr regarding the need to tick the "Late Ten " box for the Crewe Arms TEN.

Regards

Lynne Robinson

Licensing

Tel: 01782 742231

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

From: Robinson, Lynne

Sent: 13 November 2013 11:44

To: Robinson, Lynne

CA 21.

**Notes of telephone conversation between Karen Benson and Kerry Dunning on the 12/12/2013**

Notified of event going beyond licensed hours on the 22.11.13 & meeting scheduled for 19.12.13 at 11 a.m.



**Notes of telephone conversation between Karen Benson and Kerry Dunning on the 07/01/14**

Kerry stated that she was not aware that an abatement notice had been served on the 24.12.13 and she requested a copy of the notice to be sent to her via email. I advised Kerry that recordings made over the Christmas period show a breach of the notice which the EP team will be progressing. With regards to the licence conditions I requested a meeting to be arranged with the area manager of Punch Keith Roberts, the DPS and Susan Lawson. Kerry stated that she would request for Kevin Roberts to contact me to arrange the meeting.

CA 22

### WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss 5A(2) (a) and 5B; MC Rules 1981, r.70)

APP Ref: APP071864

Statement of: [Redacted]  
Age if under 18: (if over 18 insert 'over 18') Occupation: A [Redacted]

This statement is made by me and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution, if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature: [Handwritten Signature] Date: 2/12/13

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

22<sup>nd</sup> November 2013 - This night the live music from the pub in front of the Crowe Arms Hotel this started at approximately 8.30pm. Music got louder during the evening and prevented my wife from going to sleep. I recorded the sound from the computer over for one half an hour while watching TV in the lounge with the volume quite loud. During this period I could also hear quite a lot of shouting and bad language from customers outside of the pub.

23<sup>rd</sup> November 2013 - Live music started at approximately 8.50pm - we were watching Dr Who which was quite a noisy programme but could hear the music especially the bass and drums over this. It could be heard clearly in every room facing the Crowe Arms Hotel and in the rear kitchen of our property. I could recognise a number of songs being played including covers of the Rolling Stones, Led Zeppelin and The Beatles. The music sounded slightly like a version of 'I fought the law'.

There was a break of music between 10.30pm and 10.40pm when my wife went to bed in the hope of falling asleep before the noise started again. The music started again approximately 10.40pm at which point I commented about another night of not being able to go to sleep when I wanted to. I then listened to music which I had to do through my headphones as the music from the pub was highly disruptive. The music stopped at approx 11.50pm I went to bed soon after.

Signature: [Redacted] Signature witnessed by: [Redacted]

Continued...

Office Use Only: PROTECT Personal



**Witness contact details**

Home address: [Redacted] .....

Postcode: [Redacted] .....

Home telephone No: [Redacted] Work telephone No: [Redacted] .....

Mobile/Pager No: [Redacted] E-mail address: [Redacted] .....

Preferred means of contact: mobile or email .....

Male (delete as applicable)

Date and place of birth: [Redacted] .....

Former name: ..... Height: [Redacted] Ethnicity Code: [Redacted] .....

Dates of witness non-availability: Dependent on work commitments .....

**Witness care**

a) Is the witness willing and likely to attend court? Yes. What can be done to ..... ensure attendance?

b) Does the witness require 'special measures' as a vulnerable or intimidated witness? No.

c) Does the witness have any specific care needs? No. If 'Yes' what are they? (Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?)

**Witness Consent (for witness completion)**

d) I consent to the Council having access to my medical record(s) in relation to this matter: N/A

e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No

f) I consent to the statement being disclosed for the purposes of civil proceedings Yes  No  N/A   
e.g. child care proceedings (if applicable):

g) The Council will disclose the information recorded above to the Witness Service so that they can offer help and support unless you ask them not to. Tick this box to decline their services:

Signature of witness: [Redacted Signature] .....

Statement taken by (print name): [Redacted Name] .....

Time and place statement taken: .....



CA 23

RESERVED FOR OFFICIAL USE ONLY

**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

APP Ref: **APP071864**

Statement of: [REDACTED]

Age if under 18: ..... (if over 18 insert 'over 18') Occupation: [REDACTED]

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 anything in it, which I know to be false, or do not believe to be true.

Signature: [REDACTED] Date: 2/12/13

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

22<sup>nd</sup> November 2013 – in the lounge watching television when the thump, thump, thump, starts of the bass beat of the dj music which I could hear over the television. I have to turn up the television to try and drown out the music. I attempt to go to bed at approximately 10.15pm but I was unable to get to sleep as the music got louder during the evening. I eventually got to sleep when the music finished .....

23<sup>rd</sup> November 2013 – Live music started at approximately 8.45pm – we were watching Dr Who which was quite a noisy programme and we had that louder than normal to make the most of the special effects but I could clearly hear the music through the double glazing and over the television. It could be heard clearly in every room facing the Crewe Arms Hotel. At 10pm the music stopped (that gives me approximately 30 minutes to go to bed and get to sleep) but I didn't manage it and was kept awake until 11.50pm when the music finished. ....

Signature: [REDACTED] Signature witnessed by: .....

Continued...



**RESTRICTED FOR PROSECUTION PURPOSES ONLY**  
(Witness statement)

**Witness contact details**

Home address: [Redacted] Postcode: [Redacted]

Home telephone: [Redacted] Work telephone No: 01792 250672

Mobile/Pager No: [Redacted] E-mail address: [Redacted]

Preferred means of contact: mobile or email

Male (delete as applicable) [Redacted]

Date and place of birth: [Redacted]

Former name: Peake Height: [Redacted]

Dates of witness non-availability: Dependent on work commitments

**Witness care**

a) Is the witness willing and likely to attend court? Yes. What can be done to ensure attendance?

b) Does the witness require 'special measures' as a vulnerable or intimidated witness No.

c) Does the witness have any specific care needs? No. If 'Yes' what are they? (Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?)

**Witness Consent (for witness completion)**

d) I consent to the Council having access to my medical record(s) in relation to this matter N/A

e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No

f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings (if applicable): Yes  No  N/A

g) The Council will disclose the information recorded above to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: [Redacted]

Statement taken by (print name):

Time and place statement taken:



18.06 FIN

Thursday 19 December  
2013

08:50 IN

Office work

10:40

OUT 17759 miles  
Crewe Arms Hotel,  
Macclesley Heath.  
Meeting with HSI,  
Susie Dawson. On  
arrival Ms Dawson  
stated that Mr  
David Williams  
was on the telephone.  
She stated that  
Mr Williams is a  
legal advisor and  
arranges the entertainment.  
Mr Williams apologised

As not being present  
and stated that a  
meeting would not  
be appropriate to  
be held without him  
or DPS Kevin Whiteford  
present. I informed  
Mr Williams of the  
evidence obtained  
from recordings made  
on the 22/11/13 &  
23/11/13. I advised  
Mr Williams that  
on the basis of the  
evidence collected  
an abatement notice  
may be served.  
Mr Williams stated  
that he would



appeal the notice.  
 He stated requested  
 if the complaint had  
 come from Cllr. Worth  
 & stated that there is  
 a libelation in process.  
 I advised Mr Williams  
 that evidence has been  
 obtained by use of the  
 council's noise monitoring  
 equipment which is  
 independent and action  
 is taken on evidence  
 collected either by  
 noise equipment or  
 officer visits in support  
 of complaints records  
 and statements.  
 I informed Mr Williams

that a further meeting  
 will be arranged in  
 the a few Year however  
 this would not cease  
 any action that may  
 be taken by the  
 Environmental Protection  
 Team. Following the  
 telephone call I  
 requested to view  
 the log book of visits  
 carried out whilst  
 regulated entertainment  
 is held in accordance  
 with their licence  
 conditions. Mr Howson  
 stated that the  
 log book is held in  
 the office which Mr

Williams only has access to. I informed Mrs Lawson that the log book should be produced on request by an Officer of the Council. She stated that insulation has been installed and are awaiting for the floor to be replaced which they are currently in dispute with Ruth Tavenor about. Mrs Lawson stated that she is director of the company Three Castles Management Ltd, & Williams is a legal

<sup>Ms</sup> West adviser and arranged the entertainment. I informed Mrs Lawson that she as director of the company is responsible for the business and as such she should have complete control of the business. Harry Willshaw took details of purchasing events and a walk around of the building base place in relation to where events take place. I advised Mrs Lawson that events sympathetic



to the structure of  
 the building &  
 surroundings should  
 be held and this  
 was agreed at a  
 meeting held with  
 Tim Moulding &  
 presumably Mr Williams  
 however the bond  
 playing on the 23  
 November 2013 was  
 not in keeping with  
 this. When asked  
 about attendants  
 Mrs Dawson stated  
 that they have  
 resolved issues of  
 persons at the  
 premises. No licence

visible in the premises.  
 Mrs Dawson stated  
 they are waiting  
 for the new licence  
 with the change of  
 DPS. Advised that  
 as did <sup>the</sup> one  
 should be deployed  
 until the new licence  
 arrives as the conditions  
 & hours are <sup>to</sup> the same.  
 I also informed her  
 that this is the  
 second time this  
 matter has been  
 raised. Mrs Dawson  
 stated that she  
 patrols the premises  
 every hour when

entertainment to be held?  
 I found that the  
 license condition stated  
 every 30 mins from  
 10pm until the event  
 ceased to which she  
 replied that Mr  
 Williams parents were  
 frequently. Mr Williams  
 stated that he was  
 not present but yesterday  
 the recordings were  
 made and he had  
 stopped events & persons  
 causing problems.  
 License conditions  
 reiterated and advised  
 for them to adhere  
 to the conditions as

Further breaches may  
 result in a review  
 being held. Harry  
 Wilshaw advised  
 Mrs Lawson to  
 contact a noise  
 consultant when she  
 asked about ways  
 to reduce the noise.  
 I requested Mrs Lawson  
 to contact Mr Williams  
 and see when it's  
 suitable for a meeting  
 to be held with  
 Commercial Billit  
 & I would contact  
 her on the Billit to  
 arrange the meeting.  
 Harry left a card in

74

Mrs Lawson can keep  
him advised of future  
events. Head office  
address for the  
Three Castles Ltd  
is 35 Field View  
Drive, Warrington,  
WA2 9BP, 01925  
638884, 07507  
131138.

75



CA 28024

**Our ref:** U:002287/ Environmental Health Services  
**Your ref:**

**Date:** 23<sup>rd</sup> December 2013



**NEWCASTLE  
UNDER LYME  
BOROUGH COUNCIL**

Civic Offices  
Merial Street  
Newcastle-under-Lyme  
Staffordshire  
ST5 2AG

Three Castles Warrington Limited c/o The Company Secretary  
Warrington Business Park  
Long Lane  
Warrington  
Cheshire  
WA2 8TX

Dear Three Castles Warrington Limited

**Environmental Protection Act 1990 – Section 79(1)(g) & Section 80(1)**  
**Re: Noise nuisance from Crewe Arms Hotel, Wharf Terrace, Madeley, Newcastle under Lyme**

**IMPORTANT**

The notice reference U:002287 dated 23<sup>rd</sup> December 2013 sent under separate cover has legal implications. Failure to comply with its requirements is an offence. It is important that you fully understand the information that it contains.  
You are advised to obtain legal advice regarding its requirements.

I refer to previous correspondence concerning the above matter and also to the recent meeting with Susan Lawson of Three Castles Warrington Limited and Karen Benson (Technical Assistant) and Harry Wilshaw (Technical Assistant) on the 19<sup>th</sup> December 2013 concerning the same.

Based on evidence in the possession of the Council, Newcastle under Lyme Borough Council is able to form the opinion that the entertainment noise emanating from your premises is likely to constitute a statutory noise nuisance for the purpose of section 79(1)(g) of the Environmental Protection Act 1990.

As you are considered to be responsible for the noise nuisance, this Authority is required by Section 80(1) of the Environmental Protection Act 1990 to serve you with an abatement notice.

**What the notice requires of you.**

The abatement notice prohibits your company from causing further noise nuisance from the playing of amplified music, amplified vocals and musical instruments

**When does the notice take effect?**

The requirements of the notice take effect **immediately**, after which time any breach of the notice requirements may be an offence. On conviction, you may be liable to a fine not exceeding £20,000 for each offence.

Proceedings may also be undertaken in the High Court to secure compliance with the notice requirements.

You are liable for all costs incurred by this Authority in taking any further legal action against you.

**Your Right of Appeal**

Britain in Bloom:  
National Winner 2005  
Regional Winner  
Regional Winner  
2003, 2004, 2008  
Gold Award Winner  
2002 – 2005

Contacting the Council:  
Telephone 01782 717717 • Fax 01782 711032 • DX 20959 • Text 07800 140048  
E-mail [webmaster@newcastle-staffs.gov.uk](mailto:webmaster@newcastle-staffs.gov.uk) • [www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.gov.uk)

You attention is drawn to the notes on the reverse of the notice which detail your rights of appeal under the Statutory Nuisance (Appeals Regulations) 1995. Any appeal should be made to Newcastle-under-Lyme Magistrates' Court, The Ryecroft, Newcastle-under-Lyme, **Staffordshire** within 21 days beginning with the date of service. Should an appeal be heard, the Magistrates' Court may confirm, cancel or vary the notice.

Should you decide to appeal the notice will not be suspended and you will still be responsible for complying with the requirements of the notice. Again, any breach of the notice requirements may be an offence.

**For further help and advice**

If you need any help or advice regarding anything in this letter please contact either myself or Mrs Benson on 01782 717717.

Please note a copy of this letter and a copy of the notice reference **U:002287** has also been left at the Crewe Arms Hotel.

Yours sincerely



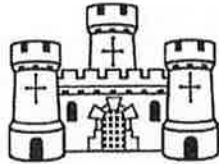
**Darren Walters**  
**Environmental Protection Team Manager**  
**Environmental Health Division**

**Direct Line** 01782 717717  
**Departmental Fax** 01782 713251  
**Email** darren.walters@newcastle-staffs.gov.uk

**Data Protection Act Notice**

Newcastle under Lyme Borough Council is registered as a Data Controller under the Data Protection Act 1998. The Council aims to fulfil its obligations under the Act to the fullest extent, obtaining, holding, processing and disclosing personal data only in accordance With the provisions of the Act. The information you provide will be processed for the purpose(s) of assisting the Council in dealing with this matter and any related matters.

CA21  
CA26



**NEWCASTLE-UNDER-LYME**  
**BOROUGH COUNCIL**

**ENVIRONMENTAL PROTECTION ACT 1990 - Section 80**

**Abatement Notice in respect of Noise Nuisance**

**Notice Ref: U:002287**

To: Three Castles Warrington Limited c/o The Company Secretary  
Of: Warrington Business Park  
Long Lane  
Warrington  
Cheshire  
WA2 8TX

**TAKE NOTICE** that under the provisions of the Environmental Protection Act 1990 the Borough Council of Newcastle-under-Lyme being satisfied of the likely recurrence of noise amounting to a statutory nuisance under section 79(1)(g) of that Act at:

Residential premises within the vicinity of the Crewe Arms Hotel, Wharf Terrace, Madeley, Newcastle-under-Lyme CW3 9LP within the district of the said Council arising from:

The playing of amplified music, amplified vocals and musical instruments

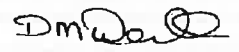
**HEREBY REQUIRE YOU** as the person responsible for the said nuisance from which the noise is or would be emitted from the service of this notice, to abate the nuisance and also **HEREBY PROHIBIT** recurrence of the nuisance

**THIS** is a notice to which paragraph (2) of regulation 3 of the Statutory Nuisances (appeals) Regulations 1995 applies, and in consequence, in the event of an appeal this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

**IF** without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding £5,000, with a further fine not exceeding £500 for each day on which the offence continues after conviction; or in the case of an offence committed on Industrial, Trade or Business premises to a fine not exceeding £20,000.

The Council may also take proceedings for securing the abatement, prohibition or restriction of the nuisance.

Dated 23<sup>rd</sup> December 2013

Signed   
(the officer appointed for this purpose)  
**Darren Walters**  
**Environmental Protection Team Manager**

Please address any communication concerning this Notice to:-  
The Head of Environmental Health  
Newcastle under Lyme Borough Council.  
Environmental Health Division  
Civic Offices, Merrial Street  
Newcastle-under-Lyme  
Staffordshire. ST52AG

**N.B.** The person served with this notice may appeal against the notice to a magistrates' court within twenty-one days from the date of service of this notice. See notes attached.

## APPEALS UNDER SECTION 80 (3) OF THE ENVIRONMENTAL PROTECTION ACT 1990 ("the 1990 Act")

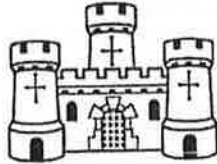
2. (1) The provisions of this regulation apply in relation to an appeal brought by any person under section 80(3) of the 1990 Act (appeals to magistrates) against an abatement notice served upon him by a local authority.
- (2) The grounds on which a person served with such a notice may appeal under section 80(3) are any one or more of the following grounds that are appropriate in the circumstances of the particular case-
- (a) that the abatement notice is not justified by section 80 of the 1990 Act (summary proceedings for statutory nuisances);
  - (b) that there has been some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment);
  - (c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonably in character or extent, or are unnecessary;
  - (d) that the time, or, where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;
  - (e) where the nuisance to which the notice relates -
    - (i) is a nuisance falling within section 79(1)(a), (d), (e), (f), (fa) or (g) of the 1990 Act and arises on industrial, trade or business premises, or
    - (ii) is a nuisance falling within section 79(1)(b), of the 1990 Act and the smoke is emitted from a chimney, or
    - (iii) is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes, or
    - (iv) is a nuisance falling within section 79(1)(fb) of the 1990 Act and -
      - (aa) the artificial light is emitted from industrial, trade or business premises, or
      - (bb) the artificial light (not being light to which sub-paragraph (aa) applies) is emitted by lights used for the purpose only of illuminating an outdoor relevant sports facility (within the meaning given by section 80(8A) of the 1990 Act), that the best practicable means were used to prevent, or to counteract the effects of, the nuisance;
  - (f) that, in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act (noise emitted from premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of -
    - (i) any notice served under section 80 or 86 of the Control of Pollution Act 1974 ("the 1974 Act") (control of noise on construction sites and from certain premises), or
    - (ii) any consent given under section 61 or 65 of the 1974 Act (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone), or
    - (iii) any determination made under section 67 of the 1974 Act (noise control of new buildings);
  - (g) that, in the case of a nuisance under section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule 2 to the Noise and Statutory Nuisance Act 1993 (loudspeakers in streets or roads);
  - (h) that the abatement notice should have been served on some person instead of the appellant, being -
    - (i) the person responsible for the nuisance, or
    - (ii) the person responsible for the vehicle, machinery or equipment, or
    - (iii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or
    - (iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;
  - (i) that the abatement notice might lawfully have been served on some person instead of the appellant being -
    - (i) in the case where the appellant is the owner of the premises, the occupier of the premises; or
    - (ii) in the case where the appellant is the occupier of the premises, the owner of the premises, and that it would have been equitable for it to have been so served;
  - (j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being -
    - (i) a person also responsible for the nuisance, or
    - (ii) a person who is also owner of the premises, or
    - (iii) a person who is also an occupier of the premises, or
    - (iv) a person who is also the person responsible for the vehicle, machinery or equipment, and that it would have been equitable for it to have been so served.
- (3) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.
- (4) Where the grounds upon which an appeal is brought include a ground specified in paragraph 2)(i) or (j) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and in the case of any appeal to which these regulations apply he may serve a copy of his notice of appeal on any other person having an estate or interest in the premises, vehicle, machinery or equipment in question.
- (5) On the hearing of the appeal the court may:-
- (a) quash the abatement notice to which the appeal relates, or
  - (b) vary the abatement notice in favour of the appellant, in such manner as it thinks fit, or
  - (c) dismiss the appeal;
- and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority.
- (6) Subject to paragraph (7) below, on the hearing of an appeal the court may make such order as it thinks fit -
- (a) with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work, or
  - (b) as to the proportions in which any expenses which may become recoverable by the authority under Part III of the 1990 Act are to be borne by the appellant and by any other person(7)
- In exercising its powers under paragraph (6) above, the court -
- (a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required, and
  - (b) shall be satisfied, before it imposes any requirement thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

## SUSPENSION OF NOTICE

### 3. Where:-

- (1)
  - (a) an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and -
  - (b) either - (i) compliance with the abatement notice would involve any person in expenditure on the carrying out of the works before the hearing of the appeal, or
    - (ii) in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused in the course of the performance of some duty imposed by law on the appellant, and
  - (c) either paragraph (2) does not apply, or it does apply but the requirements of paragraph (3) have not been met, the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.
- (2) This paragraph applies where -
  - (a) the nuisance to which the abatement notice relates -
    - (i) is injurious to health, or
    - (ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or
  - (b) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.
- (3) Where paragraph (2) applies the abatement notice -
  - (a) shall include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and
  - (b) shall include a statement as to which of the grounds set out in paragraph (2) apply

~~CA 25~~  
CA 26



**NEWCASTLE·UNDER·LYME**  
**BOROUGH COUNCIL**

ENVIRONMENTAL PROTECTION ACT 1990 - Section 80

**Abatement Notice in respect of Noise Nuisance**

**Notice Ref: U:002295**

To: Three Castles Warrington Limited c/o Susan Lawson  
Of: 35 Field View  
Orford  
Warrington  
Cheshire  
WA2 PBP

**TAKE NOTICE** that under the provisions of the Environmental Protection Act 1990 the **Borough Council of Newcastle-under-Lyme** being satisfied of the likely recurrence of noise amounting to a statutory nuisance under section 79(1)(g) of that Act at:

Residential premises within the vicinity of the Crewe Arms Hotel, Wharf Terrace, Madeley, Newcastle-under-Lyme CW3 9LP within the district of the said Council arising from:

The playing of amplified music, amplified vocals and musical instruments

**HEREBY REQUIRE YOU** as the person responsible for the said nuisance from which the noise is or would be emitted from the service of this notice, to abate the nuisance and also **HEREBY PROHIBIT** recurrence of the nuisance

**THIS** is a notice to which paragraph (2) of regulation 3 of the Statutory Nuisances (appeals) Regulations 1995 applies, and in consequence, in the event of an appeal this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding £5,000, with a further fine not exceeding £500 for each day on which the offence continues after conviction; or in the case of an offence committed on Industrial, Trade or Business premises to a fine not exceeding £20,000.

The Council may also take proceedings for securing the abatement, prohibition or restriction of the nuisance.

Dated 24<sup>th</sup> December 2013

Signed *Dm Walters*  
(the officer appointed for this purpose)  
**Darren Walters**  
**Environmental Protection Team Manager**

Please address any communication concerning this Notice to:-

The Head of Environmental Health  
Newcastle under Lyme Borough Council.  
Environmental Health Division  
Civic Offices, Merrial Street  
Newcastle-under-Lyme  
Staffordshire. ST52AG

**N.B.** The person served with this notice may appeal against the notice to a magistrates' court within twenty-one days from the date of service of this notice. See notes attached.



## APPEALS UNDER SECTION 80 (3) OF THE ENVIRONMENTAL PROTECTION ACT 1990 ("the 1990 Act")

2. (1) The provisions of this regulation apply in relation to an appeal brought by any person under section 80(3) of the 1990 Act (appeals to magistrates) against an abatement notice served upon him by a local authority.
- (2) The grounds on which a person served with such a notice may appeal under section 80(3) are any one or more of the following grounds that are appropriate in the circumstances of the particular case-
- (a) that the abatement notice is not justified by section 80 of the 1990 Act (summary proceedings for statutory nuisances);
  - (b) that there has been some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment);
  - (c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonably in character or extent, or are unnecessary;
  - (d) that the time, or, where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;
  - (e) where the nuisance to which the notice relates -
    - (i) is a nuisance falling within section 79(1)(a), (d), (e), (f), (fa) or (g) of the 1990 Act and arises on industrial, trade or business premises, or
    - (ii) is a nuisance falling within section 79(1)(b), of the 1990 Act and the smoke is emitted from a chimney, or
    - (iii) is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes, or
    - (iv) is a nuisance falling within section 79(1)(fb) of the 1990 Act and -
      - (aa) the artificial light is emitted from industrial, trade or business premises, or
      - (bb) the artificial light (not being light to which sub-paragraph (aa) applies) is emitted by lights used for the purpose only of illuminating an outdoor relevant sports facility that the best practicable means were used to prevent, or to counteract the effects of, the nuisance;
  - (f) that, in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act (noise emitted from premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of -
    - (i) any notice served under section 60 or 66 of the Control of Pollution Act 1974 ("the 1974 Act") (control of noise on construction sites and from certain premises), or
    - (ii) any consent given under section 61 or 65 of the 1974 Act (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone), or
    - (iii) any determination made under section 67 of the 1974 Act (noise control of new buildings);
  - (g) that, in the case of a nuisance under section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule 2 to the Noise and Statutory Nuisance Act 1993 (loudspeakers in streets or roads);
  - (h) that the abatement notice should have been served on some person instead of the appellant, being -
    - (i) the person responsible for the nuisance, or
    - (ii) the person responsible for the vehicle, machinery or equipment, or
    - (iii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or
    - (iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;
  - (i) that the abatement notice might lawfully have been served on some person instead of the appellant being -
    - (i) in the case where the appellant is the owner of the premises, the occupier of the premises; or
    - (ii) in the case where the appellant is the occupier of the premises, the owner of the premises, and that it would have been equitable for it to have been so served;
  - (j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being -
    - (i) a person also responsible for the nuisance, or
    - (ii) a person who is also owner of the premises, or
    - (iii) a person who is also an occupier of the premises, or
    - (iv) a person who is also the person responsible for the vehicle, machinery or equipment, and that it would have been equitable for it to have been so served.
- (3) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.
- (4) Where the grounds upon which an appeal is brought include a ground specified in paragraph (2)(i) or (j) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and in the case of any appeal to which these regulations apply he may serve a copy of his notice of appeal on any other person having an estate or interest in the premises, vehicle, machinery or equipment in question.
- (5) On the hearing of the appeal the court may -
- (a) quash the abatement notice to which the appeal relates, or
  - (b) vary the abatement notice in favour of the appellant, in such manner as it thinks fit, or
  - (c) dismiss the appeal;
- and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority.
- (6) Subject to paragraph (7) below, on the hearing of an appeal the court may make such order as it thinks fit -
- (a) with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work, or
  - (b) as to the proportions in which any expenses which may become recoverable by the authority under Part III of the 1990 Act are to be borne by the appellant and by any other person(7) in exercising its powers under paragraph (6) above, the court -
- (a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required, and
- (b) shall be satisfied, before it imposes any requirement thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

## SUSPENSION OF NOTICE

Where:-

- (1) (a) an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and -
    - (b) either - (i) compliance with the abatement notice would involve any person in expenditure on the carrying out of the works before the hearing of the appeal, or (ii) in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused in the course of the performance of some duty imposed by law on the appellant, and
  - (c) either paragraph (2) does not apply, or it does apply but the requirements of paragraph (3) have not been met, the abatement notice shall be suspended until the appeal has been abandoned or decided by the court. This paragraph applies where -
- (2) (a) the nuisance to which the abatement notice relates -
- (i) is injurious to health, or
  - (ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or
- (b) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.
- (3) Where paragraph (2) applies the abatement notice -
- (a) shall include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and
  - (b) shall include a statement as to which of the grounds set out in paragraph (2) apply



**NEWCASTLE-UNDER-LYME**  
**BOROUGH COUNCIL**

CA 26A

**ENVIRONMENTAL PROTECTION ACT 1990 - Section 80**

**Abatement Notice in respect of Noise Nuisance**

Notice Ref: U:002285

Three Castles Warrington Limited c/o Susan Lawson  
33 Field View  
Orford  
Warrington  
Cheshire  
WA2 6BP

**TAKE NOTICE** that under the provisions of the Environmental Protection Act 1990 the Borough Council of Newcastle-under-Lyme being satisfied of the likely recurrence of noise amounting to a statutory nuisance under section 79(1)(g) of that Act at:

residential premises within the vicinity of the Craws Arms Hotel, Wharf Terrace, Madeley, Newcastle-under-Lyme CW3 8LP within the district of the said Council arising from:

is playing of amplified music, amplified vocals and musical instruments


**WE BY REQUIRE YOU** as the person responsible for the said nuisance from which the noise is or would be emitted from the service of this notice, to abate the nuisance and also  
**WE BY PROHIBIT** recurrence of the nuisance

This is a notice to which paragraph (2) of regulation 3 of the Statutory Nuisances (appeals) Regulations 1995 applies, and in consequence, in the event of an appeal this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be proportionate to the public benefit to be expected in that period from such compliance.

Without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding £5,000, with a further fine not exceeding £500 for each day which the offence continues after conviction; or in the case of an offence committed on Industrial, Trade or Business premises to a fine not exceeding £20,000.

The Council may also take proceedings for securing the abatement, prohibition or restriction of the nuisance.

Dated 24<sup>th</sup> December 2013

Signed   
(The officer appointed for this purpose)  
Darren Walters  
Environmental Protection Team Manager

Please address any communication concerning this Notice to:-  
The Head of Environmental Health  
Newcastle under Lyme Borough Council  
Environmental Health Division  
Civic Offices, Merrial Street  
Newcastle-under-Lyme  
Staffordshire, ST52AG

**Note:** The person served with this notice may appeal against the notice to a magistrates' court within twenty-one days from the date of service of this notice. See notes attached.

1134

CA27

**Notes of telephone conversation between Karen Benson and Kerry Dunning on the 07/01/14**

Kerry stated that she was not aware that an abatement notice had been served on the 24.12.13 and she requested a copy of the notice to be sent to her via email. I advised Kerry that recordings made over the Christmas period show a breach of the notice which the EP team will be progressing. With regards to the licence conditions I requested a meeting to be arranged with the area manager of Punch Keith Roberts, the DPS and Susan Lawson. Kerry stated that she would request for Kevin Roberts to contact me to arrange the meeting.



~~CA 28~~  
CA 28**Webb, Julie**

**From:** Walters, Darren  
**Sent:** 09 January 2014 12:58  
**To:** 'kerry.dunning@punchtaverns.com'  
**Cc:** Benson, Karen  
**Subject:** [PROTECT/ENC(RR)] Crewe Arms Wharf Terrace Madeley  
**Attachments:** Scan\_ehdmw\_09012014.pdf

[Classification: NULBC **PROTECT** (RR) External Encryption]

Kerry

Further to you conversation with my colleague Karen Benson concerning the above premises.

Please find attached copies of formal noise abatement notices served on Three Castles Warrington Limited whom we understand are the tenants at this premises. The notice has been served based on evidence gathered by the Council and in particular recorded evidence obtained during the summer 2013 and more recently the 23/24 November

The relevant contact for Staffordshire Police is Sgt. David Wright 01785 232840.

I can confirm that council officers are happy to meet with yourselves and Three Castles to discuss the licence and noise matters.

Please do not hesitate to contact me should you wish to discuss this further.

**Darren Walters (Team Leader - Environmental Protection)**  
Newcastle-Under-Lyme Borough Council  
Civic Offices, Merrial Street, Newcastle under Lyme. ST5 2AG  
**01782 742587**

[www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.gov.uk)

It takes 24 trees to produce 1 tonne of paper -  
think before you print!

This e-mail communication may be intercepted for regulatory, quality control, or crime detection purposes as per the Regulation of Investigatory Powers (RIP) Act. This message is intended only for the use of authorised person(s) ("the intended recipient") to whom it is addressed. It may contain information that is privileged and confidential within the meaning of the applicable law. Accordingly any dissemination, distribution, copying or other use of this message or any of its content by any other person may constitute a breach of civil or criminal law and is strictly prohibited. If you are not the Intended recipient please contact the sender as soon as possible. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Newcastle under Lyme Borough Council.

**Classifier Attachment List:**

[Scan\_ehdmw\_09012014.pdf - No Marking]





CA28a

**Our ref:** APP071864 / CRM4750894-1591365  
Environmental Health Services

**Your ref:**

**Date:** 21 January 2014

Three Castles Warrington Limited  
35 Field View  
Orford  
Warrington  
Cheshire  
WA2 9BP

Dear Three Castles Warrington Limited

**Environmental Protection Act 1990 – Section 80(4) – Noise Abatement Notice Breach**  
**Licensing Act 2003 – Potential breach of licensing requirements**  
**Re: Re Crewe Arms Hotel, Wharf Terrace, Madeley**

Further to my letter of the 21<sup>st</sup> January 2014, Newcastle under Lyme Borough Council is continuing to receive complaints about excessive entertainment noise from this premises indicating that the noise abatement notices served on your company have been breached on several further occasions. This is supported by recorded evidence obtained from nearby premises. The same evidence also indicates that the premises licence has been breached as this same evidence shows that entertainment noise is clearly audible after 11pm.

I would wish to remind you of the following matters.

**Environmental Protection Act 1990 – Section 80 (4) – Noise Abatement Notice Breach**

I refer to the noise nuisance abatement notices reference U:002287 and U:002296 which you have previously received. As you will be aware these notices came into force when they were served on yourself and place ongoing restrictions on noise from the premises you occupy.

- Prosecution. If successful you would receive a criminal conviction and be liable to a fine of upto £5,000 in the case of nuisance from domestic premises and £20,000 for nuisance on trade and industrial premises. An application would also be made to recover the Council's full costs from yourself.
- Seize noise making equipment or articles. This may be followed by a prosecution. An application may also be made to the Courts to permanently deprive you of the seized equipment. Again you may be liable for the Councils full cost in taking this action.
- Injunction. Where it is believed that a prosecution will not be an effective remedy, proceedings may be taken in the High Court to secure compliance with the abatement notice.
- Anti Social Behaviour Orders. These may be used in case where individuals and households whose anti-social behaviour, when challenged, leads to verbal abuse, or threats; or where the noise nuisance is just part of a wider pattern of behaviour which harasses, alarms or distresses others; or where a noise-maker has not been persuaded or coerced into abating the nuisance they cause by the normal statutory nuisance enforcement procedures, i.e. prosecution.

In view of the above, I would request that you observe the requirements of the noise abatement notice. You are advised that any further investigation into this matter may entail the use of sound

Consulting the Council  
01792 742587 • 01792 742587 • 01792 742587 • 01792 742587  
E: e.h@newcastle-staits.gov.uk • www.newcastle-staits.gov.uk

Ericks in Bristol  
Newcastle Under Lyme  
Regent Walk  
Regent Walk  
2003 2003 2003  
1008 Regent Walk  
2002 2002

recording and noise measuring equipment as well as audio visual recording equipment and evidence provided by 3<sup>rd</sup> parties including the police. I would also advise that persons affected by noise may also take action themselves to secure the abatement of a noise nuisance by obtaining a Court Order from the Magistrate's Court.

**Licensing Act 2003.**

**Unauthorised Licensable Activities**

You will be aware that the current premises licence does not allow licensable entertainment to take place beyond 11pm except across the New Year period. I have reason to believe that there have been occasions where licensable entertainment has taken place in contravention of the current premises licence and / or without a Temporary Event Notice being in situ on several weekends since my letter of the 21<sup>st</sup> January 2014.

Under section 136(1) of the Licensing Act 2003 this is an offence and any person found guilty of knowingly allowing or carrying on or attempting to carry on unauthorised licensable activity is liable on conviction to upto 6 month imprisonment and/or a £20,000 fine.

**Display of Premises Licence Summary**

Inspections of the premises undertaken by officers from this authority have identified that a copy of the premises licence summary has not been placed on display in a prominent position accessible to the public nor has a copy been made available upon request at the time of inspection during normal trading hours.

Under section 57(4) of the Licensing Act 2003 it is an offence not to keep a licence or a certified copy of the licence. On conviction the Premises Licence Holder is liable to a fine of upto £500.

Under section 57(4) of the Licensing Act 2003 it is an offence to fail to display summary of Premises licence or a certified copy and notice specifying the nominated person. On conviction the Premises Licence Holder is liable to a fine of upto £500

Under section 57(7) of the Licensing Act 2003 it is an offence to fail to produce a premises licence or certified copy to a constable or authorised person for examination. On conviction the premises licence holder and / or nominated person is liable to a fine of upto £500.

I would request that you take steps to remedy the matters detailed in this letter as a matter of priority. Unannounced inspections of your premises will take place to monitor compliance with the matters detailed. In the meantime, enquiries concerning the matters detailed are continuing and it may be considered appropriate to require relevant persons to attend a formal interview under caution to discuss these matters further before a decision is made on the appropriate action to be taken by this Council.

**For further help and advice**

If you need any help or advice regarding anything in this letter please contact myself or my colleague Karen Benson (Technical Assistant) 01792 717717 karen.benson@newcastle-staits.gov.uk

Yours sincerely

**Mr Darren Walters**  
**Environmental Protection Team Manager**

Direct Line: 01792 742587  
Departmental Fax: 01792 742414  
Email: darren.walters@newcastle-staits.gov.uk

**Cc**

Three Castles Warrington Limited, Warrington Business Centre, Long Lane, Warrington. WA2 8TX  
Three Castle Warrington Limited, Crewe Arms, Wharf Terrace, Madeley, CW3 9LP  
Kevin Whitefield DPS, Crewe Arms Hotel, Wharf Terrace, Madeley CW3 9LP;  
Punch Taverns (Kerry Dunning); Premises Licence Holder by email;  
Northern Licensing Unit Staffordshire Police – by email

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CA 29.

**Walters, Darren**

**From:** Kerry Dunning [Kerry.Dunning@punchtaverns.com]  
**Sent:** 09 January 2014 13:43  
**To:** Walters, Darren  
**Subject:** RE: [PROTECT/ENC(RR)] Crewe Arms Wharf Terrace Madeley

Thanks Darren. I will discuss the issue with the Partnership Development Manager, Keith Roberts and ask him to contact Karen and David Wright.

Please can you confirm when the noise equipment was installed and by who by? And also what limits this has been set to?

Many thanks

**Kerry Dunning**  
**Risk Management North (Property Department)**  
Email: kerry.dunning@punchtaverns.com  
Tel: 01293523521  
Punch Taverns: Jubilee House - Second Avenue - Burton upon Trent - DE14 2WF



**From:** Walters, Darren [mailto:darren.walters@newcastle-staffs.gov.uk]  
**Sent:** 09 January 2014 12:58  
**To:** Kerry Dunning; smb\_risk  
**Cc:** Benson, Karen  
**Subject:** [PROTECT/ENC(RR)] Crewe Arms Wharf Terrace Madeley

Encrypted Email Message



**Encrypted email notification from Newcastle under Lyme Borough Council**  
**Encrypted email message from "Walters, Darren" (darren.walters@newcastle-staffs.gov.uk)**

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~~CA 29~~  
CA 30

**Webb, Julie**

---

**From:** Walters, Darren  
**Sent:** 21 January 2014 16:13  
**To:** 'kerry.dunning@punchtaverns.com'; 'risk@punchtaverns.com'  
**Subject:** Crewe Ams Hotel  
  
**Attachments:** Scan\_ehdmw\_21012014.pdf



Scan\_ehdmw\_2101  
2014.pdf (365 K...

Kerry

Please feel free to contact me if you wish to discuss.

Regards

**Darren Walters (Team Leader - Environmental Protection)**  
Newcastle-Under-Lyme Borough Council  
Civic Offices, Merrial Street, Newcastle under Lyme. ST5 2AG  
**01782 742587**

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Classification: NULBC UNCLASSIFIED

Regeneration & Development  
Environmental Health Services

Our Ref. APP071864  
CRM4750894-1591365

21 January 2014



Kevin Whitefield DPS  
Crewe Arms Hotel  
Wharf Terrace  
Madeley  
CW3 9LP

Civic Offices  
Merrial Street  
Newcastle-under-Lyme  
Staffordshire  
ST5 2AG

Tel 01782 717717  
Fax 01782 713251  
Text 07800 140048

Mr Darren Walters  
Environmental Protection Team Manager  
Direct Line: 01782 742587  
Departmental Fax: 01782 742414  
Email:  
darren.walters@newcastle-staffs.gov.uk

with compliments

[www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.gov.uk)

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Classification: NULBC UNCLASSIFIED

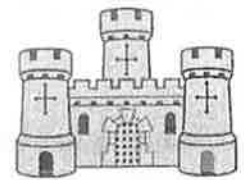
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CA3

**Our ref:** APP071864 / CRM4750894-1591365  
Environmental Health Services  
**Your ref:**  
**Date:** 21 January 2014



**NEWCASTLE  
UNDER LYME**  
**BOROUGH COUNCIL**

Civic Offices  
Merrial Street  
Newcastle-under-Lyme  
Staffordshire  
ST5 2AG

Three Castles Warrington Limited  
35 Field View  
Orford  
Warrington  
Cheshire  
WA2 PBP

Dear Three Castles Warrington Limited

**Environmental Protection Act 1990 – Section80(4) – Noise Abatement Notice Breach**  
**Licensing Act 2003 – Potential breach of licensing requirements**  
**Re: Re Crewe Arms Hotel, Wharf Terrace, Madeley**

I wish to formally advise you of the following matters.

**Environmental Protection Act 1990 – Section80(4) – Noise Abatement Notice Breach**

I refer to the noise nuisance abatement notices reference U:002287 and U:002295 (copies of which are enclosed). As you will be aware these notices came into force when they were served on yourself and place ongoing restrictions on noise from the premises you occupy.

This Council has evidence which suggests that the notice was breached over the New Year 2013/14 holiday period. This may result in the following action by the Council.

- Prosecution. If successful you would receive a criminal conviction and be liable to a fine of upto £5,000 in the case of nuisance from domestic premises and £20,000 for nuisance on trade and industrial premises. An application would also be made to recover the Council's full costs from yourself.
- Seize noise making equipment or articles. This may be followed by a prosecution. An application may also be made to the Courts to permanently deprive you of the seized equipment. Again you may be liable for the Councils full cost in taking this action.
- Injunction. Where it is believed that a prosecution will not be an effective remedy, proceedings may be taken in the High Court to secure compliance with the abatement notice.
- Anti Social Behaviour Orders. These may be used in case where individuals and households whose anti-social behaviour, when challenged, leads to verbal abuse, or threats; or where the noise nuisance is just part of a wider pattern of behaviour which harasses, alarms or distresses others; or where a noise-maker has not been persuaded or coerced into abating the nuisance they cause by the normal statutory nuisance enforcement procedures, i.e. prosecution.

In view of the above, I would request that you observe the requirements of the noise abatement notice. You are advised that any further investigation into this matter may entail the use of sound recording and noise measuring equipment as well as audio visual recording equipment and evidence provided by 3<sup>rd</sup> parties including the police. I would also advise that persons affected by

Office Use Only: PROTECT Personal  
Office Use Only: PROTECT Personal

noise may also take action themselves to secure the abatement of a noise nuisance by obtaining a Court Order from the Magistrate's Court.

### **Licensing Act 2003.**

#### Unauthorised Licensable Activities

You will be aware that the current premises licence does not allow licensable entertainment to take place beyond 11pm except across the New Year period. I have reason to believe that there have been occasions where licensable entertainment has taken place in contravention of the current premises licence and / or without a Temporary Event Notice being in situ.

Under section 136(1) of the Licensing Act 2003 this is an offence and any person found guilty of knowingly allowing or carrying on or attempting to carry on unauthorised licensable activity is liable on conviction to upto 6 month imprisonment and/or a £20,000 fine.

#### Display of Premises Licence Summary

Inspections of the premises undertaken by officers from this authority have identified that a copy of the premises licence summary has not been placed on display in a prominent position accessible to the public nor has a copy been made available upon request at the time of inspection during normal trading hours.

Under section 57(4) of the Licensing Act 2003 it is an offence not to keep a licence or a certified copy of the licence. On conviction the Premises Licence Holder is liable to a fine of upto £500.

Under section 57(4) of the Licensing Act 2003 it is an offence to fail to display summary of Premises licence or a certified copy and notice specifying the nominated person. On conviction the Premises Licence Holder is liable to a fine of upto £500

Under section 57(7) of the Licensing Act 2003 it is an offence to fail to produce a premises licence or certified copy to a constable or authorised person for examination. On conviction the premises licence holder and / or nominated person is liable to a fine of upto £500.

I would request that you take steps to remedy the matters detailed in this letter as a matter of priority. Unannounced inspections of your premises will take place to monitor compliance with the matters detailed. In the meantime, enquiries concerning the matters detailed are continuing and it may be considered appropriate to require relevant persons to attend a formal interview under caution to discuss these matters further before a decision is made on the appropriate action to be taken by this Council.

#### **For further help and advice**

If you need any help or advice regarding anything in this letter please contact myself or my colleague Karen Benson (Technical Assistant) 01782 717717 [karen.benson@newcastle-staffs.gov.uk](mailto:karen.benson@newcastle-staffs.gov.uk)

Yours sincerely



**Mr Darren Walters**

**Environmental Protection Team Manager**

Direct Line: 01782 742587

Departmental Fax: 01782 742414

Email: [darren.walters@newcastle-staffs.gov.uk](mailto:darren.walters@newcastle-staffs.gov.uk)

Enc:- Copy noise abatement notice reference U002287 & U002295

Cc Kevin Whitefield DPS;  
Punch Taverns (Kerry Dunning)- Premises Licence Holder;  
Northern Licensing Unit Staffordshire Police

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**NEWCASTLE-UNDER-LYME**  
**BOROUGH COUNCIL**

**ENVIRONMENTAL PROTECTION ACT 1990 - Section 80**

**Abatement Notice in respect of Noise Nuisance**

Notice Ref: U:002287

To: Three Castles Warrington Limited c/o The Company Secretary  
Of: Warrington Business Park  
Long Lane  
Warrington  
Cheshire  
WA2 8TX

**TAKE NOTICE** that under the provisions of the Environmental Protection Act 1990 the Borough Council of Newcastle-under-Lyme being satisfied of the likely recurrence of noise amounting to a statutory nuisance under section 79(1)(g) of that Act at:

Residential premises within the vicinity of the Crewe Arms Hotel, Wharf Terrace, Madeley, Newcastle-under-Lyme CW3 9LP within the district of the said Council arising from:

The playing of amplified music, amplified vocals and musical instruments


**HEREBY REQUIRE YOU** as the person responsible for the said nuisance from which the noise is or would be emitted from the service of this notice, to abate the nuisance and also  
**HEREBY PROHIBIT** recurrence of the nuisance

**THIS** is a notice to which paragraph (2) of regulation 3 of the Statutory Nuisances (appeals) Regulations 1995 applies, and in consequence, in the event of an appeal this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

**IF** without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding £5,000, with a further fine not exceeding £500 for each day on which the offence continues after conviction; or in the case of an offence committed on Industrial, Trade or Business premises to a fine not exceeding £20,000.

The Council may also take proceedings for securing the abatement, prohibition or restriction of the nuisance.

Dated 23<sup>rd</sup> December 2013

Signed   
(the officer appointed for this purpose)

**Darren Walters**  
Environmental Protection Team Manager

Please address any communication concerning this Notice to:-

The Head of Environmental Health  
Newcastle under Lyme Borough Council  
Environmental Health Division  
Civic Offices, Mental Street  
Newcastle-under-Lyme  
Staffordshire, ST52AG

**N.B.** The person served with this notice may appeal against the notice to a magistrates' court within twenty-one days from the date of service of this notice. See notes attached.

CA32  
CAG1a

recording and noise measuring equipment as well as audio visual recording equipment and evidence provided by 3<sup>rd</sup> parties including the police. I would also advise that persons affected by noise may also take action themselves to secure the abatement of a noise nuisance by obtaining a Court Order from the Magistrate's Court.

**Licensing Act 2003.**

**Unauthorised Licensable Activities**

You will be aware that the current premises licence does not allow licensable entertainment to take place beyond 1pm except across the New Year period. I have reason to believe that there have been occasions where licensable entertainment has taken place in contravention of the current premises licence and / or without a Temporary Event Notice being in situ on several weekends since my letter of the 21<sup>st</sup> January 2014.

Under section 136(1) of the Licensing Act 2003 this is an offence and any person found guilty of knowingly allowing or carrying on or attempting to carry on unauthorised licensable activity is liable on conviction to upto 6 month imprisonment and/or a £20,000 fine.

**Display of Premises Licence Summary**

Inspections of the premises undertaken by officers from this authority have identified that a copy of the premises licence summary has not been placed on display in a prominent position accessible to the public nor has a copy been made available upon request at the time of inspection during normal trading hours.

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Under section 57(4) of the Licensing Act 2003 it is an offence to fail to display summary of Premises licence or a certified copy and notice specifying the nominated person. On conviction the Premises Licence Holder is liable to a fine of upto £500

Under section 57(7) of the Licensing Act 2003 it is an offence to fail to produce a premises licence or certified copy to a constable or authorised person for examination. On conviction the premises licence holder and / or nominated person is liable to a fine of upto £500.

I would request that you take steps to remedy the matters detailed in this letter as a matter of priority. Unannounced inspections of your premises will take place to monitor compliance with the matters detailed. In the meantime, enquiries concerning the matters detailed are continuing and it may be considered appropriate to require relevant persons to attend a formal interview under caution to discuss these matters further before a decision is made on the appropriate action to be taken by this Council.

**For further help and advice**

If you need any help or advice regarding anything in this letter please contact myself or my colleague Karen Benson (Technical Assistant) 01782 717777 karen.benson@newcastle-staffs.gov.uk

Yours sincerely

**Mr Darren Waiters  
Environmental Protection Team Manager**

Direct Line: 01782 742587  
Departmental Fax: 01782 742414  
Email: darren.waiters@newcastle-staffs.gov.uk

**Cc** Three Castles Warrington Limited, Warrington Business Centre, Long Lane, Warrington WA2 8TX

Three Castle Warrington Limited, Crewe Arms, Wharf Terrace, Madeley CW3 9LP  
Kevin Whitehead DFS, Crewe Arms Hotel, Wharf Terrace, Madeley CW3 9LP  
Punch Tavams (Kerry Dunning)- Premises Licence Holder by email;  
Northern Licensing Unit Staffordshire Police - by email



**Our ref:** APP071864 / CRM4750894-1591365  
Environmental Health Services

**Your ref:**

**Date:** 21 January 2014

Three Castles Warrington Limited  
35 Field View  
Orford  
Warrington  
Cheshire  
WA2 8PB

Dear Three Castles Warrington Limited

**Environmental Protection Act 1990 – Section 80(4) – Noise Abatement Notice Breach  
Licensing Act 2003 – Potential breach of licensing requirements**

**Re: Re Crewe Arms Hotel, Wharf Terrace, Madeley**

Further to my letter of the 21<sup>st</sup> January 2014, Newcastle under Lyme Borough Council is continuing to receive complaints about excessive entertainment noise from this premises indicating that the noise abatement notices served on your company have been breached on several further occasions. This is supported by recorded evidence obtained from nearby premises. The same evidence also indicates that the premises licence has been breached as this same evidence shows that entertainment noise is clearly audible after 11pm.

I would wish to remind you of the following matters.

**Environmental Protection Act 1990 – Section 80 (4) – Noise Abatement Notice Breach**

I refer to the noise nuisance abatement notices reference U:002287 and U:002295 which you have previously received. As you will be aware these notices came into force when they were served on yourself and place ongoing restrictions on noise from the premises you occupy.

- **Prosecution.** If successful you would receive a criminal conviction and be liable to a fine of upto £5,000 in the case of nuisance from domestic premises and £20,000 for nuisance on trade and industrial premises. An application would also be made to recover the Council's full costs from yourself.
- **Seize noise making equipment or articles.** This may be followed by a prosecution. An application may also be made to the Courts to permanently deprive you of the seized equipment. Again you may be liable for the Councils full cost in taking this action.
- **Injunction.** Where it is believed that a prosecution will not be an effective remedy, proceedings may be taken in the High Court to secure compliance with the abatement notice.
- **Anti Social Behaviour Orders.** These may be used in case where individuals and households whose anti-social behaviour, when challenged, leads to verbal abuse, or threats; or where the noise nuisance is just part of a wider pattern of behaviour which harasses, alarms or distresses others, or where a noise-maker has not been persuaded or coerced into abating the nuisance they cause by the normal statutory nuisance enforcement procedures, i.e. prosecution.

In view of the above, I would request that you observe the requirements of the noise abatement notice. You are advised that any further investigation into this matter may entail the use of sound

Britain in Bloom:  
135 Gyles Wharf, 2009  
Regional Winner  
1st in the World  
2008, 2009, 2010  
2011, 2012, 2013  
2014, 2015

Contacting the Council:  
Tel: 01782 717777 • Fax: 01782 711337 • 24 hr helpline: 01782 711339  
Email: web@newcastle-staffs.gov.uk • www.newcastle-staffs.gov.uk

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~~6433~~  
CASZ

**Walters, Darren**

---

**From:** Kerry Dunning [Kerry.Dunning@punchtaverns.com]  
**Sent:** 21 January 2014 16:26  
**To:** Walters, Darren  
**Subject:** RE: Crewe Ams Hotel

Hi Darren

I spoke to the Partnership Development Manager, Keith Roberts, at length at the end of last week re the above.

I have asked that he contact you directly to discuss the matter. I got in touch with Sgt David Wright aswell – I also passed David's number on to Keith.

Should you wish to speak to him his number is 07881 841738.

Many thanks

**Kerry Dunning**  
**Risk Management North (Property Department)**  
Email: [kerry.dunning@punchtaverns.com](mailto:kerry.dunning@punchtaverns.com)  
Tel: 01283523521  
Punch Taverns: Jubilee House - Second Avenue - Burton upon Trent - DE14 2WF



---

**From:** Walters, Darren [mailto:Darren.Walters@newcastle-staffs.gov.uk]  
**Sent:** 21 January 2014 16:13  
**To:** Kerry Dunning; smb\_risk  
**Subject:** Crewe Ams Hotel

Kerry

Please feel free to contact me if you wish to discuss.

Regards

**Darren Walters (Team Leader - Environmental Protection)**  
Newcastle-Under-Lyme Borough Council  
Civic Offices, Merrial Street, Newcastle under Lyme. ST5 2AG  
**01782 742587**

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CASS.

**Walters, Darren**

---

**From:** Walters, Darren  
**Sent:** 11 February 2014 09:47  
**To:** 'Kerry Dunning'  
**Cc:** Ratcliffe, Christina; Benson, Karen  
**Subject:** [PROTECT/ENC(RR)] RE: Crewe Ams Hotel

**Tracking:** **Recipient**      **Read**  
                 'Kerry Dunning'  
                 Ratcliffe, Christina Read: 11/02/2014 10:07  
                 Benson, Karen

[Classification: NULBC **PROTECT** (RR) External Encryption]

Kerry

There are still noise issues with this premises.

Could you advise me of any contact details you have for Three Castles Warrington as we are finding it difficult to contact anyone from this company. The registered address is not receiving mail for this business and Susan Lawson is not accepting mail at her home address.

I would request an onsite meeting this week if possible to discuss the issues we have both licensing and noise nuisance. I am unable to do Thursday.13th

Thanks

**Darren Walters (Team Leader - Environmental Protection)**  
Newcastle-Under-Lyme Borough Council  
Civic Offices, Merrial Street, Newcastle under Lyme. ST5 2AG  
**01782 742587**

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---

**From:** Kerry Dunning [mailto:Kerry.Dunning@punchtaverns.com]  
**Sent:** 21 January 2014 16:26  
**To:** Walters, Darren  
**Subject:** RE: Crewe Ams Hotel

24/04/2014

Page 169

Hi Darren

I spoke to the Partnership Development Manager, Keith Roberts, at length at the end of last week re the above.

I have asked that he contact you directly to discuss the matter. I got in touch with Sgt David Wright aswell – I also passed David's number on to Keith.

Should you wish to speak to him his number is 07881 841738.

Many thanks

**Kerry Dunning**  
**Risk Management North (Property Department)**

Email: [kerry.dunning@punchtaverns.com](mailto:kerry.dunning@punchtaverns.com)

Tel: 01283523521

Punch Taverns: Jubilee House - Second Avenue - Burton upon Trent - DE14 2WF



---

**From:** Walters, Darren [<mailto:Darren.Walters@newcastle-staffs.gov.uk>]  
**Sent:** 21 January 2014 16:13  
**To:** Kerry Dunning; smb\_risk  
**Subject:** Crewe Ams Hotel

Kerry

Please feel free to contact me if you wish to discuss.

Regards

**Darren Walters (Team Leader - Environmental Protection)**  
Newcastle-Under-Lyme Borough Council  
Civic Offices, Merrial Street, Newcastle under Lyme. ST5 2AG  
**01782 742587**

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~~6629~~  
CA34.

**Walters, Darren**

---

**From:** Walters, Darren  
**Sent:** 11 February 2014 15:28  
**To:** 'Kerry Dunning'; 'risk@punchtaverns.com'  
**Subject:** Crewe Arms  
**Attachments:** Punch 110214.pdf; Three Castles 110214.pdf; DPS 110214.pdf

**Darren Walters (Team Leader - Environmental Protection)**  
Newcastle-Under-Lyme Borough Council  
Civic Offices, Merrial Street, Newcastle under Lyme. ST5 2AG  
**01782 742587**  
[www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.gov.uk)  
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CA34c

**Our ref:** APP071864 / CRM4750894-1591365  
Environmental Health Services

**Your ref:**

**Date:** 11 February 2014

Punch Taverns PLC  
c/o Kerry Dunning  
"Jubilee House",  
Second Avenue,  
Burton-Upon-Trent,  
Staffordshire

Dear Punch Taverns PLC

**Licensing Act 2003**  
**Re Crewe Arms Hotel, Wharf Terrace, Madeley, Newcastle under Lyme. ST5 9LP**

I am writing to you in your capacity as the premises license holder for the above premises and would wish to advise you of the following issues requiring your attention. I have also written to the current DPS, Mr. Kevin John Whitefield and your tenant Three Castles Warrington about the following matters.

Unauthorised Licensable Activities

You will be aware that the current premises licence does not allow licensable entertainment to take place beyond 11pm except across the New Year period. I have reason to believe that there have been occasions where licensable entertainment has taken place in contravention of the current premises licence and / or without a Temporary Event Notice being in situ on several weekends since this matter was brought to the attention of Kerry Dunning on the 21<sup>st</sup> January 2014. This is supported by recorded evidence obtained from surrounding residences.

Under section 136(1) of the Licensing Act 2003 this is an offence and any person found guilty of knowingly allowing or carrying on or attempting to carry on unauthorised licensable activity is liable on conviction to upto 6 month imprisonment and/or a £20,000 fine.

Display of Premises Licence Summary

Inspections of the premises undertaken by officers from this authority have identified that a copy of the premises licence summary has not been placed on display in a prominent position accessible to the public nor has a copy been made available upon request at the time of inspection during normal trading hours.

Under section 57(4) of the Licensing Act 2003 it is an offence not to keep a licence or a certified copy of the licence. On conviction the Premises Licence Holder is liable to a fine of upto £500.

Under section 57(4) of the Licensing Act 2003 it is an offence to fail to display summary of Premises licence or a certified copy and notice specifying the nominated person. On conviction the Premises Licence Holder is liable to a fine of upto £500

Under section 57(7) of the Licensing Act 2003 it is an offence to fail to produce a premises licence or certified copy to a constable or authorised person for examination. On conviction the premises licence holder and / or nominated person is liable to a fine of upto £500.

Written in Silence  
Nashville Whimsy 2006  
Ritualical Warfare  
Regional Warfare  
2003, 2003, 2008  
Gold Award Winner  
2000, 2005

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E: [enquiries@newcastle.gov.uk](mailto:enquiries@newcastle.gov.uk) • [www.newcastle.gov.uk](http://www.newcastle.gov.uk)

I would request that you take steps to remedy the matters detailed in this letter as a matter of priority. Unannounced inspections of your premises will take place to monitor compliance with the matters detailed. In the meantime, enquiries concerning the matters detailed are continuing and it may be considered appropriate to require relevant persons to attend a formal interview under caution to discuss these matters further before a decision is made on the appropriate action to be taken by this Council.

**For further help and advice**

If you need any help or advice regarding anything in this letter please contact myself or my colleague Karen Benson (Technical Assistant) 01782 717717 [karen.benson@newcastle-staffs.gov.uk](mailto:karen.benson@newcastle-staffs.gov.uk)

Yours sincerely

**Mr Darren Walters**  
**Environmental Protection Team Manager**  
Direct Line: 01782 742587  
Departmental Fax: 01782 742414  
Email: [darren.walters@newcastle-staffs.gov.uk](mailto:darren.walters@newcastle-staffs.gov.uk)

**CC Staffordshire Police Licensing**

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CA98  
CA94b

**Our ref:** APP071864 / CRM4750894-1591365  
Environmental Health Services

**Your ref:**

**Date:** 11 February 2014



Kevin John Whitefield  
25 Blackthorn Drive  
Lindley  
Huddersfield  
South Yorkshire  
HD3 3RR

Dear Kevin John Whitefield

**Licensing Act 2003**  
**Re Crewe Arms Hotel, Wharf Terrace, Madeley, Newcastle under Lyme. ST5 9LP**

I am writing to you in your capacity as the DPS for the above premises and would wish to advise you of the following issues requiring your attention. I have also written to the current Premises Licence Holder, Punch Taverns and the current tenant, Three Castles Warrington about the following matters.

**Unauthorised Licensable Activities**

You will be aware that the current premises licence does not allow licensable entertainment to take place beyond 11pm except across the New Year period. I have reason to believe that there have been occasions where licensable entertainment has taken place in contravention of the current premises licence and / or without a Temporary Event Notice being in situ on several weekends since this matter was brought to the attention of Kerry Dunning on the 21<sup>st</sup> January 2014. This is supported by recorded evidence obtained from surrounding residences.

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E-mail: [enquiries@newcastle-staifs.gov.uk](mailto:enquiries@newcastle-staifs.gov.uk) • [www.newcastle-staifs.gov.uk](http://www.newcastle-staifs.gov.uk)

I would request that you take steps to remedy the matters detailed in this letter as a matter of priority. Unannounced inspections of your premises will take place to monitor compliance with the matters detailed. In the meantime, enquiries concerning the matters detailed are continuing and it may be considered appropriate to require relevant persons to attend a formal interview under caution to discuss these matters further before a decision is made on the appropriate action to be taken by this Council.

**For further help and advice**

if you need any help or advice regarding anything in this letter please contact myself or my colleague Karen Benson (Technical Assistant) 01782 717717 [karen.benson@newcastle-staifs.gov.uk](mailto:karen.benson@newcastle-staifs.gov.uk)

Yours sincerely

**Mr Darren Walters**  
**Environmental Protection Team Manager**  
Direct Line: 01782 742587  
Departmental Fax: 01782 742414  
Email: [darren.walters@newcastle-staifs.gov.uk](mailto:darren.walters@newcastle-staifs.gov.uk)

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~~CA34~~  
CA36

**Benson, Karen**

---

**From:** [REDACTED]  
**Sent:** 25 January 2014 21:43  
**To:** Benson, Karen; Wilshaw, Harry  
**Cc:** White, Simon  
**Subject:** The Crewe Arms

Hi Karen, Harry and Darren

Here we are again on a Saturday evening listening (even though we don't want to) to loud rock music from The Crewe Arms Hotel. I am not sure what happened with our recording over Christmas and new year and what has happened since the abatement notice was served. It clearly has made absolutely no difference to The Crewe Arms as they are totally disregarding the abatement notice which was served just before Christmas.

Regards

[REDACTED]

[REDACTED]

[REDACTED]

**Notes relating to site meeting between PLH/ DPS/ 3CW Environmental Health and Police on 14/02/14**

Present: Darren Walters, Christina Ratcliffe, PC Graham Owen, PCSO Jonathon Cartwright, Keith Roberts Punch Taverns, Karen Leigh & David Williams advisors to Three Castle Management Ltd and Kevin Whitefield, DPS. Mr Williams requested Christina Ratcliffe to leave the meeting as they were only prepared to discuss the issues of noise and licensing.

Up to date contact details received for Three Castle Management Ltd. Confirmed Susan Lawson is still the director of the company, her address is 35 Fieldview Drive, Warrington, WA2 9BP, tel no. 01925638884. The company's house website has now been amended so that the address is now the Crewe Arms. Susan Lawson was not in attendance and was being represented by Karen Leigh & David Williams. PC Owen stated that on two occasions in October 2013 (12.10.13 & 19.10.13) Officers had attended the establishment and noted that they were trading beyond hours. A video camera was used on the second visit. No further details were provided as this is a matter that may be progressed by the police. Keith Roberts stated that as the premises licence holder were not aware of the visits carried out by the police in October 2013. Karen Leigh confirmed receipt of the abatement notice and that Ian Moulding is no longer a part of Three Castles Management Ltd. It was stated that Ian Moulding organised the events in November 2013.

DWI stated that Mr Moulding would be required to attend a meeting to discuss the events in November 2013. The reasons for the service of the abatement notice were outlined along with breaches of the notice. Keith Roberts stated that as the premises licence holder he is not prepared to install a noise monitor at the premises until the matter goes to a review and measures to reduce the noise and adhere to the notice is down to Three Castle Management Ltd. Issues concerning entertainment being held beyond the licensed hours and the Live Music Act hours were discussed. Log book produced, the last entry was the 26.1.14 and samples of entries were times, doors closed, walk round and no noise. Log book entries would have been carried out by Rebecca Jones, bar manager or Darren Jones, manager. Nominated persons of responsibility: Rebecca Jones, bar manager. Options to adhere to the notice were discussed. The premises licence was displayed in the lobby of the hotel part of the building. Mr Keith Roberts stated that he is prepared to look at the management company in charge of the business if necessary to resolve the matters.



CAS8

**Our ref:** APP071864 / CRM4750894-1591365  
Environmental Health Services

**Your ref:**

**Date:** 26 February 2014



Civic Offices  
Merrial Street  
Newcastle-under-Lyme  
Staffordshire  
ST5 2AG

Mr Kevin Whitefield DPS  
Crewe Arms Hotel  
Wharf Terrace  
Madeley  
CW3 9LP

Dear Mr Kevin Whitefield

**Licensing Act 2003  
Re Crewe Arms Hotel, Wharf Terrace, Madeley**

I refer to the meeting held at your premises, The Crewe Arms, on the 14<sup>th</sup> February 2014 which was attended by Mrs Karen Benson (Licensing Officer), PC Graham Owen (Northern Licensing Unit), PCSO Cartwright, Keith Roberts (Punch Area Manager), Mr David Williams and Mrs Karen Leigh (Solicitors – McKenzie Berrisford Hall Legal), Kevin Whitefield (Current DPS) and myself.

During the meeting the following matters were discussed in respect of the licensable activities taking place upon the premises. It was not considered appropriate to go into specific details about the matters discussed as these are currently the subject of ongoing enquiries by this Authority in relation to possible offences under the Licensing Act.

**Licensing Act 2003 matters**

The Council has reason to believe that licensable entertainment has taken place on several occasions beyond 11pm and as recently as the weekend prior to the meeting with your tenants and your area manager. You will be aware that these events were not authorised by a current premises licence or a valid Temporary Event Notice.

Under section 136(1) of the Licensing Act 2003 these are offences and any person found guilty of knowingly allowing or carrying on or attempting to carry on unauthorised licensable activity is liable on conviction to upto 6 month imprisonment and/or a £20,000 fine.

Given the ongoing noise disturbance which is being reported to the Council and evidence in the possession of the Council concerning the same, consideration is also being given to initiating a review of the current premises licence held by Punch Taverns, with the intention of bringing licensable entertainment prior to 11pm under the control of a Premises Licence along with conditions to prevent public nuisance.

Any application to hold licensable entertainment activities under the auspices of a Temporary Event Notice would, given the current noise issues, be likely to be objected to by the Environmental Health Division as it is considered that the premises are not currently being run so as to meet the licensing objective concerned with the prevention of public nuisance.

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I trust that your company will now take positive action to ensure that the premises licence is observed in full and that all licensable activities accord with the Licensing Act 2003. To this end, I look forward to receiving your observations on the matters raised in this letter.

A letter concerning the matters herein has also been sent to the current Licence Holder for this establishment, Punch Taverns Plc.

Yours sincerely



**Mr Darren Walters**  
**Environmental Protection Team Manager**

**Direct Line:** 01782 742587

**Departmental Fax:** 01782 742414

**Email:** darren.walters@newcastle-staffs.gov.uk

Cc Northern Licensing Unit

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~~CONFIDENTIAL~~  
CAB39

**Our ref:** APP071864 / CRM4750894-1591365  
Environmental Health Services

**Your ref:**

**Date:** 26th February 2014



Civic Offices  
Merrial Street  
Newcastle-under-Lyme  
Staffordshire  
ST5 2AG

Three Castles Warrington Limited  
Warrington Business Centre  
Long Lane  
Warrington  
Cheshire  
WA2 8TX

Dear Three Castles Warrington Limited

**Environmental Protection Act 1990 – Part III  
Licensing Act 2003  
Re Crewe Arms Hotel, Wharf Terrace, Madeley**

I refer to the meeting held at your premises, The Crewe Arms, on the 14<sup>th</sup> February 2014 which was attended by Mrs Karen Benson (Licensing Officer), PC Graham Owen (Northern Licensing Unit), PCSO Cartwright, Keith Roberts (Punch Area Manager), Mr David Williams and Mrs Karen Leigh (Solicitors – McKenzie Berrisford Hall Legal), Kevin Whitefiled (Current DPS) and myself.

During the meeting the following matters were discussed with your legal representatives and Mr Roberts in respect of noise and licensable entertainment from the Crewe Arms. It was not considered appropriate to go into specific details about the matters discussed as these are currently the subject of ongoing enquiries by this Authority in relation to possible offences under the Licensing Act 2003 and the Environmental Protection Act 1990.

**Licensing Act 2003 matters**

The Council has reason to believe that licensable entertainment has taken place on several occasions beyond 11pm and as recently as the weekend prior to the meeting with your representatives. You will be aware that these events were not authorised by a current premises licence or a valid Temporary Event Notice.

Under section 136(1) of the Licensing Act 2003 these are offences and any person found guilty of knowingly allowing or carrying on or attempting to carry on unauthorised licensable activity is liable on conviction to upto 6 month imprisonment and/or a £20,000 fine.

Given the ongoing noise disturbance which is being reported to the Council and evidence in the possession of the Council concerning the same, consideration is also being given to initiating a review of the current premises licence, held by your landlord, Punch Taverns, with the intention of bringing licensable entertainment prior to 11pm under the control of a Premises Licence along with conditions to prevent public nuisance.

Any application to hold licensable entertainment activities under the auspices of a Temporary Event Notice would, given the current noise issues, be likely to be objected to by the Environmental Health Division as it is considered that the premises are not currently being run so as to meet the licensing objective concerned with the prevention of public nuisance.

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Regional Winner  
2003, 2004, 2008  
Gold Award Winner  
2002 – 2005

## **Environmental Protection Act 1990 matters**

You will recall from previous correspondence from this Council that you were served with a noise abatement notice under Part III of the Environmental Protection Act 1990 in respect of entertainment noise from the premises.

There is documentary and recorded evidence to suggest that the notice has been breached on several occasions since the 24<sup>th</sup> December 2013. Of particular concern there is evidence to suggest that local residents were subjected to further excessive amplified music noise on Saturday 15<sup>th</sup> February 2014, the day following the meeting with your legal representatives and also on the 22<sup>nd</sup> February 2014, where the music continued despite Mr Williams being spoken to by the attending police officer. Given the discussions which took place between the various parties on the 14<sup>th</sup> February 2014 which centred around the impact that your activities were having on local residents, I find it very concerning that your company and the managers running this establishment on your behalf have failed to grasp the legal implications for your business, should it be found guilty of causing a statutory noise nuisance. Any business which is found guilty of breaching the requirements of a noise abatement notice is liable to a fine upon conviction to a fine of upto £20,000 for each incident.

In the meantime and in light of the above, the Council is continuing with its investigations, which may include the use of sound and video recording equipment, unannounced visits to your premises and observations of the activities taking place thereon. Evidence provided by other statutory agencies and local residents will also be taken into account together with the advice and correspondence from this Authority to your company.

I trust that your company will now take positive action to ensure that the noise nuisance is abated and that local residents do not continue to experience excessive entertainment noise from your premises. To this end I look forward to receiving your observations on the matters raised in this letter.

Yours sincerely



**Mr Darren Walters**  
**Environmental Protection Team Manager**  
Direct Line: 01782 742587  
Departmental Fax: 01782 742414  
Email: darren.walters@newcastle-staffs.gov.uk

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Cc Three Castles Warrington, Crewe Arms, Madeley, CW3 9LP  
Three Castles Warrington, 35 Filed View Drive, Orford, Warrington, WA29BP  
Kerry Dunning, Punch Taverns, Punch Taverns: Jubilee House - Second Avenue - Burton upon Trent - DE14 2WF  
Staffordshire Police Northern Licensing Unit



~~CAS~~  
CAYO

**Our ref:** APP071864 / CRM4750894-1591365  
Environmental Health Services

**Your ref:**

**Date:** 26 February 2014



**NEWCASTLE  
UNDER LYME  
BOROUGH COUNCIL**

Civic Offices  
Merrial Street  
Newcastle-under-Lyme  
Staffordshire  
ST5 2AG

Punch Taverns Plc  
c/o Kerry Dunning  
"Jubilee House",  
Second Avenue,  
Burton-Upon-Trent,  
Staffordshire

Dear Punch Taverns Plc

**Licensing Act 2003  
Re Crewe Arms Hotel, Wharf Terrace, Madeley**

I refer to the meeting held at your premises, The Crewe Arms, on the 14<sup>th</sup> February 2014 which was attended by Mrs Karen Benson (Licensing Officer), PC Graham Owen (Northern Licensing Unit), PCSO Cartwright, Keith Roberts (Punch Area Manager), Mr David Williams and Mrs Karen Leigh (Solicitors – McKenzie Berrisford Hall Legal), Kevin Whitefield (Current DPS) and myself.

During the meeting the following matters were discussed in respect of the licensable activities taking place upon the premises. It was not considered appropriate to go into specific details about the matters discussed as these are currently the subject of ongoing enquiries by this Authority in relation to possible offences under the Licensing Act.

**Licensing Act 2003 matters**

The Council has reason to believe that licensable entertainment has taken place on several occasions beyond 11pm and as recently as the weekend prior to the meeting with your tenants and your area manager. You will be aware that these events were not authorised by a current premises licence or a valid Temporary Event Notice.

Under section 136(1) of the Licensing Act 2003 these are offences and any person found guilty of knowingly allowing or carrying on or attempting to carry on unauthorised licensable activity is liable on conviction to upto 6 month imprisonment and/or a £20,000 fine.

Given the ongoing noise disturbance which is being reported to the Council and evidence in the possession of the Council concerning the same, consideration is also being given to initiating a review of the current premises licence held by Punch Taverns, with the intention of bringing licensable entertainment prior to 11pm under the control of a Premises Licence along with conditions to prevent public nuisance.

Any application to hold licensable entertainment activities under the auspices of a Temporary Event Notice would, given the current noise issues, be likely to be objected to by the Environmental Health Division as it is considered that the premises are not currently being run so as to meet the licensing objective concerned with the prevention of public nuisance.

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Regional Winner  
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2003, 2004, 2008  
Gold Award Winner  
2002 – 2005

I trust that your company will now take positive action to ensure that the premises licence is observed in full and that all licensable activities accord with the Licensing Act 2003. To this end, I look forward to receiving your observations on the matters raised in this letter.

A letter concerning the matters herein has also been sent to the current DPS for this establishment, Mr Kevin Whitefield.

Yours sincerely



**Mr Darren Walters**  
**Environmental Protection Team Manager**

**Direct Line:** 01782 742587

**Departmental Fax:** 01782 742414

**Email:** darren.walters@newcastle-staffs.gov.uk

Cc Northern Licensing Unit

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~~CAGI~~  
CAGI.

**Walters, Darren**

---

**From:** Walters, Darren  
**Sent:** 26 February 2014 16:43  
**To:** 'Kerry Dunning'; 'risk@punchtaverns.com'  
**Subject:** Crewe Arms

**Attachments:** Punch 260214.pdf; Punch Licence 260214.pdf; Mr Whitefield DPS 260214.pdf



Punch 260214.pdf  
(100 KB)



Punch Licence  
260214.pdf (94 K...



Mr Whitefield DPS  
260214.pdf (...)

Kerry

Further to our conversation earlier this week. Please find attached the letters as discussed.

As advised I am meeting with my colleagues in Staffordshire Police tomorrow to discuss the various issues relating to this establishment.

**Darren Walters (Team Leader - Environmental Protection)**  
Newcastle-Under-Lyme Borough Council  
Civic Offices, Merrial Street, Newcastle under Lyme. ST5 2AG  
**01782 742587**

[www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.gov.uk)

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**Our ref:** APP071864 / CRM4750894-1591365  
Environmental Health Services

**Your ref:**

**Date:** 26th February 2014



Three Castles Warrington Limited  
Warrington Business Centre  
Long Lane  
Warrington  
Cheshire  
WA2 8TX

Civic Offices  
Merrial Street  
Newcastle-under-Lyme  
Staffordshire  
ST5 2AG

Dear Three Castles Warrington Limited

**Environmental Protection Act 1990 – Part III  
Licensing Act 2003  
Re Crewe Arms Hotel, Wharf Terrace, Madeley**

I refer to the meeting held at your premises, The Crewe Arms, on the 14<sup>th</sup> February 2014 which was attended by Mrs Karen Benson (Licensing Officer), PC Graham Owen (Northern Licensing Unit), PCSO Cartwright, Keith Roberts (Punch Area Manager), Mr David Williams and Mrs Karen Leigh (Solicitors – McKenzie Berrisford Hall Legal), Kevin Whitefiled (Current DPS) and myself.

During the meeting the following matters were discussed with your legal representatives and Mr Roberts in respect of noise and licensable entertainment from the Crewe Arms. It was not considered appropriate to go into specific details about the matters discussed as these are currently the subject of ongoing enquiries by this Authority in relation to possible offences under the Licensing Act 2003 and the Environmental Protection Act 1990.

**Licensing Act 2003 matters**

The Council has reason to believe that licensable entertainment has taken place on several occasions beyond 11pm and as recently as the weekend prior to the meeting with your representatives. You will be aware that these events were not authorised by a current premises licence or a valid Temporary Event Notice.

Under section 136(1) of the Licensing Act 2003 these are offences and any person found guilty of knowingly allowing or carrying on or attempting to carry on unauthorised licensable activity is liable on conviction to upto 6 month imprisonment and/or a £20,000 fine.

Given the ongoing noise disturbance which is being reported to the Council and evidence in the possession of the Council concerning the same, consideration is also being given to initiating a review of the current premises licence, held by your landlord, Punch Taverns, with the intention of bringing licensable entertainment prior to 11pm under the control of a Premises Licence along with conditions to prevent public nuisance.

Any application to hold licensable entertainment activities under the auspices of a Temporary Event Notice would, given the current noise issues, be likely to be objected to by the Environmental Health Division as it is considered that the premises are not currently being run so as to meet the licensing objective concerned with the prevention of public nuisance.

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## Environmental Protection Act 1990 matters

You will recall from previous correspondence from this Council that you were served with a noise abatement notice under Part III of the Environmental Protection Act 1990 in respect of entertainment noise from the premises.

There is documentary and recorded evidence to suggest that the notice has been breached on several occasions since the 24<sup>th</sup> December 2013. Of particular concern there is evidence to suggest that local residents were subjected to further excessive amplified music noise on Saturday 15<sup>th</sup> February 2014, the day following the meeting with your legal representatives and also on the 22<sup>nd</sup> February 2014, where the music continued despite Mr Williams being spoken to by the attending police officer. Given the discussions which took place between the various parties on the 14<sup>th</sup> February 2014 which centred around the impact that your activities were having on local residents, I find it very concerning that your company and the managers running this establishment on your behalf have failed to grasp the legal implications for your business, should it be found guilty of causing a statutory noise nuisance. Any business which is found guilty of breaching the requirements of a noise abatement notice is liable to a fine upon conviction to a fine of upto £20,000 for each incident.

In the meantime and in light of the above, the Council is continuing with its investigations, which may include the use of sound and video recording equipment, unannounced visits to your premises and observations of the activities taking place thereon. Evidence provided by other statutory agencies and local residents will also be taken into account together with the advice and correspondence from this Authority to your company.

I trust that your company will now take positive action to ensure that the noise nuisance is abated and that local residents do not continue to experience excessive entertainment noise from your premises. To this end I look forward to receiving your observations on the matters raised in this letter.

Yours sincerely



**Mr Darren Walters**  
**Environmental Protection Team Manager**  
Direct Line: 01782 742587  
Departmental Fax: 01782 742414  
Email: darren.walters@newcastle-staffs.gov.uk

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Cc Three Castles Warrington, Crewe Arms, Madeley, CW3 9LP  
Three Castles Warrington, 35 Filed View Drive, Orford, Warrington, WA29BP  
Kerry Dunning, Punch Taverns, Punch Taverns: Jubilee House - Second Avenue - Burton upon Trent - DE14 2WF  
Staffordshire Police Northern Licensing Unit

**Our ref:** APP071864 / CRM4750894-1591365  
Environmental Health Services

**Your ref:**

**Date:** 26th February 2014

KF 8692 B414 5GB



**NEWCASTLE  
UNDER LYME**  
BOROUGH COUNCIL

Civic Offices  
Merial Street  
Newcastle-under-Lyme  
Staffordshire  
ST5 2AG

Three Castles Warrington Limited  
Warrington Business Centre  
Long Lane  
Warrington  
Cheshire  
WA2 8TX

Dear Three Castles Warrington Limited

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Licensing Act 2003  
Re Crewe Arms Hotel, Wharf Terrace, Madeley**

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**Mr Darren Walters**  
**Environmental Protection Team Manager**  
Direct Line: 01782 742587  
Departmental Fax: 01782 742414  
Email: darren.walters@newcastle-staffs.gov.uk

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Cc Three Castles Warrington, Crewe Arms, Madeley, CW3 9LP  
Three Castles Warrington, 35 Filed View Drive, Orford, Warrington, WA29BP  
Kerry Dunning, Punch Taverns, Punch Taverns: Jubilee House - Second Avenue - Burton upon Trent - DE14 2WF  
Staffordshire Police Northern Licensing Unit

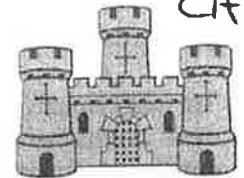


**Our ref:** APP071864 / CRM4750894-1591365  
Environmental Health Services

**Your ref:**

**Date:** 26th February 2014

KF 0862 8413 1GB



**NEWCASTLE  
UNDER LYME  
BOROUGH COUNCIL**

Civic Offices  
Merrial Street  
Newcastle-under-Lyme  
Staffordshire  
ST5 2AG

Three Castles Warrington,  
35 Field View Drive,  
Orford,  
Warrington,  
WA29BP

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Yours sincerely



**Mr Darren Walters**  
**Environmental Protection Team Manager**

Direct Line: 01782 742587

Departmental Fax: 01782 742414

Email: darren.walters@newcastle-staffs.gov.uk

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~~CONFIDENTIAL~~  
CA44

**Walters, Darren**

**From:** David.Wright@staffordshire.pnn.police.uk  
**Sent:** 17 March 2014 13:12  
**To:** Walters, Darren  
**Subject:** Crewe arms noise issues: \*RESTRICTED\*

Hi Darren

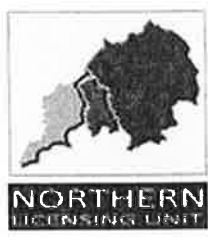
just for your info , over the weekend we have had 4 complaints about noise from the venue. 3 of the 4 are noise from punters leaving the pub and 1 is about loud music .

the reports are as follows:-

- 1) report from [redacted] complaint re noise from customers leaving the pub at 23:54 hrs on 14.3.2014
- 2) report from [redacted] , Wharf terrace [redacted] complaint on behalf of residents re noise from customers leaving pub previous night report timed at 1000 hours on 15/3/2014
- 3) report from Leslie Walters, Wharf terrace tel 01782 791511 complaint re loud music from the venue report timed at 21:25 hrs on 15.03.2014
- 4) report from [redacted] Wharf terrace tel [redacted] reporting noise from customers leaving the venue report timed at 00:17 on 16/03/2014

Regards

Dave



SGT 4037 David WRIGHT – Licensing Sergeant  
 Northern Licensing Unit  
 Stoke Police Station  
 Boothen Road  
 Stoke-on-Trent ST4 4AH  
 Tel 01785 (23) 2847 Fax 01785 218705  
 Email david.wright@staffordshire.pnn.police.uk

.....

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.....

[REDACTED]

~~CA45~~  
CA45

**Walters, Darren**

---

**From:** Walters, Darren  
**Sent:** 14 April 2014 07:54  
**To:** 'John Coen'  
**Cc:** Keith Roberts; David.Wright@staffordshire.pnn.police.uk; 'Kerry.Dunning@punchtaverns.com'; Henshaw, Nesta  
**Subject:** [UNCLASSIFIED] RE: Re Punch Taverns & The Crewe Arms Hotel, Newcastle under Lyme  
**Sensitivity:** Private

[Classification: NULBC UNCLASSIFIED]

Mr Coen

The Borough Council's Environmental Health Division will be lodging a review application by tomorrow in respect of the continuing and significant noise issues from music and patrons. I will forward a copy to yourself and punch by email. As part of the application I have summarised the complaints and investigations made since last April when the current tenants took over and I will also be providing recorded evidence of a number of noise events as part of the application. I will be wanting the committee to listen to these recordings.

I believe that once the review application is lodged that the community surrounding the premises will want to make their own representations.

I am able to meet with yourself and Punch later this week to discuss further. Please contact my colleague Julie Webb who will book the appointment on my behalf 01782 742584.

In the meantime, there were further incidents this weekend, with the police being called to the premises on Friday regarding noise and Saturday regarding noise from a live band. I think the comments of our complainant illustrate the problem. *I thought that the pub had the back fire door open, however, it is just the loudness of the music. We can hear very deep bass - which is actually making me feel sick, drums and singing with all our windows and curtains closed, even I recognised the song 'another brick in the wall'.*

Regards

**Darren Walters (Team Leader - Environmental Protection)**  
Newcastle-Under-Lyme Borough Council  
Civic Offices, Merrial Street, Newcastle under Lyme. ST5 2AG  
**01782 742587**

[www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.gov.uk)

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**From:** John Coen [mailto:John.Coen@forwarn.com]  
**Sent:** 07 April 2014 14:29  
**To:** Walters, Darren  
**Cc:** Keith Roberts; David.Wright@staffordshire.pnn.police.uk  
**Subject:** RE: Re Punch Taverns & The Crewe Arms Hotel, Newcastle under Lyme  
**Sensitivity:** Private

## FORD & WARREN SOLICITORS

Westgate Point, Westgate, Leeds, LS1 2AX MDX 706968 Leeds  
Tel: (+44) (0) 113 2436601 Fax: (+44) (0) 113 2420905  
Email: John.Coen@forwarn.com WEB site: <http://www.forwarn.com>

Our Ref JGC 27842/234/PMC

Your Ref APP071864 / CRM4750894-1591365

Hi Darren,

Further to our previous phone calls, I have instructions from Keith Roberts - Punch to agree to a meeting. I assume you have liaised with the police in this regard ?

I would be very grateful if you could reply to my e-mail dated the 03/03/14 before we meet.

I look forward to hearing from you with a reply and some suggested dates and venue(s) for the meeting.

Kind regards

**John G. Coen** | Ford & Warren Solicitors  
Partner | Regulatory & Licensing Department

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**From:** John Coen  
**Sent:** 25 March 2014 16:36  
**To:** 'Darren.Walters@newcastle-staffs.gov.uk'  
**Subject:** RE: Re Punch Taverns & The Crewe Arms Hotel, Newcastle under Lyme  
**Sensitivity:** Private

Our Ref JGC 27842/234/PMC

Your Ref APP071864 / CRM4750894-1591365

Hi Darren,

Further to our phone conversation on the 17/03/14, I look forward to hearing from you. As you will appreciate, Punch Taverns are keen to progress matters.

Kind regards

**John G. Coen** | Ford & Warren Solicitors  
Partner | Regulatory & Licensing Department

**From:** John Coen  
**Sent:** 17 March 2014 10:35  
**To:** [Darren.Walters@newcastle-staffs.gov.uk](mailto:Darren.Walters@newcastle-staffs.gov.uk)  
**Subject:** RE: Re Punch Taverns & The Crewe Arms Hotel, Newcastle under Lyme  
**Sensitivity:** Private

Our Ref JGC 27842/234/PMC  
1591365

Your Ref APP071864 / CRM4750894-

Hi Darren,

Further to my attached e-mail, may I please hear from you.

Kind regards

**John G. Coen** | Ford & Warren Solicitors  
Partner | Regulatory & Licensing Department

**From:** John Coen  
**Sent:** 03 March 2014 18:57  
**To:** 'Darren.Walters@newcastle-staffs.gov.uk'  
**Subject:** Re Punch Taverns & The Crewe Arms Hotel, Newcastle under Lyme  
**Sensitivity:** Private

Our Ref JGC 27842/234/PMC  
CRM4750894-1591365

Your Ref APP071864 /

Hi Darren,

I act for Punch Taverns and have been asked by Kerry Dunning to contact you regarding this matter.

I understand the position to be as follows :

1. A Noise Abatement Notice was served on Three Castles Warrington Ltd c/o The Company Secretary in respect of The Crewe Arms - 23/12/13;
  2. A further Noise Abatement Notice was served on Three Castles Warrington Ltd c/o Susan Lawson in respect of The Crewe Arms - 24/12/13;
  3. Letter to Three Castles Warrington Ltd - 21/01/14, advising that -
    - 3.1 further complaints are being received about alleged excessive noise coming from the premises and referring to your letter dated 21/01/14 !!!;
    - 3.2 Alleging that licensable activities have taken place in contravention of the current premises licence;
  4. Letter to the DPS - 11/02/14 -
    - 4.1 Alleging that licensable activities have taken place in contravention of the current premises licence;
  5. Letters to the DPS and Three Castles Warrington Ltd - 26/02/14 -
    - 5.1 Referring to a meeting on the 14/02/14;
    - 5.2 Alleging that licensable activities have taken place in contravention of the current premises licence;
    - 5.3 Alleging ongoing noise disturbance being reported to the council
  6. I can assure you that Punch are very keen to resolve such matters as exist and to that end would be grateful for replies to the following questions :
    - 6.1 How many households, located in the vicinity of the premises have complained to your department about the premises ?
    - 6.2 When is it alleged that the noise abatement was breached other than on the 15/02/14 and the 22/02/14 ?
    - 6.3 When is it alleged the premises licence has been breached, please detail what licensable activity or activities have taken place in breach of the terms of the premises licence ?
- As you will no doubt appreciate, Punch Taverns would like to avoid a premises licence review, if at all possible, to this end, perhaps we could have a chat about matters ?

I look forward to hearing from you.

Kind regards

**John G. Coen** | Ford & Warren Solicitors  
Partner | Regulatory & Licensing Department

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CA46

**Walters, Darren**

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**From:** Walters, Darren  
**Sent:** 16 April 2014 17:31  
**To:** 'John Coen'; Kerry.Dunning@punchtaverns.com; Keith Roberts  
**Cc:** David.Wright@staffordshire.pnn.police.uk; Henshaw, Nesta  
**Subject:** [UNCLASSIFIED] RE: Re Punch Taverns & The Crewe Arms Hotel, Newcastle under Lyme  
**Importance:** High  
**Sensitivity:** Private

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	'John Coen'	
	Kerry.Dunning@punchtaverns.com	
	Keith Roberts	
	David.Wright@staffordshire.pnn.police.uk	
	Henshaw, Nesta	Delivered: 16/04/2014 17:31

[Classification: NULBC UNCLASSIFIED]

Mr Coen / Kerry

The details you are looking for will be submitted with the review application which will be in the post tomorrow with a comprehensive exhibits bundle. This has taken me some time to prepare and I do apologise for the delay in getting this to you. I have however discussed / advised a number of the more recent incidents with Mr Coen and Ms Dunning. Notwithstanding, I do feel that Punch as the PLH should have taken the initiative after the somewhat difficult meeting in February to monitor and ensure compliance rather than waiting for the community to be inconvenienced and for problems to be reported and investigated by the police and environmental health.

I have visited the premises today and understand that a DJ is booked for Friday and a rock band (Snakebite) is booked for Saturday. I have spoken to Sue Matthews (Events Manager?) in Mr Williams absence and advised that there were issues over the weekend just gone. I have advised Mrs Matthews of the requirements of the licence and the noise abatement notice and left a note to this effect for Mr Williams' attention. I have reinforced the requirements of the licence in terms of permitted times for the different types of entertainment upto 11pm for live music, upto 22.30 for recorded music and also referred to the closure powers available to the police and local authority should the issues continue.

Given the issues to date, could you provide me with details of how Punch intend to ensure compliance with the current licence and the spirit of the Act pending the review hearing?

I am also receiving complaints from local residents about the management of patrons at the front of the premises and as they leave the site, raised voices, abusive behaviour, fighting, age of persons, young persons being provided with alcohol.

I look forward to your comments. As always, I remain available for a meeting to discuss the issues further. Dave Wright and myself are available on the 25th April after 10:30am.

Kind Regards

**Darren Walters (Team Leader - Environmental Protection)**  
Newcastle-Under-Lyme Borough Council  
Civic Offices, Merrial Street, Newcastle under Lyme. ST5 2AG  
**01782 742587**  
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---

**From:** John Coen [mailto:John.Coen@forwarn.com]

**Sent:** 15 April 2014 13:44

**To:** Walters, Darren

**Cc:** Keith Roberts; David.Wright@staffordshire.pnn.police.uk; Kerry.Dunning@punchtaverns.com; Henshaw, Nesta

**Subject:** RE: [UNCLASSIFIED] RE: Re Punch Taverns & The Crewe Arms Hotel, Newcastle under Lyme

**Sensitivity:** Private

## FORD & WARREN SOLICITORS

Westgate Point, Westgate, Leeds, LS1 2AX MDX 706968 Leeds  
Tel: (+44) (0) 113 2436601 Fax: (+44) (0) 113 2420905  
Email: John.Coen@forwarn.com WEB site: <http://www.forwarn.com>

Our Ref JGC 27842/234/PMC

Hi Darren,

Thank you for your two attached e-mails.

I am very disappointed to learn that a review application is being proceeded with notwithstanding our informing you that we were happy to meet with you and the police to try and resolve matters (without the need for a review).

Whilst I will take instructions on your question regarding a meeting, it seems to me that there is very little point in having a meeting, as in the circumstances, I wonder what it would achieve ?

I look forward to receiving a copy of the review application together with supporting documents (if any).

Finally, I have to say that the failure to reply to my e-mail dated 03/03/14 has certainly not helped resolve matters.

Kind regards

**John G. Coen** | Ford & Warren Solicitors

Partner | Regulatory & Licensing Department

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**From:** Walters, Darren [mailto:Darren.Walters@newcastle-staffs.gov.uk]

**Sent:** 15 April 2014 10:55

**To:** Walters, Darren; John Coen

**Cc:** 'Keith Roberts'; 'David.Wright@staffordshire.pnn.police.uk'; 'Kerry.Dunning@punchtaverns.com'; Henshaw, Nesta

**Subject:** [UNCLASSIFIED] RE: Re Punch Taverns & The Crewe Arms Hotel, Newcastle under Lyme

**Importance:** High

**Sensitivity:** Private

[Classification: NULBC UNCLASSIFIED]

John / Kerry

Are you able to make a meeting this week? Thursday PM here at the Civic Offices is preferred. I am unable to meet with you next week as I will be on leave.

In the meantime, what assurances will Punch be giving to the council and local residents to prevent continuing issues pending the review?

I will be lodging the review application today. I will forward a copy of the application docs to you by email to give you an idea of the issues and will also place the complete pack in the post today.

**Darren Walters (Team Leader - Environmental Protection)**

Newcastle-Under-Lyme Borough Council

Civic Offices, Merrial Street, Newcastle under Lyme. ST5 2AG

01782 742587

[www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.gov.uk)

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**From:** Walters, Darren

**Sent:** 14 April 2014 07:54

**To:** 'John Coen'

**Cc:** Keith Roberts; [David.Wright@staffordshire.pnn.police.uk](mailto:David.Wright@staffordshire.pnn.police.uk); 'Kerry.Dunning@punchaverns.com'; Henshaw, Nesta

**Subject:** [UNCLASSIFIED] RE: Re Punch Taverns & The Crewe Arms Hotel, Newcastle under Lyme

**Sensitivity:** Private

[Classification: NULBC UNCLASSIFIED]

Mr Coen

The Borough Council's Environmental Health Division will be lodging a review application by tomorrow in respect of the continuing and significant noise issues from music and patrons. I will forward a copy to yourself and punch by email. As part of the application I have summarised the complaints and investigations made since last April when the current tenants took over and I will also be providing recorded evidence of a number of noise events as part of the application. I will be wanting the committee to listen to these recordings. I believe that once the review application is lodged that the community surrounding the premises will want to make their own representations.

I am able to meet with yourself and Punch later this week to discuss further. Please contact my colleague Julie Webb who will book the appointment on my behalf 01782 742584.

In the meantime, there were further incidents this weekend, with the police being called to the premises on Friday regarding noise and Saturday regarding noise from a live band. I think the comments of our complainant illustrate the problem. *I thought that the pub had the back fire door open, however, it is just the loudness of the music. We can hear very deep bass - which is actually making me feel sick, drums and singing with all our windows and curtains closed, even I recognised the song 'another brick in the wall'.*

Regards

**Darren Walters (Team Leader - Environmental Protection)**

Newcastle-Under-Lyme Borough Council

Civic Offices, Merrial Street, Newcastle under Lyme. ST5 2AG

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**From:** John Coen [<mailto:John.Coen@forwarn.com>]  
**Sent:** 07 April 2014 14:29  
**To:** Walters, Darren  
**Cc:** Keith Roberts; [David.Wright@staffordshire.pnn.police.uk](mailto:David.Wright@staffordshire.pnn.police.uk)  
**Subject:** RE: Re Punch Taverns & The Crewe Arms Hotel, Newcastle under Lyme  
**Sensitivity:** Private

## FORD & WARREN SOLICITORS

Westgate Point, Westgate, Leeds, LS1 2AX MDX 7069  
Tel: (+44) (0) 113 2436601 Fax: (+44) (0) 113

Email: [John.Coen@forwarn.com](mailto:John.Coen@forwarn.com) WEB site: <http://www.forwarn.com>

Our Ref JGC 27842/234/PMC                      Your Ref APP071864 / CRM4750894-1591365

Hi Darren,

Further to our previous phone calls, I have instructions from Keith Roberts - Punch to agree to a meeting. I am sure you have liaised with the police in this regard ?

I would be very grateful if you could reply to my e-mail dated the 03/03/14 before we meet.

I look forward to hearing from you with a reply and some suggested dates and venue(s) for the meeting.

Kind regards

**John G. Coen** | Ford & Warren Solicitors  
Partner | Regulatory & Licensing Department

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**From:** John Coen  
**Sent:** 25 March 2014 16:36  
**To:** 'Darren.Walters@newcastle-staffs.gov.uk'  
**Subject:** RE: Re Punch Taverns & The Crewe Arms Hotel, Newcastle under Lyme  
**Sensitivity:** Private

Our Ref JGC 27842/234/PMC                      Your Ref APP071864 / CRM4750894-1591365

Hi Darren,

Further to our phone conversation on the 17/03/14, I look forward to hearing from you. As you will appreciate, Punch Taverns are keen to progress matters.

Kind regards

**John G. Coen** | Ford & Warren Solicitors  
Partner | Regulatory & Licensing Department

**From:** John Coen  
**Sent:** 17 March 2014 10:35  
**To:** 'Darren.Walters@newcastle-staffs.gov.uk'  
**Subject:** RE: Re Punch Taverns & The Crewe Arms Hotel, Newcastle under Lyme  
**Sensitivity:** Private

Our Ref JGC 27842/234/PMC                      Your Ref APP071864 / CRM4750894-1591365

Hi Darren,

Further to my attached e-mail, may I please hear from you.

Kind regards

**John G. Coen** | Ford & Warren Solicitors  
Partner | Regulatory & Licensing Department

**From:** John Coen  
**Sent:** 03 March 2014 18:57  
**To:** 'Darren.Walters@newcastle-staffs.gov.uk'  
**Subject:** Re Punch Taverns & The Crewe Arms Hotel, Newcastle under Lyme  
**Sensitivity:** Private

Our Ref JGC 27842/234/PMC                      Your Ref APP071864 / CRM4750894-1591365

Hi Darren,

I act for Punch Taverns and have been asked by Kerry Dunning to contact you regarding this matter.

I understand the position to be as follows :

1. A Noise Abatement Notice was served on Three Castles Warrington Ltd c/o The Company Secretary in respect of The Crewe Arms - 23/12/13;
2. A further Noise Abatement Notice was served on Three Castles Warrington Ltd c/o Susan Lawson in respect of The Crewe Arms - 24/12/13;
3. Letter to Three Castles Warrington Ltd - 21/01/14, advising that -
  - 3.1 further complaints are being received about alleged excessive noise coming from the premises and referring to your letter dated 21/01/14 !!!;
  - 3.2 Alleging that licensable activities have taken place in contravention of the current premises licence;
4. Letter to the DPS - 11/02/14 -
  - 4.1 Alleging that licensable activities have taken place in contravention of the current premises licence;
5. Letters to the DPS and Three Castles Warrington Ltd - 26/02/14 -
  - 5.1 Referring to a meeting on the 14/02/14;
  - 5.2 Alleging that licensable activities have taken place in contravention of the current premises licence;
  - 5.3 Alleging ongoing noise disturbance being reported to the council
6. I can assure you that Punch are very keen to resolve such matters as exist and to that end would be grateful for replies to the following questions :
  - 6.1 How many households, located in the vicinity of the premises have complained to your department about the premises ?
  - 6.2 When is it alleged that the noise abatement was breached other than on the 15/02/14 and the 22/02/14 ?
  - 6.3 When is it alleged the premises licence has been breached, please detail what licensable activity or activities have taken place in breach of the terms of the premises licence ?

As you will no doubt appreciate, Punch Taverns would like to avoid a premises licence review, if at all possible, to this end, perhaps we could have a chat about matters ?

I look forward to hearing from you.

Kind regards

**John G. Coen** | Ford & Warren Solicitors  
Partner | Regulatory & Licensing Department

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# Agenda Item 6

30 Wharf Terrace

Newcastle under Lyme Borough Council

Madeley Heath

Licensing Department

BOROUGH OF  
NEWCASTLE U LYME  
DIRECTORATE - RESOURCES

Nr Crewe

Civic Offices, Merrial Street

Cheshire CW3 9LP

Newcastle under Lyme ST5 2AG

14 MAY 2014

PASSED TO

CONFER WITH

CIRC TO

May 13<sup>th</sup> 2014

Dear Sir

## MADELEY HEATH: THE CREWE ARMS HOTEL

I live about 20 metres from the Crewe Arms Hotel and my back garden wall is also the carpark wall. I am writing to you now as a resident concerned since winter 2013 about the disturbances occurring late at night which have been caused by patrons of this hotel, especially on Friday and Saturday evenings.

I particularly notice the loudness of the noise (shouting, and calling to each other amongst the crowds) and the large numbers of young people who collect together at the entrance of the pub. Some of them do not go into the pub but remain drinking outside. Occasionally the level of the noise of the music playing is also excessive.

The main problem is the collecting of drinkers in the 'smoking area' which is just a few metres from the nearest houses.

The consequences of this noise are:

It is impossible to get to sleep while the shouting goes on. It is loud and sometimes frightening, because occasionally it has sounded violent. Throughout all the year it has occurred on two and sometimes three consecutive nights between Thursday and Sunday, on three out of four weekends each month. It has gone on until well after midnight, and occasionally until after one o'clock.

Actions I have taken:

I have telephoned the hotel several times and only once was able to speak to someone who went outside and asked the customers to quieten down.

On July 19 2013 I took action myself being kept awake until after 1.15 a.m. . I walked round to the 'smoking area' in front of the pub and asked the small group of youngsters to lower their voices. They left the area at 1.30 a.m.

On July 20<sup>th</sup>, the next day, on a Saturday afternoon at about 2 pm I walked round to the pub and asked the staff to request their customers drinking at the table in the car park to turn down the volume of the music blaring loudly from their parked van. They said they were unaware there was a problem.

Now I generally telephone the police on 101 usually after midnight at weekends.

I recently did this on four consecutive nights March 6<sup>th</sup> – March 9<sup>th</sup> 2014 when the noise was extremely loud from both the car park and from the smoking area. I could hear the actual words shouted through closed double glazed windows at both the front and back of my house.

Why it is so difficult to live with:

Generally it has become a constant, worrying, miserable and tiring experience having to deal with this level of disturbance, which I believe is quite extraordinary and out of place in a small rural village.

In the 8 houses closest to me in Wharf Terrace:

- 1) In 5 houses residents leave to go to work between 5.30 and 7.30 a.m. . In another house the resident works shifts.
- 2) In 2 houses there is a baby and young children
- 3) In 3 houses there are ill, frail or elderly residents.

Please will you take our concerns into account when you consider the relicensing of the Crewe Arms. Since last July it has seemed to me that outside intervention by yourselves and the police has been very helpful, but also necessary to prevent the very noisy outbursts occurring between Thursday and Sunday evenings until after midnight.

I have lived here for over 30 years and have grown accustomed and accepted the 'normal' hotel noises and occasional events. But this level of rowdiness and drunkenness in the last 15 months is quite different and I believe is out of place.

Yours faithfully



Annette Blampied

cc Simon White



RE CREWEARMS HOTEL  
MADELEY HEATH  
CW3 9LP

GRAHAM IKIN  
3 WHARF TERRACE  
MADELEY HEATH  
CW3 9LW

Dear Sirs,

I have been a loyal customer of the crewe arms since 1984 I was resident organist then, we had no trouble with noise as it was managed with common sense and respect for residents, I still play the organ there every Sunday night we have "open mike" and have no complaints on that night but Friday and Saturday nights are a different matter, the manager employs a disco and heavy rock bands and they are far too loud, he won't listen when we complain and lets them get out of control, all of the problems are down to very bad management, and if 'PUNCH' got rid of him I truly believe that the pub would change over night with the right person in charge, yours sincerely

G. Ikin

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Mr. Mrs. W. Weld  
28 Wharf Terrace  
Madeley Heath  
N. Crewe  
Cheshire  
CW3 9LP

Date 19<sup>th</sup> May 2014

To Licencing Committee.

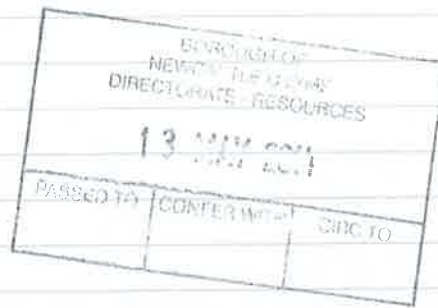
I wish to make  
representations to the Licencing Committee  
that is due to review the licence of  
The Crewe Arms Public House of Madeley  
Heath, over the last 18 months we have  
had to put up with constant swearing  
Loud Music and Anti Social behaviour  
Coming from and around the premises.  
Will you please note my wish to speak  
at the hearing.

Thank You

W. Weld

 Page 211

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RON PORTER,  
3 RIDGEHILL DRIVE,  
MADELEY HEATH.  
CREWE.  
CHESHIRE.  
CW39LY.  
12TH MAY 2014.

NEWCASTLE BOROUGH COUNCIL.  
LICENCING DEPARTMENT.  
CIVIC OFFICES,  
MERRILL STREET.  
NEWCASTLE UNDER LYME.  
STAFFORDSHIRE.  
ST5 2AG.

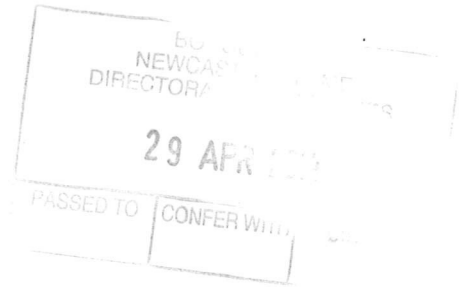
DEAR SIR / MADAM

I WRITE IN SUPPORT OF THE INTENDED REVIEW OF THE PREMISES LICENCE AT THE CREWE ARMS HOTEL, BY THE BOROUGH COUNCIL'S LICENCING DEPARTMENT. THE NOISE LEVELS FROM THE ABOVE PREMISES IS MOST ANNOYING, PARTICULARLY ON FRIDAY NIGHTS WHEN THERE ARE DISCO'S, AND SATURDAYS WHEN THEY HAVE LIVE MUSIC. AS A RESULT OF THESE DISCOS, AND LIVE MUSIC, THERE HAVE BEEN INCIDENTS OF ANTI-SOCIAL BEHAVIOUR IN THE NEIGHBOURHOOD I.E WASTE BINS REMOVED NEAR TO THE MEADOWS PRIMARY SCHOOL, AND THE MOTORWAY BRIDGE, AND BEING THROWN INTO NEAR BY FIELDS. RESIDENTS HAVING HAD PEOPLE BEING SICK OVER THEIR CARS, IN FACT I MYSELF HAVE HAD YOUTHS LEAVING THE PREMISES, AND COMING DOWN RIDGEHILL DRIVE AND SHOUTING PORTERHOUSE BIDE THROUGH MY LETTERBOX. MOREOVER THEY HAVE ALSO URINATED AND DEFACATED ON MY DRIVE, AND PULLED UP FLOWERS FROM MY GARDEN. IN THE LIGHT OF MY STATED COMPLAINTS IN RELATION TO THE CREWE ARMS HOTEL, I SINCERELY HOPE THAT THE LICENCING DEPARTMENT NOT ONLY REVIEWS THE CURRENT LICENCEES TENANCY, BUT CHOOSES TO REVOKE IT UNTILL PUNCH TAVERNS APPOINT A LICENCEE WHO CAN COMPLY WITH THE COUNCILS CRITERIA.

YOURS FAITHFULLY  
MR RON PORTER  
Page 213

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James and Sandra Dorrian  
White House, Wharf Terrace  
Madeley Heath  
Cheshire CW3 9LP  
01782 751068  
jamesgdorrian@mac.com



April 23, 2014

Licencing Administration Team  
Newcastle Borough Council  
Civic Offices  
Merrial Street  
Newcastle-Under-Lyme  
Staffordshire ST5 2AQ

Dear Team,

**Re: Crewe Arms, Madeley Heath, Appeal against Licence Renewal**

My wife and I would like to add our voices to the number of complaints against the Landlord of the Crewe Arms for his irresponsible management of this establishment.

Like many of our neighbours on Wharf Terrace, we have suffered as a result of the loud music from the weekend discos and antisocial behaviour of the people congregating outside the pub. We do not have double glazing, as a consequence of which, I have been forced to make and install a heavy wooden shutter to act as a form of soundproofing for our bedroom window, which faces the car park. This means that we cannot easily open this window and the room has to remain shuttered 24/7. In addition, we have often been forced to wear earplugs in order to get to sleep because of excessive noise.

These problems with the Crewe Arms have been ongoing for a number of years, but have become worse rather than better. I have enclosed a sample of Trip Advisor feedback to illustrate further. As you can see the reviews are somewhat inconsistent!

We understand that the various licencees of the premises are trying to run a business, however there comes a point at which the question has to be asked – is a public house, run in this irresponsible way, really suited to an otherwise quiet, settled, family neighbourhood?

We sincerely hope that this licence will not be renewed.

Yours sincerely,

James and Sandra Dorrian

i. Enc.



## The Crewe Arms Hotel

Wharf Terrace, Madeley Heath, Crewe, Cheshire



**tripr1000**

2 months ago

What a hole, And I didn't even stay, just a quick visit looking for the owners Mrs an Mr Moleneux to try and get the Mrs wages OWED from another of their business. The (CROWN HOTEL STONE) which has just locked its doors and screwed all its workers over for around £5.500 after giving them all blank checks the previous week! Now that says a lot about this hotel if they are willing to rip off struggling families and single mothers of such a small amount. Then what the hell kind of a state place are you booking in to here. 30yr old decor dingy old beds damp walls, smell of poop and pee! I bet the list of problems is endless as it was the other hotel, a hole. I would rather have stayed on the street with the big issue seller.

### A SELECTION OF TRIP ADVISOR REVIEWS FOR CREWE ARMS (Punch Taverns)

- Reviewed 10 June 2013 - Stayed June 2013, travelled with family

I think this has changed hands recently. It used to be a pleasant if unremarkable place to stay. Unfortunately this weekend has put us off staying again. There were three of us in the room: we had to ask twice for extra towels as only one set had been put in the room. There was no key available for the outside door in case we were late back (there happened to be a function in one of the rooms so that wasn't a problem) We had 2 pillows for 3 of us and only 1 cup and 2 teabags. The room just hadn't been prepared properly. Also the carpet and bath could have been cleaned better (if they had been) and I'm not convinced the bed had been changed. It looked clean but creased. The table at breakfast was so sticky I had trouble picking up the serviette and the breakfast itself was disappointing.

"Enjoyable"

- Reviewed 28 June 2013 - Stayed June 2013, travelled as a couple

I stayed at the hotel last week, Friday till Sunday, I found it to be quaint, neat and tidy, the bed was comfortable. The young lady (Vicky) at reception was very polite and welcomed my partner and I with enthusiasm. Our rooms were clean and tidy, with TV and drink making facilities. We had a drink at the bar, quite a few at the bar were locals. The bar staff were very polite and joined in conversation. We were surprised at how reasonable the drink prices were. There was a disco at the night time, and it got busier, the band on Saturday night were quite enjoyable and the place was really busy, the staff took in their stride!. A good thing that we were not expecting was a "drinks special" on the Friday Night where most drinks were all only £2!. Our meals over the weekend were nice and quite enjoyable, we decided to stay for Sunday lunch, we opted for roast beef, which was served, meat (lots of it), gravy and a huge Yorkshire pudding on a hot plate, with a large selection of vegetables in a separate bowl, quite unique and very filling!. Our stay was enjoyable and we would recommend the hotel again. Mr & Mrs Robinson



"It makes Fawlty Towers look like the Ritz Carlton"

Reviewed 14 July 2013 - Stayed June 2013, travelled with friends

We chose this poor excuse for a hotel as it was recommended by a fishing venue we were using. The bedrooms seemed ok, for the amount we were paying but the free wifi throughout the hotel was only available in a very small area of the restaurant. We ate in the restaurant on the first evening. The meal was a joke. There were 6 of us but whatever we ordered they didn't have enough of. The food was passable when we did manage to order a 'stock item'. Breakfast was unbelievably bad. One of us ordered poached eggs. These turned out to be fried eggs that were only half cooked. It took an eternity to wait for food that was inedible.

On returning from a day's fishing, none of our rooms were made up or had clean towels. When we asked for towels we were given 1 medium size and 2 hand towels to share between all of us. By this time, the front panel of the bath had fallen off my bath and the basin cold tap had fallen apart.

At about 11pm we were asked to go to bed as they wanted to close the bar. We said no and asked them to find us a room where we could continue our evening. We were shown to a room that had an ironing board and half ironed towels, (no doubt our missing towels) but table and chairs for our use. We were asked to turn out the lights before retiring. About an hour later the owner told us that he was turning out all the lights. We asked for 2 minutes to complete an email and he said no and turned out the lights.

In the morning I complained, but the owner, who was in the kitchen, refused to be any part of this conversation. We were offered £5 a room discount and told we wouldn't be charged for the first day's breakfast. Strange, as the room rate included breakfast. On day 2 we didn't bother with breakfast. This was far from a resolution that would be acceptable, but we had come to go fishing and not waste any more time arguing my case.

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NEWCASTLE UNDER-LYME RESOURCES DIRECTORATE	
DATE RECEIVED	
27 MAY 2014	
REPLY NEEDED YES/NO	DATE OF REPLY
DEALT WITH BY	FILE REF:

Poppy Cottage  
Wharf Terrace  
Madeley Heath  
Cheshire  
CW3 9LW

22nd May 2014

Newcastle under Lyme Borough Council  
Licensing Department  
Civic Offices  
Merrial Street  
Newcastle under Lyme  
ST5 2AG

Dear Mr Walters

Submission regarding Licensing Review for Crewe Arms Hotel

In relation to the Licensing Review for the Crewe Arms Hotel we would like to object on the grounds of prevention of public nuisance associated with regulated entertainment covered by the existing premises licence and deregulated entertainment and general noise and behaviour from customers.

In November 2007 Punch Taverns and The Crewe Arms Hotel attending a licensing review hearing following a number of complaints from residents regarding noise nuisance and anti social behaviour. We had to witness fights, glasses been smashed, urination, people shouting on their mobile phones and offensive language on a regular basis. At night it was impossible to have windows open as noise from the large screen television and shouting, cheering and offensive language could be heard coming from the function room. When live music was taking place we could hear this from the fire door exit of the function room. Music continued well into the early hours of the morning. Following the review Punch Taverns and The Crewe Arms Hotel had a number of restrictions placed upon them, which included:

- The telephone number of the premises shall be provided to neighbours to encourage good communication and provide a harmonious environment for the area.
- Member of staff shall monitor the exterior of the premises after 10pm until closure of the public house every 30 minutes for the purposes of minimising disturbance to residents in the vicinity of the premises from regulated entertainment, cars, taxis and private hire vehicles and patrons in the car park.
- All windows in the premises shall be closed during the provision of regulated entertainment
- That fire doors at the premises shall be fitted with automatic closures and the licensee use his best endeavours to ensure that these doors are kept closed.

- Live music, dancing and karaoke shall be permitted for private events in the function room only.

As you are aware the pub is situated in a residential area with a number of houses in very close proximity and residential streets close by. Our property is situated on Wharf Terrace which is at the side of the pub and is approximately 20 metres away. From the front of our property we are in close proximity to the rear fire door of the pub (which can be seen from our home) this leads into the glass roofed area where we believe most of the live music takes place. We are also in close proximity to the front entrance where there are picnic benches for customers to sit and drink outside. Our property is fitted with double glazed windows. (See Appendix 1 of the objection documents)

We know that Punch Taverns PIC own the premises. All our conversations regarding the loud music have been with Mr Williams (previously known as Mr McHugh) whom we have presumed is the manager and tenant.

Since March 2013 we have been disturbed by loud music normally occurring on a Friday and Saturday evening, DJ music on a Friday night and live music on a Saturday night.

In March through to April we rang the Crewe Arms Hotel and asked for the noise to the music to be reduced to a level where we could not hear it in our property. We began by contacting the pub and asking for the music to be turned down; none of the phone calls resulted in the level of sound being reduced or stopped, in fact on one occasion the member of staff who answered our call said that they could not hear us very well as it was noisy.

- As the pub appeared not to be interested in communicating with residents and providing a harmonious environment for the area we contacted our local Borough Councillor Simon White to lodge an official complaint and to ask what the Borough Council could do to help resolve the problem.
- On the 11<sup>th</sup> May weekend we had a particular bad weekend with loud music on both Friday and Saturday evenings, we rang the council to complain and we understand the Environmental Services visited the premises to discuss the complaints with the tenants.
- Following this visit from the Borough Council officials - Mr Williams and a colleague knocked on our door to apologise for the disturbance and to say he wanted to work with the local people to sort out the problems and mend bridges, he then offered us a free Sunday lunch for the following day. We thanked him but turned the offer of lunch down. We did say the way to mend bridges would be to turn the music down so that it could not be heard in our home.
- The following weekend we experienced the same loud music which could be heard in the front of our house which covers the lounge, computer/study area, and bedrooms.
- In May 2013 the Council provided us with a log to record the noise nuisance from the pub.(see appendix 2, letter to Karen Benson, Borough Council and sample of log sheets completed)
- Most weekends we have to endure music on both a Friday and Saturday evenings with DJ music on a Friday and live bands on a Saturday evening. (See Appendix 3 – Crewe Arms Facebook page indicating live events)
- We have kept a log of many of times we have been disturbed by the loud music and have been in touch with the Borough Council and the Police on a number of occasions to complain.
- Added to the music is the anti-social behaviour of customers frequenting the pub, we have been on a number of occasions disturbed by customers leaving the pub as late as 1.30am-

3am in the morning, shouting, screaming, singing, chanting and swearing – obviously drunk from being in the pub well after licensing hours.

- During the summer of 2013 it was not unusual to have cars parked at the entrance of the pub for periods of time both on Saturdays and other evenings with loud music emanating from their cars whilst people were talking and shouting in conversation. However this stopped after receiving complaints from ourselves and other residents.
- Music has continued almost every Friday and Saturday nights and on most occasions can be heard above the normal volume level of our television.
- We can hear the thump, thump, thump of the loud bass associated with DJ music on a Friday evening
- We can hear the thumping bass, drums and sometimes vocals from live bands on a Saturday evening.
- There have been a number of occasions where music has gone on after the permitted 11pm finish and can be heard until the early hours of the morning.
- We have had sound monitoring equipment from the Borough Council placed in various rooms at the front of our home including lounge, computer/study area and bedroom on 11 occasions. 8 of those occasions we have been able to audibly record the music or revellers outside the pub both with and without our windows open. (Appendix 4 – witness statements submitted to Borough Council following sound monitoring equipment in our home)
- On the 23<sup>rd</sup> December the Borough Council informed us that the Crewe Arms had been issued with a noise abatement notice with immediate effect, this still did not deter the pub from playing loud music.
- New Years Eve we had the loudest music yet which continued to gone 1am in the morning and the noise from people leaving the pub as late as 2am.
- Even with a noise abatement notice in force the pub continues to have loud music which disturbs our weekends.
- We have felt it was necessary to contact the Police and complain about the music (the police have incident numbers relating to our calls) and we know following a phone call recently on a Saturday evening that the local PCSO Colin Hodgkinson spoke to Mr Williams regarding the noise nuisance (which he heard himself) and the notice served on them. Mr Williams's response to the PCSO was that he was aware of the noise abatement notice and the music wouldn't be long before it was finished.
- Mr Walters, Environmental Services Team Leader recently visited our premises on a Saturday evening and experienced the noise levels himself; he also observed music being played over the permitted 11pm time frame. That same evening Mr Walters along with a police officer entered the premises of the Crewe Arms Hotel and discussed this with Mr Williams. Mr Walters following his feedback to us explained that Mr Williams was going to pursue the matter in high court.
- We are in contact with the Police who do check with us from time to time whether the noise nuisance has abated. Each time we have explained that it has not.

We live in a terraced house which has double glazing which we have to keep closed even in the height of summer.

You would think that as summer approaches and with the warm evenings we have already been experiencing that this would lift our spirits, however this is far from the truth and we dread the lighter nights and the warmer evenings as we know that on a Friday and Saturday evening there will be loud noise from customers of the pub sitting outside shouting and swearing. We are not able to sit outside and enjoy the garden because of the loud music coming from the pub.

We dread the weekends not only does the music mean that we have to turn the television sound up to drown out the music from the pub or in rooms where we are not listening to the television we have needed to wear head phones to concentrate on other devices. Even with headphones on the noise can sometimes be heard.

The music is so loud that we often can tell what hits the bands are playing, from hearing 'another brick in the wall', 'teenage kicks', 'paranoid' to name but a few.

We have family who do not live locally, however we feel unable to invite them for weekends as they will be disturbed by the music and we know that our family dread coming as the music does disturb them.

We cannot go to sleep at the times we want to go to sleep, we have to wait until the music finishes before we go to bed.

We have had our sleep disturbed by customers leaving the pub out of licensing hours at 1, 2 and 3am in the morning.

We are extremely stressed and as one of us is an asthmatic which can be triggered by stressful situations there have been a number of weekends where medication has had to be administered to get their breathing back under control. On a number of occasions the stress has meant we have not been able to sleep on a Saturday night even when the music has stopped as it has upset us so much.

We are at our wits end, we love living in Madeley and have given a number of years supporting the village in volunteering capacities but we feel that our quality of life has deteriorated so much over the past year that we no longer want to live here.

On the 12<sup>th</sup> April 2014 this year the music was so loud that our windows were vibrating with the bass and could be heard in every single room in the house with all the windows and doors closed.

Since being told that there was a license review Mr Williams with other staff members has been coming round to the side of the pub and checking the sound. For example on the 10<sup>th</sup> May 2014 he was outside in front of our home, he was informed that yes we could hear the music inside the home could he turn it down, 30 minutes later the music was even louder.

On the 17<sup>th</sup> May 2014 loud music was heard from the pub, Mr Williams was outside at the side of our home and we said we could hear the music. Mr Williams said that he would turn down the music and that we only had to let him know it was loud and he would do something about it. (Really, this has not been our experience over the last year). However to give him the benefit of the doubt we had several conversations with Mr Williams disappearing in to the pub and then coming out to ask if we could hear the music. At one point he asked what would be acceptable to us, we explained that not hearing the music at all inside our property would be acceptable. Mr Williams did say that he had had enough of the pub and we replied to say that now he knew how we were feeling. He did share that he was having to pay out £4,000 to install a sound meter and that the pub was not making him any money and that he was going to leave. He said he would stop the music if necessary. Unfortunately Mr Williams did not follow through on his statement and the music continued until just after 11pm.

We understand that Punch Taverns now want to work with the Borough Council to resolve the problems that residents are experiencing; this is far too late in our eyes. If they were really interested they would not have sent generic non committal emails to the Borough Council when communicating about the issues. They would have arranged to discuss the issue further and put into place steps to stop this happening or escalating.

We have absolutely no confidence in either Punch Taverns to manage the tenants in the premises, this can be demonstrated by the previous review hearing and the current problems we are having. We have absolutely no confidence in the current tenant Mr Williams, aka Mr McHugh, aka Dr Williams, he has shown blatant disregard to the feelings of those residents directly affected by the noise and anti social behaviour. Even if Punch Taverns were able to remove the current tenants and replace them with new tenants we have no confidence that we would not continue to have or experience further down the line problems with loud music and anti social behaviour.

Punch Taverns have demonstrated that they are unable to adhere to the current licence restrictions placed upon the pub and the noise abatement notice currently in force from the 23<sup>rd</sup> December 2013 and therefore have no interest in what their tenants do until a licence review comes up and suddenly they can't wait to help.

We would ask that our comments and strong feelings are considered in the licensing review and we would ask that the licence be revoked. The management of the pub have not given us any confidence in them being able to follow through on any promises made; indeed they do not adhere to the current licensing agreement or noise abatement notice.

Many thanks

Lesley Walter

A handwritten signature in black ink, appearing to be 'John Walter', written in a cursive style.

Mrs Lesley and Mr John Walter





# Appendix 1

Appendix 1- View from 4 Wharf to front entrance of Crewe Arms



View from 4 Wharf Terrace showing close proximity to the back of the pub where the function room is located



Appendix 2

Date	Time Started	Time Ceased	Duration Hours/Minutes	Rooms Affected	Nature of Nuisance	Describe How You Were Disturbed and How This Made You Feel
10/5/14	8.10	10.50	2h 40mins	Floor of House	LOUD MUSIC FROM CREVE ANNS	LANDROO CAME OUT TO CHECK MUSIC TALK TO HIM THROUGH WINDOW WE COULD HEAR IT IT THEN GOT LOUDEZ ABOUT 30 MIN LATER
17/5/14	9.15			All Rooms front of house	BASS + DRUMS FROM CREVE ANNS PUB * Mr Williams reply was that he would turn it down and we only had to let him know it was loud and he would do something about it.	MR WILLIAMS WALKED ROUND THEN 5 MINS LATER IT BECAME TWICE AS LOUD HE CAME OUT AT 9.40 AND WE COMPLAINED TO HIM. DESPITE BEING A VERY LOUD NIGHT WE HAVE HAD TO CEASE FIRE OUR WILLIAMS BUT COULD STILL HEAR IT: 21.40 Mr Williams walked by the front of our property with a regular drinker at the pub who worked with a pint of beer in his hand. He was subsequently seen out with a number of staff to Union Still the music can be heard.
						22-04 - Mr Williams walked by front of property again I asked the Union and asked what he had done about it, he said it could hear it + Union would be acceptable to me I said not to hear it at all. Mr Williams explained he had had enough of the pub now, I said now he understood how we felt. He also explained that he was going to pay out £4000 to fit a sound meter + that he was not wanting any money. He said he would stop the music if necessary. Unfortunately music can still be heard.

Signature: \_\_\_\_\_ (Person keeping the diary)



Statement of (full name) \_\_\_\_\_ Continued. Page: \_\_\_\_\_

Your Unique Complaint Number: APP/071864

Date	Time Started	Time Ceased	Duration Hours/Minutes	Rooms Affected	Nature of Nuisance	Describe How You Were Disturbed and How This Made You Feel
17/5/14 (continued)						22-25 - Music stopped, for a break
						22-37 - Drums can be heard again
						11-03 - Music stopped, I can now go to bed.

Signature: \_\_\_\_\_ (Person keeping the diary)





Date	Time Started	Time Ceased	Duration Hours/Minutes	Rooms Affected	Nature of Nuisance	Describe How You Were Disturbed and How This Made You Feel
10/1/14	9:20			Lounge Bedroom (west)	LIVE MUSIC AT CREATIONS SOUND OF BASS DRUMS APPROX 10 TO MUSIC HAS TO GET CONSIDERING EQUIPMENT ON COMPLETELY.	AS USUAL TURNED UP. USED TO IT NOW - PRETS MUCH RESISTED TO HAVING THIS EVERY WEEKEND.
5/4/14	9:10	9:50	40 mins	Living Computer Room Bedroom	LIVE ROCK MUSIC (SOUND OF BASS)	HOW MUCH MORE CAN WE TAKE!!!
--	10:10	10:57	47 mins	As above but louder		
12/4/14	9:15	9:19	2 mins	Bedroom (loft)	Drumming from Crete Arts Pub.	WOKEN BY A DRUMMER PRACTICE - CANT EVEN GET A NAP ON SATURDAY EVENING
12/4/14	9:25	10:00	35 mins	All rooms from pub + rear kitchen + LOFT BEDROOM	VERY LOUD MUSIC FROM CRETE ARTS PUB	WIFE IS IN TEARS. WE HAVE CALLED THE POLICE
					LOUDEST IT HAS EVER BEEN. WE COULD FEEL THE LOUNGE WINDOWS VIBRATING TO OUR TOUCH	RECEIVED A CALL FROM POLICE TO SAY THEY CAME ROUND AT 10:15 BUT MUSIC NOT PLAYING
12/4/14	10:20	11:00	40 mins	All rooms in the house	LOUD MUSIC + SINGING FROM CRETE ARTS PUB INC. ANOTHER BRICK IN THE WALL	
	11:15	11:20		Shouting from young LOFT, KITCHEN	SHOUTING FROM YOUNG PEOPLE OUTSIDE PUB	TONIGHT I WAS SO WRESTLED FRUSTRATED I COULD NOT SLEEP AND WENT DOWNSTAIRS TO WATCH TV TILL 4am.

Signature:  (Person keeping the diary)

CC

CC





8

1990

Pope Cottage 4 Wharf St 2AC5

Statement of (full name) \_\_\_\_\_ Continued. Page: \_\_\_\_\_ Your Unique Complaint Number: APP/071864

Date	Time Started	Time Ceased	Duration Hours/Minutes	Rooms Affected	Nature of Nuisance	Describe How You Were Disturbed and How This Made You Feel
9/11/13	9pm	9.45	45mins	ALL ROOMS FACING THE PUB	LOW MUSIC	
-	10.05pm	10.40pm	35mins	ALL ROOMS FACING THE PUB	MUSIC RESTRICTED KEYS LOWER THAN BEFORE	
15/11/13	10.40pm	10.55pm	15mins	ALL ROOMS IN HOUSE	Very loud dense music from car pulled up at pub entrance and lots of people shouting and swearing	
16/11/13	9.20pm	10.05	45mins	ALL ROOMS FACING THE PUB	Low Music Audible over the T.V.	
-	10.50pm			ALL ROOMS FACING THE PUB	AS ABOVE	

Signature: \_\_\_\_\_ (Person keeping the diary)

20

0005

**Criminal Justice Act 1967 s9; Magistrates Court Act 1980 s.5A(3)(a) and 5B Criminal Procedure Rules 2005 p27**

Statement of (full name) \_\_\_\_\_ X Age if under 21 \_\_\_\_\_ X (if over 21 insert "over 21")

This statement (consisting of \_\_\_\_\_ X pages, 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 \_\_\_\_\_ x 200 \_\_\_\_\_ X (Signature) \_\_\_\_\_ X \_\_\_\_\_ X day of \_\_\_\_\_ X

DIARY OF DISTURBANCES					
Date of Issue	Please Return Your Diary To:		Your Unique Complaint Number	Complaint Summary:	
<b>10 October 2013</b>	Licensing and Enforcement Regeneration and Development Civic Offices Merial Street Newcastle-under-Lyme Staffordshire ST5 2AG		<b>APP/071864</b>	<b>Amplified Music</b>	
	Your Case Officer	Premises Where Nuisance is Originating			
	Karen Benson	<b>Crewe Arms Hotel</b>			
	Tel No.	<b>Wharf Terrace, Newcastle Under Lyme</b>			
	Customer Services:		Describe How You Were Disturbed and How This Made You Feel		
	<b>01782 717717</b>		Had to shut windows, couldn't hang washing out. Ash falling on property.		
Date	Time Started	Time Ceased	Duration Hours/Minutes	Rooms / Area Affected	Nature of Nuisance
12/07/08	6:10pm	8:45pm	2:35	Living Room, Bedroom, Kitchen.	Smoke from bonfire.
14/10/13	8:20pm	10:40pm	2:20	Living Room, Bedrooms Lounge	Loud music
25/10/13	8:30	11:20		Area floors front The Pub	Loud music followed by large amount of shouting and swearing
2/11/13	8:55	10:35		ALL ROOMS FRONT THE PUB	MUSIC & LAUGH FROM UPS AT 8:50 THE HOUSE WAS VIBRATING 2 WEEKS MUSIC SO LOUD I CAN'T HEAR THE AT DINA FROM 20 BY SUTER SPEAKERS

**Person Keeping The Diary**  
Name: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
Tel No: \_\_\_\_\_

**Neighbour / Witness Verifying Disturbance**  
Name: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
Tel No: \_\_\_\_\_

**Note:**  
Any neighbour/witness, if relevant, should sign their initials against the particular disturbances verified. This form may be used as an exhibit appended to a section 9 witness statement. A witness may be required to attend court and give evidence under oath.

Date	Time Started	Time Ceased	Duration Hours/Minutes	Rooms Affected	Nature of Nuisance	Describe How You Were Disturbed and How This Made You Feel
23/11/13	8:50	10 pm		Lounge / computer room	loud music	could even hear it over doctor who the head that in land for the sound effects. Have to man window to go to bed
"	10:40	11:50		Bedroom, lounge, computer room	Loud music.	Didn't <del>manage</del> manage to get to sleep
2/12/13	8:15			Lounge, computer room	Drumming	In time, kept awake until 11:50 when music went off
"	8:30			" "	Loud music	<del>Drumming</del> Rarely pub to give them the opportunity to turn the music down!
"	9 pm					no attempt to make music quieter

Signature: \_\_\_\_\_ (Person keeping the diary)

23

## Appendix 2

Poppy Cottage  
Wharf Terrace  
Madeley Heath  
Cheshire  
CW3 9LW

21<sup>st</sup> June 2013

Karen Benson  
Enforcement Officer  
Newcastle Borough Council  
Merrial Street  
Newcastle  
Staffs

Dear Karen

Please find enclosed diary sheets from 31<sup>st</sup> May – 22nd June 2013 in relation to The Crewe Arms Hotel, Madeley Heath. As you know the pub is in a quiet residential area with houses very close by, our house is approximately 20 metres from the pub and there are residential houses closer than ours.

As you can see from the sheet that we have completed our complaint is mostly around the noise emitting from the building when the pub has music playing whether that be live bands or a DJ playing tracks. We often hear and see people outside the pub after 11pm shouting, swearing and drinking and a couple of weekends this has been 2am in the morning which we understand to be against the conditions of the current licensing agreement. We have seen drinkers leave the pub with their pints in hand and wander across the road into Heath Row and the playing fields behind Heath Row and wander back again to the pub.

Whilst we do not want to see the pub close, we do feel that since the live music events which seem to be every other week our quality of life is disappearing. We live in a terraced house which has double glazed windows which we have to keep closed and we can still here the thump, thump, thump of the music in the rooms we use. We dread the weekends coming up not only does the music mean that we have to turn the television sound up to drown out the music from the pub or in rooms where we are not listening to the tv we have needed to wear head phones to concentrate on other devices, even with head phones on the noise of the music can be heard. We cannot go to sleep at the times we want to, we have to wait until the music finishes (after 12pm usually) before

we go to bed as the noise from the pub causes problems getting to sleep. We are also aware that the pub has had at least one shut in recently with people leaving the pub at 2,3 and 4am.

We have had a visit from the landlord offering to mend bridges and provide a family Sunday lunch for free but we have chosen not to take the landlord up on his offer as this would be hypocritical given we have been keeping a diary on the noise pollution.

We now feel we do not want to be in our own home at weekends as we dread the level of noise from the music being played. As a home owner in a quiet residential street we should not have to feel this way and we look forward to hearing what steps the Borough Council will be putting into place so that our quality of life improves.

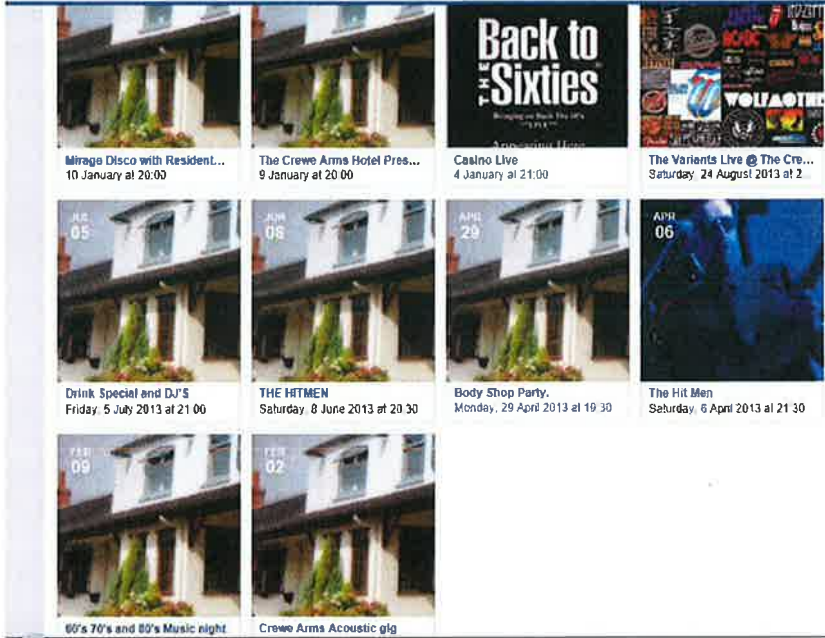
Yours sincerely

Lesley and John Walter



# Appendix 3

## Appendix 3 - Events advertised on Crewe Arms Facebook page





APP

**RESTRICTED (when complete)**

**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

APP **APP071864**  
Def.

Statement of: Lesley Walter .....  
Age if under 18: ..... (if over 18 insert 'over 18') Occupation: [redacted]

This statement (consisting of [redacted] 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 anything in it, which I know to be false, or do not believe to be true.

Signature: ..... Date: .....

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

22<sup>nd</sup> November 2013 -- in the lounge watching television when the thump, thump, starts of the bass beat of the dj music which I could hear over the television. I have to turn up the television to try and drown out the music. I attempt to go to bed at approximately 10.15pm but I was unable to get to sleep as the music got louder during the evening. I eventually got to sleep when the music finished .....

23<sup>rd</sup> November 2013 -- Live music started at approximately 8.45pm -- we were watching Dr Who which was quite a noisy programme and we had that louder than normal to make the most of the special effects but I could clearly hear the music through the double glazing and over the television. It could be heard clearly in every room facing the Crewe Arms Hotel. At 10pm the music stopped (that gives me approximately 30 minutes to go to bed and get to sleep) but I didn't manage it and was kept awake until 11.50pm when the music finished. ....

Signature: ..... Signature witnessed by: ..... Continued...

Appendix 4



**RESTRICTED - FOR PROSECUTION USE ONLY (when complete)**

Witness contact details

Home address: Poppy Cottage, 4 Wharf Terrace, Madeley Heath, Cheshire..... Postcode: [redacted]

Home telephone No: [redacted] Work telephone No: [redacted]

Mobile/Pager No: [redacted] E-mail address: jiman.walter@btopenworld.com.....

Preferred means of contact: mobile or email.....

Male (delete as applicable)  .....

Date and place of birth: 08.03.1963 -- Stoke on Trent.....

Former name: Peake ..... Height: 5ft 2inch..... Ethnicity Code: white british.....

Dates of witness non-availability: Dependent on work commitments.....

Witness care

a) Is the witness willing and likely to attend court? Yes. What can be done to ..... ensure attendance? .....

b) Does the witness require 'special measures' as a vulnerable or intimidated witness. No. ....

c) Does the witness have any specific care needs? No. If 'Yes' what are they? (Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?) .....

Witness Consent (for witness completion)

d) I consent to the Council having access to my medical record(s) in relation to this matter: N/A

e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No

f) I consent to the statement being disclosed for the purposes of civil proceedings Yes  No  N/A

g) The Council will disclose the information recorded above to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: .....

Statement taken by (print name): .....

Time and place statement taken: .....



Continuation of Statement of .....

[Large empty area with horizontal dotted lines for text entry]

Signature..... Signature witnessed by: .....

[Handwritten signature in blue ink]



WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

APP APP071864  
P of

Statement of: John Walter

Age if under 18: (if over 18 insert 'over 18')

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 anything in it, which I know to be false, or do not believe to be true.

Signature: Date

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

22<sup>nd</sup> November 2013 – Thump from the base beat of the dj music was heard in all the rooms facing the Crewe Arms Hotel this started at approximately 8.30pm. Music got louder during the evening and prevented my wife from going to sleep. I recorded the sound from the computer room for over half an hour while watching TV in the lounge with the volume quite loud. During this period I could also hear quite a lot of shouting and bad language from customers outside of the pub

23<sup>rd</sup> November 2013 – Live music started at approximately 8.50pm – we were watching Dr Who which was quite a noisy programme but could hear the music especially the bass and drums over this. It could be heard clearly in every room facing the Crewe Arms Hotel and in the rear kitchen of our property. I could recognise a number of songs being played including a cover of the deep purple classic 'Smoke on the Water' and what sounded slightly like a version of 'I fought the law'. There was a break of music between 10pm and 10.40pm when my wife went to bed in the hope of falling asleep before the noise started again. The music started again approximately 10.40pm at which point I commented about another night of not being able to go to sleep when I wanted to. I then listened to music which I had to do through my headphones as the music from the pub was highly disruptive. The music stopped at approx. 11.50pm I went to bed soon after.

Signature: Signature witnessed by: Continued...

Witness contact details

Home address: Poppy Cottage, 4 Wharf Terrace, Madeley Heath, Cheshire

Postcode: CW3 9LW

Home telephone No: Work telephone No:

Mobile/Pager No: E-mail address:

Preferred means of contact: mobile or email

Male (delete as applicable)

Date and place of birth: 13.10.1963 – Cleethorpes

Former name: Height: 5ft 10inch Ethnicity Code: white british

Dates of witness non-availability: Dependent on work commitments.

Witness care

- a) Is the witness willing and likely to attend court? Yes. What can be done to ensure attendance?
b) Does the witness require 'special measures' as a vulnerable or intimidated witness No.
c) Does the witness have any specific care needs? No. If 'Yes' what are they? (Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- d) I consent to the Council having access to my medical record(s) in relation to this matter: N/A
e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No
f) I consent to the statement being disclosed for the purposes of civil proceedings Yes No N/A
g) The Council will disclose the information recorded above to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness:

Statement taken by (print name):

Time and place statement taken:





**RESTRICTED – FOR PROSECUTION USE ONLY**  
(when complete)

Witness contact details

Home address: Poppy Cottage, 4 Wharf Terrace, Madeley Heath, Cheshire

Postcode: CW3 9LW

Home telephone: [redacted] Work telephone No: [redacted]

Mobile/Pager No: [redacted] E-mail address: [redacted]

Preferred means of contact: mobile or email

Male (delete as applicable)

Date and place of birth: 13.10.1963 - Cleethorpes

Former name: Height: 5ft 10inch Ethnicity Code: white british

Dates of witness non-availability: Dependent on work commitments

Witness care

- a) Is the witness willing and likely to attend court? Yes. What can be done to ensure attendance?
- b) Does the witness require 'special measures' as a vulnerable or intimidated witness. No.
- c) Does the witness have any specific care needs? No. If 'Yes' what are they? (healthcare, childcare, transport, disability, language difficulties, visually impaired, reduced mobility or other concerns?)

Witness Consent (for witness completion)

- d) I consent to the Council having access to my medical record(s) in relation to this matter: N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No
- f) I consent to the statement being disclosed for the purposes of civil proceedings (if applicable): e.g. child care proceedings (if applicable): Yes  No  N/A
- g) The Council will disclose the information recorded above to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: .....

Statement taken by (print name): .....

Time and place statement taken: .....



**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

APP [redacted]  
Pat

Statement of: John Walter

Age if under 18: (if over 18 insert 'over 18') Occupation: [redacted]

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 anything in it, which I know to be false, or do not believe to be true.

Signature: Date

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

31<sup>st</sup> December 2013 – With guests celebrating new years eve, music could be heard in the computer/lounge rooms, heard it from 9.30pm, I could hear the band playing, bass drums and singer. The band had a break from approx. 10.40-11.15pm and then the band started playing again. Had to turn up the sound on the television to enjoy the evening's entertainment as live music from the pub could be heard even with the television on. Music could be heard very clearly I believe they were playing punk rock music at one point and I think the sex pistols 'pretty vacant' could be heard about 11.40pm. At midnight we could hear lots of fireworks about but these did not relate to the pub, the band stopped for about 10mins but started up again and carried on until 1.20am. From 12.30am we were in bed trying to sleep.

Signature: Signature witnessed by: Continued...









Keeping our communities  
safe and reassured

Agenda Item 7



Licensing Department  
Civic Offices,  
Merrial Street,  
Newcastle,  
Staffs  
ST5 2AG

Contact: Pc 4314 G R Owen  
Direct Line: 01785 232840  
Fax:  
Our Ref  
Your ref.  
Date: 22 May 2014

**SUBJECT: REVIEW OF PREMISE LICENCE AT CREWE ARMS WHARF  
TERRACE MADELEY NEWCASTLE UNDER LYME CW3 9LP**

**Notice of Relevant Representations**

Staffordshire Police wish to submit representations in connection with the review of the premise licence at Crewe Arms situated on Wharf Terrace Madeley Newcastle under Lyme

The representations concern Crime and Disorder associated with the premise

A brief summary of the incidents are as follows :-

On 12<sup>th</sup> July 2013 the Police received a complaint concerning an allegation that the premise were carrying out licensable activities whilst in breach of the premise licence

On 19<sup>th</sup> July 2013 a letter was sent to the DPS Ian Moulding and the PLH Punch Taverns by Pc Mir advising of the alleged breaches of the premise licence and requesting details of any measures that would be put in place (Copies of the letters are attached at section 1)

On 26<sup>th</sup> July 2013 Pc Mir received an email from Kerry Dunning at Punch Taverns acknowledging the letter and stating that they were already aware of the breaches of the premise licence and that a meeting had been held with the DPS and the council on 19<sup>th</sup> July 2013 which was very productive and the DPS would ensure that all his staff were aware of the licence conditions and that they were all adhered to

On 7<sup>th</sup> August 2013 Pc Mir received a letter from the DPS Ian Moulding in which he stated what measures he was intending to put in place with immediate affect (Copy of the letter is attached at section 2)

On 12<sup>th</sup> October 2013 Police officers attended the premise at 0040 hours following a complaint of excessive noise emanating from the venue. This was beyond the hours permitted by the premise licence. Upon arrival the officers saw about 10 persons drinking outside the venue and as they entered they witnessed people dancing to loud recorded music and about 15 persons sitting around the tables drinking.

(Copy of officer's statements are attached at section 3)

On 19<sup>th</sup> October 2013 Police officers attended the premise at 0030 hours and found that numerous persons were sitting inside the venue drinking and music could be heard playing.

(The visit was recorded using a video camera and the DVD disk is exhibited ref GRO 1 and officer's statements are attached at section 4)

On 12<sup>th</sup> December 2013 Pc Owen wrote a letter to Mr Kevin Whitefield who was DPS at the premise requesting he attend a meeting at Stoke Police Station on 7<sup>th</sup> January 2014 regarding the rise in recorded incidents at the venue and to discuss the two visits by the police

However prior to the date Mr Kevin Whitefield contacted Pc Owen and cancelled the meeting but did not arrange another date for the meeting

(Copy of the letter is attached at section 5)

On 7<sup>th</sup> February 2014 Police officers attended the premise at 2327 hours. Upon arrival the officers could clearly hear loud recorded music emanating from the venue with a DJ and flashing lights

(The visit was recorded using a video camera and the DVD disk is exhibited ref GJE O 1 and officer's statements are attached at section 6)

Despite the above detailed visits to the premise the Police continued to receive complaints about the venue.

(A summary of the reported incidents is attached at section 7)

The Staffordshire Police believe that the premises are having a serious negative impact upon crime and disorder and that there is an urgent need to review the premises licence with a view to revoking the licence. The Licensing Sub-Committee's attention is drawn to the full bundle of documents accompanying this application which detail the concerns of Staffordshire Police.

Yours faithfully,



Pc 4314 G R Owen  
Northern Licensing Unit  
Stoke Police Station  
Booth Road  
Staffordshire  
ST4 4AH

# SECTION 1



Keeping our communities  
safe and reassured



Mr Ian Moulding

Contact Hana MIR  
Direct Line: 01785 232840  
Our ref: Your ref:  
Date: Friday 19<sup>th</sup> July 2013

**CREWE ARMS, WHARF LANE, MADELEY HEATH, NR CREWE  
CHESHIRE CW3 9LP .**

Dear Mr Moulding,

As Designated Premise Supervisor of the Crewe Arms I am informing you a complaint has been received that on 12<sup>th</sup> July 2013 the following Licensable activities were taking place at the venue which were in breach of the Premise Licence.

- Regulated entertainment after 2300hrs
- Windows open
- Persons on the premise beyond permitted hours.

Licensable activities carried out otherwise than in accordance with the Premise Licence are in contravention of Section 136 Licensing Act 2003. This offence carries a maximum penalty of up to a £10,000 fine.

We would therefore suggest that prior to any further licensable activities taking place at the venue you ensure that all of the conditions attached to the Premise Licence are fully adhered to.

Please could you notify me in writing concerning the following points :

- What measures you intend to put in place to prevent such breaches occurring again.

A copy of this letter has been forwarded to Punch Taverns, the Premise Licence Holders.

Yours sincerely,

Hana Mir

Hana MIR  
Licensing officer  
Stoke Police Station  
Boothen Road  
ST4 4AH



Keeping our communities  
safe and reassured



Punch Taverns Plc  
Jubilee House  
Second Avenue  
Burton upon Trent  
Staffordshire  
DE14 2WF

Contact Hana MIR  
Direct Line: 01785 232840  
Our ref: Your ref:  
Date: Friday 19<sup>th</sup> July 2013

**CREWE ARMS, WHARF LANE, MADELEY HEATH, NR CREWE  
CHESHIRE CW3 9LP .**

Dear sir / madam,

A complaint has been received that on 12<sup>th</sup> July 2013 the following Licensable activities were taking place at the Crewe arms which were in breach of the Premise Licence.

- Regulated entertainment after 2300hrs
- Windows open
- Persons on the premise beyond permitted hours.

Licensable activities carried out otherwise than in accordance with the Premise Licence would be in contravention of Section 136 Licensing Act 2003. This offence carries a maximum penalty of up to a £10,000 fine.

We would therefore suggest that prior to any further licensable activities taking place at the venue you ensure all of the conditions attached to the Premise Licence are fully adhered to.

Please could you notify me in writing concerning the following points :

- What measures you intend to put in place to prevent such breaches occurring again.
- What checks are you going to make to ensure these measures are enforced.

Yours sincerely,

Hana Mir

Hana MIR  
Licensing officer  
Stoke Police Station  
Boothen Road  
ST4 4AH

# SECTION 2



Hana Mir  
Licensing Officer  
Stoke Police Station  
Boothens Road  
Stoke  
ST4 4AH



Ian Moulding

Core - DMS  
done.

29<sup>th</sup> July 2013

**Re: The Crewe Arms Hotel, Madeley Heath, Nr Crewe CW3 9LP**

Thank you for your correspondence regarding The Crewe Arms Hotel, Madeley Heath Crewe. As I am the Designated Premises Supervisor at the premises, I am very concerned with the said complaints.

I have put procedures in place with immediate effect.

- 1- **Door Supervisor \ Car Park Attendant.** Already in force, I now have an attendant outside the hotel that monitors noise levels. Customers who drink outside the hotel for smoking and drinking are told not to use the car park area and to stay on the hotel's boundary, and the driveway only and use the seating area provided and to keep noise down to an acceptable level. NOTE the driveway is used by two houses and a cottage next to the hotel. Is this classed as a public right of way?
- 2- All doors to be kept closed at all times during the evening, and all doors leading to the outside of the premises to have secondary draught excluder to reduce the noise levels (Work in progress)
- 3- The amplification of the disco and live bands to be lowered during the evening
- 4- No glasses to be taken outside the hotel after 10pm, instead plastic glasses to be used
- 5- Notices put on doors telling customers to respect the nearby residents and to keep noise down to a minimum, signage is in place

**Unsubstantiated complaints** On Friday the 26<sup>th</sup> July, I visited the hotel at 7:30pm and stayed until close. I monitored the noise levels at various points outside the hotel with members of staff and I found that the sound levels were in moderation with the hot weather, and people drinking outside to cool down. There were not many people drinking outside. I am aware of listening being used at various houses. I used these as reference points and found that I could not hear and laughing, talking or music. The only noticeable noise was from a cooling fan. I have also been told that someone has put a slither of plastic into the grill, but it is still not noisy. I have also asked some residents about noise levels and they said that we live near a hotel what can we expect?

There have been a few complaints from some of the houses at the back of the hotel about customers drinking and smoking after permitted hours, this is simply not true. I have found this to be more in line with what is happening: The hotel staff have been putting rubbish from the hotel in the bins at the rear of the hotel at night. **Note:** the path\ driveway at the rear of the hotel is signposted as a public footpath, this backs onto three houses and leads to a small farm, there have been no complaints from this area. I also suspect that customers from other pubs are using the footpath as a shortcut home.

It has been said that the windows in the bar and dining areas have been open, this complaint is wrong as the windows have no opening lights on them. The only windows that open are the one single one in the reception area and a few in the function room. The function room is only used during the daytime for small meetings and, as an extension to the dining area, and is not used at night time except for bookings, but there have been no bookings recently. **Note:** I plan to let the local people living around the hotel when entertainment is booked so that they will be aware of when the hotel is going to be busier. Note I plan to have all live music and discos have the volume reduced to an acceptable level inside the hotel after a certain time.

One of the neighbours, also a complainant was very abusive towards me, the management and a member of staff, during the chat he told me that he had a personal grudge against said member and that he did not want him there, he also made allegations against me (the DPS), and he stopped when I told I was the DPS and I was there because of complaints regarding the noise and that I was monitoring the noise levels in the hotel perimeter and found that the level of noise was acceptable. **Note:** Can I suggest that this complainant invests in double glazed windows as the frontage of his property is just 34 feet from the function room and hotel reception entrance.

I have put framed notices around the hotel explaining that the hotel is in a residential area and that the hotel customers should respect the residents when outside the hotel bar and when leaving the premises late at night.

I have told the hotel management and staff that live music (the bands) must stop playing at 11pm prompt. Music is played but at low levels within Premises Licence guidelines. I have been made aware that two police officers have visited the hotel car park late at night and found no noise.

On Friday 26<sup>th</sup> July two police officers visited the hotel at around midnight and found no music playing the hotel lights off and no people in the bar apart from the hotel staff, they told the member of staff that they were satisfied with the proposals I had put into force.

**Proposals** : If necessary I will have the hotel install sound dampening equipment to reduce the volume after a certain time in the evening. I also plan to have people who drink outside to be accompanied with a door supervisor to ensure that noise is kept low and doors are closed to stop sound from the hotel **Note** : The hotel has already spent £2000 on soundproofing the room used by the DJ and where the bands play.

# SECTION 3

**WITNESS STATEMENT****Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

URN

21

Statement of: **Kathleen Elizabeth Taylor**Age **Over 18**

Occupation

**Police Sergeant 0703**

This statement (consisting of ~~one~~ <sup>two</sup> 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.

Signature



Date: 17/10/2013

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

I am a Police Sergeant with Staffordshire Police currently stationed at Newcastle Police Station.

At 00:40hrs on Saturday 12<sup>th</sup> OCTOBER 2013 I was on uniformed mobile patrol with PC 3852 CRUNDELL when we were directed by our control room to attend the CREWE ARMS HOTEL, MADELEY HEATH to a complaint of excessive noise from the outside smoking area.

When we approached the premises the police vehicle was parked approximately halfway between the road and the building. I noticed that there were a number of residential properties near to the premises.

From that point, I could hear some noise, voices talking and laughing. I could see approximately ten people out at the front of the premises, drinking alcohol freely, not trying to hide the consumption from us on our approach. They were jovial and appeared unperturbed by our presence.

As we entered the premises through the unlocked door, I immediately saw on my left hand side two people dancing to music which was being played through a sound system / disco. There were approximately fifteen other people sat at tables or by the bar, again freely consuming alcohol. The drinks appeared to be fresh, as in they were more than half full. There were two male members of staff behind the bar and the tills were still switched on and the beer taps were not covered by any towels. The bar staff were asked by to point out the Designated Premises Supervisor (DPS), and they pointed out a male who identified himself as David WILLIAMS 11/02/1957. He stated that he was not the DPS and that was in fact a male named Ian MOULDING who he confirmed was not present. He pointed out a female who was the General Manager, a Rebecca JONES 13/07/1990. We spoke with her and she confirmed that she stated that she was in charge, and that their licence was only until Midnight, and could not explain why the premises was still operating.

I instructed her to clear the premise and close, and the customers reluctantly began to vacate the premises. Some of the customers present, none of whom were residents, appeared surprised at our attendance and requests, one male stating that he had only just purchased his drink some 30 minutes earlier.

I formed the opinion, from the reaction to our presence and requests that the premises being open at this hour was not an unusual or infrequent occurrence.

Signature



Signature Witnessed by: .....

Continuation of Statement of: **Kathleen Elizabeth Taylor**

Upon talking with Mr WILLIAMS once the pub began to clear, he appeared most put out regarding the initial noise complaint, stating that the local Councillor was on board regarding the complaints. After I pointed out that it was now some 45 – 50 minutes after closing time, only then did he became apologetic.

Once all customers had left the premises we then left the premises with only staff present.

Signature: .....



Signature Witnessed by: .....

**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

21

Statement of: **Stephen James Crundell**Age **Over 18**

Occupation

**Police Officer 3852**

This statement (consisting of 2 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.

Signature  Date: 17<sup>th</sup> October 2013Tick if witness evidence is visually recorded  (supply witness details on rear)

I am a Police Constable in the Staffordshire Police currently stationed at the Civic Offices, Newcastle.

At 00.40 hours on Saturday 12<sup>th</sup> October 2013, I was on patrol with Sgt 703 Taylor when we have attended the Crewe Arms Hotel, Newcastle Road, Madeley. This was following a report of excessive noise being made from the smoking area.

On arrival, I have parked the police vehicle about half way along the car park. I have got out and I could immediately hear a number of people talking loudly. There were a number of residential houses near to the premises

As I approached the premises, I could see about 10 males and females standing and sitting in a covered area in front of it. Some of these were smoking. It was apparent that they were drinking alcohol including beer from the colour of the liquids and the style of glass they were using.

As I walked past these people, I have spoken to them and they were clearly under the influence of alcohol making jovial remarks to us. They did not seem to be concerned that the police had attended the premises and just kept of drinking and talking.

I have entered the pub and on the left I have noted that there was a disco still playing. There were 2 females dancing in front of it. I looked across to the bar area and I could see that there were 2 barmen behind this area. I noted that there were about 15 people inside the premises and these were still drinking. Some of them had full glasses. I have approached the bar staff and asked where the licensee was. I noted that the tills were still switched on and there were no towels over the pumps. They have stated that the licensee was not there however they pointed to a male who was in a room off the main bar area. I have spoken to this male who I now know to be David Williams (b.11/2/57). He stated that he was an associate of the licensee, Ian Moulding. He was dressed in an outdoor coat and stated that he had only just popped in as Mr Moulding was at home. Mr Williams has stated that the general manager was a Rebecca Jones (b. 13/7/90).

Signature  Signature Witnessed by: .....

Continuation of Statement of: **Stephen James Crundell**

Sgt Taylor and I have then spoken with Rebecca Jones who has confirmed that she was in charge of the premises at that time. She stated that the license for the premises was until midnight and could not give a reason as to why the premises was still open and appeared to be in business.

We have then instructed the staff to clear the premises and the customers have reluctantly started to leave. A number of the customers were questioning as to why they were being asked to leave. By the attitudes of the Miss Jones, Mr Williams and the customers I formed the impression that the pub being open at this time was not unusual. It was only after the pub was emptied did Mr Williams apologise for the premises being in operation.

Signature:  Signature Witnessed by: .....

# SECTION 4



**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

21

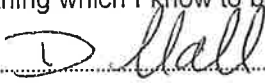
Statement of: **Dawn Hall**Age **Over 18**

Occupation

**Special Sgt 16836**

This statement (consisting of 1 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.

Signature



Date:

19/10/2013

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

I am a Special Sgt based with the Northern Licensing unit at Staffordshire Police. On Saturday 19<sup>th</sup> October 2013, I was on uniformed duty. At 00.30 I approached The Crewe Arms Hotel in Madeley, Newcastle Under Lyme along with other uniformed officers and a Licensing officer. I could see the main body of the premise was in darkness but a light was on towards the rear which was coming from the pool room.

On closer inspection, people could be seen through the windows in the bar area and 2 people were standing outside smoking. PC OWEN 4314 was recording the event on a digital camcorder. The door was locked from the inside so attempts at attracting attention were made by knocking on the window.

On admittance to the venue at 00.35hrs, music was clearly heard to be playing and 2 males were sitting in the DJ area. A further 5 people were sitting in an alcove to the left of the entrance with half full glasses of amber coloured liquid. 2 males were by the bar drinking out of glasses with amber coloured liquid in them. A female was sitting to the left of the bar and there were several people in the pool room area who also had various drinks.

A request was made to the young male barman to see the person in charge. We were informed that he was upstairs. When the manager, David WILLIAMS came downstairs approx 5 minutes later, he said that the female who was sitting on the public side the bar was in charge. She replied 'he is my boss' whilst pointing at WILLIAMS.

WILLIAMS was told to empty the premise as his licence states that all customers should be out by 00.00hrs and he was in breach of this. The customers dispersed in an orderly fashion with only one disgruntled male among them. WILLIAMS was asked if his CCTV was functioning and he said he didn't know. At this point, myself and SC EWART 16924 went upstairs with WILLIAMS to inspect the system. The unit was located in a spare bedroom. It was on the floor and was showing a green LED light to indicate electrical power was connected. However, there was no monitor displaying images so the unit was seized by SC EWART 16924.

After the other officers had finished their duties, we left the premise at approx 1.00hrs.

Signature:



Signature Witnessed by: \_\_\_\_\_

**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

21

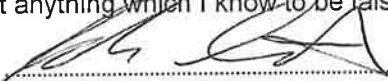
Statement of: **Gareth James Ewart**Age **Over 18**

Occupation

**Special Constable**

This statement (consisting of 2 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.

Signature



Date:

19/10/13

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

I am a Special Constable based with the Northern Licensing Unit of Staffordshire Police.

On Saturday 19<sup>th</sup> October 2013, I was on full uniformed duty with S/Sgt 16836 Hall, PC 4314 Owen and Licensing Officer Sherratt.

At approximately 00:30hrs I attended the Crewe Arms Hotel in Madeley Heath. As I approached the premise I could see the vast majority of the premise was in darkness, however I could see a light shining through at least one window. Upon closer inspection this was the light from the pool table room.

Upon reaching the premise there were two males smoking outside by the door and I could clearly see, through the window several persons sitting on the right hand side of the bar drinking what appeared to be alcoholic drinks.

We were unable to gain entry initially as the doors to the premise were locked. Eventually after knocking several times we were admitted into the premise at 00:35hrs. As I entered the premise I could clearly hear music being played. I saw two males sitting by a computer and speaker system.

To the left of the entrance door I could see at least four people sitting in a small alcove, on the table in front of them was various glasses that were more than half full with an amber coloured liquid that I believe to be an alcoholic drink.

As I walked further into the bar I saw two males and a female around the pool table. The males were just setting up the pool balls for what I believed to be another game of pool.

No one in the premise made any signs of attempting to leave as we entered and began talking to staff. I asked a male behind the bar where the manager was. He replied, 'upstairs, someone has gone to get him.'

After a short while a male who I now know to be David WILLIAMS appeared from the darkened dining area. I heard PC Owen ask WILLIAMS, 'Who is in charge.' WILLIAMS pointed out a blonde female.

PC Owen then asked her, 'who is your boss.' The blonde female then pointed back to WILLIAMS.

I asked WILLIAMS, 'is your CCTV working.'

WILLIAMS replied, 'I don't know.'

Signature:



Signature Witnessed by: .....

Continuation of Statement of: **Gareth James Ewart**

I asked to view his CCTV system and WILLIAMS led me upstairs to where the CCTV unit was located. The unit had no monitor.

As I believed that it contained evidence of late trading I seized the unit at 00:45hrs. I now produce this as item GJE01 (ref. ).

At approximately 01:00hrs all officers left the premise.



Signature:



Signature Witnessed by: .....

# SECTION 5

Kevin Whitfield  
c/o Crewe Arms  
Wharf Lane  
Madeley Heath  
Cheshire  
CW3 9LP

Contact: PC 4314 G R Owen  
Direct Line: 01785 232840  
Fax:  
Our ref.  
Your ref.  
Date: 12 December 2013

Dear Kevin

You are now listed as the Designated Premise Supervisor at Crewe Arms situated in Wharf Lane Madeley Heath

Recently the Police have noted a rise in the recorded incidents at the venue and have visited and found that the premise was operating beyond the permitted hours allowed by the premise licence.

As a result of this I would like to invite you to attend a meeting at Stoke Police Station. Could you also arrange for a representative of the premise licence holder to attend to discuss these recent incidents and the general running of the venue.

Accordingly I have made arrangements to Stoke Police Station on

**Tuesday 7<sup>th</sup> January 2014 @1100 hrs**

If you are unable to attend at this time can you contact me on 01785 232840 in order that another appointment can be made

Yours Faithfully

Police Constable 4314 G R Owen  
Northern Licensing Unit  
Stoke Police Station  
Boothen Road  
Stoke on Trent  
ST4 4AH

# SECTION 6

## WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss. 5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

21

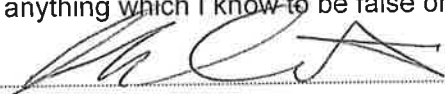
Statement of: Gareth James Ewart

Age if under 18: over 18 (if over 18 insert 'over 18')

Occupation: Special Constable

This statement (consisting of 2 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.

Signature:



Date

07/02/2014

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

I am a Special Constable with Staffordshire Police, stationed at with the Northern Licensing Unit at Stoke Police station

On Friday 07<sup>th</sup> February, 2014, I was on full uniformed duty performing duties as an Evidence Gathering Officer. My role was that of Video Camera Operator.

During my tour of duty, I recorded footage using a camcorder onto a new and previously unused Mini DVD -R disc.

At 23:27hrs myself and S/Sgt 16836 Hall attended the Crewe Arms Hotel on Wharf Terrace, Madeley. I recorded this entire visit using the camcorder and the mini DVD-R disc.

Upon entering the premise I could clearly hear loud recorded music being played as well noticing that there was facilities for dance in the form of a DJ and flashing lights.

At the time of our visit we did not have a copy of the licence to hand. However upon returning to the police station I viewed the licence to see that the premise is only licensed to play recorded music until 23:00hrs, and licensed to have facilities for dance up until 22:30hrs. Thus meaning that at the time of our visit the premise was in breach of its licensed hours for both of these licensed activities.

I later concluded the recording of the footage and finalised the disc. I then removed the disc from the camcorder.

I then placed the Mini DVD into its case and sealed it using a security sealed bag numbered M02315359. I now produce the Mini DVD as exhibit number GJE 01 (ref. )

I booked the mini-disc into the property system, entry number 717730.

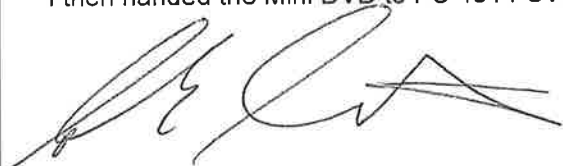
Signature:



Signature witnessed by:

Continuation of Statement/Interview of Garth James Grant

I then handed the Mini DVD to PC 4314 OWEN.



Signature: 

Signature witnessed by: \_\_\_\_\_



**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

21

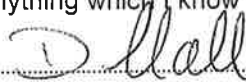
Statement of: **Dawn Hall**Age **Over 18**

Occupation

**Special Sgt 16836**

This statement (consisting of 1 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.

Signature



Date:

10/02/2014

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

I am a Special Sgt based with the Northern Licensing unit at Staffordshire Police.

At approx 23.27hrs on 7<sup>th</sup> February 2014 I was on duty in full uniform and attended The Crewe Arms Hotel, licensed premises at Wharf Terrace, Madeley Heath, Staffordshire. I was crewed with SC EWART 16924 who was recording with a handheld device.

A call had come through to the police complaining of a noise problem coming from the venue.

Our unmarked police vehicle was parked at the furthest point away from the venue on the car park approx 100yards away. As I approached the premise, I could hear music and people talking loudly which got louder the closer I got. Outside of the premise there were approx 5 males and 3 females who were smoking and drinking and talking in loud voices.

On entrance to the venue, I saw approx 30 people in the bar and in the pool room area. I was approached by the manager David WILLIAMS. I asked him if we could go somewhere quieter to talk. We went into the dining room which was not in use. I advised WILLIAMS that the visit was being recorded.

I explained to him that the premise was the subject of a noise abatement order and I believed that he was breaching it. He replied that he had asked the DJ to turn the music down earlier in the evening and it had been done. He then went on to state that there was a vendetta against the pub and one of the neighbours had sent him a text saying that his pub would be raided by the police that very evening. He showed us the text but I didn't get a good look at it.

I told WILLIAMS again that the visit was being recorded and the evidence that had been gathered would be passed onto the council to be progressed.

On exit of the premise, 2 males who were in drink, started playing up to the camera and started shouting. A doorman – who I had not seen previously, came out of the premise and urged the males to be quiet and go back inside.

Signature:



Signature Witnessed by: \_\_\_\_\_

# SECTION 7

**Premises Name : Crewe Arms Hotel Wharf Terrace Madeley, CW3 9LP**

A full chronological summary of all incidents reported to the Police between dates **12/07/2013** and **22/05/2014** are detailed below. Please be aware that the Police may not have attended in all instances and therefore cannot comment on the validity of all the reports.

No.	Date/Day of Week	Time Of Incident	Inside/ Outside/ Vicinity	Police – Summary of Incident Reported including any outcome.	Source	Appellant comments
1	Friday 12.07.13	23.15	Inside	Report from local councillor stating that the premise were in breach of its premise licence conditions by playing loud music with the windows open,	Storm Serial 1039 refers	
2	Friday 19.07.13	23.22	Inside	Report from resident stating that excessive noise coming from premise	Storm Serial 1043 refers	
3	Saturday 20.07.13	10.46	Inside	Report from David Williams complaining about a local resident harassing the premise by complaining to the police	Storm Serial 0326 refers	
4	Saturday 27.07.13	01.15	Outside	Report from staff at the premise complaining about a local resident who has complained to them that customers from the pub have urinated up his car last night	Storm Serial 0543 refers	

	Monday 29.07.13	22.3	Inside	Report from David Williams stating that he is having problems with a neighbour who has been shouting and swearing at staff	Storm Serial 0882 refers
6	Tuesday 30.07.13	09.08	Inside	Report from a local resident stating that on Friday nights there is a loud disco, with drunks and persons acting in anti social manner	Storm Serial 01663 refers
7	Tuesday 13.08.13	16.20	Inside	Report from staff at the premise complaining of a local neighbour who has confronted the staff	Storm Serial 04666 refers
8	Sunday 01.09.14	14.55	Inside	Report from a local resident that there had been a fight at the premise the previous night.	Storm Serial 0381 refers
9	Sunday 22.09.14	16.46	Inside/out side	Report from local resident that youths are drinking in the pub, being anti social by climbing on a tractor but that the pub that the pub continue sto trade after midnight but they turn the lights off	Storm Serial 0562 refers
10	Sunday 22.09.13	17.44	Inside	Report from David Williams concerning an ex-employee who had been to the premise with a large male and were refusing to leave	Storm Serial 0619 refers

11	Saturday 05.10.14	23.33	Inside	Report from local resident that the music was still playing at the pub and that children were in the pub	Storm Serial 0927 refers
12	Saturday 12.10.13	00.12	Outside / inside	Report from local resident complaining that there is a group of drunken people outside the pub causing a disturbance. Upon Police arrival officers entered the premise and found the premise open beyond permitted hours	Storm Serial 0018 refers
13	Friday 01.11.13	22.40	Inside	Report from a local councillor Concerning ongoing noise issues at the premise. The noise is horrendous	Storm Serial 0871 refers
14	Friday 22.11.13	21.58	outside	Report of theft from local councillor stating that there was noise and foul language coming from a group outside the premise and this happens every week.	Storm Serial 0763 refers
15	Wednesday 01.01.14	03.47	Outside	Report that 2 males had smashed a window and left the area	Storm Serial 0376 refers
16	Monday 27.01.14	16.16	Inside	Report from the new DPS stating that a resident has been abusive to him that day	Storm Serial 0527 refers

17	Friday 31.01.14	23.57	Outside	Report of a fight outside the premise involving 6 persons	Storm Serial 0830 refers
18	Friday 07.02.14	22.15	Outside/ inside	Report from a local resident of excessive noise coming from a group outside the premise. Officers attend with video camera and record the scene	Storm Serial 0861 refers
19	Saturday 08.02.14	12.59	Inside	Report from staff member complaining about a local resident who has been abusive to staff and customers	Storm Serial 0398 refers
20	Saturday 22.02.14	20.54	outside	Report from local resident stating that excessive noise is coming from the pub due to a rock band playing despite a noise abatement order	Storm Serial 0724 refers
21	Tuesday 25.02.14	15.13	Outside	Report stating that a corrosive liquid had been poured over a car belonging to David Williams causing damage	Storm Serial 0381 refers
22	Friday 14.03.14	23.54	Outside	Report of noise coming from the premise with people shouting	Storm Serial 0824 refers
23	Saturday 15.03.14	1000	Outside	Report from local resident on behalf of himself and others stating that they are all fed up with the patrons of the pub who are shouting and so drunk they cannot stand up	Storm Serial 0231 refers

24	Saturday 15.03.14	21.25	inside	Report from local resident stating that excessive noise is coming from the pub due to a rock band playing despite a noise abatement order	Storm Serial 0767 refers
25	Sunday 16.03.14	00.17	outside	Report from local resident of loud noise coming from outside the pub consisting of yelling and screaming despite a noise abatement order.	Storm Serial 0358 refers
26	Saturday 22.03.14	23.16	Inside	Request from Darren Walters EHO asking that a police officer meet him at the venue as he wishes to speak to the landlord as they still have live music playing at the premise when this should have ceased	Storm Serial 0783 refers
27	Saturday 29.03.14	21.46	Inside	Report from local resident of excessively loud music coming from the inside of the pub and this occurs every Saturday night	Storm Serial 0781 refers
28	Saturday 12.04.14	00.03	Inside	Report from a local resident stating that the noise coming from the pub is really loud and that they think they are drinking in the car park	Storm Serial 0006 refers

30	Saturday 12.04.14	22.15	inside	Report from a local resident stating that the noise coming from the pub is really loud and this is every weekend	Storm Serial 0809 refers
30	Wednesday 30.04.14	22.57	inside	Report from David Williams stating that there was a male in the premise who is abusive to staff and has stolen money from the till	Storm Serial 0836 refers
19	Saturday 03.05.14	12.22	outside	Report from David Williams at the premise stating that he is having on going problems with a local resident who has been verbally aggressive	Storm Serial 0299 refers