

How Received XI - Via Uniform
Paul Thwaites for NNS

Restricted ☐
Created on 15.05.2017 12:

Appendix 1

[REDACTED]

The Lounge bar, 79-81 Glsburn Rd, Barrowford
On 13th May 2017 arrived at the complainant's property at 22:28hrs and there were customers outside on the beer garden area at the front. There were plenty of customers stood on the pavement outside The Lounge. When stood in the lounge of the complainant I could hear the music from The Lounge bar. When stood in the main bedroom at 22:40hrs I could clearly hear the music being played at The Lounge and it would have disturbed the sleep of anyone in there with the double glazed windows closed. At 22:41hrs I could also hear the loud voices of the customers. The thumping of the bass could clearly be heard at 22:42hrs and would easily have disturbed the sleep of anyone in the front 1st floor bedroom. At 22:50hrs I

Close

[REDACTED]

How Received XI - Via Uniform

Restricted ☐
Created on 30.05.2017 13:

NNS proactive visits by David Pierce, Rossendale BC

Friday 26/5/17 2045 and 2145 - all bifold doors open, 30+ people outside in the seating area, people noise and music audible.

Saturday 27/5/17 2020 to 2029 - 2 doors open, 15-20 people in seating area

Appendix 2

Close

Appendix 3.

From: HannumJulie
Sent: 31 May 2017 12:48
To: WatsonNeil; SmithAndrew1; WhittakerJulie
Subject: MP Query re: The Lounge, Gisburn Road, Barrowford.
Sensitivity: Private

Good morning all.

Please see below a request from the MP regarding The Lounge, Gisburn Road, Barrowford.

It does mention that "We have been in contact with planning, licensing and environmental health who are investigating".

I would be grateful if you could look into the matters and let me have responses to send to the MP as soon as is convenient.

Many thanks

Julie

Julie Hannum
Administration Assistant
Pendle Borough Council
(01282) 661604

julie.hannum@pendle.gov.uk

From: SCHOFIELD, Laura [<mailto:laura.schofield@parliament.uk>]
Sent: 31 May 2017 09:38
To: MP's Correspondence
Cc: RobinsonJessica; HannumJulie
Subject: Re: The Lounge, Gisburn Road, Barrowford.

Dear team,

Re: The Lounge, Gisburn Road, Barrowford.

Mr Stephenson has been contacted by [REDACTED]
[REDACTED] has explained that following the bar's opening in April, she and her family have experienced a number of issues and disturbances from the bar, I have included her original correspondence below for your attention.

Mr Stephenson would therefore appreciate the Council's comments of response to [REDACTED] concerns, on if assistance may be provided for a more amicable arrangement to be made that would limit the amount of disturbance suffered by neighbours of the bar.

Any assistance you may provide would be greatly appreciated. I look forward to your response shortly.

Yours sincerely,

Laura Schofield
Senior Caseworker
Office of Andrew Stephenson.
9 Cross Street, Nelson, Lancs, BB9 7EN
4 Church Street, Barnoldswick, BB18 5UT
Tel: 01282 614748

Ms Stinchon's original correspondence:

DickinsonJackie

From: LoprestiCarmela
Sent: 01 June 2017 10:45
To: WatsonNeil; laura.schofield@parliament.uk
Cc: SmithAndrew1; WhittakerJulie; HannumJulie
Subject: RE: MP Query re: The Lounge, Gisburn Road, Barrowford.

Sensitivity: Private

Hello Laura,

I am investigating noise complaints. I have met the owners of the business this morning to discuss noise problems. As Neil says, we will try to work with all parties to balance their rights and responsibilities.

Regards

Carmela Lo Presti

Environmental Health Officer
Pendle Council
Housing, Health & Economic Development Service
Elliott House, 9 Market Square, Nelson, Lancs. BB9 0LX
Tel: 01282 662006

From: WatsonNeil
Sent: 31 May 2017 16:55
To: laura.schofield@parliament.uk
Cc: SmithAndrew1; WhittakerJulie; HannumJulie; LoprestiCarmela
Subject: RE: MP Query re: The Lounge, Gisburn Road, Barrowford.
Sensitivity: Private

Hello Laura

I, alongside an EHO, have been out to site to discuss the situation with the owners. They have invested heavily in the project and it is doing well. We want to try and find a balance between them being able to reasonably operate their legitimate business but at the same time not having a detrimental impact on neighbours.

We met on site with the Chairman of the Committee. We asked them not to have people outside at the rear as this is the main cause of noise.

Since we asked for that we are aware that the outside area has been used and we have now had to advise them that if it continues we would have no choice but to take formal action.

A delicate situation but we are trying to keep the business running whilst safeguarding the neighbours living environment.

Regards

Neil Watson
Planning, Building Control and Licensing Manager
Pendle Borough Council

Clare Bramley for NNS:

Appendix 4

The Lounge, Barrowford

I visited at 9.55pm. I observed from the Spar car park:

The sliding doors were partially open on both the right and left hand side of the building. The front entrance door was open.

Patrons were sat with drinks on the terrace. Some of these were smoking.

I could clearly hear music from across the street. From what I could make out this was from a PA not a live band.

I then noted 2 men stood on the pavement drinking bottles of beer and were clearly outside of the perimeter of the bar. The group of men went from 2 to 6 and all had beer bottles in their hand.

Music was excessive in that I could hear the song lyrics from the car park opposite.

At 10.10pm could see 2 males stood on pavement smoking and drinking.

Whilst making the above observations I received a call from [REDACTED] at the above premises regarding The Lounge at 10.19pm. I made a visit to the complainant. When I sat in the complainants kitchen/diner and could hear a bass type sound coming through the wall. Sounded like it was coming from a PA system and not a live band. Complainants T.V was on at a reasonable listening volume. I could also hear some banging about which seemed to be coming from the 1st floor of The Lounge. I then stood in the complainants main bedroom and could clearly hear the bass thorough the adjoining wall. I could also hear the loud chatter of patrons. At 10.32pm I could still hear the bass. In my opinion it was much louder on the 1st floor than on the ground. I then heard muffled lyrics to a music track in addition to the bass.

I then stood in the bedroom on the 2nd floor of the complainants. I could hear a loud bass coming through the wall. The bass was clearly thudding and audible from the complainants bedroom,. The music had quite a fast tempo. I also heard lyrics from the songs albeit it very faint. At 10.40pm could still hear a loud amplified bass that was clearly audible. I left the complainants at 10.45pm

I made some further observations at 10.48pm. The door were fully closed and there were no smokers/drinkers on the terrace area. The main entrance door was also closed. I left at 10.55pm.

● 6. 中国书画函授大学肇庆分校

Appendix S.



Housing, Health & Economic Development Services
Elliott House, 9 Market Square, Nelson, Lancashire BB9 0LX
Telephone: (01282) 661199
Email: environmental.health@pendle.gov.uk

Reference: 17/0450/EHEPA1

Abatement notice for a statutory nuisance

ABATEMENT NOTICE

made under Section 80 of the Environmental Protection Act 1990

To: The Lounge (Barrowford) Limited of 6 Sandy Hall Lane, Barrowford, Nelson BB9 6QH

Take Notice that

- 1 Pendle Borough Council ('the Council') is satisfied that a statutory nuisance is likely to recur under Section 79(1) (g) of the Environmental Protection Act 1990 from the premises at **79-81 Gisburn Road, Barrowford, Nelson, Lancashire, BB9 6DX** arising from **loud music, customers using the outdoor seating area at the front of the premises after 8pm, noise associated with early morning cleaning at the premises.**
- 2 This Abatement Notice is served on you because you are the occupier of the premises.

What you are required to do

- 3 You are required to abate the nuisance within **21 days** from the service of this notice and
The recurrence of the nuisance is prohibited.

What happens if you fail to comply with this Notice

- 4 If, without reasonable excuse, you contravene or fail to comply with any requirement or prohibition imposed by this notice, you will be guilty of a criminal offence under Section 80(4) of the Environmental Protection Act 1990. You will be liable on conviction to an unlimited fine, and will be liable to a further fine for each day on which the offence continues after the conviction. If the offence is committed on industrial, trade or business premises, you will be liable on conviction for an unlimited fine.

- 5 If the Council considers that these criminal proceedings would afford an inadequate remedy, it may take proceedings against you in the High Court for securing the abatement, prohibition or restriction of the nuisance.
- 6 Whether or not the Council takes proceedings for this offence under Section 80(4) of the Environmental Protection Act 1990, it may abate the nuisance itself and do whatever may be necessary in execution of the notice if you fail to comply with the notice. Any expenses incurred in doing so may be recovered by the Council from you.

Your right to appeal

- 7 You may appeal against this notice to a magistrates' court within 21 days, beginning with the date of service of this notice. Please refer to the relevant Regulations, which are reproduced at the end of this form.

The effect of this notice if you appeal

- 8 The Notice will not be suspended in the event of an appeal being brought. Regulation 3(2) of the Statutory Nuisance (Appeals) Regulations 1995 applies to this Notice as 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.

Dated: 19.6.17

Signed: JH Whittaker ^{PP} 20.

Julie Whittaker (Housing, Health & Economic Development Services Manager)

Any communications with the Council regarding this notice should be made to *Environmental Health Services, Elliott House, 9 Market Square, Nelson, Lancs. BB9 0LX* *FAO Ms Carmela Lo Presti*

EHEPANOINOT

Appendix 6



Jade Pilling
79-81 Gisburn Road
Barrowford
Nelson
Lancashire
BB9 6DX

**Housing, Health & Economic
Development Services**
Elliott House, 9 Market Square, Nelson,
Lancashire BB9 0LX

Telephone: (01282) 661199
Minicom: (01282) 618392
Fax: (01282) 661043
Web Site: www.pendle.gov.uk
Email: Jackie.dickinson@pendle.gov.uk
Our Ref: 18/001310/EHCCNO
Ask for: Jackie Dickinson
Direct line: 01282 662007
Service Manager: Julie Whittaker
Date: 22nd January 2018

Dear Ms Pilling

Environmental Protection Act 1990
Statutory noise nuisance caused by music at 79-81 Gisburn Road, Barrowford.

We have received complaints that music from the above property is causing a nuisance to others living nearby.

This was witnessed by the night time noise service on 13th January 2018 at 23.37. The Officer who witnessed the noise stated that he could hear 'thumping bass and the lyrics of the songs' from inside a complainant's property.

I have tried to call you regarding this matter several times, but haven't yet been able to contact you. I understand that my colleague Carmela LoPresti has dealt with noise issues from your premises in the past and that an 'agreed level' was set. I suggest that you check the volume of music, as at the time of witnessing, the music would be considered a Statutory Nuisance should it be at that level again.

May I also remind you of the obligation to control noise from the smoking area.

The Council will be monitoring the level of noise from your premises, which may be via the night time noise service, or with the use of noise monitoring equipment. Legal action may result, should we consider it to be a Statutory Nuisance under the above Legislation.

If you wish to discuss this further, you can call me on 01282 662007.

Yours faithfully

A handwritten signature in black ink, appearing to read "Jackie Dickinson".

Jackie Dickinson
Environmental Health Officer

EHNOIWARNING



Gold

Liberata



Appendix 7.

The premises shall not be open for customers or any other person not employed within the business operating from the site outside the hours of 07.30 and 23.00 hours Sunday to Friday and 07.30 and 24.00 on Saturday only.

Reason: In the interests of residential amenity.

- 8 The outside seating area shall not be available for customers or any other person not employed within the business operating from the site outside the hours of 08.00 and 20.00 hours on any day. The external doors leading to these areas shall be closed at 20.00 hours each day.

Reason: In the interests of the aural amenity of adjacent residential properties.

There shall be no amplified music played within the outside seating area.

Reason: In the interests of the aural amenity of adjacent residential properties.

- 10 A scheme for the noise insulation of the premises shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved scheme shall be completed prior to the premises being brought into use and shall thereafter be retained in accordance with the approved details.

Reason: In order to minimise the disturbance by noise of the existing adjacent residential properties.

[REDACTED]

[REDACTED]

DickinsonJackie

From: BramleyClare
Sent: 18 June 2018 13:23
To: DickinsonJackie
Subject: The Lounge

Hello

I visited the Lounge in Barrowford as per proactive job requests.

Saturday 16th June 2018- 1.05am- As soon as I arrived I saw 4 staff members exit the premises (black t shirts). I saw only Adam in the bar tidying up. Left at 1.15am. I got a call for another job. Nothing to report.

Sunday 17th June 2018- 1.05am- Music playing from a dj audible. Noted front door open. Some taxis pulling up- no horns beeping just idling. No patrons on front veranda. Noted staff cleaning up inside. Manger sweeping front pavement. Some patrons came on front veranda and started smoking but then got into taxi. Noted last customer leave at 1.20am and get into taxi. Noted about 6 people left inside cleaning up. DJ packing up. Nothing to report. Left at 1.30am.

***Miss Clare Elizabeth Bramley
Housing, Health and Economic Development
Elliott House
Nelson
Lancashire
BB9 0LX***

