

CARLISLE CITY COUNCIL

Report to:-

**THE CHAIRMAN AND MEMBERS OF THE LICENSING SUB
COMMITTEE**

Date of Meeting:-

FRIDAY 2ND NOVEMBER 2007

Agenda Item No:-

A2

Public	Operational	Delegated Yes	
Responsible Authority Representations	Representations	Included	Attending
Cumbria Constabulary	No	No	No
Cumbria Fire Service	No	No	No
Environmental Health	No	No	Yes
Planning Services	No	No	No
Social Services	No	No	No
Trading Standards	No	No	No
Health & Safety Executive	No	No	No
Interested Party Representations			
Mr Ian Tait	Yes	Yes	Yes
Mrs Lorraine Errington	Yes	Yes	Yes
Mr & Mrs Rangeley	Yes	Yes	Yes

Title:-

**CREIGHTON RUGBY CLUB, SYCAMORE LANE, CARLISLE.
APPLICATION TO REVIEW A PREMISES LICENCE BY
INTERESTED PARTIES**

Report of:-

DIRECTOR OF LEGAL & DEMOCRATIC SERVICES

Report reference:-

LDS 91/07

Summary:-

The Licensing Authority has received an application for the review of a premises licence in accordance with Section 51 of the Licensing Act 2003. The Sub-Committee is asked to consider the request in light of the representation that has been made by Mr Tait & Mrs Errington residents of Oval Court, Sycamore Lane, Carlisle..

Recommendation:-

It is recommended the Sub-Committee determine the application in accordance with one of the options set out in paragraph 5.

J A Messenger, Licensing Manager

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:- The Review Application from Interested Parties Mr Tait & Mrs Errington..

To the Chairman and Members of the Licensing Sub Committee on Friday 2nd
November 2007

1 THE APPLICATION

The application is for the review of a premises licence under section 51 of the Licensing Act 2003 in respect of premises known as Creighton Rugby Club, Sycamore Lane, Carlisle.

1.1 Applicant – Mr Ian Tait & Mrs Lorraine Errington Residents of Oval Court, Sycamore Lane, Carlisle.

On 24th September 2007 an application was received from Mr Tait & Mrs Errington residents of Oval Court, Sycamore Lane, Interested Parties under the Licensing Act 2003, for the review of the premises licence relating to Creighton Rugby Club, Sycamore Lane Carlisle (**Appendix 1**).

The review application relates to the following licensing objective:

- the prevention of Public Nuisance

1.2 Grounds for review

Since the premises opened there has been continued noise nuisance by way of live music, customers using the front of the premises as a smoking area and from customers leaving the premises late at night. The noise levels would appear to be inappropriate for the locality and is proving to be causing disturbance to a number of residents living in the vicinity of the premises.

Despite forwarding complaints to the Club, holding meetings with the club committee and attending meetings with Council officials, noise from the premises and its customers remains to have a detrimental effect on the residents.

1.3 Copies of the review application have been forwarded to the Premises Licence Holder and all Responsible Authorities

1.4 The application has been advertised as required by statute for a 28 day period both on the premises, on the Council website and on the Civic Centre main notice board (Appendix 2**).**

1.5 Following the advertising of the review, the following additional representations under the licensing objectives have been received:

Responsible Authorities

None

Other Interested Parties

Mr & Mrs Rangeley, residents of Sycamore Lane state noise levels emanating from the Rugby Club are not excessive (**Appendix 6**).

Following the receipt of a copy of the review application, an officer from Environmental Protection Services will attend the hearing. Officers from the department are referred to in the review application.

Following the receipt of a copy of the review application, Cumbria Constabulary have forwarded a letter to the Licensing Office in response to the application. They will not be present at the hearing (**Appendix 7**).

2 PREMISES LICENCE (Appendix 3)

Premises: Creighton Rugby Club, Sycamore Lane, Carlisle.

Area Plan

(Appendix 4)

Plan of Premises

(Appendix 5)

2.1 Premises Licence Holder

Creighton Rugby Club Committee, Creighton Rugby Club, Sycamore Lane Carlisle are holders of the Premises Licence.. The committee has held the licence since March 2006 .

2.2 Current permitted hours

Exhibition of Films (indoors)

Sunday – Saturday

10am – 2.30am

New Years Eve

Through to start of permitted hours next day.

Indoor Sporting Event

Sunday –Saturday

10am – 1am

New Years Eve

Through to start of permitted hours next day

Performance Live Music (indoors)

Sunday – Saturday

10am – 1am

New Years Eve

Through to start of permitted hours next day

Playing of Recorded Music (Indoors & Outdoors)

Sunday – Saturday

10am – 2.30am

New Years Eve

Through to start of permitted hours next day.

Performance of Dance (Indoors)

Entertainment of Similar Description (indoors)
Provision of facilities for making music (indoors & outdoors)
Provision of facilities for dancing (indoors)
Provision of facilities for entertainment similar (indoors)

Sunday – Saturday	10am – 1am
New Years Eve	Through to start of permitted hours next day.

Late night Refreshment

Sunday – Saturday	11pm – Midnight
New Years Eve	Through to start of permitted hours next day.

The Sale by Retail of alcohol for consumption ON and OFF the premises.

Sunday – Saturday	10am – 2am
New Years Eve	Through to start of permitted hours next day.

Opening Hours of the Premises

Sunday – Saturday	10am – 2.30am
New Years Eve	Through to start of permitted hours next day.

2.3 Designated Premises Supervisors

- Martin Harrison 2 Norfolk Court, Denton Holme, Carlisle.

2.4 Licence conditions

The conditions under which the licence may operate are included in the premises licence (**Appendix 3**)

3 POLICY FRAMEWORK

3.1 It is a corporate objective to promote a safe Carlisle. The determination of an application to review a premises licence in accordance with the Act and its statement of licensing policy, fulfils that objective.

3.2 Carlisle City Council statement of licensing policy considers reviews of licences at Paragraph 5.2:

5.2.1 The authority will view seriously applications for the review of any premises licence where it involves:

- persistent failure to comply with licence conditions;

- actions or omissions by the licensee (or their staff) which undermine the licensing objectives, particularly where they endanger public safety, expose children to actual or potential harm or cause public nuisance.

5.2.2 They will also view particularly seriously, any applications for review where (inter alia):

- licensed premises have been used for the sale and distribution of illegal drugs and the laundering of the proceeds of drugs crimes;
- there have been proven sales of alcohol to and the consumption of alcohol by children for consumption on or off licensed premises;
- the police have frequently been called to attend to incidents of disorder at the premises;
- there have been frequent sales of alcohol to under age, or persons already intoxicated.

3.3 The policy considers the relevant licensing objectives in the following paragraphs:

4.3 Prevention of Crime and Disorder

4.4 Public Safety

4.5 Prevention of Public Nuisance

4.6 Protection of Children from Harm

A copy of the policy has been forwarded to Sub Committee members for their information.

3.4 Section 182 of the Licensing Act 2003 states that the Secretary of State must issue guidance to local authorities on the discharge of their functions under this Act. Amended guidance was laid before Parliament on 28 June 2007 and came into force that date.

In relation to the review of premises licences, the guidance refers to the following options available to the authority (Para. 5 of this report).

11.16

The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warning should be issued in writing to the holder of the licence. However, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach.

11.17

Where the licensing authority considers that action under its statutory powers are necessary, it may take any of the following steps:

- To modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by

reducing the hours of opening or by requiring door supervisors at particular times;

- To exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- To remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- To suspend the licence for a period not exceeding three months;
- To revoke the licence.

11.18

In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response.

11.19 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.20 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems which impact upon the licensing objectives.

11.21

Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives.

4 THE LEGAL IMPLICATIONS

- 4.1 The licensing authority must determine the application in accordance with Section 52 of the Act, which outlines the circumstances whereby a hearing is required and the options available to the committee when determining the application.

- 4.2 An appeal may be made to the magistrates' court against the decision of the authority by the responsible authority, interested party or premises licence holder, within 21 days from the date of being notified.
- 4.3 Section 52(11) provides that a determination under this section does not have effect until the end of the period given for appealing against the decision, or if the decision is appealed against, until the appeal is disposed of.

5 OPTIONS

- 5.1 The application will be determined in accordance with the relevant sections of the Act, the statement of licensing policy and paragraph 11.17 of the section 182 guidance offered by the Secretary of State.
- 5.2 The licensing authority must, having regard to the application and any relevant representations, take such steps it considers necessary for the promotion of the licensing objectives. These steps are:
- (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 3 months;
 - (e) to revoke the licence.
- 5.3 Members should also consider para. 11.16 of the guidance (para. 3.4 of this report) where it is considered that no action, or an informal warning should be given.

J A Messenger
Licensing Manager

App. 1

CA12

Carlisle City Council

Licensing Manager, Civic Centre, Carlisle CA3 8QG

Tel: 01228 817523 Fax: 01228 817023

Email: licensing@carlisle.gov.uk



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 Jain Robert Tait

(Insert name of applicant)

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apply for the review of a premises licence under section 51 / apply for the
review of a club premises certificate under section 87 of the Licensing Act 2003
for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or
description

Creighton Rugby Club
Sycamore Lane

Post town Carlisle

Post code (if known) CA1 3SR

Deleted:

Name of premises licence holder or club holding club premises certificate (if
known)

Number of premises licence or club premises certificate (if known)

Part 2 - Applicant details

I am

Please tick yes

1) an interested party (please complete (A) or (B) below)

a) a person living in the vicinity of the premises



- b) a body representing persons living in the vicinity of the premises ☐
- c) a person involved in business in the vicinity of the premises ☐
- d) a body representing persons involved in business in the vicinity of the premises ☐
- 2) a responsible authority (please complete (C) below) ☐
- 3) a member of the club to which this application relates (please complete (A) below) ☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr ☒ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

Tait

First names

Jain Robert

Deleted:

Deleted:

I am 18 years old or over

Please tick yes



Current postal address if different from premises address

5 Oval Court
Sycamore Lane

Deleted:

Post town

Carlisle

Post Code

CA1 3TT

Deleted:

Deleted:

Daytime contact telephone number

01228 640359

Deleted:

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Mrs Lorraine Errington

6 Oval Court

Sycamore Lane

Carlisle

CA1 3TT

Deleted:

Telephone number (if any)

01228 595925

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address <u>N/A</u>
Telephone number (if any)
E-mail address (optional)

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

Please tick one or more boxes

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

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

Please state the ground(s) for review (please read guidance note 1)

The Prevention of Public Nuisance

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The continued noise nuisance coming from Creighton Rugby Club as described in the document below.

Please provide as much information as possible to support the application
(please read guidance note 2)

Application for Premises Licence Review Creighton Rugby
Club

The first function took place in April 2006. Music was very loud; there was also noise from people leaving the function and also from taxis sounding their horns. The club steward was approached the next morning and he took names & addresses and stated that the committee would write regarding the problems from the previous night but no letter was ever received.

Functions continued on most weekends during 2006, with varying degrees of noise. While on occasions, there were functions where music had been almost indiscernible the vast majority were not. On the occasions when the music was very loud the club was telephoned with a request to turn the music down. On most occasions no discernable decrease in volume could be detected and on the occasions where the music was turned down it was very soon turned back up.

Eventually it became obvious that complaining to the club was not having any effect on the level of disturbance we were enduring and a complaint was made to Michael Neatis, District Environmental Health Officer on 18 June 2006. On the 20 July 2006 a reply was received from Mr Neatis with an enclosed Noise Dairy which we were instructed to complete to assist in the investigation of the complaint. Details from some of the entries are below:

28-7-06

Music from function very loud, DJ could be heard and individual songs identified. Music finished at midnight. At the end of the function there was a lot of noise from people shouting in the car park **including swearing** while waiting for taxis and lifts. People still in the car park at 12:55.

29-7-06

Similar to previous evening; very loud music **made worse as side doors are constantly open** presumably due to the heat inside the function room. Requests to keep the doors closed are largely ignored.

5-8-06

Again, music very loud, individual songs easily identified; **from 9:30 to approx 11:30 children playing football on the club grounds and in the street and also chasing each other in the car park while shouting and**

screaming. Again music finishes approx. midnight but disturbance from people leaving function continues until approx 1am.

25-8-06

Similar to above, DJ can be clearly heard, individual songs identified. Music finished at midnight and again children playing out doors until almost midnight creating a lot of noise. Disturbance from people leaving function continues until approx 1am.

After compiling the noise diary for about a month we asked Mr Neatis when he would begin to monitor the club. For staffing reasons, Mr Neatis said he was unable to carry out any monitoring during this time and also referred to the fact that he was not paid any additional money to monitor at weekends. As our complaints to the club were not having any effect and the council would not monitor the noise levels from the club we approached our local councillor, Mr Trevor Allison in early September with a view to him interceding on our behalf.

Mr Allison subsequently had a meeting with representatives of the club and copies of the letter to the club from Mr Allinson dated 15-9-06 and of the outcome of the meeting dated 8-10-06 are attached to this application.

Although the number of functions diminished towards the end of the year, disturbance from both loud music and particularly people leaving the premises was still occurring on several of the functions that took place during the latter part of the year.

Mr Neatis eventually paid two monitoring visits on 1-12-06 and 9-12-06 and as stated in his letter of 19-12-06 could hear no music. As mentioned previously, there are occasions when little or no music noise can be heard, however, it should also be pointed out that on these two occasions the monitoring was done against a backdrop of exceptionally high winds, which in our opinion made the monitoring unrepresentative.

Unfortunately from our point of view Mr Neatis did not monitor the club the following week, 16-12-06 where music was exceptionally loud from a live band and there was a lot noise from people leaving the premises.

Noise from functions during January and February continued to be an issue, especially noise from people leaving the functions, in particular shouting farewells, laughter and very often there was foul language.

As the situation was as bad as ever, I approached our other local councillor Mr Steven Tweedie with a view to him arranging a meeting between ourselves and the club. A meeting was held in early March and a note of the meeting was made by Mr Tweedie, details of which are contained in a letter to Mr John Rogers, Club President, dated 26 March 2007.

A club committee meeting was scheduled for 3 April and Mr Rogers agreed to put the various proposals and suggestions to that meeting and a further meeting with us was arranged for 4 April to discuss the outcome of the club committee meeting.

Details of the outcome of this meeting are outlined at page 10 paragraph 3

Monitoring continued:

6-4-07

The function appeared to finish about 00:30 (i.e. the music could no longer be heard emanating from the club) and at this point I went to bed. At about 12:50 am a large crowd of people came out of the club and the noise made by them made sleep impossible. People waiting in club car park for taxis came into Oval Court and rang various doorbells and the Police were called. A letter of complaint was written to the Licensing Officer (dated 16 April) and a copy is attached to this application.

4-5-07

Some music noise, people could be heard shouting in the car park at 00:50. Sleep impossible.

6-5-07 (Sunday)

Some music noise, people could be heard shouting in the car park at 01:05.

18-5-07

A lot of music noise, people could be heard shouting and swearing in the car park at 01:00

19-5-07

Some music noise, people could be heard shouting in the car park at 00:45

25-5-07

A lot of music noise, people could be heard shouting in the car park at 01:00.

26-5-07

Some music noise, people could be heard shouting in the

car park at 01:10.

23-6-07

Loud "dance" music could be heard all night. Crowd very noisy waiting for taxis with a lot of swearing and people were obviously very drunk. This culminated in several men leaving the club car park and entering Oval Court where they proceeded to urinate over several of the resident's cars. A more complete account is in the attached letter sent to the Licensing Officer on 25 June.

6-7-07

A lot of music noise; made worse because the rear doors are open.

20-7-07

Music exceptionally noisy, bass volume very high; people could be heard shouting in the car park at 00:20.

21-7-07

Music at acceptable level, people could be heard shouting in the car park at 00:30.

28-7-07

Live band playing (Palm Springs); music very loud particularly bass sound. Disco music also loud, people could be heard shouting and swearing in the car park at 00:55.

4-8-07

Live band playing, (again Palm Springs) and again both live music and disco music very loud. Again, people waiting for taxis making a lot of noise shouting & singing until after 01:00.

11-8-07

No music noise, club closed by 23:00

18-8-07

Music at acceptable level, people could be heard shouting in the car park at 01:00.

1-9-07

Evening element of an all day charity function. Disco music at acceptable levels in the early part of the night, however, between 22:00 and 23:00 volume increased. For the most part of this evening function many people were standing outside at the front entrance of the club smoking, also a significant number of them could clearly be seen drinking alcohol from both bottles and glasses.

There were many young children (ten & under) who also attended this function and could be seen running around the club well after 22:00. At around 22:20 residents of

Oval Court clearly heard the screams of a young child and fearing the child was being attacked myself and others came outside and approached the club where myself and two neighbours witnessed two females fighting, one female literally bent over the wooden fence on Sycamore Lane with the other one repeatedly punching her in the face. The screams were from a child who was trying to halt the attack and during her attempts to pull the woman off was herself punched.

Others from the watching crowd pulled the little girl away from the incident whereby she ran off towards Twickenham Court is a very distressed state. The child was followed and brought back to the Club and on the arrival of a taxi the woman and the little girl were both bundled into the taxi which then immediately left the club premises. The victim was then taken into the club by others attending the function. The Police by this time had been called and the incident reported.

This was a very distressing incident for myself and my neighbours and should not be witnessed in a residential area. Neither should such an incident involve or be witnessed by any minor attending the Club. This incident also highlights the fact that Creighton Rugby Club, contrary to stating that children are welcome on their premises to 2100 hours only, are still allowing minors to be present on their premises late at night when high levels of alcohol have been consumed, invariably leading to just such events as has just been described.

In the 18 months since the club has been opened, no attempt has ever been by the club to control people who are still on the club premises but are outside of the actual building. This particular case of fighting is not an isolated incident and I am sure is something that will happen again in the future.

Unlike a normal social club which has a list of members and regular attendees and consequently can exercise a great deal more control over people attending, the functions which take place at Creighton Rugby Club are by their own admittance one-offs, with the club having absolutely no idea at any one time who may be attending a function or what kind of problems will arise during and after the function.

Issues

We have three issues with the club in terms of the nuisance that occurs when functions are held on their premises:

1. Music Noise:

Environmental Officers have determined that no nuisance has been witnessed during their monitoring visits including live music as stated in Mr Neatis's letter of 7 August. However, I would like to point out that that statement is factually incorrect because no live music functions have ever been monitored, based on the dates supplied by Ruth Harland, as to when monitoring took place.

According to the list supplied by her, (copy attached) there was live music on 21 July and that music was barely audible. However, there was no live music on the 21 July for the simple reason it was a 40th birthday party with a disco. I know this for a fact as we were actually invited to the party (but did not attend). There was however, a live music function on the 28 July, included in the list of three dates sent to Mr Neatis in an email (attached), sent on the 11 July 2006. These three dates were given to Mr Neatis at his request, and covered two birthday parties and one function with live music. We were led to believe that all three events would be monitored, giving a fairer comparison of different functions held within the club. Ironically the only event that was monitored, was the one acceptable function out of all three held (the 40th birthday party).

Also, at our meeting with Mr Rogers on 4 April 2007, it was stated that the club would purchase a sound limiter and that once installed, the club and the residents would meet to set up the limiter to a mutually acceptable noise level. In a reply letter to Steven Tweedie on 3 August, in response to his request for an update on this and other issues discussed at the 4 April meeting, John Rogers stated that the sound limiter was now fitted and operational in the function room. To our request for a further meeting with him, he stated that neither his committee or himself were willing to meet the residents again. Residents were not involved in setting limits for acceptable noise levels; this was undertaken by the club alone.

While we are unhappy in the way our complaint has been handled by the Environmental Officers regarding music noise, (it took 6 months from making the initial complaint to when actual monitoring of a function took place) and the inaccuracies in the dates and specific functions supposedly monitored, and the response from Mr Rogers, we do feel the issues regarding the music can eventually be resolved, particularly with the sound limiter fitted and realistically set up and side and rear doors being kept closed when music is being played. This

will be a particular issue for the Club during summer months or when large numbers are in attendance as the function room can become very hot. The club were asked to investigate the installation of air conditioning to remedy this problem but they rejected it on the grounds of cost.

2. Nuisance from people leaving functions:

Noise & nuisance from people leaving functions is the major issue residents of Oval and Twickenham Court have with the club. It takes on average about 1 hour from when a function finishes to when the last person can be heard leaving the club as people tend to leave in groups. With finishing times ranging from midnight to about 00:30 this means that the nuisance from the club can continue up to 01:30 and we have often been unable to sleep until 02:30 or 03:00.

As public transport from the Carlton area ceases at 23:00, guests are reliant on taxis and lifts to get them home. Bearing in mind that the club is licensed to hold over 200 people although in reality, the average number of people attending a function will be considerably less, there are often around a 80/100 people trying get taxis at the same time. In a lot of cases, they appear to be waiting until they are ready to leave the premises before phoning for a taxi and these requests coincide with peak demand for taxis across the city as a whole resulting in crowds hanging around the club car park waiting for their taxi or lift to arrive, taking around an hour to clear.

At this stage of the proceedings, people are either very merry or drunk and consequently signs within the club or reminders from DJ's have a negligible effect. At this very late hour, background noise is non existent and even low level noise can travel a considerable distance.

This problem is exacerbated by the fact that the club do not employ any door staff whose presence might have some effect in ensuring people leave the premises in a quiet and orderly manner. At present, once people have left the building, the club make no attempt to control these people even though they are still on their premises; indeed the policy appears to be that once the club is empty the club is locked up and staff go home leaving people in the car park waiting for lifts/taxis.

When we first approached Mr Neatis regarding noise issues with the club and we said that as well as the music noise there was an issue with the noise people made while waiting to leave the club, he stated that his remit did

not cover this type of nuisance and that we should contact the Police. This we have done on many occasions to both log complaints regarding music as well as the noise from people outside the club. However, the police have made it clear that unless a breach of the peace has been committed they consider this issue to be a civil matter and that as the club has a licence to 02:30 we should approach the Licensing Authority with the complaints.

3. Noise from people smoking outside the club:

This has also been a problem since the club opened. The club has had a no smoking policy from the start and now a legal obligation since the beginning of July. Smokers stand outside the front entrance (a cigarette butt receptacle is attached to the railings) which faces Oval Court.

This means there are often 10 to 15 people standing outside the front of the club smoking and while some people do stand quietly, there is often a lot of shouting and swearing particularly as the evening progresses, which can off-putting when you want to sit in your garden on a pleasant summer's evening. The noise can be heard, even when not sitting outside.

This issue was also raised with the club in our meetings in March and April and at the April meeting Mr Rogers stated that they were going to erect 2 smoking places at the rear of the club and make the front of the club a no smoking area. In his letter of 3 August, Mr Rogers has now stated the club will "encourage" people not to smoke at the front of the building, but there is now no mention of making the front of the building a "no smoking area" as he first indicated.

There is also an issue with people also drinking while smoking at the front of the club, despite the club being warned of this problem by an off-duty Police Officer who is also a local resident.

What we seek from this review:

1. Music Noise:

As stated above, we feel that the issues with music noise can be sorted assuming that the sound limiter is correctly set up but we seek as a condition of the Premises Licence that **doors and windows in the function room be kept closed at all times** when music (either live or recorded) is being played in the function room.

2. Nuisance from people leaving functions:

This is the biggest nuisance issue the residents have with the club. When there are large numbers waiting in the car park for taxis or lifts, noise is inevitable and with the vast majority of functions finishing between midnight and 00:30 and as previously stated it takes about hour from when the function finishes to when the last person leaves the car park. What we are therefore seeking is:

1. All licensable activities that take place at Creighton Rugby Club i.e. the sale and consumption of alcohol and the playing of recorded or live music should cease by 23:00.

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2. Door staff to be employed to ensure orderly conduct is maintained within the club boundaries during and after all evening functions.

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3. Noise from people smoking outside the club:

We would seek that it be a condition of the premises licence that the club impose and enforce a ban on people smoking at the front entrance of the club and to provide a suitable area for smoking at the rear of the club.

This report will be amplified at any subsequent meeting.

Deleted:

Please tick yes

Have you made an application for review relating to this 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 this premises please state what they were and when you made them

Deleted:

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature



Date

Capacity Persons living in the vicinity of the premises

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Iain Tait
5 Oval Court
Sycamore Lane

Post town

Carlisle

Post Code

CA1 3TT

Telephone number (if any) 01228 526594

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Deleted:

Deleted:

Deleted:

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Iain Tait

From: Ruth Harland [RuthH@carlisle-city.gov.uk]
Sent: 15 August 2007 11:24
To: 'itait51@tiscali.co.uk'
Cc: Michael Neatis; Frederick Watson
Subject: Creighton Rugby Club



List of visits to
Creighton Ru...

<<List of visits to Creighton Rugby Club 2007.doc>>

As requested - attached is a list of visits to the Rugby Club to attempt to identify any noise nuisance from live/recorded music played there

Ruth Harland
Food, Health & Safety Team Manager
Carlisle City Council
Tel. 01228 817334

Carlisle City Council - Creating a brighter future for all.
Our Priorities are Cleaner, Greener and Safer, Carlisle the Learning City and Carlisle Renaissance.

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List of visits to Creighton Rugby Club 2007

Saturday 26 May (11pm)	Music barely audible on club car park
Saturday 2 June (11.30pm)	No music audible
Saturday 9 June	No music audible
Saturday 16 June (11.30pm)	No music audible
Saturday 14 July (10.00pm)	No music audible
Saturday 21 July (9.45pm & 11pm)	Advertised as "Live Blues & Rock". "Bass" music barely audible outside properties in Oval Court & St Pauls Medical Centre. Further visit after 11pm – no music audible.

Taking account of these 6 visits (and those carried out in 2006) a decision was taken by officers that, as no nuisance existed when "live blues and rock" music was being played, further visits were highly unlikely to show the existence of a statutory noise nuisance and no further action would be taken.

Saturday 11 August (11.00)	A Licensing Officer visited whilst carrying out other duties – no music audible.
-----------------------------------	--

Iain Tait

From: Iain Tait [itait51@tiscali.co.uk]
Sent: 11 July 2007 22:53
To: 'FoodandSafety@carlisle.gov.uk'
Subject: Re Creighton Rugby Club - For the att of Mike Neatis

Dear Mr Neatis

Further to our discussion of 4 June with Fred Watson where we discussed forthcoming functions at Creighton R.C. here are the 3 dates for the functions:

1. Friday 20 July – 30th birthday party;
2. Saturday 21st July – 40th birthday party;
3. Saturday 28th July – club function – live band.

I am not aware of any other functions between now & then but that of course does not mean there are none.

Regards

Iain Tait
5 Oval Court



Community Services
Food Health & Safety Team

Director of Community Services: M Battersby C Eng MICE

Civic Centre, Carlisle, CA3 8QG

•Telephone (01228) 817000 •Fax (01228) 817346 •Typetalk 18001 01228 817000

Mr I Tait
5 Oval Court
Sycamore Lane
CARLISLE
CA1 3TT

Please ask for: Michael Neatis
Direct Line: 01228 817302
E-mail: FoodandSafety@carlisle.gov.uk
Your ref:
Our ref: 4/012/41/Comp168/07/MN/LM

07 August 2007

Dear Mr Tait

NOISE COMPLAINT - CRIGHTON RUGBY UNION CLUB

I write to inform you that I am closing this complaint and taking no further action. No evidence of a noise nuisance has been witnessed including periods of live entertainment.

Should you wish to discuss my decision please contact me at these offices or by telephoning the number above. Alternatively, you can contact my Line Manager, Ruth Harland at the same address or by telephoning 01228 817334.

Yours sincerely

M Neatis

District Environmental Health Officer



INVESTOR IN PEOPLE

John Rogers
Creighton Rugby Union Football Club
Sycamore Lane
Parkland
Carlisle
CA1 3SR

RECEIVED

305

Steven Tweedie
1 Worthington Place
Carlisle
Cumbria CA1 3YS

3rd August 2007

Dear Steven,

I am responding to your letter dated 23rd July 2007. First let me apologise for the delay, I have been working away and have only just received your letter.

I am aware, through the City Council Licensing Department, that there may be an impending application to revoke the club's licence. Therefore I hope you understand if I restrict my answers to your queries – we may need to mount a “defence” and I do not want to prejudice our case.

- I can confirm that a sound-limiter has been fitted to the function room and is now operational. We believe this is sufficient and linking it to the doors is not needed.
- Customers who smoke are encouraged to use the patio area at the rear of the building.
- Visiting DJ's and bands are requested to reduce the bass level on their systems.
- A high-visibility sign is displayed for all functions.
- Soundproofing the room has been explored and dismissed as not being commercially viable – or necessary.
- All staff are fully trained in their responsibilities.

We really do appreciate your efforts in this matter Steven but neither my committee nor I are willing to meet with the residents again.

Once again, I thank you for your assistance.

Yours sincerely,



From Councillor:
Steven Tweedie
1 Worthington Place
Carlisle
Cumbria CA1 3YS

Telephone 01228 535372
e-mail: StevenT@carlisle.gov.uk

City Councillor for:
Dalston Ward

Mr John Rogers
Creighton Rugby Union Football Club
Sycamore Lane
Parkland
Carlisle
CA1 3SR

23rd July 2007

Dear John,

Further to our meeting earlier this year with Mr Tait and Mrs Errington of Oval court, I write to ask for an update on the various issues we discussed. You may recall we discussed the following items

1. Linking the sound system to the doors - therefore reducing volume when doors are opened
2. Making the area outside the front of the club a no smoking zone, therefore forcing those attending a function to use the rear hard-standing area for smoking
3. Installing a more prominent sign instructing those in the club to respect the residential nature of the area
4. Bass. You agreed to speak with the dj's who attend the club and ask that they reduce the bass level on the music systems
5. Soundproofing - you agreed to discuss the possibility of soundproofing measures with the committee, we all agreed the construction of the club was not the best for containing the sound
6. Training - we discussed the possibility of training for the club staff to ensure they are aware of their full responsibility and can control functions in a manner to minimise disruption.

If you feel it is appropriate I would appreciate the opportunity to meet again with you and the residents of Oval Court.

I look forward to hearing from you.

Kind regards,

Steven Tweedie pp.22.

Mobile 07967 133 485

Cc. Ian Tait 5 Oval Court.



INVESTOR IN PEOPLE

CUMBRIA CONSTABULARY

Facsimile: 01228 558209
Telephone: 01228 558200

Area Commander
North Cumbria Area
Chief Superintendent A Davidson

Please ask for: Superintendent Pallas

County Police Station
The Citadel
Carlisle
Cumbria CA3 8SG

My Reference: BP/YLS
Your Reference:



Mrs M Tait
5 Oval Court
Sycamore Lane
Carlisle
Cumbria
CA1 3TT

5 July, 2007

Dear Mrs Tait

I confirm receipt of your letter dated 24 June 2007 in which you detail your concerns in relation to Creighton Rugby Club.

A copy of your letter has been passed to Insp Wickwar for investigation and the outcome will be communicated to you in due course.

Yours sincerely

Bob Pallas
Superintendent

Legal & Democratic Services

Director of Legal & Democratic Services: John Egan LLB
Civic Centre Carlisle CA3 8QG Telephone (01228) 817000 Fax (01228) 817023
Document Exchange Quote DX 63037 Carlisle Type talk please ring 18001 01228 817000
Council Website www.carlisle.gov.uk

Mrs M Tait
5 Oval Court
Sycamore Lane
Carlisle
CA1 3TT

Please ask for: Licensing Officer
Direct Line: 01228 817028
E-mail: licensing@carlisle.gov.uk
Your ref:
Our ref: Licensing/FW

04 July 2007

Dear Madam

Creighton Rugby Club

I acknowledge your letter dated 24th June 2007 regarding a disturbance by patrons of the above premises.

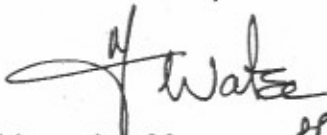
I have forwarded a copy of the letter to Mr Neatis from our Environmental Protection Department.

I have also forwarded a copy of your complaint to the Club Committee (I have deleted your name and address).

I will retain your letter and it will be filed within the Creighton Rugby Club file for any future reference.

If you require any assistance please contact a Licensing Officer at the Licensing Office on 01228 817025

Yours faithfully


Licensing Manager *HP*



Carlisle City Labour Group

Labour Group Office • The Civic Centre • Carlisle • CA3 8QG

Telephone: 01228 817062 • Fax: 01228 817064 Text phone 18001 01228 817062

Mrs M Tait
5 Oval Court
Sycamore Lane
Carlisle
CA1 3TT

03/07/2007

Dear Mrs M Tait

Thank you for your letter dated June 24th.

I am very sorry to hear of the problems you have been experiencing with Creighton Rugby Club.

I have forwarded your letter to Jim Messenger, Licensing Manager for Carlisle City Council and Andy Davidson, North Cumbria Area Commander for Cumbria Constabulary in the hope they will be able to help with this matter. As soon as I hear anything I will be back in touch.

Kind Regards.

Yours sincerely

Reg Watson

PP Reg Watson
Councillor for St Aidans

CUMBRIA CONSTABULARY

Facsimile:
Telephone: 0845 3300 247
Please ask for: PC 1486 FOSTER
My Reference:
Your Reference:



To : Mr. Ian Tait
5 Oval Court
Carlisle
CA1 3TT

Date 14th June 2007

Dear Mr Tait

I refer to our conversation regarding noise/anti social behaviour at Creighton Rugby Club.

As promised, I have spoken to the club Chairman & Environmental health. They both gave me some input and confirmed that the matter is still 'in-hand' and further reports are expected.

It is clear that the appropriate agencies are aware, and actively seeking a final resolution, to the problem you stated. I understand you have personally been in touch with Env. Health.

In addition I have checked the historical logs of instances whereby Police attended the club. They all appear to share a similar summary, that noise was not excessive (at the time of their visit) or there was no (ongoing) disorder.

I would suggest, for now, that we allow the Env. Health to do their bit and report their findings in due course.

I would stress of course, that should you consider Police attendance be required for public disorder, anti-social behaviour and suchlike, that you call us immediately for a patrol to attend.

Best regards

Dave Foster
Pc 1486

CARLISLE CITY COUNCIL



www.carlisle.gov.uk

From Councillor:

Trevor Allison

17 Gilbert Road

Cummersdale

Carlisle CA2 6BJ

Telephone: 01228 523923

City Councillor for:

Dalston

Mr I Tait
5 Oval Court
Parkland Village
Carlisle
CA1 3TT

27th April 2007

Dear Mr Tait,

Further to our recent meeting regarding the ongoing issue of noise from the Creighton Rugby Club, I have met with Mike Neatis at City Council to discuss taking more measurements during the operating hours of the club, more specifically when there are functions taking place. Mike has agreed to take a further set of readings and as a result of these new readings he will reach a conclusion as to whether there is a statutory nuisance. In order for Mike to take these readings the file will have to be reopened and this requires a formal complaint to be raised. With this in mind could you contact Mike on 01228 817302 to raise your complaint about the noise levels.

I would like to point out however that in discussion with Mike it was made clear that, should these second readings be taken and result being that there is no statutory nuisance the file must then be formally closed, and there will be little or no opportunity for the City Council to take further action in the foreseeable future. With this in mind our professional and impartial advice would be to work closely with the Club to try and resolve these issues before making a further complaint. If however, you feel it is appropriate to reopen the file at this stage I offer you my impartial support on this matter.

Kind regards,

Cllr Steven Tweedie.



**CARLISLE
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Legal & Democratic Services

Director of Legal & Democratic Services: J M Egan LLB

Civic Centre Carlisle CA3 8QG Telephone (01228) 817000 Fax (01228) 817023

Document Exchange Quote DX 63037 Carlisle Type talk 18001 01228 817000

Council Website www.carlisle.gov.uk

Mr I Tait
5 Oval Court
Sycamore Lane
Carlisle
Cumbria
CA1 3TT

Please ask for:

Direct Line:

E-mail:

Your Ref:

Our Ref:

Licensing Officer

01228 817523

licensing@carlisle.gov.uk

27 April 2007

Dear Mr Tait

Licensing Act 2003 - Creighjton Rugby Club

I refer to your letter dated 20th April 2007, in connection with a disturbance at the above premises which are located near your home.

I have noted your comments and that Mr Watson, my Licensing Officer, has been to discuss the issues with you. I have also sent a copy of your letter to Mr Neatis in Environmental Protection for his information.

Mr Watson has told me that you are currently gathering evidence in connection with noise nuisance, and I would suggest that this be in the form of a diary of events. You are also considering requesting a review of the premises licence. Should you decide on this course of action, please contact Mr Watson who will provide you with the appropriate form.

Yours sincerely,

Licensing Manager



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5 Oval Court
Sycamore Lane
Carlisle
CA1 3TT

16 April 2007

Dear Mr Watson

CREIGHTON RUGBY CLUB

I would like to make an official complaint regarding the nuisance that occurs when the above club holds functions.

This specific complaint is in regards to a function that was held on Friday 6 April 2007. The function appeared to finish about 12:30 am (i.e. the music could no longer be heard emanating from the club) and at this point I went to bed. At about 12:50 am a large crowd of people came out of the club and the noise made by them made sleep impossible. I then phoned the club to complain and pointed out to the manageress that at a previous meeting with John Rogers (club chairman) that it had been agreed by him that the manageress would ensure that groups of people waiting for taxi's etc would be brought back into the club to avoid a nuisance and this she agreed to do. However, about 15 minutes later comments could be heard from people standing outside saying "schhh you'll wake the neighbours" and people were also pointing at Oval Court. In my opinion this was being said in a sarcastic way as opposed to an attempt to keep the noise down.

At about 1:15 there was about 40 or 50 people milling about in the club car park the noise was totally unacceptable and at this point I phoned the Police in the hope that they would be able to disperse the crowd. Shortly after I phoned the Police, a group of 4 or 5 people ran into Oval Court and ran into the gardens of several of the houses and proceeded to ring the doorbells and bang on doors. As they left Oval Court they proceeded to rip a For Sale sign down and began throwing the sign about. While this was happening I phoned the Police again to explain what was happening and unfortunately the Police arrived just after the perpetrators had left. I then spoke to the Police and explained what had happened and they said that report of the incident would be made.

As you can imagine, this was a very disturbing incident and in my opinion was as a direct consequence of how the manageress handled the original complaint about the noise. From the subsequent comments and actions by people waiting outside, she must have told them that a complaint had been made from Oval Court and hence their reaction.

Sadly for the residents of Oval Court, the noise made by people departing the club is an all too common occurrence (although people coming into Oval Court has never happened before) and sleep on a Saturday and Sunday morning is often impossible to well after 2am.

Again, sadly for the residents of Oval Court and the immediate vicinity, the manageress appears to be completely indifferent to the noise created by the club and her stock answer to most complaints is that "we have a license to 2am" which she seems to think absolves her or the club of any responsibility for the noise that the club generates when holding a function.

Any assistance you can offer in our attempt to keep the noise from the club under control would be appreciated.

Yours sincerely

Iain Tait

5 Oval Court
Sycamore Lane
Carlisle
CA1 3TT

24 June 2007

Dear Mr Watson

CREIGHTON RUGBY CLUB

I would like to update you on the latest instance of disturbance from an evening function held at the above club on Saturday 23 June 2007.

As is the usual case, and despite reassurances that it will be controlled, we were once again subject to noise from the disco due to the rear function room door being left open during the evening as well as the odd occasion when the side door was also opened.

Trying very hard to ignore this, I went to bed at 11:00pm, closing all my bedroom windows, despite the heat of the evening, in an attempt to try and get some rest which I managed until midnight when party revellers began their exit from the club. The next hour was spent listening to large groups of very drunken men shouting and swearing, throwing mats from the club around the grounds and running up and down the grounds of Oval Court, urinating on cars which were parked in the grounds.

On returning back to the club grounds they continued their fun by pushing each other around the grounds on a trolley, which they obviously thought hilarious. One individual in the group in particular, who was so drunk he found just standing up to be difficult, then proceeded to kick at the club fencing, throw things to the ground from the veranda, including a glass. He then went on to remove his clothes and "moonlight" to all who passed him by, threw a brick at one of the taxis which arrived to pick some-one up and started to get very argumentative and threatening with other members of his group, who were obviously trying to calm him down. At this point my husband rang the police to inform them of the disturbance. The police arrived around 25 minutes later when things had calmed and the group, unable to get a taxi, decided to set off walking along Sycamore lane. The police may well have passed them on the way up to the club. Incidentally, the man's belt and shirt can still to be seen on the roof of the club.

I would also like to add that despite the amount of noise (including the sound of breaking glass), the club manageress at no point came out to see what was

going on and only appeared when the police arrived which was approximately one hour from the start of the disruption.

This is the second time in the last 2 months (the first time highlighted in my husbands letter dated 16 April) where people leaving a function at Creighton Rugby Club have come into the grounds of Oval Court this time urinating on parked cars. In their drunken state, there is also the potential for them to cause damage to the parked cars either intentionally or accidentally when they run around the cars as they did in this instance.

Yours sincerely

Margaret Tait

**CARLISLE
CITY COUNCIL**



www.carlisle.gov.uk

Mr. D. J Thomlinson
146 Moorhouse Rd
Carlisle
Cumbria
CA2 7QR

From Councillor:
Steven Tweedie
1 Worthington Place
Carlisle
Cumbria CA1 3YS

Telephone 01228 535372
e-mail: StevenT@carlisle.gov.uk

City Councillor for:
Dalston Ward

5th March 2007

Dear Dave,

Further to our telephone conversations I write to thank you for putting the issue of Noise Pollution on the agenda for this weeks meeting at the Creighton Rugby Club.

As discussed Mr Tait of 5 Oval court has requested a meeting with yourself to discuss various issues relating to noise emitting from the Rugby Club, Mr Tait will be representing a group of approximately 20 householders in the immediate area of the Rugby Club. I do not think it is appropriate to meet with all 20 householders and as such Mr Tait will act on their behalf. I understand you will contact me towards the end of this week with some suitable dates for this meeting.

Once again many thanks for your time and attention relating to this matter.

Kind Regards,
Yours Sincerely,

S. Tweedie
pp J-Lsatt

Cc: Mr I Tait, 5 Oval Court.



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CARLISLE CITY COUNCIL



www.carlisle.gov.uk

Mr John Rogers
Creighton Rugby Union Football Club
Sycamore Lane
Parkland
Carlisle
Cumbria
CA1 3SR

From Councillor:
Steven Tweedle
1 Worthington Place
Carlisle
Cumbria CA1 3YS

Telephone 01228 535372
e-mail: StevenT@carlisle.gov.uk

City Councillor for:
Dalston Ward

26th March 2007

Dear John,

Further to our meeting earlier this month with Mr Tait and Mrs Errington of Oval court, I write to confirm our discussions.

We note that a member of the Community Services team from Carlisle City Council had visited the club on several occasions to assess the noise impact on the neighbourhood. He concluded that at no time during his visit did the noise constitute a nuisance. We discussed this with Mr Tait and Mrs Errington and concluded that perhaps his visits had been ill timed and as such a true assessment of the noise may not have been made. Mr Tait and Mrs Errington also presented us with a petition signed by several local residents who also considered the noise emitting from the club to be a problem.

After discussing the noise issues you kindly agreed to bring these issues to the attention of the management committee at the club, the next opportunity you have to do this will be the 3rd April 2007. You agreed to discuss the following with the committee:

1. linking the sound system to the doors - therefore reducing volume when doors are opened
2. making the area outside the front of the club a no smoking zone, therefore forcing those attending a function to use the rear hard-standing area for smoking
3. installing a more prominent sign instructing those in the club to respect the residential nature of the area
4. bass. you agreed to speak with the dj's who attend the club and ask that they reduce the bass level on the music systems
5. soundproofing - you agreed to discuss the possibility of soundproofing measures with the committee, we all agreed the construction of the club was not the best for containing the sound



INVESTOR IN PEOPLE

6. training - we discussed the possibility of training for the club staff to ensure they are aware of their full responsibility and can control functions in a manner to minimise disruption.

In addition to the above I will write again to the local taxi association to ask that they do not sound horns when collecting patrons from the club.

We agreed to meet again with Mr Tait and Mrs Errington on the 4th April at 7.30pm in the Rugby Club. We will discuss the reaction of your committee to the ideas presented above.

Once again, thanks for meeting with us, should you need to contact me before our next meeting please call 07967 133 485.

Kind regards,
Yours Sincerely,

S. Tweedie
ap. J. Issatt

Cc: Mr I Tait, 5 Oval Court, Carlisle
Mr & Mrs. Errington, 6 Oval Court, Carlisle
Mr D Thomlinson, 146 Moorhouse Road, C0arlisle

Community Services Food Health & Safety Team

Director of Community Services: M Battersby C Eng MICE

Civic Centre, Carlisle, CA3 8QG

•Telephone (01228) 817000 •Fax (01228) 817346 •Typetalk 18001 01228 817000

Mr & Mrs Errington
6 Oval Court
Sycamore Lane
CARLISLE
CA1 3TT

Please ask for:

Direct Line:

E-mail:

Your ref:

Our ref:

Michael Neatis

01228 817302

FoodandSafety@carlisle.gov.uk

4/012/41/MN/LM

19 December 2006

Dear Mr & Mrs Errington

ENVIRONMENTAL PROTECTION ACT 1990 NOISE COMPLAINT - CREIGHTON RUGBY UNION CLUB

As part of my investigation into your complaint, I visited Creighton Rugby Union Club on the following occasions to undertake noise observational work.

Wednesday 19 July 2006 – evening visit (19.00 - 20.00 hours - no function)

Sunday 29 October 2006 – afternoon visit (15.30 – 17.30 hours - christening)

Friday 1 December 2006 – night time visit (22.00 – 00.00 hours - disco)

Saturday 9 December 2006 – night time visit (22.00 – 00.00 hours - live entertainment).

On each occasion I observed the noise emanating from the club at a number of locations, including immediately outside the residential dwellings on Oval Court and Twickenham Court.

As defined by the legislation above, a statutory nuisance is a matter such as noise emitted from a premises so as to be prejudicial to health or a nuisance. It needs to pose a threat to health or to have a significant affect on another person and must, therefore, be more than just an annoyance or irritation.

A statutory nuisance needs to occur for some length of time, or with some frequency. 'One off' occurrences are much less likely to be regarded as statutory nuisances.

This Department is unable to take formal action purely on the basis of complaints received and in this circumstance it will be necessary for an officer to witness a statutory nuisance before being able to deal with it. At no time during my noise observational work could I hear music, or any other sound, that



INVESTOR IN PEOPLE

1

Continued

constituted a statutory nuisance. Therefore I am concluding this investigation and taking no further action.

Should you disagree with my decision you may contact me at this address or on the telephone number above. Alternatively, you can discuss the matter with my Line Manager, Ruth Harland, at the same address or by telephoning 01228 817334.

Yours sincerely



M Neatis

District Environmental Health Officer

Copy to : Mr & Mrs Tait, 5 Oval Court, Sycamore Lane, Carlisle CA1 3TT
Cllr Trevor Allison, Civic Centre, Carlisle

CARLISLE CITY COUNCIL



www.carlisle.gov.uk

From Councillor:

Trevor Allison

17 Gilbert Road

Cummersdale

Carlisle CA2 6BJ

Telephone: 01228 523923

City Councillor for:

Dalston

Mr David Thomlinson,
Secretary, Creighton Rugby Club,
Sycamore Lane,
Parklands,
Garlands,
Carlisle.
CA1 3SR

08.10.06

Dear Mr Thomlinson,

Noise complaints

We appreciated you and your two colleagues, Martin Harrison and John Rogers, seeing Steven Tweedie and myself at the club on Thursday last week. This was to discuss the residents' complaints about late night noise on Fridays and Saturdays when there are functions/parties with Disco accompaniment at the club.

It was clear from our conversation that you have been briefed on the nature of the complaint and are keen to address the issues raised in the best way you can. You told us that the previous steward was perhaps not as diligent as he could have been in controlling the noise levels and that he has since left. A new steward is about to start and is fully aware of the need to comply with the rules and codes of conduct with respect to the operation of the club. Hopefully this will have a positive outcome.

You also informed us that Mr Michael Neatis of the Environmental Protection Services at Carlisle City Council is coming to the club on Friday 13th October, to record sound readings both in the vicinity of the premises and at the properties of the residents who have complained. Not surprisingly, they tell us that the noise is much more intrusive in summer when the double glazed bedroom windows are open. In the meantime you are taking practical steps such as strict enforcement of the rules on children at late functions and asking patrons to leave quietly and taxis not to sound their horns.

We agreed that if following Mr Neatis's visit, there are further incidents, you can phone my colleague Steven Tweedie, who lives only a short distance away. Steven will come down and make his own assessment and see the residents. I have copied the residents this letter

Yours sincerely

Trevor Allison



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CARLISLE CITY COUNCIL



www.carlisle.gov.uk

Secretary,
Creighton Rugby Club,
Sycamore Lane,
Garlands,
Carlisle,
CA1 3TT

From Councillor:

Trevor Allison

17 Gilbert Road

Cummersdale

Carlisle CA2 6BJ

Telephone: 01228 523923

City Councillor for:

Dalston

15.09.06

Dear Sir,

I have been approached by two residents who live opposite the club on Oval Court. They and other neighbours in the area are seriously disturbed by the noise emanating from the club premises, particularly on Friday and Saturday nights when there are functions on. Apparently this has continued all summer since the club was opened and they are concerned that as the club grows, their quality of life is being increasingly undermined

I understand that this has been brought to the attention of the Environmental Health section of the City Council, who have asked the residents to log the incidents in a noise diary. I have been shown one of these logs. It records incidents such as loud music, the loudness of the DJ, smokers standing outside drinking and shouting, some even with children kicking balls. It seems that this can continue until as late as 1.00 o'clock in the morning. (Sat) and on one occasion until about 2.00am. The residents tell me that they are simply not able to go to bed on these occasions.

I understand that when they purchased their houses, they were aware that there would be a sports field on the land opposite, but not the siting of the sports club directly in front of them. At the end of a function, there have been taxis sounding their horns, and the noise of empty beer bottles being thrown into the skip. It seems that the doors, including the fire door, are being left open in order to keep the temperature down inside the building.

I assume that the designer of the building would have regard to its proximity to the houses, but the residents question whether the sound insulation in the roof space is adequate, as the booming noise can appear to be emanating from the roof. I have not had the opportunity to look at the papers relating to the planning application for the clubhouse, and the design details/comments of building control, but will do so when I return from holiday.

The reason why they have raised the issue with me as their ward Councillor is that they have already brought this to your attention (and the Council's), but up to now, to no avail. The residents are living in a prestigious development and paid a premium for the privilege of a site in an essentially rural environment with no through road. They appreciate the important role the building has in the community and understand that you cannot ask guests at this type of function to keep quiet, but they feel that the noise and intrusion into their privacy is unacceptable.

I would appreciate it if you could indicate what measures can be taken to address this problem.

Yours sincerely,

Trevor Allison.



INVESTOR IN PEOPLE



Community Services
Food Health & Safety Team

Director of Community Services: M Battersby C Eng MICE

Civic Centre, Carlisle, CA3 8QG

•Telephone (01228) 625000 •Fax (01228) 625050 •Typetalk 18001 01228 625000

Mrs Errington
6 Oval Court
Sycamore Lane
CARLISLE
CA1 3TT

Please ask for:

Direct Line:

E-mail:

Your ref:

Our ref:

Michael Neatis

01228 817349

FoodandSafety@carlisle.gov.uk

4/012/41/MN/LM

20 July 2006

Dear Mrs Errington

RE: ENVIRONMENTAL PROTECTION ACT 1990
ALLEGED NOISE FROM CREIGHTON RUGBY CLUB

I write with regard to your recent complaint concerning the above matter.

To assist our investigation of your complaint I would be obliged if you could complete the witness statement form (noise diary) which I have enclosed with this letter. You should use this to record the offending events for a period of days. Should you require further advice or assistance concerning the completion of the diary please contact me at this Division.

The completed diary provides useful supporting evidence should legal action become necessary. It will also help to indicate the most appropriate times for visits to be made by the investigating officer to witness the problem that you are experiencing.

If I do not receive a completed noise diary from you it will be assumed that you do not wish the Council to take any further action in respect of this matter.

If you have any queries regarding this matter please contact me at this Division.

Yours sincerely

M Neatis

District Environmental Health Officer



INVESTOR IN PEOPLE

ENVIRONMENTAL SERVICES DIVISION
STATEMENT OF WITNESS
NOISE DIARY

(C J ACT 1967, s.9: M C ACT 1980 ss. 5A(3)(a) and 5B: M C RULES 1981 r. 70)

STATEMENT OF LORRAINE ERRINGTON

Age of Witness OVER 18 (if over 18 enter "over 18")

Occupation: PRACTICE NURSE

Address: 6 OJA COURT
SYCAMORE LANE
CARRISLE

This statement (consisting of _____ page(s) 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 2 DAY OF SEPTEMBER 2006

SIGNED L. Errington

SIGNATURE WITNESSED BY [Signature]

Noise originating from: NOISE DIARY
CARRISLE RUGBY CLUB

(please identify the source of the noise and include the address where it is occurring):

<u>Date</u>	<u>Time noise commenced</u>	<u>Time noise finished</u>	<u>Description of the nature of the noise and how it affected you</u>
25.8.06	8.45	12.00	loud music - constant loud bass tone
			Songs including: - from Paris to Berlin girls just want to have fun
			DS can be heard.
	8.45	1 AM APPROX	people outside smoking shouting

DATA PROTECTION The information which you provide on this form will only be used to help Carlisle City Council to investigate the complaint you have made. The details contained in the form will only be disclosed to persons involved in that process and will be treated in the strictest confidence.

NOISE DIARY

Noise originating from: CRAGGTON ROAD CHURCH

(please identify the source of the noise and include the address where it is occurring):

<u>Date</u>	<u>Time noise commenced</u>	<u>Time noise finished</u>	<u>Description of the nature of the noise and how it affected you</u>
			children playing football in car park - shouting.
			cars / taxis piling up people shouting, slamming car doors.
			unable to concentrate.
			- can't watch TV
			can't relax
			can't go to bed.
26.8.06	2.9.06 (inclusive)		NO FUNCTIONS

DATED THE 2 DAY OF SEPTEMBER 2006

SIGNED L. Eng

SIGNATURE WITNESSED BY [Signature]

DATA PROTECTION The information which you provide on this form will only be used to help Carlisle City Council to investigate the complaint you have made. The details contained in the form will only be disclosed to persons involved in that process and will be treated in the strictest confidence.

6 Oval Court
Sycamore Lane
Carlisle
CA1 3TT

18th June 2006

Dear Sir,

We are writing to you to complain on three issues of noise pollution from Creighton Rugby club, Sycamore Lane, Carlisle.

It is now becoming a regular occurrence on most Friday and Saturday nights that the club is being hired out for private functions thus giving rise to the problem of noise from the disco to the point that on some evenings it can be heard in our sitting room. This noise continues until the end of the evening until at least midnight and often beyond.

At the end of the evening we then have to endure cars/taxis sounding their horns when coming to pick people up. Also people attending these functions seem oblivious to the surrounding residential properties and feel the need to make excessive noise when coming outside to smoke or when leaving the club.

When we purchased our property we knew a rugby club was to be built and expected a sports bar/social club and not a disco. As this is a residential area we feel that this level of noise from regular functions is neither appropriate nor acceptable.

We would therefore be grateful for your assistance in this matter

Yours Sincerely

Mr Chris and Mrs Lorraine Errington

CREIGHTON RUGBY CLUB

Please sign below if disturbed by noise in the event of functions at the above club from disco noise, the public or taxi services

Name	Address
IR + M. Taib	5 OVAL COURT
K WELTON	8 OVAL COURT
C & L ELLINGTON	6 OVAL COURT
I WILSON	9 OVAL COURT
N. W. THOMPSON	2 OVAL COURT
J HARRIS	3 OVAL COURT
M + D HILTON	15 TWICKENHAM COURT
SUE KAVENEY	8 TWICKENHAM COURT
S. H. H. H. H. H.	6 TWICKENHAM COURT
J. M. LAUREN	5, TWICKENHAM COURT
me	4 " "
KR	3 TWICKENHAM COURT
S. Sewell	2 TWICKENHAM COURT
C BRIGGS	7 OVAL COURT
J BROWN	1 RUTHERFORD COURT GARLANDS ROAD
J. J. J.	1 SYCAMORE LANE
J WILLIAMSON	2 SYCAMORE LANE
J. J. J.	5 CHESTNUT LANE
KATIE MELLIE	11 OVAL COURT

[illegible]



CITY OF CARLISLE

Notice of an application for review of Premises Licence (Section 51 Licensing Act 2003)

Date this notice posted on the premises 24th September 2007

Premises: Creighton Rugby Club.

Address: Sycamore Lane, Carlisle. CA1 3SR

Residents living in the vicinity of Creighton Rugby Club, Carlisle, have applied to Carlisle City Council, (the Licensing Authority), for a review of the Premises Licence in respect of the above premises.

The application for the review is made on the following grounds:
The residents have raised concerns about the prevention of public nuisance due to increased noise from music and from customers using the outside areas of the premises.

The full application can be viewed at the Licensing Office, Civic Centre, Rickergate, Carlisle or at the Council's website www.carlisle.gov.uk

Any person intending to make relevant representations on this application should submit them in writing within 28 days from the date this notice is first displayed on the above premises to:

The Licensing Manager, Carlisle City Council, Civic Centre, Rickergate, Carlisle, CA3 8QG, or by emailing to:

licensing@carlisle.gov.uk

Last date for Representations: 22nd October 2007

It is an offence to knowingly or recklessly make a false statement in connection with an application for which you may be liable to a fine not exceeding level 5 on the standard scale on summary of conviction.



CITY OF CARLISLE

Notice of an application for review of Premises Licence (Section 51 Licensing Act 2003)

Date this notice posted on the premises 3rd October 2007

Premises: Creighton Rugby Club.

Address: Sycamore Lane, Carlisle. CA1 3SR

Residents living in the vicinity of Creighton Rugby Club, Carlisle, have applied to Carlisle City Council, (the Licensing Authority), for a review of the Premises Licence in respect of the above premises.

The application for the review is made on the following grounds:
The residents have raised concerns about the prevention of public nuisance due to increased noise from music and from customers using the outside areas of the premises.

The full application can be viewed at the Licensing Office, Civic Centre, Rickergate, Carlisle or at the Council's website www.carlisle.gov.uk

Any person intending to make relevant representations on this application should submit them in writing within 28 days from the date this notice is first displayed on the above premises to:
The Licensing Manager, Carlisle City Council, Civic Centre, Rickergate, Carlisle, CA3 8QG, or by emailing to:
licensing@carlisle.gov.uk

Last date for Representations: 31st October 2007

It is an offence to knowingly or recklessly make a false statement in connection with an application for which you may be liable to a fine not exceeding level 5 on the standard scale on summary of conviction.

City of



Carlisle

Licensing Act 2003 Premises Licence

PL345

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Creighton Rugby Union Football Club

Sycamore Lane, Parklands, Carlisle, Cumbria, CA1 3SR.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- entertainment of a similar description to that falling within entertainment facilities for making music or dancing
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Sunday to Saturday	10:00am	2:30am
	New Years Eve		Through to start of permitted hours next day
	Non Standard Timings:		Any national or international sporting event, times extended from 1 hour before, to 1 hour after the event.
C. Indoor sporting event	Sunday to Saturday	10:00am	1:00am
	New Years Eve		Through to start of permitted hours next day
E. Performance of live music (Indoors)	Sunday to Saturday	10:00am	1:00am
	New Years Eve		Through to start of permitted hours next day
F. Playing of recorded music (Indoors & Outdoors)	Sunday to Saturday	10:00am	2:30am
	New Years Eve		Through to start of permitted hours next day





Licensing Act 2003 Premises Licence

PL345

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
F. Playing of recorded music (Indoors & Outdoors) continued ...	Non Standard Timings:		Any national or international sporting event, times extended from 1 hour before to 1 hour after the event.
G. Performance of dance (Indoors)	Sunday to Saturday New Years Eve	10:00am	1:00am
			Through to start of permitted hours next day
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Sunday to Saturday New Years Eve	10:00am	1:00am
			Through to start of permitted hours next day
I. Provision of facilities for making music (Indoors & Outdoors)	Sunday to Saturday New Years Eve	10:00am	1:00am
			Through to start of permitted hours next day
J. Provision of facilities for dancing (Indoors)	Sunday to Saturday New Years Eve	10:00am	1:00am
			Through to start of permitted hours next day
K. Provision of facilities for entertainment of a similar description to that falling within I or J (Indoors)	Sunday to Saturday New Years Eve	10:00am	1:00am
			Through to start of permitted hours next day
L. Late night refreshment (Indoors)	Sunday to Saturday New Years Eve	11:00pm	Midnight
	Non Standard Timings:		Through to start of permitted hours next day Any national or international sporting event, times extended from 1 hour before to 1 hour after the event.
M. The sale by retail of alcohol for consumption ON and OFF the premises	Sunday to Saturday New Years Eve	10:00am	2:00am
	Non Standard Timings:		Through to start of permitted hours next day Any national or international sporting event, times extended from 1 hour before to 1 hour after the event.

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
-------------	-----------	---------

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City of



Carlisle

Licensing Act 2003
Premises Licence

PL345

THE OPENING HOURS OF THE PREMISES continued ...

Description	Time From	Time To	
Sunday to Saturday	10:00am	2:30am	
New Years Eve			Through to start of permitted hours next day
Non Standard Timings:			Any national or international sporting event, times extended from 1 hour before to 1 hour after the event.

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

The Trustees of Creighton Rugby Union Football Club Sycamore Lane, Parklands, Carlisle, Cumbria, CA1 3SR.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Martin HARRISON 2 Norfolk Court, Denton Holme, Carlisle, Cumbria, CA2 5JD.
Telephone 07766 735034

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. PA069 Issued by Carlisle

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

Licensing Act 2003 Mandatory Conditions

Mandatory conditions where licence authorises the supply of alcohol

- (1) No supply of alcohol may be made under the premises licence -
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

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Licensing Act 2003 Premises Licence

PL345

ANNEXES continued ...

- (2) The supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Condition where the licence authorises the exhibition of films

- (a) Where a club premises certificate authorises the exhibition of films, the certificate must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this condition.
- (b) Where the film classification body is specified in the certificate, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendations made by that body.
- (c) Where -
- (1) the film classification body is not specified in the licence, or
 - (2) the relevant licensing authority has notified the premises which holds the certificate that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.
- (a) In this section -
- "children" means persons aged under 18; and
 - "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39)(authority to determine suitability of video works for classification).

Mandatory condition where Door Supervisors are provided

Any individual employed on the premises to carry out a security activity must be licensed by the Security Industry Authority.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

General

- Although not forming part of the operating schedule, the committee will enforce all aspects of the Club rules.
- The Club constitution includes rules governing the conduct of members and their guests within and adjacent to the club premises.

Prevention of Crime and Disorder

We are happy to adopt the suggestions of the Police and other agencies to promote the same.

Public Safety

- We already understand our obligations under the existing health and safety legislation and take our responsibilities seriously and have policies and practices in place to meet these obligations
- We will comply with the requirements of the local Fire Service and carry out regular risk assessments as required.





Licensing Act 2003

Premises Licence**PL345****ANNEXES continued ...**

- We will comply with the general law as to the safety of persons entering upon the premises.
- The maximum number of persons allowed on the premises including staff, performers and customers shall be:
Function Room - **230 persons**
Bar - **120 persons**

Prevention of Public Nuisance

- We are committed to endeavouring to provide a facility not only for the Rugby Club itself, but for the Parklands Estate community and have attached a copy letter to local councillors. We also propose to send a flyer around the Parklands Estate inviting residents to make use of the facilities.
- The outside speakers will be switched off at 2300 hours. All possible steps will be taken to avoid any noise nuisance by customers or staff and reasonable steps will be taken to recognise the rights of local residents and to encourage customers to leave the premises quietly.
- The premises are fully double glazed. Live music amplification will be controlled at all times.

Protection of Children from Harm

We will at all times preserve the law and ensure that alcohol is not served to any people who are under 18 years of age. No unusual risks of harm to children.

Additional conditions volunteered in letter from Cartmell Shepherd, Solicitors dated 17 March 2006.

- There shall be displayed on the premises near the exit, a sign requesting customers to respect the needs of local residents by quietly leaving the premises and car park.
- There will be a sign displayed outside the premises asking customers not to park on the roadside if the main car park is full and directing them to the overflow car park.
- It will be a condition for people booking the function room for the organiser of any booked function to be responsible for the quiet dispersal of their guests from the car park at the end of the function.

ANNEX 3 - CONDITIONS AS A RESULT OF A HEARING

Not applicable





Creighton Rugby Union Football Club

-  BLPU Polygons
-  BLPU Points

Scale: 1:1518

Date: 08/10/2007

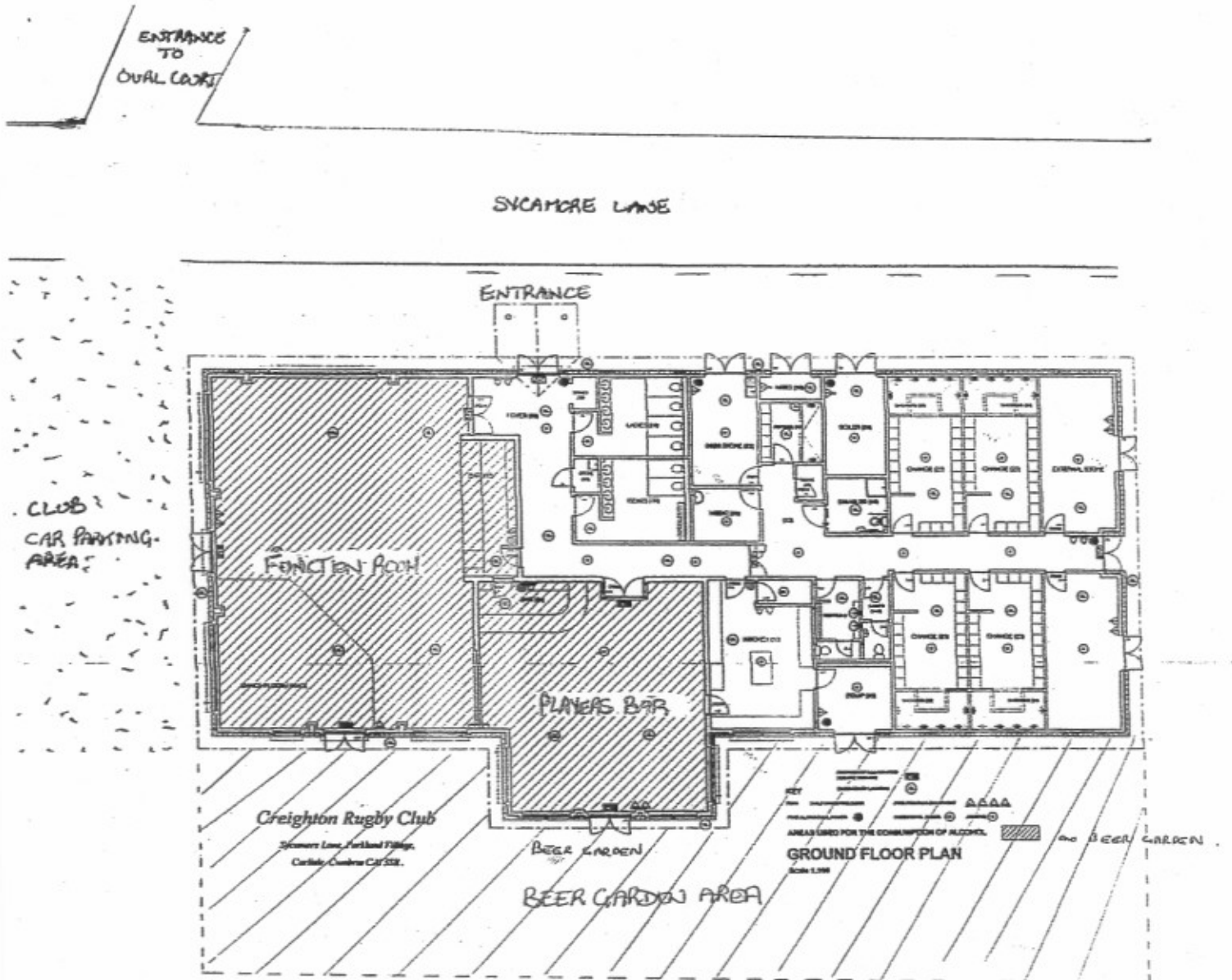
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0100024459. 2007

CARLISLE
CITY COUNCIL



www.carlisle.gov.uk

Civic Centre
Rickergate
Carlisle
CA3 8QG



RUGBY PLAYING FIELDS

The Beeches
4 Sycamore Lane
Carleton
CARLISLE
CA1 3SR

9 October 2007

For the attention of Creighton Rugby Club

Dear Sirs

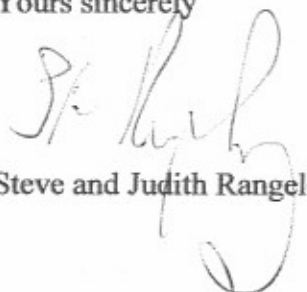
We write in response to a notice relating to your licence review which has appeared in your Club building window.

As you can see from our address, we live in Sycamore Lane. Our house is the closest to the Club of all the surrounding properties. Although we do not fully understand the reasons behind the licence review, we believe it relates to a very small minority of local residents who have raised concerns over the levels of noise and other disturbances emanating from your premises on some evenings.

We moved to Sycamore Lane in March of this year from a rural area on the outskirts of Carlisle and we have a young family. There were a number of advantages for us to move to the area; amongst others we are now closer to bus stops and closer to our children's friends' houses. The Club house and its facilities and the open aspect of the cricket and rugby fields also influenced our decision. In addition, this area was also quieter than some others we had looked at in the vicinity. We can honestly state that the Club and functions held there have never been a concern to us. Noise levels in our opinion are not excessive.

The Club is an asset to the local community and should be supported as such.

Yours sincerely



Steve and Judith Rangeley

App. 7

CUMBRIA CONSTABULARY

ASU Facsimile: 01768 218299
Telephone: 01228 528191
Email

Please ask for: Chris Wickwar

My Reference:
Your Reference:

Area Commander
North Cumbria Area
Supt Andy Davidson

County Police Station
Citadel Row
Carlisle
Cumbria CA3 8QW



Licensing Department
Environmental Protection Services
Carlisle City Council
Civic Centre
Carlisle CA3 8QG

18th October 2007

Dear Sir,

RE : Review of Premises Licence - Creighton RFC.

With regard to the above I can confirm that police have attended a total of 12 incidents at the premises during the period 1/9/06 to date. Brief details of those incidents are summarised below.

18.11.06 – 0017hrs. Complaint of loud music.
16.12.06 – 2254hrs. Complaint of excessive music and shouting outside premises.
04.03.07 – 0006hrs. Complaint re loud music.
23.03.07 – 2334hrs. Complaint re excessively loud music.
25.03.07 – 0200hrs. Complaint re rowdy behaviour outside club.
30.03.07 – 2221hrs. Complaint re loud music coming from club.
07.04.07 – 0121hrs. Complaint re persons leaving club causing nuisance.
06.05.07 – 2223hrs. Two complaints re loud music.
27.05.07 - 0034hrs. Complaint of persons making noise outside club.
24.06.07 - 0023hrs. Two complaints of rowdy and drunken behaviour in club car park.
04.08.07 - 2338hrs. Complaint of loud music from club.
01.09.07 - 2232hrs. Complaint of previous disorder outside premises.

In the majority of the above cases police have attended with no police action being required, either the noise not being deemed excessive (at time of attendance) or no ongoing disorder.

In addition to the above, police have given attention at key times during this period with no significant problems being identified warranting police action.

Yours faithfully,

Chris Wickwar
City South LPT Inspector

CREIGHTON RUGBY CLUB REVIEW

APPLICANTS

SPEAKING: IAN TAIT (ON BEHALF OF APPLICANTS MRS ERRINGTON + HIMSELF)

CONSIDER LETTERS FROM: 1) MRS MCLAUGHLAN (RESIDENT) - 5 TWICKENHAM COURT
2) MRS METCALFE (RESIDENT) - 4 TWICKENHAM COURT
3) OCCUPIERS OF 3 TWICKENHAM COURT

ALSO: RESIDENTS NAMED IN PETITION

CREIGHTON RUGBY CLUB

SPEAKING: JOHN ROGERS (CHAIRMAN)

CONSIDER LETTERS FROM: 1) ERIC McDONALD + ELIZABETH KENNY - 6 TWICKENHAM COURT
2) MR + MRS RANGELEY - 4 SYCAMORE LANE

ALSO RESIDENTS NAMED IN PETITION

Mrs Errington

5 Twickenham Court
Sycamore Lane
Carlisle
CA1 3TW

29 October 2007

To whom it may concern

I write to give full support to the application for a review of the current licensing hours held by Creighton Rugby Club.

The reduction in the opening hours would be of benefit to residents who live in the vicinity of the club as it would greatly reduce the occurrence of noise and anti-social behaviour from people as they leave the club premises after social functions held in the club at weekends.

We moved to this area because of the semi rural nature of the development and because we anticipated that it would be a very quiet neighbourhood due to the small number of houses. This tends to be the case during the week when most evenings are quiet but noise levels dramatically increase on weekends when the club is used for functions.

Yours faithfully

Jan I. McNaughton

3 Tuckentham Court
Sycamore Lane
Parkland Village
Calisle

29-10-07

Dear Sirs,

I am writing to give our full support in
respect of proposed changes to the licensing hours for
the Creighton Rugby Club.

Unfortunately the current hours disrupt the
residential area and shortening the licensing hours
would be the most appropriate action.

Yours Sincerely

KP

4 Twickenham Court
Sycamore Lane
Parkland Village.
Carlisle.
Cumbria.
CA1 3TW

29th October 2007

Dear Sirs,

I am writing to give our full support for the application in a reduction of the licensing hours at Creighton Rugby Club to 11.00 p.m.

I feel that this will be beneficial to the surrounding neighbourhood as it will reduce late night noise and anti-social behaviour.

Noise levels at night have increased especially when there are late night social functions.

yours faithfully

Angela Metcalf.

To whom it may concern

Liz Kenny - 6 Twickenham Court Carlisle CA1 3TW
Eric McDonald.

GED CAIRG - 11, LONGMANS CLOSE, CARLISLE CA1 3TH

JOHN MORAN HOLMELEY GARLAND'S ROAD CA1350. *John*

5 R McCall 24 HUNTSMAN HANIE CAL 3 10

T Preston - 64 Watermans Walk, Carlisle CA13TU JAMES Q
T Preston

garangie - 27 GLOUCESTER ROAD CARLISLE ¹¹⁴⁰⁰⁰ CA2 4EW - 

LITTLE - 23 CONEY STREET CARLISLE CA2 4BX dw.

SLITTLE - 23 CONVEY STREET CARLISLE CA2 4BX SLA

BW STONEY 48 WIGTON ROAD CHARLISLE CA 27412

C. LITTLE 29 WATSON ST CARLISLE CA 12 LL ~~SALE~~

A. Steel 41 Jubilee ST CARUSE CAZ 4DD ~~A Steel~~

DYOUNG 25 HAROLD STREET CAMUSIE CAZ4HG DYOUNG.

S. RANGELI 2 SYCAMORE LANE CARLSBUE CALIF 92009 Stan Rangel

D. HETHERINGTON PENNINE VIEW CA135X 

L HETHERINGTON PENNING VIEW CA139X. L: Hetherington

B JACKSON 6 Longdyke Drive CAI 3HT *12/10*

H. A. MORAN HOLMELEY GARLANDS ROAD CA 1350 MR H. A. MORAN

M. MORAN 35 WAZNELL DRIVE CARROLLSLE CA 131P M. Moran

M. WOODING 37 MAYFIELD AVE CARLSLE CAI 3ND

P, SMALL CARDEW GRANGE, DALTON CAS 750

A. BUCHANAN 79 HILLARY GROVE HARRY CA133Q

W. GRAHAM 117 VINCROFT CARLSWEG CASH

P JOHNSTON 59 LINGMOLWY CARLISLE CA13LL

M. THOM 2 SYCAMORE LANE CA1352

C Jackson ELLINO, GARLANDS 12A

CHRIS HIND - 27 PENNINE VIEW CLOSE, CARLISLE, CA1 3GW. CHind
 STEPHEN MURRAY - 29 PENNINE VIEW CLOSE, CARLISLE, CA1 3GW SH Murray
 SARAH MURRAY - 29 PENNINE VIEW CLOSE, CARLISLE, CA1 3GW SH Murray
 MARK MORNING 112 MOORHOUSE RD, CARLISLE CA2 7QS M Morning
 ELAINE MORNING 112 MOORHOUSE RD CARLISLE CA2 7QJ E Morning
 Judith Bingham 7 Birchdale Rd Carlisle CA2 7BU J Bingham
 STEVE SCOTT 9 MOORSIDE DRIVE CARLISLE CA1 3TE S Scott
 DENISE SCOTT 9 MOORSIDE DRIVE CARLISLE CA1 3TE D Scott
 Barbara Hoigh 14 Valley Drive Carlisle CA1 3TB B Hoigh
 EMMA GREEN 14 Valley Drive Carlisle CA1 3TB E Green
 JAMES ROOKE 16 MOORSIDE DRIVE CARLISLE CA1 3TF J Roke
 JOANNE ROOKE 16 MOORSIDE DRIVE CARLISLE CA1 3TF J Roke
 Laura McLaren 40 Newfield Pk, Carlisle, CA3 0AH L McLaren
 Stuart Ainscough 40 Newfield Pk, Carlisle, CA3 0AH S Ainscough
 P S Buchanan 79 HILLARY GROVE CARLISLE CA1 3SD P Buchanan
 G WHARTON 3 HOLLY LANE, PARKLAND VILLAGE CARLISLE G Wharton
 NARY CALLACHER 39 BLACKBURN DRIVE, CARLISLE CA1 3HY N Callacher
 ALAN TROTTEL 39 BLACKBURN DRIVE CARLISLE CA1 3HY A Trottel
 Amanda Wharton 3 HOLLY LANE, CARLISLE, CA1 3SY A Wharton
 LYNN MORRIS 9, DALES MAN DRIVE CARLISLE CA1 3TH L Morris
 JEFFREY WAUGH 9 DALES MAN DRIVE CARLISLE CA1 3TH J Waugh
 JOHN GIRDLER 7, BORDER CLOSE CARLISLE CA1 3TG J Girdler
 Karen Williams 4, Valley Drive Carlisle K Williams
 ALAN WILLIAMS 4, VALLEY DRIVE CARLISLE CA1 3TB A Williams
 ANDY SMALL 27 PENNINGTON DRIVE CARLISLE A Small
 JOHN HOLLAN FEN FOST CASTLE CARLISLE BRINGTON J Hollan
 JOHN HOLLAN FEN FOST CASTLE CARLISLE BRINGTON J Hollan
 DAVID HEWSON 3 SYCAMORE LANE, PARKLAND VILLAGE CA1 3SE D Hewson
 Gary Hewson 3 sycamore lane, CA1 3SF G Hewson
 TONY HOPPER 38 DALES MAN DRIVE. CA1 3TH T Hopper
 Jan McKelvie KIRKDALE CARLISLE JAN McKelvie

GRAHAM NELSON
RHENA ROAD

52 PENNING VIEW CHOSE CAI 3GW Gitch
— 11 — — 11 —

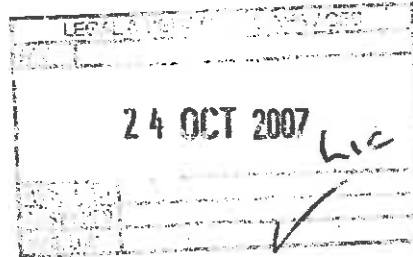
JOE POTTS
Jed Meyer

15 PENNING VIEW, CARLISLE
12, FOREST HILL CARLISLE

CAI 3EXT
Jed Meyer P.

A2 refers

6 Twickenham Court
Sycamore Lane
CARLISLE
Cumbria
CA1 3TW



23 October 2007

The Licensing Manager
Civic Centre
CARLISLE
Cumbria
CA3 8QG

Dear Sir

Re: Review of Premises Licence

On behalf of myself and my partner I am writing to express our unreserved support for the Creighton Rugby Club as they seek to retain existing licensing hours without imposed restrictions.

I have lived in this area for the past 25 years before recently moving to 6 Twickenham Court, some fifty yards away from the social club and playing grounds. We have nothing but admiration for the committee and staff who run the facilities in a most professional way and with a constant regard for the neighbourhood. The club is already a significant feature of the local community, bringing many benefits to groups of all ages who use it, from mother and toddler, keep fit resident associations, through to those who book their wedding, anniversary, christening and birthday celebrations there.

The income generated in turn allows for continued development of facilities on the sporting side, enabling many young people both in the area and across the city to pursue and enjoy rugby and cricket. Any curtailment of licence would we feel seriously impede development. We also believe that any noise/nuisance behaviour is very infrequent and is the result of the social times in which we live and is not attributable to the way facilities are run.

For my part I speak with a background of knowledge of the local area, having served the community for over 8 years as Chair of Governors at North Cumbria Technology College.

In closing can we say that we have been made aware that our address is shown on the petition of complaint. The individual who has signed has clearly moved. This may indicate the petition is out of date.

It is our contention that the sentiments expressed in this letter certainly reflect those of the vast majority of the local neighbourhood.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Eric McDonald'.

E A Kenny
Eric McDonald
Elizabeth A Kenny



Cricket Ground

Rugby Ground

Pond

Pavilion

Oval Court

DWICKENTHAM COURT

Surgery

HOLLY LANE

CHERRY LANE

CHESTNUT LANE

OAK LANE

GARLANDS ROAD

HUNTERS CRES

VALLEY DRIVE

PENNINE VIEW

Parkland Mews El Sub Sta

PENNINE VIEW CLOSE