## 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

	od may mon to koop a copy of the com	pieted form for your records.	
ı	Sgt Dave Peers		
	(Insert name of applicant)		
r	pply for the review of a premises lice eview of a club premises certificate uor the premises described in Part 1 be	nder section 87 of the Licensing A	ie Act 2003
F	art 1 – Premises or club premises de	tails	
5 5	ostal address of premises or, if none escription SWA Club 4-56 Park Road South irkenhead	, ordnance survey map reference	or
P	ost town Wirral	Post code (if known) CH43 4UY	/
k E	ame of premises licence holder or clunown) SWA Club umber of premises licence or club pre		te (if
L	N/206000036		
P	art 2 - Applicant details		
lá	am	Please tio	ek voe
1)	an interested party (please complete (A	الم (B) below)	n yes
	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 involve premises	ed in business in the vicinity of the	
2)	a responsible authority (please complete	te (C) below)	$\boxtimes$

 $\boxtimes$ 

3) a member of the club to which this application relates (please complete (A) below)						
(A) DETAILS O	F INDIVI	DUAL A	PPLICA	ANT (fil	l in as ap	plicable)
Please tick Mr ☐ Mrs		Miss		Ms		Other title (for example, Rev)
Surname				Fi	rst name	s
i am 18 years o	ld or ove	er				Please tick yes
Current postal address if different from premises address						
Post town					Post Co	ode
Daytime contac	t telepho	one num	ber			
E-mail address (optional)						
(B) DETAILS O	F OTHER	R APPLI	CANT			
Name and addre	SS					
						•
Telephone numb	er (if any	)				
E-mail address (c	ptional)					

# (C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Merseyside Police Licensing
Wallasey Police Station
Manor Road
Wallasey
CH44 1DA
OTIGE TOA
Tolonkononumber(III
Telephone number (if any)
0151 777 2944
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
Please state the ground(s) for review (please read guidance note 1)
• • • • • • • • • • • • • • • • • • • •
There is evidence to indicate that this club premises are disregarding the rules of a
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Please provide as much information as possible to support the application (please read guidance note 2)

This premises operates under a club premises certificate and as such is required to adhere to both its own club rules and those of the Licensing Act 2003.

Following complaints regarding the manner in which the club was being conducted a joint agency visit was undertaken on 4th September 2008. Advice was given to the club regarding how they were required to operate in order to comply with the club premises certificate. The advice was given by Margaret O'Donnell from Wirral Licensing, Sgt Peers and Constable Jones from Police Licensing and Andy Hilliard from Merseyside Fire and Rescue. An inspection of the club discovered that the games room and function room had been relocated without notification to the authorities. The club assured all parties of future compliance and that they would no longer accept 18th Birthday parties.

On 21st Feb 2009 a fight was reported outside the club involving 30 to 40 youths all described as being young. As a result of concerns over this incident the club was again visited on Thursday 26th February 2009 by Sergeant Peers and Constable Jones. They spoke with Mr and Mrs Nunn who fulfill a number of roles including chairman, secretary, treasurer and general manager. They admitted that the function when the trouble had occurred had been a 16th birthday party and that it had been booked by a non member. The function booking diary together with members lists were examined. It became very apparent that a large number of functions were being booked by non members. Mr and Mrs Nunn accepted this to be the case stating they thought that they had been told by us that they were allowed up to 15 non member functions per year.

These unlawful functions are resulting in disorder in the vicinity of the premises. Documents have been seized and an investigation is under way as regards the general conduct of the club.

A DISCLOSURE PACKAGE OF DOCUMENTS WILL FOLLOW.

Please tick ye	S
Have you made an application for review relating to this premises before	
If yes please state the date of that application  Day Month Year	
If you have made representations before relating to this premises please state	_
what they were and when you made them	
·	
	l
•	

	Please	tick yes
<ul> <li>I have sent copies of this form and authorities and the premises licent premises certificate, as appropriated</li> <li>I understand that if I do not comply my application will be rejected</li> </ul>	d enclosures to the responsible ce holder or club holding the club e	
IT IS AN OFFENCE, LIABLE ON CONVICTHE STANDARD SCALE, UNDER SECT TO MAKE A FALSE STATEMENT IN OR APPLICATION  Part 3 – Signatures (please read guidar Signature of applicant or applicant or applicant or applicant or applicant.)	TION 158 OF THE LICENSING ACT IN CONNECTION WITH THIS note note 3)	2003
Signature of applicant or applicant's so (See guidance note 4). If signing on behacapacity.	alf of the applicant please state in	yent what
Signature DRes	•••••	
Date 3 <sup>RD</sup> March 2009		*******
Capacity Licensing Sgt		
Contact name (where not previously giv correspondence associated with this ap	ren) and postal address for oplication (please read guidance no	ote 5)
Post town	Post Code	
elephone number (if any)		
f you would prefer us to correspond wit nail address (optional)	h you using an e-mail address yo	ur e-

### **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.

# **Disclosure Package**

# Review of Eswa Club

<b>Pages</b>	1	- 6	Copy of Review application	
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Pages 7-20 Copies of Incident Logs

Pages 21 - 27 Copies of witness statement Sgt Arthur Ronald Tolley

Pages 28 - 106 Copy of witness statement Christine Ann Lambert

Pages 107 - 109 Copy of witness statement Gary Joseph Smith

Pages 110 - 124 Log of random calls to people who have booked functions

Page 125 List of Tens for Eswa Club 2008

Pages 126 – 127 Log of Complaints to Local Authority

Pages 128 - 160 Additional paperwork new member applications and Renewals

Pages 161 – 203 Membership List

Photographs of Eswa Club DP/1 and DP/2

Diaries of Eswa Club 2008 /2009 to be produced at hearing

01517772939

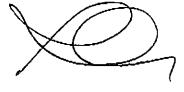


10/9/08

Merseyside Police
Wirral District Licensing Office.
Wallasey Police Station
Manor Road
Wallasey
Merseyside CH44 1DA
0151 777 2945 FAX 0151 777 2939

To:	Richard Leyland	From:	Rita Jones	
Fax:		Pagesi		
Phone		Dates		
Rei		CC:		
X Urge	ent 🛘 For Review	☐ Please Comment	☐ Please Reply	☐ Please Recycle
Richa	rd ,	, i		
Could file.	you please include t	his copy of Eswa A.G	S.M. Minutes on	to evidence review
We ге	ceived a copy of it tod	ay.		

Thanks Rita



# A.G.M

# 23<sup>RD</sup> NOVEMBER 2008

**OPENED MEETING AT 7PM** 

ONE MINUTE SILENCE FOR PAST MEMBERS

LAST MEETING WAS AN EGM

CHAIRMANS REPORT

FINANCIAL CRISIS HAS HIT EVERYONE

MORE MEMBERS NEEDED TO ATTEND FUNCTIONS OR THE CLUB WILL GO THE SAME WAY AS A FEW OTHERS

ACCOUNTS HANDED OUT , READ AND AGREED BY ALL.

COMMITTEE RESIGNED NEWW COMMITTEE TO BE APPOINTED.

PRESIDENT; MR HERBY TAYLOR

CHAIRMAN: MR ROBERT NUNN

VICE CHAIRMAN: MR FINBAR MASON

SECRETARY: MRS KAREN NUNN

COMMITTEE MEMBERS APPOINTED

MR ANTHONY SLATER

MR P. GRIFFITHS

**MRS HENDRY** 

MR S MC DONNALL

MRS D OWENS

MRS B GRIFFITHS

**MRIBLACK** 

MR W DAVIES

MR W STANLEY

19 MEMBERS ATTENDED THE MEETING AND COMMITTEE WAS OPPOINTED BY THE ATTENDEES CLOSE OF MEETING 7.25 PM

COPY

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2) a responsible authority (please complete (C) below)

X

<ol><li>a member of the club to whelow)</li></ol>	nich this ap	plication re	nates (piease	complete (A)
(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)				
Please tick Mr ☐ Mrs ☐ Mis	ss 🗌	Ms [	J	r title xample, Rev)
Surname		First	names	
I am 18 years old or over			,	Please tick yes
Current postal address if different from premises address				
Post town	<del> </del>	Po	ost Code	
Daytime contact telephone n	umber	<del></del>		
E-mail address (optional)				
(B) DETAILS OF OTHER APP	PLICANT			
Name and address				
				·
Telephone number (if any)				
E-mail address (optional)				

# (C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address	
Merseyside Police Licensing	
Wallasey Police Station	
· · · · · · · · · · · · · · · · · · ·	
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CH44 1DA	
·	
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0151 777 2944	
E-mail address (optional)	
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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
If you have made representations before relating to this premises please state what they were and when you made them

	Please tick yes
premises certificate, as appropria	d enclosures to the responsible  ce holder or club holding the club te
<ul> <li>I understand that if I do not comp my application will be rejected</li> </ul>	iy with the above requirements
IT IS AN OFFENCE, LIABLE ON CONV THE STANDARD SCALE, UNDER SEC TO MAKE A FALSE STATEMENT IN OI APPLICATION	ICTION TO A FINE UP TO LEVEL 5 ON TION 158 OF THE LICENSING ACT 2003 R IN CONNECTION WITH THIS
Part 3 - Signatures (please read guida	nce note 3)
Signature of applicant or applicant's se (See guidance note 4). If signing on beh capacity.	olicitor or other duly authorised agent alf of the applicant please state in what
Signature DRes	•••••••••••••••••
Date 3 <sup>RD</sup> March 2009	
Capacity Licensing Sgt	
Contact name (where not previously give	ven) and postal address for
correspondence associated with this ap	opilication (please read guidance note 5)
Post town	Post Code
Telephone number (if any)	
f you would prefer us to correspond wit nail address (optional)	h you using an e-mail address your e-

### **Notes for Guidance**

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- provided that they have actual authority to do so.

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# Copy of Logs for Eswa Club

From 2006 until Present Day

Mar 6 10:57 2009

| INCIDENT HISTORY RECORDS |

Incident#: MP0902211874

Entry: 21-Feb-2009/23:11:44

Type: 122 - Violence Against The Person Grade: 1 Src: 9 Resp Code: 1RNF Level: 1

Location: PARK ROAD SOUTH 1 @ PARK ROAD SOUTH , BIRKENHEAD

Loc Info: ESWA CLUB

Dispatch Group: A2CI Beat: A524

Caller: Cavender normal

Address:

Phone 1: 2: 3:

Ethnicity:

CallerStatus: W Witness

REMARKS

Date/Time Remarks

21-Feb-2009 23:11:44

VIOLENCE

INFT STATES 2 MALES ARE FIGHTING O/S S/L

MTF

23:12:49

CALLER STATES 2 MALES AGED APPROX 16-17 YO ARE FIGHTING

NO WEAPONS ARE GETTING USED

THEY ARE IN THE MIDDLE OF THE ROAD

23:12:56 FIGHT

INFT REPORTS LARGE SCALE FIGHT AT A/L

APPROX 30-40 PEOPLE FIGHTING ALL BEL TO BE YOUNG TEENS

NO WEAPONS

23:13:21

CALLER STATES THERE HAS BEEN A BIERTHDAY PARTY AT THE CLUB

AND THERE IS NOW 100 PEOPLE O/S CLUB

23:13:43 Double crewed vehicle to be deployed to assess and deal

with incident. If officer training & availability of personal protective equipment do not provide sufficient control measures in relation to risk presented, the officers must take additional measures and if necessary withdraw, observe from a safe distance whilst taking reasonable steps to maximise their own and public safety.

NO AMBO REQ .23:13:52

INFT STATES SOME HAVE MOVED OFF TWDS PARK ROAD EAST

23:14:18

CALLER DOES NOT KNOW WHO THE LADS ARE

NO AMBOS REQUIRED

23:14:49

STATES SIMILAR

ADVISED EN ROUTE FURTHER CALL FORM NEIGHBOUR, MICHELLE FINN... 23:14:57

STATES APPROX 40-50 YOUTHS, MALES AND FEMALES...

AGED APPROX 17 OR SO...

HEADING TOWARD COLD STREET SCHOOL....

NO WEAPONS SEEN...

CONTACT NUMBER FOR I

23:15:26 AS57 LARGE GROUP AT SCENE MAKING OFF IN DIFFERENT 23:16:14 DIRECTIONS

23:17:35

AM37 EN ROTUE TO BHEAD HAVE STOPPED TO ASSIST ALSO - THERE IS NO FIGHTING ONGOING BUT A L ARGE NUMBER OF YTHS HANGING AROUND

23:17:40

LARGE GROUP OF YTHS DISPURSING

23:18:10

FROM AS57 THERE IS A NUMBER OF YOUTHS ALL UNDER THE AGE OF 18YRS WHO ARE DISPERSING ON ARRIVAL OF PATROLS... NO ONE MAKING THEMSELVES KNOWN TO THE OFFICERS

INFT SPOKEN TO BEVERLEY SHE IS GOING TO MAKE HER WAY DOWN 23:18:13 TO SPEAK TO ONE OF THE OFFICERS

23:23:18

ONE ADULT MALE DETAINED FOR D&D - CONVEYED TO WCS AM67 ARRESTING OFFICER

AS57 - INFT MADE HERSELF KNOWN, IT WAS A FIGHT BETWEEN 2 23:25:47 YOUTHS WHO HAVE NOW MADE OFF AND INFT IS UNABLE TO IDENTIFY.

YOUTHS HAVE NOW DISPERSED 23:25:54 \*\*\*\*\*INCIDENT RESULT\*\*\*\* 23:26:29

> Status: W Contact: Y Type: 122

Details Entered

DE

CHNG

23:13:05

23:13:21

AM67 (PTLVEH) O/1719,2025

1 MALE ARRESTED D&D - YOUTHS HAVE ALL NOW DISPERSED.

DETAILS WIRRAL CUSTODY SUITE

INCIDENT SU	MMARY Status	Date	Ву	At	
Status	Beacus				
WAI	21 - Feb	-2009/23:11:44	34422	LSCC11	
DSP		-2009/23:13:05	25497	ACR8	
ENR		-2009/23:13:05	25497	ACR8	
ONS		-2009/23:15:57	30942	ACR7	
CLR		-2009/23:26:03	25497	ACR8	
CLS		-2009/23:26:29	25497	ACR8	
CHO	21 100	2005/201,201			
RESOURCE SU	MMARY				
Unit		/Time	Status		
	_ ====				
AM67	21-F	eb-2009/23:13:0	5 DSP		
AM67	21-F	eb-2009/23:13:0	5 ENR		
AM67	21-F	eb-2009/23:16:0	8 ONS		
AM67	21-F	eb-2009/23:23:2	5 AV	•	
AS57	21-F	eb-2009/23:13:5			
AS57	21-F6	eb-2009/23:13:5	2 ENR		
AS57	21-Fe	eb-2009/23:15:5			
AS57	21-Fe	eb-2009/23:15:5	7 ONS		
AS57		eb-2009/23:25:3			
AM59	21-F	eb-2009/23:14:1			
AM59		eb-2009/23:14:1			
AM59		eb-2009/23:17:10			
AM59		eb-2009/23:25:5			
AM37		eb-2009/23:17:13		•	
AM37		eb-2009/23:17:13			
AM37	21-F€	b-2009/23:26:03	3 AV	•	
•		t e			
INCIDENT CHE					[vil /Doras ]
Date/Time	Action	Description			[Wks/Pers]
21-Feb-2009					[LSCC11/34422]
23:11:44	ENTRY		-		[LSCC11/34422]
23:12:49	CHNG	Details Entere			[LISCCII/ 34422]
		CallerName: <6	∍mbrà> ==>	· · · · · · · · · · · · · · · · · · ·	
			100T1T 015T	•	[LSCC18/36306]
23:12:56	APND	LocCmt: ESWA S		i	[TPCCTO\ 20200]
		Phone:			

[ACR8/25497]

[LSCC11/34422]

23:13:43 23:13:50	SUPP	CallerName: L ==>  PEVEDLEY ACCE  CallerLocation: <empty> ==&gt; 2  ELLY  CallerLocation: <empty> ==&gt; 2</empty></empty>	[ACRSGT/23132] [LSCC11/34422]
23:13:52 23:13:52 23:14:13 23:14:18 23:14:49 23:14:57 23:15:26 23:15:57 23:15:57 23:16:08 23:16:14 23:17:10	SUPP DE DE CHNG SUPP SUPP ONS ONS ONS SUPP ONS	AS57 (PTLSGT) O/7426 AM59 (PTLVEH) O/4093,5325 Details Entered  AS57 AS57 AM67	[LSCC18/36306] [ACR8/25497] [ACR8/25497] [LSCC11/34422] [LSCR11/40362] [LSCR7/40706] [LSCR7/40706] [ACR7/30942] [ACR8/25497] [ACR8/25497] [ACR8/25497] [ACR8/25254]
23:17:13 23:17:35 23:17:40 23:18:10 23:18:13 23:18:45 23:23:18 23:25:38 23:25:38 23:25:47 23:25:51 23:25:54 23:26:03	DOS SUPP SUPP SUPP CHNG SUPP CLEAR CLEAR SUPP CLEAR SUPP CLEAR	AM37 (PTLVEH) O/2020,4038  LocCmt: EFWA CLUB ==> ESWA CLUB  AM67 AS57  AM59  AM37	[ACR3/25044] [ACR3/25044] [ACR7/30942] [ACR2/25254] [ACR8/25497] [ACR8/25254] [ACR8/25254] [ACR8/25254] [ACR8/25254] [ACR8/25497] [ACR2/25254] [ACR8/25497] [ACR2/25254] [ACR8/25497] [ACR8/25497]
23:26:03 23:26:29	CLOSURE CHNG	Details Entered Officer In Charge: <empty> ==&gt; 1719 All results: () ==&gt; (P221,631)</empty>	[ACR8/25497] [ACR8/25497]
23:26:29	CLSI		[ACR8/25497]
23-Feb-2009 08:48:02 25-Feb-2009	PRINT	Sent to WLICP	[BHEAD10/40121]
07:56:06 26-Feb-2009	MISC	1684 QA	[ACC3/30034]
11:09:05 06-Mar-2009	PRINT	Sent to WLICP	[BHEAD10/40121]
10:57:25	PRINT	Sent to BHEAD3P	[BHEAD34/23238]

Nov 24 10:36 2008

Page 1

INCIDENT HISTORY RECORDS |

Incident#: MP0811221590

Entry: 22-Nov-2008/22:21:35

Type: 122 - Violence Against The Person Grade: 2 Src: 2 Resp Code: 1RNF Level: 1

Location: PARK ROAD SOUTH 2 @ PARK ROAD SOUTH , BIRKENHEAD

Loc Info: ESWA SOCIAL CLUB

Dispatch Group: A2CI Beat: A524

Caller: Caller:

Address:

hone 1: 🗬 Ethnicity:

3:

CallerStatus: T Third Party

REMARKS

Date/Time

22-Nov-2008

22:21:35

RPT OF ASSUALT...

INFT STATES THAT HER DAUGHTERS BOYFREIND \*\*\*ANDREW CROSS\*\*\* AGED 33 OF 19 BROMPTON WAY GREAT SUTTON HAS JUST BEEN HIT BY THE BAR MAN AT THE A/L..

THE BAR MAN IS STILL SERVING DRINKS BEHIND THE BAR....INFT AND I/P ARE WAITING O/S THUS GRADED 2

AMBO DECLINED BUT I/P HAS A CUT MOUTH

INFT STATES THAT SHE DID NOT WITNESS THIS THE MALE BARMAN CAME OUT AND HIIT HER DAUGHTERS BOYFREIND

LOC HISTORY NOT RELVANT 22:22:10

NO LOC INFO

ACTION PLAN NOTED

23:16:51

\*\*\*\*\*INCIDENT RESULT\*\*\*\*

PATROL HAS ATTENDED A/L, THE MALE ANDREW CROSS WAS OUTSIDE, HE WAS VERY XXX AND WAS VERY ABUSIVE TO PATROL, HE WOULD NOT PROVIDE DETAILS, HE DID NOT HAVE ANY INJURIES.

THE PATROL ALSO SPOKE TO THE CHAIRMAN AND THE BARSTAFF, WHO BOTH CONFIRMED THE MALE WAS KICKING OFF INSIDE CLUB AND HE WAS EJECTED, HE HAS NOT BEEN ASSAULTED.

HE HAS NOT GOT IN A TAXI TO GO HOME, LOG TO BE CLOSED OFF, NO OFFENCES.

INCIDENT SUI	MMARY			
Status	Status Date	Ву	At	
WAI	22-Nov-2008/22:21:		LNCC11	
DSP	22-Nov-2008/22:23:		ACR2	
ENR	22-Nov-2008/22:23:		ACR2	
CLR	22-Nov-2008/22:27:	02 32065	ACR2	•
WAI	22-Nov-2008/22:27:	18 32065	ACR2	
DSP	22-Nov-2008/22:27:	18 32065	ACR2	
ONS	22-Nov-2008/22:27:	18 32065	ACR2	
CLR	22-Nov-2008/22:46:	50 32065	ACR2	
CLS	23-Nov-2008/00:17:	43 23404	ACRSGT	
RESOURCE SUM Unit	MARY Date/Time	Status		
AM67	22-Nov-2008/22:2	3:56 DSP		
AM67	22-Nov-2008/22:2			•
AM67	22-Nov-2008/22:2			
AM67	22-Nov-2008/22:2			
AM67	22-Nov-2008/22:2			
AM67	22-Nov-2008/22:4			
INCIDENT CHRO	ONOLOGY Action Description	n		[Wks/Pers]
22-Nov-2008	HOLD			

Date/Time	Action	Description	[Wks/Pers]
22 37 2000			
22-Nov-2008			
22:18:17	HOLD		[LNCC11/40270]
22:21:35	CHNG	Details Entered	[LNCC11/40270]
( )		CallerName: <empty> ==&gt; MRS</empty>	[===0022, 102, 0]
"		COOKSON	
		CallerStatus: W ==> T	
22:21:35	ENTRY	•	[LNCC11/40270]
22:22:10	CHNG	Details Entered	[LNCC11/40270]
22:23:56	DE	AM67 (PTLVEH) 0/1744,5404	[ACR2/32065]
22:24:34	MDTA	Issued to AM67	[ACR8/25386]
22:24:51	MDTACC	Unit AM67	
22:27:02	CLEAR	AM67	[M05/0211/32677]
		AMO /	[ACR2/32065]
22:27:02	CLOSURE		[ACR2/32065]
22:27:18	CLSRX	Dispatch to event in closure mode	[ACR2/32065]
22:27:18	DOS	AM67 (PTLVEH) O/1744,5404	[ACR2/32065]
22:46:50	CLEAR	AM67	[ACR2/32065]
22:46:50	CLOSURE		[ACR2/32065]
			[

LICENSING SECTION

3:

INCIDENT HISTORY RECORDS

Incident#: MP0809132048

Entry: 13-Sep-2008/23:53:12

Type: 122

- Violence Against The Person

Grade: 1 Src: 1

Resp Code: 1RNF Level: 1

Location: PARK ROAD SOUTH 1 @ PARK ROAD SOUTH , BIRKENHEAD 5 SEP 2008

Caller: Caller

Address: 📟 Phone 1:

2:

Ethnicity:

CallerStatus: W Witness

REMARKS

Date/Time Remarks

13-Sep-2008

23:53:12

FIGHT O/S A/L...

MALE IN WHITE FIGHTING WITH A LARGE GROUP OF MALES O/S A/L

23:54:04

MALE APPEARS TO BE TOO STRONG FOR ALL THE OTHERS

HAS KNOCKED ONE MALE OVER...STILL ON FLOOR

INFT STATES THAT THERE HAS BEEN ALL DAY DRINKING SESION AT

CLUB TODAY AFTER BAND MARCH

23:54:43

FEMALE NOW HEARD SCREAMING O/S...

NO WEAPONS SEEN....

23:55:08

NO CCTV AT THIS LOCATION

23:56:44

APPROX 10 STILL O/S CLUB NOW...FIGTING HAS CALMED DOWN....

MAIN OFFENDER STILL PRESENT....ONLY MALE WITHOUT A JACKET

ON...

# IS REGULAR PROBLEM AT THIS LOCN

INC	IDENT SUN Status	MARY Status	Date	Ву	At	
	WAI DSP ENR	13-Sep-	-2008/23:53:12 -2008/23:55:20 -2008/23:55:20	35400 33557 33557	LSCR8 ACR7 ACR7	
	ONS CLR		-2008/23:57:27 -2008/00:04:43	31194 31194	ACR2 ACR8	
RESC	OURCE SUM	MARY Date	<sup>/</sup> Time	Status		
	AV05		ep-2008/23:55:20			
	AV05	13-Se	p-2008/23:55:20	0 ENR		•
)	AV05 AV05		ep-2008/23:57:2' ep-2008/00:04:3!			
	AM58	13-Se	p-2008/23:55:56	5 DSP		
	AM58 AM58 AM58	13-Se	ep-2008/23:55:56 ep-2008/23:57:23 ep-2008/00:04:43	7 ONS		
	DENT CHR	ONOLOGY Action	Description			[Wks/Pers]
	ep-2008					
	:53:12 :54:04	ENTRY SUPP				[LSCR8/35400] [LSCR8/35400]
	:54:42	EXPIRE	Incident statu expired after		er	[
	:54:43 :55:08	SUPP SUPP	-			[LSCR8/35400] [ACR7/33557]
23	:55:20 :55:56	DE DE	AV05 (NHDVAN) AM58 (PTLVEH)	O/1958 O/2248,8139		[ACR7/33557] [ACR7/33557]
23	:56:44 :57:01	SUPP CHNG	CallerName:	S EMBERT	- mod	[LSCR8/35400] [LSCR8/35400]
	:57:27	ONS	AV05	O. CADD CIV.	• • •	[ACR2/31194]
23	:57:27 ep-2008	ONS	AM58			[ACR2/31194]
00	:04:35	CLEAR	AV05			[ACR2/25497]
0.0	:04:43	CLEAR CLOSURE	AM58		·	[ACR8/31194] [ACR8/31194]
00	:05:25	PRINT	Sent to WLICP			[ACR8/31194]

INCIDENT HISTORY RECORDS

Incident#: MP0703301320

Entry: 30-Mar-2007/19:27:20

Type: 122 - Violence Against The Person Grade: 2 Src: 9 Resp Code: 1RNF Level: 1

Location: PARK ROAD SOUTH A524 @ PARK ROAD SOUTH , BIRKENHEAD

Loc Info: @@ ESWA CLUB @@

Dispatch Group: A2CI Beat: A524

Caller: R

Address:

Phone 1: Quantity:

CallerStatus: W Witness

REMARKS

Date/Time Remarks

30-Mar-2007 19:27:20

@@@ REPORT OF ASSAULT @@@

INF STATES HE HAS JUST PASSED THE AB LOC AND STATES THERE WAS APPROX 30 YOUTHS THERE...

3:

INF STATES 3 GIRLS WERE WALKING PAST AT THE TIME AGED APPROX 14 YO ... INF STATES SOME OF THE YOUTHS HAVE JUMPED THE GIRLS AS THEY WERE WALKING PAST ...

INF COULD NOT STATE WHETHER THE FEMALES HAVE BEEN INJURED OR NOT ... HE HAS GONE PAST THE LOCATION NOW.....

19:27:54

\*\*\* YCA \*\*\*

LARGE GANG OF YTHS WHO SEEM TO BE HAVING A BIT OF A DISPUTE

ONE MALE HAS JUST BATTERED A GIRL AND SHE WAS LAYING IN THE ROAD, SHE IS STILL OUT THERE NOW BUT SHE IS STOOD UP

THERE IS ANOTHER GROUP FURTHER UP

NOW STARTING TO FIGHT AGAIN ... LOTS OF NOISE IN THE BACKGROUND.

19:37:34 \*\*\*\*\*INCIDENT RESULT\*\*\*\*

### SN 1329 WORKING LOG

INCIDENT SU	MMARY				
Status	Status	Date	ву	At	
WAI CLO CLS	30-Mar	-2007/19:27:20 -2007/19:35:29 -2007/19:37:34	34108 33530 33530	LSCC6 ACR8 ACR8	
INCIDENT CHI	RONOLOGY Action	Description			[Wks/Pers]
30-Mar-2007					~
19:27:20 19:27:54 19:35:29 19:35:29	ENTRY APND XREF DUP	Caller: In Address: AFRENTON PRENTON Phone: Status: W Contact: Y Type: 122 #MP0703301329, Duplicate of I	SAME INCIDE	ent	[LSCC6/34108] [LSCR8/33545] [ACR8/33530] [ACR8/33530]
19:35:29	CLOSURE	#MP0703301329,	SAME INCIDE	ENT	[3.6D0/00=03
19:37:34	CHNG	Details Entere Contact Result Officer In Cha 33530 All results: (	:: <empty> == irge: <empty></empty></empty>	· ==>	[ACR8/33530] [ACR8/33530]
19:37:34 11-May-2007	CLSI				[ACR8/33530]
07:52:26	PRINT	Sent to WLICP			[BHEAD10/32996]

Page 1 of 1

CP91

# Leyland, Richard K.

From:

Αποριτ Εσιπονησιαστικοστικο Επισγοριστοση

Sent:

26 March 2007 08:50

To:

Leyland, Richard K.

Subject: ESWA CLUB PARK ROAD SOUTH

JUST TO LET YOU KNOW PEOPLE WERE STILL COMING OUT OF THE ESWA AT 1.45AM ON SUNDAY MORNING 25TH MARCH. DID THEY HAVE AN EXTENSION. 3 BLACK CABS ARRIVED AND BLEW THEIR HORNS. I DO NOT KNOW WHICH COMPANY THEY ARE BUT ESWA STILL HAS NOT MOVED THE TAXI SIGN TO THE FRONT OF THE BUILDING YET YOUR COUNCILLOR TOLD THEM LAST YEAR AFTER DOING A NIGHT SHIFT AT WORK THEY WERE COMING OUT OF THE CLUB THEN. IS ANYONE CHECKING ON THEIR CLOSURE TIMES AT THE COUNCIL? I AM CONCERNED THAT AS THE WARMER WEATHER IS APPROACHING THINGS WILL GET OUT OF HAND AGAIN AS THEY ARE NOT COMPLYING TO THE COUNCILLORS RULES.

LICENSING SECTION

1 7 APR 2007

AND FA



Police

Regeneration Department

Alan Stennard Director

Town Hall, Brighton Street, Wallasey, Wirral, Merseyside CH44 8ED

to Ms J Jones 83 Ashfield Road Bromborough Wirral

**CH43 4UY** 

date 17 April 2007

your ref my ref RU

service

Licensing (0151) 691 8478 tel

Please ask for

Mr R Leyland

fax

(0151) 691 8468 email richardieyland@wirral.gov.uk

Dear Madam

# LICENSING ACT 2003 - THE ESWA CLUB, PARK ROAD SOUTH, BIRKENHEAD

It has been reported to me that the above premises were open beyond the hours permitted under the Temporary Event Notice on 24 March 2007.

I was also informed that people were seen leaving the premises as late as 5.30am on a separate occasion. You should be aware that the premises should be closed no later than 12.00midnight under your Club Premises Certificate unless a Temporary Event Notice is applied for.

It has also been reported to me that the Taxi Sign at the front of the premises has yet to be located clearly visible from the road in all directions. This is a condition of your Club Premises Certificate which was imposed by the Licensing Act 2003 Sub-Committee on 10 February 2006 and reads as follows:

The sign outside the premises, requesting taxis not to sound their horns, shall be placed in a location clearly visible from the road in all directions.

As the holder of a Club Premises Certificate you must ensure compliance with the Licensing Act 2003.

Whilst it is proposed that no criminal proceedings will take place in respect of the above, a breach of your Certificate may result in the instigation of formal proceedings against you, pursuant to Section 136 of the Licensing Act 2003.

A copy of this letter has been forwarded to Merseyside Police and the Council's Licensing Enforcement difficers for their information.

Cont/...



Cont/...

-2-

If you would like to discuss the above matter please contact the Licensing Authority on 691 8043.

Yours faithfully

Licensing Officer



 $(\mathcal{P}_{\mathcal{O}})$ 

INCIDENT HISTORY RECORDS

Incident#: MP0611090006

Entry: 09-Nov-2006/00:04:30

Type: 122 - Violence Against The Person Grade: 1 Src: 9 Resp Code: 1RNF Level: 1

Location: PARK ROAD SOUTH A524 @ PARK ROAD SOUTH , BIRKENHEAD

Loc Info: ESRA CLUB

Dispatch Group: A2CI Beat: A524

Caller:

Address:

2:

3:

Ethnicity:

CallerStatus: V Victim

REMARKS

Date/Time Remarks

09-Nov-2006 00:04:30

VIOLENCE IN PROGRESS

INFT STATES 'BILLY DEVINE' HAS JUST HIT HIM.....THE PAIR ARE STILL ARGUING NOW...

GRADED 1 AS VIOLENCE IN PROGRESS....

LINE HAS CLEARED. RECALLING NOW.

00:05:25

RECALLED NO ANSWER, LEFT MESSAGE.

00:18:41 \*\*\*\*\*INCIDENT RESULT\*\*\*\*

PATROL HAS CALLED. SPOKE TO MANAGER OF CLUB WHO STATES A VERBAL ARGUMENT HAS STARTED BEYWEEN BRECK AND OTHER MALE. NO FIGHT. DOES NOT HAVE BRECKS ADDRESS. NO TRACE TP VIA CORVUS. NO REPLY FROM MESSAGE. CLOSED PENDING ANY RECALL.

INCIDENT SUMMARY

Status	Status Date	Ву	At
WAI	09-Nov-2006/00:04:30	34419	LSCC8
DSP	09-Nov-2006/00:06:00	32753	ACR7

Feb 20 09:30 2006

| INCIDENT HISTORY RECORDS |

Incident#: MP0602170177

Entry: 17-Feb-2006/05:51:20

Type: 219 - Noise - Pubs & Clubs Grade: 3 Src: 2 Resp Code: 1RNF Level: 1

Location: PARK ROAD SOUTH A524 @ PARK ROAD SOUTH , BIRKENHEAD

Loc Info: ESWA CLUB

Dispatch Group: A2CI Beat: A524

Caller:

Address:

Phone 1: 2:

3:

CallerStatus:

REMARKS

Date/Time Remarks
17-Feb-2006

17-Feb-2006 05:51:20

NOISE COMPLAINT.

INF STATES THAT SINCE AROUND 0515 (WHEN IT WOKE HIM UP) SOMEBODY HAS BEEN PLAYING THE DRUMS IN THE ESWA CLUB.

THIS IS MAKING QUITE A RACKET.

GRADED 2 DUE TO THE LATENESS (OR EARLYNESS) OF THE HOUR.

06:10:34

FURTHER CALL FROM INF'S WIFE, MRS LAMBERT STATING THAT NO THERE SEEMS TO BE KEYBOARDS AND OTHER INSTRUMENTS BEING PLAYED VERY LOUDLY.

06:11:49

NOTED THANKS - NO PATROLS AVAILABLE AT THIS TIME

06:12:38

AM156 #0151

AM145 AM116 AM105 #0099 AM085 #1472 - CONSTANT OBS

06:47:19

DOWNGRADED FOR A.M PATROL TO DEAL

08:52:31

\*\*\*\*\*INCIDENT RESULT\*\*\*\*

patrol in attendance all quiet on arrival...

INCIDENT SUMMARY

### **POLICE**

Δ

### WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A (3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1)

•		(o) (a) and ob, orninal i to	occure ix	1103 ZUU	5, Nuie 27. 1	)
		URN	1	1	1.	
Statement of	: ARTHUR RONALD TOLI	LEY				
Age if under	18: <b>OVER 18</b> (if over 18 inser	t 'over 18')				
Occupation:	POLICE SERGEANT 7	426				
knowledge an	nt (consisting of pand belief and I make it known if I have wilfully stated in i	wing that, if it is tendere	ed in evid	dence	I shall he	liable
Signature:	MI	Date:06	3.03.09			
Tick if witness	evidence is visually recorde	ed 🗌 (supply witness d	letails or	rear)		
I am Police Ser	geant 7426 Tolley of the M	lerseyside Police, curre	ntly stat	ioned a	s the Patr	ol
Sergeant D Blo	ck. Birkenhead.					

On the evening of 21<sup>st</sup> February 2009, I was the patrol sergeant on duty for Birkenhead, at this time I was requested to attend along with several other patrols to a reported fight outside the ESWA Club premises, Park Road South, Birkenhead.

On arrival at the scene there were a large number of youths in the roadway, both male and female. I would estimate approximately 70+ in number and aged from mid teens to early 20's, all were smartly dressed but rowdy and in my opinion drunk. Whilst trying to ascertain who had been fighting I spoke with a number of those youths present who advised me that they had been attending a Birthday Party within the ESWA club, a number of those youths that I spoke with were under 18yrs old, other patrols that attended began dispersing the youths away from the area, one male was arrested for being drunk and disorderly.

Signature:	MM	Signature witnessed by:	21
		· · · · · · · · · · · · · · · · · · ·	

Having been unable to ascertain who had been fighting I directed one of my staff to speak with the staff inside the club, the doors to the premises were locked and despite knocking the door it remained unanswered.

As the youths were dispersed I was approached by the original informant Beverly Aspinall, who advised me that there had been an 18th birthday party inside the premises and those youths present and being dispersed were from the party, she further advised that two drunken males inside the premises had an altercation which had spilt out onto the roadway. At the time she was unable to identify which of those youths present were responsible.

After the youths had been dispersed, I and my staff resumed to other patrol duties.

Signature:

Signature witnessed by:

20

Statement completed by: self

No: 7426

Contact Telephone Number:

Work Mobile Telephone Number:

Station: Birkenhead

Date statement made: 06.03.09

Time statement made: 1100

Place statement made: Birkenhead PS

INCIDENT HISTORY RECORDS +------+

Incident#: MP0902211874

Entry: 21-Feb-2009/23:11:44

Type: 122 - Violence Against The Person Grade: 1 Src: 9 Resp Code: 1RNF Level: 1

Location: PARK ROAD SOUTH 1 @ PARK ROAD SOUTH , BIRKENHEAD

Loc Info: ESWA CLUB

Dispatch Group: A2CI Beat: A524

Caller:

Address:

Phone 1: 3:

Ethnicity:

CallerStatus: W Witness

REMARKS

Date/Time Remarks ~ - - - - - - - - -

21-Feb-2009 23:11:44

VIOLENCE

INFT STATES 2 MALES ARE FIGHTING O/S S/L

MTF

23:12:49

CALLER STATES 2 MALES AGED APPROX 16-17 YO ARE FIGHTING

NO WEAPONS ARE GETTING USED

THEY ARE IN THE MIDDLE OF THE ROAD

23:12:56 FIGHT

INFT REPORTS LARGE SCALE FIGHT AT A/L

APPROX 30-40 PEOPLE FIGHTING ALL BEL TO BE YOUNG TEENS

NO WEAPONS

23:13:21

CALLER STATES THERE HAS BEEN A BIERTHDAY PARTY AT THE CLUB

AND THERE IS NOW 100 PEOPLE O/S CLUB

Double crewed vehicle to be deployed to assess and deal 23:13:43

with incident. If officer training & availability of personal protective equipment do not provide sufficient control measures in relation to risk presented, the officers must take additional measures and if necessary withdraw, observe from a safe distance whilst taking reasonable steps to maximise their own and public safety.

23:13:52 NO AMBO REQ

INFT STATES SOME HAVE MOVED OFF TWDS PARK ROAD EAST

IN The state of th

23:14:18

CALLER DOES NOT KNOW WHO THE LADS ARE

NO AMBOS REQUIRED

23:14:49 FURTHER CALL FROM

STATES SIMILAR

ADVISED EN ROUTE

23:14:57 FURTHER CALL FORM NEIGHBOUR, MICHELLE FINN...

STATES APPROX 40-50 YOUTHS, MALES AND FEMALES...

AGED APPROX 17 OR SO...

HEADING TOWARD COLD STREET SCHOOL....

NO WEAPONS SEEN...

23:15:26 CONTACT NUMBER FOR MICHELLE FINN - 07590207106
23:16:14 AS57 LARGE GROUP AT SCENE MAKING OFF IN DIFFEREN

AS57 LARGE GROUP AT SCENE MAKING OFF IN DIFFERENT DIRECTIONS

23:17:35

AM37 EN ROTUE TO BHEAD HAVE STOPPED TO ASSIST ALSO - THERE IS NO FIGHTING ONGOING BUT A L ARGE NUMBER OF YTHS HANGING AROUND

23:17:40

LARGE GROUP OF YTHS DISPURSING

23:18:10

FROM AS57 THERE IS A NUMBER OF YOUTHS ALL UNDER THE AGE OF 18YRS WHO ARE DISPERSING ON ARRIVAL OF PATROLS... NO ONE MAKING THEMSELVES KNOWN TO THE OFFICERS

23:18:13 INFT SPOKEN TO BEVERLEY SHE IS GOING TO MAKE HER WAY DOWN TO SPEAK TO ONE OF THE OFFICERS

23:23:18

ONE ADULT MALE DETAINED FOR D&D - CONVEYED TO WCS AM67 ARRESTING OFFICER

23:25:47 AS57 - INFT MADE HERSELF KNOWN, IT WAS A FIGHT BETWEEN 2 YOUTHS WHO HAVE NOW MADE OFF AND INFT IS UNABLE TO IDENTIFY.

23:25:54 YOUTHS HAVE NOW DISPERSED 23:26:29 \*\*\*\*\*INCIDENT RESULT\*\*\*\*\*

1 MALE ARRESTED D&D - YOUTHS HAVE ALL NOW DISPERSED. DETAILS WIRRAL CUSTODY SUITE

#### INCIDENT SUMMARY

Status	Status Date	Ву	At
WAI	21-Feb-2009/23:11:44	34422	LSCC11
DSP	21-Feb-2009/23:13:05	25497	ACR8
ENR	21-Feb-2009/23:13:05	25497	ACR8
ons	21-Feb-2009/23:15:57	30942	ACR7
CLR	21-Feb-2009/23:26:03	25497	ACR8
CLS	21-Feb-2009/23:26:29	25497	ACR8

#### RESOURCE SUMMARY

Unit	Date/Time	Status
AM67	21-Feb-2009/23:13:05	DSP
AM67	21-Feb-2009/23:13:05	ENR
AM67	21-Feb-2009/23:16:08	ONS
AM67	21-Feb-2009/23:23:25	AV
AS57	21-Feb-2009/23:13:52	DSP
AS57	21-Feb-2009/23:13:52	ENR
AS57	21-Feb-2009/23:15:57	ONS
AS57	21-Feb-2009/23:15:57	ONS
AS57	21-Feb-2009/23:25:38	AV
AM59	21-Feb-2009/23:14:13	DSP
AM59	21-Feb-2009/23:14:13	ENR
AM59	21-Feb-2009/23:17:10	ONS
AM59	21-Feb-2009/23:25:51	AV
AM37	21-Feb-2009/23:17:13	DSP
AM37	21-Feb-2009/23:17:13	ONS
AM37	21-Feb-2009/23:26:03	AV

#### INCIDENT CHRONOLOGY

Date/Time	Action	Description	[Wks/Pers]
21-Feb-2009			
23:11:44	ENTRY		[T GGG7 7 /2 4 4 6 6 7
23:12:49	CHNG	Details Entered CallerName: <empty> ==&gt; DEBBIE ASPINALL</empty>	[LSCC11/34422] [LSCC11/34422]
23:12:56	APND	LocCmt: ESWA SOCIAL CLUB Phone: Garage Status: W Contact: Y Type: 122	[LSCC18/36306]
23:13:05 23:13:21	DE CHNG	AM67 (PTLVEH) O/1719,2025 Details Entered	[ACR8/25497] [LSCC11/34422]

23:13:4: 23:13:5		CallerName: Caller	[ACRSGT/23132] [LSCC11/34422]
23:13:52 23:13:52 23:14:13 23:14:18 23:14:49 23:14:57 23:15:26	DE DE CHNG SUPP SUPP SUPP	AS57 (PTLSGT) 07-7428 AM59 (PTLVEH) Q/4602-5225 Details Entered	[LSCC18/36306] [ACR8/25497] [ACR8/25497] [LSCC11/34422] [LSCR11/40362] [LSCR7/40706] [LSCR7/40706]
23:15:57 23:16:08 23:16:14 23:17:10 23:17:13		AS57 AM67 AM59 AM37 (PTLVEH) O/2020,4038	[ACR7/30942] [ACR8/25497] [ACR7/30942] [ACR8/25497] [ACR2/25254] [ACR3/25044]
23:17:35 23:17:40 23:18:10 23:18:13 23:18:45	SUPP SUPP SUPP SUPP CHNG	LocCmt: EFWA CLUB ==> ESWA CLUB	[ACR3/25044] [ACR7/30942] [ACR2/25254] [ACR8/25497] [ACR8/25497]
23:23:18 23:23:25 23:25:38 23:25:47 23:25:51	SUPP CLEAR CLEAR SUPP CLEAR	AM67 AS57 AM59	[ACR2/25254] [ACR8/25497] [ACR2/25254] [ACR8/25497] [ACR2/25254]
23:25:54 23:26:03 23:26:03 23:26:29	SUPP CLEAR CLOSURE CHNG	AM37  Details Entered  Officer In Charge: <empty> ==&gt;</empty>	[ACR8/25497] [ACR8/25497] [ACR8/25497] [ACR8/25497]
23:26:29 23-Feb-2009	CLSI	1719 All results: () ==> (P221,631)	[ACR8/25497]
08:48:02 25-Feb-2009	PRINT	Sent to WLICP	[BHEAD10/40121]
07:56:06 26-Feb-2009	MISC	1684 QA	[ACC3/30034]
11:09:05 06-Mar-2009 10:57:25	PRINT	Sent to WLICP	[BHEAD10/40121]
10:57:25	PRINT	Sent to BHEAD3P	[BHEAD34/23238]

# WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B: Criminal Procedure Rules 2005, Rule 27.1)
Statement of Chrisheam LAMBERTURN
Age if under 18: OVES (if over 18 insert 'over 18') Occupation: HOUSELDIFE -
This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false or do not believe to be true.
Signature: X C. Lawrett Date 4/3/09.
Tick if witness evidence is visually recorded (supply witness details on rear)
I we at the address and this property is directly appointed the Eswa club pane Road South Benevioad. I have weed at his address for twenty five yearshi all we have had problems yearshi all we have had problems yearshi all works on and off for years. It premises and off for years became worse during the time of the New Leaning Act and when the of the New Leaning Act and when the problems and wat along to the cancer pand to appeal this. The nowse and dishurbance is always the nowse and dishurbance is always at the worst when the sandwalds one functions on went the sandwalds one functions on went the sandwalds one functions on with the last years when we were the endeance to the last they now were the endeance to the last years years are people to man problems are there are people to man problems are the people to the
nature: V C. Lambert Signature witnessed by:

## RESTRICTED (when complete)

Continuation of Statement of: ... Signature:... Signature witnessed by: .....

# RESTRICTED (when complete)

Continuation of Statement of: Common Ann LAMBERT Page No
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and   Lave pessed the file I have
Kopt to the Police Fortom ho
Cepepit all. I am unelling he aller
eto councel hearing and bring
along my fullo to reports
J. C. Jambert
Signature: Signature witnessed by:

Home address:	M(6)280339	Postcode	A ( )
Home telephone no: Work	telephone no:		
	l address:		
Preferred means of contact (specify details):			
Best time to contact (specify details):			
Male / Female Date and place of birth:			
Former name: Self defined Ethnicity Code (16 + 1):	Religion / Bel	ief (specify)	
State Dates Of Witness Non-Availability:			
The following question must be answered and full details of 'yes' responses in	cluded on form N	1G6	
Is the witness unwilling or unlikely to attend court?		Yes	No 🗔
If yes also give details of what can be done to ensure attendance			
If the person responsible for the offence is kept in custody by police, has the witner wish to be kept informed if bail is granted by the court?	ss stated that they	Yes	No
Does the witness have any special needs if required to attend court and give eviden difficulties, visually/hearing impaired, restricted mobility, learning difficulties etc.)	ce? (e.g. language	Yes	No
Does the witness require a Special Measures Assessment as a vulnerable or intimid	ated witness?	Yes	No T
If yes submit form MG2 with file	area (fitheon)	100	140 L
Will the person giving evidence require standby arrangements for court	•	Yes	No No
If yes submit form MG2 with file		163	140
Statement taken by			
Station			
Date, time and place statement taken			
I am the victim		Yes	No 🗍
The Victim Personal Statement scheme (victims only) has been explained to me:		Yes N	/A 🗔
I have been given the Victim Personal Statement leaflet:		Yes 1	Vo
I wish to make a Victim Personal Statement today		Yes N	10 <u> </u>
I have been given the leaflet "Giving a Witness Statement to the Police - What Happ	ens Next?		40
I consent to police having access to my medical record(s) & notes in relation to this n	natter Yes	No No	'A [
I consent to my medical record in relation to this matter being disclosed to the defenc	e Yes	No N/	<u> </u>
I consent to the statement being disclosed for the purposes of civil proceedings if app. (e.g. child care proceedings, CICA, ASBOs, injunctions etc.)	licable	Yes N	io 🔲
The information recorded above may be disclosed to the Witness Service and Victim S and support. If you do not wish to be contacted, telephone the relevant number as dire	Support (victims or ected on the leaflet	aly) so that they can o that the Officer will	effer help give to you
Signature of witness:	Print Name:		
Signature of parent/guardian/appropriate adult:	Print		
Address and telephone number if different from above:	Name:	•	
Address and totophone address it different from goods.			

RESTRICTED (when complete)





To: Sent:

25 February 2009 18:43

Subject: Re: ESWA

received no acknowledgement from environmental health so I sent the email again and that awful Mr. Joughin rang who only deals with noise incide the club. I told him you had been in contact with Calvert who had passed it to Leyland and his exact words were "I don't know the has passed it to Leyland as he is only a licensing class and has no outbookly will. He then fold me to sing the licensing police officer on 777 2044 or leyland about

the council has not done much in the past order their warrings to the cause their Loyeung rate to authority. It also wonder just what these warnings are when they do get them so maybe the police licensing can tell me. If I do ring it would be handy to know if they can be called out as the troubles are happening? chris

TOTAL STREET, CALLED STREET, CALLED

Sent: Tuesdav. February 24. 2009 9:49 AM

I Subject: ESWA

I have spoken to Margaret Calvert at Licensing who took all the details and said that she would pass them to Richard Leyland who deals with these matters. I told her what happened and that the police were called and that four police cars were in attendance. She said they would contact the police for details of the incident.

John Fieb. Leighard never voing me So I rang him again. He rang back. Not much help. I rang Licensing Police. Worderful woman They operate a trabbic light system e ESWA is rearly at the top. They are oblesting evidence now and going to Club at Ipm. I show be watching.

MR. Layrand rong he's gama send one of his

At 1pm 2 poure et conneil ment in.

From:

To:

Sent: Subject: 24 February 2009 09:49 ESWA

Hi Chris

I have rung the council (I rang 606 200 and asked to be put through to Licensing). I have spoken to Margaret Calvert at Licensing who took all the details and said that she would pass them to Richard Leyland who deals with these matters. I told her what happened and that the police were called and that four police cars were in attendance. She said they would contact the police for details of the incident.



25th February 2009	Sat.
Rang Mr. degrand 691 3473 as e-mail to environmental health @ u	about many rite
as comail to environmental health as u	siral, gov. uk
	<b>9</b>
MMM 2944 Licensia Porice o	ppice Sgt. Pears
MR-Jorghin rang over 2 emails	, Ne said
ring above no: as degland is only	a clerk.
Email Sounder next.	
Jegalality	·
<i>k</i>	
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	34

From:

To: Sent:

22 February 2009 10:59

Subject:

Hi Sandra, I don't know whether even to inform the council. They rarely answer emails or return calls and if they do they will just warn the club along with the other warnings they have had in the past. But those warnings are all discounted now because they are in the past. If they do warn them things will be okay till the next time and they will get a warning and so on and the club knows they won't do anything so the best thing to do is to give the eswa lots of bad publicity. If Mr. Nunn realises EVERYTIME there is trouble I will be putting a complaint into the globe maybe he will do something. If you run a business the last thing you want is bad publicity and going through the council keeps it toooo quiet. I want the whole town to know just what a dump

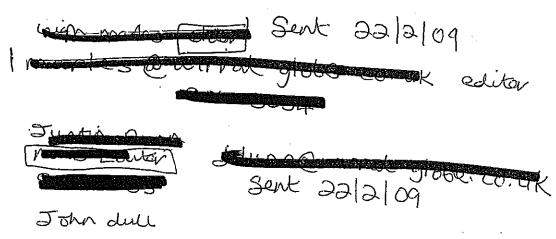
that place is with no consideration for the neighbours, never has done and never will do. This is what I am thinking of sending. You read it and tell me of any changes or adds to it.

Dear Editor, Yet ANOTHER disgraceful evening at the ESWA Club, Park Road South, Birkenhead on Saturday 21st February. From 9.40pm we had drunken squealing girls running in and out of the Club followed by drunken yelling boys. At 11.00pm the Club emptied and about 100 student boys and girls emptied the Club all onto the centre of Park Road South, Traffic came to a standstill and then & fights broke out. The police were wonderful and arrived in minutes. Not one police car but four police cars had to be allocated to this disturbance to disperse them. The sooner the Club closes the better for the residents, the council and the police who I am sure after all these years are completely fed up with these regular occurrences.

Please print: Disgusted resident of Park Road South.

ESWA not suffering as a result of

cost to the commenty in price time?



Letter not in paper wed 25th Feb

Resent it serve date to globe editorial owerral-globe co Resent it to environmental health as no repty came 22,02,0009

35

From:

"Saroganeromino de la servicio della servicio della

To:

22 February 2009 15:46

Sent: Subject:

ESWA Club. This email for the letters page

Dear Editor, you have printed many of my letters over the years with regard to the ESWA Club, Park Road South, Birkenhead and I hope you will print the following letter. These disturbances have been going on for many years and even though we are regularly involved with the council they do not check up on the ESWA and the ESWA know this so they are a law unto themselves and do exactly what they want i.e. going way over their time of staying open late with noise inside and outside the Club and it is always the residents that suffer. It is my intention to report to Letters Page EVERYTIME there is a disturbance at the club. Maybe then the management will do something for the last thing they want is bad publicity. And maybe these complaint letters to you will stop the troubles. PLEASE PRINT THE FOLLOWING LETTER: Yet ANOTHER disgraceful evening at the ESWA Club Park Road South, Birkenhead Saturday 21st February. From 9.40pm we witnessed drunken, squealing girls running in and out of the Club followed by drunken, yelling boys. At 11,00pm the Club emptied and about 100 young boys and girls gathered in the centre of Park Road South. Traffic came to a standstill and then numerous fights broke out. The police were wonderful and arrived in minutes. Not one police car but four police cars had to be allocated to this disturbance to disperse them. I wonder what the cost to the community in police time was for that? The sooner the Club closes the better for the residents, the council and the police who I am sure after all these years are completely fed up with these regular occurrences.

PLEASE DO NOT PRINT NAME OR ADDRESS. PLEASE PRINT "DISGUSTED RESIDENT OF PARK ROAD SOUTH"

From:

To:

1 Marie Mari

Sent: Subject: 22 February 2009 12:31 Re: re eswa

Subject, 176

#### Hi Chris,

Your letter is fine, Carl said that it was talked about all over town last night and apparently the party was for a 16 year old and so there should have been adult supervision, parents who organise a party in a local club for 16 year olds and then leave them to get on with it are asking for trouble and the club should stipulate that they require supervision as the club staff can't be expected to be supervising them.

I,would still complain to the council and I will do the same simply because if they ever ask for an extension of their hours again it will go against them and it is better on record (remember last time the council said that we need to record every incident) it is good that the police came.

I don't really want it closed and derelict as then squatters, drug addicts etc might move in but there are no easy answers.

Are you all ok and now have all your building work finished?

From:

Consequence of the control of the co

To:

<environmentalhealth@wirral.gov.uk>

Sent:

22 February 2009 17:58

Subject: re ESWA Club park road south birkenhead.

On Saturday 21st February from 9.40pm we had drunken young people running in and out of the above club. About 100 of them all vacated the premises at 11pm and all stood in the centre of Park Road South causing all traffic to stop. Several fights broke out and it took 4 police cars to move them all on. Could you find out why was there no adult supervision as I have just been told it was for a 16year olds birthday party. No one in charge of ESWA came out to move them on. This is not the first time this has happened when an unsupervised party has been held at this Club. The police must be fed up being called out to this Club as the disturbances have been going on for many years. christine lambert

# Dave and Chris

From:

29 April 2008 16:57 RE: re eswa

Sent: Subject:

ö

As promised, I have today warned the club management again, confirming their legal responsibilities in this matter. I hope this helps, but if problems do recur, I await receipt of the log as discussed. In response to your question: "what happens if noise functions are irregular?" - If it is impractical to obtain evidence, there is a

& make a complaint directly to the Magistrates Court. If you feel you wish to use this procedure at any time, I

procedure (Section 82 of Environmental Protection Act 1990) in which residents can by-pass this department

can then give you further details of how to go about it.

"Joughin, Norman" <normanjoughin@wirral.gov.uk>

Regards,

Norman Joughin.

Page 1 of 1

To:

"Joughin, Norman" <normanjoughin@wirral.gov.uk>

Sent:

29 April 2008 17:10

Subject: re eswa

Thank you for your help and replying to my e-mail. We will wait and see what happens this  $\nu$  least until the next "do" is on and see if they have took note of you contacting them again so decide what to do.

david lambert

30th April 2008 e-manued R-Leynand

and opinionism served in the server of the s

To:

"Joughin, Norman" <normanjoughin@wirral.gov.uk>

Sent:

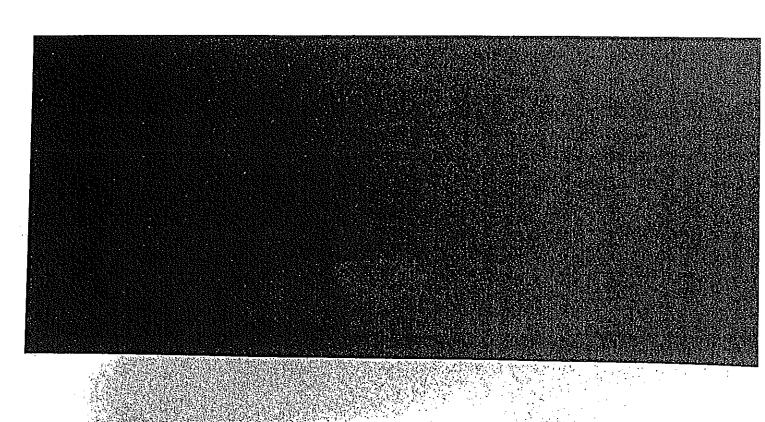
29 April 2008 17:10

re eswa

Subject:

Thank you for your help and replying to my e-mail. We will wait and see what happens this weekend or at least until the next "do" is on and see if they have took note of you contacting them again so soon and then decide what to do. david lambert

30th April 2008 e-monted R-degrand club dessed at 12-25 gm



From: A Sent: 29 April 2008 08:19 To: Joughin, Norman Subject: re eswa

高い 北方江 大変のない

now is once again they have got away with Saturdays disturbance. It may happen this friday or Saturday it will go on and on and eswa dont care at all. I am hoping you will visit the premises today and sort it out. information. Then if there is a regular pattern she says you will come out and monitor it. But what if it is annoyed that you did not visit the eswa yesterday after the loud disturbances on Saturday. You should be Don't bother to telephone us as we are both out to work now. irregular? You may never be there the night the disturbance is on? And then we have to put up with it all and night. If it does my wife will contact you and also log it. Again they will have got away with it. It may not being prepared in proof of their disturbances this would surely frighten them into being quieter. The problem Surely if you visited eswa today so soon after the warning on the 11th April and told them papers were now out from Mr. Leyland that they were also in breach of their times as they did not even apply for an extension. visiting them everytime it happens so eswa is aware that they are being monitored. My wife has since found happen then again for 10 days or 2 weeks and she will log it and report it to you until you have enough Dear Mr. Joughin, my wife told me of your conversation with her yesterday conceming the above. I am very

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"Joughin, Norman" <normanjoughin@wirral.gov.uk>

To: Sent:

28 April 2008 12:20

Subject: RE ESWA

THANK YOU FOR REPLYING TO MY EMAIL. I RANG YOU BACK AT 12.15 BUT YOU ARE OUT. LOOKING BACK AT MY RECORDS YOU HAVE WARNED THE CLUB BEFORE OVER THE YEARS AND STILL NOTHING CHANGES. I WANTED TO ASK YOU JUST HOW MANY WARNINGS DOES THE ESWA GET BEFORE SOMETHING IS ACTUALLY DONE. IF YOU WARN HIM AGAIN TODAY THERE MAY BE NO NOISE SAY FOR ANOTHER WEEK. THEN THERE WILL BE NOISE DURING A "DO" AND THEN I REPORT THIS TO YOU AND THEN YOU WARN AGAIN AND SO IT GOES ON AND THE SAME THING IS NOW GOING ON WITH MR.LEYLAND. THE ESWA WAS TOLD TO BE CLOSED AT MIDNIGHT AND THEY NEVER ARE. SO I REPORT THIS TO MR.LEYLAND WHO GETS IN TOUCH WITH ESWA AND WARNS THEM AND WITHIN A FEW DAYS THEY ARE OPEN LATE AGAIN AND ITS ALL NOISE AND INCONVENIENCE TO ME. MY MOTHER A 78 YEAR OLD STAYED HERE THIS WEEKEND VERY ILL AND IN THE END I HAD TO RING FOR AN AMBULANCE. WHILST THE AMBULANCE MEN WERE HERE THE BASS BEAT WAS BOOMING OUT AND THEY WERE HORRIFIED TO THINK THIS WAS WHAT WE HAVE TO PUT UP WITH. I FEAR IT WILL NEVER STOP AS ITS BEEN GOING ON FOR SO MANY YEARS.

иневнонатировановном в помента в пом

To:

<richardleyland@wirral.gov.uk>

Sent:

28 April 2008 17:29

Subject: eswa

thank you for that information Mr.Leyland please let me know the outcome. I have been keeping a log since the 1st Jan 2008 and not once has the club shut before midnight except one night and that was the night they never opened, so from today I shall be keeping a log and sending you the information daily.

From:

"Leyland, Richard K." <richardleyland@wirral.gov.uk>

Sent:

28 April 2008 16:48

Subject:

RE: eswa

Thank you for your email. I can advise that an extension was applied for on 25 April but not 26 April. I will ask for an Enforcement Officer to visit the premises.

Regards,

Richard Leyland, Licensing Officer Wirral Council tel - 0151 691 8478 fax - 0151 691 8215

email - richardleyland@wirral.gov.uk

web - www.wirral.gov.uk

Please save paper and print only what is necessary.

Sent: 27 April 2008 17:48 To: Leyland, Richard K.

Subject: eswa

can you find out if the eswa club club had an extension on saturday night 26th april as the club did not start to empty(noisily) till 20 to 1 in the morning. christine lambert

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From: Company of the Company of the

Sent: 27 April 2008 18:01 To: Joughin, Norman

Subject: bass beat at eswa club

I am very disappointed to report to you that the bass beat started up at 9.30pm saturday night 26th april till 11.30pm until the orange lodge visitors left at 20 to 1 in the early hours of sunday morning. It was not the band returning it was a function being held and the bass beat was 10 times worse than before. It was a coach party of orange lodge visitors. It's obvious once again that eswa had a busy night planned and once again no regard for the neighbours. How I would have loved to be able to ring you at the time and say come and park outside and just listen to it all. Are you allowed to disclose to me the warning you gave them ONLY a few weeks ago. I would be interested to know what this warning is for them to ignore it already. I have also sent an e-mail to richard leyland asking him did they have an extension that night as they were open way past midnight. One of the pensioner neighbours who lives by me advised me that many years ago when he visited Our Ladys club of which he was a member there was a system that if the beat and music got too loud the whole system crashed and went off so the "turns" and the club knew what area to keep the music and beat to. Do you know of this?



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46

29/04/2008

# Dave and Chris

From:

"Joughin, Norman" <normanjoughin@wirral.gov.uk>

. 당

Sent: Subject:

28 April 2008 09:54 RE: bass beat at eswa club

I will take the matter up again with the club management. Re your question as to my warning to them – it was just that they have a legal duty to take the best practicable means not to create unreasonable disturbance to

If there are any further disturbances (or questions that you may have), please contact me.

Norman Joughin.

Regards,

Page 1 of 1

Joughin Wainings 691 8282 march 2006 7 Duy 2006 28th April 2008 Told me to keep a record R. Leyland warnings 691 8478 July 2006 April 2007 Sent report to 15 July 2006 New report from Jan 2007 (didn't send) 26th April open til 20 to 1 degland guing to visit the premises, starting report now I th April Sent report e-mail club clased 12-25 am evening to 29th April after soil Ivas solle 30th April Wed, rite Club closed at 10 to 12 inter out 18t May Thurs and May Fri.

From: Teste de la "Leyland, Richard K." <richardleyland@wirraLgov.uk>

Cc:

"Rowlands, Lara J." <lararowlands@wirral.gov.uk>

Sent:

28 April 2008 16:48

Subject:

RE: eswa

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Regards,

Richard Leyland, Licensing Officer Wirral Council tel - 0151 691 8478 fax - 0151 691 8215 email - richardleyland@wirral.gov.uk web - www.wirral.gov.uk

Please save paper and print only what is necessary.

and the state of t

Sent: 27 April 2008 17:48 To: Leyland, Richard K. Subject: eswa

can you find out if the eswa club club had an extension on saturday night 26th april as the club did not start to empty(noisily) till 20 to 1 in the morning.

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"Joughin, Norman" <normanjoughin@wirral.gov.uk>

To: Sent:

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To:

"Joughin, Norman" <normanjoughin@wirral.gov.uk>

Sent: Subject: 11 April 2008 12:18 Re: bass beat nuisnace

Thank you for doing this Mr. Joughin. Just to let you know how awkward Mr. Nunn who runs the club is we had the original council meeting on 16th February 2006 and the councillor told him to put a sign up to stop the fleet of taxis sounding their homs EVERY NIGHT. It took Mr. Nunn till 15th November 2007 to put this sign up. 19 months to put up a simple sign. That, s how important it was to him. I then had to get Mr. Leyland involved several times before the sign finally went up. Mr.Nunn always appears to be helpful but its just a sham as his wife proved to me last Sunday when I rang her about the bass beat and she blamed the house next door. Mr. Elliot kindly went out and visited this house only to find the top floor empty. Then on the following Wednesday at 20 to midnight I saw the band members leaving with all their instruments so I know the noise is coming from there. They will realise its me that has contacted you but I don't care. I know they have soundproofed the music room and moved it all downstairs but this is also just a sham to keep the club open way past midnight also. They are still open many weekends after 1pm but because it has been quiet I have not reported it even though the councillor told me if they are open just one minute after midnight I was supposed to report it. It will be very interesting tonight to see if it is quiet as the band is there every Monday, Wednesday and Friday. Whilst it is very annoying for us getting up for work the next day and not getting to sleep till after midnight we also have a 13year old son who needs his sleep ready for school the next day. I was horrified on Wednesday to see the band members playing football in the middle of Park Road South with no regard for neighbours in the noise they were making. Thank you once again and I will let you know how tonight goes for I fear they will be quiet a few times but then will revert back to their old ways.

--- Original Message ---- From: Joughin, Norman

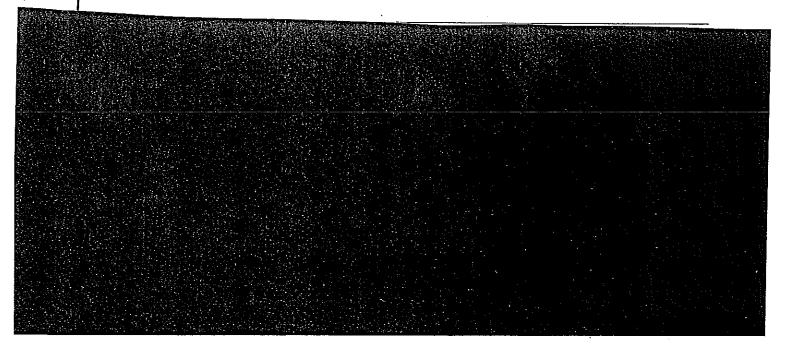
Sent: Friday, April 11, 2008 10:11 AM Subject: RE: bass beat nuisnace

To confirm the message I have just left on your answerphone, Mr Elliot has passed on this complaint to me because I deal with noise from non-domestic properties. I will therefore be speaking to the Manager of the ESWA club today to warn him of his legal obligations to avoid creating noise nuisances; I will not course, disclose who is complaining.

If you suffer any further such problems, I would be grateful if you would contact me by e-mail or telephone.

Regards,

Norman Joughin Senior E.H.O. (Pollution Control) 51





"Elliot, Robert P." <bobelliot@wirral.gov.uk>

To:

Sent: Subject: 10 April 2008 17:02 RE: bass beat nuisnace

Thank you for your email.

I have spoken to the owner of the house next door to the ESWA club and he tells me that the top floor flat has been vacant since January. It would therefore appear, as you pointed out that the noise is coming from the ESWA club.

I have passed on your complaint to my colleague, Mr Joughin, who will contact you shortly.

Yours sincerely

Robert Elliot

From: Demond Control of the Control

Sent: 10 April 2008 09:01

To: Elliot, Robert P.

Subject: re: bass beat nuisnace

Just to let you know on monday 7th april the bass beat started again at 9pm and went on till midnite. Strangely though it was quieter but still enough to wake us up. It seems that someone had warned them to be quieter. Last night wednesday 9th april the bass beat started at 20 past 9 and stopped at 20 to midnight. So at 20 to midnight I looked out the bedroom window and 5 YOUNG LADS CAME OUT OF THE ESWA WITH ALL THEIR BAND INSTRUMENTS, put them noisily into the back of the van, had a noisy game of football in the middle of park road south for 10 minutes, went back into the eswa for more instruments, put them in the back of the van, drove off and the club shut. It appears then that Mrs. Nunn who I spoke to on Sunday told me a pack of lies and there is NO band in the flats next to the eswa, the band is in the eswa, and she must have known that and that's why they have been playing a bit quieter. I should have known she would lie to me as I have had dealings with her and her husband when we went to the original council meeting in february 2006 when they were told to close the club at midnight. We were there because the club was staying open, noisily till 1.30am yet they denied it all. I don't know whether to ring her later this afternoon and tell her I saw the band leaving and that I know the bass beat is coming from the club and also tell her I know she has lied to me or just leave it in your hands. What is the best thing to do?

i have to go out now and won't be back till 12.

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	 Friday rind 11 April Sheat no bound there and no bounds

Resert Ellich 6918282
bobelliot@ wirral.gov.uk
 FRI 25/1/08 Bass beat 9 pm - midnite  NON 28/1/08 11 9pm - midnite
71010 28 1100
mon 4/2/08 11 9pm- madrite
MON 11/2/08 11 9pm - 11pm
WED 13/2/08 11 9pm- midnite
Sak 5th April 11 midnite - 1.30 am.
Rang ESWA but MKS. Nun Soud its the house
 to the right. New people house moved in. Edwa
 has sound probbet comb a moved music dounstairs,
 If you ever have a problem ring me she said a me'll
 sort it out I see sanded very nie woman. The said
 its coming from top floor ob flat.
 Saut alama and la 181 / 08
 Sea ils her Tirgs 4/4/08.
 Gold him to contact their sandlord
 Monday Ith April Bard Started 9pm - midnite
 ont was quieter?
Wednesday 9th April band graned 9-30pm- 20 to 12
At 20 to 12 5 lads come out ob ESWA put their
 instruments in back do car had a game do rugby
in middle do storect. Put more instruments in drove of le
Egnon clased. Away nad my suspicions it was
ESUDA as noise stapped as club shut. So MRS. Nuna
 COUC INC. OF PACE OF

\_ . .

	alijog Rang MR. Ellist 691 8282 no han gara home Stick Ring Monday.
	nothing from him since 19th Decamber!
	29/1/08 He lost answer for me to ring him.  1 oud. Him out till Hpm. Shud ring  Ne Hpm. 1he rang 114 to 5 to say the  Polish owner is in Speun till Frielding  But the 3 men have mared on. An  agency birds clients for the flat. Maybe
	11th Jan they have moved on lout left dog with new councing. He is ringing me back. Friday (Monday to explain.
•	Ring Back Friday 8th Feb.  Ring Mon 11th Feb. Workers with dogs.  Owner tall him Alls. They appropried to cannot
(	Dog hasn't banked since Sunday 3RD Feb.  NEW PROBLEM  Monday 4th Feb. Bass beat vibrating mudnite  Monday 11th Feb. 11 11 11pm  Wednesday 13th Feb. 11 11 midnite.
	Sunday both April Sent around to Bel Elliet 1 with 109 ob part bass beat addes.  Lets see what rappens.

Fre	25/1/28 Loud music ic Gaso till 12.00pm nowy people one out, Shut at 12.30 gm.
	28/108 Bass beat trusbing from
	9pm to 10 to midnite. I men
	lost. Lights out. Club clased
	at 5 to midnite.
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	That Gass coming Prom Eder
M	17 CM CWD C 1
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	· · · · · · · · · · · · · · · · · · ·
	Ju

FOLD K. Layland I am monitoring this at odd times. 12.11.07 People leaving the ESWA ten part midnite PT.11.07 Club open offer midnite Still-21/11/07 People laming 30 past miduite with snather enes. 23/11/07 Pensle Lawy 25 past midule with snaker cues. 23/11/07 FRIDAY ofter midule closing 28/11/07 Wednesday closed after midnite 1/12/67 Seturemy left lites still on 2:20( sun man) 412/07 People smoling 15 mis after mindrite. Then they closed 20/12/04 Rang R. Jeyland ESWA took sign has GOVE. He will find out why 691 8478 23/12/07 Club dosed 30 mins after midnite Noisy people works me up. 28/12/07 Club clased 30 mins after midnite Ren outside whe me up. 23 2/1/08 Rong R- Deyland about the missing taxi sign. ik's not in tri Monday.

2/1/08 Rang about the sign. He's gaining to river e then draft a letter. AGAIN, mon come once mistale old one for new one! 9/108 2 Big texci signs up outside Eswa. Rong MR. doylard.

√Our designation Grand State

(Control of the Control of the

To: Sent: 16 November 2007 00:31

Subject:

Re: update

HI Chris

Have you noticed that a new taxi sign has gone up it went up yesterday (Thursday). There is a sign by the other entrance and also a sign that says Party Entrance. Damn cheek, how many parties are they planning to have one wonders.

I am glad that you have got the record about the degs off to the council and you will feel better for doing it.

Betty rang me last night, she is having difficulty settling into the new house but I told her that she will soon feel better. She said that she finds the new house too small but anywhere would feel small after the old house and the new house is modern and they have a nice garden so I am sure she will settle eventually.

Sophie was one year old this week and we had a little party for her, Niamh came home with Soph and we had some friends round for the afternoon. It was really nice and everyone enjoyed themselves. She is coming on fine and is nearly walking and is full of fun, Niamh is getting better so that is good, it has been a hard year but worth every minute.

I am busy crocheting too as Ken's nephew and his wife are expecting a first baby in January, it is a much longed for baby and will be very precious to them.

Hope you are all well.





"Leyland, Richard K." < richardleyland@wirral.gov.uk>

To:

Sent:

12 November 2007 09:50

Subject: RE: eswa club

The Enforcement Officers did go to the premises on 2 November during the night time. The premises were closed at the time of the visit. A photograph was taken of the taxi sign which had yet to be moved despite being told to on a number of occasions. I am waiting to speak with Margaret O'Donnell as to what action we are to take.

Regards,

Richard Leyland, Licensing Officer Wirral Council tel - 0151 691 8478 fax - 0151 691 8468 email - richardleyland@wirral.gov.uk web - www.wirral.gov.uk

Please save paper and print only what is necessary.

Sent: 11 November 2007 17:07

To: Leyland, Richard K. Subject: eswa club

Mr. Leyland did the enforcers contact the ESWA and what was the outcome? promise to contact me when the enforcers had been.

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CONTROL CANONICA CANO

To:

"Richard Leyland(licensing)" <richardleyland@wirral.gov.uk>

Cc:

Sent:

21 October 2007 19:06

Subject: eswa club

Mr. Leyland, your email, of 17th April 2007 said you were waiting for the secretary to contact you about breach of times and the taxi sign to be moved and that you would contact me and also about enforcement officers visiting the eswa. I sent you an email 16th may which you did not reply to. We spoke on the phone 21st June and again you said you would contact me when the enforcers had called to the eswa. I sent you an email 21 September with the same questions an received no reply.

22nd September People coming noisily out of the club at 2.25am. Monday 24th September People coming out of the club at 12.15am. Tuesday 2nd October People coming out of the club at 12.25am. Friday October 5th People coming out of the club at 1.25am. Sunday October 7th People standing smoking in the doorway at 2.20am. Saturday October 20th

Club still open at 12.45am.

As you can see from just a few dates I have recorded the club is still open well past midnight and the council meeting was a complete waste of time. Also they still have not moved the taxi sign to a more visible point. What is very sad is that Dave Smith who lived to the left of the Eswa has now sold up and moved on as nothing was done to improve the situation for the residents. We have now 3 young men living there and for the past 3 weeks they have had 2 large dogs in the front garden barking day and night. Everyone who walks past the house sets off the This is particularly annoying when a slow trickle of people leaving the Eswa from quarter to midnight to 1.30am set the dogs off barking. On Saturday they started barking at five to midnight and continued till lam when the club finally shut. My husband went over to the 3 men to complain to them on Sunday afternoon and to ask how long this was to continue and tonight for the first time there is silence. But if this noise from the dogs persists if they leave them out in the garden and the club stays open late and the dogs bark till past lam can you tell me who I should contact as wcannot stand this barking. from the club is enough. I must say I am very disappointed with the councils response to this problem. The original council meeting took place on 10TH FEBRUARY 2006 and absolutely nothing has changed. I shall await your email reply and if not then I shall ring you to discuss matters.

218t Oct Surolay. Club still open at 12-20 pm. 22nd Oct Mon. Club still open 12-15pm. 23rd Oct Thes. Club still open 12-10pm. Spoke to him 2 days later 23rd Oct.

# ESWA

	-3186 10-07 Wednesday
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	O : I to the same land of the Duther a ha
<u> </u>	Suice I spake to MR. Leyrand on 24th October & he
	said my into would be passed to the enforcers
	last right 30:10:07 Theoday pensioners ment all the
	bacis arrived at 11-215pm instead ob 5 past midnight
	and they all left the building half an how earlier (noisily)
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	- 200 000 305 TO
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	ESWA right hand door open still at 11-30 pm.
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	3 rd Nov. Setarday Still open 12.30gm
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	Lie Cali O mail to D la day to the trade care
6	11 Nov. Sent a-mail to R. Leyland about taxi sign.
	He actually answered reset day.
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	7.7

	10th Felo 2006
	ESWA by doved to be shut at midnite
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	2006
	11th Palo 2006 Sat Club chased 1.15 am
	Mth Feb 2006 Frl. 5.20 gm band the Tiggm
	MEN Felo Club chard 1 12.45 9m
	25th Feb Club open til 1.20 am.
	44 march Club open tui 12.30 9m
(	11th March Club open trie 12-15 9 m
	24 march club open til 12-20 gm
	21 st April Still open after midnite
	75th July Still open after 19m
	5th may Still open 12.30
	27th may Stiy gran 19m
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	1st Aug Stair geon 12-20am
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.(	2007
·	11th Feb club open 5.30 an
	25th March gren 1.45 am
	6km Jims open 12.19 am
	8th June gean 12-10 am
	22rd Sept goen 2.25 am
	24th Sept open 12.159m
	2 rd od gren 12.25 gm
	5th Oct open 1.259m
	The oct gen 2.20am
	Oct 20th 920 12:459m
	62



# Department of Regeneration

**ALAN STENNARD** Director

Wallasey Town Hall **Brighton Street** Wallasev Wirral **CH44 8ED** 

date

2nd November 2007



Birkenhead Wirral **CH43 4UW** 

my ref NC1/EH/RE

tel 0151-691-8282 please ask for Robert Elliot

e-mail bobelliot@wirral.gov.uk



# NOISE COMPLAINT REFERENCE NUMBER: WK/207075687

Further to your complaint received on 29th October 2007 regarding noise nuisance, I enclose for your information copies of:

- 1. A log of noise nuisance occurrences - To be completed & returned by you
- 2. The Council's Noise Investigation Policy
- "bothered by noise" DETR (Central Government) leaflet 3.
- 4. Help Yourself Information Leaflet - Noise

The information contained in the above leaflets may be sufficient for you to resolve your complaint without the need for formal investigation by the Local Authority's Officers.

If, however, you consider that such investigation is necessary, I would be grateful if you would complete the log of nuisance occurrences for seven to ten days and return it to this office.

Please note that officers will only make THREE monitoring visits to assess the existence of a statutory noise nuisance if your complaint relates to BARKING DOGS. It is therefore essential that the completed log sheet is fully representative of the times when the nuisance occurs.

If you would like to discuss this matter further, please do not he sitate to contact me on the above telephone number between 9.00 a.m. and 10.00 a.m. or between 4.00 p.m. and 5.00 papl.

Yours sincerely

Robert Elliot Technical Officer Sent report back 12/11/07 starting from 14/1

# LOG OF NOISE NUISANCE OCCURRENCES

If you are unable to complete this log sheet, please contact your case officer who will be able to offer oth

ethods of recording your noise nuisance	OISE SOURCE	HLno		Noisiest Location	First floor rear bedroom				
and whice who will be able to offer other methods of recording your noise nuisance	NAME & ADDRESS OF NOISE SOURCE	58 PARK ROAD SOUTH BIRKENHEAD WIRRAL	CM43 4447	Type of Noise (be specific)	Dog barking in rear yard				
			No.	Finish Time	11.35 pm				
ADDRESS			Work Tel. No.	Start Time	10.35 pm				
YOUR NAME & ADDRESS		الم الم	Home Tel. No.	Date	70/02/10 -6-3				

Complaint reference number:

Signature:



# NOISE COMPLAINT INVESTIGATION POLICY

Noise problems can relate to many sources and can include domestic, commercial, industrial, entertainment and construction activities. Additionally road, rail and aircraft noise can often create difficult problems, however these types of activities are normally more effectively dealt with at the planning/development stage.

The avoidance of noise nuisance is given a high priority in all planning and licensing matters.

Information leaflets giving practical advice with regard to noise problems are available free of charge from:

Department of Regeneration, Pollution Control, Wallasey Town Hall, Brighton Street Seacombe, Wirral, CH44 8ED

Tel: 691 8344/8318

e-mail: pollution@wirral.gov.uk

Making a complaint

Officers dealing with noise complaints are employed within the Pollution Control Section of the above Department and can be contacted by telephone, in writing or at the aforementioned address. They can be contacted by telephone from 9.00 am to 10.00 am and from 4.00 pm to 5.00 pm. Messages can be left with the section clerks between 9.00 am and 5.00 pm by telephoning 691 8370/8318.

In all cases complaints are dealt with by trained staff who will record all the relevant details, including name, address and telephone number of the complainant, the location of the noise source (this must be provided) and the nature of the noise.



All complainant details are kept strictly confidential but are necessary to enable the investigating officer to determine the existence of a Statutory Nuisance. For this reason it is NOT possible to deal with anonymous complaints.

Noise outside normal working hours

There are situations where noise occurs outside normal working hours and whilst the Council does not operate a 24 hour call out service for the investigation of noise complaints, Officers will make arrangements, as they deem necessary, to investigate noise problems outside of their normal working hours by prior arrangement.

# INVESTIGATION PROCEDURE

Domestic Noise Complaints

The complainant is encouraged to discuss the details-of the problem with the person they allege to be causing the noise. Where a complainant feels unable to adopt this course of action no pressure to do so is placed on them.

Following the receipt of the complaint the complainant is contacted, by letter or telephone and in most cases will be asked to keep a log of noise events. The complainant is also advised of the name and telephone number of the Officer dealing with the complaint. Where a noise log sheet is provided it must be completed and returned to the investigating Officer before any further action is taken.

65

29.10.07 monday

Rang MR. Josephin 691 3373. Told him the great Dere told been out our impumpet barking at everything. Down compraised in them Sunday 21st ook. Next 3 days okay their they started to put the deg out at apm till midnight. Mark back in school baday he goes to bed at 9 dogs keeping him cravake. They don't get up till outer 12 so no point in him calling before that a gate is chowed go how is he going to get in.

Diseasepins to ask him.

When is he going to say.

Rang at 9.10 engaged.

when will he rung me back.

Parg again. MR. Joughin said he'd send a " noise pack to log!" a thon I return it after 3 WEEKS a MR. Ellist would be dealing with it. Told him I was not prepared to wait 3 weeks a demanded to speak to MR. Ellist who wasn't get in. I want to tell him ob the last month we've had to put up with as that is anough information. I shall ring MR. Ellist him this afternoon. MR. Joughin terribly unhalphal and a waste of 3 weeks space as usual.

158 prs.

Feb 2006 Muni ment.

macl

Rang MR. Ellick at 1.25 out on his inspections. Will ring back at 3.

Ravey at 3:20 still ont. Left message for him to ring me. He rang back 4:30. Sent me or log raise pack. I must fin in a return a ring him.

Dog out since 4pm to Jam whe me up.

	Chap start open at 13-45	Sunday Oct Yth.  People Smolaing in depluying at 2.200, m.	Priday Oct Str. Priday Oct Str.	People coming out at 12.25mm	Who Gives one is no land order
Out the rain Euro	Dospi balling 9, pm 12 pm 27 len : October Seturday 1+45 am to for 10 mins and till modnite	Dog barning til 11pm	him a report is the will contact in	spake to R. deylowed told him the	Rever MR. 30 Mayor M. Constant

To:

"Richard Leyland(licensing)" < richardleyland@wirral.gov.uk>

Sent:

16 May 2007 12:43

Subject: eswa club

Mr. Leyland since your e-mail from 17th April 2007 have any licensing enforcement officers visited the club yet as they are still going well past midnight in staying open? I would be very interested to know just how many times they can breach this midnight closure agreement set by the councillors before something is done by yourselves. Also the taxi sign has still not been moved to a more visible sight. Once again I must remind you that at the original council meeting of 10TH FEBRUARY 2006 the councillor told Mr. Nunn to move the taxi sign and here we are in May 2007 and it still has not been moved and the taxis are still sounding their horns. The personalised plate on the back of each taxi is far too small to record the details to you. Could you possibly found out what the delay is here as I fear they have no intention of moving the sign. They also know you are not going to check up on them.



Dealnesday 6th June People roisy leaving club out 12:15 pensioners

Priday 8th Juno Drunk noisy people leaving club at midnight.

9th June Taxi sign still not moved.

Still no answers to e-mails

When is something going to be done
about late nights and taxi sign:

Has the Licensing Enborcement done anything about over times to midnight.

Rong Mr. Legland do he has not answered any do my e-mails to ask why the sign stir has not been moved. He was amazed they had not moved the sign a were stir open after midnight STILL a said he would get onto Eswa a Enforcement

2182 Sept. Sent e-mail to R. Leyland asking AGAIN when is the sign to be moved.

22 nd Sept. Notay at midnite. People comin out at 9 25. Illes on till 3 am. Told Sandra.



A CHARLES AND THE CONTRACTOR OF THE CONTRACTOR O

To:

"Dave & Christine Lambert" <christine.lambert23@ntlworld.com>

Sent:

17 April 2007 10:37

Subject:

RE: ESWA CLUB PARK ROAD SOUTH

Marino Edinocit

Thank you for your email and I apologise for not getting back to you sooner.

I can advise that these premises did have a Temporary Event Notice for 24 March until 1.00am but according to your email they have breached this. I have written to the Club regarding this and issue of people leaving as late as 5.30am and the Taxi Notice. I am awaiting for the Secretary to contact me to discuss these issues but in the mean time the premises will be visited by Licensing Enforcement Officers very soon.

I will contact you again with any outcome of visits/discussions.

Regards

Richard Leyland Licensing

From:

Sent: 26 March 2007 08:50 To: Leyland, Richard K.

Subject: ESWA CLUB PARK ROAD SOUTH

JUST TO LET YOU KNOW PEOPLE WERE STILL COMING OUT OF THE ESWA AT 1.45AM ON SUNDAY MORNING 25TH MARCH. DID THEY HAVE AN EXTENSION. 3 BLACK CABS ARRIVED AND BLEW THEIR HORNS. I DO NOT KNOW WHICH COMPANY THEY ARE BUT ESWA STILL HAS NOT MOVED THE TAXI SIGN TO THE FRONT OF THE BUILDING YET YOUR COUNCILLOR TOLD THEM LAST YEAR. THEY HAD TO DO THIS? A FEW WEEKS AGO WHEN MY HUSBAND ARRIVED HOME AT 5.30AM AFTER DOING A NIGHT SHIFT AT WORK THEY WERE COMING OUT OF THE CLUB THEN. IS ANYONE CHECKING ON THEIR CLOSURE TIMES AT THE COUNCIL? I AM CONCERNED THAT AS THE WARMER WEATHER IS APPROACHING THINGS WILL GET OUT OF HAND AGAIN AS THEY ARE NOT COMPLYING TO THE COUNCILLORS RULES.

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To:

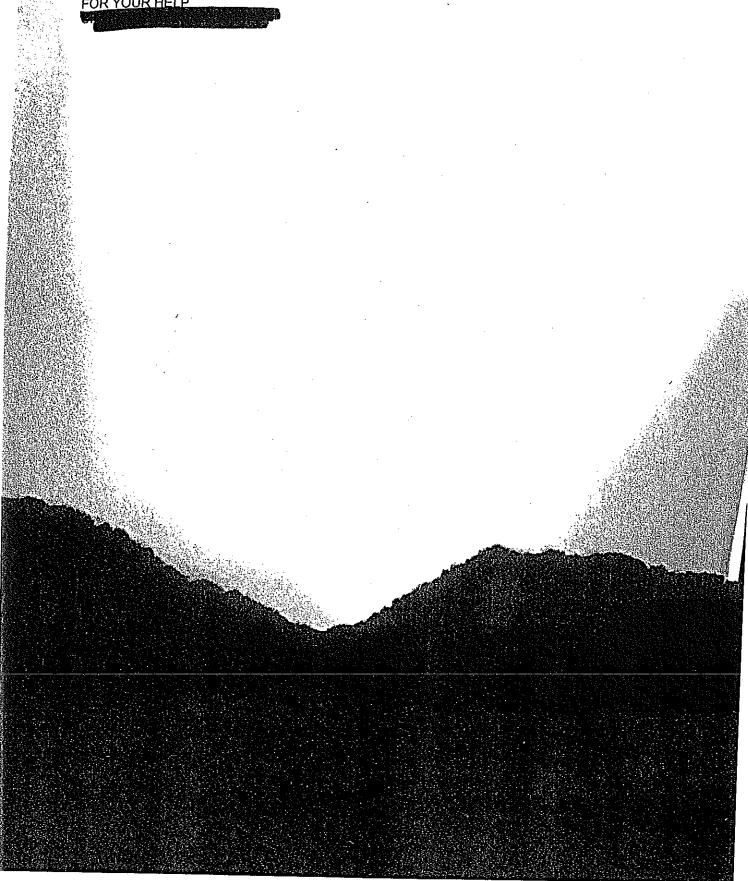
"Richard Leyland(licensing)" <richardleyland@wirral.gov.uk>

Sent:

26 March 2007 15:39

Subject: re: eswa

PLEASE COULD YOU NOTIFY ME WHEN YOU HAVE TIME THAT YOU HAVE ASKED ESWA TO MOVE THE TAXI SIGN. IF WE DON'T KEEP AT THEM THEY WILL NOT BOTHER TO MOVE IT. MANY THANKS FOR YOUR HELP



# LOG OF NOISE NUISANCE OCCURRENCES

Nood		
Jant Bar Large of Land	e.g. 01/05/02	YOUR NAME & ADDRESS Home Tel. No.
Thorne to	Start Time 10.35 pm	DDRESS  Work Tel. No.
194. I (A) I	Finish Time 11.35 pm	g sheet, please contact y
3 C 3.1.1	Type of Noise (be specific)  Dog barking in rear yard	R NAME & ADDRESS  NAME & ADDRESS  NAME & ADDRESS  NAME & ADDRESS OF NOISE SOURCE  Plei. No. Work Tel. No.
Twoci styn strik ret ment	Noisiest Location  First floor rear bedroom	methods of recording your noise nuisance. NOISE SOURCE

\*

Complaint reference number:



From: "Joughin, Norman" <normanjoughin@wirral.gov.uk>

Sent:

31 July 2006 10:58

Subject:

ESWA Club



Further to your e-mail to this Dept. on 30/7/2006, I have now taken the matter up with the Club Manager. This should improve matters but, if there are any further such problems, please let me know.

Thank you,

Norman Joughin Senior E.H.O. (Pollution Control) tel: 0151 691 8378

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Thesday 18t Ang 06

cents still open 12.20 am. sent e-mail to R. Leyland on wednesday and Aug. and told him. Also e-mailed Sandra. She said maybe just e-mail them when its roisy but we don't agree. She sent me a copy ob her reply from Norman Jonghin.

FRIDAY 4th Angust COMPLETELY QUIET

74

Tues- 25th July 2006 Attended second meeting 29th July Saturday. ESWA open tul 12:30, Jeft side down wide open- Land music, of j talling microphore- People in a out durnling, organize Shorting Monday 31 of July. Sandra called with how e-monts to conneil about Sat, night. we sut e-mail to Richard dayland Norman Jarghin John Shaw also Monday 314 Julyane sent our e-mails. Immediate reply from Richard Leyland. Sondra soid ESWA has been warned by telephone about bing in breach. Lets see what rappers this weakend?



"Leyland, Richard K." <richardleyland@wirral.gov.uk>

To:

Cc: Subject: "Shaw, John A." <johnashaw@wirral.gov.uk>

Sent:

31 July 2006 14:53 RE: ESWA Club

I have been made aware of the breach you mentioned from Licensing Enforcement who will investigate the issue.

### Regards

Richard Leyland Licensing

----Original Message----

From: Dave & Chris Lambert [mailto:christine.lambert23@ntlworld.com]

Sent: 31 July 2006 14:54 To: Leyland, Richard K. Subject: ESWA Club

We were advised to let you know of any breach of license and noise concerning the ESWA club, Park Road South, Birkenhead.

On Saturday, 29th July 2006, the club was open till 12:30am the doors were open all night against the agreement of 10th February 2006 . There was loud music coming from the open door, we could here the DJ when he was making announcements. People were in and out arguing at the tops of their voices, drinking, kicking the fence and climbing over Mr Dave Smiths fence.

regards



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Subj:

noise/licensed premises/ESWA Club - Park Rd South, Birkenhead

Date:

30/07/2006 00:26:31 GMT Daylight Time

To: <u>environ</u>mentalhe

environmentalhealth@wirral.gov.uk

CC:

licensing@wirral.gov.uk

I am writing to report that the ESWA Club on Park Road South, Birkenhead was in breach of its licence on Saturday 29th July, the club was open until 12.30 and there was loud music, doors were left open throughout the night and there were people outside shouting well beyond midnight.

PS Please acknowledge receipt of this email

Subj:

FW: noise/licensed premises/ESWA Club - Park Rd South, Birkenhead

Date:

31/07/2006 12:34:29 GMT Daylight Time

From:

richardleyland@wirral.gov.uk A TOTAL CONTROL OF THE PARTY OF

CC:

johnashaw@wirral.gov.uk

Thank you for your e-mail. Your e-mail has been forwarded to Licensing Enforcemment for necessary action.

Regards

Richard Leyland Licensing

----Original Message----

From: Calvert, Margaret On Behalf Of Licensing

Sent: 31 July 2006 09:43 To: Leyland, Richard K.

Subject: FW: noise/licensed premises/ESWA Club - Park Rd South, Birkenhead

----Original Message----

From:

Sent: 29 July 2006 23:27 To: Environmental Health

Cc: Licensing

Subject: noise/licensed premises/ESWA Club - Park Rd South, Birkenhead.

I am writing to report that the ESWA Club on Park Road South, Birkenhead was in breach of its licence on Saturday 29th July, the club was open until 12.30 and there was loud music, doors were left open throughout the night and there were people outside shouting well beyond midnight.

# PS Please acknowledge receipt of this email

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To:

"Richard Leyland(licensing)" <richardleyland@wirral.gov.uk>

Sent:

31 July 2006 14:54

Subject: ESWA Club

We were advised to let you know of any breach of license and noise concerning the ESWA club, Park Road South, Birkenhead.

On Saturday, 29th July 2006, the club was open till 12:30am the doors were open all night against the agreement of 10th February 2006 .There was loud music coming from the open door, we could here the DJ when he was making announcements. People were in and out arguing at the tops of their voices, drinking, kicking the fence and climbing over Mr Dave Smiths fence.

regards



16<sup>th</sup> July, 2006.

I am writing to provide details of my objection to any extension of hours for the ESWA Club, Park Road South, Birkenhead. As the club has not had the respect to abide by the terms of the Licence awarded to them when we last attended the Licencing Meeting I feel that they would not have the respect to abide by the terms of any other licence.

Local residents have tonight (15<sup>th</sup> July, 2006) had to endure loud music (doors open) people shouting in the street from as early as 10pm., drunked behaviour, screaming and shouting beyond midnight. Complete lack of consideration. No-one from the club bothered to ask people to moderate their behaviour/language or asked them to go home after the club had turfed them out at 12.30. It was eventually quiet at 1pm after the last taxi had left and some people on foot made their noisy way towards town.

The effect of all of this is that children were woken up, people who would like to go to bed were prevented from doing so and anyone who happened to be old or infirm had no chance of a nights sleep (especially as the even young and able bodied didn't).

This is a residential area where children have the right to grow up in a nice environment without being woken by drunks screaming in the street, where we all have the right to be able to go to bed and sleep at a reasonable hour.

If as they claim the ESWA Club is intending to cater for local people and families there is no justification for them wanting to stay open even longer and the likelihood is that if they are allowed to do so it will be two o'clock before we can rest in our beds instead of one o'clock as it was tonight

Local residents in Park Road South and surrounding streets are severely affected by the club and object to any extension of hours, in fact we would like to see a situation in which the club actually complies with the licence presently in place and if they are unable to do so it really raises the question should they have even the licence they presently have.



# Sequence of events

# January – May 2006

Friday and Saturday nights are particularly noisy at the ESWA Club with the resultant loss of sleep for local residents. The exception notably being in the run up to an application for extension of hours, during both periods after applications have been made the club becomes exceptionally quiet. This is not intended to be and is not a full report of all incidents over the period of time but gives an indication of what local residents have to put up with, this is a residential area with families and elderly people living in close proximity to the club. I have double glazing as do a lot of residents and so we are not being over sensitive but complaining about what is already a serious matter which will get worse if an extension is granted.

This is a residential area not down-town Birkenhead.

On the night of the last application hearing there were very large numbers of people arriving obviously in the belief that the licence would have been granted, once the reality of the situation was known they left. The same situation happened the following day.

The details below are examples of the situation that exists in reality and it is a fact that local residents even in present circumstances often have disturbed nights and their children woken up because of noisy and drunken behaviour by people leaving the ESWA Club. If an extension is granted this situation will become worse and go on for longer and we will in reality not be able to relax/sleep in our own homes particularly at the weekends.

Jan 18th 12.15 People shouting to each other as they leave - intoxicated.

Jan 28<sup>th</sup> 12.50 Group left club carrying balloons – making noise shouting to each other – waiting for taxis - intoxicated. Shouting to each other getting into taxis some go others left waiting. 1.10 Last finally go. (Peace!!)

10<sup>th</sup> Feb. Licencing meeting today – extension not granted (2am). Early evening lots of cars arriving - very large amount of young people, all left early with screaming and shouting – gave the impression that they had expected the licence extension to go through and left because it hadn't (could tell by comments made amongst the people leaving).

11<sup>th</sup> Feb. Club noisy - 12.15am large amount of bottles being emptied into glass container (this is normally done during the day, club still open). Very noisy night especially from 10.50 till 1.20. Fighting, shouting, screaming – club finally closed and lights out at 1.25am (this in spite of not getting extension to licencing hours).

17<sup>th</sup> Feb Lot of noise coming from ESWA Club 5.15am (went into garden to check where noise was coming from, rang club number but no answer – lights on in flat. The club open until 1am (18<sup>th</sup>) but kept quiet.

25th Feb Noisy night - people leaving club until approx 1.20.- doors open.

4th March - very noisy, most people didn't leave until after closing time and were still leaving until 1.20 - shouting and calling to each other even though only a short distance part - intoxicated - oblivious of the needs of local residents.

5th March - last minute invitation to attend committee meeting at club - felt that it was not a genuine wish to deal with problems, did not go as had already made plans if genuine invitation would have been made with more consideration.

March 18th (Sat)

Group 8-10 12.25 Group outside Eswa club - noisy shouting - drunk - one male urinated on fence adjacent to club in full view of anyone in the area (neighbours fence) - club doors still open.

March 24th - (Fri)

10.30 - 11pm Doors open - rowdy behaviour - glass breaking outside club (on path inside club and on pavement).

21st April 11.30 - Doors still open - very noisy -

Doors still open -12.0

Large group left club - shouting & intoxicated -12.30 waiting for cars/taxis - very noisy

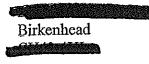
Very noisy - people still leaving club 5<sup>th</sup> May 12.30

Club very noisy - no consideration 27<sup>th</sup> May 1pm - Peaople leaving club - very noisy - shouting/carrying on, cars slamming doors - no consideration.

The conditions attached to the licence granted on 10th Feb have not been met, there has been no meaningful consideration shown just enough to create an impression with token invitations to a couple of residents, these being made with little or no notice and with minimum opportunity to discuss things. ESWA did not tell residents that they were appealing against licencing decision.

No attempt has been made to move taxi signs and taxis are still sounding their horns outside club, members and guests still congregate outside to talk, shout, drink and await transport (which can extend to 45 mins after the club has closed its doors, with taxis even refusing to stop on some occasions if people are drunk.)

The door is still left open and although I did have a letter telling me that a doorman had been appointed to ensure that residents were not disturbed he was worse than useless as he stood in the doorway with the door wide open and actually seemed to be contributing to the situation and ensuring that the noise was made available to the whole area. He has not been in evidence for some weeks and so it was not worth making the comment to the club on this, it had also become apparent to us that the licence was again under review and so we had expectations of having a few quiet weeks which has proven to be right so far.



6th May, 2006.

ESWA Club Park Road South Birkenhead.



Thank you for your letter giving details of your committee meeting on Sunday night, regrettably due to a prior arrangement I may not be able to attend and so I have put my concerns in writing.

I have become concerned during the past three weeks about the level of noise from the club on Friday and Saturday evenings. Last week on Saturday night was very noisy with the external door left open and loud music playing, there were still people leaving at 12.30. On the previous week a similar situation took place and people were still leaving after midnight and were very vocal.

As I write this letter the noise from the club is excessive mainly because the outside door is again open and people are sitting on the steps outside rather than taking part inside.

I realise that Friday and Saturday are the main nights of the week for you and that you offer facilities for parties but I would appreciate it if there could be the consideration agreed to at the licensing meeting.

I am concerned that as we enter summer life is going to become intolerable. We also like to enjoy summer and cannot sit outside in peace when there is so much noise or indeed go to bed until everyone has left if people are shouting in the street whilst waiting for taxis. If people left at the correct time they would be gone by midnight, if they stay longer then they should show respect for local residents.

I would be grateful if you could endeavour to improve this situation.

Yours sincerely,

10th February 2006 Friday

Went to council meeting. That same evening at 9 p.m lots of screaming and shouting from youngsters leaving the club. This went on for half an hour. No one from inside the club came out and told them to be quiet. Side door was wide open.

11th February Saturday

Bar person emptied 4 lots of empty bottles into the wheelie bin at quarter past midnight. Bottles have always been emptied the next day and certainly never at this time - quarter past midnight. Club started to empty at 10.55p.m. till 1.10am Constant noise from these two times. At 11p.m. a fight broke out between 4 young men. People extremely noisy leaving the club. The original entrance door was in use and banged shut every time someone went in or out of the club. Mini bus arrived at 1.a.m and left engine running loudly for 15 minutes while the people sung and danced outside the club. Last person to leave the club was 1.15 a.m. Club finally closed at 1.25a.m.

13th February Monday

Rang Mr. Leyland and asked had the ESWA applied for an extension and he said no. He was amazed they had stayed open till 1.25am. So soon after the council meeting. Sent Mr. Leyland a report of the 11<sup>th</sup> Februarys events and also a report to Mr Joughin - noise control. Mr. Leyland said he would visit the ESWA and warn them as they had stayed open just one day after the council meeting of being told to close at midnight.

Mr. Joughin rang me and said he would tell ESWA not to empty their bins in the early hours and to keep the door shut and repair the door so it does not bang.

17th February Friday

We were woken up at 5.20am to drums being played at the top flat of the ESWA. We rang the police twice and they promised to come out but never did. A keyboard and guitars then joined in. This went on till 7.15am. I visited the police station later that morning and they said they were too busy to come out. Rang Mr.Leyland after the police station and told him of the band playing. He could not believe it. E said no letter of warning went to the ESWA as a colleague was off sick but he himself will visit the ESWA today and warn them. Mr. Joughin rang me at 4pm and said he would tell ESWA residents not to start up a band so early. That evening club open till quarter to 1am but not a sound.

18th February Saturday

Club open but not a sound. Lights stayed on all night so I don't know what time they actually shut.

20th February Monday

John Shaw Licensing Enforcement Officer rang me and said he will come out one weekend and watch the club and that we shouldn't have to put up with this noise.

25th February Saturday

People came out of the club ten minutes to midnight. Lots of noise for ten minutes. At ten minutes past midnight more noisy people came out. This went on till 1.20am

4th March Saturday

People started to leave the club at midnight. Very noisy till 12.30 and then club closed.

5th March Sunday

Mr. Nunn sent letter for us "air our views" at 8pm that night in the club. We did not go. He will not listen to us because he takes no notice of the council so we feel that this letter is just for show.

24th March Friday

Club started to empty at twenty to midnight. Singing went on till 12.20. It was like being at a football match. Sent an e-mail to Mr. Joughin about the noise. He rang me Thursday 30<sup>th</sup> March about the noise to say he only deals with noise inside the club and not outside. I must report this to the police.

After they receive a certain amount of complaints from us they then notify Mr. Joughin.

21st April Friday

Noise outside the club after midnight. People setting off balloons, singing and cheering. They left and another lot came out and did the same.

Taxi sign still has not been moved to the front of the club. Taxis are still beeping even though they supposedly have a ring back service. Door has not been fixed to stop the banging. Doors are often left wide open on busy nights. Council has obviously not checked on the ESWA at closing time.

15th July, Saturday

Worst night ever for noise. People outside arguing, shouting, being sick. This went on till after 1pm.



# Department of Regeneration

Alan Stennard Director of Regeneration

Town Hall, Brighton Street Wallasey, Wirral Merseyside, CH44 8ED Telephone: 0151-691 8478 Fax: 0151-691 8468 DX 708630 Seacombe Email: licensing@wirral.gov.uk

date 10 July, 2006

to Residents of 61 Park Road South Prenton Wirral

your ref my ref

tel ext 0151-691 8043

please ask for Licensing

Dear Sir/Madam

LICENSING ACT 2003 – ESWA CLUB, PARK ROAD SOUTH, BIRKENHEAD APPEAL AGAINST THE DECISION OF THE LICENSING ACT 2003 SUB-COMMITTEE ON 10 FEBRUARY 2006

I refer to the Licensing Act 2003 Sub-Committee's decision on 10 February 2006 in respect of the above. The hours granted were as follows:

Supply of Alcohol

Sunday to Saturday

11.00am to 11.30pm

**Hours Open to Members and Guests** 

Sunday to Saturday

11.00am to 12.00midnight

Regulated Entertainment (Indoor Sporting Events, Live Music and Recorded Music)

Sunday to Saturday

11.00am to 11.30pm

Provision of Entertainment Facilities (Facilities for Making Music, Dancing and anything of a similar description)

Sunday to Saturday

11.00am to 11.30pm

Cont/...



The Club has lodged an appeal at Birkenhead Magistrates Court regarding the above decision. This may result in a fully contested hearing on a date to be arranged and which evidence both in writing and orrally will be required to be given from those residents objecting to the application or a spokesperson on their behalf. In the meantime however, the Club Secretary is willing, with agreement from residents, to reduce the hours originally requested to as follows:

# Supply of Alcohol

Sunday to Friday

11.00am to 11.30pm

Saturday

11.00am to 12.00midnight

# Hours Open to Members and Guests

Sunday to Friday

11.00am to 12.00midnight

Saturday

11.00am to 12.30am

The regulated entertainment is to remain as above.

A meeting has been arranged on Tuesday, 25 July 2006 to discuss the above proposal. You are invited to attend this meeting. The meeting is to take place at Wallasey Town Hall in Committee Room 3 at 2.30pm.

Please return the attached form using the pre-paid envelope provided no later than 21 July 2006 if you are able to attend this meeting.

Yours faithfully

M. O Donnell

Margaret O'Donnell Head of Licensing



-001

156 ( 411)

to Mr D G Smith 58 Park Road South Prenton Wirral **CH43 4UY** 

Corporate Services Department

James Wilkie Deputy Chief Executive and Director of Corporate Services

Town Hall, Brighton Street Wallasey, Wirral Merseyside, CH44 8ED DX 708630 Seacombe Website: www.wirral.gov.uk

9 May 2006

our ref

my ref DKA/CG/

service Legal and Member Services

tel 0151 691 8489

Please ask for Ken Abraham

fax 0151 691 8482

email kenabraham@wirral.gov.uk

Dear Sir

# LICENSING APPEAL - ESWA CLUB 54/56 PARK ROAD SOUTH BIRKENHEAD

I write further to my letter dated 20 March 2006 in respect of the above premises and can advise that the applicant has lodged an appeal regarding the decision made by the Licensing Act 2003 Sub-Committee on 10 February 2006.

Accordingly a pre-trial review/directions hearing has been listed at Wirral Borough Magistrates Court, Chester Street, Birkenhead CH41 5HW at 1.45 pm on Thursday, 11 May 2006.

In addition to giving directions in relation to the case the Court will also list the matter for final hearing.

The Magistrates will be re-hearing the application and new evidence of any issues that have arisen with the premises since the initial determination will be allowed.

A spokesperson will be required to be appointed who can liaise on behalf of residents with the Licensing Office. I would be obliged if you could please confirm the name of the spokesperson concerned as well as any individuals who are prepared to provide oral and written evidence at the final hearing yet to be listed.

If you have any query in relation to the above please do not hesitate to contact Richard Leyland, Licensing Officer on 691 8478.

Yours faithfully

Madie was

Head of Legal and Member Services

DKA060509-3



FRI 24th March - contd. Also sent e-noul to Norman Joughin about the noise. It was like histories to the Singing at a football match.

Thursday 30th March MR. Jorghin roug at 5pm. He only deals with roise inside the club. I must report outside noise to prove luchainer sergeant. After enough complaints they contact WK. Joyhin

Friday April 2186 - Noise out orde setting off balloons, surging and chearing. Another lot come out 15 mins laker and did the same thing

Tuesday 23id Harda Sandra told us ESWA have now applied to the High Cerit for our decusion to be enertained. The council and not inform us. Sent an e-mail to R. Leyland asking why he did not keep us informed. Leyland asking create Mail

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Trypad up a full report for Sandy 23 id May.

Outbox

right click on message more to fold

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To: Sent: licensing@wirral.gov.uk>
25 March 2006 20:22

Subject:

atten of: margaret o'donnell Re: ESWA Club

Dear Ms. O'Donnell, thank you for your letter of 20th, March 2006. Firstly, we will not agree to ever meet with Mr. Nunn to discuss relevant issues concerning the ESWA Club. I reported to Mr. Joughin of noise control and Mr. Leyland of licensing on Monday 13th February because just one day after the committee meeting the ESWA Club remained open till 1.15am. Therefore, if the ESWA is to ignore what the councillor told him to do i.e. closing at midnight with all lights out and all people cleared from outside the club, they are certainly not going to take any notice of what we have to say. Your letter looks all very efficient and helpful towards making a better life for us living opposite from the club but I would like to ask a very important question. Who from the council is making sure the club does close at midnight, doors and windows to be closed by 10.00pm, notices at all exits asking people to leave the premises quietly, the taxi sign to be moved to a more visible place from the road? I have kept a record every friday and saturday night since the committee meeting and whilst the noise has been reduced on some occassions the club is certainly still open after midnight, the taxis are still sounding their homs, and the right side front door is still banging shut everytime someone goes in or

Committee meeting 10th February 2006)

11th February Saturday ESWA stayed open till 1.15am

17th February Friday ESWA stayed open till 12.45am

25th February Saturday ESWA stayed open till 1.20am

4th March Saturday ESWA stayed open till 12.30am

24th March Friday ESWA stayed open till 12.20am

The head councillor said at the meeting the ESWA must be closed at midnight, all lights out and locked up and people moved from the outside of the club. It appears to us that if no one from your department is checking on them then they will continue to do what they want.

Yours faithfully,

Chis

# Dave & Chris Lambert

From: To:

"Norman Joughin(noise)" <normanjoughin@wirral.gov.uk>

Sent:

25 March 2006 20:41

Subject: ESWA Club

Dear Mr. Joughin, on Friday 24th March, the ESWA started to empty at 20 to midnight. There was such loud singing till 20 past midnight that it was like being in the middle of a football match. The noise was so bad it even woke up our 11year old son who sleeps in the middle bedroom. No one in charge inside the ESWA came out and told them to be quiet or to move on. The taxis are also still sounding their horns even though they supposedly operate on a call back service? I have informed Mrs. O'Donnell also of the situation as the club is supposed to be shut at midnight - which it is not. I have kept a weekly report since the committee meeting on the 10th February, 2006 and because the club is still open well after midnight on Friday and Saturday evening we are still being disturbed by the noise. It has improved slightly but the noise is still presention some nights. Some times the disturbance may only be for 15 minutes and other times it can be for longer. But the point I make is that there should be no noise at all after the main counsellor at the meeting



enforced this.



# Department of Regeneration

Alan Stennard Director of Regeneration

Town Hall, Brighton Street Wallasey, Wirral Merseyside, CH44 8ED Telephone: 0151-691 8478 Fax: 0151-691 8468 DX 708630 Seacombe Email: licensing@wirral.gov.uk

date 20 March, 2006

to Residents of 61 Park Road South Prenton Wirral

your ref my ref

tel ext 0151-691 8043

please ask for Licensing

Dear Sir/Madam

ESWA CLUB, 54-56 PARK ROAD SOUTH, BIRKENHEAD,

I refer to the Licensing Act 2003 Sub-Committee held on 10 February 2006.

After giving careful consideration to the application and the representations made in writing and orally at the hearing, the Licensing Act 2003 Sub-Committee resolved to grant the application to vary the Club Premises Certificate under the provisions of the Licensing Act 2003 with the following hours:

Supply of Alcohol

Sunday to Saturday

11.00am to 11.30pm

**Hours Open to Members and Guests** 

Sunday to Saturday

11.00am to 12.00midnight

Regulated Entertainment (Indoor Sporting Events, Live Music and Recorded Music)

Sunday to Saturday

11.00am to 11.30pm

Provision of Entertainment Facilities (Facilities for Making Music, Dancing and anything of a similar description)

Sunday to Saturday

11.00am to 11.30pm

Cont/...

Monday.



The Licensing Act 2003 Sub-Committee determined that in addition to the appropriate conditions proposed in the operating schedule the following conditions be applied to the licence:

No nuisance shall be caused by noise coming from the premises or by vibration transmitted through the structure of the premises.

- All external doors and windows shall be closed by 10.00pm and when regulated entertainment is being provided except in the event of an emergency and to permit access to or egress from the premises.
- There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly.
- The premises shall promote the use of taxi firms that provide a call back service.
- The sign outside the premises, requesting taxis not to sound their horns, shall be placed in a location clearly visible from the road in all directions.

In determining the application the Licensing Act 2003 Sub-Committee had regard to the Licensing Objectives, the Council's Statement of Licensing Policy and the Department of Culture, Media and Sport Guidance issued under section 182 of Licensing Act 2003.

Members of the Licensing Act 2003 Sub-Committee had regard to representations made by residents concerning public nuisance caused by people congregating outside the premises at a late hour. Members noted that there were no representation from the Responsible Authorities.



Members considered that the conditions applied were a proportionate response to the application presented and were necessary for the promotion of the Licensing Objectives. Members also endorsed the suggestion by the applicant that monthly meetings should take place with local residents to discuss any relevant issues.

Should you be aggrieved by this decision you may appeal to Wirral Borough Magistrates Court within 21 days of receipt of this letter.

Yours faithfully

M. O'Dannell

Margaret O'Donnell Head of Licensing

all white to be all at molnight. Still not complying. and some thing hoppened again this agreement with optimes out attend the some thing hoppened again this agreement with a some this is not the opposite the source that is not the conservant of the opposite that we that MAGAINTAS AT and ABC at our. Show our emoning. comp noting on 407 MADE MAIST to see what mappens, we shouldn't have to put up come and this weatond but next weaking win an word mile alter 3th show he will IN Show drewing ent or cernant officer ray me. MOR COMMIN and of 1/413 hope shows cure shut Sunday 19th Fob sound! and ugue on our through the ingre. 90J 481 Not a sand! and stul open tul 4 to 1 am. GOT HALL BY MENTERS

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ESWAS now rule classed, looked up, everyone out by manight. Got to more taxic signs to front.

That every 9pm lots do streaming shouting, yourgotess open no one come out to tell them to be quit and they would have bound the noise as door was upon.

# 11th Feb Saturday

6.01 SUV8 STORY

Bar Person amphed H lots of amphy backes into bin at 13.15. This was always been done the nort day nover after middle.

Club started to empty 10.65pm to 1.10am. Constant noise, show.

Giraching.

Original door in use. Barged 5lut everytime semicone came out.

Fright bible cuk. I was weeing against france.

Fright bible cuk. I was weeing against france.

Mini bus arrived. Lett engile running for 15 mins waiting on people.

Mark people to leave the club at 1.10am.

Cline (inally dosed at 115 when his went out-Fight looke out save lads van ille leaving to sitting outside drinking for I nour. They finally plagged a taxi at 105 am.

whereing: Bid they apply for externaion const is the normal true for cleaning.



#### **Licensing Act 2003**

#### **Licensing Act 2003 Sub-Committee Hearings**

#### **Procedure**

- 1. Appointment of Chair
- 2. Declarations of Interest
- 3. The Chair will identify and introduce himself/herself and the members of the Sub-Committee.
- 4. The Chair will invite the Licensing Officer and the parties to introduce themselves and their representatives in the order of:
  - (i) the Licensing Officer
  - (ii) the Applicant and any representatives
  - (iii) the responsible authorities and their representatives individually
  - (iv) the interested parties and any representatives individually, including any spokesperson.
- The Chair will ask the Licensing Officer to confirm that the Licensing Authority has sent and received all appropriate notices and supporting documentation.
- 6. If the Licensing Officer is unable to confirm the above, all other parties will be invited to confirm that all procedural requirements have been complied with. If any party is unable to do so, the Chair shall enquire as to why that should be so, and the Sub-Committee shall determine as to whether or not the hearing should proceed.
- 7. If any party has failed to attend the hearing, the Chair will enquire whether the reason for this is known, and if that party's intentions were recorded in the notice served by that party. The Sub-Committee will consider the reasons for the party's failure to attend

Moreover, in doing so, the Sub-Committee will be bound by the Licensing Act 2003 and the contents of the Hearings Regulations 2005.

- 13. The Licensing Officer will outline the facts of the application and relevant representations received from the parties.
- 14. Members of the Sub-Committee may ask questions of the Licensing Officer for clarification of the facts.
- 15. The Applicant or their representative will speak in support of the application. If, and to the extent that, cross-examination has been allowed it will then take place.
- 16. Members of the Sub-Committee and officers, including the Sub-Committee's legal advisor, may ask questions of the applicant or their representative.
- 17. The Chair will invite the responsible authorities to make their representations individually. If, and to the extent that, cross-examination has been allowed it will then take place.
- 18. Members of the Sub-Committee and officers, including the Sub-Committee's legal advisor, may ask questions of the responsible authorities individually.
- 19. The Chair will invite interested parties to make representations individually or in such order as may have been agreed, or through such spokesperson as may have been agreed, and in the case of more than one interested party, the Chair shall expressly enquire whether or not the interested party has anything further to add to the observations of any previous speaker or wishes to adopt their representations. If, and to the extent that, cross-examination has been allowed it will then take place.
- 20. Members of the Sub-Committee and officers, including the Sub-Committee's legal advisor, may ask questions of the interested parties individually and in the order in which they appeared or their spokesperson on their behalf.
- 21. Members of the Sub-Committee will consider whether or not they have any further questions to ask of any party or other person arising from the matters so far canvassed.

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#### METROPOLITAN BOROUGH OF WIRRAL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE -- 10 FEBRUARY 2006

#### REPORT OF THE DIRECTOR OF REGENERATION

NAME OF PREMISES:

ESWA CLUB, 54-56 PARK ROAD SOUTH, BIRKENHEAD

NAME OF APPLICANT:

**ESWA CLUB** 

#### 1.0 **EXECUTIVE SUMMARY**

The purpose of this report is to consider an application to vary a Club Premises 1.1 Certificate under the provisions of the Licensing Act 2003.

#### RELEVANT BACKGROUND 2.0

Under the transitional provisions of the Licensing Act 2003, the previous certificate has 2.1 been converted into a Club Premises Certificate to allow the premises to maintain the following Licensable Activities:

Supply of alcohol

Monday to Saturday

11.00am to 11.00pm 12noon to 10.30pm

28 th Jan Set. 1. 200m. 4th Feb Sat. 12.40 gm.

Sunday

2.2 Subsequent to the application to convert the existing certificate a separate application to vary the Club Premises Certificate has been received.

#### 3.0 **APPLICATION**

The application to vary the Club Premises Certificate is as follows: 3.1

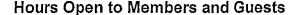
#### Supply of alcohol

Monday to Saturday

11.00am to 12.00midnight

Sunday

12.00noon to 11.30pm



Monday to Saturday

11.00am to 1.00am

Sunday

12.00noon to 12.30pn

Regulated Entertainment (Indoor Sporting Events, Live Music and Recorded Music)

Monday to Saturday

11.00am to 12.00midnight

Sunday

12.00noon to 11.30pm

Entertainment Facilities (Facilities for Making Music, Dancing and anything of a similar description)

Monday to Saturday

11.00am to 12.00midnight

Sunday

12.00noon to 11.30pm

#### 4.0 PROMOTION OF LICENSING OBJECTIVES

- 4.1 Applicants are required to submit as part of their application an operating schedule that sets out how they will conduct/manage their business in accordance with the four Licensing Objectives. A copy of the full application detailing the steps proposed by the applicant is available.
- 4.2 Members of the Licensing Act 2003 Sub-Committee are advised that the proposals set out in the operating schedule would become conditions of licence should the licence be granted.

#### 5.0 RELEVANT REPRESENTATIONS

5.1 The following Representation has been received in respect of the above application.

#### Interested Party - Local Residents

In respect of this application a petition has been received signed by nine local residents. The representation relates to noise from club patrons congregating outside the club. The petition received detailing the residents concerns is available.

5.2 There have been no representations received from the following Responsible Authorities:

Fire Authority
Wirral Area Child Protection Committee
Trading Standards
Planning Authority
Merseyside Police
Environmental Health

#### 6.0 FINANCIAL AND STAFFING IMPLICATIONS

6.1 A statutory fee has been paid in respect of the application, which goes towards administrative and enforcement costs.

#### 7.0 EQUAL OPPORTUNITIES IMPLICATIONS

- 7.1 There are none arising from this report.
- 8.0 LOCAL AGENDA 21 IMPLICATIONS
- 8.1 There are none arising directly from this report.

#### 9.0 LOCAL MEMBER SUPPORT IMPLICATIONS

9.1 The premises are located in the Claughton Ward.

#### 10.0 HUMAN RIGHTS IMPLICATIONS

10.1 Article 6, of the First Protocol, concerned with the right to a fair hearing, may be applicable.

- **COMMUNITY SAFETY IMPLICATIONS** 11.0
- Effective control of Licensing Legislation can assist in raising standards and improve the 11.1 perception of community safety.
- PLANNING IMPLICATIONS 12.0
- 12.1 There are no Planning Implications in respect of this application.
- **BACKGROUND PAPERS** 13.0
- Application form applying to vary a Premises Licence Operating Schedule. 13.1
- Petition received from local residents. 13.2
- **RECOMMENDATIONS** 14.0
- The Licensing Act 2003 Sub-Committee are asked to consider the application to vary a 14.1 Club Premises Certificate in respect of the above premises.

Alan Stennard Director of Regeneration

This report was prepared by Richard Leyland who can be contacted on 691 8478



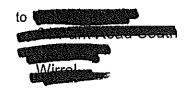
Department of Regeneration

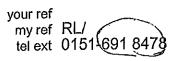
Alan Stennard Director of Regeneration

Town Hall, Brighton Street Wallasey, Wirral Merseyside, CH44 8ED Telephone: 0151-691 8478 Fax: 0151-691 8468 DX 708630 Seacombe Email: licensing@wirral.gov.uk

1.15am

date 27 January, 2006





please ask for Mr R Levland

Dear Sir/Madam

Norman Joughin Grunnementer 83)8 ESWA CLUB, 54-56 PARK ROAD SOUTH, BIRKENHEAD

I refer to the application to vary a Club Premises Certificate in respect of the above premises.

The application will be considered by the Licensing Act 2003 Sub-Committee on Friday 10 February 2006 in Committee Room 3, Town Hall, Brighton Street, Wallasey. You are, therefore, invited to attend the meeting in support of your representation.

The application will be considered at 10.00am, or as soon as possible thereafter having regard to the time taken by other applications which are being dealt with on that day by the Sub-Committee.

Please complete the attached form to advise if you are able to attend the above hearing and return it to the Licensing Authority no later than 6 February 2006. If you inform us that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence or where it considers it to be necessary in the public interest the Sub-Committee may adjourn the hearing to a specified date. This will also be the case if you fail to advise us of your intentions to attend or otherwise.

If you have given permission for someone else to attend the hearing on your behalf please also complete the attached form.

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You may also request permission for someone else to appear at the hearing if you consider that person could assist the authority in relation to your representation. If this is the case please provide notice of your intention on the attached form.

I attach for your information as follows:

The procedure to be followed at the hearing Licensing Act 2003 Sub-Committee Report

Clarification may be sought at the hearing regarding the representations you have made in respect of the application with particular reference to the following licensing objectives:

The Prevention of Crime and Disorder Public Safety The Prevention of Public Nuisance The Protection of Children from Harm

Yours faithfully

Licensing Officer

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LICENSING.

RICHARDLEYLAND @ WIRLAL. GOV. OK JOHNSHAM @WIRLAL. GOV. UK (ESFOREER)

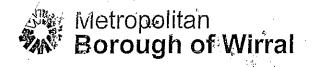
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MARGARET O'DONNELL Head ob dicensing

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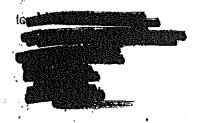


Borough Solicitor and Secretary's Department

P.G. Manson LLB Borough Solicitor and Secretary

Town Hall, Brighton Street Wallasey, Wirral\* Merseyside, L44 8ED Telephone: 0151-638 7070 Fax: 0151-691 8468 DX 708630 Seacombe

date 29 October, 1997





your rea

mv re, MC/CG GP/H4/18 tel ext 0151-691 8476

please ask for Mrs M Calvert

Dear Madam

#### **ESWA CLUB**

Thank you for your letter of 24 October 1997.

I have asked my Licensing Enforcement Officers to visit the ESWA Club to check on the private hire vehicles and taxis dropping off and picking up to ensure that as little disturbance as possible is caused. I have also passed your letter on to the Planning Department of the Council to respond to your comments on the sign.

Yours faithfully

M Council — M Council — M Council — M Council — M Borough Solicitor and Secretary

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Statement of: GAM JOSCEN	
Age if under 18: (if over 18 insert 'over	18') Occupation:
This statement (consisting of page(s) earned belief and I make it knowing that, if it is tend stated in it, anything which I know to be false or do	ach signed by me) is true to the best of my knowledge
Signature:	Date 5/3/09
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#### **ESWA**

Log of random telephone calls made to People who have booked functions in the Eswa Club Park Road South Birkenhead

Date Range October 12th 2008 until 3rd April 2009-

#### Function Date 12th October 2008

40<sup>TH</sup> Birthday party Stated that they are not a member of the Club but had attended Orange Lodge Meetings there in the past

#### Function Date 28th November 2008

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18<sup>th</sup> Birthday Party stated that they are not a member of the Club but had played darts there in the past and wrote down the number because room for hire.

#### Function Date 13th December 2008

Heard it was a pound a pint at the Eswa so he called at the premises three weeks before had a drink. Then booked it for 'shops' Christmas bash. Told at the time no late Licence because they already had 13.

#### Function Date 27th December 2008

Engagement Party booked by Non Member but he does have uncles Who are members of the Club.

#### Function Date 23rd January 2009

21st Birthday contacted contact stated that they are not a member of the Eswa Club

#### Function Date 21st February 2009

16<sup>th</sup> Birthday party Contacted stated had a 60<sup>th</sup> Birthday Party in the past so she just called and booked party as before. The contact is not a member of the Eswa Club

#### Function Date 6th March 2009

18<sup>th</sup> Birthday party. Contact stated the Club had now cancelled their booking following problems and the Police attendance at the club. They were not members of the Club.

Function Date 13<sup>th</sup> March 2009
18<sup>th</sup> Birthday Party. Person booking not listed as a member. Contact has not returned Police Call.

Function Date 14th March 2009

18<sup>th</sup> Birthday party Contact made, they are not members of the Club. Eswa have since rang and cancelled the function due to Police involvement. Person booking said he rang around many premises and was told that Eswa does 18th, s.

### Function date 03<sup>rd</sup> April 2009

Wedding contact made with person booking. She was told that she would have to become member to book function. She paid member ship up front. No membership entry in the members list or in envelope of pending members. She stated her Mother in law is a member anyway.

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54/56 PARK ROAD SOUTH

BIRKENHEAD

0151 652 4424

PARTY BOOKING FORM

NAME.
ADDRESS.
TEL/NO.
DETAILS OF PARTY 18th Party
DATE OF PARTY 6th March 09 APPROX NO'S 50-80
DO YOU REQUIRE? DISCO. 108 CATERING.
ROOM HIRE £50 PLUS DEPOSIT £50 refundable if no damage.
ROOM HIRE FOR FUNERALS FREE
(free room hire for members but deposit still required to secure date)

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#### 54/56 PARK ROAD SOUTH

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#### PARTY BOOKING FORM

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(free room hire for members but deposit still required to secure date)

# Membership Paperwork

# Membership Forms

Renewals and New Members

# Membership Paperwork

# Membership Forms

Renewals and New Members

Membership fees for the period 1st March 2009 to 28th February 2010 are now being accepted.

#### Current Fees are:

£7.00 Single Membership £8.50 Double Membership £2.50 Pensioner Membership £3.00 Double Pensioner Membership

\*New Life Time Membership Offer (See Below)\*

Please complete an application form available from the bar and return with your payment.

Due to licensing laws all patrons of the club must either be paid up members or signed in as a guest. (A 50p visitor's fee is applicable)

\*\*\*\*\*\*\*\*\*\*\*\*\*\*

# New Life Time Membership Offer \*

\*\*\*\*\*\*\*\*\*\*

As you may have noticed the club has had a new central heating system installed due to the old boiler breaking down. Why not help your club and save yourself money by applying for a Lifetime Membership? This will not only help the club pay off the new heating system earlier, but, will ensure that your cost of membership does not rise over the years.

Under 35's - a one off fee of £75 Under 45's - a one off fee of £65 Under 55's - a one off fee of £55 Under 65's - a one off fee of £45

Membership cards must be produced on demand and non-members must be signed in the guest book (50p fee applicable) at all times.

# BERSHESARE

Membership fees for the period 1<sup>st</sup> March 2009 to 28<sup>th</sup> February 2010 are now being accepted.

#### **Current Fees are:**

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\*New Life Time Membership Offer (See Below)\*

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\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\***\*** 

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Under 35's - a one off fee of £75 Under 45's - a one off fee of £65 Under 55's - a one off fee of £55 Under 65's - a one off fee of £45

Membership cards must be produced on demand and non-members must be signed in the guest book (50p fee applicable) at all times.

#### Membership Application/Renewal

#### \* Required Fields

\*\* Delete as appropriate if you want to receive emails of events and information about the ESWA and enter your email address in the space provided.

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#### Membership Application/Renewal

\* Required Fields

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#### Membership Application/Renewal

\* Required Fields

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#### Membership Application/Renewal

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Accepted	Paid	Number#1
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# Membership Application/Renewal

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### Membership Application/Renewal

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#### ESWA MEMBERSHIP APPLICATION

NAME BARRY CLIFTON
ADDRESS & RAVENSCROFT LOAT
CHUZ HXY
PHONE NO. OUS - SIZ-1408

SINGLE MEMBERSHIP £5
DOUBLE MEMBERSHIP £6.50
O A P
O A P DOUBLE
£2.50



## ESWA MEMBERSHIP APPLICATION

NAME STEVE EDGE
ADDRESS & FRANCIS AVENUE
CH43 HXL
PHONE NO. 0.787 321 4710

SINGLE MEMBERSHIP £5
DOUBLE MEMBERSHIP £6.50
O A P £2

O A P DOUBLE

£2.50

### ESWA MEMBERSHIP APPLICATION

1, .,

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O A P DOUBLE

NAME. BARRY CLIFTON
ADDRESS. I. RAVENSCROFF LOAF

CH43 LAXY

PHONE NO. 0157 - 513-1408

SINGLE MEMBERSHIP £5

DOUBLE MEMBERSHIP £6.50

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## ESWA MEMBERSHIP APPLICATION

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#### Membership Application/Renewal



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Membership cards must be presented on request and non-members must be signed into the club and details entered in the visitor's book. (50p fee applies)

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#### Membership Application/Renewal

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Membership cards must be presented on request and non-members must be signed into the club and details entered in the visitor's book. (50p fee applies)

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#### Membership Application/Renewal

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Membership cards must be presented on request and non-members must be signed into the club and details entered in the visitor's book. (50p fee applies)

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### Membership Application/Renewal

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#### Membership Application/Renewal



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#### Membership Application/Renewal



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#### Membership Application/Renewal

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#### Membership Application/Renewal

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#### Membership Application/Renewal

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### Membership Application/Renewal

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Membership cards must be presented on request and non-members must be signed into the club and details entered in the visitor's book. (50p fee applies)

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Membership cards must be presented on request and non-members must be signed into the club and details entered in the visitor's book. (50p fee applies)

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#### Membership Application/Renewal

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Membership cards must be presented on request and non-members must be signed into the club and details entered in the visitor's book. (50p fee applies)

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### Membership Application/Renewal

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Membership cards must be presented on request and non-members must be signed into the club and details entered in the visitor's book. (50p fee applies)

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#### Membership Application/Renewal

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Membership cards must be presented on request and non-members must be signed into the club and details entered in the visitor's book. (50p fee applies)

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Membership cards must be presented on request and non-members must be signed into the club and details entered in the visitor's book. (50p fee applies)

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### Membership Application/Renewal

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### Membership Application/Renewal

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Membership cards must be presented on request and non-members must be signed into the club and details entered in the visitor's book. (50p fee applies)

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#### Membership Application/Renewal

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Membership cards must be presented on request and non-members must be signed into the club and details entered in the visitor's book. (50p fee applies)

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#### Membership Application/Renewal

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Membership cards must be presented on request and non-members must be signed into the club and details entered in the visitor's book. (50p fee applies)

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#### Membership Application/Renewal

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Membership cards must be presented on request and non-members must be signed into the club and details entered in the visitor's book. (50p fee applies)

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#### Membership Application/Renewal

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#### Membership Application/Renewal

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### Membership Application/Renewal

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### Membership Application/Renewal

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Membership cards must be presented on request and non-members must be signed into the club and details entered in the visitor's book. (50p fee applies)

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### Membership Application/Renewal

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Membership cards must be presented on request and non-members must be signed into the club and details entered in the visitor's book. (50p fee applies)

Accepted Card Issued	Paid Book Entry	Number#1 Number#2	

#### Membership Application/Renewal

\* Required Fields

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Membership cards must be presented on request and non-members must be signed into the club and details entered in the visitor's book. (50p fee applies)

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#### Membership Application/Renewal

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#### Membership Application/Renewal

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Membership cards must be presented on request and non-members must be signed into the club and details entered in the visitor's book. (50p fee applies)

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### Membership Application/Renewal

#### \* Required Fields

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#### Membership Application/Renewal

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Membership cards must be presented on request and non-members must be signed into the club and details entered in the visitor's book. (50p fee applies)

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