

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

912111

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/we MARCUS BENROSE being the premises licence holder, apply to vary a
(Insert name(s) of applicant)
premises licence under section 34 of the Licensing Act 2003 for the premises
described in Part 1 below

Premises licence number

LN/205000305

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference, or description	
TERRACE C 184 TELEGRAPH ROAD	
Post town	Post code
HESWALL, WIRRAL	CH60 0AJ

Telephone number at premises (if any)

0151 342 0920

Non-domestic rateable value of premises

£ 10,000

Part 2 – Applicant details

Daytime contact telephone number

0151 342 2340

E-mail address
(optional)

marcusb@bbhsolicitors.co.uk

Current postal
address if
different from
premises address

BBH SOLICITORS, EASTHAM HALL,
EASTHAM VILLAGE, EASTHAM

Post Town

WIRRAL

Postcode

CH62 0AF

Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible?

Please tick Yes



If not do you want the variation to take effect from

Day	Month	Year

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

--

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

TO EXTEND OPENING HOURS OF THE PREMISES LICENCE BY HALF AN HOUR EACH EVENING:

SUNDAY - THURSDAY - 11AM THROUGH TO 1AM.

FRIDAY/ SATURDAY - 11AM THROUGH TO 1.30 AM

TO EXTEND SALE BY RETAIL OF ALCOHOL BY HALF AN HOUR:

SUNDAY - THURSDAY - 11AM THROUGH TO 12.30

FRIDAY/ SATURDAY - 11AM THROUGH TO 1.00

TO EXTEND THE PERMITTED HOURS FOR LIVE MUSIC, RECORDED MUSIC, PERFORMANCE OF DANCE, ANYTHING OF A SIMILAR DESCRIPTION:

SUNDAY - THURSDAY - 11AM THROUGH TO 12.30

FRIDAY/ SATURDAY - 11AM THROUGH TO 1.00

TO EXTEND THE PERMITTED HOURS FOR FACILITIES FOR MAKING MUSIC, FACILITIES FOR DANCING, ENTERTAIN FACILITIES OF A SIMILAR DESCRIPTION:

SUNDAY - THURSDAY 11AM THROUGH TO 12.30

FRIDAY/ SATURDAY 11AM THROUGH TO 1.00

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick ✓ yes

- | | | |
|----|---|-------------------------------------|
| a) | plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) | films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) | indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) | boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) | live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) | recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) | performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) | anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Provision of entertainment facilities for:

- | | | |
|----|---|-------------------------------------|
| i) | making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) | dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) | entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K) | <input checked="" type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)

☐

Sale by retail of alcohol (if ticking yes, fill in box M)

☒

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					

Sun			

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11 AM	01-00	Please give further details here (please read guidance note 3)		
Tue	11 AM	01-00			
Wed	11 AM	01-00			
Thur	11 AM	01-00	State any seasonal variations for the performance of live music (please read guidance note 4) BOXING NIGHT THROUGH TO 03-00 AM		
Fri	11 AM	01-30			
Sat	11 AM	01-30	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) THE DAY IMMEDIATELY PRE-CEEDING A BANK HOLIDAY AND ALL BANK HOLIDAYS THROUGH TO 1-30 AM		
Sun	11 AM	01-00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11 AM	1-00	Please give further details here (please read guidance note 3)		
Tue	11 AM	1-00			
Wed	11 AM	1-00			
Thur	11 AM	1-00	State any seasonal variations for playing recorded music (please read guidance note 4) BOXING NIGHT THROUGH TO 03-00.		

Fri	11 AM	01-30	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) THE DAY IMMEDIATELY PRE-CEEDING A BANK HOLIDAY THROUGH TO 01-30 EVERY PUBLIC BANK HOLIDAY THROUGH TO 01-30
Sat	11 AM	01-30	
Sun	11 AM	01-00	

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both			
Mon	11 AM	01-00	Please give further details here (please read guidance note 3)			
Tue	11 AM	01-00				
Wed	11 AM	01-00				
Thur	11 AM	01-00	State any seasonal variations for the performance of dance (please read guidance note 4) BOXING DAY THROUGH TO 08-00			
Fri	11 AM	01-30				
Sat	11 AM	01-30	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) THE DAY IMMEDIATELY PRE-CEEDING A BANK HOLIDAY AND ALL BANK HOLIDAYS THROUGH TO 01-30			
Sun	11 AM	01-00				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing			
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)		Indoor	<input checked="" type="checkbox"/>
					Outdoor	<input type="checkbox"/>
Mon	11 AM	00-30			Both	<input type="checkbox"/>

Tue	11 AM	01-00	Please give further details here (please read guidance note 3)
Wed	11 AM	01-00	
Thur	11 AM	01-00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Fri	11 AM	01-30	
Sat	11 AM	01-30	Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)
Sun	11 AM	01-00	
			BOXING NIGHT THROUGH TO 03-00 THE DAY IMMEDIATELY PRE-CEEDING A BANK HOLIDAY AND ALL BANK HOLIDAYS THROUGH TO 01-30.

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing	
			Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon	11 AM	01-00	Please give further details here (please read guidance note 3)	
Tue	11 AM	01-00		
Wed	11 AM	01-00	State any seasonal variations for the provision of facilities for making music (please read guidance note 4)	
Thur	11 AM	01-00		
Fri	11 AM	01-30	Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	11 AM	01-30		
Sun	11 AM	01-00	BOXING NIGHT THROUGH TO 03-00 THE DAY IMMEDIATELY PRE-CEEDING A BANK HOLIDAY AND ALL BANK HOLIDAYS THROUGH TO 01-30	

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing			
Mon	11 AM	01-00	Please give further details here (please read guidance note 3)			
Tue	11 AM	01-00				
Wed	11 AM	01-00				
Thur	11 AM	01-00	State any seasonal variations for providing dancing facilities (please read guidance note 4) BOXING DAY THROUGH TO 03-00			
Fri	11 AM	01-30	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) THE DAY IMMEDIATELY PRE-CEEDING A BANK HOLIDAY AND ALL BANK HOLIDAYS THROUGH TO 01-30			
Sat	11 AM	01-30				
Sun	11 AM	01-00				

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing			
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick [Y] (please read guidance note 2)		Indoor	<input checked="" type="checkbox"/>
					Outdoor	<input type="checkbox"/>
Mon	11 AM	01-00			Both	<input type="checkbox"/>

Tue	11 AM	01-00	Please give further details here (please read guidance note 3)
Wed	11 AM	01-00	
Thur	11 AM	01-00	
Fri	11 AM	01-30	State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4) BOXING NIGHT THROUGH TO 02-00
Sat	11 AM	01-30	Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5) THE DAY IMMEDIATELY PRE-CEEDING A BANK HOLIDAY AND ALL BANK HOLIDAYS THROUGH TO 01-30.
Sun	11 AM	01-00	

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [X] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) BOXING NIGHT THROUGH TO 02-30		
Mon	11AM	00-30			
Tue	11AM	00-30			
Wed	11AM	00-30			
Thur	11AM	00-30			
Fri	11AM	01-00			
Sat	11AM	01-00			
Sun	11AM	00-30	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) THE DAY IMMEDIATELY PRECEEDING A BANK HOLIDAY AND ALL BANK HOLIDAYS THROUGH TO 01-00.		

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) BOXING DAY THROUGH TO 03-00.
Day	Start	Finish	
Mon	11AM	01-00	
Tue	11AM	01-00	

Wed	11AM	01-00	<p>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p> <p>THE DAY IMMEDIATELY PRE-CEEDING A BANK HOLIDAY, AND ALL BANK HOLIDAYS THROUGH TO 01-30.</p>
Thur	11AM	01-00	
Fri	11AM	01-00	
Sat	11AM	01-30	
Sun	11AM	01-30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

I have enclosed the premises licence

Please tick ☒ yes

I have enclosed the relevant part of the premises licence

☐

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

WE ARE PARTICULARLY VIGILANT WITH
POTENTIAL UNDERAGE DRINKERS AND ABIDE
BY ALL THE RELEVANT I.D. CHECKS

b) The prevention of crime and disorder

WE HAVE CCTV CAMERAS INSTALLED INSIDE AND OUTSIDE THE
PREMISES. IN THE EVENT OF ANY INSTANCES OF CRIME AND
DISORDER THESE WILL BE REPORTED TO THE POLICE AS SOON
AS REASONABLY PRACTICABLE.

WE DO NOT PERMIT ANY IRRESPONSIBLE DRINK PROMOTIONS EG -
ALL INCLUSIVE NIGHTS. WE WILL NOT ALLOW ENTRY TO
INTOXICATED MEMBERS OF THE PUBLIC OR CONTINUE
TO SERVE ALCOHOL TO SOMEONE WE FEEL HAS HAD TOO MUCH.

c) Public safety

WE HAVE CONDUCTED A SUITABLE FIRE RISK
ASSESSMENT AT THE PREMISES AND CARRIED OUT
THE NECESSARY CONTROL MEASURES. WE HAVE ALSO
ENSURED THAT MEMBERS OF STAFF ARE FULLY
TRAINED IN THE EVENT OF AN EMERGENCY TO ENSURE
A SAFE EXIT TO ALL MEMBERS OF THE PUBLIC.

d) The prevention of public nuisance

WE ENSURE CUSTOMERS LEAVE THE PREMISES SAFELY AND
QUIETLY. WE ENSURE MUSIC ON THE TERRACE IS
SWITCHED OFF AT 22:30 AND ALL WINDOWS AND
DOORS ARE SHUT. WE ENSURE NOISE VIBRATION FROM
THE PREMISES IS MAINTAINED AT A LEVEL THAT IS NOT AUDIBLE
FROM ANY NEIGHBOURING NOISE SENSITIVE PREMISES. AND THAT ALL
VENTILATION/EXTRACTION SYSTEMS ARE MAINTAINED AS TO PREVENT
ANY NOXIOUS SMELLS CAUSING NUISANCE TO NEARBY PROPERTIES.

e) The protection of children from harm

WE OPERATE A STRICT 18 PLUS AND
ARE VIGILANT WITH I.D.

Please tick ✓ yes

- I have made or enclosed payment of the fee ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☐
- I understand that I must now advertise my application ☒
- I have enclosed the premises licence or relevant part of it or explanation ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

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

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature

M Ben

Date

26/2/09

Capacity

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Post town

Post code

Telephone number (if any)

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

[REDACTED]
Heswall
Wirral
Cheshire
[REDACTED]

24.03.09

The Licensing Authority
Town Hall
Brighton Street
Wallasey
cc. Mr Toby Zorn
Noise Pollution Officer
Wirral Borough Council

27.03.09

LC

Reference application to vary a Premises Licence in respect of
Terrace C of 184 Telegraph Road, Heswall CH60 0AJ.

To whom it may concern;

Further to the above application I would like the following points and objections to be taken into account regarding any variation(s) at the above premises.

The premises occupied by Terrace C, the subject of this application, are within approximately one hundred yards of my residential property.

Unfortunately all the noise from the open 1st floor terrace at the rear of Terrace C is funnelled down Pye Road by the flats on the corner of this road. This directly impacts on my property and that of my adjoining neighbour at 4 Downham Road South.

In the past the levels of noise have been so great from live music and late night revellers at this bar that the police have attended the premises.

Mr Zorn, Pollution Noise Control Officer of Wirral Borough Council, wrote to the applicant with a noise abatement notice on 15.11.06 as a direct result of police confirmation of the facts from the night of 30.10.06.

The noise levels reduced for a few weeks but gradually increased again over the following period until I complained again to Mr Zorn on 10.08.07. The noise was so great that sleeping until after 12.30 was impossible unless all double glazed windows were shut.

Continuation sheet 1

Mr Zorn attended my property on 7.09.07 and monitored the noise from Terrace C at that time.

At 10.40 pm the noise level was below that of a statutory nuisance, reaching 42.9 DB by 11.20 pm

At 11.45 pm the noise level reached an LA maximum of 61DB.
(Considered to be a statutory nuisance)

Monitoring again took place on 25.09.07 when similar noise levels were taken at the earlier time and stayed the same later at night. Mr Zorn again attended my property on 8.11.07 and spoke with the manager at Terrace C shortly after regarding the high level of noise from their premises. Discussions regarding some form of sound proofing screens were brought up.

The noise levels were kept semi acceptable again for a couple of months then started rising again.

This reached a peak on a Sunday night when even a conversation outside my house was impossible due to the noise. I went to Terrace C at 11.30 pm and told the bar staff to ask the manager, who could not be found at this time, to close the doors onto the outside terrace, turn the music down and quieten the revellers on the outside terrace.

I again spoke with Mr Zorn on 11.08.08 regarding the noise on this occasion. He spoke with the manager of the applicants premises on 12.08.08, again advising the need to lessen noise levels at night. Mr Zorn advised me to monitor sound levels. Since this time the noise has not decreased by any great margin and I now just go to bed much later or sleep with all windows shut. Surely this cannot be acceptable.

The terrace at Terrace C has roof screens and fabric part side screens. It would appear that the roof screens are pulled over the outside terrace area when inclement weather such as wind or rain etc. but the side screens are left folded in the closed position leaving the sides of the terrace open, possibly to appease the no smoking legislation requirements regarding enclosed areas. When the side screens are in their sound proofing position there is a slight reduction in noise levels at my property.

Continuation sheet 2

Of all the licensed premises including restaurants, bars and public houses in the vicinity of my property it is only Terrace C that causes night time disturbance regarding noise etc. both during opening hours and also when the revellers leave the premises.

I feel that to vary the opening and alcohol licence in conjunction with the music licence will only increase the noise and disturbance level at my property.

If on renewal of any licence at Terrace C the provision of extra side screen sound proofing could be enforced as a condition of licensing this would be greatly appreciated.

Any extension or variation of hours would encourage more smokers who attend the applicants premises later at night when other (and non smoking) bars close as this is the only bar with outside roofing locally. This would only add to the numbers on the open area of the terrace creating yet more noise.

My family have lived at this address since 1964 and have little objection to development and changes on the high street of Heswall, in fact the addition of restaurants etc. has added to the diversity of the town, but Terrace C has created an ongoing noise problem which unfortunately is so haphazard in its levels and timing that it seems to be very difficult for the relevant authorities to deal with.

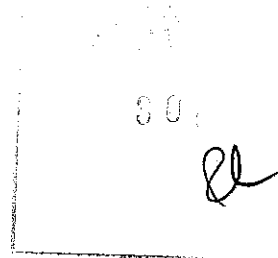
I sincerely trust and hope the licensing authority can bring its weight to bear in this matter and oppose the variation of licence and view the contents of this letter when renewal of licence is due.

Yours Faithfully,

A large, solid black rectangular redaction mark covering the signature and any text that might have been present below the signature line.

25th March 2009

The Licensing Authority
Town Hall
Brighton Street
Wallasey



Dear Sirs

Re: - Application to Vary Premises Licence @ Terrace C – 184 Telegraph Road, Heswall

I refer to the above and would very much like to object to the variation of the licence for the reasons contained below:-

I am resident as can be seen from my address with a family, the premises the subject of the application is within 100 yards of my property and is within a residential area.

When Terrace C first opened it was a quiet Restaurant entertaining middle class people, however, over the past years it has become a bar/nightclub for the far younger generation.

The music from the premises is played loud and late and can be heard from my property disturbing my family.

The premises has the benefit of an "open roof" (side\roof material canopies which are used periodically) which is to the side of the premises backing onto Pye Road with seating, tables, patio heaters and more to the point SPEAKERS!

I cannot understand if this section of the premises is for drinking, entertaining or for the use of smokers as it is neither a confined space nor open.

I myself have on numerous occasions have attended the premises to ask the DPS\Licensee to turn down the volume of their music. The music is not only loud but is sometimes played into the early hours of the morning.

Before today I have telephoned the Police regarding the noise and even the person who took my call could hear the music.

I believe that my next-door neighbour has had dealings with Pollution Noise Control at Wirral Borough Council and has had the noise monitored over a period of time.

There are very many public houses/restaurants within Heswall, however, Terrace C seems to be the only one that brings noise and music to excess level.

I believe if a Variation is granted to these premises then the noise would increase and disturb the neighbourhood even more and maybe attract underage drinking.

I sincerely hope that the point raised in this letter are indeed adhered to.

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]