

Dear Malcolm,

Further to our communication regarding the above premises please see my comments below. I would appreciate it if you could confirm agreement or otherwise with the recommended conditions by copying Licensing into your response;

The full variation application for the above premises has been reviewed. I understand the proposal is to amend the plans that accompany the premises licence in order to permit sales of alcohol in external areas. Further information on the current layout and use of the external area was requested from the applicants solicitor and this information has been provided.

The application site is in close proximity to a number of noise sensitive residential premises. There is a history of noise complaints relating to activities at the application premises. In addition to noise from within the premises, the Council has been in receipt of a number of complaints relating to noise from the external areas. There exist a number of noise sensitive residential premises with bedrooms overlooking the external areas to the rear of the site. The majority of these bedrooms have a direct line of sight to the proposed external areas. There also exist noise sensitive residential premises overlooking the front and side of the application premises.

It is inevitable that noise from patrons in the external areas of the premises will have a negative impact upon the occupants of adjacent residential premises thus resulting in public nuisance. The noise from external areas, if not adequately controlled would negatively impact upon residents within their homes both indoors and outdoors, especially in the evenings. This would also be the case on weekends and public holidays, especially so in the Summer months when residents would expect to spend quiet enjoyment time in their gardens/balconies/amenity spaces and would be more likely have windows open.

The Pollution Section therefore has some reservations regarding this application which is likely to be subject to a planning application. In order to address the noise concerns relating to the site, the following recommended conditions would be required to be attached to the licence:

PPN3

Noise from music and associated sources(including DJ's and amplified voices) must not be audible to such an extent that it constitutes a nuisance at any noise sensitive properties.

PPN4

Doors and windows of the premises shall be closed after 23.00 hours on any day (except for access/egress).

PPN6

There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, (or member and their guests) notices requiring customers to leave the premises and the area quietly.

PPN9

Use of external areas at the rear of the premises as outlined on the plan submitted with this application should not be permitted beyond 2100 hours.

Additional conditions:

- Use of external areas to the front and side of the premises as outlined on the plan submitted with this application should not be permitted
- No amplified music / sound / speakers shall be permitted to any external part of the site.
- The applicant shall submit for approval, prior to the commencement of use, a noise management plan for the external areas. The noise management plan shall be implemented at all times that these areas are in use.

Kind Regards

Nasreen Ali
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