

Stewart Broome

Subject: FW: Hereward, Ely - New Premises Licence (extension of hours) - EHO request for conditions

From: Suraj Desor

Sent: 23 November 2018 15:44

To: Karen See <Karen.See@eastcambs.gov.uk>

Cc: Helen Ward

Subject: Hereward, Ely - New Premises Licence (extension of hours) - EHO request for conditions

Dear Karen,

Thank you for your email and requested conditions. As mentioned in my previous email, the application has already been submitted as per the draft. However, my colleague Helen Ward will be dealing with this matter on her return next week and will look to discuss your request for additional conditions with you and take instructions from our Client as appropriate.

I have copied Helen in for reference.

Kind regards.

Suraj Desor

Suraj Desor | Solicitor

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From: Karen See [<mailto:Karen.See@eastcambs.gov.uk>]

Sent: 23 November 2018 10:51

To: Suraj Desor; Helen Ward

Cc: Christopher Smith

Subject: Hereward, Ely - New Premises Licence (extension of hours) - Finalised draft application for reference and comments

Dear Sirs,

In principal I would not have a formal objection to the proposal to increase opening hours to 0300 hours on Fri-Sat and 0100 hours on Thu and Sunday and midnight on the other days. However I would wish to see certain conditions

attached to any application (in addition to those you have already suggested) that would assist in ensuring that music noise does not emanate from the site to cause a nuisance to neighbouring residents.

You state that a new condition requiring door supervisors to be employed with body cams would help achieve the licensing objectives but this would not cover public nuisance from music emanating from the site. The use of door staff is proposed on a risk assessment basis and would therefore be relevant to crime and disorder issues, not how loud any music is, emanating from the site.

One of our main concerns is the potential for disturbance from the use of the external area and the breakout of music noise when this side door is opened and closed. You will adequately address the noise from patrons using the external seating area by retaining the conditions that restrict its use after 2200 hours, however if music is continuing much later inside the premises there is the risk that every time someone enters or leaves the premises the music will break out and cause disturbance. Therefore it would be appropriate for controls to be placed on the times that this side door could be used for normal entry and exit. I am therefore recommending it is restricted in its use after 2300 when regulated entertainment is occurring, for example when there is a live band or a karaoke night. The front entrance is more suitable for use late at night. Emergency exit from the side door would however not have to be compromised.

The following conditions are in line with other premises in similar situations and would provide some assurances that noise levels were being controlled and systems are put in place to require staff to properly monitor and, if applicable, moderate the levels at the site.

I would propose the following as suitable conditions to achieve this:

Prevention of Public Nuisance

1. Noise or vibration from licensable activities must not emanate from the premises so as to cause a nuisance to nearby premises.
2. Live or recorded music shall either cease at midnight on any night or if continuing after midnight it shall not be audible to the external of the premises when windows and doors are closed.
3. Regular aural monitoring of noise levels to take place outside the premises during events involving regulated entertainment by a member of the management team or an appointed member of staff and appropriate measures taken to reduce and control noise emissions at that time if considered to be a breach of condition 1 or if likely to cause excess disturbance to neighbouring properties.
4. An appropriate person to be made responsible for maintaining appropriate written monitoring records of noise levels during regulated entertainment and such records to be made available to the Local Authority on request.
5. Recorded or live music for the final 30 minutes on any night to be reduced to a levels that are considered to be background levels inside.
6. Doors to the external and to internal lobby areas to be fitted with self-closing mechanisms and devices to ensure quiet self-closing.
7. All doors and windows, except when used for entry or exit, shall be kept closed during regulated entertainment.
8. The side door shall not be used for entry or exit after 2300 hours on any night, except in the case of an emergency.
9. Clear and legible notices to be prominently displayed at all premises exits requesting patrons to respect the needs of local residents and to leave the premises quietly.
10. The placing of refuse and empty bottles into outside receptacles shall not take place during the night-time hours of 23:00 and 07:00 to minimize disturbance to nearby properties.
11. Clear and legible notices to be prominently displayed in the smoking area of the premises requesting patrons to respect the needs of local residents and to act in an appropriate manner and keep noise to an acceptable level whilst in the smoking area.

12. Lighting provided in the outside areas to be designed and sited so as not to cause excess glare or light overspill onto neighbouring properties.

Please contact me should you wish to discuss any of the above points.

Kind regards

Karen See

Senior Environmental Health Officer (P/T) Alternate Weds, Thurs and Fridays.

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