

Memorandum

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| To: | From : | Community Safety |
| c.c | Contact : | Mr Karl Martin |
| c.c. | Ext : | 01803 208010 |
| c.c | My Ref : | 1ZV SRU No: 159590 |
| For the attention of: Licensing Steve Cox | Your Ref : | |
| | Date : | 1 st April 2011 |

Subject: Premises– Licensing Act 2003

Premises Name & Address: Lighthouse and Fusion , 26 Esplande Road, Paigton, Devon, TQ4 6BG.

- a) I have no comments to make on the above application

- b) The application does not meet the following licensing objectives:
 - i) Prevention of crime and disorder
 - ii) Protection of children from harm
 - iii) Public safety
 - iv) Prevention of public nuisance

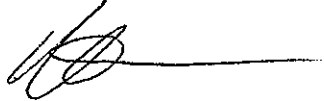
I write in regards to an application for a Variation of the Premises Licence in respect of the above named premises.

Having considered the application I do not wish to formally object to the application, however I do feel it is appropriate to suggest conditions are added to the licence. This department has received a number of noise complaints in the last 12 months from a local resident. A noise diary was sent to the complainant, however the diary was not returned. Objections letters received from interested parties suggest there is still an on-going problem with noise. I have spoken with the resident who did not return a diary sheet and I am satisfied with their reason for not returning the diary sheet. Although I cannot present at this stage conclusive evidence of a statutory nuisance occurring, I anticipate based on evidence being presented by local residents there is a reasonable risk of noise nuisance occurring in the future and thereby undermining the licensing objectives.

For this reasons I feel in the event the licence is granted the following conditions should be imposed in order that the licensing objectives are met.

1. Noise or vibration shall not emanate from the premises as to cause persons in the neighbour hood to be unreasonably disturbed. Noise should not be audible within any noise sensitive premises with windows opens for normal ventilation especially after 23:00hrs. The criteria applied, from boundary to nearest residential property are:
 - (i) Before 23:00 – Noise emanating from the premises shall not be clearly distinguishable above other noise.
 - (ii) After 23:00 – Noise emanating from the premises shall not be clearly distinguishable above background levels of noise.
 - (iii) The local Authority shall reserve the right in case of tonal noise and where premises are attached to others to make further assessments from within the premises.

2. The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the licensee/Management and the controlling mechanisms shall be operated from a part of premises not accessible to the public.



Kind Regards
Karl Martin
Health and Safety Officer