

Subject: Seamus O'Donnells - 27056

Dear Sirs,

Please find below an objection to Seamus O'Donnells request for licence extension, until 3am, apologies if this is late but the torquay web portal has experienced technical difficulties for the past few weeks, meaning the variation could not be viewed

My objection is on the grounds of the prevention of public nuisance.

The licensing act 2003 explicitly states

"public nuisance, the 2003 act considers that appreciation must be given to persons living in the vicinity wrt noise nuisance, and conditions should be tailored to the individual premises."

Torbay Council has a policy for dealing with noise and follows the 'Principle' that citizens of Torbay can reasonably expect to be protected from significant loss of amenity due to noise and vibration.

The licencing act 2003 guidance clearly states it protects local residents whose lives can be blighted by disturbance and anti-social behaviour associated with the behaviour of some people visiting licensed premises. Its local implementation across all agencies is aimed at reducing drunkenness and disorder.

The licensing act also encourages staggered closing times, where the application is seeking to harmonise this with other venues, resulting in increased migration between bars.

Whilst the premises has a current licence, evidence, through personal statements and video evidence has been given to environmental health over the past 11 months, which includes disturbances in terms of rowdy customers that migrate along the harbour side to Queens Quay. Environmental health has this diary but has not taken formal action, which is being dealt with separately.

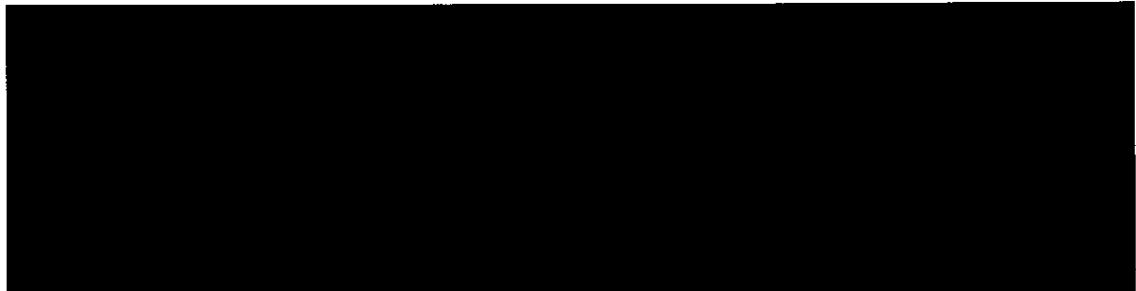
The premises is in the cumulative impact area, which is designed to "reduce" the continuing expansion, at the detriment of others the night time economy.

Specifically, there is no limit on re-entry, no condition to be part of radio network, no door staff requirements, no demonstration of measures for prevention of crime / disorder, or public safety.

The premises has a reputation with doorway speakers for disturbing the local enjoyment of amenity ie the harbour.

As I have spent in excess of 10 percent of my holiday so far this year attending reviews, and given I work away during most weeks, and given the current economic climate, can a presence be arranged via telecom, giving me fair access to represent myself in any review.

I can also, and/or environmental health provide a diary over the past 11 months on noise issues witnessed and the material impact on myself as a resident.



The property is one of 7 flats owned by signpost housing association [redacted] to Seamus O'donnell pub. I have been suffering from late night noise from Seamus O'donnell pub for the last couple of years and have been in touch with both Garath Fudge from torbay council and Adrian Sanders (reference, SRU 161620/GDF) to try and get them to keep their noise down. After my communications with Adrian Sanders Their noise levels have finally come down, I understand from Garath Fudge that Seamus O'donnell pub are now applying for a late license and would like to object to this as it would cause distress to myself and other residents here at harbour view flats.

I hope to hear back from you on this matter,



30/11/2011
