

Memorandum

To: Licensing	From :	Community Safety
c.c	Contact :	Mr Gareth Fudge
c.c.	Ext :	01803 208010
c.c	My Ref :	1ZV SRU No: 165140/GDF
For the attention of: Licensing Steve Cox	Your Ref :	
	Date :	30 August 2011

Subject: Premises– Licensing Act 2003

**Premises Name & Address: Parkfield House, , 38 Esplanade Road,
Paignton, Devon, TQ3 2NH**

- 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 am concerned that the proposals for holding performances of live and amplified music outdoors would lead to public nuisance to local residents in the vicinity. I would therefore, recommend that the following conditions be attached to the licence.

Noise or vibration will not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. In general terms, noise from the premises should not be audible within any noise sensitive premises (e.g. dwelling) with windows open for normal ventilation especially after 11pm. This will be assessed from the boundary to the nearest residential properties, on all sides of the licensed premises. The criteria that will be applied are;

- i. Before 11pm – Noise emanating from the premises will not be clearly distinguishable above other noise.
- ii. After 11pm – Noise emanating from the premises will not be distinguishable above background levels of noise.
- iii. The local authority will reserve the right in cases of tonal noise and where premises are attached to others (i.e. semi's and terraced properties), to make further assessments from within the residential property.

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 mechanism shall be operated from a part of the Premises not accessible to the public.

Patrons will be asked not to stand around talking in the street outside the premises or any car park; and asked to leave the vicinity quickly and quietly.

Mr Gareth Fudge
Senior Environmental Health Officer