

Memorandum

To:	TORBAY COUNCIL	From :	Community Safety
c.c	21 APR 2017	Contact :	Mr Karl Martin
c.c.		Ext :	01803 208025
c.c	COMMUNITY SAFETY	My Ref :	1ZV SRU No: 237190/KJM
For the attention of: Licensing Gary O'Shea		Your Ref :	
		Date :	21 ST April 2017

Subject: Premises– Licensing Act 2003
Premises Name & Address: New premises licence application for Bolton Hotel, New Road, Brixham, TQ5 8LT

Dear Gary

I wish to make representation under the licensing objective 'The Prevention of Public Nuisance'.

In March 2016 an application to extend the hours for alcohol and regulated entertainment was heard and refused by Torbay Councils Licensing Sub-committee. At this time an objection was raised by Environmental Protection.

Following the Committee hearing a number of meetings were held at the premises with the applicant to discuss a second application.

The application does not seek to change the time and frequency of live music. Instead two variations are sought under the Prevention of Public nuisance which could negatively impact on this licensing objective. The key changes are:-

1. Recorded music increased by 1 hour on Friday and Saturday only from 00:30 till 01:30.
2. Sale of Alcohol increased by 30 minutes from on a Friday and Saturday from 01:00 till 01:30 with the premises closing at 02:00.

As highlighted in the original representation the view of Environmental Protection would not change unless the applicant considered further suitable and sufficient conditions to alleviate the concerns of the Officer.

During consultation with the applicant a number of conditions were put forward that if accepted the Officer is confident will remedy concerns regarding noise breakout. The conditions seek not only to resolve the changes made in this application but go further by offering reassurance relating to live music which is not the subject of this application. The bulk of the conditions relates to the installation and use of a noise limiter for which all regulated entertainment must be played through.

The later opening hours can negatively impact the noise environment as customers leave the premises and the general area later. Noise from customers can be a challenge and difficult to condition. Devon and Cornwall Police Licensing Officers have suggested conditions relating to SIA door stewards which play an important role in managing customer noise and the Officer is satisfied their presence will assist the applicant in dealing with noise. A written noise management plan has been asked for as a conditions which must take into account the management of customer noise.

As the applicant has consulted and agreed to a range of conditions I am not objecting to the application as such, but on the basis Members are required to consider the merits of an application and therefore may have technical questions to ask this representation allows me to present at the hearing and ensures that measures discussed are incorporated on any licence that is deemed to be granted.

A handwritten signature in black ink, appearing to read 'Karl Martin', with a long horizontal line extending to the right.

Mr Karl Martin
Public Protection Officer