

## Memorandum

## **Licensing Act 2003**

DATE: 9<sup>TH</sup> AUGUST 2016

TO:

Paul Hughes

Licensing Authority

FROM:

Ann-Marie Wade

Environmental Health Officer

TELEPHONE NUMBER: 01483 523393

Location: Corretto, 10 Queen Street, Godalming, Surrey, GU7 1BD

This department wishes to make a representation with regards to the above application and comment as follows;

The applicant is requesting consideration of a Temporary Event Notice (TEN) for additional hours on Saturday 27 August 2016 until 2am. The premises are currently permitted music until 23:00 under the live music act 2012, and have existing licence conditions allowing recorded music until 23:00.

Environmental Health is in receipt of complaints of noise affecting local premises late at night; the cause is alleged to be from loud amplified music and patrons at this premise. Investigations into these complaints have led to Environmental Health establishing that a statutory nuisance is already in existence. A Notice was served on Friday 5 August 2016 under Environmental Protection Act 1990, section 79(1)(g), requiring noise nuisance from loud amplified music to be abated. Environmental Health investigations have also established the premises are breaching the licence conditions in regards to permitted hours for music on the premises.

There is insufficient information provided with the application with regard to preventing public nuisance from the proposed activities, and the regulation of noise is not being adequately controlled by the applicant. The applicant does not indicate any proposals for the control of noise with the additional times requested and there are no direct actions outlined by the applicant to promote

the licensing objective with regards to noise nuisance, both inside and outside the premise.

It is therefore considered that the requested time extension will have the potential to cause further disturbance to local residents from noise nuisance. Suitable controls need to be in place to protect local residents from excessive noise from such licensable activities. If statutory nuisance was to occur at this location as a direct result of the premise operating procedures it may require controls under other legislation, however, it is recognised that the licensing approach is one of prevention.

Suitable controls may be agreed and I would be interested to know how the applicant proposes to control nuisance issues at this location. However, at present, I am concerned that granting of the requested TEN may lead to public nuisance being caused, and therefore, I wish to make a representation to this effect.

Please do not hesitate to contact me if you require further information or would like to discuss the above comments.

Regards

Ann-Marie Wade

Environmental Health Officer