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## **Addendum**

### **Licensing Act 2003**

**DATE: 30<sup>TH</sup> OCTOBER 2017**

**TO:** Paul Hughes                      Licensing Authority  
**FROM:** Julie Gregory                Environmental Health Officer

**TELEPHONE NUMBER: 01483 523393**

**Location: The Fox Public House, 21 Frensham Road, Lower Bourne, Farnham, Surrey, GU10 3PH – LN/00000200**

This department wishes to make a representation with regards to the above application in respect of the prevention of public nuisance as follows:

There appears to be a number of 'written policies and procedures' which are referenced in the application but copies have not been provided. It is mentioned that these policies will be drawn up and implemented but without an understanding of what these contain it is difficult to accept this as a control measure.

Points 1 and 5 under Prevention of Public Nuisance state that the garden area and terraced area will be closed to customers from 21:00hrs. The terraced area is also the smoking area and entrance to the pub so this cannot be closed. These points need to be clarified further.

Points 10 and 11 appear to contradict each other as one states there will be no films and television (regulated entertainment) and the other advises that 15 events of regulated entertainment could occur outdoors. Our understanding is

this may be on top of procedures for Temporary Event Notices. Our concern is that this may result in 30 outdoor events within a 12 month period.

There are many nearby residents surrounding this public house, some which border directly onto the premise. These residents may be prejudicially affected by noise nuisance caused by the activities that are proposed in the submitted variation.

Additionally, Environmental Health has already received complaints from a number of local residents since 29th May 2017

I am concerned that granting of the requested variations may lead to public nuisance being caused, and therefore, I wish to make a representation to this effect. It is considered that these requested variations 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 and therefore we ask for this application to be considered thoroughly before making any decision.

The dates below relate to reported incidents of noise and other behaviour.

- 29/05/17 – Numerous complaints about loud music in the garden.
- 01/06/17 – Anti Social Behaviour from patrons i.e. bottles left on other peoples' garden walls and urinating.
- 03/06/17 – People noise in the garden area.
- 09/06/17 – Disturbances from people using the garden area.
- 10/06/17 – A number of complaints about noise from a pressure washer
- 12/06/17 – Noise from music from within the pub.
- 24/06/17 – Inconsiderate car parking, it is reported that one of the complainants approached a car owner and was given verbal abuse.
- 01/07/17 – Noise from people using the garden area. Also noise from the showing of Rugby inside the pub with doors and windows open.

I have also received log sheets from one complainant who lives adjacent to the pub, listing complaints and dates, some of which relate to above dates but others are new dates. This led to us installing a sound recording device in their property to determine if nuisance was arising. At that time there was insufficient evidence for us to pursue further.

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