

From: [Central Office Admin](#)
Sent: 07 March 2022 13:37
To: [Adkins, Carla](#)
Cc: [Brown, Vicky](#)
Subject: Fwd: FW: New Inn Licence application

Hi Carla

Following discussion with Vicky and yourself, we would like to make the following changes to our licence application.

1. Remove the function room from the layout plan so it is excluded from licensable activities.
2. Remove live music from the licence application
3. Background music from the courtyard will stop at 23:00

We also agree to the following conditions

i) A Noise Management Plan (NMP) shall submitted within 30 days of the licence being granted for agreement in writing by the Environmental Health Officer and implemented fully thereafter. The NMP shall include details of how all noise related issues will be managed. Any changes to the NMP must be agreed in writing with the Environmental Health Officer. The agreed Noise Management Plan must be adhered to at all times.

ii) Within 30 days of the licence being granted the Premises Licence Holder shall purchase and arrange for the installation of a noise limiting device in the main pub, the specification and design to be agreed with the Environmental Health Officer. The device shall be fitted so that all regulated entertainment is channelled through the devices. The maximum noise levels shall be set in agreement with the Environmental Health Officer. The settings of the noise limiter(s) shall not be adjusted unless agreed by Environmental Health Officer and in the presence of the licence holder.

You will know that we are open to discussion around agreeing alterations to licenced hours to be brought back to midnight on Thursdays and 1am Thursdays and Fridays so that closing between the Kings Arms and New Inn is staggered.

Advice on next steps would be very welcome.

Kind Regards, and thank you for you advice and guidance.

Stephen Brindley

----- Forwarded message -----

From: **Brown, Vicky** <Vicky.Brown@wiltshire.gov.uk>

Date: Mon, 7 Mar 2022, 13:26

Subject: RE: FW: New Inn Licence application
To: Central Office Admin <brindleykings@maddogentertainment.co.uk>
Cc: Adkins, Carla <carla.adkins@wiltshire.gov.uk>

Dear Mr Brindley,

Further to our conversation I understand you would like to make the following changes to your licence application.

1. Remove the function room from the layout plan so it is excluded from licensable activities.
2. Remove live music from the licence application
3. Background music from the courtyard will stop at 23:00

The following conditions would also need to be applied:

i) A Noise Management Plan (NMP) shall be submitted within 30 days of the licence being granted for agreement in writing by the Environmental Health Officer and implemented fully thereafter. The NMP shall include details of how all noise related issues will be managed. Any changes to the NMP must be agreed in writing with the Environmental Health Officer. The agreed Noise Management Plan must be adhered to at all times.

ii) Within 30 days of the licence being granted the Premises Licence Holder shall purchase and arrange for the installation of a noise limiting device in the main pub, the specification and design to be agreed with the Environmental Health Officer. The device shall be fitted so that all regulated entertainment is channelled through the devices. The maximum noise levels shall be set in agreement with the Environmental Health Officer. The settings of the noise limiter(s) shall not be adjusted unless agreed by Environmental Health Officer and in the presence of the licence holder.

To make these changes you can forward this email to Carla explaining you would like them to be made to your application. Providing this is done before afternoon I will not make representations against your licence application.

Your NMP must detail how music in the main pub will be controlled, particularly after 23:00 so it doesn't have an adverse impact on businesses or residents living nearby.

I continue to strongly recommend the closing hour for the pub is brought back to midnight on Thursdays and 1am Thursdays and Fridays so that closing between the Kings Arms and New Inn is staggered.

Kind regards

Vicky

Mrs Vicky Brown
Senior Environmental Health Officer
Environmental Control and Protection



Mobile: 07970642570
Tel: 01380 826322
Email: vicky.brown@wiltshire.gov.uk
Web: www.wiltshire.gov.uk

Please note my normal working hours are Monday – Friday 9:00 – 14:45



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From: Central Office Admin <brindleykings@maddogentertainment.co.uk>
Sent: 07 March 2022 10:49
To: Brown, Vicky <Vicky.Brown@wiltshire.gov.uk>
Cc: Adkins, Carla <carla.adkins@wiltshire.gov.uk>
Subject: Re: FW: New Inn Licence application

Hi Vicky

Sorry I was not available on Friday last week, we had a family funeral.

I tried to call you this morning, and have left a message.

We are unsure of what action needs to be taken now, but to make you aware that we have sent our own response to the consultation period on Thursday evening last week to say that we are happy to amend our licence application as a reasonable response to the concerns raised and proposed the following:

1. Remove request for live music
 - a. We are happy to apply for a temporary events notice should the need arise
2. We will ensure any background music played through speakers in the courtyard is switched off at 11pm
3. We are happy to not open the function room at this time and are prepared to apply for any licence amendments to open the function room at a later date

We are delighted that our measures outlined in our original application around the four licencing objectives have been welcomed by all parties.

Also, we do not want to be put at a competitive disadvantage with closing times as surrounding venues have licence until at least 1am. We are happy to reduce the application to agree the licence to serve alcohol until 1am on a Friday and Saturday, and midnight on a Thursday. We strongly feel that any earlier would not be conducive to success.

We actually don't know how we make these amendments, but have put them forward.

Hopefully I will catch you today.

Thank you

Stephen

On Fri, 4 Mar 2022 at 14:42, Brown, Vicky <Vicky.Brown@wiltshire.gov.uk> wrote:

Dear Mr Brindley,

Further to our emails below I have given proposed latest closing hours further consideration. To be able to demonstrate closing times in the town will be staggered I recommend the closing hour on Thursdays and Fridays be earlier. I would like to suggest midnight on Thursdays and 1am on Fridays and Saturdays. I know you have said you would stagger closing between the New Inn and Kings Arms but changing the hours on your application will demonstrate this will be formally controlled. A change of this nature would go towards showing how the pub will be managed in accordance with the 'prevention of public nuisance' licencing objective.

I have also realised that the previous licence only had music inside the main pub until 00:30; you are applying for it until 2am. The windows onto the High Street do not provide much sound attenuation and I am concerned about the impact music until 2am may have on other businesses and residents on the High Street. I would be grateful if you could consider changing the time of this

to earlier in the evening, of course if closing time is changed this will change the music end time anyway.

Providing changes discussed below and above are made the Environmental Control and Protection Team will not make representations against your licence application. If you wish to make these changes you will need to email Carla Adkins directly requesting them. I have copied Carla into this email so she is aware of the conversation we have been having.

To summaries the changes discussed below:

1. Regulated entertainment in Function Room to stop at 23:00
2. Live music outside will finish at 21:00 and only take place in the courtyard and only on 4 days a year and not on any consecutive weekend
3. Recorded music outside will be limited to background music and will be turned off by 23:00.
4. The function room has 2 sets of doors creating an acoustic lobby. Except for access and egress both sets of doors will remain closed when regulated entertainment is taking place

Conditions

i) Before regulated entertainment is played in the Function Room or courtyard the premises shall engage an acoustician to advise on suitable mitigation measures and demonstrate that they are able to carry out the requested activities without causing a public nuisance. The acoustician shall produce a report to be submitted in writing to the Environmental Health Officer. This report must detail measures to control noise from all types of music and people noise. These mitigation measures must be incorporated into a noise management plan.

ii) A Noise Management Plan (NMP) shall submitted within 30 days of the licence being granted for agreement in writing by the Environmental Health Officer and implemented fully thereafter. The NMP shall include details of how all noise related issues will be managed including live, recorded and unamplified music. Any changes to the NMP must be agreed in writing with the Environmental Health Officer. The agreed Noise Management Plan must be adhered to at all times.

The noise management plan must include:

- o target sound levels at key monitoring points close to the boundary with residential premises to allow The New Inn to undertake their own validation monitoring during events to ensure that noise controls are working.*
- o written observations shall be made at agreed points on the premises perimeter by a member of staff. This shall relate to both music and people noise. Notes shall also be made on what corrective actions were taken.*

iii) Within 30 days of the licence being granted the Premises Licence Holder shall purchase and arrange for the installation of a noise limiting device in the

function room and the main pub, the specification and design to be agreed with the Environmental Health Officer. The device shall be fitted so that all regulated entertainment is channelled through the devices. The maximum noise levels shall be set in agreement with the Environmental Health Officer. The settings of the noise limiter(s) shall not be adjusted unless agreed by Environmental Health Officer and in the presence of the licence holder.

I had hoped to discuss this with you but haven't been able to reach you on the phone this today and I am not available after 14:45 today. If I am not satisfied suitable changes are going to be made to your application I have until the end of the day Monday to make representations. I should be available some of Monday morning to discuss this email if you wish.

Kind regards

Vicky

Mrs Vicky Brown
Senior Environmental Health Officer
Environmental Control and Protection



Mobile: 07970642570

Tel: 01380 826322

Email: vicky.brown@wiltshire.gov.uk

Web: www.wiltshire.gov.uk

Please note my normal working hours are Monday – Friday 9:00 – 14:45



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From: Brown, Vicky
Sent: 01 March 2022 12:12
To: Central Office Admin <brindleykings@maddogentertainment.co.uk>
Subject: RE: FW: New Inn Licence application

Dear Mr Brindley,

Thank you for your email. It is positive to see you are willing to make changes to your application in order to demonstrate a willingness to minimise an adverse impact for residents.

If you scroll down to your email below I have made comments in green at various places. As you know we work closely with our partners in the Police as some matters overlap. In regards to end of alcohol sales and closing times this has an impact on noise from customers on premises and noise and ASB in the street. It is they Police that have to deal with ASB in the town late at night. I understand you are meeting with the Police tomorrow. I would like to talk to them following that meeting before giving further comment on this aspect.

Kind regards

Vicky

Mrs Vicky Brown
Senior Environmental Health Officer
Environmental Control and Protection



Mobile: 07970642570
Tel: 01380 826322
Email: vicky.brown@wiltshire.gov.uk
Web: www.wiltshire.gov.uk

Please note my normal working hours are Monday – Friday 9:00 – 14:45



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From: Central Office Admin <brindleykings@maddogentertainment.co.uk>

Sent: 23 February 2022 14:08

To: Brown, Vicky <Vicky.Brown@wiltshire.gov.uk>

Subject: Re: FW: New Inn Licence application

Hi Vicky

Sincerest thanks for your email. We completely understand the problems there must have been with music in the garden to nearby residents, certainly when there has been loud music outside. Now that we have spent more time on the premises, we can certainly understand a bit more. We further understand that there has been a lot of activity surrounding the New Inn under the previous licensee and I would ask just in the first instance, that as potential new licensee, I do not get reprimanded for the failings or difficulties with the last person.

I understand that our measures to greater control over the objective to prevent public nuisance have been accepted by the Police and licencing. We fully intend to mitigate any noise levels and are happy to discuss them and listen to advice.

It seems that what you have said in your email is reasonable and we are open to discussion about it of course. If I can try and respond in some order. . .

- Yes, we are happy to carry out an acoustics survey for the function room before for the function room before any function or recorded music takes place in there (and will engage a noise consultant to carry this out) ✓
- We have always been in two minds about live music and applied for this so that there would be the option, and take your point about future demand could change our stance. There is already quite

a high demand for live music to return, although that is not the direction we intend

- How about we changed the stipulation about live music outside to a 9pm finish? In all honesty, if we do any, we would be looking at a weekend afternoon, and we asked for outside a few times a year as sometimes the weather calls for outside. 9pm finish would be more acceptable than 11pm, particularly if we can be assured it will only be a few times a year. Perhaps also a condition saying 'live music outside will finish at 21:00 and only take place on 4 days a year and not on any consecutive weekend'.
 - If this change is not enough, we could discuss the option of having no live music at all outside and if we wanted to, we could apply each time, although we do not want to take this limited option away particularly
 - We can safely say that we would never put any live music in the grassed garden part, it would if at all, be on the patio. The proximity of where live music was placed in that grassed area would not be acceptable to me if I lived reasonably close.
✓ please make this clear in your NMP.
- Music in the function room generally, live or recorded
 - We are happy to agree to what you have suggested and have all music cease in the function room at 11pm. ✓
 - We could then in future apply for a variation if we needed or wanted to do that subject to acoustic survey
- Noise Management Plan
 - We will amend the NMP to state that music outside will be background before 23:00 and switched off outside at 23:00. ✓
 - We have also noticed that the current outside speakers are situated so any sound from them faces towards the function room and grassed area, which is unhelpful to those residents behind, so in an effort to further respect neighbouring properties we are also happy to move them so they are fixed to the function room and directed back at the pub which should reduce 'escaping' music ✓ you will need to make sure the sound doesn't reflect off the buildings and increase impact at residential properties.
 - We are happy to add the following point to the NMP as you suggest:
 - The function room has 2 sets of doors creating an acoustic lobby. Except for access and egress both sets of doors will remain closed when regulated entertainment is taking place ✓

With regard to your other suggested additions to the NMP, we may have to ask for a bit more information please?

1. If we are to finish any outside live music at 9pm and music through the speakers at 11pm, would we need to liaise with local residents in any extra ways outside of our usual word of mouth or social media? Yes, particularly in the first year or two, it would be extremely beneficial to let residents know when there is to be music outside in advance. This may prevent complaints to some extent.

2. Again if we are stopping live music at 9pm, do you still want to know the locations of monitoring points? We are happy to do so, and if you want to tell us where you want those points to be we can look at that. We would use our decibel reader as we do at other venues and record the time and volume at regular intervals. Yes, depending on the type and volume of music it could still adversely impact on residents and cause complaints in the afternoon and up until 21:00. I would suggest a monitoring point on the rear boundary of the garden, one on the High Street at the entrance to the carpark and one on Salisbury Street. It will be difficult to measure music decibel levels during the day and early evening as there will be so much other noise around. A responsible person listening and making a judgment as to acceptability will be more suitable during an event at these times.

For music outside and inside sound tests can be carried out when there are no/minimal customers around to check decibel levels in advance of the event.

Complaints can be made directly to the manager, or by calling the pub? We will record them and respond. We could provide an email address too, although that is not in place at this time. Yes, this should all be written in your NMP. How quickly will the manager respond to a complaint? What action will they take?

When do we need to give you any updated noise management plan? I can add a clause to the condition to say 'within 30days of the licence being granted'

I think we are happy with the suggested conditions outlined in your email if I have understood them correctly, but what comes first? The NMP, it can be updated once you have further evidence from the acoustic survey. The acoustics survey to put mitigations into the NMP, or the NMP agreed by environmental health stating that we will get an acoustic survey done before any music is played in the function room? In your first NMP state it will be updated once there is advice available from the acoustic consultant. The condition says 'any changes to the NMP must be agreed in writing with the Environmental Health Officer' so when you want to make changes email the licencing team and they will consult with us and if suitable we will agree in writing.

And lastly, closing times;

- It would be unfair to put the New Inn at a competitive disadvantage by forcing closure at a time not inkeeping with surrounding venues (George Hotel and Kings Arms have a 2am licence, and Wetherspoons, Dunkirk and Antrobus have a licence to serve until 1am
- We could make an alteration to the application if you would agree to the licence to serve alcohol until 1am
 - We could then have staggered closing time between the Kings Arms and the New Inn making dispersal easier
 - We have the support of the local taxis who have agreed they will continue to serve Amesbury if we take over the New Inn (there was talk they would just up and leave for Andover if the New Inn remained closed)

You will know that the same door staff are present at the Kings and the George at the weekend, and we would have the same again at the New Inn (not that we actually expect to need them, we understand this is helpful for control of people making a nuisance of themselves). This means that all three venues down the High Street will be linked via radio so the dispersal and management of people causing a nuisance will be uniformed. We have always had great feedback about the door staff and how well they work with the police and RMPs

There is a lot of speculation in Amesbury about this licence, but we do not intend to run it as it has been run the last few years. We are not interested in music festivals or the like. We want a different age demographic to the Kings Arms, but that is not to say a slightly older clientele do not enjoy a drink and socialising in their local pub.

We already work very well already with the George Hotel and this will only strengthen.

I would appreciate your thoughts? You are welcome to come and see us at the New Inn and we can look at mitigations in situ?

Kindest regards

Stephen and the team

On Tue, 22 Feb 2022 at 12:05, Brown, Vicky <Vicky.Brown@wiltshire.gov.uk> wrote:

Dear Mr Brindley,

I am writing regarding your licence application for The New Inn. As you are aware we made representations at the recent review hearing. At the hearing we requested that, if the licence was not revoked, certain conditions were attached in order to bring about greater control over 'prevention of public nuisance' licencing objective. Unfortunately this department has had considerable involvement with the premises over the years due to the impact of music noise. There are residential properties in reasonably close proximity which are impacted by music noise particularly late at night and we need to ensure the licence has sufficient controls within it to ensure music is managed effectively and proactively by any new management.

My understanding is the licence you have applied for would allow for the following:

Live music:

Inside 11:00 - 23:00 Monday to Saturday; 11:00 - 22:00 Sunday

Outside until 11:00 -23:00 but you have stipulated this would be limited to 4 x a year.

Recorded music:

Inside, which includes the main pub, the function room but not the 'Jager Bar'

11:00 - 23:00 Mon-Wed,

11:00 - 01:00 Thurs,

11:00 - 02:00 Fri and Sat,

11:00 - 22:30 Sunday.

Outside will be limited to background and cease at 23:00

I note you say you are happy to carry out an acoustics survey for the function room before any function with live or recorded music takes place and will engage a noise consultant to carry this out.

Our main concerns are in regards to music outside and in the function room. I will address the function room first. Despite a noise limiter being in place music noise, particularly bass, has been audible in a residential property late at night. At this point I have no evidence to show music can be played in this building until 02:00 at a volume appropriate for entertainment, which will not adversely impact residents. Ideally I would like to see the terminal hour for music in the function room brought forward to 23:00. This would give the opportunity for you demonstrate music can be played in the room and not have a detrimental impact on residents. You would also be able to employ the acoustic consultant to assess the noise breakout from the building and make recommendations about sound levels, noise limiters and any further insulation or management controls required to ensure music does not impact on residents when it is played in this room. Once this evidence is available you could then apply for a variation to extend the hours for music in the function room.

In regards to music outside 4 times a year. Without more evidence as to how you will control this so as to avoid an adverse impact on neighbours I am concerned this will have an adverse impact on residents. Residents are in such close proximity that any music outside will be noticeable to them. Although you say it will only be amplified singers, duos or trios, in the future, if there is customer demand I can foresee this may expand to more impactful performers. If you could you go into greater depth in your NMP as to how music outside will be planned, managed, monitored and controlled I can give this further consideration.

You have provided a noise management plan (NMP), it contradicts your application in one part: In your application you say music will only be background before 23:00 and after 23:00 it will be turned off, this set up would be acceptable. However, you say in the NMP that for external music playing through speakers 'after 23:00 any music will be background level'.

Other thoughts on your NMP are there are a few things that need adding to it:

1. The function room has 2 sets of doors creating an acoustic lobby. Except for access and egress both sets of doors will remain closed when regulated entertainment is taking place.
2. Details of how you will liaise with local residents who may be impacted by music noise generally and in particularly leading up to events with music outside.
3. For the events with music outside we need locations of monitoring points and target noise levels. More detail on how monitoring will be carried out and recorded.
4. Details of how complaints will be received, recorded, investigated and responded to.

The following conditions were suggested to committee at the review and would be appropriate to be attached to your licence:

i. The premises shall engage an acoustician to advise on suitable mitigation measures and demonstrate that they are able to carry out the requested activities without causing a public nuisance. The acoustician shall produce a report to be submitted in writing to the Environmental Health Officer. This report must detail measures to control noise from all types of music and people noise. These mitigation measures must be incorporated into a noise management plan.

ii. A Noise Management Plan (NMP) shall submitted and agreed in writing by the Environmental Health Officer and implemented fully thereafter. The NMP shall include details of how all noise related issues will be managed including live, recorded and unamplified music. Any changes to the NMP must be agreed in writing with the Environmental Health Officer. The agreed Noise Management Plan must be adhered to at all times.

The noise management plan must include:

- o *target sound levels at key monitoring points close to the boundary with residential premises to allow The New Inn to undertake their own validation monitoring during*

- events to ensure that noise controls are working.*
- *written observations shall be made at agreed points on the premises perimeter by a member of staff. This shall relate to both music and people noise. Notes shall also be made on what corrective actions were taken.*

iii. The Premises Licence Holder shall purchase and arrange for the installation of a noise limiting device in the function room and the main pub, the specification and design to be agreed with the Environmental Health Officer. The device shall be fitted so that all regulated entertainment is channelled through the devices. The maximum noise levels shall be set in agreement with the Environmental Health Officer. The settings of the noise limiter(s) shall not be adjusted unless agreed by Environmental Health Officer and in the presence of the licence holder.

We are often in receipt of complaints of ASB in Amesbury but these are usually then directed to the Police. We do however support the Police with their concerns about the New Inn being open until 02:30am and the impact customers leaving in the early hours of the morning has on residents.

At this time the licence you have applied for does not contain sufficient controls to give us confidence music noise will not become a problem again. I wanted to write to you to give you the opportunity to consider adjustments to the licence application and your NMP to address the above matters in advance of the end of the consultation period.

If you would like to talk to discuss the contents of this email please let me know. Otherwise I look forward to receiving your response.

Kind regards

Vicky

Mrs Vicky Brown
Senior Environmental Health Officer
Environmental Control and Protection



Mobile: 07970642570

Tel: 01380 826322

Email: vicky.brown@wiltshire.gov.uk

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