

Southern Area Licensing Sub Committee

**MINUTES OF THE SOUTHERN AREA LICENSING SUB COMMITTEE MEETING
HELD ON 26 JANUARY 2022 AT THE GUILDHALL, MARKET PLACE,
SALISBURY, WILTSHIRE, SP1 1JH.**

**Application made by Wiltshire Police, for a Review of the Premises Licence of
the New Inn, 10-16 High Street, Amesbury, Wiltshire, SP4 7DL**

Present:

Cllr Allison Bucknell, Cllr Trevor Carbin and Cllr Nic Puntis

Also Present:

Sarah Marshall, Senior Solicitor, Legal
Carla Adkins, Licensing Officer, Public Protection
Lisa Alexander, Acting, Senior Democratic Services Officer
Leo Penry, Democratic Services Officer

Applicant – Wiltshire Police

Alistair Day – Police Licensing Officer
Sgt Steve Jolly
Insp Tina Osbourn

Responsible Authorities

Linda Holland, Licensing Manager, Wiltshire Council Licensing Authority
Vicky Brown, Senior Environmental Health Officer, Wiltshire Council Environmental
Protection and Control

Those that made Representation

Rep 1 - Salisbury Street, Amesbury
Rep 2 – Salisbury Street, Amesbury
Rep 3 – on behalf of Beech Court, Amesbury

10 **Election of Chairman**

Nominations for a Chairman of the Licensing Sub Committee were sought and it was

Resolved:

To elect Councillor Trevor Carbin as Chairman for this meeting only.

11 **Apologies for Absence/Substitutions**

There were none.

12 **Procedure for the Meeting**

The Chairman reminded those present that any speakers that wished to remain and make a statement to the Sub Committee would be giving consent to the possibility of being recorded, as the meeting could be recorded by the press or members of the public.

The Chairman then asked if anyone present wished to withdraw from the meeting. All parties confirmed they wished to remain in and take part in the Sub Committee hearing.

The Chairman explained the procedure to be followed at the hearing, as contained within the "Wiltshire Licensing Committee Procedural Rules for the Hearing of Licensing Act 2003 Applications" as detailed in the agenda pack.

13 **Chairman's Announcements**

The Chairman gave details of the exits to be used in the event of an emergency.

14 **Declarations of Interest**

There were no interests declared.

15 **Exclusion of the Public**

The Police offered a viewing of the Police bodycam video footage but the Sub-Committee took the decision to decline this viewing, as it was content with the evidence provided publicly in the agenda pack. Therefore the Committee did not exclude the press and public from the meeting.

16 **Licensing Application**

Review Application by Wiltshire Police in respect of the New Inn, 10-16 High Street, Amesbury, Wiltshire SP4 7DL

Licensing Officer's Submission

The Sub Committee gave consideration to a report and appendices (published online) in which determination was sought for an application for a Review, presented by Carla Adkins (Public Protection Officer – Licensing) for which 12 relevant representations had been received. The application was for the following licensable activities:

It was noted by the Sub Committee that there were 3 options available to them:

- i) To modify the conditions of the licence.
- ii) To exclude a licensable activity from the scope of the licence.
- iii) To suspend the licence for a period not exceeding three months.

- iv) To revoke the licence.
- v) To determine that no steps are necessary.

The following parties attended the hearing and took part in it:

On behalf of the Applicant (Wiltshire Police)

- Alistair Day – Police Licensing Officer
- Inspector Tina Osborn
- Sergeant Steve Jolly

Summary of the Applicant's submission:

- Premises License has now been transferred to Mr Ewer
- If the Sub Committee is happy with the evidence submitted so far, the Applicant would support an adjusted licence conditions.
- Premises is a late-night venue operating in a small-town centre with commercial and residential properties close by. The premises is accessed by one access point at front and a courtyard at the rear.
- Behind the premises is a fixed building which forms part of premises licence called the Stables which is used for music.
- There is a smaller fixed building called the Jager Bar which is not licensed.
- There is access to the carpark and then back on to the high street.

- The Applicant set out the current licensing times includes outdoor films and indoor sporting events. The last 3 months the applicant has worked with the premises to address local concerns.
- The applicant supports the licensee to promote the licensing objectives.
- Accepts there are concerns regarding over-intoxication, assaults, urinating & vomiting, drug activity and screaming and fighting.
- The Police now patrol the Amesbury Town centre.
- There is a negative impact on residents and
- The Police are working with licensed premises, taxi services and military to reduce the negative impact on residents.
- The Police offer encouragement and education on how to provide a safe environment inside and out.
- All other premises in centre of Amesbury have been offered advice and all have accepted the advice except the New Inn.
- Licensing Objectives are regularly breached.
- The Police have evidence of incidents occurring inside and out of the premises & can provide this for the Sub Committee
- Changes proposed by the Applicant:
 1. For alcohol sales to cease at 2200 and the premises to close at 2300
 2. The CCTV is not part of current licence – the Applicant would ask that this is installed and all staff trained in use.
 3. Management of noise levels in the Stable Room – opening hours to be brought back to 2300

4. The DPS must attend the local Pubwatch scheme for as long as that scheme exists.
5. The CCTV must cover all areas of the premises
6. Require at least 4 door staff to be present and increased to 6 for regulated entertainment functions
7. For the premises to employ a suitable acoustician to advise on the noise levels in the Stables
8. A Noise management plan to be produced and submitted
9. A management plan to deal with Live, unamplified and acoustic music –
10. For a written observation to be made by a member of staff with a noise limiter device
11. Noise limiter device to be placed in the main Stables –
12. A noise limiter device to be fitted in the premises for all regulated entertainment.

Questions from the Committee:

- How would the conditions prevent the return of the previous clientele?

Answer: A main factor to previous behaviour was that clientele were allowed to get over intoxicated.

- Would you say that the worse time for increased anti-social behaviour appeared to be between 24:00 – 03:00?

Answer: Yes, the premises closes at 02:00 at the weekend, we have engaged with all other premises in the town centre and the DPS and owner have worked hard to manage another premises well.

- Only two days ago the license was transferred to another person, the building owner.

Answer: Yes, The licensee is the building owner and does not intend to have a hand in running it, he will lease it out.

- You are asking us not to revoke the license but to apply more conditions. The Police were keen to see a new Manager for the premises, the present license in its current form would allow a return of what occurred.

Answer: They do not feel there is a need to revoke the license.

- The current DPS was the partner of Mr Muirhead and one bar staff was his sister, so they were still present in the running of the premises.

Answer: The Police need to look into this today they are convinced that it is an oversight. The DPS will surrender their DPS status.

- The opening times of the other premises in the area were noted. The George Hotel was able to open until 01:00, but chose to close earlier, Wetherspoons closed at 21:00 but was able to stay open till 01:00.

It was noted that the other 3 premises were well managed.

- What level of support was there from the Military Police, given the mix of civilian and military clientele?

Answer: The Police confirmed there had been a massive increase over the last 6 months. The Military Police had done a fantastic job engaging with the Police. Any Military personnel involved in an incident in the town will have the involvement of the Military Police, who are able to carry out random drugs and as a result, 5 or 6 soldiers had been dismissed from the service.

The Sub-Committee confirmed that they did not feel it was necessary to view the Police bodycam footage which was available, and would consider the case based on the written and verbal evidence provided in the Agenda pack and at the meeting.

Responsible Authorities

- Mrs Linda Holland, Licensing Manager, Wiltshire Council Licensing Authority
- Mrs Vicky Brown, Senior Environmental Health Officer, Wiltshire Council Environmental Protection and Control

Licensing Authority submission:

- There had been poor management and behaviours of customers at the premises.
- Aware there had now been a change of licensee and felt it was now more appropriate to apply additional conditions to the existing license to manage the issues which had occurred under the previous manager.
- The License holder had not sought to attend the hearing or address the issues that had been present.
- There had been a mismanagement of the premises, however felt that the premises could move forward if managed robustly by a new License holder.
- Appropriate hours of operation could be advised by Police
- Summary of additional conditions suggested:
 1. Staff training on Licensing Act 2007 and Best Practice, to be carried out on induction and to be ongoing. Records of training kept and maintained (available upon request to Police & Responsible Authorities).
 2. Written Management structure.
 3. Challenge 25 Policy in operation, including staff training, record keeping of training and scheme posters displayed.
 4. DPS or Licence Holder present during key trading times and any other periods that an event should take place (impacting on attendance).

5. Operation of an Incident/Refusals book (specification provided in full), recording prescribed details (available upon request to Police & Responsible Authorities).
 6. Fully maintained CCTV installed and operational, covering all entrances, trading areas and exits, with images stored for a minimum of 31 days (available upon request to Police & Responsible Authorities).
 7. Premises to belong to, attend and comply with the terms and practices of the local Pub Watch Scheme.
- Needed confidence that the next Licence holder would be reliable.
 - Politely suggest additional conditions be applied and that there was a review of the operating hours, to enable us to work with the new License holder to move this premises forward.
 - These changes could be applied for a period of time to enable these measures to take effect.
 - The illegality of the drugs associated with this premises would need to change. They would need a period to address the issues with the associated customers.

Questions by the Sub-Committee:

The new License Holder had not offered any mitigations, the additional conditions submitted were from Wiltshire Council's Best Practice model. Had there been any information from the new Licence Holder since he took over two days ago, to suggest how he would manage the premises?

Answer: No, and the previous DPS remained in place at the Premises.

Environmental Health Submission:

- Support the Police in their Review of this license.
- There had been a high level of involvement from the Environmental Health team over the last 4 years. The majority of the issues were noise complaints.
- They have concerns around noise and public nuisance.
- Music was the main factor of the noise associated with the New Inn, however there were other noise complaints, aside from that associated with music.
- They were involved prior to 2018 with noise complaints from third parties in Amesbury.
- Some complaints over the last 4 years related to festival events outside the premises.
- At times it appeared the management seemed to work, there were periods where there were less complaints, at other times there were a higher level of complaints.
- In spring 2020 during a covid lockdown, in July 2020, there was an application for a TEN for a music festival, which stated that they wanted to play music at 104dbs, which is extremely loud. They were surprised

that it had been included in the application considering the advice previously provided to the licence holder over the years.

- The weekend prior to the festival the premises played live music, colleagues witnessed quite loud music during covid restrictions. It was clear that advice was not being followed and had to forward that on to the Covid Compliance officer.
- There were periods that the noise coming from the premises was recorded at such a level that was able to be considered as a statutory noise disturbance.
- The 'Stables' was a building at the rear of the premises treated acoustically where a noise limiter was in place. On visiting the residents near the premises, music from the Stables could be heard. Upon checking the Stables, they found the doors to be wide open and the music coming out was very loud.
- In August 2021 there were plans to apply for a variation to the hours for use of the Stables area. They were advised a noise limiter would be needed and was told one was installed, however on inspection they had moved the one from the main pub into the Stables. Environmental Health are not satisfied with the location of installation of noise limiter. This was indicative of the way the noise management has been approached at the premises.
- They have received regular complaints from local residents.
- They support the Police application.
- To promote a more consistent approach in the future the inclusion of conditions and removal of the Live Music Act on the licence.
- Outside area limited to background music only before 23:00
- Outside drinking area not before 23:30
- DPS – Management of access of visitors on the premises.
- All windows and doors to be closed by 23:00
- Alternative wording for the noise limiter was suggested.
- Terminal hour for Regulated entertainment to be brought back to midnight.
- If the Stables continue to have regulated entertainment – a Noise Consultant should be employed and a report produced
- A Noise management plan to be submitted to Environmental Health officers for approval

Questions:

- There had been regular involvement by Environmental Health with the premises over last 4 years, how did that compare with other venues?

Answer: There were other premises where involvement was required, however, last summer 4 late night visits were required here, and there was ongoing continued need.

- Did you believe that if conditions were added that they would be adhered to and the premises would become trouble free?

Answer: If conditions adhered to, then yes it could be managed correctly

- Had there been any proactivity in your view?

Answer: At times there had been weeks or a month where there had been positive reports, however this was short term and the situation would decline. There was inconsistency.

- Did the premises structure and location lend itself to what was required to hold events?

Answer: More limited hours for music and regulated entertainment and a more proactive effort in getting professional advice to make the right decisions rather than relying on the Licensing Authority to guide them potentially yes. . The Stables had been professionally sound proofed. They have been operating in the main pub with karaoke nights for a very long time, providing the noise limiter was in place it was achievable. The Stables would need to be looked at, in terms of the type of insulation required before music could be played without negative affect.

Relevant Representations

- Rep 1 - local resident in objection to the application
- Rep 2 - local resident in objection to the application
- Rep 3 – Representative of Beechwood Court in objection to the application

Those that had made Relevant Representations submissions:

Rep 1:

- Target area for their customers was single males from the nearby army camps.
- The premises had long operating hours until 02:00 or 03:00 hrs.
- Residents who lived closest were mainly elderly
- On Friday and Saturday evenings there was regular chaos from the pub.
- After closing, it regularly took a long time to clear the streets
- Only some taxis would agree to take them back to the Base.
- They have videos and photos available to view
- During an incident in October there were 7 Police cars and 3 military cars
- Physical damage to property occurs regularly
- It is damaging to the local tourist industry and the George hotel suffers as it has to issue rebates to guests after problems and Trip Advisor shows problems were still current.
- The License should be modified to have the same hours as other town establishments.
- Improved management and other measures are not sustainable and do not work long term.

Rep 2:

- Some residents sorry they have not had their letters accepted or they are unable to attend today due to health issues.
- It is a treat to be able to use our living room and watch the TV, we have had our weekends ruined for several years from noise coming from New Inn
- Had revellers prancing from the New Inn until 02:00 – 03:00 hrs.
- They are regularly woken up and then find it difficult to get back to sleep
- They have regularly seen young men leaving the New Inn, then vomiting, urinating and swearing loudly in the streets.
- These acts are frightening for us and our grandchildren when staying with us.

Rep 3:

- I am representing the owners of Beechwood Court as they are unable to attend.
- The Residents are unhappy about being identified due to intimidation
- 3 of 5 residents moved out due to loud music, disturbance and antisocial behaviour in the High Street, noting that there had been issues of swearing, vomiting and even finding a used condom.
- There are concerns raised about the noise in the passageway
- Trading had only recently started up again, so they expect more complaints
- Not happy about the situation but put up with it as quality properties were hard to find.

Questions:

- Had the New Inn provided a telephone number to residents, to call if there were issues?

Answer: They were given a number and an email, both were ignored and the phone put down when they realised who I was.

Summaries:

Rep 1:

The Police say the other establishments were well managed, but there had been incidents.

The Sub-Committee retired to deliberate at 12.15hrs and reconvened at 13:45hrs.

Decision

The Senior Solicitor confirmed she gave relevant legal advice to the Sub-Committee on the Licensing Objectives and evidence

The Southern Area Licensing Sub-Committee (Sub-Committee) resolved to REVOKE the Premises License LN/000043211 in respect of the New Inn 10 – 16 High Street, Amesbury, Wiltshire, SP4 7DL.

Reasons for the Decision:

Reasons for the Decision:

The Sub-Committee determined that the Licence Holder had failed to comply with its

obligations in respect of the following licensing objectives; -

- i. The Prevention of Crime and Disorder
- ii. Public Safety
- iii. The Prevention of Public Nuisance

Whilst the Sub-Committee acknowledges the Premises Licence was transferred to the current Licence Holder on 24 January 2022, the Sub-Committee did not hear from the new Licence Holder about his intentions on addressing the issues of crime and disorder, public safety and prevention of public nuisance which had caused the Police to seek a review of the Premises Licence.

The Sub-Committee heard evidence from;

1. The Police as the Review Applicant regarding significant levels of crime and disorder both inside and outside of the premises and during and after opening hours, caused by Patrons of the premises and the failure of the previous Licence Holder to properly engage with the Police regarding the crime and disorder. The Sub-Committee did not consider it necessary to view the video evidence offered by the Police and it was noted from the Police that the current Designated Premises Supervisor (DPS) remains in place.

2. The Licensing Authority regarding the failure to promote the licensing objectives through the mis-management of the premises; anti-social behaviour by the patrons of the premises taking place during opening hours and after closing time, which was not appropriately managed by the previous licence holder and the high level of complaints received about both anti-social behaviour and noise of patrons attending the premises.

3. The Environmental Health Officer regarding the high levels of noise from music including music festivals taking place at the premises, raised voices of patrons attending the premises and the failure by the previous licence holder to manage the noise levels. No noise management plan has been submitted to Environmental Health by the current Licence Holder.

4. Three residents living nearby to the premises who had made representations regarding the adverse effect of the noise and general anti-social behaviour taking place both during the evenings and early hours of the morning after the premises had closed. The Sub-Committee was not presented with oral

evidence or information from the current Licence Holder on how they intended to manage the premises in the future. The current Licence Holder was informed of the date, time and location of the review hearing and their right to attend and be represented.

In reaching its decision, the Sub-Committee took account of and considered all of the documentary and oral evidence from the Wiltshire Police, the Licensing Authority, Environmental Health and the and the ten relevant representations received of which three also gave oral evidence to the Sub- Committee.

Conclusions

In view of the evidence heard, the Sub-Committee concluded that they could have no confidence in the ability of the current Licence Holder to adequately address the failings of the previous licence holder to promote the licensing objectives of the prevention of crime and disorder, public safety and the prevention of public nuisance, given the previous history of the management of the premises. The Sub-Committee also concluded that the imposition of additional licence conditions, or the temporary suspension of the Licence would not result in the required changes and improvements necessary to promote the licensing objectives and that revocation of the licence was the only practical option and was one which was both proportionate and necessary to meet the licensing objectives.

The Sub-Committee considered that in the circumstances a fresh licence application was the best way to appropriately address all the issues concerning the serious antisocial behaviour, public nuisance and public safety and would give a new applicant an opportunity to demonstrate that they could positively and proactively promote the licensing objectives.

The Sub-Committee therefore concluded, on the basis of the evidence presented, that revocation of the licence that the only option available to it and that such revocation was reasonable, proportionate and necessary to promote the licensing objectives of the prevention of crime and disorder, public safety and the prevention of public nuisance.

The Sub-Committee also considered the relevant provisions of the Licensing Act 2003 (in particular Sections 4,18,51 and 52); the Licensing Act 2003 (Hearings) Regulations 2005, the four Licensing Objectives; the Revised Guidance 2018 issued under Section 182 of the Licensing Act 2003 and the Licensing Policy of Wiltshire Council.

Effective date of Decision

The parties were informed that this decision will not take effect until the end of the period within which an appeal can be made or, if such an appeal is made, until that appeal has been finally determined.

Right to Appeal

The parties were informed that the Premises Licence Holder, the party that applied for the review and any Responsible Authority or Interested Parties who have made representations may appeal the decision made by the Licensing Sub-Committee to the Magistrates Court. The appeal must be lodged with the Magistrates Court within 21 days of the notification of the decision. The decision of the Licensing Sub-Committee does not take effect until the end of the period for appealing against that decision. In the event of an appeal being lodged, the decision made by the Licensing Sub-Committee does not take effect until any appeal is heard and finally determined.

- 17 **Appendix 1 - Current Premises Licence**
- 18 **Appendix 2 - Amended Appendix to Application**
- 19 **Appendix 3 - Letter to Police**
- 20 **Appendix 4 - Police Response to Letter**
- 21 **Appendices 5, 5a, 5b & 5c - Application & Evidence for a Review by Wiltshire Police**
- 22 **Appendices 6a - 6l- Relevant Representations**
- 23 **Appendix 7 - Location Plan of Premises and surrounding area**
- 24 **Appendix 8 - Timeline of Applications - New Inn, Amesbury**
Additional Conditions provided at Hearing

(Duration of meeting: 11.00 am - 1.50 pm)

The Officer who has produced these minutes is Lisa Alexander of Democratic Services, direct line 01722 434560, e-mail lisa.Alexander@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114 or email communications@wiltshire.gov.uk

Police Proposed Conditions

The police ask that favourable consideration be given to the conditions of the premises licence being varied as follows:

Existing Conditions to Remain:

The outside area will be limited to background music only (not regulated entertainment), which will be inaudible beyond the perimeter of the premises. This will be limited to April to September inclusive. KEEP - Exception of 2 x 1 day music festivals a year?

The background music outside will cease at or before 23:00hrs. KEEP

The use of the external drinking area will cease at or before 23:30hrs. KEEP

Entrance and exit to the 'sound proofed' function room will always be via the acoustic lobby which has two sets of doors, so music does not escape. KEEP

Notices will be displayed reminding customers to respect neighbours and leave quietly. KEEP

The DPS (or nominee) will manage the exit of customers from the premises so as to prevent public nuisance. KEEP

All windows and doors closed from 23:30hrs. KEEP

A noise limiter will be provided to limit the sound from both live and recorded music to prevent public nuisance. Alternative wording- see below

New Controls

Alcohol sales to cease at 23:00 hrs

Premises to close at 23:30 hrs

CCTV to be installed and all staff to be fully trained in its' use and the supply of content to relevant authorities.

As it has been challenging to get consistently effective management of music noise levels in The Stables function room, we recommend that the terminal hour for regulated entertainment is brought back to 23:00.

DPS, or a representative to attend the local Pubwatch Scheme Meetings regularly for as long as that scheme should exist.

CCTV to be installed and all staff to be fully trained in both its' operation and process for supplying footage to relevant authorities. Cameras to cover the front entrance, the main bar, the courtyard, and The Stable Function Room interior and exterior.

4 x door staff to be present from 20:00 hrs until close on Thursday, Friday, and Saturday evenings. This to be increased to 6 for regulated entertainment functions.

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.

A Noise Management Plan (NMP) shall be 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 always adhered to.

The noise management plan must include:

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 premise's 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.

The Premises Licence Holder shall purchase and arrange for the installation of a noise limiting device in The Stables 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.

LA Proposed Conditions

LA seeking the following additional conditions:

- Staff training - Instruction, training and supervision on the Licensing Act 2003, and related best practice will be provided to all staff on induction and on an ongoing basis. Records of which will be maintained and made available to police or authorised local authority officers, on request. T
- A written management structure is in place setting out roles and responsibilities and all staff are fully conversant with who does what
- A Challenge 25 policy shall be operated. No member of staff shall be permitted to sell alcohol until trained in the operation of the Challenge 25 policy and this shall be recorded in training records and kept on the premises. Where proper verification is not provided the sale shall be refused. A record of the refusal shall be kept in the refusals book, identifying the member of staff who refused the sale.
- Challenge 25/ Age verification posters will be prominently displayed.
- The Designated Premises Supervisor, or a nominated Personal Licence Holder, will be present on the premises during key trading times Thursday, Friday, Saturday, Sunday and bank holidays - and during any other periods when an event is taking place, which may impact on attendance.
- The Premises shall operate an Incident/Refusals Book, and record the date, name, address, and reason why refused, such as Alcohol Levels or behavior. The Incident/Refusal Book shall be an A4 Hard backed 'page to a day' Diary and shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the business is open and trading and upon any reasonable request.
- CCTV equipment will be installed and fully maintained to cover all trading areas, entrances, and exits when the premises is open to the public. The CCTV will be of sufficient quality so as to produce images which will enable identification; images will be securely stored for a minimum of 31 days and are to be made available upon request, to any authorised officer of the Licensing Authority or Police
- The Premises will belong to the Pub watch scheme, where such a scheme exists, and any alternative network designed to promote the licensing objectives. A representative of the premise will attend, and the premises will comply with the terms of the Pub watch scheme regarding the exchange of information and the enforcement of banning procedures.

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E. H. Proposed Conditions

If members are minded not to revoke the licence, to bring about a more robust noise management they may wish to consider the following:

- 1) Live music act relaxations are removed from the licence so that conditions relating to music noise are applicable before 23:00.

Existing conditions

- The outside area will be limited to background music only (not regulated entertainment), which will be inaudible beyond the perimeter of the premises. This will be limited to April to September inclusive. *KEEP – Exception of 2 x 1 day music festivals a year*
 - The background music outside will cease at or before 23:00hrs. *KEEP*
 - The use of the external drinking area will cease at or before 23:30hrs. *KEEP*
 - Entrance and exit to the 'sound proofed' function room will always be via the acoustic lobby which has two sets of doors, so music does not escape. *KEEP*
 - Notices will be displayed reminding customers to respect neighbours and leave quietly. *KEEP*
 - The DPS (or nominee) will manage the exit of customers from the premises so as to prevent public nuisance. *KEEP*
 - All windows and doors closed from 23:30hrs. *KEEP*
 - A noise limiter will be provided to limit the sound from both live and recorded music to prevent public nuisance. Alternative wording– see below
- 2) As it has been challenging to get consistently effective management of music noise levels in The Stables I recommend the terminal hour for regulated entertainment is brought back to 23:30 or midnight.
 - 3) 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.
 - 4) *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:

- 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.
- 5) *The Premises Licence Holder shall purchase and arrange for the installation of a noise limiting device in The Stables 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.*

- 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.
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