

## APPENDIX 6

**From:** Fowler, Katherine  
**Sent:** 28 September 2022 15:58  
**To:** [sm@miltonstone.com](mailto:sm@miltonstone.com)  
**Cc:** Edge, Katherine <[Katherine.Edge@wiltshire.gov.uk](mailto:Katherine.Edge@wiltshire.gov.uk)>  
**Subject:** RE: Cuckoo Inn, Hamptworth

Dear Sacha,

It was good to speak with you earlier today. I thought it would be useful to summarise what was discussed.

Based on evidence obtained throughout the summer months this year, this department is currently not confident that the DPS at the Cuckoo Inn can effectively manage and control noise from events held with amplification. Although it is evident following our intervention that some changes have been implemented to control the noise from events such as reducing the number of events to comply with the Licence, we have still continued to receive complaints about noise during events that have taken place.

Your cooperation and engagement with Poppleston Allen and Richard Vivian at Big Sky Acoustics to resolve the ongoing issue is reassuring. However, we need to be confident that going forward events will be effectively managed and controlled at the premises and not create a public nuisance. The main concern is our lack of confidence in management which has been evidenced by poor communication with residents prior to events and a reluctance to action control noise measures we have recommended. As discussed during our meeting today, for us to reconsider any application (providing no other representations are received) we would need to be satisfied that you can demonstrate what action will be taken to secure our confidence in the current management operating the Pub with the inclusion of the noise management plan submitted by Richard. Our proposals if we proceed to a review hearing would be to disapply the Live Music Act and impose conditions to the following effect;

1. Restrict the number of events that can be held at the premises annually to:
  - i) Two beer festivals one in May and one in September. Amplified music only on the Friday and Saturday evening, no amplified music on the Sunday.
  - ii) Up to an additional four events with amplified music outside the remainder of the year with a maximum of one per month.
  
2. Restrict the duration and time amplified music can be played outside;
  - i) Beer festivals. A total of 3hrs of music per day with an end time of 22.30hrs.
  - ii) For the other four events no more than a total of 1hr30 (x2 45min sets with 30 min break) and music to end by 21.30hrs.
  
3. Implement a sufficient Noise Management Plan (NMP). Details of NMP to be recommended by the noise consultant working on behalf of the licence holder and approved by the Environmental Health Officer. Noise Management Plan to include (not an exhaustive list):  
;
  - i) management controls;
  - ii) either subjective noise observations or target noise levels as determined by the noise consultant

- iii) types of bands that will be hired to play at events. Given the nature of the environment bands have to be low key; such as small jazz, acoustic bands to suit the environment, not of rock/metal genre
- iv) location and positioning of speaker systems
- v) monitoring details, frequency of observations, where they will be taken (a map/plan to be included) and what corrective action will be taken if noise levels deemed too loud
- vi) details of how local residents will be notified, in advance of events with music outside;
- vii) complaints policy and procedure.

Kind regards

**Kat Fowler**  
**Environmental Health Officer**  
Environmental Protection, Public Protection Services

**Wiltshire Council**



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**From:** Sacha Moussaieff <[Sacha.Moussaieff@wiltshire.gov.uk](mailto:Sacha.Moussaieff@wiltshire.gov.uk)>  
**Sent:** 07 October 2022 08:55  
**To:** Fowler, Katherine <[Katherine.Fowler@wiltshire.gov.uk](mailto:Katherine.Fowler@wiltshire.gov.uk)>  
**Cc:** Edge, Katherine <[Katherine.Edge@wiltshire.gov.uk](mailto:Katherine.Edge@wiltshire.gov.uk)>  
**Subject:** Cuckoo Inn, Hamptworth

Good morning Kat

I hope you are well.

Please find attached the updated NMP for your review and comments. This plan incorporates the list you have provided in your email of 28<sup>th</sup> September 2022. Please do let me know if you would like us to add anything else.

I can also confirm that I agree to the new suggested proposed restrictions you have proposed:

- 1. Restrict the number of events that can be held at the premises annually to:**
  - i) *Two beer festivals one in May and one in September. Amplified music only on the Friday and Saturday evening, no amplified music on the Sunday.*
  - ii) *Up to an additional four events with amplified music outside the remainder of the year with a maximum of one per month.*
  
- 2. Restrict the duration and time amplified music can be played outside;**
  - i) *Beer festivals. A total of 3hrs of music per day with an end time of 22.30hrs.*
  - ii) *For the other four events no more than a total of 1hr30 (x2 45min sets with 30 min break) and music to end by 21.30hrs.*

I can assure you that our intention is, and has always been, to provide the community with a friendly and welcoming pub and to be responsive and adaptable wherever necessary - and considerate in dealing with any reasonable complaints.

I sincerely hope that this agreement, along with the many assurances I have provided in our meeting last week, will conclude with the necessity of the review hearing to be reconsidered.

Kind Regards

Sacha

**SACHA MOUSSAIEFF**

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**From:** Fowler, Katherine <Katherine.Fowler@wiltshire.gov.uk>  
**Sent:** 18 October 2022 16:56  
**To:** Sacha Moussaieff <sm@miltonstone.com>  
**Cc:** Edge, Katherine <Katherine.Edge@wiltshire.gov.uk>  
**Subject:** RE: Cuckoo Inn, Hamptworth

Dear Sacha,

It was good to speak with you this afternoon.

As discussed it is evident that you have shown co-operation to resolve the noise issues at the Cuckoo Inn by agreeing to our proposals. However, we do still have a lack of confidence in the management operating the pub and any future events held. Therefore, we feel it is necessary to continue to the review hearing with the aim of disapplying the live music act deregulation and imposing conditions to ensure noise will be controlled and managed effectively to prevent a public nuisance. The conditions would be to ensure a suitable NMP is submitted and updated, restrict the number of events held annually and the duration of these events.

Furthermore, I do not believe the residents concerns will be alleviated without the review hearing.

Kind regards

**Kat Fowler**  
**Environmental Health Officer**  
Environmental Protection, Public Protection Services

**Wiltshire Council**

