

From: [McMillan, Peter](#)
To: [Mulvey, Debbie](#); [Garrod, Ian](#)
Subject: Premises Licence Application - Eastern Chillout, 99 Fisherton Street
Date: 04 June 2013 10:19:55

Dear Debbie and Ian,

I write concerning the application to vary the premises licence for Eastern Chillout, 99 Fisherton Street.

I regret that we have serious concerns regarding the licence application. Our concerns are specifically related to the following elements of the application.

1. To allow late night refreshment to be provided in the garden area and "Barn." For clarity the name "Barn" may cause a misunderstanding for some people reading the application. It is essentially an outbuilding to the rear of the premises with one side entirely open.
2. To allow regulated entertainment, in any form and including dancing, to take place in the "Barn"
3. To allow recorded music to be provided outside in the garden area
4. To allow speakers to be installed in the smoking tents in the garden area and allow recorded music to be provided there
5. To extend the times for regulated entertainment inside the premises without putting in place reasonable, and necessary, measures to prevent that entertainment from causing a nuisance. The current operating schedule and application to vary the licence do not put in place any specific measures which would prevent entertainment noise from inside the premises from causing a nuisance. Such as ensuring windows and doors are kept closed when regulated entertainment is taking place and ensuring an acoustic lobby is in place on the rear exit to the garden / Barn area.

As you know the Barn and garden area to the rear of the premises are almost entirely surrounded by houses. The garden and external area are also very narrow and the houses are very close indeed. In our opinion these factors make the elements of the application referred to above entirely inappropriate for the local area and people living nearby. The noise which will inevitably be created by these activities is likely to cause a public nuisance for people living nearby.

As an illustration of the risks associated with this premises and the proximity of neighbours in late 2012 both ourselves and yourselves were in receipt of complaints from a close neighbour regarding nuisance being caused by entertainment being provided at the premises. That neighbour advised that music noise from the premises was clearly audible in their home and was preventing them from sleeping. Although those complaints have since ceased we understand this was as a result of the cessation of entertainment being provided outside the premises.

On the basis that the application is likely to cause public nuisance we recommend the application be refused.

If you have any questions or wish to discuss this further please let me know.

Regards,

Peter McMillan
Senior Environmental Health Officer

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