

From: Kieran Bond
Sent: 19 May 2022 17:45
To: [REDACTED]
Subject: 22/00431/LPRNEW

Dear Mr Perkins,

I write in relation to your recent application for a Premises Licence for The Bell Inn, Moretonhampstead.

You may be aware there has been historic issues with noise at this property, involving complaints of disturbance. These complaints were investigated by Teignbridge District Council, Environmental Health department, and an Abatement Notice was served on the 31st July 2014, being satisfied that a Statutory Nuisance – arising from loud music and associated speech and noise from patrons outside the premise. Subsequently, there were multiple changes in DPS' following the service of the notice, all of which came to agreements to take steps to mitigate noise disturbance – however, the sound levels remained intrusive and complaints ultimately persisted.

I, unfortunately, would have to object to your Licence Application as it currently stands on the grounds that the frequency of events, hours of music and sound levels would likely give rise to a public nuisance impacting neighbouring homes. Therefore, I write to you to seek further clarification on any soundproofing measures that are in place on the premises. A sound impact survey should be conducted and management plan provided and agreed with the LPA to demonstrate that sound will not exceed the background level inside any adjacent property. An air-borne sound insulation and impact noise report should be provided and the building should be laid-out so the future activities will not cause a nuisance or significant impact to neighbouring homes and/or flats. Please consider, the potential for occasions when amplified sound or associated speech takes place at the venue.

I also propose the below conditions be added to the premises licence. This department has no wish to prevent you from operating this business as you intend to and I hope you will agree that the below is in the best interest of the immediate community and neighbours in close proximity that risk being affected by the noise likely to emanate from your premises, particularly on Friday and/or Saturday evenings during the live music weekends.

Dispersal:

Clear and legible notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and to leave the vicinity as quickly and quietly as possible. When issues are identified approaches will be made to patrons, who will be asked not to stand around talking in the street outside the premises or any car park; and asked to leave the vicinity as quickly and quietly as possible.

Clear and legible notices shall be prominently displayed at the entrances to the premises advising that of patrons cause any disturbance or disorder admission will be refused as a result.

The handling of kegs, bottles cleaning equipment, bottle disposal and similar items shall not take place before (08:00am) hours or after (23:00) hours.

Noise Levels

The noise climate of the surrounding area must be protected such that the A- weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured 1m from any facade of any noise sensitive premises over any 5min period, must not increase by more than +3 dBa over the La90 background sound level.

Point of Contact

The Premises Licence Holder or Designated Premises Supervisor shall be available at all times during regulated entertainment and be responsible for cooperating and liaising with any responsible authority.

Noise Limiting Devices

A noise limiting device (the specification and design to be agreed with Teignbridge District Council's Environmental Protection Team) shall be fitted so that all live and recorded music is channelled through the device(s). The maximum noise levels will be set by agreement with Teignbridge District Council's Environmental Protection Team and will be reviewed from time to time as appropriate.

The Premises Licence Holder or nominated person shall control the sound levels of the music/entertainment.

The Premises Licence Holder or nominated person shall ensure that the noise limiting device is sealed after commissioning, so that sound operators cannot override the system during the performance of live and recorded music.

A noise limiting device shall be used in relation to all sound amplification equipment used in line with the following:

- (i) The noise limiting device shall be kept at the settings approved by the Council through an authorised officer of the Teignbridge District Council's Environmental Protection Team.
- (ii) The noise limiting device shall be properly secured so that it cannot be tampered with
- (iii) The noise limiting device shall only be reset with the authority of Teignbridge District Council through an authorised officer of Teignbridge District Council's Environmental Protection Team

Doors, Windows, & Lobbies

All external doors and windows shall be kept shut at all times when the premises are during regulated entertainment. Doors may be opened for normal entrance and egress of people but must be shut immediately after.

The windows and doors at the premises will be shut from the start of or 9pm, whichever is later, whenever live music and/or dj style entertainment music is playing. This would not include music that would be considered background music. Background music will not be clearly distinguishable from the street or the façade of neighbouring homes.

Note: Clearly distinguishable: This relates to the ability to recognise a noise disturbance that is not in character with the area. This may not be the predominant acoustic feature above background noise levels, but would be an identifiable feature of the environment. If the song/ track can be relatively easily identified, and the location of that noise source is known due to the volume, then it is likely that it will be clearly distinguishable and in breach of this condition.

The entrance/exit door(s) shall be fitted with a suitably constructed lobby and doors with automatic door-closers that are maintained in good working order to minimise noise break out from the premises.

Noise Monitoring

After 19:00 hours noise levels in outside areas will be monitored and controlled to minimise any potential impact on local residents. Customers will be advised of the need to respect local residents where appropriate. Any patrons continuing to cause any disturbance or disorder will be asked to leave the premises.

Smoking Areas

Steps shall be taken ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

Clear and legible notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

Any outdoor areas to the front/rear of the premises must not be used by customers or staff after 23.00 hours.

The handling of kegs, bottles shall not take place before 7.00 or after 23:00 hours.

No deliveries to the premises shall take place between 7.00 hours and 23:00 hours..

No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

Ventilation equipment will be regularly cleaned and maintained to control the levels of odour generated by the premises.

Reports and Schemes

A report shall be submitted detailing and recommending a scheme of sound insulation works for the separating structure between the licensed premises and the attached residential property. The report shall consider: the potential for noise breakout from the building and the volume and nature of the music likely to be desired by the premises. The report shall be approved in writing by Teignbridge District Council's Environmental Protection Team. All recommended works shall be completed prior to the commencement of the premises licence.

Should you wish to discuss any of the above, please feel free to get in contact. I will be submitting my response to the Licensing team at 5pm on Thursday 26th May so should you wish to provide an update or clarification on any of the above, please inform me before that time.

Many thanks and best wishes,

Kieran Bond

Environmental Protection Officer

Tel: 0

Email

www.teignbridge.gov.uk