

APPENDIX 4

Mon 19/08/2019 01:43

1. Staff shall monitor customers outside the premises on a regular basis and ensure patrons do not cause a public nuisance.

We will monitor customers within the internal premises and up to the level of Miscos Chocolate Shop, however we can not monitor customers once they have left this area. We will display appropriate signs within the yard to ensure customers leave quietly and respect our neighbours, as per point number 6.

2. All windows and skylights shall be kept closed at all times when **regulated entertainment** takes place except for the immediate access and egress of persons.

Our regulated entertainment is quiet background acoustic music that is not excessive in volume and for which we have not had any complaints.

Therefore, Windows from the kitchen are to be open as required for ventilation. Doors into courtyard to be opened as the weather permits.

3. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.

Accept

4. A suitably calibrated music noise limiter should be installed in accordance with the advice set out in the Peak Acoustics Noise assessment Report. The commissioning and installation should be undertaken in compliance with the scheme and levels set out in the noise assessment paragraph 7.2. This installation should be conducted under the guidance of a suitably qualified acoustics specialist.

After review, we have decided that we will not have live music in the new bar area. All live music will be in the current restaurant setting. As we already have a music noise limiter fitted within these premises, we do not feel that a further limiter is necessary.

5. The details of the noise limiter installation should be submitted to and approved by the Local Planning Authority. This noise limiter should be maintained in accordance with manufacturer's instructions and requirements of the noise assessment.

See Number 4.

6. All access and egress should be down the courtyard entrance at Derby Street. Prominent, clear and legible notices must be displayed at all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly.

We will display appropriate notices at all exits regarding respecting the neighbours on leaving the premises.

7. The courtyard area should not be used between 23:00 to 09:00. The operator shall ensure that patrons and third parties are not permitted to make use of chairs and tables in the courtyard after 23:00.

As the courtyard up to the point of Miscos Chocolate Shop is part of our business which is monitored by staff at all times, we will ensure that patrons will not cause a public nuisance when sitting in the courtyard. Please refer to agreement of point number 1. We intend to continue use the courtyard until 12 midnight.

8. Customers and staff shall not enter or leave the premises by way of the York Street or Derby Street fire exits except in the case of emergency. The fire exits shall be signed on both sides to indicate that it is not to be used as an entry point to Getliffes Yard/ the premises and should not be used as an exit except in case of emergency. The fire doors should be acoustically sealed to the satisfaction of the Environmental Health Department.

The Bath street entrance will be used as an emergency fire exit, and for the access for disabled and elderly customers only. We will display signs to state this. It will not be permitted for customers or staff to smoke outside this door.

Regarding the York street entrance, we will again display appropriate signs stating the use in case of emergency only.

9. When amplified live music is being played a minimum of 2 noise assessments shall be carried out after 23:00 to assess any noise emanating from the premises. The assessments will include a member of staff standing at various locations close to noise sensitive dwellings, assessing the noise and reporting the outcome on the noise logs. The noise logs will request the member of staff's name, the date, location and time the noise assessment was carried out, the result of the noise assessment and whether any action is required. Whenever said assessments indicate that noise is likely to cause nuisance to any residents or businesses in the vicinity, steps will be taken to reduce the level of noise. All noise checks must be recorded and made available to an authorised officer if requested. Staff will be trained in relation to the sounds checks.

We only have live music after 11pm on New Years Eve and for occasional private functions. We will therefore agree to monitoring sound levels on these occasions and acting accordingly as stated.

We look forward to hearing from you.

Regards

Ozgur.