

APPENDIX 3

To: Licensing

YourRef: Society Bar

F.A.O: Sandra Bradbury

From: Denis Colgan
Pollution Section

Our Ref:

Direct Dial:

Date: 20th October 2017

Application for Premises Licence: Society Bar (ex Engine Room), Market Place, Leek, Staffordshire

The Environmental Health Section wish to register our objection to the premises application on the following grounds –

1. The hours requested are likely to adversely impact the current noise environment in the town centre and pose a significant risk of nuisance to neighbouring properties.
2. The hours requested are a substantial extension to those which previously existed at these premises. This hours contributed to ensuring the use of the premises did not cause adverse impacts to the nearest neighbouring properties. There is no record of noise complaints to the Environmental Health Department in the previous 5 years to this application.
3. The introduction of late hours into this premise is likely to cause a shift by other premises to later operating hours which would further extend entertainment and commercial noise later into the night and therefore risk significant nuisance impacts to town centre residents.
4. The proposed smoking area at the front is a significant change to the smoking area arrangements previously existing at the site and is likely to increase noise impacts to the nearest residential properties
5. Due to the extended hours which the premises maybe likely to obtain it maybe appropriate to restrict the Stockwell Street opening hours to 23:00.

Comments: It would be the advice of Environmental Health that this premise would ideally mirror the closing hours of its nearest neighbour the Red Lion. If these hours were adopted then this position may be reviewed positively towards recommending approval. The previous operating hours at this premise helped to ensure that nuisance was not caused to the nearest residential properties. The application requests a significant extension to hours which is likely to contribute and/or cause nuisance to residential properties in the area, by adopting closing hours similar to the Red Lion then a compromise would be achieved by extending pre-existing hours and considering impacts to residential neighbours. The change of location for smokers is also a significant change to pre-existing arrangements and should be reviewed.

Proposed Regulated Entertainment Hours To address Concerns–

Sunday to Wednesday – 10am to Midnight
Thursday to Saturday – 10am to 02:00.

PTO>

Proposed Conditions

1. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
2. No amplified music shall be played outside the building being proposed in connection with this permission.
3. All windows and external doors shall be kept closed between 19:00 and 02:00 and at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
4. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.

Regards

Denis Colgan)
Pollution Officer (Specialist)

Sandra

I can confirm that the 4 conditions are agreed but not the proposed reduction in hours or any other comments.

Andy

Sent from my iPhone

On 16 Nov 2017, at 15:15, Bradbury, Sandra <Sandra.Bradbury@highpeak.gov.uk> wrote:

Good Morning Mr Terry/Mr Woods

I am just in the process of finalising the Sub-Committee report for the above and to ensure its accuracy I would just like to confirm that you are in agreement with the Licensing Conditions as proposed by Mr Colgan, EHO.

Thank you for your assistance

Kind regards

Sandra

Sandra Bradbury

Licensing Officer

High Peak Borough Council and Staffordshire Moorlands District Council

T: 0345 129 7777

E: sandra.bradbury@highpeak.gov.uk

From: Pete Terry

Sent: 31 October 2017 09:53

To: Colgan, Denis; Bradbury, Sandra

Cc: 'Andrew Woods'; 'Potrykus, Sam @ Leeds'

Subject: FW: Application for the Grant of a Premises Licence - Society (Previously The Engine Room).

Importance: High

Dear Denis

Thank you for your time on the phone today

I can confirm that I feel your suggested conditions are perfectly acceptable to us to go on the licence.

Sadly we can't compromise on the opening hours, as the project becomes unviable if we cannot effectively compete with the nearby Infinity nightclub. We have asked for the same hours that they have. Whilst I appreciate this is in a different area of town, the Infinity nightclub is surrounded by residential property, and it appears some adjoins their building directly.

There is already an additional conditional added to our application now saying the Stockwell Street entry will only be used as a fire exit following further talks with the Police.

As I said on the phone it would be very much our view at a hearing that potential noise concern would be speculative, and the EHO has statutory powers in order to swiftly address noise nuisance should it occur. We have done research on the town and the premises location, and we are aware of excessive noise emanating from Shaw's and the issues with the smoking area at Red Lion. We have worked hard with our scheme to try and avoid any activity at the rear of the premises. For example we have moved the smoking to a solution at the front of the property, and we have also put the main nightclub room in the middle of the property with plenty of potential to insulate and work toward restricting sound leakage. We will also be installing a distributed sound system in order to focus sound where it belongs, on the dance floor.

The worst thing that could happen for us would be to open and then have our investment jeopardised with a subsequent noise issue, so I can assure you this would be my top priority.

We currently operate 5 premises

Society Newcastle Under Lyme
Society Manhattans Burton
Society Manhattans Uttoxeter
Manhattans Buddha Ashby
KIKI Manchester (24 hours licence at the weekend)

We had similar objections to our licence application in Uttoxeter in 2016, however we have had no issues there and have been operating for nearly a year,

We have had no sound issues in any of our venues lately, but in the past we have dealt with the following

KIKI Manchester (EHO C Pandolfo) Late 2014

Complaints from the Adjacent hotel (Noise)

We immediately commissioned a sound report, built a noise lobby and relocated the speakers to improve sound leakage. Result – no further complaints. We even took rooms in the hotel at our expense to monitor sound levels and ensure any problem was solved.

Manhattans Long Eaton (EHO unknown) 2014

We had a complaint from the (newly built) flats opposite the venue in 2014

We immediately monitored the noise and then discovered the flats had been built contrary to their planning permission which had demanded British Standard soundproofing and also extra flats had been built where a café should have been. Despite this we relocated the smoking area to the other side of the venue and double glazed the windows upstairs following our own sound level monitoring

Please feel free to speak to the EHOs in these instances to see how we handled issues

I can confirm that in the event that we can avoid a hearing and negotiate for EHO to withdraw an objection I would be willing to commit to an additional conditional to undertake regular recorded sound readings around the exterior of the venue, and address any problems straight away (if you could draft something in words you are happy with

I would also add that our sound systems will have a limited fitted restricting the levels to which the music can operate and i can add this as a condition too if it helps.

We look to work closely with all authorities and have a demonstrable track record of doing so. I hope we can negotiate to avoid a hearing and I would be happy to meet with you on site to explain our scheme in more detail.

I look forward to your response. We genuinely aim to be good neighbours and an asset to the town.

Yours Sincerely

**Pete Terry
DISCO Bars**