

**From:** Andrew Hill

**Sent:** 08 April 2025 18:17

**To:** Sarah Rogers - Licensing

**Subject:** Information in advance of the Dancing Jug Hearing tomorrow

Hi Sarah,

I wanted to provide you with some additional information in advance of the hearing in front of the Licensing Sub Committee tomorrow morning.

As you are aware, the applicant, Mr. Mugarel Sumanariu, and I managed to successfully mediate a number of suitable conditions regarding this premises license. I believe that these conditions, if applied to the premises license and adhered to by the applicant, will ensure that the 'Prevention of Nuisance' objective is sufficiently upheld, and residents can be assured that they will be provided with the required protections concerning noise and nuisance.

A major concern when the original application was made in July 2024 was the proposed terminal hour of 01:30 on Fridays and Saturdays. This application, therefore, proposes a reduction in the terminal hour to midnight from Monday to Saturday and 23:30 on Sundays.

Further concerns were raised regarding the use of the proposed external area, external noise from patrons and music within the venue, and external noise from patrons leaving the venue at the end of the night. A detailed acoustic report was commissioned by the applicant and submitted for my attention. The report outlined several controls that should be in place to minimize the potential for noise disturbance. A copy of this report is attached for your reference.

The proposed beer garden and external smoking area to the rear of the building was an aspect of this application that caused the greatest concern in terms of potential noise disturbance. The report, therefore, made several recommendations regarding the construction of this enclosure. These included the construction of a 2m high brick wall to the northern elevation, installation of a solid close-boarded fence on the western and eastern elevations, and the installation of polycarbonate roofing with a specified sound reduction index to ensure that the noise levels at the closest noise-sensitive receptor are below the required noise criteria. Furthermore, it was agreed that there shall be no live or recorded music in the proposed rear garden area.

However, as a safeguard, I have requested the following condition:

The area shall not be put into use until such time as a further acoustic report has been submitted to and approved by the Environmental Health Department confirming that the required sound reduction has been achieved and the external area is built in accordance with the specification outlined in Acoustic report ATTUNE Ref: 26927REP-1C or an equally effective level of acoustic mitigation is achieved.

This is key as the area cannot be put into use until such time as I am satisfied that the enclosure has been constructed in accordance with the specifications set out in the above acoustic report.

Regarding the potential for noise disturbance from music and patrons within the premises, the following additional measures have been agreed upon:

The installation of a lobby doorway

The installation of secondary glazing

The control of music noise through the installation of a noise limiter

The applicant has also agreed that all conditions regarding noise from music will be in force for the duration of the operating hours. Typically, conditions regarding noise from music would only be applicable after 23:00. However, the applicant has agreed to ensure that the noise controls are in place for the duration of the opening hours.

I hope it is evident to yourself and members of the sub-committee that I had no justification for making a representation against this premises license as the applicant has cooperated fully during the mediation process and provided me with the necessary assurances that the 'Prevention of Nuisance' objective will be upheld. However, as is often the case with the introduction of a new business into an area, the true impact is only realized when the premises is operating. Therefore, it is imperative that the Environmental Health team maintains an open dialogue with the venue and residents to ensure that any problems are dealt with in a timely manner. The applicant has demonstrated a willingness to engage with the Environmental Health team throughout the application process, and therefore I am confident that this mechanism for communication and engagement is in place.

I would, however, like to reiterate that if this license is granted in its current format and complaints are received from residents, we would be obligated to investigate these. If sufficient evidence is gathered that the venue is not operating in accordance with the agreed conditions or in a manner that results in the 'Prevention of Nuisance' objective being undermined, the Environmental Health team would be required to bring this license before the sub-committee for further review.

It is worth drawing your attention to the fact that this license already has several conditions attached to it regarding noise. Therefore, we will be limited in terms of asking for additional conditions to be attached regarding noise should we find ourselves before a sub-committee

seeking a review. It is also evident that the hours have already been curtailed to midnight, and therefore this team would need to consider that if we do indeed have reason to bring this license before the sub-committee in the future, the only available option may be to seek a further reduction in the hours of operation or to ask for the revocation of the license. The provisions of the Live Music Act would not apply to this license as the applicant has already voluntarily agreed to disapply these.

I hope the above additional information is useful.

Please feel free to share this correspondence with members of the sub-committee if you see fit.

Kind regards,

**Andrew Hill**

**Environmental Health Officer**

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