

The Licensing Team

The Pollution Team are submitting a representation on the Application for Premises Licence for 20-22 Abbotsbury Road, Morden SM4 5LQ

This representation is made as a Responsible Authority under the Licensing Act 2003 and relates to the Licensing Objective 'The Prevention of Public Nuisance'

The premises is requesting opening hours and regulated entertainment , namely Live and Recorded Music until

- Friday until 4:30am
- Saturday until 5:00am
- Sunday until 1am

However it is not clear as to how the dates and times cross-over from one day to the next.

The Pollution Team are making a formal Representation on two grounds.

1. The suitability of the premises as a late night entertainment venue including its location.
2. Previous complaints about noise from the premises and responses by the Owner.

#### **The properties suitability as a late night entertainment venue:**

Premises that are licensed for late night entertainment are strictly controlled by both the use of acoustic attenuation, that is noise measures taken inside the building such as noise insulation to contain noise, noise limiting devices and a strict Noise Management Plan that also considers noise from both music and patrons. Even with the best controls, as noise professionals we still see issues with premises of these kind near to residential properties.

The Licence Application is an opportunity for the applicant to set out controls to ensure that the property does not contravene the Licensing Objectives specifically section M d). The applicant has put forward ' The External Area will be regularly Monitored by CCTV' This is wholly unacceptable for a premises that is requesting live and recorded music until the early hours of the morning.

Steps such as the material consideration of the property and how it can contain music without impacting on neighbours is needed, along with an acoustic assessment substantiating this conclusion. A noise Management Plan should be submitted and be robust enough to ensure that all noise, including patrons is controlled with a series of practical and enforceable conditions.

#### **Complaints about the Premises.**

On the 24<sup>th</sup> of July 2017 a complaint about loud amplified music was made to the Councils Night Duty Noise Service at 23:30 about this property, officers attended and considered the noise to be unacceptable and requested that the owner reduce the volume of music. The officers report that they were subject to abuse from the owner. This was then followed up in writing, details of which are available.

On the 30<sup>th</sup> of June 2018 at 23:54 a further complaint was made about noise from loud amplified music.

## **Recommendation**

It is recommended that the application is rejected by Committee on the grounds of the Prevention of Public Nuisance.

Sincerely

**Jason Andrews**

EH Pollution Manager

Regulatory Services Partnership

London Boroughs of Merton and Richmond upon Thames

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