

## Cockerill, Janice

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**From:** Clay, James  
**Sent:** 24 September 2007 15:15  
**To:** Cockerill, Janice  
**Cc:** Dean, Anthony; Dodds, Neil  
**Subject:** Application for variation to premises license for the Marcia, 29 High Street, Bishopthorpe.

Further to my colleague Mr Dodd's representation regarding the above application the environmental protection unit wish to adapt our representation in light of existing conditions on the current premise license that will be automatically added to the variation.

We would wish to see the following conditions attached to the application, these conditions are recommended to protect local residents from the potential nuisance that could occur if the conservatory area of the public house were to be used for regulated entertainment.

If these conditions are accepted by the applicant there will be no for representation by the environmental protection unit:

1. No regulated entertainment, live or recorded is permitted to take place within the conservatory area.

**Reason: To protect the amenity of local residents.**

2. The partition (folding) doors leading into the conservatory area shall be closed and remain closed when regulated entertainment is taking place.

**Reason: To protect the amenity of local residents.**

We would wish to note that if due to the implementation of the new opening times complaints are received regarding nuisance, the result of the investigation could be to recommend that a review of the license is conducted to resolve the issues.

If you wish to discuss this with me please contact me on ex1570

Many thanks

James Clay  
Environmental Protection Officer

## **Cooke, Lesley**

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**From:** Dodds, Neil  
**Sent:** 17 August 2007 16:00  
**To:** Cooke, Lesley  
**Cc:** Dean, Anthony  
**Subject:** Licensing act application - Marcia, 29 Main Street, Bishopthorpe

The Environmental Protection Unit have received previous noise complaints and therefore have concerns regarding the proposed variation to licensing conditions. After discussing these concerns with the landlord I recommend the conditions below be attached to any approval given.

1. Amplified music originating after 23:00 hours from within the premise shall be inaudible at the nearest noise sensitive premise. Where a subjective assessment of amplified music is inconclusive, inaudibility shall be taken to mean:

(i) The LAeq, 5 min level measured 1 metre outside a window to a habitable room, with entertainment taking place, shall show no increase when compared with the representative LAeq, 5 min level measured from the same position, under the same conditions and during a compatible period with no entertainment taking place and;

(ii) The Leq, 5 min level in the 63 Hz and 125 Hz octave bands measured 1 metre outside a window to a habitable room, with entertainment taking place, shall show no increase when compared with the representative Leq, 5 min level in the 63 Hz and 125 Hz octave bands measured from the same position, under the same conditions and during a comparable period with no entertainment taking place.

**Reason - To protect the amenity of local residents**

2. No regulated entertainment is permitted to take place within the conservatory area.

**Reason - To protect the amenity of local residents**

3. The partition (folding) doors leading into the conservatory area shall be closed and remain closed when regulated entertainment is taking place.

**Reason - To protect the amenity of local residents**

4. All windows and doors shall remain closed during regulated entertainment, except for access and egress.

**Reason - To protect the amenity of local residents**

Neil Dodds  
Environmental Protection Unit  
EXTN 1844

