

Cockerill, Janice

From: Golightly, Michael
Sent: 15 November 2018 11:42
To: EAP Licensing Unit
Subject: Premises licence application for Stonebow House, The Stonebow, York

Dear All

Public protection are objecting to the above premises license application on grounds of public nuisance and the prevention of crime and disorder and are making representation.

The Local Authority have historically received a number of complaints about loud amplified music and noise from anti- social behaviour from people outside the buildings and in the smoking areas from the previous licensed premises that were at the site which resulted on noise notices being served on one of the premises due to statutory nuisance from loud amplified music.

The proposal for the premises is to have a large number of commercial restaurants in one location within the city centre adjacent to a large number of residential dwellings on the Hungate site, The Stonebow, St Saviourgate and new flats above the premises site.

The site is directly adjacent to the Cumulative Impact Zone (CIZ), which is an area highlighted by the Council as being under stress from crime and disorder and public nuisance due to a large number of licensed premises.

The taxi rank on St Saviourgate is already in use for the whole of the city and is not exclusively for the new premises. As this is already very busy and there may be a significant increase in the use of this taxi rank which will need to be controlled in terms of managing the customers leaving the premises, their behaviour and noise levels.

Public protection are concerned about the potential for an increase in anti-social behaviour and public nuisance from noise from a large number of people leaving the premises at the end of the evenings or events and the potential for people loitering around the area and would like the applicant to demonstrate how this will be managed.

The outside area that faces onto Whip ma whop ma gate is proposed as a licensable area but no conditions have been submitted by the applicants in order to control noise from this area by patrons. Public protection are concerned by the proposal for fixed chairs and tables in this area, the times proposed and how this area would be managed.

Public protection are also concerned as to how such a large premises will be managed in terms of control of noise and the location of regulated entertainment and numbers of door staff that would be required for the premises.

The planning proposal for the premises required in condition 14:

"Noise from any D2: Assembly and Leisure uses shall not exceed background noise levels measured at a distance of 1m from the application site."

This condition has not as yet been signed off as having been complied with and a Public protection are waiting for a noise report to be submitted that will ensure that the premises is fit for purpose. Once this has been submitted Public Protection will be better placed to comment on further licensing conditions.

A noise management plan has been proposed, however, Public protection believe that owing to the size of the proposed development this should be submitted before use begins in order to ensure it is adequate.

Public Protection agree to the following condition as proposed by the applicant:

1. Clear notices shall be prominently displayed requesting customers to respect local residents and leave the premises and area in a quiet and orderly manner.

Public Protection would like the following conditions to be slightly modified:

"All doors and windows shall be closed when regulated entertainment is provided after 23:00hrs (except for ingress and egress)."

To

2. All doors and windows shall be closed when regulated entertainment is provided (except for ingress and egress).

"A noise limiting device must be fitted to the musical amplification systems"

Changed to

3. Whilst live music is being played all music shall be played or reproduced through loudspeakers and a tamper-proof noise limitation device. The device, the levels set and the installation shall be approved in writing by the local planning authority before the use hereby approved commences. Thereafter the, approved levels, equipment, installation and position and type of loudspeakers shall be maintained in accordance with the planning approval; at no time shall they be modified without the written approval of the local planning authority."

We would like to attach the following conditions:

4. Hours of operation to be restricted to the following:

All licensable activities in the basement restricted to:

07:00hrs - 23:00hrs Sunday – Thursday
07:00hrs - midnight on Friday and Saturday

The premises to be open:

07:00hrs - 23:30hrs Monday – Thursday
07:00hrs – 00:00hrs Friday
00:00hrs – 00:30hrs and 07:00hrs – midnight Saturday
00:00hrs - 00:30hrs and 07:00hrs – 23:30hrs Sunday

5. After 21:00hrs there shall be no live music on the ground floor level.

6. A minimum of 350 table covers shall be provided on the ground floor and a minimum of 200 table covers shall be provided on the basement floor at all times the venue is open to negate the need for vertical drinking. (The exception will be for the Basement level any change to minimum table covers must be agreed in writing with North Yorkshire Police and the Licensing Authority, 28 days before any changes).
7. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
8. Door Supervisors shall be employed as follows:-

Sun- Thurs there shall be a minimum of two SIA licensed door supervisors for up to 300 capacity on duty at the premises while it is open for licensable activities from 20:00hrs. Thereafter there shall be 1 SIA door supervisor per 100 additional people or part thereof on days when there are events or functions planned.

On Fridays and Saturdays there shall be a minimum number of 5 SIA door supervisors from 20:00hrs until 30 minutes past closing time. When employed, door staff will wear high visibility arm bands.

The outside area

9. Tables, chairs and barriers/other outside furniture shall only be placed outside the premises, as defined on the plans, between 09:00hrs and 21:00 hours daily.
10. All tables and chairs to be removed by 21:00hrs.
11. After 21:00hrs The bi-fold door shall be closed and only 2 of the smaller door sections to the West facade shall be used for ingress and egress.
12. After 21:00 hrs the outside area shall only be used by customers wishing to smoke. This area shall be clearly defined with a barrier, the location of which shall be agreed with the local authority before use commences and adhered to thereafter.
13. No drinks to be taken into the outside area after 21:00hrs
14. The area (when in use) shall be monitored by staff or door staff (when employed).
15. No regulated entertainment shall take place in the outdoor area of the premises.
16. A noise management plan shall be submitted before the premises is opened and implemented thereafter. (Note include details of how people will be managed dispersing from the premises, a noise complaints procedure and details of noise monitoring, including locations where monitoring will take place and any noise mitigation that will be proposed).
17. When used door supervisors shall be instructed to maintain orderly queues outside the premises so that it does not block the highway or cause excessive noise disturbances.
18. When used door supervisors shall use their best endeavours to ensure that customers leaving the premises do so quickly and quietly without loitering outside.

19. A minimum of 5 independent food providers shall be present and open at all times alcohol will be supplied except if the premises operates privately or for organised events or for functions.
20. No licensable activities (or regulated entertainment) shall take place at the premises until the premises has been assessed as satisfactory by the Local Authority at which time this condition shall be removed from the licence by the licensing authority.

Should you have any further queries please contact me on 01904 551580.

Regards

Michael Golightly
Technical Officer

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