

Memo

To Shirley Belcher, Assistant Licensing Officer
From Matthew Northard, Senior EH Practitioner
Date 20th May 2015
Subject Licensing Act 2003 ("The Act")
Application for a Premises Licence Variation
The Beach Shack, Devonia Slipway, Esplanade, Sandown, IW, PO36 8JS

By virtue of Section 13 (4)(c) and 13 (4)(e), Environmental Health is a responsible authority and may make representations to the Licensing Authority over applications for variations to Premises Licences.

The application involves extending the opening hours on Fridays and Saturdays from 22:30 to 00:30 hours

There are residential properties within 10 metres of the premises. A complaint was received over music noise from an event in 2013, but appeared to relate to a one off private party.

Environmental Health understands controls cannot be included in relation to live and recorded music before 23:00 hours due to the exemptions under the Live Music Act. Therefore due to this event finishing at 23:00 hours no conditions are being recommended. Should the noise amount to a statutory nuisance Environmental Health has powers under the Environmental Protection Act 1990 to require the nuisance is abated.

Considering all the above and having regard to the Licensing Authority's guidance issued to applicants and its *Statement of Licensing Policy 2014-19*, this section requests that conditions be attached to meet the licensing objective for the prevention of public nuisance. These recommended conditions are considered to be precise, enforceable and reasonable.

1. No consumption of alcohol or other food and beverages shall be allowed in the external area of the premises between the hours of 23:00 and 08:00.

Reason: To reduce noise from customers using the outside area causing sleep disturbance to residents in Napoleons Landing, Esplanade, Sandown.

Many thanks for consulting this section.

Mr Matthew Northard
Senior Environmental Health Practitioner