

Subject: FW: Ref: 21/01077/LAPRE1 - Variation of Premises Licence Woodies

From: Paul Thomson <pthomson@chichester.gov.uk>
Sent: 01 September 2021 09:05
To: Licensing <Licensing@chichester.gov.uk>
Subject: FW: Ref: 21/01077/LAPRE1 - Variation of Premises Licence Woodies

Dear Licensing,

In relation to our department's representation below and for the record, our department visited site on Friday 30th July 2021 and not Friday 31st Aug as wrongly stated in one section of the email.

Kind regards



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From: Paul Thomson
Sent: 26 August 2021 17:26
To: Licensing
Cc: Helena Giudici; Emma Burle; 'Jon Wallsgrove'; 'LKingswell@john-gaunt.co.uk'
Subject: Ref: 21/01077/LAPRE1 - Variation of Premises Licence Woodies

Dear Licensing,

Thank you for consulting, with regard to the above.

Our department provides this representation to document that we cannot currently be supportive of the variation application to extend the hours for the sale of alcohol, late night refreshment and regulated entertainment at Woodies, Chichester on a Thursday as it has not been adequately demonstrated, through the application, as to how it is intended to prevent the potential for public nuisance.

The following comments are provided to clarify our department's position:

Firstly it should be recognised that a Thursday night is a more sensitive night of the week compared to a Friday or Saturday night as it can be reasonably asserted that neighbouring residents are more likely to need to work on a Friday.

Our department was agreeable to a series of TENS taking place on a Thursday night from the end of July in to August 2021. This was an attempt to trial the proposed variation. It is understood the TENS scheduled for the 29th July did not take place. In addition, our department visited site on Friday 30th July 2021 to assess for ourselves any noise experienced from activities.

Below are a list of complaints received by our department subsequent to the TENS trial. The complaints are from three separate households and three relate to noise complaints relating to Thursday 5th August.

Complaint ref	Issues raised
21/02633/NOIMUS	Loud music on Sat 14 Aug 8pm till late. Bass carries up the street. Does licence have noise levels set ?
21/02587/NOIMUS	Loud music on Thurs 5 August until 1230pm. Does not think building suitable for late night entertainment.
21/02579/NOIMUS	Loud music on a weeknight Thursday 5 th Aug.
21/02586/NOIMUS	Loud music and shouting between 10pm and 12.30pm on Thurs 5 Aug – is this allowed as licence says close at 11pm

On Friday 31st August I made a pre-arranged visit between 22:00 to 23:00 to speak to the then acting Manager, Matt Hewitt, to assess noise control. It was a warm summer's evening and Goodwood races had taken place during the day so the premises was very busy. Covid restrictions had been fully lifted and patrons were allowed to stand at the bar and there was no restriction in numbers. As such, I am satisfied the evening offered a fair representation of a busy night at the venue.

On arrival loud music was breaking out in to St Pancras from a live band at the nearby Nags Head that overshadowed noise from Woodies. The activities at the Nags Head ceased however and it was possible to assess Woodies activities in isolation.

It is a requirement of the current Woodies Premises Licence that "*when regulated entertainment is taking place, all doors and windows of the premises must remain closed other than for access/egress at the front of the premises*". This was not being adhered to when the visit to site was taking place. An air conditioning unit serving the annexe had broken and the doors to the front of the premises were permanently open. Noise breakout from the Woodies door was not considered an issue, however music noise and patron noise from the annexe was clearly evident and potentially disturbing with the annexe door open. When the door to the annexe was shut it did act to attenuate noise levels significantly, however every time it was opened there

was an instant increases in noise breakout from within. A lobby door could assist with this issue that was identified. I am not convinced that even with a lobby door that live music could be adequately contained after 23:00.

There is another noise control condition imposed on the current Premises Licence "*When regulated entertainment is taking place, a member of staff must monitor the level outside the premises at the front and rear of the property at the nearest residential property at 15 minute intervals to ensure no nuisance is caused to local residents*". It is suggested that this condition is extremely difficult to enforce and likely to be so impractical, as not to be followed. An alternative noise control measure could be to use install a noise limiter to the sound system and have the local Environmental Health Department set an appropriate internal noise level in terms of decibels.

During the evening visit, patrons were allowed to stand outside the annexe door in a small roped off area to smoke. It is not evident how noise can be controlled from this area, either by limiting numbers or preventing going outside after a certain hour namely 23:00.

Noise breakout to the rear of the premises was very well insulated and music noise was not readily audible to the rear car-park area. All doors and windows to the rear were closed. Music played in the rear conservatory restaurant area was incidental music and not high in volume.

It is inevitable that patrons leaving the premises late on a Thursday night, after an evening of drinking, are going to generate an element of noise. Our department is not convinced that this will be adequately controlled and managed and whether the location is appropriate for the later night opening hours during the week.

In summary, operation of the premises after 23:00 on a Thursday led to complaints from local residents. Our department is not satisfied that the potential for public nuisance can be avoided, without the implementation of robust noise control measures and restrictions to the proposed activities that are being applied for. As such, we are not currently in a position to support the proposed variation to the Premises Licence and raise this representation to object.

Any queries, please do not hesitate to contact. We are open to entering discussions with the applicant.

Kind regards



Paul Thomson

Senior Environmental Health Officer
Environmental Protection
Chichester District Council

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