

RE APPLICATION TO VARY LICENCE 3 FORE STREET TOPSHAM EXETER EX3 OHF

1. I am writing to object to the proposal to amend the licensing hours of No 3 Fore street Topsham Exeter.
2. I live at [REDACTED] and the proposals will impact on myself and my family.
3. Exeter City Council's Code of Good Practice on Licensing states at Clause 1.5 that in respect of the residential accommodation in the centre of the city of Exeter
"The Licensing Authority takes the view that it is vital that their residential amenity is protected and residents are not subject to unacceptable intrusion into their lifestyles by the activities of licence holders."
This clearly will apply to other parts of Exeter where there is residential accommodation in the vicinity of the licensed premises.
4. At paragraph 1.3 of the Council's Statement of Licensing Policy it states "The Licensing Authority considers that the risk of disturbance to local residents is greater when licensable activities continue late at night and into the early hours of the morning. For example, the risk of residents' sleep being disturbed by patrons leaving licensed premises is obviously greater at 02.00 than at midnight. Residents have a reasonable expectation that their sleep will not be unduly disturbed between the hours of 23:00 and 07:00."
5. Paragraph 2.3 states "there is clearly a risk of local residents being disturbed, particularly if the venue is open late at night; because people leaving the premises and noise escape arising from the open doors can be a significant problem in the early hours. Customers may be less inhibited about their behaviour and may be unaware of the noise they are creating.
6. Paragraph 2.6 states "Any activity involving public entertainment or eating or drinking on the premises has the potential to impact adversely on the surrounding area due to noise, smells, or congestion on the footway. It may also be caused by the customers being noisy on departure or leaving litter. The impact of noise generated by these activities, especially customers departing either on foot or in cars, is particularly intrusive at night when ambient noise levels are much lower."
7. The area of the licensed premises is mixed business and residential. The property adjoining and to which it is attached is a domestic house. The properties opposite are a mixture of residential houses and shops with residential flats over them.
8. These properties front onto the street with no garden in front or any possibility of hedges or other features which may reduce the noise.
9. Many of the properties in the vicinity of the licensed premises are listed and they are therefore unable to instal double glazing to reduce the nuisance caused by the noise on the property or of people leaving it.
10. The proposal for live music until 2.00am is equally likely to lead to a nuisance. The premises have a single door to the street so that any person entering or leaving the premises will cause the noise level in the street to increase substantially. The front of the premises is almost entirely glass with little sound proofing causing a significant level of noise in the street. This is already evident within the current licence conditions but will cause a considerable nuisance after 12.00 when Fore Street is now quieter, reverting to its residential character.
11. The proposed licence amendments individually and together are against the Councils own policy and will result in a public nuisance contrary to the four statutory licensing objectives.

Appendix F – Representation Chris Buckingham

