

15 May 2024

Cooper & Tan Investments Limited
Charnwood Becketts Lane
Greet
Cheltenham
GL54 5NX
BY RECORDED DELIVERY

Dear Sirs

I act on behalf of the operator of Moo Moo in Cheltenham, Bar Fever Ltd, and I have received your representation in relation to my client's application for a variation to the premises licence.

I note your representation is the only representation received to my client's application. As the Council's Licensing Officer may have confirmed to you, if the representation remains unresolved, a hearing in respect of this application will be required to determine the application.

By way of background, my client is a highly experienced national pub company with premises throughout the UK and are committed to working in partnership with the local community.

My client has carefully considered the concerns raised within your representation and I would like to offer to arrange a call or meeting with you (which could be online) as soon as possible to discuss your concerns, clarify our application and explain relevant measures that will be in place if this application is granted, which I hope will address and alleviate your concerns.

If you would like to arrange a specific time and date to discuss your representation and my client's application, please contact me. My office telephone number is 0115 9349183 and my email contact details are s.desor@popall.co.uk

I would also like to take this opportunity to clarify our application and address concerns raised in your representation. I understand your primary concern relates to the extension of licensing hours sought and concerns as to nuisance and disorder.

As far as we are aware there are no nuisance or disorder complaints of note related to the operation of Moo Moo.

For reference, the premises is already licensed for opening hours until 04:30 on Monday to Saturday and my client is not seeking to extend its opening hours to open later. The premises licence also already permits regulated entertainment and late night refreshment until 04:00 Monday to Saturday.

This variation solely seeks to extend the terminal hour for sale of alcohol to 04:00 (from 03:00) and recorded music to match existing closing times of 04:30 (currently 04:00) on Friday and Saturday only, following consultation with the police.

The purpose of seeking the later terminal hours for recorded music and sale of alcohol (to be more in line with existing opening hours) is so that my client's customers who wish to continue their night and have an alcoholic drink in the premises for a little longer on Friday and Saturday can do so.

Although I appreciate you are anxious as to this extension of hours, in our experience the extension will help reduce 'double migration' (and therefore double impact) in the area by customers leaving our premises to go to another premises in the area which is open later for sale of alcohol, rather than stay and finish their night in our premises. Also, importantly, the Police have supported this extension and agree this variation to allow alcohol sales until 4am will create a longer wind-down period and may assist in more staggered dispersal of customers from the premises, which can be managed and contained, reducing impact and potential for incidents in the area by mass dispersal at any one time, which we feel will promote the Licensing Objectives including prevention of public nuisance and prevention of crime and disorder. Also, allowing recorded music until closing time with music type and volume changed towards the end of trading will aid in a 'winding down' period and encourage gradual dispersal.

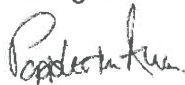
I note your concerns as to the extension of hours sought for sale of alcohol and recorded music. As you may be aware, Responsible Authorities such as Police and Environmental Health were consulted as part of this application process and none of those authorities raised an objection to the application, and as mentioned above, the Police are in support of the application. I also note the premises already operates under existing permissions under its premises licence to trade to 04:00 for sale of alcohol (05:00 for music, 05:30 for closing) under its Non Standard Timings for notable days. This demonstrates the premises can operate to the extended hours sought whilst continuing to promote the Licensing Objectives without any nuisance or disorder issues of note and whilst demonstrating safe and controlled dispersal and reduction in double migration.

Furthermore, I understand there are already licensed premises in the area that operate with sale of alcohol and recorded music to similar hours as we have requested on Fridays and Saturdays, and therefore this would not be an unprecedented extension of hours for the area.

Notwithstanding this, my client has taken note of your concerns and if the variation is granted as applied for, my client has put together a site-specific noise management plan which will be in place. This plan sets out measures and controls to prevent nuisance and disorder, control dispersal and minimise disturbance to nearby residents and businesses. I attach a copy of the plan for your reference.

I hope the additional information and management plan provided sufficiently alleviates your concerns. I would be grateful if you would confirm whether given the information provided you are happy to withdraw your representation so we can avoid a hearing as to this matter, and if so, I would be grateful if you could confirm this to the Licensing Authority.

Kind regards



Suraj Desor
0115 934 9183
s.desor@popall.co.uk

Moo MPage 3nham

Noise Management Plan

Alongside the conditions on the premises licence that seek to prevent public nuisance and prevent crime & disorder, the following noise management plan should be followed with regard to management of the premises and our customers to prevent and minimise disturbance or nuisance to neighbours, and ensure minimal impact upon the neighbourhood in relation to potential nuisance, anti-social behaviour and disorder. It is recognised that whilst the business has no direct jurisdiction outside of the boundaries of the premises we must continue to use our best endeavours to manage noise to the best of our control. The noise management plan is subject to review and shall be adapted as necessary to address problems and concerns as they are identified.

Managing customers and entertainment

- The Duty Manager will risk assess management processes on high peak nights where the premises trade late to ensure appropriate measures are in place to mitigate against nuisance (including to risk assess need for door supervisors and numbers of door supervisors where appropriate on high-risk nights/events).
- Doors and windows to be kept closed (except for access & egress) where appropriate when regulated entertainment in the form of amplified live or recorded music is being played late at night to prevent noise breakout and nuisance.
- The playing of music will be monitored to prevent noise nuisance. If you have a noise limiter device at the premises this must be used and any set limits adhered to at all times.
- The Duty Manager or nominated member of staff shall ensure customers are managed carefully and shall arrange for staff, such as floor walkers, or door supervisor where on duty, to undertake regular monitoring of customer behaviour and noise levels particularly during later hours of use to ensure they are not causing a noise nuisance and prevent any problems from escalating. CCTV will cover the premises to aid monitoring of customers and behaviour.
- The premises duty manager shall ensure they are contactable on the telephone number made available to local residents and business during trading hours and to promptly deal with and escalate as appropriate any complaints raised (including nuisance)
- After 01:00, all customers will be queued in the direction of Regent Street.
- There shall be sufficient duty staff to enable active monitoring in the immediate environment of the licensed premises (i.e. staff outside the doors to the premises) and to take reasonable and appropriate steps to minimise the negative impact of customers arriving and leaving.
- The Duty Manager or nominated member of staff shall ensure that customers in entry queues or who have stepped outside to smoke are monitored to ensure they are not causing a noise nuisance and if necessary to remind them to avoid disturbing neighbours.

Winding down period

- Progressive Winding Down. In all instances the premises should ensure that the playing of music, which includes recorded music, live music and DJ music (where provided) is progressively wound down over the last half hour of the trading session, or immediately after the service of alcohol ceases. During this period it is the responsibility of the Duty Manager to ensure music is played which is of a quieter nature and a lower BPM. Lighting levels throughout the premises should be gradually increased over the same period and not raised in a single step just prior to closure.
- Upon last orders, bar closure and towards the end of the night, there will be increased movement and inspection through the premises by management to begin to encourage customers to move out of the premises in a quiet and orderly manner to aid in "winding down" and assist in gradual dispersal of customers.

Moo MPage 4nham
Noise Management Plan

Dispersal

- Upon close, the Duty Manager or nominated member of staff, or door supervisor where on duty, shall oversee the dispersal of customers, until all are safely away from the immediate vicinity of the premises. The Duty Manager or nominated member of staff shall, where necessary, ask customers to leave the premises in an orderly manner, to avoid loitering or chatting outside the premises unnecessarily and encouraging them to keep noise to a minimum and be considerate of residents by moving away from the immediate area.
- Door supervisors (minimum of 2, increased to 3 on Friday and Saturday) shall be on the street outside the premises wearing high visibility jackets in line with conditions of the premises licence for a period of 30 minutes following the end of entertainment or until all customers have dispersed from the immediate vicinity to ensure the safe, orderly and quiet dispersal of customers in the immediate vicinity.
- Customers will be dispersed via the link corridor after 3am on Monday to Saturday.
- Details of transport and / or taxi services shall be available to customers to enable them to disperse easily. As per condition of the premises licence, freephones or payphones shall be made available to customers to permit the selection of hackney carriages or private hire services.
- Signage displayed at the entrance/exit to request that customers respect our neighbours and leave the premises quietly on dispersal and to request customers using any external areas e.g. smoking areas or waiting for taxis to refrain from behaviour that could create a nuisance.
- Once the last customer has left the Duty Manager and/or nominated member of staff should conduct a thorough check of all internal and external areas to ensure no customers remain within the venue. The immediate external vicinity will be checked before securing the venue.

Litter

- The DPS/Duty Manager shall ensure reasonable steps are taken to ensure that no nuisance is caused to neighbours by litter being allowed to accumulate in the area immediately outside the premises.

I hereby confirm I have read and understood the above noise management plan

Name	Signed	Date