

Environmental Health comments

Thank you for sending over the additional comments from the applicant, we have now reviewed these.

We would further wish to emphasise our concerns relating to the use of the serving hatch overnight from 23.00 – 07.00. Although we note that this has been put forward by the applicant and also confirmed by Gloucestershire Police in their proposed conditions, our concerns relate to noise from the use of the hatch during this timeframe overnight. The premises have rightly confirmed that they will not serve intoxicated customers and that they will also have “challenge 25” in place, however a refusal to sell more alcohol to any intoxicated person is likely to give rise to noise and disturbance.

Environmental Health have a statutory duty under the Environmental Protection Act 1990 to investigate complaints. Part of this investigation can include monitoring of the reported noise, either by way of providing complainants with our sound recording equipment or by officer visits. If during our investigation a statutory nuisance is found to exist, an abatement notice must be served. This notice would require the statutory nuisance to be abated within the timescales as set by the notice.

The consequences of failing to abate the nuisance include prosecution through the courts, which can carry an unlimited fine.

Please also be aware that along with others, Environmental Health, can at any point call for a review of any premises licence. The outcome of the review could result in the licence being suspended completely, additional conditions being applied or for a reduction in the times permitted for activities.