

HEREFORDSHIRE COUNCIL
Licensing Act 2003

**REPRESENTATION FORM – INTERESTED
PARTIES**

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

When completing this form please print clearly and legibly.

Please return this form, and any additional information within the statutory period to:
**The Licensing Section,
Herefordshire Council,
8 St Owen Street,
Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk**

Your Name: J Sewell	Contact Telephone No. 07599 890689
Address: Fl 2, 16 Bridge St Hereford HR4 9DF	E-mail address: jacky.sewell1@gmail.com
	Please state your interest in the premises you are making a representation about: Resident overhead
Name & Address of premises you are making a representation about: The Den, 16-17 Bridge St, Hereford HR4 9DF	

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

To Prevent Crime & Disorder
Public Safety
<p>To Prevent Public Nuisance</p> <p>My flat is directly overhead The Den, on the first floor. There are two issues:</p> <ol style="list-style-type: none"> 1. The vent from their kitchen is fixed to the exterior wall outside my bedroom causing significant vibration of all furnishings in the room, as well as constant audible noise. Currently the vent from the kitchen is turned on at 7.00-7.30am, and the staff have kindly agreed to be vigilant to turn it <u>off</u> as soon as the kitchen is closed, usually around 23.00, in order that I might go to bed. If refreshment hours are extended until 0.00 this will mean I cannot go to bed or get to sleep before midnight, 7 days a week. 2. The outdoor seating area is directly below my bedroom. At present, with standard closing hours of 23.00, the staff are using the outdoor seating area after hours for their own activities. This is creating significant noise - talking, smoking, laughing and drinking till well after midnight – once till 2.30 a.m. and once till 3.30am. I have occasionally asked them to call it a night. This is causing me significant stress, frustration and loss of sleep and even when they stop, I am so tense and stressed that it takes a long time to get to sleep. This is in breach of <u>their own submission</u> under Section 18, Licensing Objectives d) The Prevention of Public Nuisance: <i>“All doors and windows shall be close after 23.00 except during immediate access and egress”.</i>

N.B. My regular work means that I frequently have to be up, alert and responsible early on a Sunday morning as well as regular weekdays. I cannot function responsibly if I cannot get to sleep until well after midnight. And even on my days off I don't have the option of sleeping in to catch up, as the kitchen vent starts up at 7-7.30a.m. 7 days a week.

If this is happening now, with serving ceasing at 23.00, it is easy to assume that it will continue even later if serving hours are extended. If refreshments are served outside until midnight and guests not asked to leave until 1.00, the noise will continue outside on the patio until 1.00 and then in Gwynne St passage until even later (based on related noise from De Koffee Pot), and even then staff may continue to use the patio to wind down.

(NB the previous restaurant owners did not have such long opening hours and were not open for breakfast).

Synopsis of their application:

- Live and recorded music outdoors till 23.00
- Late night Refreshment till 00.00
- Late night alcohol till 00.00
- Open to the public until 1.00am

From their own submission under Section 18, Licensing Objectives d) The Prevention of Public Nuisance:

"noise of vibration shall not emanate from the venue so as to cause a nuisance;
All doors and windows shall be close after 23.00 except during immediate access and egress".

To Protect Children from Harm

Signed:

Sally Sneyd
1st August 2018

If you have any queries about this form or are unsure of when the statutory period ends please contact the **Licensing Helpline** on **01432 261761**

https://www.herefordshire.gov.uk/info/200145/business/58/current_licensing_applications/2

www.herefordshire.gov.uk

(scroll down to the 8th box – “Business” – and click on “Apply for a Licence”)

[Licenses and permissions](#) (click on “alcohol and entertainment” at the top of the list)

[Alcohol and entertainment](#) (click on “premises license”)

Licenses and Permissions – premises license (scroll right down the bottom past all the tables to “current Applications”. Click on “View current applications”)

Current Licensing Applications (scroll down to “Current Applications”)

- Application -The Den (their full application)

On the same page near the top: click on “Making objections or representations”

Making Objections or representation” (scroll down till you see the words “representation form”)

**Representation Form – Interested Parties
Suggested Conditions**

Premise: The Den _____ **Your name:** J Sewell _____

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

To Prevent Crime and Disorder
Public Safety
<p>Prevent Public Nuisance</p> <ul style="list-style-type: none"> • Their own condition of “All doors and windows shall be close after 23.00 except during immediate access and egress” needs to be adhered to <u>by staff as well as customers</u>, in order to limit noise from the outside seating area directly below our bedroom windows. • Their own condition of “noise of vibration shall not emanate from the venue so as to cause a nuisance” Is impossible to achieve with regard to the kitchen vent; however I suggest that turning the vent off from 23.00 each night (i.e. the kitchen closed after 23.00) would limit this nuisance and allow the residents of the flats above to go to bed before midnight. • Serving of alcohol, music & open to customers limited to the present hours of up until 23.00, to limit excessive noise permeating up to the flats above and preventing sleep.
Protect Children from Harm

Signed: 

Date: 1st August 2018

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