

**From:** The Licensing Guys [ Licensing ] <[licensing@thelicensingguys.com](mailto:licensing@thelicensingguys.com)>  
**Sent:** 23 February 2022 11:52  
**To:** XXXX  
**Cc:** Paul Neades <[paul@thelicensingguys.com](mailto:paul@thelicensingguys.com)>  
**Subject:** RE: Shooters Bar. Leominster

Thank you for sight of your recent Representation regarding the above application.

**Background Information:**

We never received a copy of the Premises Licence from HC Licensing following the Hearing in July 2019. We requested one repeatedly, and finally received one on 10<sup>th</sup> June 2021!

NB There has been a recent recognition that HC Licensing was not functioning completely effectively at around this time and indeed matters were missed that have precipitated events that have needed to be 'undone' since. [REDACTED] has been particularly effective and helpful in rectifying such matters, and we commend her efforts to you.

Notwithstanding the above, a copy of the Shooters Noise Management Plan (NMP) was sent to [REDACTED] [REDACTED] by email at 01:35hrs on 210819 to [REDACTED]. Please see the attached screenshot above.

NB The relevant condition reads: A written Noise Management Plan (NMP) shall be provided within 28 days of the date that this condition first appears on the licence. No event shall take place until such time as the NMP has been agreed by Environmental Health. Consequently we maintain that we are not in breach of our Premises Licence.

In truth the Noise Management Plan has not changed since the improvements to the insulation were made, as we still manage noise in exactly the same way. The insulation means that it is just easier to manage the noise using the same plan.

Subsequent to that, we have now provided you with an updated version of that original plan in any event.

We note that your reason to raise a Representation are that we have not served a copy of the Noise Management Plan upon your Department.

With absolutely massive respect to you (on a personal and professional basis forged over our many years of partnership-working together)...

1. We DID serve a copy of the original plan upon your Department as shown, but whatever happened to it once with the Council we do not know.
2. We HAVE served an amended copy of same upon you last week, even though very little has changed in the method with which we manage noise.
3. Any Representation under the LA'03 must attach itself to one of the Licensing Objectives – in this case the Prevention of Nuisance. Failing to serve a copy of the NMP on your Department (even if established) would be a (minor) breach of one of the Conditions of the Licence, and not a failure *per se* to promote a Licensing Objective. However, evidence of Noise Nuisance, Public Complaints would be valid evidence – for example.

We therefore respectfully request whether you have any evidence to suggest that we have undermined or failed to promote any Licensing Objective, most especially that of Public Nuisance? If so, it would be news to us, as we have been assiduous in maintaining good relationships and an open dialogue with our neighbours, your Department in the person of [REDACTED], investing substantially in improvements to the

building in order to mitigate any noise issues and consequently in managing our 'noise' extremely effectively.

In the event that there is no such evidence of noise nuisance upon which to found a Representation, we respectfully invite you to withdraw your Representation, but look forward to your site visit this week as part of our ongoing liaison with your Department. In the event that you do not find yourself able to adjust your position, this week we will have no alternative but to apply for additional Temporary Event Notice(s) as part of our upcoming programme of events whilst we wait for an otherwise superfluous Hearing, thus incurring additional and unnecessary expense.

An early response would be very appreciated.

**Kind Regards**  
**Nick SEMPER**  
**Director**  
**TL Guys Ltd**  
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**From:** XXXXX  
**Sent:** 23 February 2022 18:14  
**To:** 'The Licensing Guys [ Licensing ]' <[licensing@thelicensingguys.com](mailto:licensing@thelicensingguys.com)>  
**Cc:** Paul Neades <[paul@thelicensingguys.com](mailto:paul@thelicensingguys.com)>  
**Subject:** RE: Shooters Bar. Leominster

Dear Mr Semper,

Thank you for your email, received today. I am responding to you as the consultee in Environmental Health only; in relation to the recent application for a variation of a Premises Licence for Shooters. I read the Licence conditions in relation to the Prevention of Public Nuisance which referred to a Noise Management Plan to be provided **and agreed with.** Environmental Health.

As, in your application for a Variation, you referred to the installation of soundproofing; it therefore seemed sensible to me to go forward with a revised NMP. I therefore requested a

copy of this, presumably, revised NMP. As I did not receive a response from yourselves, to this time-limited request, I therefore made representation.

**The NMP provided to me since then, is not suitable and sufficient, in my view.** A lot of relevant detail is lacking.

The particular consideration with this premises is that, whilst located in the centre of town, it is surrounded by residential accommodation/dwellings. Complaints to this Service over the years have come from all the streets surrounding the premises.

Going forward, it is therefore incumbent on the proprietor, and indeed in his own interest, to provide a NMP that is suitable and sufficient, with the aim of reducing the receipt of noise complaints from residents to the increasingly resource-challenged Environmental Health Service, & West Mercia Police, and also to local Councillors.

Some comments – these are not exhaustive but give a flavour of what is expected:

- (i) While the installation of soundproofing is mentioned (which is proactive); there are no data on tests undertaken. I would expect that the NMP would have the results of acoustic tests following the installation of the soundproofing? Who undertook these tests? An Invoice for rockwool is not relevant.
- (ii) Who is the responsible person in relation to the NMP? Name them. Provide their contact number in the NMP?
- (iii) What equipment is being used?
- (iv) It is mentioned that the noise has been reduced and that DJs have been asked to keep noise “to a sensible level” but do not mention what this level is? This needs to be made clear to everyone in the NMP. Give the level.
- (v) Who will check these levels and when?
- (vi) Where are the noise limiters located? Settings limits?
- (vii) A plan of the premises, illustrating the location of speakers, would be helpful in the NMP
- (viii) The complaints procedure is not detailed enough. If a complaint is received – I would expect an immediate response, not just logging. The noise source may not need to be removed – just reduced/adjusted.
- (ix) How will you ensure that customers will not cause noise issues? Give details.

I think you will agree that the last two years have been unprecedented in relation to our daily lives, but we are now entering a phase where entertainment premises are endeavouring to return to business. It must also be remembered that **members of the public have, during this time, become accustomed to a much quieter environment** and we, as a Service are consequently in receipt of many more noise complaints. It is, therefore, in the interest of proprietors to have robust, detailed NMPs in place, agreed with Environmental Health in advance, (i) to plan for, (ii) prevent as much as possible, and (iii) deal rapidly with, any noise issues that might arise.

We will visit tomorrow afternoon as planned and go from, there. While I thank you for your complimentary comments, I think you know me well enough to be aware that I like to know where the devil resides!

Yours sincerely,

**Environmental Health Officer**