

## APPENDIX 5

	<p><b>ENVIRONMENTAL HEALTH</b> Housing and Regulatory Services</p> <p><b>Directorate for Planning, Growth and Sustainability</b></p>
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### COMMENTS ON MAJOR VARIATION - PREMISES LICENCE

OUR REF: 21/02487/LIAPPL	DATE: 30 <sup>th</sup> November 2021
ADDRESS: The Eagle Public House 145 High Street Amersham Buckinghamshire HP7 0DY	To: <a href="mailto:licensing.csb@buckinghamshire.gov.uk">licensing.csb@buckinghamshire.gov.uk</a> From: <a href="mailto:alison.king@buckinghamshire.gov.uk">alison.king@buckinghamshire.gov.uk</a>

**Re: Application for a major variation Premises Licence - The Eagle Public House 145 High Street Amersham Buckinghamshire HP7 0DY**

Further to the above application.

The application has been reviewed along with historic records held by Environmental Health in consideration of the major variation submitted. Environmental Health's role in this matter is to have regard to the four licensing objectives as set out in The Licensing Act 2003 with specific attention to the Prevention of Public Nuisance.

Environmental Health have held discussions with Flint Bishop Solicitors acting on behalf of their client Punch Partnership (PTL) Limited, following submission of the application.

The additional communication received from Flint Bishop Solicitors on 29<sup>th</sup> November 2021 is acknowledged with amendment to the hours in relation to remove the proposed non-standard timing for live music and entertainment of a similar description for each Bank Holiday and Maundy Thursday.

Environmental Health's comments, in this matter are restrained by the matter of public nuisance and not private nuisance and relevant licensable activities applied for within this application and are guided on this matter by Section 4(2)(c) of the Licensing Act 2003 and guidance issued by the Secretary of State under Section 182 of the Act (dated April 2018).

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In consideration of the above, Environmental Health do not raise an objection to the application.

**PLEASE NOTE:**

**The Live Music Act 2012 allows regulated entertainment up until 11:00pm at certain venues; however, it does not allow a licensed premise to cause either a statutory noise nuisance (The Environmental Protection Act 1990) or a Public Nuisance (Licensing Act 2003) at any time of the day or night.**

**A review of the licence can be brought by a responsible authority or any other person to review a premises licence as a result of matters arising in connection with one or more of the four licensing objectives.**

**For avoidance of doubt Environmental Health has a duty to investigate complaints of nuisance under statutory law as defined within the Environmental Protection Act 1990 and under Public Nuisance under The Licensing Act 2003.**

With regards

**Alison King B.Sc (Hons) MCIEH**  
Environmental Health Practitioner  
Environmental Protection  
For Housing and Regulatory Services

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