

APPENDIX 5

	<p>STRATEGIC ENVIRONMENTAL PROTECTION TEAM</p> <p>Directorate for Planning, Growth and Sustainability</p>
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To: Brian Whittal	From: Stuart Goodbun
Subject: License review Grays Inn	Date: 5 th July 2022

In response to the residents of Wooburn Green formally requesting a license review for Gray's Inn, 24 The Green, Wooburn Green, High Wycombe HP10 0EJ. I have the following statements in regard to this matter.

Case history:

Date	Reference	Complaint	Complaint headline
10/08/2020	20/01450/NOISE	Noise	Outdoor DJ playing until after 9pm, (after license conditions) only turned off after complaints from neighbours
07/12/2020	20/02202/POLODO	Odour pollution	During lockdown a burger van placed in the carpark, causing smell odour
08/12/2020	20/02213/SMELL	Odour pollution	Duplicate of above
11/05/2021	21/00778/NOISE	Noise	People noise footfall, talking
24/05/2021	21/00839/NOISE	Noise	Antisocial noise
26/05/2021	21/00843/NOISE	Noise	Frequent noise
21/02/2022	22/00200/NOISE	Noise	Unacceptable late-night noise and behaviour.
10/06/2022	22/00973/POLODO	Odour Compliant	Kitchen extraction odour

In relation to the above complaints, in particular those of noise nuisance. I have attended the premises on several occasions meeting with the Premises Licensee and have formally discussed these matters. I have reiterated that the premises licensee has a legal duty to uphold the licensing directives as defined within the Licensing Act 2003. In particular prevention of a public nuisance. Also in that discharging this duty the premises licensee should ensure that all conditions relating to this premises are duly observed and implemented.

As a result of my meetings with the premise licensee, a number of actions were agreed:

1. That a WhatsApp group would be set up and implemented so that neighbouring residents could communicate with the premises licensee and vice-versa. To open up channels of communication with the community as these were lacking. This would enable two-way communication and either party could use this as evidence or it could be reviewed by the local authority as part of an investigation should this be deemed appropriate.
2. The premises license holder would draft and submit for approval a Noise Management Plan (NMP). Detailing how noise from events and or functions held at the premises would be managed. This would include but not be limited to, daily operations of the premises, noise from regulated entertainment inside the premises and the external areas. Control of noise breakout from the premises in particular patrons' access and egress during events and or functions. Reasonable controls that could be implemented to control noise both in internal and external areas including access and egress from the premises. This would then be implemented by the premises licensee in support of complying with the licensing directives.
3. That the premises licensee would actively engage with the local authority, other agencies and the community in management and running of the premises. Seeking guidance from the local Authority and or suitably qualified professionals in relation to matters where guidance or support may be required.

In regard to the above points:

Point 1, as to my knowledge been implemented although the intended function of the messaging seems to be misplaced. At this time, I have not had call to review this for evidentiary purposes. But this has been referred to in both my correspondence with complainants (those neighbouring the premises') as well as the premises licensee.

Point 2, no such submission has been made in regard to a noise management plan, nor its implementation. No additional contact has been made to the Local Authority in regard to this matter. For either guidance, clarity of requirements or assistance with this design and implementation.

Point 3, contact has been made from the premises licensee in response to complaints, as and when received. These are complaints that have been made to the Environmental Protection team (Reactive), by neighbours in regard to activities at the premises. The premises licensee has engaged with officers at the time of the complaint being notified to them, then this lapses sometime after the initial controls have been implemented. With a cyclic pattern of complaints, coming in, some control implementation and then lapsing, followed by renewed complaint.

In conclusion:

There is a lack of engagement from the premises licensee in regard to reasonable controls and upholding the license conditions in prevention of public nuisance. From my observations when attending site, the current conditions are not fully implemented, leading to the causation of a public nuisance and resulting complaints.

I would propose that the panel considers additional conditions should they so wish to or deem appropriate. This would in part update the premises license to one which is more commensurate with the current use, whilst supporting the legal duties under the Licensing Act.

Proposed conditions:

- Noise from regulated entertainment in external areas shall be kept to background level, at all times.
- Doors and windows to the premises shall be kept closed during regulated entertainment, apart from immediate access and egress
- Clear notices provided to remind patrons to leave in a quiet and orderly manner.

Further to this it may be appropriate to specify that the management of external areas be better implemented. Either through the current management, door staff or other reasonable control. This could be linked to and form part of a Noise Management plan as detailed in Point 2 above.

- A Noise Management Plan shall be submitted to and approved in writing by the Local Authority. Thereafter the premises licensee shall be operated in accordance with the approved details.