

File ref: **The Engine, 3 Station Road, Baldock**

Subject: TEN application for 26/10/2020 – 30/10/2020

Introduction:

- I am recommending refusal of this application under the licensing objective 'Prevention of Public Nuisance'.
- The application is for use of an exterior platform at first floor height for dining.
- The Council has received over 20 complaints of noise on 18 dates between December 2019 and October 2020 from 11 different sources.
- A Noise Abatement Notice under Section 80 of the Environmental Protection Act 1990 was served on The Engine regarding noise from the garden of the premises on 12 August 2020. Service of the notice has not stopped complaints; which have been received in late August, September and October.
- There are a large number of residential properties located close to the premise which will be disturbed by noise from the event.

Areas of concern:

1. Noise disturbance:
 - 1.1 The main noise sources which are likely to affect the local residents include:
 - people noise including shouting, laughing, singing: and
 - music noise, which is deregulated (we have been told by the license holder that there will be no music but we do not have confidence that he has control over activities on site).
2. Proximity of residential properties:
 - 2.1 There are over 80 residential premises which are located within 100m of the premises. A plan of the area has been attached for your information.
4. Complaint history:
 - 4.1 The Council has received complaints about the premises since December last year regarding music, people noise and anti-social behaviour including littering and public urination.
 - 4.2 An Abatement Notice was served on the premises in August 2020 in respect of noise nuisance from use of the garden area that is likely to recur.
 - 4.3 The above complaints relate to noise emanating from the garden/yard area, and are all within the time period when the property has been managed by Dale Mabert.
 - 4.4 After many meetings and telephone conversations we do not have faith that the management of The Engine understands the noise issues and will be able to prevent public nuisance.
5. Premises layout, construction and noise mitigation:
 - 5.1 The raised platform does not provide any noise mitigation in respect of any noise generated within it and hence I have concerns for any licensed activities to take place in this location which is only across the road from some residential properties.