

**Uva Hitchin Wine bar and shop**  
**Background & Representations by Responsible Authorities –**  
**Environmental Health**

Alan Stone – Senior Environmental Health Officer, North Herts Council  
Council Offices, Gernon Road, Letchworth, Hertfordshire, SG6 3JF

Dear Licensing,

I write in relation to the variation application for UVA Wine Bar (Let's Party) 26 Bucklersbury, Hitchin by Antonio Miceli (License no. 8057).

**Background:** The premises is a timber framed grade 2 listed building with an open plan ground floor with two areas for karaoke and a further karaoke room upstairs with commercial uses to either side at ground floor but with party walls to resident's homes both to the rear at ground floor and to the north at first floor. When the application was first granted, this was subject to a number of conditions one of which was 'The premises licence holder and/or designated premises supervisor (DPS) will ensure that adequate sound proofing must be installed to the party wall separating the upstairs function room on the 1st floor, as indicated on the plan, and the neighbouring property at 27a Bucklersbury.' And: 'The premises licence holder and/or designated premises supervisor (DPS) will ensure that the upstairs function room on the 1st floor, as indicated on the plan, shall only be licensed until 22:00hrs and open to the public until 22:30hrs.'

It is my understanding that these conditions were placed on the license as there was concern about noise and disturbance from the use of that area affecting the neighbours. I can find no evidence of any information in relation to the sound proofing at the first floor and whether this is adequate. Additional problems encountered are that the front façade is single glazing with no lobby entrance resulting in noise escaping when people ingress and egress when arriving or departing or going out to smoke/get some fresh air. There are no hours for regulated entertainment stipulated on the license. This essentially means that the premises is restricted to having regulated entertainment up to 11pm under de-regulation.

Prior to the Covid lockdowns in 2020 a Noise Abatement Notice was served on the premises following an investigation but North Herts Council. This is the first involvement Environmental Protection have had since this time.

**The current proposal:** The variation application seeks to extend the hours of opening from 6am each day of the week and to close at 1.30 am on Saturday and Sunday mornings and midnight every other day of the week. Music, both live and recorded, is requested from 12 midday each day of the week to 1.30am on Saturday and Sunday mornings and until 11.30pm on every other day. There is no mention of the function room at the first floor in the application.

This variation application has resulted in the occupants of two residential premises contacting the Council, firstly to object to the variation application but also to further complain about the existing noise from this premises.

These objections and complaints resulted in a visit to the premises on 31<sup>st</sup> October 2023 by myself (along with the Licensing department and the police licensing officer) to discuss the proposals with the DPS. At this meeting, the applicant (DPS) agreed that there was a problem with the noise insulation to the rear of the premises and he was looking to address this with some noise mitigation works. I also undertook some noise monitoring of the premises both in person on 3<sup>rd</sup> November 2023 (at night when regulated entertainment was in progress) but also using a mobile phone noise app (this noise app allows the residents to make recordings on their mobile telephones and submit them to the Council for appraisal).

Both the monitoring visit during the evening of 3<sup>rd</sup> November 2023 and Noise app recordings submitted to the Council indicate that there is significant noise disturbance to the neighbouring residents both through the structure (noise can clearly be heard through the walls, the songs are identifiable and the lyrics clear), noise through the facades to the front and rear affecting bedrooms and other habitable rooms on both aspects. At times, the door to the front of the premises was ajar as there are no self-closers on the door. Noise is also significant from patrons outside to the front of the premises (both talking loudly and singing along to the songs being played inside). So, to clarify, I witnessed noise levels from the premises I considered intrusive and significant in both properties.

Compounding this, even though I advised of the hours the premises license allows (i.e. regulated entertainment only from 8am up to 11pm under de-regulation and no later) on the visit on 31<sup>st</sup> October 2023, the premises were operating outside of the terms of the premises license both on the evenings of Friday 3<sup>rd</sup> November and Saturday 4<sup>th</sup> November 2023 i.e. music was being played until 11.30pm and beyond.

Noise from patrons shouting and singing outside was also noisy and intrusive and these people did not appear to be managed in any way. There were no door staff present and no intervention was made during the time I was present by any staff member. In addition, other license conditions were being breached i.e. the requirement to ensure that patrons are not allowed to leave the premises with any open drinking vessels. This further exacerbated the noise problem.

**Recommendation: OBJECTION**

Given the above, as a Responsible Authority, the Environmental Protection & Housing Team of North Herts Council objects to this variation application for 26 Bucklersbury, Hitchin. By granting any extension to the hours this premises can provide regulated entertainment would result in significant additional noise disturbance at a time when the average person may be expected to be sleeping or relaxing in their home. This representation is made to promote the licensing objective, the Prevention of Public Nuisance. I consider that this premises, given the location and the building fabric is not suitable for such activity. Additionally, any improvements that may be possible (e.g. lobby entrance, false walls etc) will probably require planning permission, as indicated by planning enforcement team.

Indeed, given the recent activity witnessed during the evening visits, I have little confidence in the management of this premises in promoting the Prevention of Public Nuisance licensing objective.

If any further information is required, then please advise at our earliest opportunity.