



Licensing Act 2003 - Representation in respect of Premises Licence

Details of person or body making representation	
Your Name:	Neil Cooper
Your Address:	Environmental Health Officer Noise and Pollution Control Leicester City Council Phoenix House 1 King Street Leicester LE1 6RN

Details of premises representation is about	
Name of Premises:	Yellow Door
Address of premises:	14 Belvoir Street Leicester LE1 6QH
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input type="checkbox"/> No
Public Safety	<input type="checkbox"/> No
Prevention of public nuisance	<input type="checkbox"/> Yes
Protection of children from harm	<input type="checkbox"/> No

Please summarise your concerns about this application:
<p>The noise Team has previously witnessed noise nuisances from Yellow Door which have demonstrated that the Licence Holder/Designated Premises Supervisor failed to properly manage the volume of music. Following repeated nuisances, the Designates Premises Supervisor has undertaken repairs to the fabric of the building which was believed to be the cause of breakout of the noise. He has also voluntarily fitted a noise limiting device which has been set at a level to prevent a nuisance.</p> <p>Should a further nuisance be witnessed it would be my intention to request a review of the licence with a view to formally adding a condition to the premises licence requiring that all amplified music be played through a noise limiting device set at a level agreed with the Noise and Pollution Team.</p>

Leicestershire Police have requested a review of the licence. Consequently, I am taking the opportunity to request that a condition be added to the premises licence requiring that all amplified music be played through a noise limiting device set at a level agreed with the Noise and Pollution Team.

For clarification the Noise and Pollution Team assess a noise nuisance from within the premises of a complainant. The Team does not enforce noise that may be causing a nuisance to the public on the street.

Please give further details of why you believe this application will have an adverse effect on the licensing objectives

On 2nd November 2018 at 0151 loud bass from Yellow Door was clearly audible in the bedroom of a nearby flat, despite the window being closed. The volume was sufficient to be a nuisance, preventing sleep and possibly waken. The bass appeared to be breaking out through open front doors. On 7th November a letter was hand delivered to the premises, addressed to the Designated Premises Supervisor, Mitchell Humby, advising of the nuisance. During a subsequent site visit to the premises on 28th November 2018 a bass speaker close to the front door was identified as the likely source of the nuisance witnessed.

On 22nd February 2019 at 0141 loud music with heavy bass beat clearly audible in the bedroom of a nearby flat, despite the window being closed, with bass beat and lyrics clearly identifiable. The noise sufficiently loud to be a nuisance and to prevent sleep. The source was once again breakout through the front entrance door of the premises. On 26th February 2019 an Abatement Notice was served on the Designated Premises Supervisor Mitchell Humby under the provisions of the Environmental Protection Act 1990. The Notice required the prevention of any recurrences of the noise nuisance.

On 6th March 2019 during a meeting with the Designated Premises Supervisor, the DPS advised that a noise limiting device had been installed in the premises when previously operating as Marz but had not been set at an agreed level to prevent a noise nuisance. Noise Team Officers visited the premises on 26th March 2019 to set a level. Defects in the building were identified that allowed noise to break out of the rear of the premises, such that the agreed level that would prevent a noise nuisance would be too low to allow the premises to operate. Mr Humby agreed to make repairs and arrange a further sound check.

On 27th March 2019 at 2317 loud music from Yellow Door was clearly audible in the bedroom of a nearby flat, at a different location to where previous nuisances had been witnessed. The noise was sufficiently loud to be a nuisance. Once again loud music was breaking out through the open front door of the premises, but noise breaking out at the rear of the Yellow Door appeared to be causing the nuisance on this occasion. Since this was a breach of the abatement notice served on 26th February 2019, and consequently an offence, a letter was delivered to Mitchell Humby, Designated Premises Supervisor, was on 3rd April 2019, requesting that he attend a formal Interview Under Caution on 16th April. Mr Humby attended the interview, during which he stated that repairs had been made to rectify building defects that had previously allowed noise breakout.

On 8th May a further sound check was undertaken and an agreed noise level set for the sound limiting device for each of the sound systems used

No further noise nuisances have been witnessed since the sound check undertaken on 8th May 2019.