

# APPENDIX B.2

## Objection to TEN



### Licensing Act 2003 Objection to Temporary Event Notice (TEN)

<b>Details of Relevant Authority</b>
<b>Name and Job Title:</b> Neil Cooper, EHO
<b>Address:</b> Noise and Pollution Team, Leicester City Council, 3 <sup>rd</sup> Floor, Phoenix House, 1 King Street, Leicester
<b>Phone Number:</b> 0116 4543063

<b>Details of Premises Representation is about</b>
<b>Name of Premises:</b> Sumo
<b>Address:</b> 54 Braunstone Gate
<b>Application Number:</b> 088034
<b>Our Reference:</b> 16/12817

<b>This objection relates to the following licensing objective(s):</b>	
Prevention of crime and disorder	No
Public Safety	No
Prevention of public nuisance	Yes
Protection of children from harm	No

## Representation

I wish to make representation in connection with this application for a temporary event notice (TEN) for 13<sup>th</sup> November 2016 as I consider this proposal will be detrimental to the licensing objective of public nuisance.

On 14<sup>th</sup> October 2016 a noise nuisance from Sumo was witnessed affecting occupiers of flats in the Riverside Building on Western Boulevard. After 10pm the noise level witnessed in the bedroom of a flat, with the windows closed was sufficient to prevent sleep, and with the windows open it was sufficiently loud to waken occupiers of the flat. The flat visited was a significant distance from Sumo, and I am satisfied that noise levels in flats closer to the premise would have been significantly higher.

From the noise levels measured I am satisfied that the noise from Sumo exceeded the levels agreed for each of the limiters located in the basement, or ground or first floors. The reason for the agreed levels being exceeded must either be because any or all of the limiters has been adjusted such that the permitted noise level was exceeded, and/or the conditions under which the sound levels were set had been altered, for example altering the agreed location of the speakers, or doors or windows being left open.

From observations made by my colleague it seems that both lobby doors serving the entrance were open at the time of the nuisance, in contravention of the premises licence conditions, and that an outside speaker may have been in use, also in contravention of the conditions of the premises licence.

I am satisfied from the above observations that the Premises Licence Holder/Designated Premises Supervisor has failed to manage noise levels from the premises, and consequently that it is likely that he may not adequately manage noise levels and compliance with existing licence conditions even if the conditions are included for the proposed TEN. The potential disturbance to the local residents is likely to be greater at the times of the proposed TEN, when noise levels in the area will be lower than at the time that the nuisance was witnessed.

I therefore recommend refusal of the TEN.