

Objection to TEN – The Closet
38A Maiden Street, Weymouth, DT4 8BA

*Environmental Health submission to the Licensing Authority in respect of an objection against a TEN
for 6-9th April 2023*

Ref: WPPL0407

Background:

The premises are sited within Weymouth town centre. Complaints have been received historically regarding excessive music and investigated, with one open case received December 2022.

The premises licence (WPPL0407) states:

Opening hours:

Monday-Sunday	09:00 – 05:00
Bank Holiday Weekends	09:00 – 06:00
New Year's Eve	09:00 – 06:00

Live Music (indoors):

Monday-Sunday	09:00 – 05:00
Bank Holiday Weekends	09:00 – 06:00
New Year's Eve	09:00 – 06:00

Recorded Music (indoors):

Monday-Sunday	09:00 – 04:00
Bank Holiday Weekends	09:00 – 05:00
New Year's Eve	09:00 – 05:00

The premises licence has the following noise related conditions:

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

(12) The PLH/DPS will operate to a written dispersal policy which ensures the safe and gradual dispersal of customers from the premises. The policy will be agreed with Dorset Police. The PLH/DPS will ensure that staff receive training on the policy and a record of training shall be kept/made available to an authorised officer upon request.

(13) Door staff will remain on duty until such time customers have dispersed.

(16) A Noise Management Plan (NMP) shall be produced and submitted to Environmental Protection (EP) before the 25 May 2021. Thereafter the NMP may only be amended after consultation with EP. The NMP will contain, but not be limited to, the method for monitoring the noise levels, any noise levels that are agreed with EP, any steps taken to mitigate noise escape, and details of a complaints procedure to receive any noise complaints and solutions to those complaints. Any agreed version of the NMP will be submitted to the Licensing Team.

(17) Drinks, open bottles, and glasses will not be taken from the premises except for takeaway sales between the hours of 11:00 and 20:00. Bar Customers will not be allowed to take drinks outside at any time.

(19) The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.

(20) The PLH/DPS will belong to a recognised trade body or Pub Watch Scheme where one exists, whose aims include the promotion of the licensing objectives.

(23) There will be no external speakers.

(24) All windows and external doors shall be kept closed after 23.00 except for the immediate access and egress of persons. This includes inward opening doors when SIA staff are available to manage access, egress and emergencies, and if SIA staff are not present, when occupant numbers do not exceed inward opening door limits for emergency escape, for each separate part of the premises.

(25) Bottles will not be placed in any external receptacle after 23.00 hours and before 07.00 hours to minimise noise disturbance to neighbouring properties.

(26) No waste collections or deliveries to the premises shall be arranged between 23:00 hours and 07:00 hours.

(27) Clear and legible notices will be displayed at exits, requesting patrons to leave the premises quietly having regard to the needs of local residents, to meet the requirements of the dispersal policy.

(28) Last entry and re-entry to the Premises will be 30 mins before closure.

The objection:

A TEN was received by the operators of the Closet to amend condition 29 which specifies the PHL/DPS will adopt a 'cooling down' period in the Closet Bar area where music volume is reduced at 2am to background music only and the area closed at 3am. The applicant would wish to extend the operational hours of the 'bar side' area from soft close at 02:00 and closure at 03:00, to a soft close at 03:00 and close at 04:00.

We have objected under the Prevention of Public Nuisance objective, for the following reasons:

- To request noise related conditions listed on the Premises Licence WPPL0407 are extended to this TEN 6th-9th April 2023 to proactively protect the objective.

Summary:

It is requested that conditions 12,13,16,17,19,20, and 23-28 of Annex 3 of the Premises Licence are extended to this TEN for 6th-9th April 2023.

Nicola Robinson
Senior Technical Officer - Environmental Protection (West)
Tuesday 28th March 2023