

## Kathryn Miller

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**From:** Jane Williams  
**Sent:** 20 October 2023 11:27  
**To:** Kathryn Miller  
**Subject:** FW: C Side, - new application for premises licence  
**Attachments:** Neighbours poster.pdf

**Jane Williams**  
**Environmental Protection Team Leader**  
**Place Services**  
**Dorset Council**



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**From:** Helen Moody [REDACTED]  
**Sent:** Thursday, September 7, 2023 3:55 PM  
**To:** Jane Williams [REDACTED]  
**Cc:** Licensing [REDACTED] Police - Police Licensing [REDACTED]  
**Subject:** Re: C Side, - new application for premises licence

Hello Jane

Thank you so much for your very thorough and helpful response.

I've included some further information / comments below in green to clarify our intentions and hopefully provide some reassurance in terms of meeting the nuisance objective. As a business in Brewery Square, we are well accustomed to considering the needs of residents alongside our evolving business needs. For the most part, we have maintained very good relations with all our neighbours and as far as I am aware, no complaints have been made in the last few years whilst our sister business Vinyl Van record shop has been in existence.

I note your intention is mainly to operate with background music, this means that the music level in the premises should not prevent conversation i.e. patrons do not need to elevate their voices in order to have that conversation. **The music in C Side will be provided by Vinyl Van as part of our normal, every day shared retail space. Vinyl Van has been up and running for nearly 4 years and as far as I am aware, no-one has had cause to complain to date so I'm hopeful, this will remain the case.**

- You may choose to narrow down the number of evenings that entertainment will be offered, or choose to reduce the timeframe, for one or both of the proposed provisions.

**We are applying for a licence for C Side to cover every day to allow us flexibility as the business evolves. However, as this is a small business that will be run by myself and a few helpers, the evening entertainment will be on an ad hoc basis as and when we have things happening. There is no plan to be**

open late every day or to run events all the time as we won't have the energy or members of staff. Some of the events might be early evening craft / creative sessions or opportunities to get people together for food / wellbeing sessions.

- You may suggest that 'All doors and windows will be closed except for access and egress when regulated entertainment is occurring'

Our doorway has 2 doors, one that is on the street that leads into a small lobby and then to enter C Side, there is another door. We have purposely kept this 'double door' feature as we find it is useful to stop any sound emanating out onto the street. There are no external windows that can be opened onto the street.

- You may advise that 'No external speakers will be used'

The music will only be played inside the shop and not outside through any speakers.

- YOU may wish to consider displaying a suitably worded sign at the access points advising 'to respect neighbours and leave quietly'

We have a sign that has been printed and will be displayed at the exit to the C Side (see attached PDF File - Neighbours Poster)

- The use of the lobby doors will help with containing the noise but neither should be propped open as this would otherwise be ineffective.

The only time we prop the doors open is in the daytime in warm weather to help keep the shop cool. This has been happening at Vinyl Van for the last few years and hasn't been an issue as far as I am aware to date.

- Removal of glass waste should be restricted to daytime to prevent the noise of glass going into receptacles and causing disturbance (suggest 08.00- 18.00 daily) similarly the collection of such waste should be considered with the contractor to prevent minimum disturbance.

That's a very good point! We have recycling bins that take paper and cans but not bottles. We do our best to buy products to sell that are in cans rather than bottles but will remain mindful of this point when disposing of bottles, thank you.

I note that this is a new building and therefore compliance to the current sound insulation properties between residential and retail are likely to be met. However you should be aware that the premises when going through that process may not have been considered for the proposed use of evening entertainment. This may make it harder to contain noise and cause a problem to residential properties above either through the structure or fugitively.

As part of the building work, the landlord has put in sound proofing and insulation in the ceiling to address this. It was done for Vinyl Van and to date seems to have been effective in containing any noise. Above the C Side, I believe is part of the communal gardens that are available for residents to use so hopefully any disturbance to homes will not be an issue.

You therefore may wish to consider how you might monitor the intrusion of music from your premises on them, keeping notes etc will assist in any due diligence you may need to produce should further complaints be made. Brewery Square has previously done sound tests in the residence directly above where C Side is located and their findings were that no noise was audible. We are aware of one flat which isn't immediately above our premises (located above Loco Loves) where the residents seem especially sensitive to noise (ie, the sound of children playing in the fountains, the sound of coronation bunting blowing in the wind). We are very keen to avoid any issues with our neighbours and will remain mindful of this to ensure the right balance is found.

I hope this helps and thank you again for your input. As a slight aside, are you the person I need to notify of our intention to serve hot and cold drinks initially? It might be that we look at food in the future but to begin with, it will be soft drinks, teas and coffees.

Kind regards

Helen, C Side 😊

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**From:** Jane Williams [REDACTED]  
**Sent:** Thursday, September 7, 2023 12:06 PM  
**To:** [helen.moody](#) [REDACTED]  
**Cc:** Licensing [REDACTED] Police - Police Licensing [REDACTED]  
**Subject:** C Side, - new application for premises licence

Good afternoon

This is Environmental Health's opportunity to remark upon your application and to see what we can offer to try to ensure that your business meets the public nuisance objective going forward.

I note your intention is mainly to operate with background music, this means that the music level in the premises should not prevent conversation i.e. patrons do not need to elevate their voices in order to have that conversation. On occasions you are looking to include evening events but no later than 23.00hrs. This means you fall in to the exemption of the Live Music Act period which enables you to play regulated entertainment as a licensed premises i.e. unless there are substantiated complaints that lead to a review of your licence (a public individual or group may choose to review your licence independent of the statutory representatives)

However you may choose to take any guidance we can offer in order to meet the prevention of nuisance objective being breached.

- You may choose to narrow down the number of evenings that entertainment will be offered, or choose to reduce the timeframe, for one or both of the proposed provisions.
- You may suggest that 'All doors and windows will be closed except for access and egress when regulated entertainment is occurring'
- You may advise that 'No external speakers will be used'
- YOU may wish to consider displaying a suitably worded sign at the access points advising 'to respect neighbours and leave quietly'
- The use of the lobby doors will help with containing the noise but neither should be propped open as this would otherwise be in effective.
- Removal of glass waste should be restricted to daytime to prevent the noise of glass going into receptacles and causing disturbance (suggest 08.00- 18.00 daily) similarly the collection of such waste should be considered with the contractor to prevent minimum disturbance.

I note that this is a new building and therefore compliance to the current sound insulation properties between residential and retail are likely to be met. However you should be aware that the premises when going through that process may not have been considered for the proposed use of evening entertainment. This may make it harder to contain noise and cause a problem to residential properties above either through the structure or fugitively. You therefore may wish to consider how you might monitor the intrusion of music from your premises on them, keeping notes etc will assist in any due diligence you may need to produce should further complaints be made.

I have no reason to object to your application as you are a new proprietor at a new location so there is no history for me to make a judgement upon.

Helen, the above are thoughts to improve your business and prevent the possibility of Env Health's intervention. It is up to you should you wish to take on board any, all, or none of the above suggestions. If you wish to add any of these into your application to be added to any successful licence please can you forward your answer to all those cc'd in, as well as myself.

Kind regards  
Jane

**Jane Williams**  
**Environmental Protection Team Leader**  
**Place Services**  
**Dorset Council**



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