

From: George Domleo
Sent: 22 April 2022 16:57
To: 'David Martschenko' [REDACTED]
Cc: Joanne Belcher [REDACTED]; Licensing for External [REDACTED]; Chris Millward [REDACTED]
Subject: RE: ACTION: FULL Variation Online submission- The White Lion 20 Nottingham Street, Melton Mowbray LE13 1NW

David

Thank you for your email.

I shall discuss the contents with Simon and one of us shall respond.

Regards

George

George Domleo
Senior Associate
Licensing

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



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From: David Martschenko [REDACTED]
Sent: 22 April 2022 15:04
To: George Domleo <[REDACTED]>
Cc: Joanne Belcher [REDACTED] Licensing for External
<LicensingExternal@melton.gov.uk>; Chris Millward [REDACTED]
Subject: RE: ACTION: FULL Variation Online submission- The White Lion 20 Nottingham Street, Melton Mowbray LE13 1NW

George

Further to the below, I'm sorry to report that Melton Borough Council has received a complaint from a town resident alleging that noise from amplified music from events in the external amenity area of The White Lion is a nuisance to them. In the first instance, can I please clarify that Flint Bishop is acting on behalf of The White Lion in all licensing matters – including reactive work? Or should I correspond with Mr Brooks directly?

This complainant is resident at the George Hotel on the High Street. I am informed that said individual made contact with Mr Brooks regarding this matter on the 3rd August 2021. With that in mind, can I ask why this complaint was not disclosed following my recent request to Mr Brooks to release his records in respect of the proposed major variation below?

I trust Mr Brooks has now had the opportunity to digest my feedback to his monitoring strategy; in particular, the need for a more subjective methodology to appraise the sound environment using the descriptors I have provided. As such, I now request Mr Brooks's monitoring records for the bank holiday weekend 15 April to 18 April 2022 inclusive.

I must stress that the provision of regulated entertainment on The White Lion premises licence is rigidly conditioned to prevent amplified music causing a public nuisance. Noise from amplified music must not exceed the background sound level or dominate the local sound environment. Whilst music might be audible at the nearest noise sensitive premises, it must only form a minor component when taken collectively with other sound sources.

It is essential that Mr Brooks understands what is being asked of him and how to test compliance via the monitoring exercises. This is in his own interests. If any clarification or guidance is required, please do not hesitate to ask.

Regards

David Martschenko
Environmental Health: Senior Technical Officer

[REDACTED]
[REDACTED]



Hi George

I've just gone through my emails post-holiday and I can't see anything from Simon

David Martschenko
Environmental Health: Senior Technical Officer

T: [REDACTED]
M: [REDACTED]



From: George Domleo [REDACTED]
Sent: 05 May 2022 09:10
To: David Martschenko [REDACTED]
Cc: Joanne Belcher [REDACTED] Licensing for External
[REDACTED] Chris Millward [REDACTED]
Subject: RE: ACTION: FULL Variation Online submission- The White Lion 20 Nottingham Street,
Melton Mowbray LE13 1NW

David

Has Simon been in contact with you in response to your email to me of 22/04?

Regards

George

George Domleo
Senior Associate
Licensing



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George

I trust you are well.

Further to our email exchange below, I can confirm that Environmental Health has not received the requested information from your client, Mr Simon Brooks, DPS of The White Lion, 20 Nottingham St, MM. This has been formally recorded as an incident of regulatory non-compliance.

I'm sorry not to have better news but I thought it prudent to keep you up to date.

Regards

David Martschenko
Environmental Health: Senior Technical Officer

T: [REDACTED]
M: [REDACTED]



From: George Domleo [REDACTED]
Sent: 10 May 2022 10:18
To: David Martschenko [REDACTED]
Cc: Joanne Belcher [REDACTED] Licensing for External
[REDACTED] Chris Millward [REDACTED]
Subject: RE: ACTION: FULL Variation Online submission- The White Lion 20 Nottingham Street, Melton Mowbray LE13 1NW

Hi David

Thanks for confirming and I shall chase up Simon.

George

George Domleo
Senior Associate
Licensing



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Good evening,

I hadn't completed the noise diary as I have been on holiday etc recently therefore haven't been as effected. Only tonight the music is louder than usual and I have to be up early in the morning... I have attached 2 videos as an example as to what the music sounds like from inside my home (windows and doors closed). Taken between 11pm-11.30pm... I feel I shouldn't be able to hear word for word what the singer is singing when I do actually live a little distance away from the venue. This is the loudest it's ever been and if it continues I feel like I'm going to have to look to move. I suffer with mental health and attempting a healthy sleep routine is part of how I try to 'manage it'. It's just becoming a bit too much now and I get anxiety about Saturday evenings at home. I completely get that living in the town centre has its drawbacks but I didn't expect this at all.

Kind regards,

Kaisey Lambert

Sent from my iPhone

David

Thanks for your email.

[@simon](#) Are you able to liaise with David on the required info please?

Regards

George

George Domleo
Senior Associate
Licensing



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From: David Martschenko [REDACTED]

Sent: 14 July 2022 14:43

To: George Domleo [REDACTED]

Cc: Chris Millward [REDACTED]

Subject: RE: ACTION: FULL Variation Online submission- The White Lion 20 Nottingham Street, Melton Mowbray LE13 1NW

External Email: Please check senders details and use caution when accessing links and attachments.

Mr Domleo

I write to advise you that Melton Borough Council: Environmental Health has received a further complaint regarding noise from late night amplified events at The White Lion, Melton Mowbray. The complainant reports unacceptable noise levels for the event held on Saturday 9 July.

Can Mr Brooks please provide his monitoring logs for Saturday 9 July. I also request his schedule of (outdoor) events for the next 30 calendar days. If Mr Books is unable or unwilling to provide this information, then we shall consider bringing the licence into review.

Regards

David Martschenko
Environmental Health: Senior Technical Officer

T: [REDACTED]

M: [REDACTED]



George

Further to the below, I note that I have not received the requested information from Mr Brooks.

This has been recorded as a further non-compliance.

I shall now discuss with Chris Millward – Licensing Enforcement Officer, on how to proceed.

Regards

David Martschenko
Environmental Health: Senior Technical Officer

T: [REDACTED]

M: [REDACTED]



From: George Domleo [REDACTED]
Sent: 14 July 2022 14:46
To: David Martschenko [REDACTED]; [REDACTED]
Cc: Chris Millward [REDACTED] Dan Littlewood [REDACTED]
Subject: RE: ACTION: FULL Variation Online submission- The White Lion 20 Nottingham Street, Melton Mowbray LE13 1NW

David

Thanks for your email.

[@simon](#) Are you able to liaise with David on the required info please?

Regards

George

George Domleo
Senior Associate
Licensing



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Good Morning David,

As explained to Chris I've been working away quite a bit and only home at the weekends.

I've also been dealing with a bereavement in the family and can only apologise for the lack of communication.

Can you please remind me what your wanting from us and I think George suggested a meeting which I'm happy to accommodate.

Once again my apologies.

Sent from Simon Brooks iPhone

On 10 Aug 2022, at 15:17, David Martschenko [REDACTED] wrote:

George

Further to the below, I note that I have not received the requested information from Mr Brooks.

This has been recorded as a further non-compliance.

I shall now discuss with Chris Millward – Licensing Enforcement Officer, on how to proceed.

Regards

David Martschenko
Environmental Health: Senior Technical Officer

T: [REDACTED]
[REDACTED]



David Martschenko

From: David Martschenko
Sent: 30 March 2022 15:24
To: 'George Domleo'
Cc: Joanne Belcher; Licensing for External; 'Braithwaite David'
Subject: RE: ACTION: FULL Variation Online submission- The White Lion 20 Nottingham Street, Melton Mowbray LE13 1NW

George

Thank you for your email, I have received the major variation application. Having reviewed the application, considered all documentation and discussed it with partner organisations, my thoughts are as follows.

We are initially perplexed as to why an increase in the frequency of outside entertainment events (after 23:00) from 4 to 6 per calendar month is required. Looking at the submitted spreadsheet, 2 events were held in July, 2 in August, 3 in September and 1 in October. Simon has not made full use of the existing allowance. Though I appreciate that the variation will seek to licence outdoor film screenings. Is this Simon's rationale?

The monitoring data Simon has provided isn't terribly helpful and doesn't assist in determining compliance with the existing condition to monitor outdoor entertainment events. This is because the condition is primarily subjective rather than objective.

'The Premises Licence Holder, DPS or nominated person shall ensure that music and speech from regulated entertainment does not exceed the 'background' noise level at the boundary of the nearest noise sensitive property at any time. For the purposes of this condition, noise from music and speech would not exceed the background noise level when it does not alter the perception of the ambient environmental noise that would prevail in the absence of the source in question.'

Whilst decibel levels are nice to have, they don't mean much in the absence of 'residual' noise levels – the noise level of the sound environment in the absence of the source noise. This is because it is impossible to determine from Simon's data the relative contribution from amplified music and environmental noise. Can I please asking going forward that subjective observations are included in the monitoring data. This should include answers to common sense observations such as:

- Is noise from amplified music/speech audible?
- Is the bass audible?
- Are the lyrics audible?
- Can I make out the song?
- What are the competing sound sources?
- Which sound sources are the loudest?

Amplified music and speech from The White Lion must not change the noise character of the area. Whilst it will likely be audible, it should not a major noise contributor. As noise from The White Lion gets louder relative to background noise, songs, lyrics and speech will become increasingly clear and identifiable. It will start to dominate the sound environment. At this point is not considered background.

This feedback should not be seen as a rebuke, but as a means to learn and improve.

To my knowledge, we have not received any noise complaints from members of the public either directly or indirectly via partner organisations. I am in receipt of an overview of documented Police incidents from 2021; however, none appear to relate to excessive music. I acknowledge receipt of the resident complaint received by Simon and the actions he has taken to resolve the complaint.

On reflection of the above, I am inclined to support the variation, subject to the requested improvement in event monitoring.

I trust this will meet with your/Simon's satisfaction.

Regards

David Martschenko
Environmental Health: Senior Technical Officer



From: George Domleo [redacted]
Sent: 21 March 2022 11:42
To: David Martschenko [redacted]
Cc: Joanne Belcher [redacted]
Subject: RE: ACTION: FULL Variation Online submission- The White Lion 20 Nottingham Street, Melton Mowbray LE13 1NW

David

I hope you are well.

Just to update you, we have now submitted the major variation in line with the proposed terms as discussed in our email exchange below. I assume you are also now in receipt of our further TENs.

Attached is the major variation for your perusal along with Simon's recording logs and data for the outdoor events that he has previously held at the premises. A resident on Wilton Terrace contacted the premises wanting to know what was happening as she could faintly hear the music outdoors on one occasion. The resident was happy with Simon's explanation of the outdoor entertainment and for letting her know of the permitted 4 x occasions for outdoor music. Simon stayed in touch with the resident regularly over the next couple of events and the resident confirmed that they could no longer hear the music. The resident was happy that Simon had contacted her and followed it up. Simon and his staff now assess the noise levels at Wilton Terrace following the initial contact from this resident.

I trust this assists.

Kind regards

George

George Domleo
Senior Associate
Licensing



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From: George Domleo
Sent: 21 January 2022 16:55
To: 'David Martschenko' [REDACTED]
Cc: Joanne Belcher [REDACTED]
Subject: RE: ACTION: FULL Variation Online submission- The White Lion 20 Nottingham Street, Melton Mowbray LE13 1NW

David

Many thanks for your quick response.

I shall ask Simon for the requested information and hopefully provide this to you shortly.

Regards

George

George Domleo
Senior Associate
Licensing



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From: David Martschenko [REDACTED]
Sent: 21 January 2022 16:52
To: George Domleo [REDACTED]
Cc: Joanne Belcher [REDACTED]
Subject: RE: ACTION: FULL Variation Online submission- The White Lion 20 Nottingham Street, Melton Mowbray LE13 1NW

George

I'm good thank you.

I have no concerns regarding the extension of hours of indoor regulated entertainment.

I was not aware that Simon has made use of the external regulated entertainment provision last year due to various successive COVID restrictions. We have not had any complaint to my knowledge.

It would be helpful to know what outdoor events he held, any feedback he received and to review his logs in respect of outdoor monitoring as per his conditions. If there demonstrable evidence of success without incident then we would be minded to support the increase in event days.

Regards

David Martschenko

Environmental Health: Senior Technical Officer

[REDACTED]
[REDACTED]



From: George Domleo [REDACTED]
Sent: 21 January 2022 15:53
To: David Martschenko [REDACTED]
Subject: RE: ACTION: FULL Variation Online submission- The White Lion 20 Nottingham Street, Melton Mowbray LE13 1NW

Hello David

Long time no speak. I hope you are well.

Simon at The White Lion has contacted me enquiring whether it would be possible to extend his trading hours. Moving forward, and hopefully with the pandemic behind us, he would like to extend his trading hours to 4am (currently 3am). Simon has operated with the 3am since October 2020, albeit through some form of lockdown/restrictions at intervals, and we've not been made aware of any issues.

Simon would also like to extend the number of occasions he is permitted to have regulated entertainment take place outside until midnight between 1st April to 30th September to 6 occasions per calendar month (currently 4 occasions per month). He has advised that he was able to have these 4 occasions per month take place last year without any complaints. Simon was in regular contact with one local resident about the outdoor entertainment who very much appreciated the dialogue. I would also like to think that as you have not been in contact with me there have been no issues with the premises.

I wonder if you could please provide me with your views on these proposals. I think it would be prudent in any event for us to have another meeting on site to discuss it all further and please do let me know if you are amenable to this.

I look forward to hearing from you.

Regards

George

George Domleo
Senior Associate
Licensing

[REDACTED]
[REDACTED]
[REDACTED]

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