



Licensing Act 2003

REPRESENTATION FORM

Your name/organisation name/name of body you represent (see note 2)	Environmental Health
Organisation name/name of body you represent (if appropriate) (see note 2)	Melton Borough Council
Postal and email address	Parkside, Station Approach Burton Street Melton Mowbray LE13 1GH
Contact telephone number	01664 REDACTED

Name of the premises you are making a representation about	Twin Lakes
Address of the premises you are making a representation about.	Melton Spinney Road, Melton Mowbray

Your representation must relate to one of the four Licensing Objectives (see note 4)

Licensing Objective	Yes Or No	<i>Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary</i>
To prevent crime and disorder	No	
Public safety	No	
To prevent public nuisance	Yes	Please refer to the enclosed.
To protect children from harm	No	

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account (see note 3).

None – See enclosed.

Signed: _David Martschenko_____ Date: 24 October 2019

Please see notes on reverse

NOTES

1. This form must be returned within the statutory period of 28 days from the date the application was displayed on the premises of the date given in the public notice in a local newspaper or other local publication.
2. These can only relate to the four licensing objectives.
3. If you do make a representation you will be expected to attend a meeting of the Licensing Authority's Committee and any subsequent appeal proceeding. If you do not attend, the Committee will consider any representations that you have made.
4. Please return this form when completed to:

The Licensing Officer

Parkside

Station Approach

Melton Mowbray

LE13 1GH

Tel: 01664 502502

Fax: 01664 565656

Email: licensing@melton.gov.uk

Simon / Sarah

I acknowledge receipt of the premises licence variation application dated 27 September 2019 which we now accept as the final revision. The application proposes to vary the existing premises licence – MMA0260 to include the provision of:

A – Plays	10:00 to 18:30
B – Films	10:00 to 20:00
E – Live Music	10:00 to 18:30
F – Recorded Music	10:00 to 18:30
G – Performances of Dance	10:00 to 18:30 (September, October & November)
H – Xtreme Screen event	19:00 to 23:30
I – Late Night Refreshment	23:00 to 00:00
J – Alcohol	10:00 to 18:30

As statutory consultee, Environmental Health formally objects to this variation application, in particular we object to the provision of B – Films and H – Xtreme Scream. Our objection is on the grounds of the licensing objective - prevention of a public nuisance.

Since 2017 Environmental Health has received 9 noise nuisance complaints relating to music, fireworks and the annual Xtreme Scream event as follows:

17/02919/EHNUNS – Fireworks

17/03069/EHNUNS – Fright Night

17/03239/EHNUNS – Fireworks

17/03362/EHNUNS – Xtreme Scream

17/03372/EHNUNS – Fireworks

18/02560/EHNUNS – Music

18/03270/EHASB – Xtreme Scream

19/00028/EHNUNS – Fireworks

19/01878/EHNUNS – Music

It should be noted that Environmental Health has received at least one resident complaint regarding the Xtreme Scream (formally Fright Night) event since Halloween 2016. On 14 October 2018 I conducted field observations of the Xtreme Scream event following resident complaint 18/03270/EHASB. My pocket book notes are as follows:

Evening observations 14 October 18. Arrived on site 19:30.

(1) 19:30 @ Hunt Drive, MM. Music + voices detectable but not dominate noise environment.

(2) 19:45 @ Carnegie Cres. Music + voices (screams) clearly audible, intrusively at times. Volume of music ramping up & down.

(3) 20:05 @ equestrian centre off Melton Spinney Road. Audible at times but screened by topography.

(4) Skelton Farm, A607. Music, voices, screaming, gunshot clearly audible. Dominates noise environment. Likely to be audible indoors. Briefly masked by occasional passing vehicle at speed.

(5) A607 Thorpe Arnold. Again, music, voices, screaming, gunshot clearly audible & dominates noise env. Traffic more distant as houses set back. Twin Lakes noise dominant throughout. Likely audible indoors.

As can be seen, at property locations south and east of Twin Lakes, noise from amplified music, imitation gunshot and patron voices (screams) dominates the noise environment. With that in mind, it can be understood why some local residents would find this unacceptable and the cause of complaint. However the level of disturbance must be tempered by the frequency of occurrence. The Extreme Scream event, in addition to other Twin Lakes events, have historically been regulated under the 'temporary event notification' (TEN) system. TEN events are granted additional latitude to generate noise as compared to events under full premises licences because they are by their very nature seasonal and transient – only a finite number of events can be held under the TEN system per person, per venue. For this reason Environmental Health has not sought to object to TENS from Twin Lakes.

However we are deeply concerned by the Twin Lakes application for a full premises licence which seeks to regularise the Xtreme Scream event for three months of the year in addition to outdoor film exhibitions. The scope of this application moves beyond that of a TEN and will permit Twin Lakes to hold evening events on a regular basis. Where licenced events occur on a regular basis we would defer to the Institute of Acoustic – Good Practice Guide on the Control of Noise from Pubs and Clubs as the most applicable guidance. Section 2.4 states:

'for premises where entertainment takes place on a regular basis, music and associated sources should not be audible inside noise-sensitive property at any time.'

To achieve this standard noise levels at the external façade of properties must not exceed background levels. As can be seen from my field observation on the 14 October 2018, noise from

the Xtreme Scream event dominates the noise environment to the south and east. Environmental Health would advocate against the granting of a premises licence where the standard of compliance under relevant code of practice is unlikely to be achieved.

The Licensing Committee may consider dealing with this matter by condition. However the Committee should also be aware that Environmental Health has previously approached Twin Lakes Directors, regarding historic noise nuisance complaints itemised above. Our approaches have typically been met with silence or largely dismissed. As an example:

Complaint 17/03069/EHNUNS

Following a resident and Councillor complaint, I spoke with Mr Philip Bendall by telephone. We agreed that we would meet in person one month prior to the 2018 Xtreme Scream season to discuss noise generation, breakout and control. I attempted to make contact with Philip Bendall in October 2018 but I did not receive a response and no such discussion took place.

Subsequent to my field observations on the 14 October 2018, myself and Victoria Clarke – EH Manager, attended a meeting with Mr Mike Bendall on the 15 October 2018 to discuss the results and resident complaints. Our concerns were largely rejected.

Should this premises licence be granted, unamended or by condition, Environment Health is confident it would have an unreasonable adverse impact on the local community and generate further resident complaints. In that event we do not believe Twin Lakes management would work proactively with Melton Borough Council and the local community to implement the necessary controls to achieve the standard of compliance required by the IOA guidance.

Regards

David Martschenko

Environmental Health: Senior Technical Officer

T: 01664 REDACTED

M: REDACTED

