

#### **Appendix 4**

**From:** Peter Lawson

**Sent:** 15 December 2020 16:04

**To:**

**Subject:** Premises Licence Application Robins Cellar WDCPREM00989 - 2 Victoria Terrace, Leamington Spa

Good Afternoon,

Premises Licence Application Robins Cellar WDCPREM00989 - 2 Victoria Terrace, Leamington Spa

Environmental Health Request for Further information and Discussion

I write in response to the Licensing Officers consultation of Environmental Health in respect of the prevention of public nuisance arising from Operation of the cellar at 2 Victoria Terrace.

#### Back ground

The cellar was formerly part of a larger licensed premises which comprised the basement and ground floor of 2 Victoria Terrace known as Robbins Well and took in parts of the first and second floor of the building for a kitchen and storage. It was intimately connected with 1 and 2 Victoria Colonnade with windows and a door to Victoria Colonnade. Various historical planning consents Planning consents with conditions encompass both.

More recently the upper floors of the Victoria Terrace /Victoria Colonnade complex received planning consent for conversion to residential accommodation, whilst Robbins Well was unoccupied.

There is an interesting history of debate in the context of Planning as to what extent the residential development should be sound proofed against the future reoccupation/ reuse of the licensed premises below and where the burden of providing sound insulation should lie between the residential development and any future licensee of Robbins Well. The outcome of which is not entirely clear at this point.

#### Information Required and Issues To be Explored

In the context of the application to use ONLY the cellar:-

1. The plan provided does not clearly show the orientation of the cellar in relation to the buildings above. Please provide a plan with the position of the river/ Victoria Colonnade and the main road/ Victoria Terrace Clearly Marked.
2. It is not apparent from the Plan which staircase or staircases will be used for public access and egress and where they actually come out at ground level.
3. Restriction of the current licence application to the cellar suggests that the ground floor is to be left unoccupied. Is this correct or is there any dependant" back of House " activity to take place on the ground floor?
4. Is the ground floor leased to or under the control of the applicant?
5. Is there potential for the ground floor to be occupied by a noise sensitive business or residents?
6. Subject to answers to points 1 and 2, is there a noise sensitive use at ground floor, first floor or cellar of adjacent properties?
7. What is the nature of the late night refreshment and what cooking equipment or ventilation plant is to be used?

8. What is the proposed location for the smoking area?

The issues we need to explore is

- a) potential for noise transmission **through the building** to residents on floors above or sideways through the structure along the terrace/colonnade to adjacent occupiers,
- b) noise break out through entrance/exit doors or ventilation systems
- c) noise of customers coming and going late at night into the early hours of the morning,
- d) noise of customers queuing for admission
- e) noise of customers smoking

Environmental Health would welcome a site meeting with the applicant to discuss matters once the information at points 1 to 8 has been provided.

Kind Regards

**Peter Lawson** Bsc(Hons) MSc CMCIEH

Chartered Environmental Health Practitioner

Senior Environmental Health Officer

Warwick District Council

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Email [REDACTED]

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Good Afternoon,

The applicant has not engaged with Environmental Health to address the matters set out in our email of 15<sup>th</sup> December 2020

We therefore object to grant of the Licence applied for.

Kind Regards

**Peter Lawson** Bsc(Hons) MSc CMCIEH

Chartered Environmental Health Practitioner

Senior Environmental Health Officer

Warwick District Council

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