

LICENSING ACT 2003 APPENDIX 03
Environmental Health Consultation Response

My Ref: ELL/025165

Date Received:

14th January 2013

Name of Applicant:

PICCOLINO

Address to which application relates:

95 King Street, Knutsford, Cheshire, WA16 6EQ

Conversion:

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Variation:

x

New:

☐☐

Approve

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Approve with Conditions

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Object to Section(s)

The variation is a result of a proposed extension to the premises for Additional dining at first floor and roof terrace at rear. This extension has received planning permission: 12/4455M approved: 10 January 2013.

The licensing plans drawing no: 210 are highlighted in red on the attached plan. The requested variation is:

To alter the layout of the premises in accordance with the plan(s) deposited with the application and numbered 210 to incorporate a new roof terrace.

Remove all Annex 2 Conditions (as no longer applicable being either pre-2005 conditions or relate to plans which have now changed).

In addition the applicant is requesting a variation in Section L of the Application to vary the Premises Licence: the Hours the Premises are Open to the Public:

Monday – Sunday 00:01 - 00:00

The current Premises Licence: PR/0216. The opening hours of the Premises are detailed as "not known".

Piccolino's is an established and popular restaurant in Knutsford town centre. Its location is in close proximity to noise sensitive premises to the north and north east at Old Market Place: residential flats - The Old Court House and traditional cottage properties respectively.

For this reason the proposed opening hours for members of the public is excessive. It is therefore recommended that the opening hours reflect those for other similar establishments in Knutsford town centre: in order to preserve public amenity and for prevention of public nuisance.

PREVENTION OF PUBLIC NUISANCE

All necessary steps shall be taken to ensure that any noise from the premises shall not be audible at the boundary of the nearest residential premises, therefore:

PROPOSED CONDITIONS:

1 THE OPENING HOURS OF THE PREMISES

Roof Terrace:

Due to the potential for noise disturbance to local residents, the first floor roof terrace shall only be used (except in the case of emergency) between the hours of 09.00 to 22.00 hours on any day.

Remainder of Premise:

Monday to Saturday 10:00 to 00:30 hours
Sunday 12:00 to 00:00 hours

2 REGULATED ENTERTAINMENT

There shall be no regulated entertainment of any type within the area highlighted in red on the licensing plans drawing no: 210.

3 ROOF TERRACE SPEAKERS

The use of low power, low noise speakers shall be used on the first floor terrace only providing these comply with the specific requirements and limitations as detailed in the acoustic report by Sol Acoustics Ltd, reference: P1427 – REP01 – REV A –SJF, dated 24th May 2012 of Planning Permission 12/4455M approved 10th January 2013.

4 ROOF TERRACE

In order to prevent the roof terrace being used by bar customers: the roof terrace shall only be used by dining customers: the roof terrace shall only be used as a full service dining area (i.e. no casual drinkers are permitted and all roof terrace customers must partake of a main meal).

For this purpose alcohol may only be sold or supplied to persons taking table meals for consumption by such a person as an ancillary to their meal.

5 NOISE MONITORING

The Licence Holder/Designated Premises Supervisor or responsible person nominated by him in charge of the Premises shall ensure that any noise emanating from the Premises is not audible at the boundary of noise sensitive properties.

For this purpose regular Noise Monitoring Assessments shall be undertaken and any necessary remedial action shall be undertaken to ensure that noise arising from the premises is not audible at the boundary of the nearest noise sensitive premises. These assessments shall be undertaken during opening hours of the premises and when background music is occurring. A written record shall be made of those assessments in a log book kept for that purpose and shall include: the time and date of the checks, the person making them and the results including any remedial action.

6 WASTE DISPOSAL AND DELIVERIES

There shall be no disposal of bottles outside the premises between the hours of 21.00 and 09.00.

No disposal of refuse outside the premises or deliveries made to the premises between 2100 and 0700.

Signed: **Stephanie Bierwas | Enforcement Officer | Environmental Protection**

Dated: **11th January 2013**