

The Barrel House
59-59A High Street
Totnes
TQ9 5PB

Appendix 'C'

Environmental Health Manager
South Hams District Council
Follaton House
Plymouth Road
TOTNES TQ9 5NE

South & West Devon BCU
Alcohol Related Crime Reduction Office
Police Station
Ashburton Road
TOTNES Devon TQ9 5JY

8th October 2009

Tel 01803 860423

J/Lic/ 55186

Ask for Pete Cosby

Fax **01803 860423**

Dear Sir / Madam

RE: BARREL HOUSE ~ TOTNES

I refer to the application made by Harbans Singh-Matto for the variation of the premises licence in respect of the above premises under section 34 to the Licensing Act 2003.

I have discussed the application with Mr Singh-Matto and as a result we have agreed amendments as detailed below. I find that the amendments are acceptable to the police, and the operating schedule is appropriate to this style of premises and in line with South Hams District Licensing Authority policy.

Amendments

section P(b)

1. CCTV system will be installed and operative at all times while the premises are trading and the equipment to be maintained to the satisfaction of the chief of police. Recorded images to be retained for 30 days and made available to Police Officer on request. If the CCTV equipment is inoperative the Police and Licensing Authority will be informed as soon as possible and immediate steps will be taken to put the equipment back into action.

The police make no objection or representation to the application as amended, and confirm that with the above agreed amendments in place there is no requirement for a hearing.

Yours faithfully

Superintendent Sarah SHARPE
LPA Commander
South Hams & West Devon
Devon Basic Command Unit



DEVON & SOMERSET FIRE & RESCUE SERVICE

LT Howell MBA BEng(Hons) FIFireE
CHIEF FIRE OFFICER

Mr G Munson
Licensing Dept
South Hams District Council
Follaton House
TOTNES
TQ9 5NE

WESTERN COMMAND
TORQUAY HEADQUARTERS
DEVON & SOMERSET FIRE &
RESCUE SERVICE
NEWTON ROAD
TORQUAY
DEVON
TQ2 7AD

Your ref:
Our ref: 00042354/KM
Website: www.dsfire.gov.uk

Date: 20 October 2009
Please ask for: Mr Stear
Email: gsteer@dsfire.gov.uk

Telephone: 01803 653700
Fax: 01803 653740
Direct Telephone: 01803 653720

Dear Mr Munson

Licensing Act 2003

Application for a Variation to the Premises Licence The Barrel House Totnes

I write further to the application dated 10 September 2009 to vary the Premises Licence at the above property.

As a result of a telephone conversation with Mr Matto and in the absence of all the information for this application, I attended the above mentioned premise and discussed the application in more detail. I viewed the Fire Risk Assessment and the current level of management of fire risk being undertaken at the premise.

As a result of the consultation Mr Matto was advised that as there is only one means of escape staircase at the premise, I was unable to consider increasing the capacity to 120 persons. Suitable advice was given in this regard explaining that until such time as a true alternative could be implemented meeting this level of capacity would not be an option.

However, having due regard to the Fire Risk Assessment and its additional control and measures and the management of fire safety matters at The Barrel House having improved since we audited the premises earlier this year, for example the provision of early detection and warning of fire and the reduction in travel distance from the first floor to the protected route by provision of an alternative exit from the licensed area, it is considered that the maximum capacity that can safely accommodate the first floor bar is 90 patrons.

At the time of my visit, the proposed alternative route from the bar area through the existing wash room was unacceptable. This was discussed with Mr Matto and he was advised that this work area should have a sterile passage, clear of any obstructions, with the removal of the wash up area to a more suitable position within the room. Mr Matto informed me that the wash up area would not be used as such whilst the first floor of the premises is being occupied.

Mr Matto has also been advised of the requirement to maintain the staircase as sterile throughout the time that the public are on the premises and to position a steward within this area at all times when the functions on the first floor will exceed the current 60 person capacity.

Should you require any further information please contact me on the above telephone number.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tony Jones', written in a cursive style.

Tony Jones
Group Manager

Cc Mr C Matto, The Barrel House, 59-59a High Street, Totnes TQ9 5PB

CONFIDENTIAL
- 2 NOV 2009

Mr G Munson
Licensing Department
South Hams District Council
Follaton House
Plymouth Road
Totnes
Devon

Totnes
Devon
TQ9 5NU

30th October 2009

Re: The Barrel House's request for greater capacity

Dear Mr Munson,

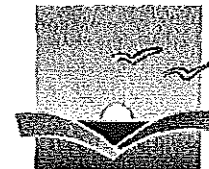
I am contacting you today to strongly oppose the Barrel House's application for greater capacity.

as you are aware we are already greatly affected by the noise emanating from the Barrel House at all hours. With more people in the Barrel House there would be even more noise, and consequently the volume of the music would be increased. The disturbances due to noise, music and people are already unbearable, and we are not prepared for it to get worse. For these reasons, we strongly oppose the Barrel House's application for greater capacity.

Thank you for taking the time to register our concerns. A final point we'd like to make regards the other residents of Totnes High Street and Castle Street, all of whom we feel will also be affected and disturbed if the Barrel House's application for greater capacity were to be approved.

Yours Sincerely,

Internal memorandum



South Hams
District Council

From: Georgina Lewis, Environmental Health Officer **To:** Graham Munson, Licensing Manager
Re: Application to vary premises licence under Licensing Act 2003 The Barrel house, 59-59A High Street, Totnes

Our ref: 200903689 **Date:** November 18, 2009

I write with reference to the above application to vary a premises licence. I note that the variation applied for is to increase the capacity of the premises from 60 to 90 people.

I have some concerns regarding the application. The Control Team are currently undertaking an investigation of the premises following recent noise complaints received from local residents. The noise complained of mainly consists of people noise in the street and also music noise. Sarah Harcombe (Technical Officer) visited a complainant on 3/10/09 between 22.00 and 23.20 hours and witnessed The Barrel House's music in the bedroom.

At present I do not have sufficient evidence to be satisfied of the existence of a statutory noise nuisance from the music under the Environmental Protection Act 1990. However, investigations into the allegations are still underway, and I am meeting the Premises Licence Holder and his environmental health consultant at the premises on 26th November 2009 to discuss their proposals for further noise mitigation.

A noise abatement notice was served on the applicant in April 2007 to control the noise from music at The Barrel House. Following an appeal the Council withdrew the notice for procedural reasons. The Court did not deliberate on the grounds for serving the notice and the existence or otherwise of a statutory nuisance was not established by the Court.

Whilst I appreciate that by increasing the capacity of the premises noise from people queuing outside to get in is likely to reduce, the noise from more people leaving the premises at the end of a function when background noise levels will be lower is likely to be more significant than at present. Consideration should also be given to the effect of increasing audience numbers on the existing noise levels produced from clapping, cheering, laughing and other audience noise.

I hope that this information is of use to you.

Yours sincerely

Georgina Lewis
Environmental Health Officer (Pollution Control)