

APPENDIX 4



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REPORT

To: Licensing Section

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Environmental Health
Telephone: 0191 643 6645

Date: 21st October 2020
Licensing Act 2003

RE: Application to vary the premise licence at Morrison, Preston Grange, North Shields, NE29 9QR

My representation is being made under the licensing objective(s) your representation for the Prevention of Public Nuisance.

The Morrisons store is located adjacent to Preston Road North. The site shares a complex with a number of other small commercial units but is surrounded by residential properties of Ashford Close and Bishopbourne Court to the north of the premises and Heybrook Avenue to the west of the premises.

The application is to vary the premise licence to permit the sale of alcohol from 0000 to 2400 hours Monday to Sunday inclusive and 2300-0500 hours Monday to Sunday for late night refreshment.

The variation of hours to permit 24hour sales of alcohol will result in increased noise in the area with associated noise from the customers visiting the store and potential noise from delivery operations if an extended delivery service is provided. Noise will arise from vehicles using the car park, loud voices of customers and clatter and bangs from trolleys and the slamming of car doors and car boots. In addition there will be noise from car radios that will impact on nearby residents of Ashford Close and Bishopbourne Court.

There will be a cumulative noise impact arising from the operation of the supermarket including extended use of plant and equipment, additional deliveries of goods to the store will be required to replenish stocks resulting in extended use of the service yard. This department is already in receipt of complaints in relation to the use of the service road late at night.

The Morrisons store currently closes at 10pm and although there are other smaller shops in the complex that open later e.g. Domino's, the extent of the customer base is considered to be smaller and the potential noise impacts minimal for local neighbouring residents. The proposed 24 hour opening for the sale of alcohol will

result in a new noise source from its activities during the later evening and night period and give rise to additional noise from customers, plant noise and vehicle noise resulting in potential disturbance for residents.

The variation of their operating hours for late night refreshment and sale of alcohol will result in attracting more people to this area during the late evening and night period causing additional noise for nearby residents and this will have an adverse impact on the quality of life for the local residents. Normal conversation speech can be between 60-80 dB and loud shouting and loud voice between 80-100 dB based on 1 metre to the source. If an average of 80-90 dB from raised voices, is taken then the likely noise levels inside the nearest residents properties some 70 m away will be in the region of 43 to 63 dB. World Health guidelines give a peak level of 45 dB(A) inside bedrooms and as outlined above, residents may be subject to noise levels that exceed the guidance level of 45 dB L_Amax.

The applicant has provided no evidence to show how noise impacts arising from the variation of their operating hours will be adequately mitigated to prevent a public nuisance. I would therefore ask that the committee consider refusing this application that is requesting to vary the premise licence to permit the sale of alcohol from 0000 to 2400 hours Monday to Sunday inclusive and 2300-0500 Monday to Sunday for late night refreshment.

Susan Vert

From:
Sent: 07 October 2020 10:36
To: Liquor Licensing
Cc: Cllr Martin Rankin; Claire Wilson; Wendy Burke; Amelia Robson
Subject: Morrisons Licensing variation 20/1704/MIN/VAR

EXTRNL

The above variation application seeks permission:-

- to sell alcohol 24/7,
- to provide late night refreshment 11pm to 5am 7days a week; and
- "general opening" 24/7.

Various Council planners and environmental health managers will be only too aware of a litany of problems, arising from the operation of the Tynemouth supermarket (and associated retail units), causing considerable nuisance to residents in streets adjoining the Morrisons site. These problems persist to this date, the most recent being increased noise generated through two roof mounted ventilation units close to Heybrook Avenue and Langdon Close.

The licensing variation application is lacking in detail to say the least, but it is reasonable to assume that any permission, granted by the Council, would enable the operator to open the store, 24/7, not just for the sale of alcohol, but also of general provisions, giving rise to increased staff and customer activity.

So in addition to public health concerns about increased availability of alcohol, there is also anxiety, expressed to me by a number of neighbours in Heybrook Avenue, that there is an increased risk of public nuisance arising from longer hours operation of the store.

Our concerns include:-

- Internal movement of store equipment
- Noise generated by ventilation and air conditioning plant
- Possible air pollution e.g. baking smells
- Additional vehicular movements, involving food /alcohol deliveries into and out of the store and customer cars using the store beyond currently permitted opening hours.

It is our view that the applicant has provided scant or insufficient detail to enable a considered opinion to be taken of the merits or otherwise of the proposal and should therefore be rejected in its current form. Should further information be forthcoming and after consultation with all stakeholders, the Council be minded to grant approval, residents would at the very least expect officers to apply enforceable conditions aimed at avoiding additional public nuisance.

I should be grateful if residents could be kept informed of developments in this matter.

From: >
Sent: 08 October 2020 16:29
To: Liquor Licensing
Subject: 20/1704/MINVAR

EXTRNL

I am contacting you regarding the above application by Morrison's Tynemouth and their request to:
Open 24/7;
Sell alcohol 24/7; and
Provide late night refreshment between 11.00om - 05.00am.

The application available on line provides little or no information as to what the last request entails

The store and adjacent retail units are within a residential area with only a rear access road between the shops and residential homes

Over the years, issues with noise from equipment and ventilation units within and external to the shops and traffic noise on the rear road 24/7 has increased, this road is or was supposed to be closed between 11.00pm and 07.00am. These issues are a great source of nuisance to residents

These issues will only be increased and create additional public nuisance if the store had this application permitted

Although staff work nightshift it is without customers. If open 24/7 machinery, ventilation and air conditioning units will be fully active, thereby increasing the already persistent hum that can be heard, staff will be heard on the rear access road with trollies and bins more frequently through the night, smells from the bakery will increase, Success with this application could also see businesses within the other retail units apply for 24/7 opening or longer opening hours

Noise issues have been reported to Environmental Health on several occasions and are well documented

From a health perspective there is concern of alcohol being available 24/7 and the associated risks and health concerns that can bring

I hope these factors can be considered as part of any decision making process