



## Memo

### Community and Customer Services

#### Memo to Licensing - representation

to Licensing Authority

cc Cengiz Erpolat; Ali Kosele c/o [email address redacted for this report]  
Catherine Trollope, Environmental Health Officer, Community and Customer Services, Watford Borough Council

from

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date 29<sup>th</sup> October 2014

re Woody Grill, 152-154 High Street, Watford, Herts, WD17 2EN

As a Responsible Authority under the Licensing Act 2003, the Environmental Health Section has been consulted about the above application.

The original application was to vary opening hours until 4am every morning. I am aware that the application has been amended and this representation relates to the application of Woody Grill (which is a restaurant and takeaway business) to operate until 2am (Monday to Saturday trading) and 1am (Sunday trading).

Environmental Health wish to make the following representation in relation to this application on the grounds of **prevention of public nuisance**;

Environmental Health do not believe that the application should be granted due to the fact that public nuisance in the form of noise and litter will be caused if the business is operated as requested in the application.

The premises is in close proximity to a substantial number of residential dwellings, including flats above commercial premises in the High Street and as stand alone residential properties in Smith Street, Dyson Court, Granville Road and The Crescent.

This means that there is the potential for a substantial number of residents to be affected by public nuisance caused by noise from:

- within the premises itself;

- noise breakout as the door opens and closes with takeaway and restaurant customers entering and exiting the property;
- takeaway customers congregating in the area, socialising whilst eating their food outside etc.;
- customers waiting for taxis outside the premises;
- customers walking away from the premises down the adjoining residential streets.

It is also likely that customers will still be in the area shortly after the premises closes meaning that the potential for noise and public nuisance extends beyond 2am

The premises is situated towards to bottom end of the High Street where other premises (licensed and non-licensed) close at 11.30pm and 12pm. The trains from the High Street station at that end of the town stop running at 12pm and the buses reduce in frequency. The result of this is that the locality quiets down around midnight. If open until 2am this premises would be a lone noise source and out of character with the nature of the locality. The premises has the potential to become a focus point for people to congregate resulting in a concentration of noise and public nuisance.

There are other High Street premises with later licences however, these are situated at the top end of the town on the other side of the flyover where there is a dispersal policy in place in which customers leaving clubs and using takeaways are managed by the Police and Taxi Marshals to quickly and effectively leave the area with minimum disruption. There are no Taxi Marshals or Police managing dispersal in the area of the High Street where Woody Grill is situated and with infrequent buses, and no trains after 12pm there is the potential for people to remain in the area making noise and causing a public nuisance to residents.

Watford Council Environmental Health Service has no history of this applicant or property as it is new. We are aware however, that the Police have information about the applicant's management of other premises (including exceeding capacity and over-running on hours of operation) that gives them concerns about his ability to comply with Local Authority requirements. This increases the potential for noise from within the premises if there are larger numbers of customers and from people outside even later than 2am, causing public nuisance.

The current licence has recorded music 24 hours a day with no associated conditions in place. As this is already part of the licence it is not possible for Environmental Health to request conditions to control recorded music (volume, hours of operation, speaker location etc.) as part of this application. Therefore, if the premises is open until 2am there is the potential for uncontrolled recorded music to be played until then, thus increasing the likelihood of public nuisance.

Although alcohol is not going to be served at the premises it is likely that takeaway customers visiting the premises (particularly the early hours of the morning) will have consumed alcohol, resulting in the potential for customers to be careless in how they dispose of litter related to the takeaways that they purchase (both in the immediate area

and along any route that they walk away from the premises eating their food.) The cumulative effects of litter can cause public nuisance, although litter bins are already provided and emptied by the local council in the vicinity of the premises it is requested that if the licence is granted that the following conditions are placed on the licence:

1. Customers shall be encouraged to dispose of waste responsibly, a notice / poster shall be displayed in the public area of the premises promoting this.
2. The public footpath area within a 15metre radius of the shop front shall be cleared of litter that is identifiable as coming from the premises at the close of business every day.
3. After 22:00, all customers will be asked if they need a bag for the food.
4. A bin shall be provided for public use within the public area of the premises.

Please contact me if you have any queries.

Yours sincerely

Catherine Trollope  
Environmental Health Officer