

----- Original message -----

From: [REDACTED]  
Date: 27/08/2022 19:59 (GMT+00:00)  
To: Licensing@walsall.gov.uk  
Subject: Dear sir /madam

I am a tenant at the back of lexx jerks bar and grill i live on the 3rd floor i have lived there for nearly 6 years. I also work a 9 to 5 job in eirdington i get up at 5am to get the 6.10 bus to work. For months not i have not been able to get a full night's sleep because all i can hear is music & the dj talkin over the music sometimes i can hear him swearing aswell.

I can even hear the music & the dj when my windows are closed. & if my windows are open i have to close them i have sleep on my sofa in my living room & i can still hear it. It can be any night of the week it can start at about 12am and normally finishes at 5am. Plus when my grandchildren come to stay with me for a weekend they can not sleep and they can hear loud music & the dj swearing its not far on people that work to have to put up with the noise and the dj shouting & sometimes swearing people need to get agood nights sleep to do the jobs they are employed to do. I would be very grateful if this can be sorted out thank you very much. Can u please let me no the date of the meeting so i can attend

Yours sincerely  
B. Moran (miss)

Sent from my Galaxy



## Licensing Act 2003 – Representation Form

Personal Details	
<b>Title:</b>	Mr <input type="checkbox"/> Mrs <input checked="" type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/> (please specify)
<b>First Name:</b>	Sarah
<b>Surname:</b>	Heath-Marshall
<b>Address:</b>	Walsall Council - Community Protection Team
<b>Postcode:</b>	WS1 1YG
<b>Contact Telephone Numbers:</b>	<b>Daytime:</b> 01922 653060 <b>Mobile:</b>

Premises Details <i>(please give as much information as possible)</i>	
<b>Application Ref:</b>	WS/PRL/1037
<b>Name of Premises</b>	Lexx Bar and Grill
<b>Address of Premises:</b>	75 Bridge Street, Walsall, WS1 1JQ

Reasons for Representation
<p>Please provide your reasons under the relevant licensing objective below. You are not required to complete all sections. Complete only those that you consider are relevant to your representation.</p>
The Prevention of Crime and Disorder
<p><b>The Prevention of Public Nuisance</b></p> <p>I am employed as a Community Protection Officer for Walsall Council and have delegated authority for the investigation of complaints in relation to Noise Nuisance under the Environmental Protection Act 1980.</p> <p>Walsall Council and West Midlands Police have been working in partnership in regards to addressing issues on the night time economy across the town centre and therefore the approach to trying to resolve issues that have been raised with premises has resulted in the response been one of a partnership between the Council and Police working together to address issues when and where they occur.</p> <p>Further to the representation which was submitted as part of the consultation process the Local Authority have continued to receive complaints regarding Noise from the Premises.</p> <p>The Community Protection Team have received an additional 25 Noise recording complaints since the consultation process ended. The additional recordings that have been received are from original complainants. As you will see from Appendix 12 the table has been completed in the same format to show the times and dates and also the severity of the noise that has been recorded.</p>

Of these recordings we have the following breakdown for days of the week:

Monday 0 recordings received  
Tuesday 6 recording was received  
Wednesday 3 recording received  
Thursday 1 recording received.  
Friday 4 Recordings received.  
Saturday 3 recordings received  
Sunday 8 Recordings received

The hours of the recordings that were received were as follows:

Between 5 pm and midnight 1 recordings (1 medium)  
Between midnight and 1 am - 1 recording (high)  
Between 1 am and 2 am - 5 recordings (3 High)  
Between 2 am and 3 am - 3 Recordings (3 high)  
After 3 am - 15 Recordings (15 High)

As you will note on the table I have categorised the recordings Green, Amber and Red to show the graded level of noise that would be acceptable taking into account the day and time and what I have heard.

You will note from the table that I have shown where the noise recordings have been taken from as 16 recordings have been sent through by residents using their own mobile phone video function and 9 have been sent through using the noise app. There is then also a breakdown showing that 6 videos have been received from the front of the property and 19 have been received from the rear of the property.

As this is additional evidence to support the original representation you can see and note that the premises is still continuing to play music at high levels even though a Review Application has been made against the premises. At this point I feel that the Premises have been given ample opportunity to try and resolve the noise complaints that have been received and we are still receiving complaints.

The Licence Holder has still made no attempt to contact the Local Authority or modify their practice or operation to minimise/resolve the existing issues and noise complaints and, even after being served notice of the Review hearing by West Midlands Police, have continued to play music at the premises at unreasonable levels.

Walsall Council therefore has no reasonable alternative but to support the revocation of the Premises Licence as the Licence Holder has clearly demonstrated a complete disregard for regulation, neighbours within the vicinity and failed to co operate with the licencing authority in every respect.

This leads the Council to have no confidence that the licence holder would remedy this situation even if given the opportunity.

**Public Safety**

**The Protection of Children from Harm**

In accordance with the provisions of the Licensing Act 2003, the Licensing Authority is required to include all personal details in the Committee report. Should there be exceptional circumstances, which require the protection of your identity, please explain the reasons below:

**Declaration**

I confirm that the information I have provided is true and correct.


**Signed:**


A handwritten signature in black ink, appearing to read 'J. Heath', written over a horizontal line.


**Dated:** 15/09/2022

**Noise Recordings Received From Residents Between 16 September 2022 - 19 October 2022**

Day	Date	Time	Noise Type	Location		Sent Via	
				Front	Rear	Phone	Noise app
Tues	16/09/2022	03.40 am	Music and Lyrics can be heard		√		√
Thurs	18/09/2022	03.55 am	Music and Lyrics can be heard		√	√	
Sun	21/09/2022	01.31 am	Music and Lyrics can be heard	√			√
Sun	21/09/2022	03.33 am	Music and Lyrics can be heard	√		√	
Sun	21/09/2022	03.50 am	Music and Lyrics can be heard		√	√	
Tues	23/09/2022	01.03 am	Music and Lyrics can be heard		√		√
Tues	23/09/2022	01.29 am	Music and Lyrics can be heard		√		√
Tues	23/09/2022	03.48 am	Music and Lyrics can be heard		√	√	
Fri	26/09/2022	01.43 am	Music and Lyrics can be heard		√		√
Fri	26/09/2022	02.16 am	Music and Lyrics can be heard		√		√
Fri	26/09/2022	02.54 am	Music and Lyrics can be heard		√	√	
Sun	28/09/2022	03.45 am	Music and Lyrics can be heard		√	√	
Sun	28/09/2022	04.04 am	Music and Lyrics can be heard		√	√	
Tues	30/09/2022	03.35 am	Music and Lyrics can be heard	√			√
Tues	30/09/2022	03.48 am	Music and Lyrics can be heard		√	√	
Sat	01/10/2022	03.39 am	Music and Lyrics can be heard		√	√	
Sun	02/10/2022	00.29 am	Music and Lyrics can be heard	√			√
Sun	02/10/2022	03.32 am	Music and Lyrics can be heard		√	√	
Fri	07/10/2022	01.07 am	Music and Lyrics can be heard	√			√
Sat	08/10/2022	03.05 am	Music and Lyrics can be heard		√	√	
Wed	12/10/2022	03.48 am	Voices can be heard and music		√	√	
Sat	15/10/2022	03.00 am	Music and Lyrics can be heard		√	√	
Sun	16/10/2022	23.35 pm	Music can be heard		√	√	
Wed	19/10/2022	02.00 am	Music and Lyrics can be heard	√		√	
Wed	19/10/2022	03.48 am	Music and Lyrics can be heard		√	√	

 Nothing can be heard

 Reasonable level of noise for time of day or not enough to take further action

 Unreasonable level of noise