

LICENSING (SCOTLAND) ACT 2005

NOTICE OF OBJECTIONS/REPRESENTATIONS



**SCOTTISH BORDERS LICENSING BOARD**  
Licensing Unit, Council Headquarters, Newtown St Boswells TD6 0SA

Name and Address of Premises

NIGHT SAFE BISTRO, 12 HIGH ST  
HAWICK TOR 9EH

Name and Address of Objector

DONNA SHAW

Nature of Objections/Representations

MY OBJECTION RELATES TO THE PERMITTED ACTIVITIES REFERRED TO IN QUESTION 5 (COLUMNS 2,3+4) OF THE OPERATING PLAN, TO INCLUDE LIVE PERFORMANCES BOTH WITHIN AND OUTWITH CORE HOURS.

12 HIGH HIGH ST IS A PROPERTY SPLIT INTO TWO PARTS, OWNED BY TWO SEPERATE PEOPLE MYSELF WHO OWNS 78% OF THE BUILDING AND MR ANTHONY AL KHURY WHO OWNS THE REMAINING 22% WHICH IS THE NIGHT SAFE / NIGHT SAFE BISTRO. SINCE THE NIGHT SAFE OPENED SEVERAL YEARS AGO I HAVE HAD ISSUES WHICH ARE IN THE HANDS OF SBC

ENVIROMENTAL HEALTH DEPARTMENT AND ARE STILL ON GOING AND UNRESOLVED. THESE ISSUES RELATE TO ODOUR AND NOISE. SINCE THE NEW OWNERS BOUGHT THE NIGHT SAFE THESE PROBLEMS STILL REMAIN. CONT:-

MR A A KHURY HAS TOTALLY RENOVATED THE NIGHT  
SAFE, DURING THE RENOVATION THE RESTURANNT CEILING  
WAS TAKEN DOWN AND RAISED. THE ORIGINAL CEILING  
BECAUSE OF THE CAVITY DID OFFER SOME NOISE BARRIER  
BUT WE COULD STILL HEAR MUSIC AND CUSTOMERS AND  
STAFF. THERE IS NOW NOTHING BETWEEN THE NEW CEILING  
(OTHER THAN PLASTER BOARD) AND MY WOODEN FLOOR BOARDS.  
NO SOUND PROOFING HAS BEEN INSTALLED. WE CAN NOW  
VERY CLEARLY HEAR CONVERSATIONS BETWEEN STAFF, LAUGHING,  
ETC AND ON SEVERAL OCCASIONS I HAVE HAD TO ASK  
FOR MUSIC TO BE LOWERED WHICH A MEMBER OF MR  
KHURY'S STAFF HAS DONE. BECAUSE OF LOCK DOWN WE  
HAVE NOT AS YET BEEN ABLE TO HEAR WHAT THE  
NOISE LEVELS ARE GOING TO BE WHEN THE RESTURANNT IS  
FULL. I AM NOT LOOKING FORWARD TO THIS PROSPECT.

THE BUILDING IS TOTALLY UNSUITABLE TO HAVE LIVE PERFORMANCES  
IT IS BAD ENOUGH WHEN COOPERS BAR HAVE THEIR DISCO  
NIGHTS AND BANDS PLAYING, AND THEY ARE APPROX 50 METRES  
AWAY. YOUR DEPARTMENT IS AWARE OF THE COMPLAINTS I  
HAVE HAD TO MAKE IN THE PAST, AS I HAVE SUBMITTED  
POLICE CRIME NUMBERS TO YOU FOR THE TIME WHEN THE  
NOISE IS SO LOUD, I COULDN'T HEAR MY OWN TV PLAYING.

I LIVE AT [REDACTED] I DON'T LEAVE MY PROPERTY  
AT THE END OF A WORKING DAY, UNLESS I AM ON HOLIDAY  
I AM HERE 24/7. THE PROPERTY WAS BUILT IN 1857  
AND IS (B)LISTED, AS SUCH WE STILL HAVE THE ORIGINAL

CONT :-

SINGLE GLAZED WINDOWS WHICH OFFER NO NOISE BARRIER  
TO OUTSIDE SOUNDS. IF ANYONE FROM YOUR DEPARTMENT  
WOULD LIKE TO VISIT MY PROPERTY TO WITNESS THE NOISE  
FROM THE RESTAURANTS KITCHEN / BAR AREA, YOU ARE MOST  
WELCOME. TO ARRANGE A VISIT TO MY PROPERTY DURING THE  
RESTAURANT OPENING TIMES PLEASE CONTACT ME ON

