



# Portsmouth

## CITY COUNCIL

**Environmental Health**  
 Civic Offices  
 Guildhall Square  
 PORTSMOUTH  
 PO1 2AL  
 Tel: 023 9268 8366

### COMPLAINTS AND SERVICE REQUESTS

#### 1. UNIFORM

**Uniform Ref:** 23/00734/ENI

**Date Received:** 29 March 2023 10:55

**Received By:** Carla Humphrey-Bramble

#### 2. CUSTOMER DETAILS

**Name:** [REDACTED]

**Tel:** [REDACTED]

**Address:**

[REDACTED]

**Email:** [REDACTED]

**Date Acknowledged:**

#### 3. COMPLAINT/SERVICE REQUEST DETAILS

**Complaint/Request Type:** Noise-Music

**Date Occurred:**

**Details of Complaint or request:**

NOTICE SERVED

Loud music. The door of the restaurant is being wedged open. Had to close windows and can still hear the music. Please see attached.

**Concern Name:**

**Tel:**

**Concern Address:**

116 Albert Road  
 Southsea  
 PO4 0JS

**Trading Name:** It's Mustard

**Email:**

#### 4. OFFICER

**Allocated to:** Lorraine Astill (Environmental Protection 2)

**Date Allocated:** 29 March 2023

**Target Completion Date:**

**Closing Action:**

**Date Closed:**

## PROCESS DETAILS

**Inspection Reference:** 23/00734/ENI **Inspection Type:** Noise Complaint

**Date:** 29.03.2023

**Type:** Miscellaneous Activity

**Officer:** Stephen Cooke

<b>Date:</b>	<b>Action</b>	<b>Officer</b>	<b>Notes</b>
	Review	Lorraine Astill	
	Internal Communication	Lorraine Astill	Hi Lou See tel con.
02.07.2023	Telephone call	Gary Keller	Message from comp at 16.26 on 1/6/23 and today at 12.55. I called back today at 17.08. Very bad reception when talking to comp I advised him his call would be logged and he asked for an update from Lou. I said I would pass on the message.
03.06.2023	Telephone call	Lorraine Astill	call from comp at 19:40 loud music from Its Mustard due to front door being open.
03.06.2023	Ad Hoc Visit	Lorraine Astill	visit to comp at 20:30. Comp lives directly opposite Its Mustard. Front door could be seen open and music escaping out of it. Loud music and lyrics could be heard in the lull of the traffic. Michael Jackson - Thriller could be heard and other 70s and 80's tracks. Comp had his windows open due to it being a warm evening. Birthday party in the window seats. Females could be seen dancing. Further assessment being carried out at another complainants property.
05.05.2023	E-Mail	Lorraine Astill	From: Astill, Lorraine Sent: 05 May 2023 09:48 To: [REDACTED] Subject: 23/00734/ENI - Noise from Its Mustard 116 Albert Road  Dear [REDACTED]  Thank you for your voice message left on the out of hours telephone on Saturday 29th April in relation to noise escaping from Its Mustard.  For your information a noise abatement notice has been served on both the owner of the

property and the licensee. It is therefore important that you call us every time that you are disturbed by noise from this premise.

I am on duty on Saturday 6th May from 18:00 to midnight and I can be contacted on 07341 888934. I do have two programmed visits one at 18:30 and another at 23:00pm, however I will be available to visit in between these hours to assess the noise from your property should you be disturbed.

I would be grateful if you could confirm your correct address as the Council Tax records do not show you at the address that you have provided.

Kind regards

Lorraine Astill  
Principal Regulatory Service Officer

Regulatory Services  
Portsmouth City Council  
Civic Offices  
Guildhall Square  
Portsmouth  
PO1 2AL

Telephone: [REDACTED]

Moible: [REDACTED]

Email: [REDACTED]

30.04.2023	Internal Communication	Lorraine Astill	Hi See v/m from comp on 29/04 Carolyn
30.04.2023	Telephone call	Carolyn Tanner	v/m left by comp on 29/04 at 19:14hrs re constant loud music and doors wide open at the premises.
11.04.2023	Telephone call	Lorraine Astill	call to comp informed them that a NAN had been served and to continue to call so that we can witness the noise
08.04.2023	Telephone call	Lorraine Astill	msg left by comp at 15:31 Loud music from Its Mustard, they have got their doors open and been going at it for an hour. Called comp at 18:40 and advised that i had two visits to make and would call him when i was free to attend.

08.04.2023	Telephone call	Lorraine Astill	called comp at 20:07 he said that it has now quieten down because they had closed the doors
08.04.2023	E-Mail	Lorraine Astill	<p>From: [REDACTED]  Sent: 08 April 2023 15:35  To: Astill, Lorraine  [REDACTED]  Subject: Re: 23/00734/ENI - Noise from Its Mustard 116 Albert Road</p> <p>Hi Lorraine  I have registered a complaint about Its Mustard on Albert Rd on the Night Number as requested.  Doors open again loud music playing which can be heard even with windows closed.  Ref No 23/00734/ENI.</p> <p>Thank you  [REDACTED]</p>
31.03.2023	Initial Referral	Lorraine Astill	
31.03.2023	Telephone call	Lorraine Astill	call to comp to acknowledge his complaint. He said that he is away this weekend. Advised that I would send him the NNS contact details and his reference no. Told him that we have been in contact with the DPS and she is aware of the complaints.
31.03.2023	Live Letter	Lorraine Astill	<p>From: Astill, Lorraine  Sent: 31 March 2023 13:49  To: [REDACTED]  Subject: 23/00734/ENI - Noise from Its Mustard 116 Albert Road</p> <p>Dear [REDACTED]</p> <p>Thank you for your web complaint form. Your complaint reference number is 23/00734/ENI. Please quote this number during all correspondence with the service.</p> <p>In an attempt to resolve your complaint immediately we have written to the occupier of the premises you have accused of causing the nuisance and have advised them of the nature of the complaint and of our powers and procedures.</p> <p>We have not told them who has made the complaint and will not reveal your details at any stage.</p>

If that letter fails to resolve the problem, and to assist us further in our investigation, it is now vitally important that we witness the noise while it is being created.

To enable us to do this, please telephone us as soon as the noise occurs and on every occasion that it does so. This will provide us with an opportunity to visit your property and witness the disturbance. Any failure to do this will considerably hinder our investigation process.

We are able to respond both during and outside of normal office hours.

If you are disturbed by noise Monday to Thursday between 08:30 and 17:00 or on Friday between 08:30 and 16:00 please notify me directly on the telephone numbers below.

If the noise only occurs outside of our operating hours, please contact me to enable us to discuss alternative arrangements to enable us to witness the noise.

Information is attached to enable you to access the Duty Officer at night. Please note that our Night Noise Service contact details are different to those listed above.

Please note that in times of high service demand an Officer may not be available to take your call. If you are diverted to voicemail please leave your name, address, telephone number and reference number and state that you would like a call back. The Officer will then respond as soon as he or she becomes available again.

You will note that we are currently unable to offer a daytime service on Saturday or Sunday. If you are disturbed by noise during these times please leave a message on the Night Noise Service number with the same details as above. The Duty Officer or your Case Officer will then contact you as appropriate

**PLEASE NOTE:** Your complaint will remain active for a further 35 days from the date of this letter. If you do not contact us within this period we will assume that the circumstances have changed and your complaint will be closed without any further contact with you

Kind regards

Lorraine Astill  
Principal Regulatory Service Officer

Regulatory Services  
Portsmouth City Council  
Civic Offices  
Guildhall Square  
Portsmouth  
PO1 2AL

Telephone: [REDACTED]

Moible: [REDACTED]

Email: [REDACTED]

### PROPERTY HISTORY

UPRN: 001775000954

ADDRESS: 116 Albert Road Southsea PO4 0JS

Module	Reference	Opened Date	Closed Date	Description
AP	A*22748/ENF1		10.06.1979	Enforcement Appeal
CP	19/00375/CP	23.10.2019	21.01.2020	Belushi's
CP	21/00426/CP	01.07.2022	08.02.2023	It's Mustard
CP	23/00041/CP	08.02.2023		It's Mustard
DC	20/00026/PACOU	01.10.2020	05.02.2021	Application for prior approval (Class C) relating to the change of use of ground floor from shop (Class A1) to cafe (Class A3).
DC	20/01182/FUL	15.10.2020		Construction of single-storey side/ rear extension; alterations to shop front and alterations to the rear of the property to include installation of extraction system and flue (description amended)
DC	A*22748/AB		10.04.1989	CONSTRUCTION OF REAR BALCONY WITH STAIRS TO FIRST FLOOR FLAT
DC	A*22748/AA		20.01.1989	CONSTRUCTION OF REAR BALCONY WITH STAIRS TO FIRST FLOOR FLAT
DC	A*22748/A		18.04.1979	CHANGE OF USE FROM STORE TO CAR FINISHING WORKSHOP
DC	A*22748		18.06.1959	THE ERECTION OF OPEN-FRONTED SHEDS FOR THE STORAGE OF BUILDING MATERIALS
EN	23/00086/BOC	12.04.2023	09.05.2023	Enforcement Enquiry

EN	A*22748/ENF1		23.10.1979	Enforcement Enquiry
EN	A*22748/ENF2		12.01.1989	Enforcement Enquiry
LI	22/01274/LAPREM	07.02.2022		Premises Licence
LI	22/03292/LAPREM	02.12.2022		Premises Licence
SR	20/03784/EPL	17.12.2020	22.01.2021	Planning - REF NO: 20/00026/PACOU, 13th January 2021.
SR	21/00582/EPL	26.02.2021	16.04.2021	Planning - REF NO: 20/01182/FUL, deadline 13th April 2021
SR	21/01527/FG4	18.05.2021	23.03.2022	New Takeaway premises would like to know food approval code needed for chicken/fish/meat. Aswell as hygiene rating certificate. In process of getting premises/personal licence but would like any further advice for new business.
SR	21/02221/EPL	09.07.2021	28.06.2022	Planning - REF NO: 20/01182/FUL, by 3 August 2021
SR	21/03935/FG4	22.11.2021	23.11.2021	Checking progress of food registration form submitted
SR	22/00378/EPL	07.02.2022	24.02.2022	Licensing - their ref 22/01274/LAPREM,.. deadline Representations by 7th March 2022
SR	23/00307/ENI	06.02.2023		NOTICE SERVED New premises called Its Mustard, loud music and numerous voices shouting, restaurant uses back garden as a beer garden Cant open my window and have to turn up volume on films as cant hear otherwise
SR	23/00315/ENI	06.02.2023		NOTICE SERVED Loud music whistles shoutingI cannot sleep or rest, feel frustrated not considered, let down & upset, Taken advantage of, I purchased this property 16 years ago and now feel like selling
SR	23/00730/ENI	28.03.2023		see notepad - NOTICE SERVED
SR	23/00734/ENI	29.03.2023		NOTICE SERVED Loud music. The door of the restaurant is being wedged open. Had to close windows and can still hear the music. Please see attached.
SR	23/00811/ENA	11.04.2023	03.06.2023	alarm been sounding since Sunday

