

Licensing Panel

Monday, 5 December 2011

10.00am

Present:

Cllr John Loughlin (Chair)

Councillors: Greta Goatley
Derek Sales

Also in Attendance:

Paul Diment – Licensing Officer (Kent Police)
Mr Ismail Sucu – Premises Licence Holder
Mr Rifat Sucu – Brother of Premises Licence Holder
Mr Gary Grant – Barrister for the Applicant

Michael Crawford	Senior Legal Advisor
Christina Hills	Senior Licensing Officer
Allan Glasson	Senior Environmental Health Officer
Mark Lees	Environmental Health Technician
Christopher Wakeford	Committee Services Officer (Scrutiny)

11. Declarations of interest

No declarations of interest were made.

12. The Kings Head Sports Bar, 8/9 King Street, Gravesend, Kent

The Panel considered an application by Mr Ismail Sucu to vary the Premises Licence granted under the Licensing Act 2003 in respect of The Kings Head Sports Bar, 8/9 King Street, Gravesend, Kent.

The current Licence permits the following licensable activities and trading hours subject to conditions attached to the Licence:-

- **Recorded music, performance of dance, provision of facilities for making music, provision of facilities for dancing, sale and supply of alcohol**

10.00 until 00.30 Sunday to Thursday; 10.00 until 01.00 Friday; 10.00 until 01.30 Saturday.

- **Live music**

19.00 until 23.30 Monday to Sunday.

- **Late night refreshment**

23.00 until 00.30 Sunday to Thursday; 23.00 until 01.00 Friday; 23.00 until 01.30 Saturday.

The application sought to vary the Premises Licence to provide the following:-

- **Late Night Refreshment**

23.00 until 01.00 on Thursday and Sunday only; 23.00 until 03.00 Friday and Saturday.

- **Recorded music, performance of dance, provision of facilities for making music, provision of facilities for dancing, live music, sale and supply of alcohol.**

10.00 until 01.00 Sunday to Thursday, 10.00 until 03.00 Friday and Saturday.

At the hearing the Panel were presented with a letter of agreement dated 2 December 2011 between North Kent Police and the Applicant that proposed the following revised Licence conditions:

Opening Hours:

Sunday	10:00 – 01:00
Monday	10:00 – 00:30
Tuesday	10:00 – 00:30
Wednesday	10:00 – 00:30
Thursday	10:00 – 00:30
Friday	10:00 – 03:00
Saturday	10:00 – 03:00

Sale and supply of Alcohol, Entertainment including recorded music:

Sunday	10:00 – 00:30
Monday	10:00 – Midnight
Tuesday	10:00 – Midnight
Wednesdays	10:00 – Midnight
Thursday	10:00 – 00:30
Friday	10:00 – 02:30
Saturday	10:00 – 02:30

The following conditions are to be added to the revised Premises Licence to make the applicants additional steps enforceable conditions:-

- (1) CCTV is to be installed and working to the satisfaction of the Police and Local Authority in accordance with the code of practice issued by the Information Commissioners' Office. Recordings are to be maintained for at least 31 days and made available for inspection when required by an authorised officer. If the equipment fails the police and local licensing authority must be informed as soon as possible and immediate steps taken to put the equipment back into service.

- (2) When the premises are open for the purpose of licensable activities there must always be a member of staff capable of downloading/providing CCTV to an authorised officer who requests any CCTV footage.
- (3) At all times the designated premises supervisor or a personal licence holder must be present to authorise the sale / supply of alcohol. In the event that either of these persons will not be present the Designated Premises Supervisor must provide a signed letter of authority to a suitable member of staff authorising them to Sell / supply alcohol on their behalf.
- (4) A refusal / incident book is to be maintained at all times and made available for Inspection when required. All incidents relating to criminal matters must be reported to the police.
- (5) A "Challenge 25" policy will be operated on the premises and posters will be displayed. The only forms of ID acceptable are a new photographic driving licence, a valid Passport or a recognised proof of age card containing the Official PASS Logo, photograph and date of birth of the holder.
- (6) No ID, No Sale, notices are to be displayed clearly on the tills
- (7) All staff employed on the premises will be fully trained to ensure they understand and adhere to the law relating to the sale/supply of alcohol. This training is to be documented and recorded. All training documents are to be made available for inspection by an authorised officer.
- (8) Four door supervisors registered with the Security Industry Authority are to be employed on Friday and Saturday evenings from 20:00 until closing to the public, including Christmas Eve and New Years Eve, Bank Holidays or when ever entertainment or live music is being provided. These door supervisors must have their SIA badges displayed whilst working and wear clothing that can be easily identified on CCTV.
- (9) At all times whilst open to the public the first floor seated area is to be monitored by a member of door staff with regular checks being made of the toilets.
- (10) These premises are to be member of the "G Safe" scheme or any such scheme in place at the time.
- (11) These premises are to operate a "Drugs Policy" and to allow Police Officers to carry out drug related operations on the premises as and when required.

The Applicant also requested that all 'Embedded Conditions' currently attached to the Licence be removed save for the following:-

- The 5 minute LA eq sound pressure level arising from any amplified music, singing and speech from the premises as assessed at a distance of 1 metre from the façade of the nearest residential premises shall not cause an elevation of the 5 minute LA eq with the specified noise off by more than 5dBA.
- Where determined by the Council's Environmental Health Services Manager, the level of internal amplified sound shall be restricted by the installation and use of a noise limiting device. The sound pressure level (L(A)Max) from any amplification

system shall be determined by the Environmental Health Services Manager and any unauthorised adjustment of the level shall not be permitted.

13. Determination

Having taken into account all representations made at the hearing, the objector's written representations, the four licensing objectives, the Council's Licensing Policy and the Statutory Guidance, the Panel resolved that the application be granted, subject to the agreed revised Licence conditions as set out above (and in the letter of agreement dated 2 December 2011) and with the inclusion of the following:

- The amendment to the Sale and supply of Alcohol, Entertainment including recorded music on Thursdays to: 10:00 – Midnight.
- The removal all 'Embedded Conditions' currently attached to the Licence, save for the following:-
 - (i) The 5 minute LA eq sound pressure level arising from any amplified music, singing and speech from the premises as assessed at a distance of 1 metre from the façade of the nearest residential premises shall not cause an elevation of the 5 minute LA eq with the specified noise off by more than 5dBA;
 - (ii) Where determined by the Council's Environmental Health Services Manager, the level of internal amplified sound shall be restricted by the installation and use of a noise limiting device. The sound pressure level (L(A)Max) from any amplification system shall be determined by the Environmental Health Services Manager and any unauthorised adjustment of the level shall not be permitted.
- All live music (including Karaoke) to cease at midnight.
- The door supervisor to ensure the 'acoustic doors' are used correctly, there is no excessive noise from the public and the public do not leave the vicinity of the heras fenced rear patio area.

Resolved that the application is granted, subject to the above-mentioned conditions.

Close of meeting

The meeting ended at 11.17 am.