

## Licensing Panel

Wednesday, 31 October 2018

10:00am

### Present:

Cllr Steve Thompson (Chair)

Cllrs: Sara Langdale  
Karen Hurdle

Emily Lane-Blackwell	Licensing Officer
Allan Glasson	Senior Environmental Health Officer(Objector)
Mike Crawford	Senior Legal Advisor
Mandeep Ricky Manik	Applicant (Designated Premises Supervisor)
Ben Clarke	Committee & Scrutiny Assistant (Minutes)

### 23. Apologies for absence

No apologies of absence were received.

### 24. Declarations of Interest

No declarations of interest were made.

### 25. Consideration of a Temporary Event Notice (TEN) for the Cricketers, 47 Arthur Street - 18/00945/LATEN

The Licensing Panel was asked to determine a Temporary Event Notice (TEN) issued under section 100 of the Licensing Act 2003 in respect of the premises known as the Cricketers, 47 Arthur Street, Gravesend, Kent DA11 0PR.

The Licensing Officer gave a brief overview of the Temporary Event Notice with background information to the Panel.

The TEN relates to a Fancy dress Halloween party with a DJ, the sale by retail of alcohol, provision of regulated entertainment and the provision of late night refreshment at the Cricketers, 47 Arthur Street. A copy of the Temporary Event Notice is attached at **Appendix A**.

The Licensing Team received an objection to a Temporary Event Notice in respect of the Cricketers, 47 Arthur Street, Gravesend, Kent DA11 0PR on 19 October 2018.

Environmental Protection raised a formal objection on the basis of undermining the Prevention of Public Nuisance licensing objective. This was due to the nature and location of the event and historic complaints.

The service has received a number of complaints with relation to loud amplified music and people noise from both the garden area and from customers leaving the premises. The people noise was witnessed by the duty noise officer on the 8 September 2018. The pub is located in a residential area and an event past the licensed hours would exacerbate the situation. It is considered that a DJ playing amplified music and the customers using the rear garden late at night in this area would cause a public nuisance.

It was noted that Kent Police had no formal objections to the TEN.

The applicant addressed the Panel arguing the reasons as to why the TEN should be allowed to go ahead, during the exchange the applicant advised the DJ would stop at 11:30pm and offered a voluntary condition of shutting at 01:00am instead of 02:00am.

The Environmental Health Technician addressed the Panel and explained his objection to the application as well as running through his presented evidence.

Once members had their questions answered the Panel adjourned to consider its decision.

### **Determination**

The Chair advised that, in coming to their decision, the Panel considered all the evidence presented by both parties at the hearing including the neighbours diary sheets, children's inability to get to sleep, people/car noises, the licensing objection of preventing nuisance and protecting children from harm, the applicants verbal addressing to the board, the formal objection and evidence put forward by the Senior Environmental Health Officer and the voluntary condition that was offered by the applicant.

The Chair also gave some advice to the applicant and Bar Manager before the determination of the Panel:

- The applicant of the TEN is the person legally responsible for any breaches that occur at the premises
- The premises should not be thought of as a night club as it is only a local pub in a populated area
- Concerns were raised over the declaration of bolting the front door to prevent any new customers entering after 23.00pm as required under the premises licence conditions; the Fire Service should be contacted to seek guidance on correct and safe procedures in the premises
- In the future, close work should be undertaken between the Environmental Health Department, the Licensing Department and the Police to ensure that everything is being carried out within the law and concerns from neighbours are being addressed

Having considered all those matters and advice given, the Panel approved the TEN to be permitted subject to the following conditions:

- The TEN will operate under the three conditions, seen below, that are already attached to the Premises Licence:
  - There will be no admittance to the premises by members of the public after 23:00.
  - *Prominent, clear* and legible notices will be displayed at the exits asking customers to respect the needs of local residents and to leave the premises and the area quietly.

- Children will not be permitted on the premises after 21.00. When children are on the premises they must be accompanied by a responsible adult.
- The Panel highly recommends that the applicant keeps to the voluntary condition offered; the premises will shut at **01:00am**

**Close of meeting**

The meeting ended at 11:35am.