

APPENDIX E

Environmental Protection Team Representation

The King's Head, 8 – 9 Kings Street, Gravesend, DA12 2EB
Application to vary licence

This Service has reviewed the application to vary the existing licence for the King's Head, Gravesend, to erect a small bar in the outside area to serve alcohol during busy periods in both the day and evening, seven days a week. We are objecting to the application to vary the licence, in its entirety, for the following reasons:

- It is not considered that a bar situated in this area is appropriate at any time during the day and evening nor is it appropriate to have any regulated entertainment, live events etc.
- The garden/yard area to the Kings Head is a small area with no bar and should, in the opinion of this service, only be used as a smoking area or for a small number of customers in good weather in order to prevent public nuisance.
- The garden/yard area at the back of the premises has buildings on both sides and therefore are likely to amplify any noise.
- The area to the rear of the premises has been an area of increasing residential development in recent years and has become more residential in nature. Allowing people to drink and watch live events up until 2.30am on Friday and Saturday evenings and until midnight on other days is likely to result in complaints of noise nuisance.
- The area around the rear of the premises has a high number of residential properties. It is considered that encouraging customers to spend the whole or a long time in the garden, by providing a bar and regulated entertainment, televised sporting events etc. up until 2.30am on Friday and Saturday evening and until midnight on other days is very likely to result in high noise levels from people noise and also the entertainment which will result in complaints of noise nuisance, which are likely to be substantiated.
- The ambient sound levels at night will mean that any people noise generated from patrons using the yard will be loud by comparison and any regulated entertainment or televising of live events will be very loud and inappropriate in that area even up until 23:00. There is likely to be significant disturbance to the residents in the locality.
- Due to concerns about noise emanating from the rear of the building in the past the current licence has a condition agreed at the Licensing Panel hearing of 5 December 2011 that a door supervisor is to ensure that the 'acoustic' doors at the rear of the premises are used correctly and there is no excessive noise from the public and that the public do not leave the vicinity of the areas fenced rear patio area. If the variation were approved then the noise reducing effect of the acoustic door would be made redundant and bypassed which would be a backwards move in terms of protecting the neighbourhood from public nuisance and would mean that this condition was no longer important or appropriate.

- The application refers to the open area of land to the rear of the premises and appears to be considered as being a buffer area etc. however this land is not owned by the premises and they may not have a formal right of access, any access they may have is likely to be removed when the land starts to be developed and therefore it is considered by this service that its use should not be included in the application other than that it is expected that it will come up for residential development immediately adjacent the premises rear yard.
- This service is also concerned that if this area of land were to be used for any purpose by the premises, it would mean that the customers, which could be many in number, as a source of noise would be nearer to the residential properties in the area.
- It is also considered that the proposed measures for meeting the licensing objective of the prevention of public nuisance are in the opinion of this service insufficient i.e. one member of door staff posted in the outside area after 9pm is unlikely to control any boisterous or rowdy noise from people using the yard or watching live events.
- The applicant wishes to provide entertainment in the outside area in the form of televised major sporting events. This is vague, is open to subjective interpretation, and could include regular and frequent premiership football games for example with a kick-off time of 8.15pm these events could go on until 11pm or even later.
- The area at the back of the premises is within earshot of many residential properties and any noisy activity late at night is likely to generate noise complaints
- No measures were proposed to minimise the noise disturbance from the regulated entertainment or televised live events etc. however it is considered that there would not be any suitable or effective measures to prevent public nuisance from these sources therefore this service considers the proposal for any amplified music or live events is unacceptable.

With the above in mind, this service considers the granting of this licence would not meet the prevention of public nuisance licensing objective. This service has therefore not created a set of proposed conditions, as we would request that the Licensing Panel refuse the granting of this variation of the existing licence.