

## **LICENSING HEARING**

Minutes of the meeting  
held on 12 May 2014 commencing at 2.00 pm

Present: Cllrs. Abraham, Mrs. Morris and Raikes

Also present	Mr. N. Chapman	-	Applicant (SDC)
	Mr. M. de Gouveia	-	Objector
	Mrs. M. de Gouveia	-	Objector
	Miss. J. Bolton	-	Licensing Officer (SDC)
	Mr. D. Lagzdins	-	Legal Advisor (SDC)
	Miss. C. Shacklock	-	Acting Democratic Services Officer (SDC)

### **1. APPOINTMENT OF CHAIRMAN**

Resolved: That Cllr. Raikes be appointed as the Chairman of the meeting.

### **2. DECLARATIONS OF INTEREST**

There were no additional declarations of interest.

### **3. APPLICATION FOR A REVIEW OF THE PREMISES LICENCE UNDER THE LICENSING ACT 2003 FOR YE OLD CROWN, 74 - 76 HIGH STREET, EDENBRIDGE, KENT. TN8 5AR**

The Hearing gave consideration to a report by the Chief Officer Environmental and Operational Services giving details of an application for a review of the premises licence under section 51 of the Licensing Act 2003 for Ye old Crown, 74 -76 High Street, Edenbridge, Kent, TN8 5AR on the grounds of the licensing objective the prevention of public nuisance.

The application was made by Dartford and Sevenoaks Environmental Health Partnership, on the grounds that complaints had been received in 2013 and subsequently of amplified music. The Environmental Health Officer advised that the Landlord of Ye Old Crown had been served with an abatement notice and complaints had been received periodically since the serving of the notice. The Landlord had taken informal steps by relocating the music sets to a room with thicker walls, keeping the doors and windows shut and stopping amplified music being played outdoors. On 12 and 18 April 2014 an Environmental Health Officer had gone to the property from which the noise complaints had been made and the noise was now at an acceptable level. The Officer therefore felt it appropriate that the informal steps become conditions on the licence.

In response to questions the Environmental Health Officer explained that soundproofing was not always the most effective option as it could not be quantified. Ye Old Crown was a historic building and soundproofing could end up being very costly. He explained that since the publication of the agenda he had been in email contact with the Landlord and discussed revised conditions. A noise limiter was now considered inappropriate as it would be triggered too easily in rooms with such low ceilings. If the informal steps were

### Licensing Hearing - Monday, 12 May 2014

incorporated as conditions then it would be acceptable for music to continue until 11.30 p.m. as set out in the original licence.

The Landlord informed the hearing that sound was better insulated where the music had been moved to, that he had put acoustic foam around the windows and he carried out check to ensure that windows were kept shut. Sound levels would only rise when the doors were opened for people leaving and entering. The Environmental Health Officer advised this was comparable to other licensed premises.

At 2.25 p.m. the Hearing Members withdrew to consider the issues raised accompanied by the Council's Legal Advisor and the Clerk to the Hearing for the purpose of providing advice only.

At 2.49 p.m. the Hearing Members, Council's Legal Advisor and the Clerk to the Hearing returned to the Council Chamber.

The Chairman advised the Hearing that the Sub-Committee had had regard to the Licensing Objectives, to the guidance issued under section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy. He also advised that the conditions were to prevent public nuisance.

It was unanimously,

Resolved: that the three additional conditions as set out below be added to the premises licence:

- 1) All doors and windows shall be kept closed except for access and egress during the playing of live and recorded music.
- 2) No live or recorded music shall be played within the outdoor areas of the premises.
- 3) Live music and DJ sessions shall only take place in the area highlighted in red on the plan attached to this notice.

THE MEETING WAS CONCLUDED AT 2.50 pm

Chairman