



TUNBRIDGE WELLS BOROUGH COUNCIL
ENVIRONMENTAL SERVICES

INTERNAL MEMORANDUM

From: Mr John McCullough Environment and Street Scene	To: : Licensing Section to include:- TWBC Licensing + Sevenoaks Licensing Cc Applicant
Date: 7th November 2013	Our Ref: JM1/13/03397/EC_VAR
License Application : variation on premise licence	
Address. Davinchis, 46 - 50 High Street, Royal Tunbridge Wells.	

I have assessed the above application and have the following comments:

I have looked at the Council's Uniform property database and records and have noted that the Environmental Protection Section have previously received complaints about the premises namely,

- 20.08.2010 – Complaint about a Temporary Event Notice (TENs) event at the club from an event called Hijack. Not notified to Env Protection at the time but notified to Licensing Section.
- 04.07.2011 - Complaint forwarded by CSU regarding a complaint about Noise and underage drinking. The complainant did not get back to Environmental Protection Section despite attempts to contact the complainant. No address for the complainant was given.

Prior to the licence review in 2009 there were major problems with noise and anti-social behaviour at and around the club as a result of the "smoking ban" and other factors. The club invested money in sound insulation and managed to control the noise from music emanating from the club. Conditions on the licence and a restriction on the time of operation imposed by the licensing panel were effective in controlling the impact of the club. This is demonstrated by the few complaints received by the Environmental Protection Team after the amendment to the license in 2009.

We are concerned that an expansion of the times back to 2am weekdays and to 3pm at the weekend will move the noise from club and particularly the exodus of the club forward an hour and will lead to disturbances later in the night particularly to those that live closest to the club. We are particularly concerned at the later times for the mid week sessions as these will have the most impact on residents who have to get up early to go to work.

The conditions suggested by the applicant are a good consolidation and rewording of some of the previous conditions but they leave out some important control mechanisms such as,

- The use of a designated smoking area, this is useful to ensure that smokers are kept together and supervised to reduce noise levels.
- The use of a noise management plan to ensure staff are aware of noise control procedures.
- The bottling restrictions to ensure that noisy bottling operations are not undertaken at anti-social times. We have had complaints about bottling sporadically though these have not been positively identified as coming from the club.
- The number of cashiers present on busy nights – the former queues caused problems and this made entrance to the club speedier and more efficient.
- Announcements by the DJ for departing patrons to be considerate to neighbours
- At least one doorstaff dedicated to supervising the smoking area – this ensured control of an area that has potential to cause nuisance.
- The admission policy to not new patrons to be admitted to the premises one hour before closing time. This avoided the noise from patrons migrating to the club from other locations and causing disturbance particularly as they would probably have been imbibing alcohol prior to attending the venue

Due to the close proximity of residential property to the above site, the extent of the hours requested I believe that the premise is likely to give rise to noise disturbance.

THEREFORE THE ENVIRONMENTAL PROTECTION TEAM OBJECT TO THE APPLICATION AS CURRENTLY APPLIED FOR.

Our position for the prevention of nuisance is that the current times are currently working and we would recommend that these are maintained.

If the panel are minded to grant the application despite our representation we would request that they consider the following conditions in order to reduce some of the impact of the proposed activities.

- Monday to Thursday restrictions on the terminal hour to 01.30hrs
- Friday and Saturday restriction on the terminal hour to 02.30hrs
- Develop and maintain a noise management plan which formalises how the club can be maintained. The management plan to be reviewed by the club on a yearly basis and updated by agreement with the Local Authority
- Install and use a temporary barrier system to define the allocated smoking area as per that indicated on the current licence.
- .At least one member of the security staff dedicated to supervise the smoking area between 22.00hrs and closing time.
- No admission to new patrons one hour (or 90minutes if 03.00 closing time agreed by licensing panel) before closing time.
- Two minutes before closing the DJ shall make an announcement to remind customers that the club is situated in a residential area and requesting that

the treat the neighbours with respect by leaving the club as quietly as possible.

Please contact me for further advice or information.

John McCullough MSc BSc (Hons) CMCIEH MIOA
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