

## MIDKENT ENVIRONMENTAL HEALTH SHARED SERVICE MEMORANDUM

<b>From:</b> Miss Tanya Lomakin <b>Environment and Street Scene</b>	<b>To:</b> Licensing Dept
<b>Date:</b> 29th July 2016	<b>Our Ref:</b> 16/509193/GENLIC
<b>License Application : Variation of hours for permitted activities</b>	
<b>Address: <u>Zee Bar 46 - 50 High Street Royal Tunbridge Wells Kent</u></b>	

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

The premises has a number of approved permitted activities (see appendix 1) and has applied to extend their hours for the following activities:

Current				Proposed				Increase
Recorded music	Wednesday	10:00am	2:00 AM	Recorded music	Wednesday	8:00 PM	3:00 AM	1 hour
Recorded music	Thursday	10:00am	3:00 AM	Recorded music	Thursday	8:00 PM	3:00 AM	
Recorded music	Friday and Saturday	10:00am	3:00 AM	Recorded music	Friday and Saturday	8:00 PM	4:00 AM	1 hour
Sale or Supply of Alcohol	Monday to Thursday	10:00 AM	1:00 AM	Sale or Supply of Alcohol	Wednesday	8:00 PM	3:00 AM	2 hours
				Sale or Supply of Alcohol	Thursday	8:00 PM	3:00 AM	2 hours
Sale or Supply of Alcohol	Friday and Saturday	10:00 AM	3:00 AM	Sale or Supply of Alcohol	Friday and Saturday	8:00 PM	4:00 AM	1 hour

I am aware that the premises has submitted a number of Temporary Event Notices to open for an additional hours from approximately October 2015 (See appendix 2 for summary details). The extended hours have resulted in no significant increase in complaints to Environmental Protection.

I have looked at the Council's Uniform property database and we have received mainly one-off adhoc complaints from a few neighbouring residential properties regarding music noise from the front and rear of the premises and noise from customers when moving away from the premises.

I have spoken to the manager on each occasion to remind them that the front doors need to remain closed at all times, to monitor the noise from the rear of the premises and to ensure that customers move away from the front of the premises as quickly and quietly as possible. I am aware that the manager is in the process of making improvements to their rear fire doors to improve the sound insulation and to stop music noise coming from the rear of the premises.

I am aware of a number of incidents of noise and anti social behaviour from alleged customers of Zee Bar occurring away from the vicinity of the premises (South Grove and along the High Street). These incidents may have been beyond the control of the premises.

The application is to extend the hours for the sale and supply of alcohol and recorded music to 3am on a Wednesday and Thursday and to 4am on Friday and Saturday. The premises is already permitted to open 24 hours a day 7 days a week.

There is no evidence to suggest that the extension of hours by Temporary Event Notices (TENs) has caused a specific increase in noise complaints to Environmental Protection. I therefore cannot object on the basis that the application to permanently extend the hours for these licensable activities will create further disturbance to neighbouring residential properties from customers leaving the premises.

Noise from people leaving the premises at 3am on a Wednesday and Thursday and 4am on a Friday and Saturday (rather than 2am on a Wednesday and 3am on a Thursday, Friday and Saturday) could cause a further disturbance to neighbouring residential properties as they have the potential to be woken at a later hour.

This could be seen as inherently prejudicial to the residents who experience the inevitable disturbance associated with closure and dispersion of patrons up to one hour later on a Wednesday night (2am to 3am) and Friday and Saturday night (3am to 4am).

The Environmental Protection Team believes that the potential disturbance should be reflected on by members of the licensing panel for the final decision in extending the licence. It is for this reason that the Environmental Protection Team objects to the extension. It is a balance that members would have to discuss and consider as part of the Zee Bar's application to vary their current licence.

**If the panel are minded to vary the licence then we would recommend the addition of the following conditions.**

- Doors at the front of the premises to remain closed at all times (except for ingress and egress)

- Ensure that no music can be heard coming from the rear of the premises.

Please contact me for further advice or information.

Regards

Miss Tanya Lomakin  
Environmental Health Officer

## Appendix 1

### Full current and proposed permitted activities

Current				Proposed				increase
	Time Period	From	To		Time Period	From	To	
Opening Hours	everyday	12:00	12:00	Opening Hours	everyday	12:00	12:00	
Films	Sunday to Wednesday	10:00 AM	2:00 AM	Films	Sunday to Wednesday	10:00 AM	2:00 AM	
Films	Thursday to Saturday	10:00 AM	3:00 AM	Films	Thursday to Saturday	10:00 AM	3:00 AM	
Live music	Sunday to Wednesday	10:00 AM	2:00 AM	Live music	Sunday to Wednesday	10:00 AM	2:00 AM	
Live music	Thursday to Saturday	10:00 AM	3:00 AM	Live music	Thursday to Saturday	10:00 AM	3:00 AM	
Recorded music	Sunday to Wednesday	10:00 AM	2:00 AM	Recorded music	Monday	10:00 AM	2:00 AM	
Recorded music	Thursday to Saturday	10:00 AM	3:00 AM	Recorded music	Tuesday	10:00 AM	2:00 AM	
				<b>Recorded music</b>	<b>Wednesday</b>	<b>8:00 PM</b>	<b>3:00 AM</b>	1 hour
				Recorded music	Thursday	8:00 PM	3:00 AM	
				<b>Recorded music</b>	<b>Friday and Saturday</b>	<b>8:00 PM</b>	<b>4:00 AM</b>	1 hour
				Recorded music	Sunday	10:00 AM	2:00 AM	
Performances of dance	Sunday to Wednesday	10:00 AM	2:00 AM	Performances of dance	Sunday to Wednesday	10:00 AM	2:00 AM	

Performances of dance	Thursday to Saturday	10:00 AM	3:00 AM	Performances of dance	Thursday to Saturday	10:00 AM	3:00 AM	
Anything similar to E, F, or G	Sunday to Wednesday	10:00 AM	2:00 AM	Anything similar to E, F, or G	Sunday to Wednesday	10:00 AM	2:00 AM	
Anything similar to E, F, or G	Thursday to Saturday	10:00 AM	3:00 AM	Anything similar to E, F, or G	Thursday to Saturday	10:00 AM	3:00 AM	
Sale or Supply of Alcohol	Monday to Thursday	10:00 AM	1:00 AM	Sale or Supply of Alcohol	Monday	10:00 AM	1:00 AM	
Sale or Supply of Alcohol	Friday and Saturday	10:00 AM	3:00 AM	Sale or Supply of Alcohol	Tuesday	10:00 AM	1:00 AM	
Sale or Supply of Alcohol	Sunday	10:00 AM	12:00 AM	<b>Sale or Supply of Alcohol</b>	<b>Wednesday</b>	<b>8:00 PM</b>	<b>3:00 AM</b>	2 hours
				<b>Sale or Supply of Alcohol</b>	<b>Thursday</b>	<b>8:00 PM</b>	<b>3:00 AM</b>	2 hours
				<b>Sale or Supply of Alcohol</b>	<b>Friday and Saturday</b>	<b>8:00 PM</b>	<b>4:00 AM</b>	1 hour
				Sale or Supply of Alcohol	Sunday	10:00 AM	12:00 AM	
Late Night Refreshment	Sunday to Wednesday	10:00 AM	2:00 AM	Late Night Refreshment	Sunday to Wednesday	10:00 AM	2:00 AM	
Late Night Refreshment	Thursday to Saturday	10:00 AM	3:00 AM	Late Night Refreshment	Thursday to Saturday	10:00 AM	3:00 AM	

## *Appendix 2*

*Temporary Event Notices applied for since October 2015 (information obtained from Licensing Partnership)*

Date: 24/06/2016

From: 00:00

To: 03:00

Date: 01/05/2016

From: 00:00

To: 04:00

Date: 25/03/2016

From: 00:00

To: 03:00

Date: 27/03/2016

From: 00:00

To: 04:00

Date: 28/02/2016

From: 00:00

To: 04:00

Date: 14/02/2016

From: 00:00

To: 04:00

Date: 01/01/2016

From: 00:00

To: 04:00

Date: 24/12/2015

From: 00:00

To: 04:00

Date: 27/12/2015

From: 00:00

To: 04:00

Date: 18/12/2015

From: 00:00

To: 04:00

Date: 20/12/2015

From: 00:00

To: 04:00

Date: 13/12/2015

From: 00:00

To: 04:00

Date: 06/12/2015

From: 00:00

To: 04:00

Date: 29/11/2015

From: 00:00

To: 04:00

Date: 22/11/2015

From: 00:00

To: 04:00

Date: 15/11/2015

From: 00:00

To: 04:00

Date: 01/11/2015

From: 00:00

To: 04:00

Date: 25/10/2015

From: 00:00

To: 04:00