



# Havering

L O N D O N B O R O U G H

<p><b>LICENSING SUB-COMMITTEE</b> <b>KC'S BAR</b> <b>AGENDA</b></p>
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<p><b>2.30 pm</b></p>	<p><b>Monday</b> <b>25 February 2013</b></p>	<p><b>Council Chamber -</b> <b>Town Hall</b></p>
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Members 3: Quorum 2

**COUNCILLORS:**

Peter Gardner (Chairman)  
Wendy Brice-Thompson  
Linda Trew

**For information about the meeting please contact:**  
**Richard Cursons - (01708 432430)**  
**[richard.cursons@havering.gov.uk](mailto:richard.cursons@havering.gov.uk)**

**AGENDA ITEMS**

**1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

(if any) - receive

**2 DISCLOSURE OF PECUNIARY INTERESTS**

Members are invited to disclose any pecuniary interest in any of the items on the agenda at this point of the meeting.

*Members may still disclose any pecuniary interest in an item at any time prior to the consideration of the matter.*

**3 CHAIRMAN'S ANNOUNCEMENT**

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

**4 REPORT OF THE CLERK** (Pages 1 - 6)

**5 REPORT OF THE LICENSING OFFICER** (Pages 7 - 34)

Application for two temporary event notices (TEN) for KC's Bar, Billet Lane, Hornchurch

**Ian Buckmaster  
Committee Administration & Member Support  
Manager**



**Havering**  
LONDON BOROUGH

## **LICENSING SUB-COMMITTEE**

**25 February 2013**

**Subject Heading:**

**Procedure for the Hearing: Licensing Act 2003**

**Report Author and contact details:**

**Richard Cursons 01708 432430  
e-mail:Richard.cursons@havering.gov.uk**

### **PROCEDURE FOR THE HEARING: LICENSING ACT 2003 (TEMPORARY EVENT NOTICE)**

This is a hearing to consider an application for a temporary events notice under section 100 of the Licensing Act 2003. The Licensing Act 2003 (Hearings) Regulations 2005 will govern the arrangements for the hearing of the application now under consideration.

Members are advised that, when considering an application, the following options are available to them by virtue of the Licensing Act 2003, Part 3, section 35, paragraphs 3 and 4:

"Where relevant representations are made, the authority must

(a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and

(b) having regard to the representations, take such steps as it considers necessary for the promotion of the licensing objectives.

The steps are:

- a) modify the conditions of the licence
- b) reject the whole or part of the application

and for this purpose, the conditions of the licence are modified if any of them is altered or omitted or any new condition is added."

The Sub-Committee will also wish to note that, if none of these steps is required, the application must be granted.

Assuming that the Sub-Committee is satisfied that a hearing is required, then the following procedural steps are recommended. The Licensing Act 2003 (Hearings) Regulations 2005 will govern the arrangements for the hearing of the application

now under consideration. This report accords with the requirements of that Act and the Regulations, and in particular Regulations 21-25 (procedure at the hearing).

### **1. Membership of the Sub-Committee:**

- 1.1 The Sub-Committee comprises three members of the Licensing Committee, with a quorum of two members. **Unless there are objections, in the absence of three members, the hearing shall proceed with the quorum of two.**
- 1.2 A members of the Licensing Committee will be excluded from hearing an application where he or she:
  - 1.2.1 has considered an application in respect of the premises in the previous 12 months as a Member of the Regulatory Services Committee; or
  - 1.2.2 is a Ward Councillor for the Ward in which the premises, subject to the application, are located; or
  - 1.2.3 is a Ward Councillor for a Ward which is likely to be affected by the application or;
  - 1.2.4 has a personal interest in the application.

### **2. Roles of other participants:**

- 2.1 The Legal Advisor is not a party to the hearing. The role of the Legal Advisor is to provide legal advice relating to the application and submissions.
- 2.2 The Clerk is not a party to the hearing. The role of the Clerk is to record the hearing and the decisions of the Sub-Committee, and ensure efficient administration

### **3. Representation validation meeting:**

- 3.1 Prior to this hearing, the Sub-Committee Chairman will have met the Legal Advisor and/or Clerk to determine whether further clarification is required of any issues contained in the application or any representation.
- 3.2 During this preliminary meeting no decision will have been made or discussion held regarding the substantive merits of the application or representations.

### **4. Location and facilities:**

- 4.1 All hearings will be heard at the Havering Town Hall unless otherwise directed.
- 4.2 Interpreters will be provided by the Council on request, provided notice is given at least five working days before the hearing.

## **5. Notification of attendance:**

- 5.1 The Chairman will enquire of the parties who is in attendance and the parties will indicate their names (and, where relevant, whom they represent). A register will be circulated before the commencement of the hearing on which the applicant, his/her advisers and companions and all interested parties (and/or their representatives) will be asked to record their attendance.

## **6. Procedural matters:**

- 6.1 Prior to the commencement of the hearing, the Chairman of the Sub-Committee will orally inform the parties whether their applications to have certain people attend the hearing (e.g. witnesses) have been granted or refused. Note this relates to people other than those attending on behalf of a party in the capacity as a representative of the party.
- 6.2 Prior to the commencement of the hearing the Chairman of the Sub-Committee will outline the procedure to be followed at the hearing. This will normally be as follows:

### **Introduction of the application:**

The Licensing officer will outline:

- details of the application and relevant representations received from the parties;
- relevant legislation ;
- relevant Licensing Policy; and
- the time limit in which the Council must reach a determination.

### **Documentary evidence:**

- Documentary or other information in support of applications, representations or notices should be provided to the Clerk of the Sub-Committee at least 7 clear working days before the hearing. If this information is produced at the hearing it will only be taken into account by the Sub-Committee if the Sub-Committee and all the parties consent to its submission. Permission to have this information included in the hearing should be requested at the beginning of the hearing before any oral submissions have been made.
- Statements made by people in support of a party's representation who are not present at the hearing, must be signed by the maker, dated and witnessed by another person. The statement must also contain the witness's full name and occupation.

### **Representations:**

- The chairman will invite each of the parties at the hearing or their representative sequentially to address the Sub-Committee and call any person/s to whom permission has been granted to appear. Each party

will be allowed a maximum period of 10 minutes in which to address the Sub-Committee and call persons on his/her behalf.

- This 10 minute period is where each party has the opportunity to orally address the Sub-Committee and clarify any points in which the Sub-Committee has sought clarification prior to the hearing. This 10 minute period should be uninterrupted unless a member of the Sub-Committee or Legal Advisor considers that the speaker is making submissions that are irrelevant, frivolous or vexatious.
- Members of the Sub-Committee may ask questions of any party, at any time during the proceedings. Time taken in dealing with a Member's question will not be taken into account in determining the length of time available to the party in question to make their representation.

The sequence in which each of the parties will be invited to address the Sub-Committee will normally be in the order of:

- the Chief Officer of Police;
- the Fire Authority;
- the Health and Safety at Work Enforcing Authority;
- the Local Planning Authority;
- the Local environmental Health Authority;
- the Local Weights and Measures Authority;
- the Authority Responsible for the Protection of Children from Harm;
- a navigation or other authority responsible for waterways; and
- any other party that has submitted representations in respect of the application, certificate, notice or other matter appearing before the Sub-Committee;
- the party that has submitted the application, certificate, notice or other matter appearing before the Sub-Committee.

At the discretion of the Sub-Committee the above order may be varied.

**Cross-Examination:**

Where witnesses have been permitted by the Sub-Committee to speak at the hearing on behalf of a party, permission must be sought from the Sub-Committee before another party can ask the witness questions. This process of questioning is normally referred to as cross-examination. The Sub-Committee will allow cross-examination only where it is necessary to assist it in considering the representations or application.

**Relevance:**

Information submitted at the hearing must be relevant to the applications, representations, or notice and the promotion of the licensing objectives. The Chairman of the Sub-Committee is entitled to exclude any information it considers to be irrelevant whether presented in written or oral form. The licensing objectives are:

**The prevention of crime and disorder;**  
**Public safety;**  
**The prevention of public nuisance; and**  
**The protection of children from harm.**

## **7. Failure of parties to attend the hearing:**

7.1 If a party, who has not given prior notice of his/her intention not to attend the hearing, is absent from the hearing the Sub-Committee may either adjourn the hearing or hold the hearing in the party's absence. Where the hearing is held in the absence of a party, the Sub-Committee will still consider the application, representation or notice submitted by that party.

## **8. Adjournments and extension of time:**

8.1 The Sub-Committee may adjourn a hearing to a specified date or extend a notice period except where it must make a determination within certain time limits in the following specific applications:

- Applications for conversion of existing licences where the Sub-Committee must make a determination within 2 months of the application first being received. In default of a decision being made the application will be treated as being granted;
- Applications for variation of existing licences where the Sub-Committee must make a determination within 2 months of the application first being received. In default of a decision being made the application will be treated as being rejected;
- Applications for conversion of existing club certificates where the Sub-Committee must make a determination within 2 months of the application being first received. In default of a decision being made the application will be treated as being granted;
- Applications for variation of existing club certificates where the Sub-Committee must make a determination within 2 months of the application being first received. In default of a decision being made the application will be treated as being rejected;
- Applications made by holders of justices' licences for personal licences must be determined within 3 months of the application first being received. In default of a decision not being made within this period the application will be treated as being granted;
- Review of premises licences following closure orders where the Sub-committee must make a determination within 28 days of receiving notice of the closure order.

## **9. Sub-Committee's determination of the hearing:**

- 9.1 At the conclusion of the hearing the Sub-Committee will deliberate in private accompanied by the Clerk and the Legal Advisor who will be available to assist the Sub-Committee with any legal problems but will not participate in any decision making of the Sub-Committee.
- 9.2 The Sub-Committee will normally make its determination and announce its decision at the end of the hearing.
- 9.3 Where all parties have notified the Sub-Committee that a hearing is not required the Sub-Committee must make its determination within 10 working days of being given notice that the hearing is not required.

## **10. Power to exclude people from hearing:**

- 10.1 The public are entitled to attend the hearing as spectators. However, the Sub-Committee may exclude any person from the hearing including any person assisting or representing a party where:
- it considers that the public interest would be best served by excluding the public or the individual person from the hearing; or
  - that person is behaving in a disruptive manner. This may include a party who is seeking to be heard at the hearing. In the case where a party is to be excluded, the party may submit to the Sub-Committee in writing any information which they would have been entitled to give orally had they not been required to leave the hearing.

## **11. Recording of proceedings:**

- 11.1 A written record of the hearing will be produced and kept for 6 years from the date of the determination of the hearing.

## **12. Power to vary procedure:**

- 12.1 The Sub-committee may depart from following any of the procedures set out in this document if it considers the departure to be necessary in order to consider an application, notice or representation.



# LICENSING SUB-COMMITTEE

# REPORT

25 February 2013

**Subject heading:**

KC's Bar  
 155 Billet Lane Hornchurch RM11 1UR  
 Two TEN submissions  
 Paul Jones, Licensing Officer  
 5<sup>th</sup> floor Mercury House  
 x 2692

**Report author and contact details:**

These two temporary event notice (TEN) submissions have been given by Mr Thomas Rowlatt under section 100 of the Licensing Act 2003. The notifications were received by Havering's Licensing Authority on 7<sup>th</sup> February 2013.

**Geographical description of the area and description of the building**

KC's Bar is located in Billet Lane on the outskirts of Hornchurch town centre. The vicinity surrounding the premises is a mixture of residential and commercial properties. Emerson Park railway station is in the immediate area. KC's Bar operates under the authority of a premises licence. A copy of the premises licence is provided for reference.

**Details of the TENs**

Mr Rowlatt is the premises user with regard to these two TENs. He seeks to provide regulated entertainment, late night refreshment and supply alcohol on Saturday 2<sup>nd</sup> March 2013 between 01:00 and 02:00. Additionally he seeks to provide similar activities on Sunday 5<sup>th</sup> May 2013 into Monday 6<sup>th</sup> May 2013 from 23:00 to 01:00. Effectively these TENs are to extend the hours during which licensable activity may be provided at the premises beyond the authority of the extant premises licence.

**Comments and observations on the notifications**

The premises user submitted the TENs in the correct manner and in a timely fashion. Mr Rowlatt holds a personal licence.

Both TENs are listed as private events, a 40<sup>th</sup> and a 50<sup>th</sup> birthday party respectively. Both events are to be closed to the general public and attendance of up to 100 guests on each occasion is by invitation only.

There was one objection notice made against each of these TENs from a responsible authority, namely Havering's Noise Specialist, Mr Marc Gasson.

### **Responsible authority's objection notice**

Mr Gasson submitted an objection notice against each of these TENs. Mr Gasson's grounds for submitting these objection notices are as follows:

1. *Noise from loud music and raised voices of patrons at the venue is the subject of an ongoing investigation by the Environmental Service.*
2. *An Abatement Notice in respect of Noise Nuisance was served on the owners of the premises dated 8<sup>th</sup> August 2011 and despite some sound attenuation works and management controls being put in place, this Service has continued to receive allegations that noise from the premises is still an issue.*
3. *The vast majority of the complaints centre around noise from private functions held at the venue.*
4. *The case continues to be monitored by the Council's Out-Of-Hours Noise Service.*

These grounds qualify the objection notice under the prevention of public nuisance licensing objective.

Paul Jones  
Licensing Officer  
London Borough of Havering



Premises licence number

008334

## Part 1 – Premises details

Postal address of premises

**KC's Bar**  
**155 Billet Lane Hornchurch RM11 1UR**

Where the licence is time limited the dates

**Not applicable**

Licensable activities authorised by the licence

**Live music, recorded music, provision of facilities for dancing,  
late night refreshment, supply of alcohol**

The times the licence authorises the carrying out of licensable activities

**Recorded music, supply of alcohol**  
**Sunday to Wednesday – 11:00 to 23:00**  
**Thursday – 11:00 to 00:00**  
**Friday & Saturday – 11:00 to 01:00**

**Live music, provision of facilities for dancing**  
**Friday & Saturday – 20:00 to 01:00**

**Late night refreshment**  
**Friday & Saturday – 23:00 to 01:00**

The opening hours of the premises

**Sunday to Wednesday – 11:00 to 23:00**  
**Thursday – 11:00 to 00:00**  
**Friday & Saturday – 11:00 to 01:00**

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

**On supplies only**

1 of 7

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## Part 2

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Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

**Mr Liam Foley & Mrs Mandy Foley**  
**Libertie Cottage 12 Orange Tree Hill Havering-Atte-Bower Romford RM4 1PB**  
**01708 476834**

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Registered number of holder

**Not applicable**

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Name and address of designated premises supervisor where the premises licence authorises for the supply of alcohol

**Miss Rachel Suzanne Meek**  
[REDACTED]

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Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

[REDACTED]

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Mandatory conditions

1. No supply of alcohol may be made under the premises licence:
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following: activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children –
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

2 of 7

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**Mandatory conditions – contd.**

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent upon –
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
6. The responsible person shall ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) customers are made aware of the availability of these measures.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. If at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

1. A policy shall exist of only allowing persons over the age of 25 to have entry into the premises with the exception of those attending pre-booked private functions. Full contact details of each individual booking the function shall be recorded in the premises daily register which shall be made available at all times for appropriate authorities to examine. This policy shall be reviewed periodically and discussed with the Police where appropriate.
2. Customers shall not be allowed to wait outside the premises for taxis.
3. No persons are to leave the venue with alcohol.
4. Signs shall be displayed on the premises showing the opening times.
5. Two door supervisors shall be on duty at the front entrance of the venue from 19:00 to closing time Thursdays, Fridays and Saturdays.
6. Notices shall be displayed on the premises requesting customers to leave the venue quietly having respect for the local residents.
7. Crime Prevention notices shall be displayed.
8. Arrangements shall be made so that disabled customers can safely evacuate the premises.
9. A number of staff shall be trained to carry out first aid.
10. Members of staff shall be fully aware of the licensing objectives and Health and Safety regulations.
11. A noise limiter shall be fitted and in use when the premises is open. This must be set and sealed by a qualified council officer.
12. The premises licence holder shall ensure that noise and vibration do not cause a nuisance to nearby properties.
13. An arrangement shall be made with a local taxi company for customers requiring transport.
14. A refusals book shall be kept at the premises and be made available when requested by any authority.
15. The rear door of the premises shall only be used as a fire exit particularly during the evening when the premises is open for licensable activities.
16. Staff shall regularly monitor the rear car park for noise and anti-social behaviour.
17. All bottles and refuse shall be disposed of in the morning and not during the evening.
18. A premises daily register shall be kept at the premises. This register shall be maintained and kept for a minimum of 12 months. This register should record the name of the person responsible for the premises on each given day. The premises daily register shall record all calls made to the premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti-social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call, the time and date of the incident about which the call is made and any actions taken to deal with the call. The premises daily register shall be readily available for inspection by an authorised person throughout the trading hours of the premises. The premises daily register shall also record all incidents in relation to the use of any force by staff or door supervisors in the removal of persons from the premises. It shall record the time and date of the occurrence, name or brief description of the person removed and details of the staff involved.

19. All staff shall be suitably trained for their job function for the premises. The training shall be written into a programme ongoing and under constant review and must be made available to a relevant responsible authority when called upon.
20. All door supervisors shall enter their full details in the premises daily register at the commencement of work. This shall record their full name, home address, contact telephone number, SIA registration number and the time they commenced and concluded working. If the door supervisor was supplied by an agency details of that agency shall also be recorded including the name of the agency the registered business address and a contact telephone number.
21. Drinks shall be served in non-glassware drinking vessels (e.g. plastic, polystyrene, waxed paper) except for the consumption of champagne which may be served in glassware.  
*Note: weights and measures legislation requires the use of 'stamped glasses' where 'meter-measuring equipment' is not in use.*
22. Drinks shall be served in containers made from toughened glass (tempered glassware).  
*Note: weights and measures legislation requires the use of 'stamped glasses' where 'meter-measuring equipment' is not in use.*
23. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
24. At least one trained first-aider shall be on duty when the public is present.
25. Notices detailing the availability of first aid equipment shall be prominently displayed and shall be protected from damage or deterioration.
26. A properly specified and fully operational CCTV system shall be installed or the existing system maintained to a satisfactory standard. The system shall incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises. All other areas of risk identified in the operational requirement shall have coverage appropriate to the risk.
27. The installation or upgrading of any CCTV system shall comply with current best practice. In addition the documentation listed below shall be included in a 'system file' which should be readily available for inspection by the relevant authority:
  - site plan showing position of cameras and their field of view
  - code of practice
  - performance specification e.g. storage capacity, image file size, IPS for each camera and purpose of each camera position
  - operational requirement
  - incident log
  - maintenance records including weekly visual checks
28. To obtain a clear head and shoulders image of every person entering the premises on the CCTV system persons entering the premises should be asked to remove headwear unless worn as part of religious observance.

29. The CCTV system shall incorporate a recording facility and all recordings shall be securely stored for a minimum of one calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system shall comply with other essential legislation and all signs as required shall be clearly displayed. The system shall be maintained and fully operational throughout the hours that the premises is open for any licensable activity. For premises using a video recording system the cassette tapes shall be used on no more than 12 occasions to maintain the quality of the recorded image.
30. The positions of all CCTV cameras shall be clearly shown on a set of plans which should form part of the 'system file'. Any alteration to the system should only be carried out after consultation with and written approval of Havering Police and the Licensing Authority.
31. The premises licence holder shall implement a written drugs policy. This shall detail the strategies to minimise the use and supply of illegal drugs within the premises. The drugs policy shall include a structured training programme covering the issues relevant to the misuse of drugs in relation to licensed premises which shall be delivered to all staff. This policy shall be approved in writing by Havering Police.
32. The designated premises supervisor shall hold a National Certificate of Drugs Awareness qualification run by the BII or similar accredited body.
33. All members of staff at the premises shall seek 'credible photographic proof of age evidence' from any person who appears to be under the age of 25 years who is seeking access to the premises or is seeking to purchase or consume alcohol on the premises. Such credible evidence which shall include a photograph of the customer shall include a passport, photographic driving licence or Proof of Age card carrying a 'PASS' logo.
34. Premises which have a policy that includes the searching of persons shall have door supervisors of both sexes on duty at all times.
35. All door supervisors working outside the premises or whilst engaged in the dispersal of patrons at the close of business shall wear 'high visibility clothing'.
36. The premises licence holder shall implement a written queue management policy. All queuing outside the premises shall be managed in such a way that prevents noisy or rowdy behaviour and therefore minimises disturbance or nuisance to neighbours. The policy shall be approved in writing by the Licensing Authority.
37. The premises licence holder shall implement a written dispersal policy to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours both residential and business and to make the minimum impact upon the neighbourhood in relation to potential nuisance, anti-social behaviour and crime and disorder. The policy shall be approved in writing by the Licensing Authority.
38. Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises.
39. Staff shall be given adequate training to prevent them causing unnecessary noise when they leave the premises and prominent, clear notices displayed at all points where staff leave the building must instruct them to respect the needs of local residents and leave the premises and the area quietly.



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**Annex 2 – Conditions consistent with the operating schedule – contd.**

**40. The specification and orientation of all speakers shall be agreed with the Licensing Authority/responsible authority.**

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**Annex 3 – Conditions attached after a hearing by the Licensing Authority**

- 1. No drinks shall be taken outside the premises after 23:00.**
- 2. The premises may provide licensable activity in accordance with the following:**

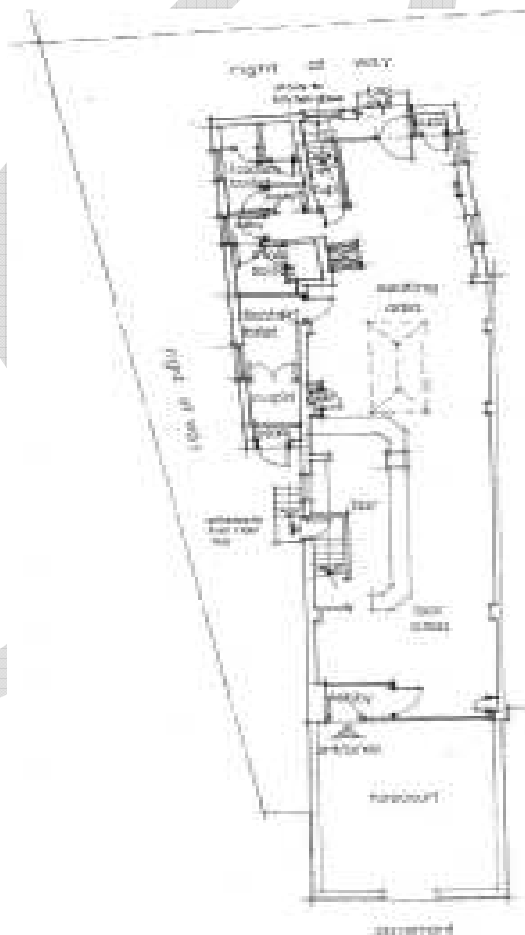
**New Year's Eve**

<b>Live music, provision of facilities for dancing</b>	<b>20:00 to 02:00</b>
<b>Recorded music</b>	<b>11:00 to 02:00</b>
<b>Late night refreshment</b>	<b>23:00 to 02:00</b>
<b>Hours premises open to the public</b>	<b>11:00 to 02:00</b>

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**Annex 4 – Premises plans**

**Full premises plans are held by the Licensing Authority of the London Borough of Havering. The plans reproduced below are not to scale:**



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## Part B

### Premises licence summary

Premises licence number

008334

#### Premises details

Postal address of premises

KC's Bar  
155 Billet Lane Hornchurch RM11 1UR

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Live music, recorded music, provision of facilities for dancing,  
late night refreshment, supply of alcohol

The times the licence authorises the carrying out of licensable activities

Recorded music, supply of alcohol  
Sunday to Wednesday – 11:00 to 23:00  
Thursday – 11:00 to 00:00  
Friday & Saturday – 11:00 to 01:00

Live music, provision of facilities for dancing  
Friday & Saturday – 20:00 to 01:00

Late night refreshment  
Friday & Saturday – 23:00 to 01:00

The opening hours of the premises

Sunday to Wednesday – 11:00 to 23:00  
Thursday – 11:00 to 00:00  
Friday & Saturday – 11:00 to 01:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

On supplies only

Name, (registered) address of holder of premises licence

Mr Liam Foley & Mrs Mandy Foley  
Libertie Cottage 12 Orange Tree Hill Havering-Atte-Bower Romford RM4 1PB

1 of 2

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Registered number of holder

**Not applicable**

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Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

**Miss Rachel Suzanne Meek**

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State whether access to the premises by children is restricted or prohibited

**Restricted**

**2 of 2**

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RECEIVED  
- 7 FEB 2013  
12526

### Temporary Event Notice

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	ROWLATT		
Forenames	THOMAS CALLUM		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth		Day 02	Month 07 Year 1992
4. Your place of birth		HAROLD WOOD	
5. National Insurance Number		JW 30 57 02 C	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
14 WALLIS CLOSE			
Post town		Post code	
HORNCHURCH		RM 11 <del>WDR</del> 1FY	
7. Other contact details			
Telephone numbers		07735567105	
Daytime			
Evening (optional)		01708 608112	
Mobile (optional)			
Fax number (optional)			
E-Mail Address (if available)		KCSbar@hotmail.co.uk	

8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
155 BILLET LANE	
Post town	HORNCHURCH
Post code	RM11 1UR
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)	
155 BILLET LANE HORNCHURCH ESSEX RM11 1UR	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	008334
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
LICENCED BAR PREMISES.	
Please describe the nature of the event below. (Please read note 5)	
A PRIVATE EVENT CLOSED TO THE GENERAL PUBLIC WITH A PAY BAR FOR A 40TH BIRTHDAY PARTY.	

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
SATURDAY 2 <sup>ND</sup> MARCH 2013		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)		
FROM 01:00 HRS UNTIL 02:00 HRS.		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)	100	
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 11)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

4. Personal licence holders (Please read note 12)		
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes	No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	LONDON BOROUGH OF HAVERING	
Licence number	010602	
Date of issue		
Date of expiry	24 AUG 2021	
Any further relevant details		


5. Previous temporary event notices you have given (Please read note 13)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 14)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>



7. Checklist (Please read note 15)	
I have: (Please mark the appropriate boxes with an "X" )	
Sent at least two copies of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input checked="" type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input checked="" type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 16)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 17)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	5/2/13
Name of Person signing	MR THOMAS CALLUM ROWLATT

For completion by the licensing authority

10. Acknowledgement (Please read note 18)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

#### NOTES

##### General

In these notes, a person who gives a temporary notice is called a “premises user”.

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (12 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).



### Temporary Event Notice

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	ROWLATT		
Forenames	THOMAS CALLUM		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day 02	Month 07	Year 92
4. Your place of birth	HAROLD WOOD		
5. National Insurance Number	JW 30 57 02 C		
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
14 WALLIS CLOSE			
Post town	HORNCHURCH	Post code	RM11 1FY
7. Other contact details			
Telephone numbers	01708 608112		
Daytime			
Evening (optional)			
Mobile (optional)	07735567105		
Fax number (optional)			
E-Mail Address (if available)	KCSbar@hotmail.co.uk		

8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
155 BILLET LANE	
Post town	HORNCHURCH
Post code	RM11 1UR
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (if available)	

<b>2. The premises</b>	
Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)	
KCs Bar 155 BILLET LANE HORNCHURCH, ESSEX, RM11 1UR	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	008334
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
A LICENCED BAR PREMISES.	
Please describe the nature of the event below. (Please read note 5)	
A PRIVATE EVENT (50 <sup>TH</sup> BIRTHDAY PARTY) CLOSED TO GENERAL PUBLIC. INVITATION ONLY.	

3. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)	
SUNDAY 5 <sup>TH</sup> MAY 2013 AND MONDAY 6 <sup>TH</sup> MAY 2013	
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)	
23:00 HRS ON 5 <sup>TH</sup> MAY THROUGH TO 01:00 HRS ON 6 <sup>TH</sup> MAY 2013.	
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)	100
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 11)	On the premises only <input checked="" type="checkbox"/>
	Off the premises only <input type="checkbox"/>
	Both <input type="checkbox"/>


4. Personal licence holders (Please read note 12)	
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	LONDON BOROUGH OF HAVERING
Licence number	010602
Date of issue	
Date of expiry	24 AUG 2021
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 13)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year	1	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 14)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 15)	
I have: (Please mark the appropriate boxes with an "X" )	
Sent at least two copies of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input checked="" type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input checked="" type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 16)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 17)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	5 <sup>TH</sup> FEBRUARY 2013
Name of Person signing	MR THOMAS CROWLATT

For completion by the licensing authority

10. Acknowledgement (Please read note 18)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

#### NOTES

##### General

In these notes, a person who gives a temporary notice is called a “premises user”.

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

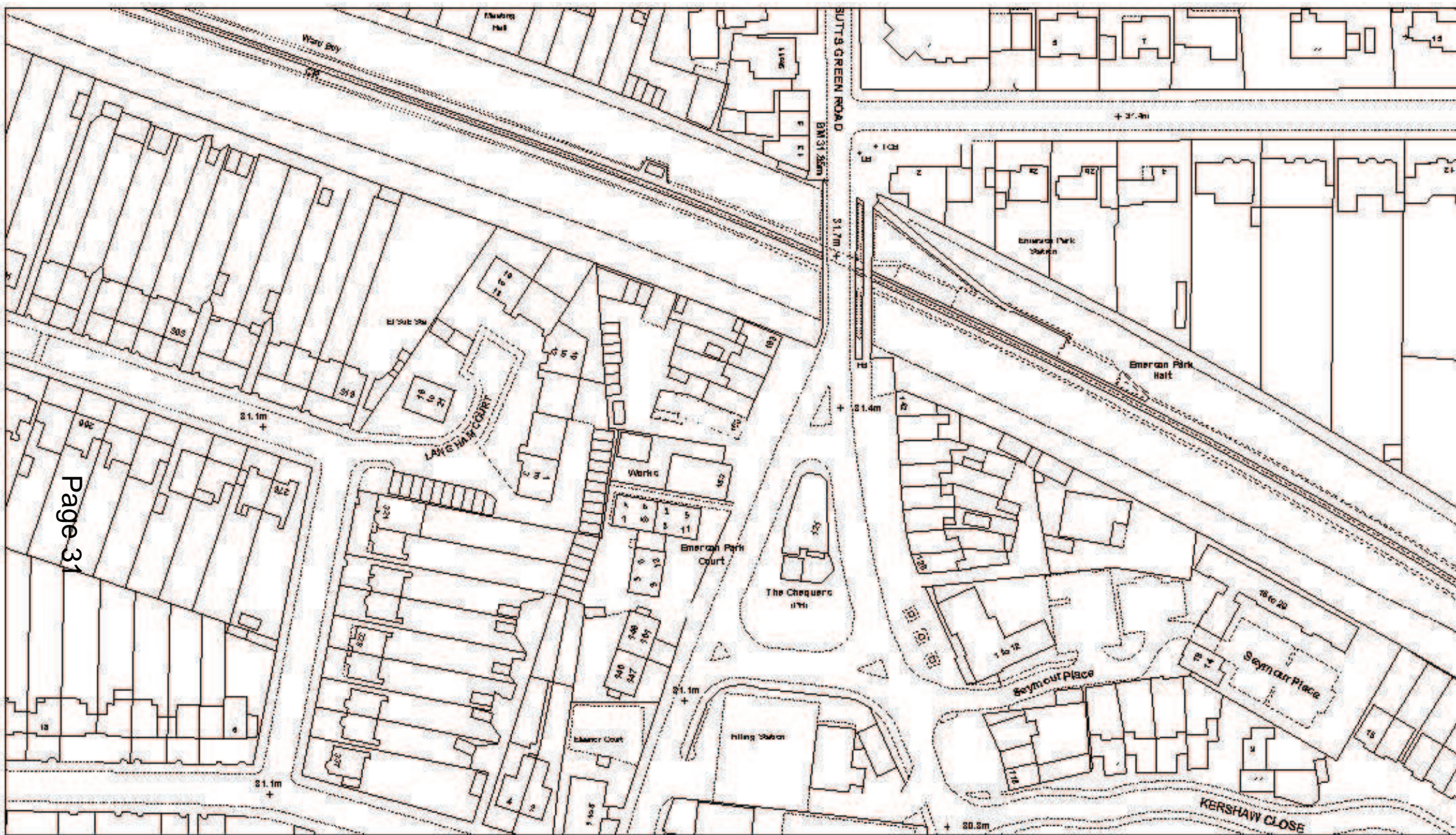
First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (12 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).





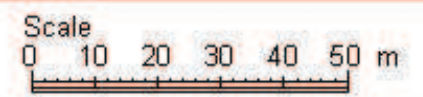
Page 31

KC's Bar



Map Reference: TQ5387NE  
Date: 12/02/2013

Scale @ A4  
1:1250



London Borough of Havering  
Town Hall, Main Road  
Romford, RM1 3BD  
Tel: 01708 434343



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## Public Protection

Mercury House, Mercury Gardens  
Romford RM1 3SL

**Please call: Marc Gasson**

**Telephone: 01708 432777**

Fax: 01708 432554

email: [environmental.health@havering.gov.uk](mailto:environmental.health@havering.gov.uk)

Textphone ☎: 01708 433175

## memo

From: Marc Gasson-Noise Specialist

To: Paul Jones- Licensing Officer

My Reference : MDG/012526

Your Reference :

Date: 12<sup>th</sup> February 2013

### **Licensing Act 2003-Application For Temporary Event Notice 2/3/2013 01:00 hours to 02:00 hours and 5<sup>th</sup> May 2013 (23:00 hours) to 6<sup>th</sup> May 2013 (01:00 hours).**

I refer to the above applications and would object to both on the following grounds:-

1. Noise from loud music and raised voices of patrons at the venue is the subject of an ongoing investigation by the Environmental Service.
2. An Abatement Notice in respect of Noise Nuisance was served on the owners of the premises dated 8<sup>th</sup> August 2011 and despite some sound attenuation works and management controls being put in place, this Service has continued to receive allegations that noise from the premises is still an issue.
3. The vast majority of the complaints centre around noise from private functions held at the venue.
4. The case continues to be monitored by the Council's Out-Of-Hours Noise Service.

I trust this clarifies my position.

Marc Gasson  
Noise Specialist

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