

**Medway Council**

**LICENSING AND SAFETY COMMITTEE  
19 OCTOBER 2001**

**Held at the Municipal Buildings, Gillingham**

**M I N U T E S**

**PRESENT:** Councillor Mrs Diane Chambers (chairman);  
Councillor Richard Andrews (vice-chairman);  
Councillors Davis, Harriott, Mrs Haydock, Luckhurst and  
Madhu Ruparel.

**3768 MINUTES**

The minutes of the meeting held on 12 October 2001 were agreed and signed by the chairman as a correct record.

**ITEMS DEALT WITH UNDER DELEGATED POWERS**

**3769 APPLICATION FOR VARIATION OF HOURS ON EXISTING PUBLIC ENTERTAINMENT LICENCE, SECRETS, 12B NEW ROAD AVENUE, CHATHAM**

The committee considered a report asking them to determine an application for a variation of the existing public entertainment licence at Secrets Night Club, Chatham, in order to permit music, singing and dancing on Sundays from 12 noon until 2am the following morning.

At the meeting the applicant advised that he wished to revise the permitted operating hours of the public entertainment licence on Sundays to be from noon until midnight on Sundays and from noon until 2.00am the following morning on Sundays immediately following a Bank Holiday.

**Resolved that the permitted hours in respect of the public entertainment licence for music, singing and dancing on Sundays should be from 12 noon until 12 midnight and from 12 noon until 2am the following morning on Sundays immediately following a bank holiday. The granting of this licence being conditional upon the following:**

- (a) that a noise limiter be fitted in the premises in advance of the variation coming into force;**

- (b) that the applicant be advised to make arrangements to hold meetings with residents on a regular basis to tackle any problems arising from the premises;
- (c) that instructions to door staff be reviewed to ensure they check at pavement level from time to time in order that they may be more visible to residents .
- (d) door staff should supervise the quiet dispersal of patrons from the premises.

**3770 IMPLICATION OF THE COURT OF HUMAN RIGHTS DECISION IN HATTON V UNITED KINGDOM**

A report was presented to the committee setting out the implications of Hatton -v- United Kingdom. The case concerned a series of claims in respect of noise nuisance . In October 2001 the European Court of Human Rights gave its decision on the case. The court took the view that there was a positive duty placed on public authorities to take reasonable and appropriate steps to secure the applicant's rights.

**Resolved that the report be noted.**

**The meeting which commenced at 2.30pm, finished at 4.10pm.**

**Chairman**

**Date**