

Licensing Hearing Panel – Supplementary agenda no.1

A meeting of the Licensing Hearing Panel will be held on:

Date: 3 May 2023

Time: 9.30am

Venue: Cabinet Room - Level 5, Gun Wharf, Dock Road, Chatham
ME4 4TR

Items

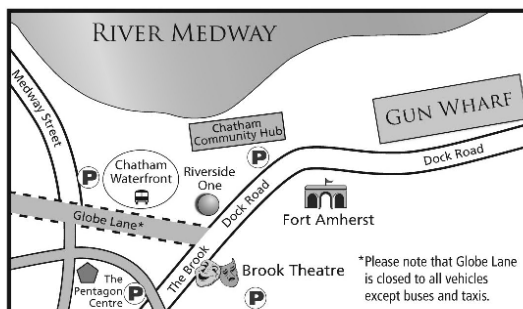
- 6 Application for a new Premises Licence in respect of Arena Grill and Lounge Limited, 307 High Street, Chatham, Kent, ME4 4BN (Pages 3 - 14)**

Attached is further information submitted by the applicant regarding the Draft Noise Management Policy, Draft Dispersal Policy and additional suggested conditions.

For further information please contact Julie Francis-Beard, Democratic Services Officer on Telephone: 01634 332011 or Email:

democratic.services@medway.gov.uk

Date: 2 May 2023



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LICENSING ACT 2003

THE ARENA GRILL & LOUNGE LTD

ARENA GRILL AND LOUNGE, 307 HIGH STREET, CHATHAM, ME4 4BN

NOISE MANAGEMENT PLAN

The aim of the Noise Management Plan is to put in place reasonable measures to reduce the impact of noise associated with the premises. People are generally less tolerant of avoidable noise, particular attention must be paid to reducing or eliminating avoidable noise.

Objective:

To ensure that the premises promote the Licensing Objectives, particularly the Prevention of Public Nuisance, the Premises Licence Holder will utilise this Noise Management Plan to mitigate noise from the premises.

The Premises Licence Holder will do this by:

Source	Possible Effects on Impact	Mitigations to consider
Inside music noise	Hours the premises will be operational and number of promoted events at the premises	A noise limiter will be installed at the premises and set at a level to ensure music noise from the premises does not disturb residents and businesses.
	Volume	Control via a noise limiter and a “cooling down” period 30 minutes prior to the end of licensable activities.
	Doors and Windows	Keep closed whenever Regulated Entertainment takes place except for access and egress.
	Location of speakers and equipment	Ensure they are moved away from doors and windows and avoid placement near party walls.

	Location of source	Avoid locating near large single glazed areas or external patron access doors.
	Bass control	Noise limiter to be installed and set at an appropriate level to reduce the impact on surrounding residents and local area.
Outside Music	Not Relevant	
Deliveries and Collections	Times of day	Deliveries and collections to take place during business hours.
	Days of week	Where possible and if external companies allow, Mon-Fri deliveries only and not on Public Holidays.
Smoking Area	Location	To be away from noise sensitive locations and limited number of patrons permitted to smoke at anyone time.
	Times of use	Smoking area to used throughout trading day. Number of smokers to be capped at 8 after 22:00.

	Customer Noise	Restrict number of customers using smoking area after 22:00
Customers	Leaving Customers	Notices to remind patrons to leave the premises quietly and respect the local residents. SIA (when on duty) to manage dispersal in accordance with Policy.
	Later Hours	No re-entry to the premises after 00:00, save for smokers. This is to be continually risk assessed by the management of the premises. CCTV to cover the front of the premises or outside areas.
	Loitering (including smokers)	No drinks to be taken outside the premises. SIA (when on duty) to manage dispersal in accordance with Policy. Refuse entry to those causing a nuisance. Limited the number of patrons outside the premises or those using any designated areas.
Chillers, air con, extractors etc	Nature of noise including hums, rumbles and whines	Locate sources away from residents and party walls where possible. Use quieter plant, silencers and acoustic housings. Ensure equipment is serviced regularly and well maintained.
Complaints	Response and attitude	Incident log to be kept up to date recording date, time, name, cause and action taken. Consider regular meetings with neighbours (every quarter)

Additional Guidance Notes

1. Inside Music Noise

Often the bass elements are noticeable outside, close to the premises and inside nearby premises especially if they are attached. Good management control to keep doors and windows closed and control hours and volumes with a cooling-down period (reduced volume) for the last 30 minutes is achievable by the supervisor. Consideration of location of loudspeakers, limiting Juke Boxes and structural works may require someone with specialist experience bearing in

mind that structural works may not be fully effective in reducing bass. Live music is very difficult to manage, since many musicians bring their own equipment, and it cannot be effectively controlled by the supervisor unless there is a good working relationship. It may be prudent to favour events which minimise impact. Warn neighbours in advance of special events which might have a greater potential for disturbance.

Carry out regular checks at the boundary of the nearest noise sensitive properties, but **remember** if you have been subject to loud music for an hour or so your hearing will not be as sensitive and the music level outside can easily be underestimated when you carry out your check. This effect is known as temporary threshold shift.

2. Deliveries, recycling and refuse collections, and stores

Deliveries and collections are noisy e.g. the refrigeration units on delivery vehicles and the clanging of barrels, the rattle of bottles, and the noise from refuse collection vehicles. The most effective way of minimising impact is to ensure that they take place at reasonable times on a weekday. Wherever possible locate stores away from noise sensitive premises and consider the use of purpose built or sound-proofed stores.

3. Smoking area.

Smoking shelters and the use of external parts for customers to smoke may give rise to disturbance to occupiers of neighbouring premises especially later at night. Carefully consider their location. A smoking shelter may also need planning permission. Similarly external seating and eating areas, either on the premises or on the adjacent street can cause problems as can the use of metal tables and chairs, particularly if legs do not have rubber protectors on the feet. Remember that the late night removal of tables and chairs can also give rise to disturbance.

4. Customers and Car Parks.

Customer noise is a difficult matter, people leaving a noisy venue often carry on talking outside at the same volume, and this can be disturbing. Customers congregating outside to smoke, use mobiles or try to hold a conversation across the window façade with friends in the venue can cause problems. Particularly disruptive customers should be warned and where appropriate an exclusion and dispersal policy introduced.

Car parks are another area where occasional supervision and checks especially late at night may help to prevent loitering, chatting or inconsiderate and noisy driving. Signs which emphasise the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos and anti-social behaviour should be considered. A good relationship should be fostered with responsible taxi operators where possible, and customers encouraged to order the taxi whilst still inside.

5. Complaints

The importance of a sympathetic and polite response to complaints cannot be over emphasised. Many problems can be defused by the right attitude and response. Letting neighbours know that you are willing to meet with them to discuss issues can help maintain relations and assists with neighbour tolerance.

This Policy is the property of the Premises Licence Holder and may be updated from time to time to reflect changes in current operating practices.

For any queries regarding this Policy please contact

Ayodeji Awe Designated Premises Supervisor for the premises.

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LICENSING ACT 2003
THE ARENA GRILL & LOUNGE LTD
ARENA GRILL AND LOUNGE, 307 HIGH STREET, CHATHAM, ME4 4BN
DISPERSAL POLICY

Key Definitions:

- **Customers** – those who have visited the Premises for the purpose of Licensable Activities
- **Dispersal** – the manner in which Customers and Staff leave the Premises and the immediate vicinity
- **Licensable Activities** – as per the Licensing Act 2003
- **Licensing Authority** – Medway Council
- **Licensing Objectives** – as per the Licensing Act 2003
- **Permitted Hours** – the hours for Licensable Activities as per the Premises Licence
- **Policy** – this Dispersal Policy
- **Premises** – Arena Grill and Lounge
- **Premises Licence** – TBC
- **Premises Licence Holder** – The Arena Grill and Lounge Limited
- **Quiet Marshals** – members of Staff employed by the Premises Licence Holder specifically to assist with the Dispersal of Customers
- **Responsible Authority** – as per the Licensing Act 2003
- **Responsible Authority Officer** – an officer of a Responsible Authority
- **SIA** – door supervisors licensed by the Security Industry Authority
- **Staff** – those who are employed by the Premises Licence Holder for the purpose of providing Licensable Activities

Objective:

To promote the Licensing Objectives, particularly The Prevention of Public Nuisance, the Premises Licence Holder will utilise this Policy to ensure a that Dispersal from the Premises and the immediate vicinity takes place in an orderly fashion.

The Premises Licence Holder will do this by:

1. Utilising a wind-down period at the end of Permitted Hours to assist with Dispersal. The wind-down period may include, for example, stopping or slowing sales of alcohol, increasing the lighting, stopping or slowing any music being played at the Premises.
2. Making sure that Staff are suitably briefed and trained in this Policy
3. Making sure that any externally contracted SIA are suitably briefed and trained in this Policy
4. Making sure that Staff are aware of the relevant transport links and are able to deal with queries from Customers
5. Making sure that any externally contracted SIA are aware of the relevant transport links and are able to deal with queries from Customers
6. Maintaining contact details for taxi firms
7. Asking Customers who appear to be waiting for a taxi to wait inside the Premises
8. Displaying appropriate and proportionate signage at exits from the Premises asking Customers to respect the needs of local residents and leave the Premises and the immediate vicinity quickly and quietly
9. Utilising Staff to reinforce the message conveyed by the above-mentioned signage
10. Not permitting Customers to take drinks with them when leaving the Premises
11. Utilising Quiet Marshals as and when required to assist with Dispersal
12. Requesting that SIA remain outside the premises for an appropriate and proportionate period after the last customer has left the Premises to ensure complete Dispersal
13. Recording any issues with Dispersal (whether caused by the Premises or not) as per the Premises' incident recording procedures
14. Reminding Staff and SIA leaving the Premises after their shifts that they too need to respect the needs of local residents and leave the Premises and the immediate vicinity quickly and quietly
15. Ensuring that a copy of this Policy is kept at the Premises and made available for inspection by Responsible Authority Officers
16. Keeping this policy under review and updating it as necessary

Local Transport Links:

- The nearest Taxi rank is Chatham Station.
- The designated local Taxi companies are Vokes Taxis and Windmill Taxis.

- The nearest National Rail station is Chatham
- The nearest Bus Stop is Anchorage House, which is served by the following routes 135, 142, 145, 149, 151, 156, 173, 174 & 197.
- Public transport information can be obtained from the following websites and social media accounts:
www.nationalrail.co.uk – @nationalrailenq
www.thetrainline.com – @thetrainline
- Customers may also wish to use ride hailing or ride sharing apps such as Uber, Gett etc.

This Policy is the property of the Premises Licence Holder and may be updated from time to time to reflect changes in current operating practices.

**For any queries regarding this Policy please contact
Ayodeji Awe Designated Premises Supervisor for the premises.**

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The Arena Grill & Lounge Ltd

Arena Grill & Lounge

307 High Street

Chatham

Kent ME4 4BN

Additional suggested conditions to promote the Licensing Objectives

- *The Premises Licence Holder shall devise, implement, and maintain a Noise Management Policy for the Premises. A copy of the Policy shall be kept at the Premises and made available to Responsible Authority Officers upon request.*
- *The Premises Licence Holder shall devise, implement, and maintain a Dispersal Policy for the Premises. A copy of the Policy shall be kept at the Premises and made available for Responsible Authority Officers upon request.*
- *The Premises Licence Holder shall ensure that all doors and windows are kept closed during Regulated Entertainment save for the access and egress of persons.*
- *A noise limiting device shall be installed, operated and maintained so as to control all sources of amplified sound at the premises to prevent noise nuisance to neighbouring properties. The noise limiter shall be set to maintain a maximum level which is agreed in writing with Environmental Health and amended as and when required to deal with any reported nuisance/complaint.*
- *Patrons permitted to temporarily leave the premises (e.g. to smoke) shall not be permitted to take drinks or glasses with them.*
- *The Premises Licence Holder shall ensure that any customers smoking outside the premises do so in an orderly manner and are supervised to ensure that there is no public nuisance or obstruction of the highway.*

- *A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open.*
- *No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.*
- *No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.*