

LICENSING HEARING PANEL

2 APRIL 2019

LICENSING ACT 2003 APPLICATION FOR A VARIATION OF A PREMISES LICENCE

**BRASENOSE CLUB 168-170 NELSON ROAD
GILLINGHAM KENT
ME7 4LU**

Report from: Perry Holmes, Chief Legal Officer

Author: Lisa Hopson, Licensing Officer

Summary

The applicant has applied for a variation of the Premises Licence in respect of the Brasenose Club, 168-170 Nelson Road, Gillingham, Kent, ME7 4LU.

All responsible authorities have been consulted in line with the Licensing Act 2003.

The application before Members is as amended by the applicant following consultation and agreement with the Police. The applicant has amended the original application. Further representations have been received from members of the public and a Ward Councillor to date no agreement has been reached.

1. Budget and Policy Framework

- 1.1 Medway Council has published its Statement of Licensing Policy, which it takes into account in all applications relating to the Licensing Act 2003.

2. The application

- 2.1 In accordance with the Licensing Act 2003, the Council has received an application for a variation of the Premises Licence in respect of the Brasenose Club, 168/170 Nelson Road, Gillingham, Kent, ME7 4LU.
- 2.2 The details of the original application are as follows:

Remove Conditions 11, 15, 16, 18, 22, 23, 24, 25, 26 and 28 listed in annex 3 of the premises licence. Replace/Vary condition 27 to the following:-

No consumption of alcohol to take place in the beer garden after 23.00 and noise levels in the beer garden will be monitored after 23.00 by a responsible person.

- 2.3 A copy of the current Premises Licence is at Appendix A.
- 2.4 A copy of the original application as submitted is at Appendix B.
- 2.5 The application has been correctly advertised in the local press and notices displayed on the premises for the required period.
- 2.6 Details of the amendments to the original application following consultation and agreement with the Police are at Appendix C.
- 2.7 A copy of a map showing the location of the premises is at Appendix D.

3. Promotion of Licensing Objectives

- 3.1 The applicant is expected to demonstrate that they have dealt with and understand the promotion of the four licensing objectives, where appropriate. Members are referred to section M of the application at Appendix B.
- 3.2 The four licensing objectives are:
 - the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm

4. Relevant Representations

- 4.1 This matter has been put to the Licensing Hearing Panel because the Council has received representations relating to all four of the licensing objectives from members of the public and a Ward Councillor. Copies of these are attached at Appendix E. To date no agreement has been reached.

5. Policy Considerations

- 5.1 Medway Council has published its Statement of Licensing Policy, which it will consider alongside the amended Guidance issued by the Home Office under section 182 of the Licensing Act 2003 in all applications.
- 5.2 In determining this application, Members may wish to consider information contained in Appendix 7 to the Statement of Licensing Policy that lists examples of good practice against the four licensing objectives as well as Chapters 9 and 10 of the amended Guidance.

6. Risk Management

- 6.1 The Council has to consider and determine this application, which is a function relating to licensing and registration as set out in Schedule 1 to the Functions Regulations, the Licensing Act 2003, the Gambling Act 2005 and other licensing functions reserved by law to the Council's Licensing and Safety Committee and its Sub-Committees, in accordance with the law (both statutory and case law), relevant statutory guidance and statements of policy.

7. Financial and legal implications

- 7.1 There are no direct financial or legal implications at this time.
- 7.2 This hearing is regulated by the Licensing Act 2003 (Hearings) Regulations 2005 (as amended).
- 7.3 There is the possibility of a challenge by way of appeal to the decision by either the applicant or objectors should either have the requisite grounds to do so. Legal advice will be given to Members as appropriate at the meeting. However, whatever the decision of the Panel, this must be based on the evidence placed before it in line with the licensing objectives and the Panel must decide what weight to attribute to this information.

8. Recommendation

- 8.1 That the Licensing Hearing Panel, having regard to the Licensing Act 2003, the statutory guidance issued under S182, the Council's Statement of Licensing Policy and all matters before it, both written and oral, considers and determines this application for the variation of a premises licence.

Lead officer contact:

Mrs Lisa Hopson – Licensing Officer

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Appendices

Appendix A - Current Premises Licence

Appendix B - Application for the variation of a Premises Licence

Appendix C - Details of the amendments to the original application

Appendix D - Location Plan

Appendix E - Copies of representations

Background papers

None



MEDWAY COUNCIL

Licensing Authority, Gun Wharf, Dock Road, Chatham, Kent ME4 4TR

Premises Licence

Premises Licence Number



Medway/12/01061/PREM

Part 1 - Premises Details

Postal address of premises, or if none, Ordnance Survey map reference or description Brasenose Club 168-170 Nelson Road	
Post town Gillingham, Kent	Post code ME7 4LU
Telephone number Not Known	
Where the licence is time limited the dates: Not Applicable	
Licensable Activities authorised by the licence Sale of Retail of Alcohol, Live Music (on the premises), Recorded Music (on the premises), Dancing (on the premises), Films (on the premises), Plays (on the premises) and Indoor Sporting Events.	
The times the licence authorises the carrying out of licensable activities <u>Sale of Retail of Alcohol</u> Sunday to Friday 12:00 to 23:30 and Saturday 11:00 to 00:00. Non-Standard Times: Extended until 00:00 on Friday, Sunday and Monday at bank holiday weekends and to include Christmas Eve, Boxing Day, New Year's Day, St. David's Day, St. Patrick's Day, St. George's Day and St. Andrew's Day. Extended New Year's Eve 11:00 to New Year's Day to end of hours.	
<u>Live Music, Recorded Music, Dancing, Films, Plays and Indoor Sporting Events</u> Sunday to Friday 12:00 to 23:00 and Saturday 11:00 to 23:00. Non Standard Times: Extended until 00:00 on Friday, Sunday and Monday at bank holiday weekends and to include Christmas Eve, Boxing Day, New Year's Day, St. David's Day, St. Patrick's Day, St. George's Day and St. Andrew's Day. Extended New Year's Eve 11:00 to New Year's Day to end of hours.	
The opening hours of the premises Sunday to Friday 10:00 to 00:00 and Saturday 10:00 to 00:30. Opening hours will end 30 minutes after the occasions listed. The premises may open outside authorised hours for non-licensable activities subject to planning or other legislation.	
Where the licence authorises supplies of alcohol whether these are on and/or off supplies On and Off Supplies	

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence Brasenose Club Limited 8 Brasenose Road Gillingham Kent ME7 4JR
Registered number of holder, for example company number, charity number (where applicable) Limited Company - 08508528

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol Mr Bakhshish Sandhu 
Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol 

Annex 1 – Mandatory Conditions

Condition 1

No supply of alcohol maybe made under this licence:-

- (a) At a time when there is no designated premises supervisor in respect of it or
- (b) At a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.

Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

Condition 2

Only individuals licensed by the Security Industry Authority (SIA) maybe used at the premises to guard against:-

- (a) Unauthorised access or occupation (e.g. through door supervision)
- (b) Outbreaks of disorder
- (c) Damage

Condition 3

The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made by:-

- (a) The British Board of Film classification (BBFC), where the film has been classified by that Board or
- (b) The Licensing Authority where no classification certificate has been granted by the BBFC, or, where the Licensing Authority has notified the licence holder that section 20 (3) (b) applies to the film in question and the admission of children must be in accordance with any recommendation made by the Licensing Authority.

Condition 4

- (1) The responsible person must 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

- (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)**
- (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 in a manner which carries a significant risk of undermining a licensing objective;**
- (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 in a manner which carries significant risk of undermining a licensing objective;**
- (d) 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;**
- (e) Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).**

Condition 5

The responsible person must ensure that free potable water is provided on request to customers where it reasonably available.

Condition 6

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol**
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.**
- (3) 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 either**
 - (a) a holographic mark, or**
 - (b) an ultraviolet feature**

Condition 7

The responsible person must 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: 25ml or 35 ml; and**
 - (iii) still wine in a glass: 125ml; and**
- (b) These measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and**
- (c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.**

Condition 8

- (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
- (2) For the purpose of the condition set out in paragraph 1:-
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);
- (b) “permitted price” is the price found by applying the formula:- $P = D + (D \times V)$ where:-
- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence:-
- (i) the holder of the premises licence
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(7)
- (3) Where the permitted price given by Paragraph (b) of paragraph (2) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph (2) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

Condition 9

Members of staff involved in the retail sale of alcohol at the premises will receive adequate and appropriate training, refresher training shall be given at suitable intervals. Training records of all those employed at the premises are to be kept on the premises: they shall include the nature, examples of content and frequency of any training. These records will be made available for inspection by any Police Officer, Police Licensing Officer, Officer's of the Local Authority immediately upon demand or when practicable.

Condition 10

The licence holder will maintain auditable refusal records. These records will detail the following (a) day, date and time of refusal (b) Nature of Refusal (c) Details of, or description of, the individual. Each entry is to be checked and signed by the designated premises supervisor on the day of the event or as soon as possible. These records will be made available for inspection to any Police Officer, Police Licensing Officer, Officer of the Local Authority immediately upon demand or when practicable.

Annex 3 – Conditions attached after a hearing by the licensing authority

Condition 11

The premises will close 30 minutes after last orders are supplied within the authorised hours.

Condition 12

Internal CCTV cameras to be installed and maintained with an incorporated recording facility. Recordings to be stored for an appropriate period of time (generally one month – but to be agreed with Police and Licensing Authority). The CCTV system to be fully operational throughout the hours that the premises are open for any licensable activity. CCTV recordings to be produced to Licensing Authority and Police on request.

Condition 13

A prominent notice is displayed at the entrance/exit of the premises to remind customers to leave the premises quietly.

Condition 14

Signage is displayed at the entrance reminding members and guests to ensure that their vehicles are legally parked and not blocking any neighbouring driveways.

Condition 15

Under 18's are not allowed in the premises when the committee considers the entertainment to be of an adult nature.

Condition 16

Notices displayed at entry points to the Lounge Bar that under 18's are strictly prohibited from entering.

Condition 17

Signage is displayed associated with drug misuse and advising customers that any incident will immediately be reported to the police.

Condition 18

Club employees are instructed to not admit or serve anyone behaving in a drunk and disorderly fashion and files to be kept of customers of any reported misconduct.

Condition 19

When regulated entertainment, which generates significant noise, is taking place, doors and windows will be kept shut, except to allow access/egress.

Condition 20

Reproduced or live music is to be set at a level so as not to be audible at the facade of the nearest residential property.

Condition 21

The duty manager or relevant person should assess noise levels on a regular basis, to prevent excessive breakout.

Condition 22

Access by members of the public to the premises shall be limited to members of the club, guests of a member or those attending a pre-booked private function.

Condition 23

Prospective members shall be subject to a waiting period of 48 hours between application and admittance as a member of the club.

Condition 24

Members of the club shall be subject to the rules of membership concerning conduct and discipline.

Condition 25

A qualified sound engineer must carry out an acoustic report within two months of the issue of this licence in order to assess the extent of the breakout of amplified sound from the premises. The report must also make recommendations about works that may need to be carried out in order to ensure that no amplified sound reaches the façade of the nearest property. A copy of this report to be submitted promptly to the council's licensing manager; who will co-ordinate internal distribution; which will include Environmental Health.

Condition 26

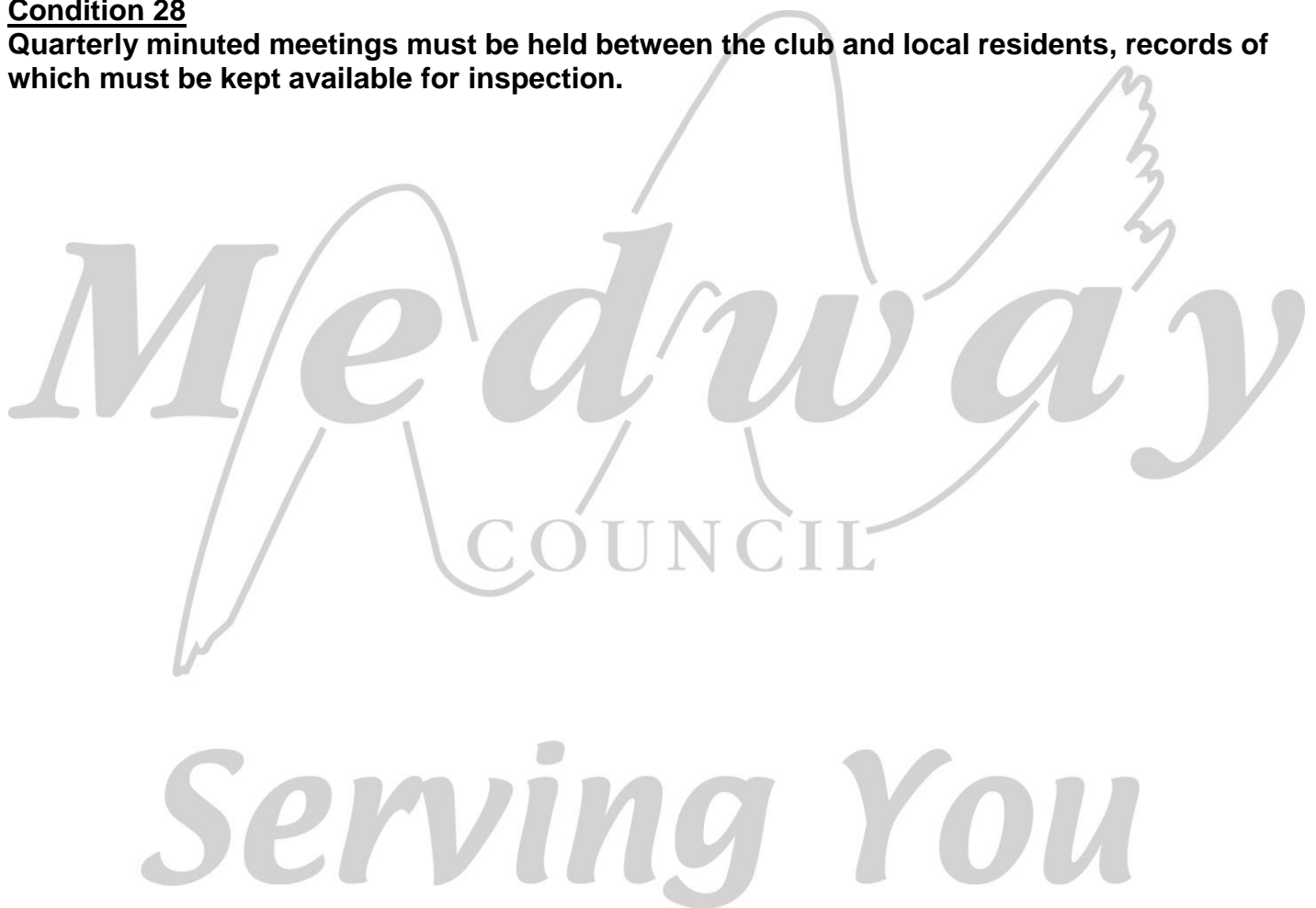
The premises must have working sound limitation equipment installed to the satisfaction of the council's Environmental Health Officer.

Condition 27

The rear garden shall close at 21:00 hours daily.

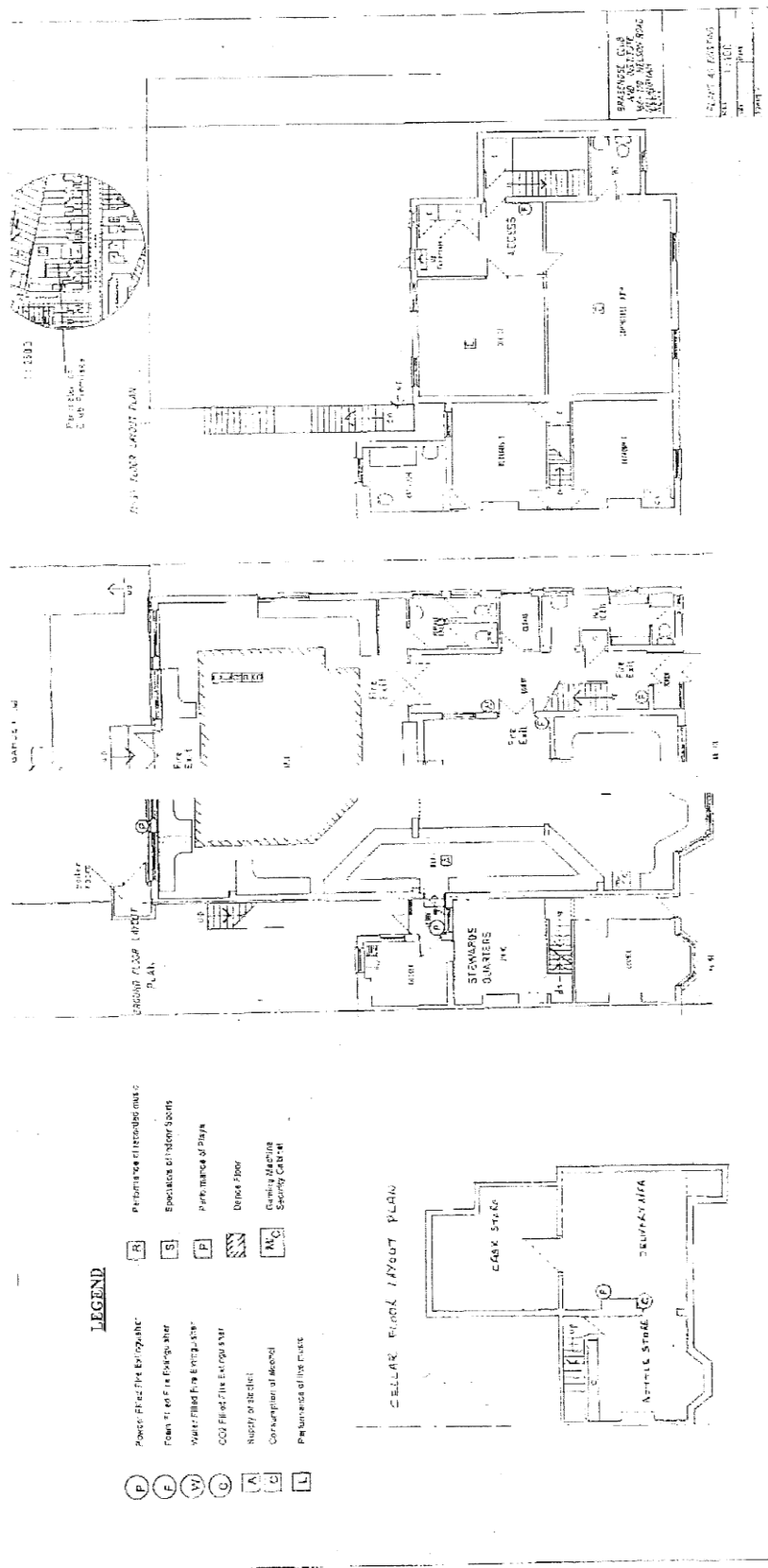
Condition 28

Quarterly minuted meetings must be held between the club and local residents, records of which must be kept available for inspection.



Annex 4 – Plans

Annex 4 – Plans



Plan: NEE 1



Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/We Bakhshish Sandhu

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number Medway/12/01061/PREM
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Brasenose Club 168-170 Nelson Road			
Post town	Gillingham	Postcode	ME7 4LU

Telephone number at premises (if any)	01634 851244
Non-domestic rateable value of premises	£

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	As above		
Post town		Postcode	

Part 3 – Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐

No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☐ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

I would request removal of the following conditions as listed in annex 3 of the premise licence

Remove - Condition 11

The premises will close 30 minutes after last orders are supplied within the authorised hours.

Remove - Condition 15

Under 18's are not allowed in the premises when the committee considers the entertainment to be of an adult nature

Remove - Condition 16

Notices displayed at entry points to the Lounge Bar that under 18's are strictly prohibited from entering

Remove - Condition 18

Club employees are instructed to not admit or serve anyone behaving in a drunk and disorderly fashion and files to be kept of customers of any reported misconduct

Remove - Condition 22

Access by members of the public to the premises shall be limited to members of the club guests of a member or those attending a pre-booked private function

Remove - Condition 23

Prospective members shall be subject to a waiting period of 48 hours between application and admittance as a member of the club

Remove - Condition 24

Members of the club shall be subject to the rules of membership concerning conduct and discipline

Remove - Condition 25

A qualified sound engineer must carry out an acoustic report within two months of the issue of this licence in order to assess the extent of the breakout of amplified sound from the premises. The report must also make recommendation about works that may need to be carried out in order to ensure that no amplified sound reaches the façade of the nearest property. A copy of this report to be submitted promptly to the council's licensing manager; who will co-ordinate internal distribution; which will include Environmental Health

Remove - Condition 26

The premises must have working sound limitation equipment installed to the satisfaction of the council's Environmental Health Officer

Remove – Condition 28

Quarterly minuted meetings must be held between the club and local residents, records of which must be kept available for inspection

Replace / Vary – Condition 27 to the following

No consumption of alcohol to take place in the beer garden after 23.00 and noise levels in the beer garden will be monitored after 23.00 by a responsible person

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

- a) plays (if ticking yes, fill in box A) ☐
- b) films (if ticking yes, fill in box B) ☐
- c) indoor sporting events (if ticking yes, fill in box C) ☐
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☐
- e) live music (if ticking yes, fill in box E) ☐
- f) recorded music (if ticking yes, fill in box F) ☐
- g) performances of dance (if ticking yes, fill in box G) ☐
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) ☐

Provision of late night refreshment (if ticking yes, fill in box I) ☐

Supply of alcohol (if ticking yes, fill in box J) ☐

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			
Fri			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u>		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)	
Wed				
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)	
Fri				
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)	
Sun				

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon					
Tue					
Wed			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p>

Please tick as appropriate

- I have enclosed the premises licence ☐
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon			<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)</u></p>
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

--

b) The prevention of crime and disorder

--

c) Public safety

--

d) The prevention of public nuisance

--

e) The protection of children from harm

--

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or ☐
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable, ☐
- I understand that I must now advertise my application. ☐
- I have enclosed the premises licence or relevant part of it or explanation. ☐
- I understand that if I do not comply with the above requirements my application will be rejected. ☐

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	14-1-2014
Capacity	owner

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Post town		Post code	
Telephone number (if any)			

Amendments to the original application

Original application

Remove -Condition 11

The premises will close 30 minutes after last orders are supplied within the authorised hours.

Remove – Condition 15

Under 18's are not allowed in the premises when the committee considers the entertainment to be of an adult nature

Remove – Condition 16

Notices displayed at entry points to the Lounge Bar that under 18's are strictly prohibited from entering

Remove – Condition 18

Club employees are instructed to not admit or serve anyone behaving in a drunk and disorderly fashion and files to be kept of customers of any reported misconduct

Remove – Condition 22

Access by members of the public to the premises shall be limited to members of the club guests of a member or those attending a pre-booked private function

Remove – Condition 23

Prospective members shall be subject to a waiting period of 48 hours between application and admittance as a member of the club

Remove – Condition 24

Members of the club shall be subject to the rules of membership concerning conduct and discipline

Remove – Condition 25

A qualified sound engineer must carry out an acoustic report within two months of the issue of this licence in order to assess the extent of the breakout of amplified sound from the premises. The report must also make recommendation about works that may need to be carried out in order to ensure that no amplified sound reaches the façade of the nearest property. A copy of this report to be submitted promptly to the council's licensing manager; who will co-ordinate internal distribution; which will include Environmental Health

Remove - Condition 26

The premises must have working sound limitation equipment installed to the satisfaction of the council's Environmental Health Officer

Remove – Condition 28

Quarterly minuted meetings must be held between the club and local residents, records of which must be kept available for inspection

Replace / Vary – Condition 27 to the following

No consumption of alcohol to take place in the beer garden after 23.00 and noise levels in the beer garden will be monitored after 23.00 by a responsible person

Amendments to the original application following consultation and agreement with the Police

Many thanks for your application to apply for a full variation to your licence. If I could work through my thoughts regarding the removal of each condition.

Condition 11

Yes agree

Condition 15

Is there any adult entertainment shown now? If not then yes agree.

Condition 16

Yes agree

Condition 18

Yes agree, if replaced with this

The License Holder will maintain auditable refusal/incident records. These records will detail the following;

- a) Day, Date and Time of Refusal/Incident.
- b) Nature of Refusal/Incident and reason.
- c) Details of or description of the individual.

These records will be made available for inspection to any Police Officer, Police Licensing Officer, and Officer of the Local Authority immediately upon demand.

Condition 22

Yes agree

Condition 24

Yes agree

Condition 25

Noise condition, no comment needed

Condition 26

Noise condition, no comment needed

Condition 28

Yes agree

Condition 27

Yes agree

Whilst changing the conditions would you consider updating **Condition 10** to this?

CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition.

Cameras shall encompass all ingress and egress to the premises, fire exits and all areas where the sale and supply of alcohol occurs.

Equipment must be maintained in good working order, be correctly time and date stamped, recordings MUST be kept on the hard drive and kept for a period of 31 days and handed to Police upon reasonable request.

The premises licence holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format to the Police and Local Authority upon reasonable request.

In the event of technical failure of the CCTV equipment the premises licence holder or DPS must report the failure to the Police Licensing Officer within 24 hours unless the CCTV will be repaired before that time
(licensing.north.division@kent.pnn.police.uk)



Brasenose Club 168-170 Nelson Road Gillingham ME7 4LU

From:
Sent: 08 March 2019 11:45
To: licensing
Subject: Re: The Brasenose club, Gillingham

Hello.

Thank you for the information regarding the change of license for the Brasenose Club.

I would like to object to all of the requests to vary the licence.

Allowing non members of the club (technical turning into a public house) Will I think be a bad idea as opposite the club is a mental health clinic. Is it responsible to allow such a change in view of potential mental health issues to the patients if the practice.

At present there is a curfew of 9pm in the garden area, (it is not being enforced as I have been going to bed at 10.00pm and still hear noise from the club garden) the noise levels are quite high as it is, and you cannot sit in your back garden without hearing the noise, but at least we know the noise will stop at 9.00pm. Also a lot of residents have children and the constant bad language being used in the garden area sometimes is quite appalling. If this potentially will go on all night it's upsetting to the children.

Also a lot of the residents go to bed early as they work early shift patterns. This again will effect the quality of sleep they get.

With regards to serving customers already under the influence of alcohol, I personally have had to call the police to report incidents of fights occurring outside the club and our house, my neighbours have had people from the club vomiting on their cars (parked on their own driveway) The issues from the club that the residents have had to insure are countless.

Mr Sandhu has not held a residents meeting since the last landlord left in the summer (who did a brilliant job of maintaining law and order in the club) and he wants to remove this liaison iPad well.

Basically he wants to remove every part of the terms and conditions that were put in place years ago when the case went to court to safeguard the residents and their families from the disruption that occurs from the club.

I speak on behalf of myself (Kaye Everett) And my husband (Martin Everett) and my 2 teenage daughters.

I hope this email of objection will be passed on to the relevant department.

Many thanks for your time

Kaye Everett

> On 7 Mar 2019, at 13:51, licensing <licensing@medway.gov.uk> wrote:

>

> Dear Ms Everett,

>

> Please find application attached regarding the variation of the licence. Should you wish to make a representation, we need to receive this on or before 12 March. Please see link to our website:-

>

> https://www.medway.gov.uk/info/200193/licensed_premises/182/objecting_to_an_application

>

>

>

>

> Kind Regards,

> Lisa.

> Lisa Hopson

> Licensing Officer

9th March 2019

Dear Sir/Madam,

My name is Nicola Gray and I live with my husband and 2 small children. My house backs directly onto the Brasenose Club. It has been brought to my attention that Bakhshish Sandhu trading as Brasenose Club has made an application for a variation to the premises licence for 168-170 Nelson Road, Gillingham, Kent, ME7 4LU.

I am most surprised that as a neighbour/interested party the licencing authority has not made me aware of the application and supplied details of the application (I have been unable to view the application on the Medway web site and therefore must rely on the hearsay details of the application that have been supplied to me.

It does seem to me that conditions 11, 18, 22, 24, 25, 26, 27 and 28 that were included within the existing licence by the Licencing Authority are necessary conditions for the promotion the licencing objectives – in particular the prevention of nuisance and protection of children from harm (and in this context I am referring to the protection of children residing in neighbouring properties from damage to their health and development by disturbed sleep and protection from lewd language and behaviour). In this respect I particularly object to any variation to the existing Condition 27 which, to me, seems proportionate when considering the use as premises such as these located within the heart of a residential area

As such I object to the application for the variation in the premises licence.

As an Interested Party (a Resident living in premises abutting 168-170 Nelson Road, Gillingham, Kent, ME7 4LU) I would be grateful if you could bring my objection to the attention of the members of the Licensing Authority who will determine this application.

Yours Faithfully,

Nicola Gray

hopson, lisa

From: johnson, clive
Sent: 12 March 2019 19:19
To: licensing
Cc: mcdonald, dan; khan, naushabah (external)
Subject: RE: Objection: Brasenose Club

Dear Licensing

Thank you for your response. I have amended my original email in line with the licensing objectives. The objections I have relate to the licensing objective 'Public Nuisance'.

I have been approached today by a resident of Napier Road who has raised concerns about the recent application for a variation of the above licence. I have advised that resident and any others who have concerns to object today.

The concerns are that the variations will lead to the premises changing in its nature and to the impact on residents changing for the worse. I understand that the premises have not caused difficulties for residents in the past few years but that the removal of the conditions will, they believe, have that effect. Residents believe that the removal of the conditions will result in increased noise and disturbance, particularly to those residents who live in close proximity and who have shared borders with the gardens of the club. The residents also believe that the club will begin to operate more as a public house rather than a membership club.

Specifically, residents believe that:

Removal of Condition 11 will extend the hours of operation of the club which will lead to increased noise and traffic beyond the current hours. This relates to noise as a factor in 'Public Nuisance'.

Removal of Condition 15 will expose under-18s to adult entertainment. This relates to protecting children from harm in 'Public Nuisance'.

Removal of Condition 16 will change the nature of the club to include families which will increase noise and activity levels. This relates to noise as a factor in 'Public Nuisance'.

Removal of Condition 18 seems to allow drunken and disruptive behaviour on the premises. This relates to noise and threats to community safety as factors in 'Public Nuisance'.

Removal of Conditions 22, 23 and 24 will weaken the club's controls over customers of the premises and therefore over their ability to ensure good conduct. This relates to noise and threats to community safety as factors in 'Public Nuisance'.

Removal of Condition 26 will lead to increased noise levels. This relates to noise as a factor in 'Public Nuisance'.

Removal of Condition 28 will lead to a weakening of the relationship between the club and residents; I would be interested to know whether the club has been honouring this arrangement up to now. I have not been invited to a community discussion in my role as ward councillor since May 2015. This relates to community safety as a factor in 'Public Nuisance'.

The Variation of Condition 27 will lead to increased levels of noise affecting residents later in the night; up to now the earlier time when the garden is closed has safeguarded residents' peace in the evenings. This relates to noise as a factor in 'Public Nuisance'.

As things stand, I will not be able to make representations on behalf of residents at the meeting on 2nd April. However, this email is intended as an objection on behalf of residents.

Thank you.

Clive Johnson

Clive Johnson
Medway Labour Councillor for Gillingham South

hopson, lisa

From:
Sent: 08 March 2019 14:37
To: licensing
Subject: Nelson Road Sport & Social Club

Dear Sir/Madam,

We would like to strongly object to the licence application for the Nelson Road Sport & Social Club Ltd. (168-170 Nelson Road, Gillingham).

These premises are totally unsuitable to have these licencing laws changed so that they become a Public House, with no members, longer opening hours and no noise restrictions in the garden area, and no curfew. If these changes to the licencing laws takes place then there will be problems with crime, disorder, public safety, prevention of public nuisance and protection of children / young persons from harm.

To remove any of the conditions currently in place would be detrimental to all the surrounding residents, the general public and children / young persons.

To have a club with no membership restrictions, restrictions lifted on who can enter (especially under 18's when entertainment is of an adult nature), club members/staff no longer refusing to serve anyone behaving in a drunk and disorderly fashion, no files kept of customers of any reported misconduct, will all cause an increase in crime and disorder in the area, would not protect the public or children / young persons. Also if would be detrimental to the area and it's residents if there are no restrictions on noise levels and curfews are removed.

Currently the club does not always adhere to all the conditions put in p!ace, with noise and drinking still happening in the garden after the curfew, often there is swearing and unacceptable language and unruly children before the curfew. Also we regularly have to clear rubbish (bottles, glasses, etc.) from the back of our garden which backs onto the club premises.

Once again we strongly object to all these variations (Removal of conditions 11, 15, 16, 18, 22, 23, 24, 25, 26, 28, and varying/replacing condition 27), being agreed for the club.

Yours Sincerely
Mr CR & Mrs CJ Debont

hopson, lisa

From:
Sent: 08 March 2019 17:16
To: licensing
Subject: Licence application for the Nelson Road Sport & Social Club
Medway/12/01061/PREM

Dear Sir

I would like to object to the recent request by Mr Sandhu to remove certain conditions to the licence application for the Nelson Road Sport and Social Club.

I have had to endure years of noise from the club with regards to loud music, screaming kids and abusive adults. My garden/house is very close to the venue and the noise has been a nuisance most weekends and late into the evening.

I would prefer it if the club was to close altogether.

Kind regards
Mrs M Bastable

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hopson, lisa

From:
Sent: 12 March 2019 13:42
To: hopson, lisa
Subject: Re: Full Variation Brasenose Club, Nelson Road, Gillingham Kent

To, Lisa Hopson
Licensing Officer
Medway Council
Gun Wharf
Dock Road
Chatham
ME4 4TR
DX 140142 CHATHAM 8

Subject: Licensing Application Brasenose Club

Dear Lisa

With regards to the application of removal of conditions by Brasenose Club, I would like to register a strong protest against this application.

Brasenose Club is located in a quiet residential area and we share a border wall. It has been a members only club and had some conditions imposed after constant noise and unruly behaviour disrupted peace in the neighbourhood in 2014 when Mr Sandhu returned to manage the Club.

Please see Police reference numbers :

03/08/2014: 03-1855

09/08/2014: 09-1833

: 20-0022

21/09/2014: 21-17-31 - this resulted in a call to the Council 01634 304400

Despite our efforts, little change was made and matters had to be reported when trying to discuss issues with him, he said - ' Do what you want to do' tafter having failed to rein in the unsocial elements.

There was a management change and we had relative peace as new management took over and stayed till 2018.

The request for removal of conditions:

Condition 11- Closure of premises 30 minutes after last orders served - excludes any obligation on the premises to close at night at a specified time.

Condition 15- Under 18s are not allowed in the premises when committee considers the entertainment to be of an adult nature ???

The idea of activities considered of an 'adult nature' is very non-specific and absolutely ridiculous and unacceptable in a residential area.

Condition 16- Notices displayed at Lounge Bar.....under 18s are strictly prohibited from entering.. (This sign is not at the bar but should be at the door unless it reads, 'No alcohol below....'

Does this mean that they will also be allowed to buy alcohol?
There has been no problem with children coming in when parties are organized but putting a notice like that at the Bar has negative connotation.

Condition18- Club employees are instructed not to admit or serve anyone behaving in a drunk or disorderly fashion and files to be kept of customers of any reported misconduct ...

This is inviting trouble and giving a blanket invitation to unruly and drunk elements seriously putting in question the intention of Mr Sandhu which was in the past a serious problem because he was never able to control drunk clients with unruly behaviour and brawls spilling on to the street at midnight. This happened during working week and not just on weekends.

Condition 22- Access of members of public.....limited to members of club guests or those attending a pre-booked private function...

This puts not only the local residents at risk but also the people booking parties and the club employees themselves as they will lose control over attendees and their accountability.

Condition 23- Membership shall be subject to a waiting period of 48 hours.....

Waiving this restriction would result in people barging in from the street in an uncontrolled manner and applying just to gain entrance at that given moment instead of being really interested in membership. This could encourage anti-social behaviour as not everybody has a photo ID and anybody can join as Mr Smith with any date of birth.

My concerns which are shared by the neighbours could also affect mental health patients attending the Talking Therapies Point just opposite my property which shares a boundary with the Brasenose Club (at the site of former Nelson Road Surgery run by West Malling Group). Patients come in for face to face consultations and have counselling at the above point and having an open access alcohol bar with no restrictions and adult activity - we don't know what Mr Sandhu meant by that yet- is putting them at an unacceptable risk.

Please consider that one of the conditions imposed on the Club was to have regular meetings with the local residents. No meetings have taken place for a long time.

When I asked Mr Sandhu about the Licensing Application which is displayed, he was evasive and said it was to get some conditions waived like the one to have regular meetings. Only approaching the Council gave us an insight of what his intentions were.

At , we share a wall with the Brasenose Club. The wall is too low from the entrance segment and people walking on the Club side have a full view of our kitchen and garden. Likewise people smoking outside the Club entrance throw cigarette butts in our driveway and garden and we do get occasional missiles in the form of rubbish and stones from the Club side.

We have repeatedly requested over the years that the Club raise the wall to a level to give us some privacy but this has not happened. Even damage to the wall in 2011 from snow and winds was repaired by us but not before we were burgled as there was free access from the Club side. The responsibility of repair lay with the Club but they left it for months. The previous owners had to raise the wall in one segment to prevent people looking over the wall into the private garden.

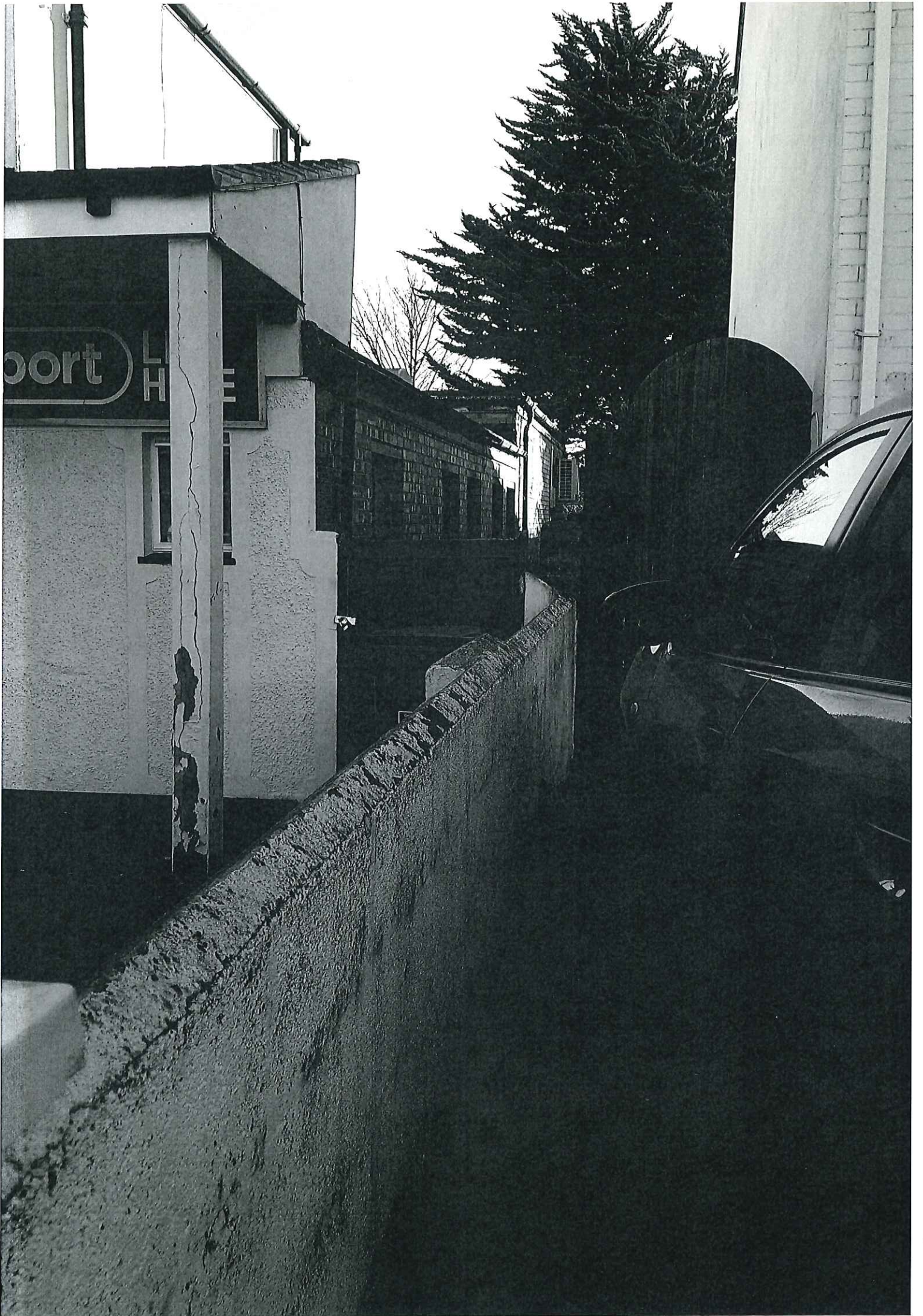
We have serious concerns over escalating unsocial behaviour which would result from Mr Sandhu's application and I would ask the Council to reject any changes or condition waivers requested as this is not a society friendly approach to business. On the contrary, Mr Sandhu is exhibiting utter disregard for neighbours, patients and society as a whole and needs to reconsider his business plans.

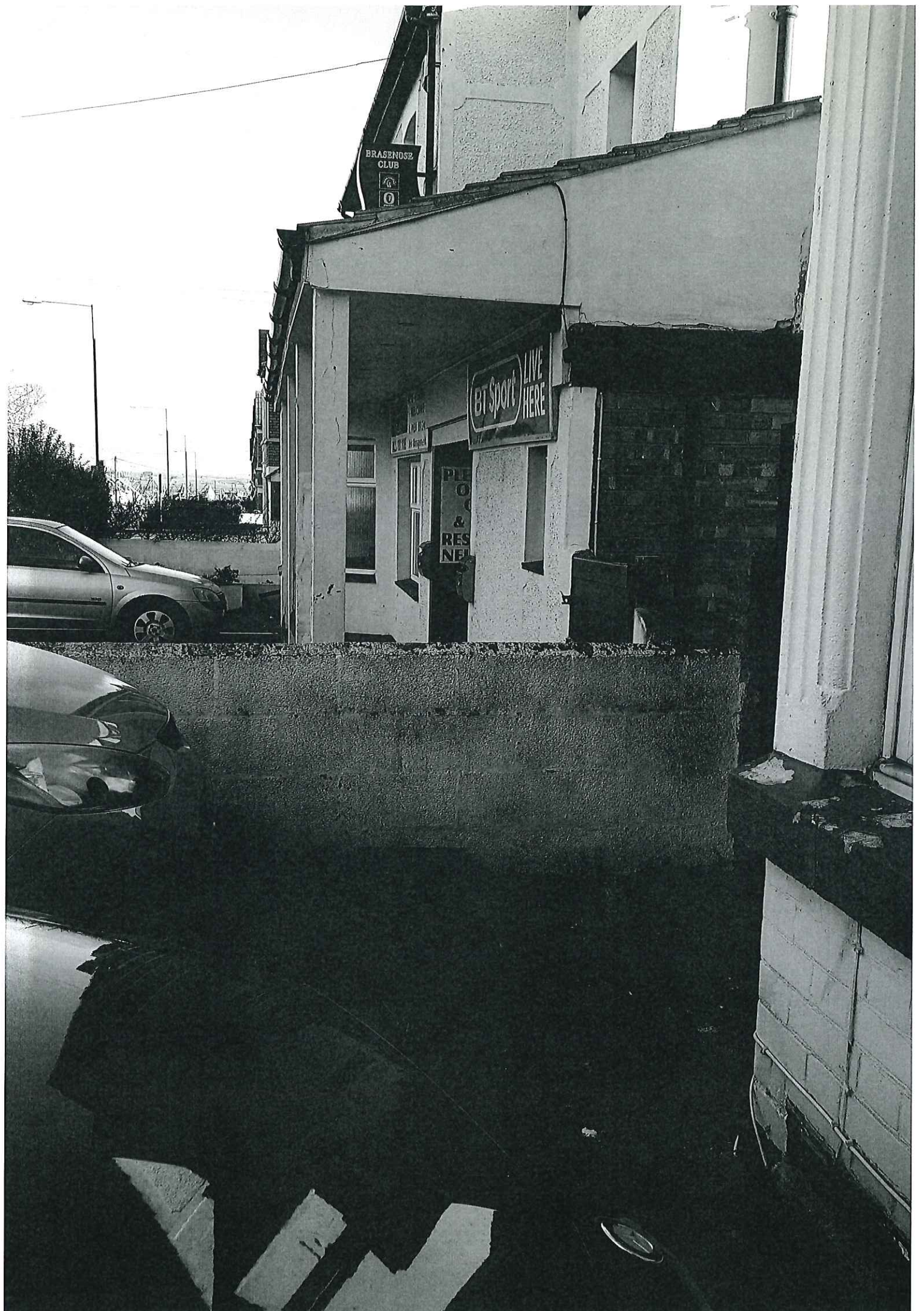
Thank you for your kind assistance

Yours sincerely

Drs Sanjeev and Maria Juneja

P.S: Could I kindly request confirmation of receipt of this letter? Thank you.





6 MAR 2019

Licencing Authority
Medway Unitary Authority
Gun Wharf
Chatham
Kent
ME4 4TR

3rd March 2019

Dear Sir/Madam,

Objection to an Application for Licencing Cancellation of Conditions Brasenose club 168-170 Nelson Road, Gillingham, ME7 4LU

We live at [redacted] which makes us near neighbours of the Brasenose Club. When we first moved into our house in 1987 the club was a well behaved and discrete private social club which seldom disturbed the residents. Unfortunately, the major changes introduced by the Licencing Act 2003 left councils overwhelmed with licensing changes and this we would contend allowed the club to obtain licensing conditions inappropriate to a residential area. The Health Act 2006 then drove smokers outside aggravating the situation.

The change of conditions also allowed considerable increase in the number and length musical performances, discos and karaoke in an old building unsuited to the containment of sound with volume systems regularly not being connected has caused considerable issues for the club's neighbours.

The club committee no doubt saw the legislative changes as an opportunity to increasing their income. Unfortunately, they did this with little or no consideration for the fact that they sit within a residential area. Relations with the club deteriorated aggravated by poor management and a bar manager who had little respect for the local community.

The result was the failure of the club and its purchase by the current owner who immediately tried to further extend the license. This was opposed by the residents and upheld by the council licensing authorities who added additional conditions to the licence to discourage the previous poor behaviour. It is these conditions specifically added to counter the club's poor behaviour that the owner is attempting to have removed. For reference, the evidence presented at that time can be found at Enclosure 1 to this letter.

Since that time, the behaviour has improved but still causes problems. It is our contention that if the requested removal of conditions be granted, this club will once again deteriorate in its behaviour.

At Enclosure 2 may be found the diary of poor behaviour and breaches of licensing objectives and conditions. This diary approach was confirmed by the Environmental Protection Team (Medway Council EPT letter Reference WK/201615253 dated 30 May 2017). I should emphasise that we were not allowed a view of the current licence so it is difficult to verify whether the club is meeting its specific licensing conditions. All we see is the behaviour, good and bad.

The owner has provided a phone number, which is helpful, but declines to receive emails detailing issues and on the one occasion when I have written formally has failed to respond or acknowledge the letter. The mandated regular meetings with local residents have never been minuted (despite requests) and have failed to take place at all for at least a year in breach of **Licence Condition 28**.

We are particularly concerned by the proposal to relax **Condition 27**. This condition was added to the club licence due the poor behaviour in the rear gardens and the impact it was having on surrounding houses, particularly those with young children. We do not record occasions when people are in the smoking shelter quietly smoking, as this reduces noise nuisance at the front of the club. However, if this condition was completely waived by allowing full use of the garden after 21:00 in the evening and the use of alcohol in the garden that would quickly deteriorate back to the problem behaviour that occurred prior to the imposition of **Condition 27**.

Our view of this club is very simple. Either it is a 'discrete' private club, in which case the conditions specified on the licence are perfectly reasonable. Or it is trying to turn itself into a public house, whilst avoiding the scrutiny appropriate to that status.

To summarise, we contend that the better behaviour of this club is directly due to the sensible conditions placed on it at the last licensing change in 2012 in response to consistently poor behaviour. If many of these conditions are now removed, particularly **Condition 27**, we believe that there is a high probability that the behaviour of the club will again deteriorate at the expense of the residents. We strongly urge the committee not to relax the conditions on the Brasenose Club.

Yours,

AH Reeds

Enclosures:

1. Previous evidential submission.
2. Diary of club behaviour.
3. Letter of complaint to Brasenose Club.

Previous Objection Letter

Licencing Authority
 Medway Unitary Authority
 Gun Wharf
 Chatham
 Kent
 ME4 4TR

30th October 2012

Dear Sir/Madam,

Objection to an Application for Licencing and Variation of Opening Hours
 Nelson Road Sport & Social Club Ltd

Gillingham. We have owned our house for the last 15 years and we have had growing problems with this club since the introduction of the Licensing Act 2003. Opening hours have been progressively increased by the licensing committee despite the objections of local residents. The Health Act 2006 drove smokers outside aggravating the situation and has regularly made our garden un-useable unless we are prepared to listen to music, shouting and obscenities.

The problems became significantly worse when the Licencing committee relaxed licenced hours for music in 2008 extending it from one to seven days a week. All these changes took place without the environmental health department visiting to check the suitability of the venue or checking the veracity of statements made by club officials regarding noise. This was no doubt as a result of work load but as a consequence the council was failing to protect the interests of local residents.

The club has now effectively collapsed due to poor management. The club premises are now owned by a private company based in the north of England. They are currently running a competitive process to select one of four companies who will run the club to maximise income. No doubt to the increasing detriment of their neighbours. Intense competition, focus on profits, an absentee owner and an absentee licence supervisor are all matters of great concern for the local residents. This is no longer a not for profit community club.

I have made many attempts to open a dialogue with this club (as can be seen in the various letters I have enclosed) as have my neighbours, so far without any effect. The Medway Council website says that licensees should actively engage with local residents and this was also a comment on a previous licence hearing minutes. I have repeatedly spoken with the club or written letters objecting to noise and other incidents. In 15 years I have had only one letter in reply. That was an ambiguously worded holding letter deferring action and of little help (See enclosed copy of letter). This club has never engaged with local residents and that is one of the reasons why we have now established a resident's association to fight back.

The last straw was an aggressive individual accompanied by the club manager trying to intimidate us into silence whilst masquerading as a council environmental health officer (See letter to club and copies of email exchanges with Council Executive Complaints Officer enclosed). This individual was clearly a council employee of some kind as he had detailed knowledge of current environmental health issues being investigated in the local area.

In 2008 when the club applied for major increase in its music licencing hours it went through without proper inspection of the premises. The club reassured the council by letter that they were complying with all conditions (see copy attached) when it was patently obvious to local residents that they were not. This taking on trust the statements of the club has caused significant problems for local residents (See internal loose minute from environmental health department and letters from club to Medway Council). The flat roofed extension at the rear of the club where music is played is totally unsuitable for the playing of live music, discos and karaoke. It allows a significant proportion of the sound to escape. Windows and doors are frequently left open and sound limiting equipment does not work.

We would like to see this failed club which has caused so many problems for its neighbours close. Failing that, opening hours returned to their 2003 timings (which are bad enough). However the most significant problems caused by this club are noise from loud music penetrating into the houses of the local residents (See evidence) and shouted conversations laced with obscenities which often continue late into the night (see evidence). At the very least their music licence should be withdrawn until such time as work is completed as shown below and verified by formal inspection:

- a. Upgrade the club by sound treating the walls and ceilings.
- b. Build a sound trap double door at the rear.
- c. Modify the windows to prevent opening when music is being played.
- d. Repair or fit new sound limiting equipment.

Finally we would urge that any new premises licence issued should not water down the noise conditions contained in previous licences. Their original club licence specified that no noise from the club should reach the nearest wall of the nearest house. At the last licence meeting a council official attempted to amend that by substituting the word 'façade'. I objected as the word façade as defined in the dictionary means the front of a building and use of this wording would have varied the clubs licence to the great detriment of local residents. This with the very significant increase in the music licence would have made life intolerable. The word façade was then categorised in the minutes as shown below (from council website):

The objectors expressed concern in relation to the word façade, which had been added to condition 9 of the current club premises certificate. Their concern was that this could be interpreted to mean the audibility of noise at the front of the nearest residential property and the problems they had experienced were at the back. The Legal Advisor explained that façade was the word the Council had used but was referring to the external wall of the nearest residential building, as opposed to internally, therefore it would apply to the back of the property also.

Unfortunately this condition is regularly breached. I live two doors away and at its worst the noise of music penetrates into my house and can be heard over the sound of the television. As a journalist and sound engineer I have taken numerous recordings of the noise on a professional camera and audio recorders to demonstrate that they are breaching their licence conditions (See evidence). It does not provide decibel level but that it can be so easily heard clearly demonstrates that they are repeatedly breaching the conditions of their club licence.

A detailed breakdown of issues against licencing objectives and tables cross referencing evidence are enclosed as are copies of letters, emails and documents, video and audio recorded evidence.

Conclusion

Given the poor condition of their building, the regular breaches of their existing club licence, their poor record in relations with their neighbours and the lip service paid to controlling noise, you will appreciate why we are concerned and are lodging this objection. I would point out that I would not object to the presence of the club provided that they treated their neighbours with respect and met their licence conditions something that they seldom done.

I would urge that this new extension of hours not be granted. I would ask the council to conduct a proper inspection of the premises with regard to noise and I would urge that no new licence should be granted without requiring the club to modify the building to fit suitable sound treatment. It is striking from the licence application that they make clear that they have no intention of doing anything to improve the sound problems (See licence application).

Yours

AH Reeds

Enclosures:

Details of specific breaches of the Licencing Objectives
Tables breaking down & cross referencing evidence
Evidential Letters, documents & emails (14 Items)
CD of audio and video evidence

Brasenose Club & Institute Ltd/Nelson Road Sport and Social Club Ltd **Details of Specific Breaches of the Licensing Objectives**

Objective 3 - The Prevention of Public Nuisance

Category of Nuisance:	Description of Incident:	Evidence:
Noise	The major problem is from music reaching houses and gardens nearby plus shouting, swearing and singing in the back garden. Both these go on until as late as 11.30pm and occasionally until after 2359.	Personal statements in covering letter. Video recording of noise. Audio recordings of noise.
Threats to community safety:	First and the most serious was an attempt to intimidate me by a council worker masquerading as an environmental health officer. When I called his bluff he became offensive and aggressive. He was accompanied by the club manager Ms C Hunter who took no action to stop him. On the second occasion our conservatory was damaged by stones thrown at our house by unsupervised children in the club garden late in the evening.	Letter of complaint to club. Telephone conversations with Environmental Health officer. Copies of email exchange with council complaints officer. Letter to club regarding vandalism.
Litter	Beer cans and bottles left when the club members continue their drinking and conversation in the street after closing time.	This is annoying but not the primary issue so we haven't pursued it.
Smoke	Smoking at the front and back of the club caused by anti-smoking legislation of 2006. Main issue the noise of shouting and swearing from those outside the back doors smoking.	See various letters. Audio recordings of loud and offensive language from club garden.

Rubbish and Litter

Licence holders should:	Brasenose Club:	Evidence:
Put a bin outside the entrance of the premises;	Used to have a skip/bin but they could not afford to continue paying for it and now dispose of their rubbish by placing it outside neighbouring properties.	Evidence. Visit on bin day (Wednesday morning) and you will see black bin bags dumped in front of the house at 168 Nelson Road a property owned by the club.
Not empty bottles, bins and rubbish between 11pm and 7am.	Generally they are quite good but when they still had a commercial skip/bin at the front of the club we were occasionally woken late at night by bottles breaking as they were dropped into the bin.	Not applicable given the withdrawal of the commercial waste bin from the club.

Noise

Licensee Should:	Brasenose Club Response:	Evidence:
Keep windows and doors closed during regulated entertainment;	Windows open constantly in hot weather particularly along wall adjacent to No 172 Nelson Road and door open regularly when entertainment taking place.	See audio and video evidence provided of levels of noise emanating from the club extension during music, karaoke and live acts.
Use sound-proofing in the area used for live entertainment;	No evidence of sound proofing being present in the poorly constructed extension where music is played.	Suggest inspection by Environmental Health Officer or appropriate official from planning department.
Install acoustic lobbies at the entrances and exits of the premises;	None exist. This issue has been raised in previous licencing committee meetings without any action being taken by the club.	Visual inspection will show that none exists. Self and neighbours can confirm that windows and doors are frequently open.
Install a sound limiter;	The club admitted in the 2003 licencing meeting that their sound limiting equipment has been broken for some years. There is no evidence that it has been repaired or replaced.	Suggest inspection by Environmental Health Officer to prove whether or not this equipment is fitted and working. They failed to inspect previously before music was extended.
Close gardens and open air areas at 11pm;	No evidence that they ever close the gardens. Shouting swearing and singing continue until closing time or later as does the presence on occasion of unsupervised children in the gardens.	Listen audio evidence some of which was recorded as late as 11.40pm with shouting and talking in the garden still evident.
Move speakers away from walls adjacent to residential properties.	Not Known. However the construction of the building extension where music is played is so poor that it would have little effect.	Again listen to and watch the evidence.

Car parking

Licensee Should Provide:	Brasenose Club Response:
Car parking facilities for the use of customers	No. They use the spaces on the road which are uncontrolled. This takes spaces away from local residents.
Details of the nearest public car park	Not known but unlikely knowing this club.
Notices advising customers not to park in residents' driveways and not to block the highway.	Not known.
	We are about to get a new development of houses and flats across the road from the club which will aggravate this further. Increased activity at the club would inevitably cause even greater problems for local residents.
	None offered.
	We constantly get obstructed by cars, taxis and delivery vehicles using or accessing the club. At the 2003 licensing hearing it was suggested that they should pay to create a loading bay at the front of the club but no action was taken.

Objective 4 - The Protection of Children from Harm

Must be protected from:	Brasenose Club	Evidence:
Strong Language	Constant shouting swearing and expletives from the garden at the rear. Children are regularly in the garden at the same time often until late into the evening and frequently without adult supervision.	Listen to audio recordings of shouting and swearing in the garden. See also letter of complaint regarding damage caused by stones thrown at my windows by children in the garden.
Sexual Expletives	As above.	As above.
Drinking alcohol	Alcohol is being drunk all over the club. It must be assumed that children are present as they are regularly running about.	I have seen this when visiting to complain about noise but not in the bar area.
violence	Generally no but there have been incidents. We have heard fights in the garden occasionally and on at least one occasion recently eight police vehicles responded to an incident at the club.	See letter of complaint. Refer to Medway Police for Crime Number.

Breakdown of Evidence

Table 1 Letters, Emails and Documents

Note 1: These are examples which have survived to be incorporated into this list. A number of emails and documents have been lost over the last 15 years.

Note 2: For every letter to the club shown here there are numerous face to face conversations with them that inevitably cannot be recorded.

Ref	Dated	From	Type	Content	Description
1	23 Aug 2005	Kelly Jones Environment Protection Officer Medway Council	Loose Minute to Chris Webb	Note from environmental health showing that they were taking reassurance from club regarding noise without bothering to check.	Hard pressed environmental health accepting reassurances and failing to properly assess noise problems being caused by Brasenose Club as a result of inadequate management and infrastructure.
2	22 Aug 2005	Brasenose Club	Letter	Covering letter of assurance to environmental health department from club regarding taking action on noise.	Covering letter from club.
3	22 Aug 2005	Brasenose Club	Letter	Letter of confirmation from club that all measures are taken and live music does not disturb neighbours.	Lack of honesty in this letter is striking. Evidence enclosed of recordings demonstrate that this was
4/2	16 Dec 2008	Licensing Hearing Panel - Sub-Committee of Licensing and Safety Committee	Meeting document for Brasenose Club	Confirmation that façade means nearest wall of nearest building and inaccurate statement from club regarding management of noise.	Prevention of public nuisance. Noise pollution from club. Inaccurate statement by club regarding noise prevention.
5/4	05 Aug 2009	AH Reeds	Letter to Club	Complaint loud music and shouting until after 11pm rear door to club left open all night.	Prevention of public nuisance. Noise pollution from club. Breach of licence conditions. Doors left open contrary to their statements at licensing panel.
		Response from Club			No Response from Club
6/7	10 Aug 2009	AH Reeds	Letter to Club	Letter complaining at loud karaoke music entering my house and unsupervised screaming children in garden. Requesting that they meet their licensing conditions	Prevention of public nuisance. Noise pollution from club. Breach of licensing conditions. Protection of children.
		Response from Club			No Response from Club

Ref	Dated	From	Type	Content	Description
7/8	14 Aug 2009	AH Reeds	Letter to Club	Letter complaining of vandalism by unsupervised children in club garden. Stones being thrown at our conservatory and that of neighbours.	Failure to meet licence conditions. Failure to protect children. Lack of respect for neighbours.
8/10	21 Aug 2009	Brasenose Club	Letter from Club	Holding letter from club regarding vandalism. No other response ever received.	Holding letter saying they will discuss it at their next meeting. No apology and no further communication to explain incident ever received.
9/3	03 Oct 2010	AH Reeds	Letter to club	Attempt to build relationship with the club and to reduce the noise problems that they are causing.	Prevention of public nuisance. Noise pollution from club. Breach of licence conditions. Attempts to build relationship with club to solve problem.
		Response from Club			No Response from Club
10/9	16 Dec 2010	AH Reeds	Letter to Club	Loud music, poor management of the club and 6 police vehicles responding to incident at the club	
		Response from Club			No Response from Club
11	3 Sep 2011	AH Reeds	Telephone	Discussion with duty environmental health officer trying identify individual from club claiming to be a Medway Council Environmental Health Official.	Confirmed not an official but acknowledged that they seemed to know a great deal about current complaints being dealt with by Medway Council environmental health department.
12/5	05 Sep 2011	AH Reeds	Letter to Club	Objection to loud noise. Visit by council official masquerading as environmental health officer (escorted by club manager) and intimidation.	Prevention of public nuisance, breach of noise and requesting that the club manager identify the individual she was accompanying outside my house who was masquerading as an environmental health officer.
		Response from Club			No Response from Club
13	Sep 2011	Environmental Health Medway Council	Email chain	Series of emails between AH Reeds and Sarah Foster regarding misbehaviour of council employer and noise from Brasenose Club.	Attempts to identify the individual who was masquerading as a council official and appeared to be a council worker and request to lodge formal complaint.

Ref	Dated	From	Type	Content	Description
14	Oct 2011	Response from Council Chief Executive Complaints Officer Medway Council	Email chain	Series of emails between AH Reeds and Sam Best regarding misbehaviour of council employee.	No further Response from Council Pressing to get council to acknowledge issue and action complaint.

Breakdown of Evidence

Table 2 Audio and Video Recordings of Club Noise Problems

Note 1: Initially I did not date stamp the recordings to link them to specific dates. Therefore some of the recordings are not dated or not fully dated. However the conditions regarding noise are very clear. Music and noise should not reach the wall of the nearest house to the club. These recordings will demonstrate that this club is breaching these conditions constantly.

Note 2: Video footage was filmed using a professional Sony PD170 news gathering camera with standard Sennheisser microphone and delivered as WMV files the format most likely to play on council or other computers.

Note 3: Audio recordings were captured using a variety of professional radio recording equipment including Marantz digital recorder and HNB Flashmic Recorder and have been provided as MP3, the format most likely to play on council and other computers.

Note 4: Recordings made from the rear of my house which is approximately 20 metres from the wall of the club two houses away or from my garden office which is approximately 40 metres from the club.

Srl	Date Where Known	Title of File	Content	Comments
1	July 2012	1.Jul 12 Live Group in Club.wmv	Video recording of live group performing inside the club filmed from back of my property.	Prevention of public nuisance. Very loud music penetrating into our house in breach of licence conditions.
			Examples below of consistency of noise over the period of a single day	
2	Aug Bank Hol	2.August bank holiday loudspeakers.mp3	Audio recording of loudspeakers being used in the garden mid-afternoon of August Bank holiday.	Prevention of public nuisance. Noise. Breach of licence conditions.
3	Aug Bank Hol	3.August bank holiday 7pm.mp3	Audio recording music and noise from the club.	Prevention of public nuisance. Noise. Breach of licence conditions.
4	Aug Bank Hol	4.August bank holiday 10pm.mp3	Audio recording music and noise from the club.	Prevention of public nuisance. Noise. Breach of licence conditions.
5	Aug Bank Hol	5.August bank holiday 1105pm.mp3	Audio recording late at night with noisy music still coming from the club.	Prevention of public nuisance. Noise. Breach of licence conditions.
			Examples of failure to close garden at night	
6	Undated	6.Shouting in Garden 1130pm.mp3	Audio recording loud shouting and talking in garden late at night.	Prevention of public nuisance. Example of how gardens are never closed at night.

Srl	Date Where Known	Title of File	Content	Comments
7	15 Sep 07	7.Shouting in Garden 1130pm 15 Sep 07.mp3	Audio recording loud shouting and talking in garden late at night.	Prevention of public nuisance. Example of how gardens are never closed at night.
8	Undated	8.Shouting and swearing in garden.mp3	Audio recording shouting and obscenities in garden late in the evening.	Prevention of public nuisance. Example of how gardens are never closed at night.
9	Undated	9.Club loud talk obscenities.mp3	Audio recording shouted conversation laced with obscenities in garden of club.	Prevention of public nuisance. Example of how gardens are never closed at night.
10	Undated	10.Loud music and obscenities.mp3	Audio recording shouted conversation and obscenities in the club garden.	Prevention of public nuisance. Example of how gardens are never closed at night.
11	Undated	11.Noise and shouting 1110pm.mpe	Audio recording noise and shouting 1110pm at night.	Prevention of public nuisance. Example of how gardens are never closed at night.
			Misc examples of Music and Shouting	
12	06 Sep 08	12.Loud music and shouting 6 Sep 810pm.mp3	Audio recording music and shouting through public address system late at night.	Prevention of public nuisance. Noise. Breach of licence conditions.
13	01 Sep 07	13.Sat 1 sep 07 1045pm loud music.mp3	Audio recording Loud music and shouted conversation late in the evening.	Prevention of public nuisance. Noise. Breach of licence conditions.
14	06 Sep 08	14.Sat 6 Sep 08 loud music and shouting.mp3	Audio recording loud music and shouting late in the evening.	Prevention of public nuisance. Noise. Breach of licence conditions.
15	Undated	15.Karaoke bad Elvis late at night.mp3	Audio recording loud karaoke late in the evening. Particularly unpleasant.	Prevention of public nuisance. Noise. Breach of licence conditions.
			Recorded at Front of our Property	
16	Undated	16.Loud voices in road outside club.mp3	Audio recording loud conversations in front of the club at closing time.	Prevention of public nuisance. Noise. Breach of licence conditions.
17	Undated	17.Midnight shouting outside club.mp3	Audio recording shouting at the front door of the club. You can hear club door closing.	Prevention of public nuisance. Noise. Breach of licence conditions.
			Finally variety of loud music and voices	
18	Undated	18. Loud music and shouting.mp3	Audio recording loud music and shouting late in the evening.	Prevention of public nuisance. Noise. Breach of licence conditions.
19	Undated	19.Loud talking and music.mp3	Audio recording loud talking and music late in the evening.	Prevention of public nuisance. Noise. Breach of licence conditions.
20	Undated	20.Loud music undated.mp3	Audio recording loud music from the club late in the evening.	Prevention of public nuisance. Noise. Breach of licence conditions.

INTERNAL MEMORANDUM

Environmental Health Services - Development and Environment

Compass Centre, Chatham, Kent ME4 4YH

To: Chris Webb
Licensing Co-ordinator

From: Kelly Jones
Environmental Protection Officer
Environmental Health

Contact No: 1105

Email: Kelly.jones@medway.gov.uk

Ref: WK/200506465

Date: 23 August 2005

Re: Premises Licence Application – Brasenose Club, 168-170 Nelson Road,
Gillingham

The Brasenose Club is situated in a residential area. There is one complaint of noise from the premises on record.

I have recommended the following points on how noise from regulated entertainment (amplified and acoustic sound) will be controlled so that it does not cause a public nuisance when experienced from adjacent residential properties: -

Noise!!

- When regulated entertainment, which generates significant noise, is taking place, doors and windows will be kept shut. *Not realistic!*
- Reproduced or live music is to be set at a level so as not to be audible at the nearest residential premise.
- The Duty Manager or relevant person should assess noise levels on a regular basis, to prevent excessive breakout.

Following receipt of a copy of a letter dated 22 August advising of the points mentioned above, I do not have any objections to this application.

Kelly Jones
For the Head of Environmental Health

THE BRASENOSE CLUB & INSTITUTE LTD

(AFFILIATED TO THE C&I UNION)

Club and Office
168 Nelson Road,
Gillingham,
Kent. ME7 4LU
Telephone 01634 851244

President: Mr C Wood

Secretary Mrs C. M. Hunter

Licensing Unit, Finance and Corporate Services,

MEDWAY COUNCIL,

Civic Centre,

STROOD, Rochester,

Kent

ME2 4AU

For the attention of Chris Webb

MEDWAY COUNCIL	
FILE NO	
25 AUG 2005	
TO:	
ALLEN	1/1/05

22 August 2005

Dear Sir,

RESPONSIBLE AUTHORITY OBJECTION NOTICE DATED 1 AUGUST 2005

Further to your letter of 11 August last in relation to the above, contact has been made with Mr Wilders of the Environmental Health department. As a result, the Club has made certain assurances, which are contained in a letter of which a copy is attached.

Also, it is confirmed that the Club will be represented at the Hearing Panel on Friday 16th September next.

Yours faithfully,

Secretary

VICE-PRESIDENT & BAR AND FINANCE CHAIRMAN - G. HIGGINS

TREASURER - S. BLENCH

SOCIAL SECRETARY - G. BROWNLEE

BAR AND FINANCE - G WEBB

BAR AND FINANCE - A BRITT

BAR AND FINANCE - R KING

BAR AND FINANCE - C GRIFFITHS

SOCIAL - A BRITT

SOCIAL - P DENSON

SOCIAL - S McKAY

HOUSE - F FAGG

HOUSE - M ALLEN

HOUSE - G MALONE

THE BRASENOSE CLUB & INSTITUTE LTD

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Club and Office
168 Nelson Road,
Gillingham,
Kent. ME7 4LU

Telephone 01634 851244

President: Mr C Wood

Secretary Mrs C. M. Hunter

Head of Environmental Health,
MEDWAY COUNCIL,
Compass Centre, Pembroke,
CHATHAM Maritime,
Kent
ME4 4YH
For the attention of Gavin Wilders

22 August 2005

Dear Sir,

RESPONSIBLE AUTHORITY OBJECTION NOTICE DATED 1 AUGUST 2005

Thank you for your comments contained in the afore-mentioned notice.

In response to the points raised with regard to the protection of amenity of local residents, the club can confirm the following:

- All reasonable steps are taken to contain any significant noise, which includes doors and windows kept closed during regulated entertainment.
- Reproduced or live music is kept to a volume not to disturb neighbours and, also not to the detriment of members and guests in the club's lounge bar.
- Management and staff are instructed to assess noise levels on a regular basis to ensure no excessive breakout occurs.

We hope that the measures detailed above, in addition to those included in our application, satisfy your requirements for the prevention of public nuisance and that your objection will be withdrawn

Yours faithfully,

Secretary

VICE-PRESIDENT & BAR AND FINANCE CHAIRMAN - G. HIGGINS

TREASURER - S. BLENCH

SOCIAL SECRETARY - G. BROWNLEE

BAR AND FINANCE - G WEBB

BAR AND FINANCE - A BRITT

BAR AND FINANCE - R KING

BAR AND FINANCE - C GRIFFITHS

SOCIAL - A BRITT

SOCIAL - P DENSON

SOCIAL - S McKAY

HOUSE - F FAGG

HOUSE - M ALLEN

HOUSE - G MALONE

Meeting documents

Licensing Hearing Panel - Sub-Committee of Licensing and Safety Committee

Tuesday, 16 December 2008

Licensing Hearing Panel
Sub-Committee of Licensing and Safety Committee

Tuesday, 16 December 2008

9:30 am to 12:12 am

Record of the meeting

PRESENT:

Committee members: Councillors Kenneth Bamber (Chairman), Burt and Hicks

539 ELECTION OF CHAIRMAN

Councillor Kenneth Bamber was elected as Chairman.

540 RECORD OF THE MEETING

To agree that the Chairman, after consultation with the other members of the panel, sign the record of this meeting outside the meeting.

541 HEARING FOR BRASENOSE CLUB AND INSTITUTE, 168-170 NELSON ROAD, GILLINGHAM

Discussion:

The Panel heard an application to vary the existing club premises certificate in respect of The Brasenose Club and Institute, 168-170 Nelson Road, Gillingham.

The application details were as follows:

1. To add the licensable activity of live music, recorded music, provision of facilities for dancing, Sunday to Thursday midday to 23.00 and Friday and Saturday midday to midnight to the existing club premises certificate.

A copy of the application as submitted was at Appendix A of the report.

The Licensing Manager introduced the application and informed the Panel that there were no objections from the police or from the Environmental Health Team.

The Applicant stated that the reasons why he had requested the variation was because he wanted to be able to provide some events for older people and children, possibly five events a year.

The objectors expressed concern in relation to the word façade, which had been added to condition 9 of the current club premises certificate. Their concern was that this could be interpreted to mean the audibility of noise at the front of the nearest residential property and the problems they had experienced were at the back. The Legal Advisor explained that façade was the word the Council had used but was referring to the external wall of the nearest residential building, as opposed to internally, therefore it would apply to the back of the property also.

The objectors then raised their concerns in relation to noise levels from the club and times to which noise could be heard, which they claimed was disruptive and had been in breach of current club licence certificate conditions.

The Applicant explained that measures were in place to prevent such disturbance to neighbours, such as a safety clasp on the back door to the club to ensure it was not left open and a system to cut off noise if it reached a certain level.

Brasenose Club & Institute
168-170 Nelson Road
Gillingham
Kent
ME7 4LU

5th August 2009

Attn: Club Secretary

Dear Sir/Madam,

Noise from Club Premises

I am your neighbour [REDACTED]. The noise from your club on Saturday the 1st August 2009 was, throughout the evening extremely intrusive. Our peace and quiet was disrupted by both loud conversation (including shouting) and loud music reaching my garden and into my house until after 11 o'clock at night. The back door to your club (the one into the garden) was wide open all evening aggravating the situation and allowing high levels of music and general noise to escape. I would add that your rear door is almost invariably open in fair weather and foul.

Could I ask you to take appropriate measures to reduce the noise level to that defined in your club licence and ideally for our peace of mind let us know how you will prevent this from happening again?

I have spoken with both my immediate neighbours the [REDACTED] and the [REDACTED] and they were also badly affected by the noise. Indeed in the case of the [REDACTED] they tell me that their children were prevented from sleeping by the noise.

We try to be good neighbours to those living alongside us and not make loud noise late into the evening. Needless to say we expect the same from our neighbours. We don't expect your club to be totally silent 24 hours a day 365 days per year but we would remind you that this is a residential area. Equally we would hope that you will actively meet your commitments as a good neighbour as well.

Yours Sincerely,

Mr AH Reeds

Brasenose Club & Institute
168-170 Nelson Road
Gillingham
Kent
ME7 4LU

10th August 2009

Attn: Club Secretary

Dear Sir/Madam,

Noise from Clu

On Saturday 8th August 2009, once again there was loud music from your club penetrating into my house. This time it was excruciating karaoke and children screaming and shouting in the garden. The noise went on constantly until just after 11:20pm totally ruining our evening. I went out to check several times and noted that your back doors were wide open (as were all your windows) throughout the evening.

I have spoken again with my neighbours the [REDACTED] and the [REDACTED] and they also were both very annoyed regarding the noise. Mr [REDACTED] finished work late as a taxi driver and said he had to sit with his doors and windows closed to try to reduce the noise. The [REDACTED] tell me that once more their children were kept awake until nearly midnight.

Could I ask you to take appropriate measures to reduce the noise level to that defined in your club licence and let us know what action you will be taking to ensure that this does not happen again?

I understand from letters I have exchanged with the licensing authorities that the requirement from the council as defined on your club licence is that the noise should not be audible at the facade of the immediately neighbouring properties (Façade defined by the council as the nearest wall). Given that our property is two doors away and the [REDACTED] three doors away this condition is clearly not being met.

As I mentioned in my last letter we try to be good neighbours and don't expect the club to be perfect, but we do expect you to meet your responsibilities under your licence and as a good neighbour.

Yours Sincerely,

Mr AH Reeds

Brasenose Club & Institute
168-170 Nelson Road
Gillingham
Kent
ME7 4LU

14th August 2009

Attn: Club Secretary

Dear Sir/Madam,

Vandalism from Club Premises

On Wednesday 12th August 2009 between 10:30pm and 11:00pm a number of projectiles struck my conservatory and that of my neighbours the [REDACTED]. The items came from the direction of your club garden where children could be heard.

I went around to your club and spoke to a member of the committee who was present. He denied that they had come from the garden saying that he thought they had come from a garden further down the road. However the layout of the garden, the angle that the stone had to take (it would have to traverse the entire length of the club garden) and the position of trees makes it extremely unlikely that the projectiles could have fully traversed the club gardens and manoeuvred around the obstacles to repeatedly strike our conservatories. When pressed your committee member's story changed several times regarding who was or was not in the garden which added to our scepticism.

I left the club and as I re-entered my house another item struck our conservatory. I went back to the club again where the same committee member first denied anything had happened and then said there were children in the garden but he was with them and denied that anything had been thrown. However when this further projectile was thrown my wife was at our rear bedroom window and saw it being thrown from the club garden.

The first volley was annoying and demonstrated that children are unsupervised in your club gardens late in the evening (a regular occurrence unfortunately). However for further objects to be thrown when a committee member has been spoken with regarding the issue indicates either a total lack of supervision or worse. Can I ask you please to sort out this issue and let me know what you are doing to prevent it from happening again? I look forward to receiving your written response.

Yours Sincerely,

Mr AH Reeds

THE BRASENOSE CLUB AND INSTITUTE LTD

(AFFILIATED TO THE C&I UNION)

Club and Office
168 Nelson Road,
Gillingham,
Kent. ME7 4LU
Telephone 01634 851244
Email: brasenoseclub@yahoo.com

President: Mr P Morrissey

Secretary: Mrs C Hunter

21 August 2009

Mr AH Reeds

Dear Mr Reeds

I am writing to confirm receipt of both of your letters, one regarding noise and one with reference to vandalism.

Unfortunately, a formal meeting was not held by the committee this week as previously stated and therefore your letters were not addressed. The next meeting being held by the Managing Committee will be on Monday 7th September. Your letters will be on the agenda and I will write to you again following their meeting with their response to your letters.

Yours sincerely

Mrs C Hunter
Secretary

For and on behalf of the Managing Committee

Brasenose Club & Institute
168-170 Nelson Road
Gillingham
Kent
ME7 4LU

3rd October 2010

Dear Sir,

Noise from Brasenose Club

I am writing to express my concern about the very high level of intrusive noise from your club on Saturday 3rd October 2010. The music was so loud that I could hear it over the television in the front room of my house and when I went into the back room (where I was working) I could hear it over the radio. This is disruptive and affects our quality of life, hence my coming around to the club just before nine o'clock to object.

We have owned our house since the mid 1990s and for the first 10 years or so the relationship was good and the noise minimal. In the last 5 years it has deteriorated steadily with loud music, karaoke and shouting and obscenities from the garden. It reached a new low last year with stones and other items being thrown from the club garden at the windows of my house by children unsupervised in the club garden, a loud hailer systems blasting from the gardens and a family barbeque wrecked by loud music and obscenities. Over the last few years I have written on several occasions to object. I have only once had an apology (for the stone throwing) otherwise the letter have not even been acknowledged let alone answered.

After several years of worsening behaviour from your club I had thought this summer that you were beginning to behave as better neighbours as we have only had 2 or 3 occasions when the music and shouting from your club has been particularly intrusive. The fact that two members of the club staff and (I believe) the club president came around immediately to apologise was appreciated as this is the first occasion that there has been any genuine recognition of the problem by the club. I would however ask you to use your best endeavours to comply with the conditions of your club licence in terms of noise in future.

We accept that there will be a few occasions during the year when you want to host some form of special event that may cause noise and some consultation on those would be appreciated. Communication and good neighbourliness are the essence of this. Our preference has always been for communication and friendly resolution but in the last few years we felt that the club were at best ignoring their neighbours and at worst treating them with contempt. With that in mind several of us (your neighbours) have discussed forming a group to campaign for council action against your club and had considered bringing in an independent sound engineer to prove breach of your club licence and seek to have your licence for music (the bulk of the problem) revoked. However this summer it has not been perfect but it has improved so we deferred any action.

Yours,

AH Reeds

Brasenose Club & Institute
168-170 Nelson Road
Gillingham
Kent
ME7 4LU

16th December 2010

Dear sir/madam,

Fighting and Noise from Brasenose Club

I appreciate your recent attempts to be a more responsible neighbour but regrettably I am forced to write again about your club. You will be aware of our concerns regarding loud music reaching into our house (contrary to the conditions of your club licence), to which might be added our objections to shouted conversations heavily laced with obscenities that unpredictably make our garden and patio untenable particularly in the summer months.

We have been your neighbours since 1997 and hoped that the slow deterioration in the management of your club which we have experienced in recent years was finally being stemmed. However, Friday night saw the worst incident to date when we were brought from our beds just after 11pm by shouting and screaming. In short order there were 6 police vehicles and an ambulance in the street resulting in what appeared to be at least one arrest.

While I appreciate that you have a business to run and are attempting to put the club back in order, this is not a city centre high street and you are not a public house. You are in the middle of a residential area where we and your other neighbours should not have our quality of life degraded by loud music, obscenities and confrontations. I would appreciate an explanation of how you intend preventing a recurrence.

Yours,

AH Reeds

Brasenose Club & Institute
168-170 Nelson Road
Gillingham
Kent ME7 4LU

5th September 2011

Dear sir/madam,

Noise & Incident - Brasenose Club

Following the incident at the weekend I thought I should write formally. The noise on Saturday intruded into our house, could be heard above the television and continued with only a short break throughout the evening. I believe it was reasonable for me to ask for you to reduce the volume. I would have been content were that done.

The incident that then occurred with the individual who accompanied your club manager out to the front of my house and appeared to take sound readings requires clarification. If he is an employee of the council environmental health team as he implied then that raises a number of questions. What is his position and why was the volume reduced whilst he was there before being increased again afterwards? He also stated that the standards on your club licence have been changed to allow 100db of noise 3 houses away from the club. That would represent a significant change to your licence conditions. Can we please see a copy of your club licence to clarify that?

Additionally the club manager and the council official were talking about changes to the club licence being about to occur (or having just occurred). As an immediate neighbour I have not been contacted by the council or the club regarding this and neither have other local residents that I have spoken with since the incident. We would all therefore appreciate more details so that we can investigate and make appropriate representations to the council.

Before I speak with the environmental health and licensing departments I will need the name of the above mentioned so that I can clarify his status. Your club manager, who accompanied him, appeared to be familiar with him so I assume that the club will have his contact details. I would appreciate them as soon as possible. I asked him to identify himself but he repeatedly declined.

I was disappointed by what occurred and felt that the official with your club manager was attempting to both intimidate and mislead. I had thought your club was trying to behave more appropriately but this would tend to suggest otherwise.

I look forward to hearing from you shortly.

Yours,

AH Reeds

Andrew Reeds

From: ceco <ceco@medway.gov.uk>
Sent: Wednesday, October 19, 2011 10:57 AM
To:
Subject: Incident with Brasenose Social Club, Nelson Road

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr Reeds

Thank you for your response. The description provided by you was circulated to all service areas within the council, and I can advise that no officer has been identified as matching this description. I appreciate you will find this news disappointing however with the current information I am not able to assist further.

In response to the information you received from the Licensing Department they are correct in citing data protection as the reason for not providing you with a copy of the Brasenose Social Club's licence..

For future reference if you have concerns about the club's activities and their impact on you the following link provides you with information on what to do:

<http://www.medway.gov.uk/environmentandplanning/environmentalhealth.aspx>

Yours sincerely
Samantha Best
Chief Executive's Complaints Officer
Medway Council

From: Andrew Reeds [mailto:ceco@medway.gov.uk]
Sent: 17 October 2011 11:20
To: ceco
Subject: RE: Incident with Brasenose Social Club, Nelson Road

Sam,

Thank you for the prompt reply. I write this in haste before running for the airport. To be honest I was expecting your answer or something similar. I enclose below some notes on the incident including a description of the individual which may help with his identification. The Brasenose Club could easily identify him but as they appear to be ignoring my letters I suspect deliberate delaying tactics are being conducted.

The club steward/manager was present throughout the incident and clearly knew who he was and was involved in what was going on. Gist of conversation was that he was from the council was testing the noise levels and the club was not in breach. He was carrying what appeared to be sound level measuring equipment (though as a trained sound engineer I was sceptical). He quoted the noise level licencing requirement for the club to be 100db 3 houses away. I pointed out that it was not the case as I had attended the council meetings and had questioned and had minuted reassurance that the noise must not reach the wall of the nearest house.

His body language suggested that he was not telling the truth (I am a journalist and constantly interviewing people). When he started to realise that he was not convincing me he started to pass a lot of information on other environmental health complaints to convince me of his status for example detailing on-going issues with the bus

garage in Nelson Road and diesel fume complaints. From my exchange with environmental health I now know this was not the case.

I asked him for his identification details several times but he repeatedly refused to identify himself (further suspicion) and began to become more aggressive. He then told me that in his opinion as a council official we should move house if we don't like the noise coming from the club. When he realised I was not accepting his bluster he began insult me.

After further pressure he admitted that he was attending the evening as a guest of a club member and wasn't on duty but was employed by the Medway council. If so the club should I believe have membership details and guest details listed as part of normal practice. The individual concerned was I would say: late 30's to 40's, medium build, stocky, looked reasonably fit, spoke with a Medway accent. He had a full head of shortish cropped grey cut with a short fringe. Wore a dark blue tee shirt and had a heavy gold chain around his neck. He clearly works in a part of the council where he has access to information on current environmental complaints. He did briefly mention a phone number which I think was extension 37 or 137 but I didn't quite catch it.

I have asked the Brasenose for a copy of their club licence so I can identify whether he had knowledge of the noise conditions on the licence. I had previously asked the council (as an interested party) for a copy of the club's licence as I was concerned that there were some attempts at the last licencing committee meeting to covertly change the conditions. This was refused by the council citing data protection (plausible but a touch suspicious).

I have attended both the significant licence committee meetings in the last 8 or 10 years. In both cases I and other local residents were rebuffed. On the last occasion my video and audio evidence was declined and my integrity questioned (as a retired Army officer I found that particularly offensive but let it pass).

You will understand therefore that this, on top of previous events relating to the club and it's licencing have left myself and other local residents questioning the relationship this club may or may not have with council officials and sceptical regarding licence changes and enforcement. I am not saying there is inappropriate behaviour but you will admit this does look odd. For the record I don't particularly want the club closed down and a lot of the time they are reasonably well behaved. I just want them to behave appropriately regarding their neighbours and noise and to be assured that local residents are not bypassed in the licencing process.

Regards,
Andy

Andy Reeds
Partner

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From: ceco [mailto:ceco@medway.gov.uk]
Sent: 17 October 2011 08:56
To: ;
Subject: RE: Incident with Brasenose Social Club, Nelson Road

Dear Mr Reeds

Thank you for your email of 16 October 2011. I confirm that complaints about employee's conduct are dealt with by their line manager as staff conduct complaints and not within the corporate complaints procedure.

I do recall your correspondence with Sarah Foster and confirm that without a detailed description of the alleged council employee this matter cannot proceed as a staff conduct complaint.

Yours sincerely
Samantha Best
Chief Executive's Complaints Officer
Medway Council

From: Andrew Reeds
Sent: 16 October 2011 23:49
To: best, sam
Cc: foster, sarah
Subject: Incident with Brasenose Social Club, Nelson Road

Sam,

I exchanged emails some weeks ago with Sarah Foster from Environmental Health when I was trying to identify a council employee who was misrepresenting himself as an environmental health officer. He was attempting to deceive, mislead and intimidate us on behalf of the Brasenose Social Club (of which I am a near neighbour) regarding the noise levels coming from the club and the conditions of their club licence. When he realised the game was up he became aggressive and frankly offensive. I have written formally to the Club committee (whose club manager was with the individual when this was going on) but they have failed to respond. In the emails mentioned above Sarah kindly confirmed that he was not one of her team and that the sound measuring equipment he was carrying was not the property of the council.

I was expecting after Sarah's second email (which copied you in) to have heard from you before now. As that has not happened I am making contact with you instead. I wish to make a formal complaint about the behaviour of this individual and would appreciate some guidance on the correct procedure.

I will be away running a news team in Rome this week but will attempt to pick up my emails despite this and look forward to hearing from you shortly.

Yours,
Andy

Andy Reeds
Partner

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Diary of Brasenose Club Behaviour

Name: AH REEDS

Address we are monitoring: Brasenose Social Club, 168-son Road, Gillingham, Kent ME7 4LU.

Signature: _____

Notes:

1. This diary only shows events noted whilst I am at home. I work away in the media for up to 2 weeks at a time and as a result numerous issues are potentially not shown on the log.
2. This probably demonstrates breaches of a number of the licence conditions, but as we have never been allowed to see the licence conditions it is difficult to hold this club to account.

Srl	Date	Event	Remarks
1	Fri 2 May 14	21:30 - Children playing in rear gardens unsupervised and music through the open doors. This is the second time recently that children have been in the garden late in the evening unsupervised.	Breach of Objective 4 - Protection of children from Harm. Breach of Condition 27 - Use of garden after 21:00.
		2215 - People in garden at rear and noise of music penetrating into our house again.	Breach of Objective 3 - Prevention of public nuisance. Breach of Condition 27 - Use of garden after 21:00.
		2250 - Loud drunks in the garden shouting and loud music yet again.	Breach of Objective 3 - Prevention of public nuisance. Breach of Condition 27 - Use of garden after 21:00.

Enclosure 2.

Srl	Date	Event	Remarks
2	Sat 3 May 14	Unsupervised children in the garden at 21:15.	Breach of Objective 4 - Protection of children from Harm. Breach of Condition 27 – Use of garden after 21:00.
3	Sun 4 May 14	16:15 – Very loud music coming into the garden and our house. Club rear doors wide open. Young girl just climbed over the fence into our next-door neighbour's garden. 16:40 – Phoned the club owner. Level of noise reduced considerably shortly afterwards. Loud music for a total of something like one hour. 21:10 – Garden full of people drinking, talking and swearing.	Breach of Objective 3 – Prevention of public nuisance.
4	Sat 7 June 14	Loud music, shouting and singing throughout the evening. Recorded on video camera as follows: 22:37 – Very loud music and shouting at the back of the club, also permeating out of the front of the club as well. 22:42 – Very loud shouting at the front of the club and it went on for some time. Quote: Shouting about the fact that they were waiting for a taxi for Melville Court etc.	Breach of Condition 27 – Use of garden after 21:00. Breach of Objective 3 – Prevention of public nuisance.
5	Fri 25 July 14	Loud music from the club all through the evening and loud talking and shouting out the front until after midnight keeping us awake.	Breach of Objective 3 – Prevention of public nuisance.
6	Sat 26 July 14	Music from the club all evening particularly annoying base beat penetrating into the house until nearly midnight ruining our evening.	Breach of Objective 3 – Prevention of public nuisance.
7	Sat 2 Aug 14	Adults and children in the garden all doors and windows open and music blaring out. Main problem was the heavy base beat that was penetrating right through our house and could be heard over the television. At 21:00 I got fed up and got out the video camera to record what was going on. As soon as they saw me about 21.05pm they rushed all the children into the building but adults stayed in the garden, the windows stayed open as did the doors. If anything, the base beat music got worse.	Breach of Objective 3 – Prevention of public nuisance. Breach of Condition 27 – Use of garden after 21:00.

Srl	Date	Event	Remarks
8	Sun 3 Aug 14	<p>22:00 – Children in the garden again. Large event on at the club. Cars illegally parked on double yellow lines and on people's driveways without permission. Loud base beat from the club penetrating into the house over the television.</p> <p>22:30 – Loud base drum beats still penetrating the house. Disrupting our listening to the television and distressing our 15-month-old grandson and our heavily pregnant daughter awake.</p> <p>Dunks shouting at the front of the club intermittently throughout the evening.</p>	<p>Breach of Objective 2 – Public safety.</p> <p>Breach of Objective 3 – Prevention of public nuisance.</p> <p>Breach of Objective 4 – Protection of children from harm.</p>
9	Sat 9 Aug 14	00:18 - Loud talking and shouting at the entrance to the club.	Breach of Objective 3 – Prevention of public nuisance.
10	Fri 15 Aug 14	<p>Karaoke at the club annoying but relatively quiet. Between 23:20 and 23:30 a lot of noise outside. Went out cautiously to investigate in my pyjamas to find a man on the ground bleeding from facial wounds and with chest injuries having been attacked outside the club. From his comments: <i>"If this is the kind of thing that goes on in your club you can cancel my membership I'm not coming back"</i>. Ambulance called by club owner and I called the police as someone asked whether the police had been summoned. I got the impression that the club owner was keen not to have the police involved.</p> <p>Note: next morning photos taken to show vicinity of assault from initial attack outside club to where the victim collapsed outside our neighbour's house.</p>	<p>Breach of Objective 1 – Prevention of crime and disorder.</p> <p>Breach of Objective 2 – Public safety.</p> <p>Breach of Objective 3 – Prevention of public nuisance.</p>
11	Sat 16 Aug 14	16:30 - Onwards with one short break shouted conversations in club garden heavily laced with expletives	Breach of Objective 3 – Prevention of public nuisance.

Srl		Date	Event	Remarks
			still continuing at 20:30. Had to abandon the use of our garden and bring children indoors to avoid the obscenities.	Breach of Objective 4 – Protection of children from harm.
12	Fri 15 Jan 15		00:05 - On the Saturday morning loud and aggressive confrontation outside our front door between people leaving the Brasenose Club. Very loud and aggressive it went on for half an hour. Included death threats "You're a f--- dead man". For example. Club owner tried to intervene but got told to f--- off in no uncertain terms. New neighbour went out to tell them to stop it. He got threatened and they tried to rip his front gate out. I called the police and at least one other person called them as well. No police attended. Left our young grandson terrified.	Breach of Objective 1 – Prevention of crime and disorder. Breach of Objective 2 – Public safety. Breach of Objective 3 – Prevention of public nuisance. Breach of Objective 4 – Protection of children from harm.
13	Sat 21 Feb 15		People in the garden until long after 21:00. This is becoming quite regular. Also, getting pressure from club owner to let them use the garden.	Breach of Objective 3 – Prevention of public nuisance. Breach of Condition 27 – Use of garden after 21:00.
14			Two missing here from March 2015 both of which were loud music with base beat thumping into the house over the television playing. Also, had people in the garden after the agreed 21:00 cut off on a fairly regular basis at weekends.	
15	Sat 4 Apr 15		Disco in the club and base beat thumping in over the TV yet again.	Breach of Objective 3 – Prevention of public nuisance.
16	Thu 14 May 15		Meeting in club. No one else attended. New manager named Jim is planning to create a possible smoking area at the back on the old barbeque site. Also, said Sandhu is planning to buy the next house down the road from the one he already owns. Either extending his sound barrier or, more suspiciously trying to buy access to the lower road to sell the area off as a development.	Note in hindsight. The tenant manager Jim worked very hard to try to meet the licence conditions. As soon as he was removed we started to have the same old problems again.
17	Sun 24 May 15		Party of some kind in the club. Children playing all afternoon which is fine. However, from about 4pm loud music with door and windows wide open. At 19:30 I phoned the club	Breach of Objective 3 – Prevention of public nuisance.

Srl	Date	Event	Remarks
		owner who promised to sort it out after he had finished his meal. However, the music stayed the same until after 8pm when it went down slightly in volume however the doors and windows remained open. Now approaching 10pm and music still evident plus loud noise from people at the front of the club. 1015pm Bus parked across our driveway for twenty minutes whilst shouting people loaded onto it. Noise of music penetrating into the house and keeping my grandson awake.	
18	Sat 11 Jul 15	From 1900 until 2055 very loud excruciating off-key Karaoke. All doors and most of the windows wide open allowing the noise to blast out into our house. Both grandchildren woken up and upset by the noise. I filmed it three times including the wide-open windows and doors and it was even off the scale on the camera volume levels. They seem to think that they are allowed to blast music out at any time up until 9pm. I struggled to identify the correct phone number to ring the council. Most of them are out of use other than during working hours. Spoke with the former local councillor Geoff Juby who was very helpful and searched out the correct phone number for me. Just as I was preparing to phone the council the noise stopped.	Breach of Objective 3 – Prevention of public nuisance. Breach of Objective 4 – Protection of children from harm.
19	Thu 14 Jan 16	Club meeting but unable to go due to stinking cold. I went around beforehand and offered my apologies.	
20	Sat 16 Jan 16	20:00 - Approx loud base music thumping into the house. Grandchildren kept awake.	Breach of Objective 3 – Prevention of public nuisance. Breach of Objective 4 – Protection of children from harm.
21	Sat 21 Feb 16	People talking in the garden long after 2100. Daughter came home from the hospital at midnight to a mass of drunks outside the club and smashed glass all over the road. The person responsible very drunk apologised and insisted on taking my broom and sweeping up the road. I was worried he	Breach of Objective 2 – Public safety. Breach of Objective 3 – Prevention of public nuisance. Breach of Objective 4 – Protection of children from harm.

Srl	Date	Event	Remarks
		would get knocked down. Club manager came out with a bin but that was clearly not going to be useable.	
22	Sat 9 Apr 16	Very noise music coming out of the club until after 11pm. Heavy bass beat music sounds. Grandchildren kept awake yet again.	Breach of Objective 3 – Prevention of public nuisance. Breach of Objective 4 – Protection of children from harm.
23	Tue 26 Apr 16	Two noisy shouting yobs in the doorway of the club at 00:20 on the morning of Wed 27 th . Eventually they went off down the road having woken us and our grandchild up.	Breach of Objective 1 – Prevention of crime and disorder. Breach of Objective 3 – Prevention of public nuisance. Breach of Objective 4 – Protection of children from harm.
24	8 Jul 16	I turned up for the routine club meeting and was told it was on the 4 th not the 8 th (nobody was there and they said nobody turned up on the 4 th). Went home and checked the note that they put through the door and discovered that I was right and it said the 8 th .	Breach of Condition 28 – Failing to keep minutes of meetings with local community. I have asked on a number of occasions but clear there are no minutes.
25	Sat 6 Aug 16	Noisy all night with base beat music penetrating into the house. Quite annoying but didn't complain this time as the club have been trying hard to behave recently.	Breach of Objective 3 – Prevention of public nuisance. Breach of Objective 4 – Protection of children from harm.
26	10/11 Sep 16	Very noisy in the garden both nights and noisy music. They left the back door open yet again allowing the music to penetrate right through the house. Grandchildren kept awake both nights.	Breach of Objective 3 – Prevention of public nuisance.
27	Sat 8 Oct 16	22:40 - After a great deal of noise from drunks at the front of the club. A man in a white tee shirt walks onto our property and vomits on the driveway and over my wife's car. Linda opens the front door and shouts at him another drunk from the club drags him away. Captured in video and stills by our surveillance camera.	Breach of Objective 4 – Protection of children from harm. Breach of Objective 1 – Prevention of crime and disorder. Breach of Objective 2 – Public safety. Breach of Objective 3 – Prevention of public nuisance.
28	Sat 28 Jan 17	Disco noisier than usual in the club. We could hear it clearly in the house. Fortunately, no heavy base beats which are normally all pervasive.	Breach of Objective 1 – Prevention of crime and disorder. Breach of Objective 2 – Public safety. Breach of Objective 3 – Prevention of public nuisance. Breach of Objective 4 – Protection of children from harm.

Srl	Date	Event	Remarks
		Car crashed into a line of parked cars outside the club about 1830-1900 and driver ran into the club. Not clear what was going on but it is a worrying incident.	
29	Sun 30 Apr 17	Delivery van parked across our driveway I went in to the club and insisted they remove the vehicle. It was 3 hours before we regained access to our driveway. Club was noisy all afternoon and continued up until late evening. Loud music with thumping base vibrating through the house. Quite angry with their behaviour.	Breach of Objective 2 – Public safety. Breach of Objective 3 – Prevention of public nuisance. Breach of Objective 4 – Protection of children from harm.
30	Sun 28 May 17	Very loud music from at least two different systems running simultaneously in the club garden. They tested through the morning and then went full blast through the afternoon. Eventually I complained but got bluntly snubbed by the bar manager Viv who makes it clear that she is not interested in licencing conditions. Formal complaint to the council. See separate documentation. Chaos in the road as well parking jammed and people all over the place. We had to take the grandchildren out to get them away from the noise.	Breach of Objective 1 – Prevention of crime and disorder. Breach of Objective 2 – Public safety. Breach of Objective 3 – Prevention of public nuisance.
31	Wed 31 May 17	People still in the gardens drinking and talking at 23:00. Not particularly loud but they are breaching the licence conditions yet again.	Breach of Objective 4 – Protection of children from harm. Breach of Condition 27 – Use of garden after 21:00.
32	Wed 30 May 18	Noisy group came out of the club at closing time and remained there talking loudly until just before 1am. When their various lifts came the drivers rather than immediately picking them up, got out of their cars and joined in the large and noisy conversation.	Breach of Objective 3 – Prevention of public nuisance.
33	Fri 29 Jun 18	Group of loud, drunken idiots came out the club at approx. 0115. They proceeded to have a shouted conversation to approx. 0130 at points they were on opposite sides of the road shouting across at each other.	Breach of Objective 1 – Prevention of crime and disorder. Breach of Objective 2 – Public safety. Breach of Objective 3 – Prevention of public nuisance.

Srl	Date	Event	Remarks
34	Fri 28 Sep 18	Loud music coming from the club all evening. The bass beat is constantly penetrating the house and audible over the sound of the television. There is also noise at the front of the club from people shouting. Since the owner got rid of the licensed tenant who was doing a good job of managing the club and keeping the noise down it has begun to relapse back into its old bad habits. Likewise, we have not had a meeting with the club for something like 8-10 months so they are failing to meet the conditions of their licence.	Breach of Objective 3 – Prevention of public nuisance. Breach of Objective 4 – Protection of children from harm. Breach of licence condition 28 – Failure to hold regular meetings with the residents or to minute them.
35	Sat 6 Oct 18	Noisy music (not as bad as it has been in the past). 21:56 - Went outside to check and there were clearly people in the gardens and the doors to the club appeared to be open. This is in breach of their licence. I went to get my video camera but the card had malfunctioned and by the time I had solved the problem and got it working again it was 2210pm and they had gone back into the club.	Breach of Objective 3 – Prevention of public nuisance. Breach of Condition 27 – Use of garden after 21:00.
36	Note	We have not had one of the council licensing mandated meetings with the club since early this year.	Breach of licence condition 28 – Failure to hold regular meetings with the residents or to minute them.
37	Note	Before Christmas we had two nights when it got very noisy But I did not log it at the time. Over Christmas it got noisy a couple of times and it was noisy on New Year's Eve but that is hardly surprising.	Given the time of year it would be unreasonable of us to insist on perfect maintenance of their licence conditions.
38	Sat 5 Jan 19	Loud music in the club again. We have the doors and windows shut but the noise is booming in and vibrating the room. I can hear it over the television.	Breach of Objective 3 – Prevention of public nuisance. Breach of Objective 4 – Protection of children from harm.
39	Sun 20 Jan 19	22:00 - There are people out in the club garden, in breach of their licence conditions.	Breach of Condition 27 – Use of garden after 21:00.
40	Sat 9 Feb 19	After 11pm at night and loud music coming out of the club as it has been doing for several hours. I can't see clearly whether or not the doors are open but the music and talk	Probable breach of licence conditions doors left open when music being played and they must be in breach of conditions 25 and 26. A volume limiting system would not

Srl	Date	Event	Remarks
		over the microphone is so loud one must presume that it is. The music doesn't have a heavy base beat (it's Frank Sinatra).	allow that level of sound to escape into the surrounding houses.
41	Fri 22 Feb 19	Music but not that bad really coming from the club. More irritating is that there are clearly people using the garden yet again at 22:00 at night long after they should have been out of there.	Breach of Condition 27 – Use of garden after 21:00.

Nelson Road Sports & Social Club
168-170 Nelson Road
Gillingham
ME7 4LU

7th August 2013

Attn: Club Owner

Dear Sir,

Noise from Club Premises

Over the weekend 2-4th August 2013 we experienced loud music coming from the club consistently from just after 7pm. I went to speak with the bar staff and asked for your contact details as you suggested when we met outside briefly last week. I also asked them to turn it down the music and comply with the license conditions.

They promised that they would contact you and have you come around to speak with me as soon as possible. That has not happened to date. They also expressed the view that the club is allowed to make as much noise as they wish until 9pm in the evening when the licence requires the garden to be closed. I explained that I was knowledgeable regarding the licence conditions and that they were incorrect. It had no perceivable effect, so I left.

The club was clearly breaching at least three of the license conditions viz:

1. When entertainment is taking place (in this case the playing of music) no noise from it is to reach the façade of the nearest building. Façade was defined in council minutes and a letter to me from the council as the nearest wall of the nearest property. We are two houses away and it was entering our house and could be heard over the television.
2. When entertainment is taking place windows and in particular the rear door is to remain closed. The door was left open prior to 9pm.
3. The duty manager is to regularly check to ensure the conditions are being complied with. They clearly were not doing so or were perhaps mis-briefed as to their duties and the conditions on the licence.

At the last council licensing meeting, we were advised to contact the council as soon as something like this happens using their hotline. However, we appreciate that you represent a new regime at the club which is still settling down. So, in this case we have taken no action and given you the benefit of the doubt. It would however be appreciated if you could:

- a. Reassure us that you understand the terms of your license.
- b. Confirm that your staff will be briefed to correctly comply with the license conditions.
- c. Confirm that you have new volume limiting equipment functioning in the club (one of the conditions of the licence).

Finally, could you let me have your contact details as the bar staff would not do so, despite your assuring me that they would. This should save considerable time in the future and aid communication which is vital in cases like this to prevent the relationship from breaking down.

I am hopeful that this is just a one off and we will be able to get along as neighbours in the future, but I look forward to speaking to you regarding this as soon as possible.

Yours Sincerely,

Mr AH Reeds

On the hand delivered letter I added here in pen:

Delivered to the club by my hand at 1110am on Thu 8th Aug 13