



Date: 30/05/2017  
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## LICENSING SUB COMMITTEE

7 JUNE 2017

A meeting of the Licensing Sub Committee will be held at **10.00 am on Wednesday, 7 June 2017** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

### Membership:

Councillors: K Coleman-Cooke, Matterface and Tomlinson

## A G E N D A

### Item No

1. **ELECTION OF CHAIRMAN**

2. **APOLOGIES FOR ABSENCE**

3. **DECLARATIONS OF INTEREST**

'To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest Form attached at the back of this Agenda. If a Member declares an interest, they should complete that form and hand it to the Officer clerking the meeting and then take the prescribed course of action.'

4. **APPLICATION FOR VARIATION OF PREMISES LICENCE - DREAMLAND (BUILDINGS AND TRANSIT AREA) HALL BY THE SEA ROAD MARGATE** (Pages 3 - 40)

5. **APPLICATION FOR VARIATION OF PREMISES LICENCE - DREAMLAND (THEME PARK AND EVENT SPACE) HALL BY THE SEA ROAD MARGATE** (Pages 41 - 78)

6. **TEMPORARY EVENT NOTICE APPLICATION - MCDONALD'S 95-97 HIGH STREET, MARGATE** (Pages 79 - 92)

**Declaration of Interests Form**

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**APPLICATION FOR VARIATION OF PREMISES LICENCE –  
DREAMLAND (BUILDINGS AND TRANSIT  
AREA) HALL BY THE SEA ROAD MARGATE**

**Licensing Sub-Committee – 7<sup>th</sup> June 2017 at 10 a.m**

Report Author **Philip Bensted Regulatory Services Manager**

Portfolio Holder **Cllr Lin Fairbrass Community Services**

Status **For Decision**

Classification: **Unrestricted**

Ward: **Margate Central**

**Executive Summary:**

To consider this application for variation of a premises licence by Dreamland (Buildings and Transit area) in the light of representations received.

**Recommendation(s):**

The instructions of the Sub-Committee are requested

**CORPORATE IMPLICATIONS**

<b>Financial and Value for Money</b>	None
<b>Legal</b>	<p>There is a right of appeal to a Magistrates' Court within 21 days of the date of the decision of the Licensing Sub-Committee with regard to the grant/refusal of a licence or any of the conditions attached to it.</p> <p>The Licensing Sub-Committee must pay proper attention to the applicant's rights under the provisions of the Human Rights Act 1998, which gives further effect in the United Kingdom to the fundamental rights and freedoms contained in the European Convention on Human Rights. The Licensing Sub-Committee must have proper regard to the rights of the individual applicant when making decisions that affect them. However, it also has to have regard to the safety and protection of the public and therefore to ensure that the right balance is found and think hard about how it can cause the least possible harm to individuals, bearing in mind its duty to ensure the protection of the public.</p>
<b>Corporate</b>	None.
<b>Equalities Act 2010 &amp; Public Sector Equality Duty</b>	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy &amp; maternity. Only</p>

aim (i) of the Duty applies to Marriage & civil partnership.
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## **1.0 Introduction and Background**

- 1.1 Application has been made by Licensed Support Services Ltd for variation of a premises licence described as a variation of licence conditions as described in the application at Annex 1.
- 1.2 The application showing the proposed variation is appended at Annex 1.
- 1.3 These premises were granted a premises licence in March 2016 which remains in force. This licence was last varied in August 2016. A copy of that licence and conditions are appended at Annex 2. The designated premises supervisor is Jennifer Debnam.

## **2.0 General Points**

- 2.1 Applicants for variation of a premises licence are required, as part of the licensing procedure, to display a public notice which provides information to the public regarding the manner in which objection may be made. Similarly, public notice of the application should be published in a local newspaper circulating in the vicinity of the premises. These requirements appear to have been complied with. No public objections have been received.
- 2.2 The applicant is further required to give notice of the application to responsible authorities. Kent Police and Environmental Protection have made representations which are appended at Annex's 3 and 4.
- 2.3 The Licensing Sub-Committee will be aware that it must carry out its functions under the 2003 Licensing Act to take steps which are appropriate for the promotion of the licensing objectives. The Licensing objectives are:- the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm. In carrying out its licensing functions, the Licensing Sub-Committee must also have regard to its statement of licensing policy and the Guidance issued under the Act.
- 2.4 The four licensing objectives are the matters the Licensing Sub-Committee must address when considering whether to grant or refuse the application. Each application should be considered on its merits. Reasons must be given for any decision made by the Sub-Committee.
- 2.5 The application should be determined within twenty working days beginning with the day after the end of the period during which representations may be made. Representations had to be made by the 11<sup>th</sup> May.

## **3.0 Options**

- 3.1 Grant the application with conditions consistent with the application.
- 3.2 Grant the application with different conditions.
- 3.3 Refuse the application.

# Agenda Item 4

Contact Officer:	Philip Bensted, Regulatory Services Manager, ext 7630
Reporting to:	Penny Button, Head of Neighbourhood Services, ext 7425

## Annex List

<i>Annex 1</i>	Application to vary premises licence
<i>Annex 2</i>	Premises licence
<i>Annex 3</i>	Police representations
<i>Annex 4</i>	Environmental Protection representations

## Background Papers

Title	Details of where to access copy
N/A	

## Corporate Consultation

<b>Finance</b>	N/A
<b>Legal</b>	N/A



*Continued from previous page...*

Non-domestic rateable value of premises (£)

**Section 3 of 17**

**VARIATION**

Do you want the proposed variation to have effect as soon as possible?  Yes  No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?  Yes  No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

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

**Describe Briefly The Nature Of The Proposed Variation**

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

- 1) To change the licence to allow on & off sales
- 2) Annex 2 - Delete condition 3
- 3) replace condition 4 with - No alcohol will be allowed passed the carpark entrance to Dreamland apart from when an event is taking place in the event space defined in the Theme Park and Event Space licence No. LN/201600183. Clear signage will be displayed.
- 4) Delete condition 8
- 5) Delete condition 21
- 6) Replace condition 22 with -
  - 1. General
    - 1.1. The DPS, event promoter & representatives shall undertake all reasonable & practicable measures to maintain compliance with the licensing objectives.
    - 1.2. The Licensing Authority shall be permitted unrestricted noise assessment access.
    - 1.3. Sound systems shall remain under the control of DPS's authorised persons, except where control has been assumed by relevant authority in the event of emergency.
    - 1.4. Sound amplification systems shall not be used after the permitted hours any purpose except for public order & safety purposes.
    - 1.5. Implement a resident's helpline & log actions to promote good public relations & complaint resolution.
    - 1.6. Implement a venue noise plan to promote good practice during routine operation. Review the venue noise plan within 28-days if sources or timings of disturbance materially change, or more than 10 complaints are received in any 28-day period.
  - 2. Large scale concert events of 10,000 people or over when hosting events in conjunction with Premise Licence No. LN/201600183
    - 2.1. No more than 4 large scale (10,000 people or over) concert events per annum. No single event to last more than 48 hours and they will be a minimum of 28 days between each large scale event.
    - 2.2. The Licensee shall appoint a suitably qualified Acoustic Consultant whose duties will include:

*Continued from previous page...*

- 2.2.1. Liaise with the Responsible Authorities, Licensee, event promoter, technical contractors & artist management prior to, during & after the licensed event.
- 2.2.2. Produce a Noise Management Plan advising on noise mitigation techniques to minimise noise disturbance outside the venue, likelihood of complaint & risk of hearing damage to persons attending the event.
- 2.2.3. Monitoring the on-site and off-site noise levels. Informing the licensee of any breaches of the prescribed limits and advising on the action necessary for compliance.
- 2.3. Noise criteria for the 4 large scale (10,000 people or over) concert events per annum.
  - 2.3.1. Peak sound pressure level of amplified entertainment shall not exceed 140 dBC in any part of the licensed areas accessible to the public.
  - 2.3.2. Between the hours of 09:00-23:00 specific noise level of licensed entertainment at the boundary of any noise sensitive receptor shall not exceed 75dB LAeq 15', and at 2Km from the venue shall not exceed 75dB LZeq 15' for octave bands centred on 63Hz & 125Hz.
  - 2.3.3. Between the hours of 23:00-09:00 specific noise level of licensed entertainment at the boundary of any noise sensitive receptor shall not exceed 10dB above the L90 background level.
- 3. Routine operation
  - 3.1. The DPS shall appoint a competent person responsible for:
    - 3.1.1. Liaison with the Responsible Authorities, Licensee, event promoter, technical contractors & artist management prior to, during & after the licensed event.
    - 3.1.2. Taking all practicable steps to minimise likelihood of complaint, including implementing routine noise mitigation in accordance with the venue noise management plan.
    - 3.1.3. Monitor the on-site noise levels and act where levels predetermined in the venue noise management plan are exceeded & likely to cause disturbance.
  - 3.2. Noise criteria for smaller scale (less than 10,000 people) concert events.
    - 3.2.1. Peak sound pressure level of amplified entertainment shall not exceed 140 dBC in any part of the licensed areas accessible to the public
    - 3.2.2. Between the hours of 09:00-23:00 specific noise level of licensed entertainment at the boundary of any noise sensitive receptor shall not exceed 65dB LAeq 15'.
    - 3.2.3. Between the hours of 23:00-09:00 specific noise level of licensed entertainment at the boundary of any noise sensitive receptor shall not exceed the L90 background level.

**Section 4 of 17**

**PROVISION OF PLAYS**

Will the schedule to provide plays be subject to change if this application to vary is successful?

- Yes  No

**Section 5 of 17**

**PROVISION OF FILMS**

Will the schedule to provide films be subject to change if this application to vary is successful?

- Yes  No

**Section 6 of 17**

**PROVISION OF INDOOR SPORTING EVENTS**

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes  No

**Section 7 of 17**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**



*Continued from previous page...*

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes  No

**Section 8 of 17**

**REVISION OF LIVE MUSIC**

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes  No

**Section 9 of 17**

**REVISION OF RECORDED MUSIC**

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes  No

**Section 10 of 17**

**REVISION OF PERFORMANCES OF DANCE**

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes  No

**Section 11 of 17**

**REVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes  No

**Section 12 of 17**

**REVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes  No

**Section 13 of 17**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes  No

**Standard Days And Timings**

*Continued from previous page...*

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the day of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises     
  Off the premises     
  Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Timings as detailed in the licence to remain the same. We are applying to vary the licence to allow for both on and off sale to allow for the movement of alcohol between this licensed area and the area covered by licence No. LN/201600183.

*Continued from previous page...*

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 14 of 17**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

**Section 15 of 17**

**OURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Timings to remain the same as the licence

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

As detailed in variation description.

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 17

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

*Continued from previous page...*

As detailed in Annex 2 of the licence and as per details of variation

c) The prevention of crime and disorder

As detailed in Annex 2 of the licence and as per details of variation

c:) Public safety

As detailed in Annex 2 of the licence and as per details of variation

d) The prevention of public nuisance

As detailed in Annex 2 of the licence and as per details of variation

e) The protection of children from harm

As detailed in Annex 2 of the licence and as per details of variation

## Section 17 of 17

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non-domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

and A - No RV to £4300 £100.00

and B - £4301 to £33000 £190.00

and C - £33001 to £87000 £315.00

and D - £87001 to £125000 £450.00\*

and E - £125001 and over £635.00\*

If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

and D - £87001 to £125000 £900.00

and E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

*Continued from previous page...*

- Capacity 50000-59999 £32,000.00
- Capacity 60000-69999 £40,000.00
- Capacity 70000-79999 £48,000.00
- Capacity 80000-89999 £56,000.00
- Capacity 90000 and over £64,000.00

† Fee amount (£)

**DECLARATION**

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

† Full name

† Capacity

† Date  /  /   
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
  2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/thanet/change-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**



Thanet District Council  
Part A  
Premises Licence

Premises licence number

LN/201600141

Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Dreamland (Buildings and Transit Area) Hall by the Sea Road	
Post town	Post code
Margate, Kent	CT9 1XJ
Telephone number	
01843 [REDACTED]	

Where the licence is time limited the dates

None

Licensable activities authorised by the licence

**THE MAXIMUM NUMBER OF PERSONS IN ATTENDANCE AT ANY ONE TIME SHALL NOT EXCEED 9,999**

- 1) Plays (indoors), films (indoors), indoor sporting events, boxing or wrestling (indoors), live music (indoors), recorded music (indoors), performances of dance (indoors), anything of a similar description (indoors), supply of alcohol (on the premises)
- 2) Late night refreshment (indoors)

The times the licence authorises the carrying out of licensable activities

- 1) 9am to 2am daily
- 2) 11pm to 2.30am daily

The opening hours of the premises

9am to 2.30am daily

## Agenda Item 4 Annex 2

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

On the premises only

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

Licensed Support Services Ltd  
Sandpit House, Toothill Road, Romsey, Hants SO51 9LN  
07810 [REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

7725385

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Ms Jennifer Debnam  
[REDACTED] Kent Road, Gravesend, Kent DA11 0SY  
01843 [REDACTED]

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

GM/PER/16/0010

Gravesham Council

**Issued on the 15 August 2016**

**To commence on the 09 March 2016**

**Regulatory Services Manager** 



**Annex 1 – Mandatory conditions**

No supply of alcohol may be made under the premises licence:-

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

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

**Films**

The admission of children (persons under 18 years) to the exhibition of any film is restricted in accordance with any recommendation of the British Board of Film Classification (BBFC) or the Licensing Authority.

Where a film exhibition has not been classified, the licence holder will certify to the Licensing Authority that an assessment of the suitability of the film for exhibition to children, in accordance with the BBFC Guidelines has been carried out, and that this has been confirmed by the Licensing Authority, in writing, prior to public viewing.

Any Door Supervisor employed at the premises will be licensed under the Private Security Industry Act 2001.

1. (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 a 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).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. (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.

4. 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: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(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.”

5. (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 purposes of the condition set out in paragraph 1 –

a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

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 rate 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.

#### **Annex 2 – Conditions consistent with the operating Schedule**

1. Suitable lighting shall be a permanent fixture during opening hours.
2. CCTV shall be installed, working and maintained with 30 day rolling recording. Recordings shall be made available to the Police and Licensing Authority upon request if required. Licensed area covered and entrance/exit covered at a minimum, in agreement, with the Police and Local Authority.
3. Only a clearly defined area on the agreed plan will be licensed outside in the Transit Area, allowing alcohol to be consumed when purchased from the Dreamland buildings. This area shall not exceed 120 square metres and must be joined to one of the sets of doors from the building to the transit area. No drinks will be allowed to leave the outside area and clear signage shall be displayed.
4. Other than the clearly defined agreed area, no alcohol can be consumed in the Transit Area.
5. A copy of the premises licence shall be displayed for the building at the Roller Disco.

6. All staff shall undertake suitable training to fully support the licensing objectives and accurate written records shall be kept of training taken. Training to include the following subjects:
  - a. Prohibition of sales to persons appearing to be drunk or underage,
  - b. Challenge 25 scheme and asking of identification,
  - c. Refusal of service and recording of refusals either via till or written record.This information shall be made available to the Police or Licensing Authority upon request.
7. Written names of all staff who have been authorised to sell alcohol and who they have been trained by shall be displayed behind each bar.
8. The outside area cannot be used as a linking point between the park and the building to allow free movement of alcohol.
9. When alcohol is purchased and consumed in the buildings, all drinks shall be served in government approved toughened glass.
10. A minimum of one personal licence holder on duty during all licensable activity.
11. When the Police request extra SIA staff on duty due to Police intelligence this will be implemented.
12. SIA Staff
  - a) During Off Peak Season
    - i. 1 x SIA staff by Hall by the Sea Road entrance 9pm to close every Thursday, Friday and Saturday
    - ii. 1 x SIA staff at Scenic Railway/car park entrance 8pm to close every evening.
    - iii. If premises closed by 10pm then SIA staff will not be required from 8pm or 9pm.
    - iv. All SIA shall to be in place if a ticketed event taking place beyond 10pm.
    - v. If open beyond 10pm and either the Hall by the Sea Road entrance or the Scenic Railway entrance is closed after this time then the SIA staff can stand down from that position.
  - b) During Peak Season
    - i. 1 x SIA staff patrolling Buildings and Transit Area during times when alcohol is to be sold.
    - ii. 1 x SIA staff at Scenic Railway/car park entrance 8pm to close.
    - iii. 1 x SIA staff at Hall by the Sea Road entrance 9pm to close.

- iv. All SIA shall to be in place if a ticketed event taking place beyond 10pm.
13. Suitable lighting upon closure to clearly identify the end of any licensable activity and support the egress of patrons.
14. No licensable activity is allowed in the Arcade and Octopus's Garden.
15. When not in use the doors to the Ballroom shall remain securely locked.
16. A member of staff to monitor Hall by the Sea Road entrance/exit to ensure no alcohol leaves the premises.
17. This licence and the premises licence number LN/201600183 relating to Dreamland (Theme Park and Event Space) share SIA security staff. During the times that alcohol is available, body worn cameras shall be worn on up to six SIA security staff across the two licensed areas.
18. The premises shall, in conjunction with the Police and Licensing Authority, adopt a zero tolerance drugs policy and a search policy in promotion of the licensing objectives. This policy shall also include a zero tolerance approach to new psychoactive substances (NPS), more commonly known as legal highs, and Nitrous Oxide. Neither shall be allowed on any part of the site and persons stopped with substances shall be dealt with robustly.
19. A drugs box shall be kept in the main office and only the Police shall have the key to open the box.
20. By the second day at the beginning of every month a list of planned events that fall out of normal day to day business, like a ticketed event, to be sent to the Police Licensing Officer, Police Events team, Thanet District Council events team and Thanet District Council Licensing via email.
21. No Off Sales.
- 22.
- a. Until 11pm the maximum noise level shall not exceed background noise level (L90A, 15min) by more than 5dB at one metre from the façade of any noise sensitive premises.
  - b. 11pm to 2am inaudibility.
  - c. The background noise level (L90, 15min Linear for the one third octave band levels of 50 to 160 Hz and the overall linear noise level), as measured at one metre from the façade of any noise sensitive premises with amplified music and/or vocals switched off, shall not be increased when the music or vocals are played at the typically

highest level and a measurement is repeated in L90  
Linear at the same position over any five minute period,  
with the music, vocals and current background noise  
measured together.

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

**None**

**Annex 4 – Plans**

**Plans considered March 2016**





Philip Bensted

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**From:** Darren Dennett PC [REDACTED] <[REDACTED]@kent.pnn.police.uk>  
**Sent:** 11 May 2017 15:42  
**To:** Philip Bensted; Andy Merricks (LSS) [REDACTED]@licensing.support.co.uk  
**Subject:** Dreamland variations  
**Attachments:** ATT00001.txt

Philip,

Good afternoon, you would have received my notification about the Police supporting the application for Ziggy's.

The Police cannot support the variations for the Buildings Licence and the Event Space and Park Licence. The police had been close to coming to an agreement regarding the Building licence and I feel that can be quickly resolved. The Event Space and Park Licence the police have concerns under the Prevention of crime and Disorder, public nuisance and protection of children against harm. The Police are not happy to support the use of tin cans to sell alcohol.

The other issue that has recently come to light is that Dreamland are currently in breach of its licence and have been since the 2<sup>nd</sup> May 2017. The Police therefore cannot support the variations when the current licences are being breached.

Kind regards

Darren

PC [REDACTED] DENNETT  
Police Licensing Enforcement Officer  
CSU – Thanet  
01843 [REDACTED]  
07966 [REDACTED]  
[REDACTED]@kent.pnn.police.uk

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# Memo

Date: 10<sup>th</sup> May 2017  
To: Philip Bensted, Thanet District Council Licensing Department  
Ref: WK/201716908  
Re: Premises Licence Variation – Buildings and Transit area (LN-201600141) and Theme Park and Events Space (LN-201600183)

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Environmental Protection has been asked to comment as a responsible authority on the above variations to premises licences.

## Existing situation

Condition 21 of the Buildings and Transit area licence and Condition 21 and 22 of the Theme Park and Events space licence establish noise limits and controls associated with music based events. Those conditions being:

### Buildings and Transit

#### Condition 21

- a) *Until 11pm the maximum noise level shall not exceed background noise level (L90A, 15min) by more than 5dB at one metre from the façade of any noise sensitive premises.*
- b) *11pm to 2am inaudibility.*
- c) *The background noise level (L90, 15min Linear for the one third octave band levels of 50 to 160 Hz and the overall linear noise level), as measured at one metre from the façade of any noise sensitive premises with amplified music and/or vocals switched off, shall not be increased when the music or vocals are played at the typically highest level and a measurement is repeated in L90 Linear at the same position over any five minute period, with the music, vocals and current background noise measured together.*

#### Theme Park and Events Space

#### Condition 21

*Theme Park and VIP Area – the Maximum Noise Level shall not exceed background noise level (L90A, 15min) by more than 5dB at 1m from the façade of any noise sensitive premises.*

#### Condition 22

*Event Space – The Noise Management Plan dated 15th December 2014 supplied as part of the application must be implemented. This has regard to superseding noise limits stated below:*

- a) *When music is ancillary to the event: the Maximum Noise Level shall not exceed background noise level (L90A, 15 min) by more than 5dB at 1m from the façade of any noise sensitive premises.*
- b) *When music is not ancillary to the event: No more than six concert days per calendar year shall be permitted. Should any three concert days not be used consecutively (that is one day after another) they shall not be sooner or later than fifty six days before or after any other concert day. And the music noise level shall not at any noise sensitive premises exceed 75dB(A) over fifteen minute period measured 1m from the façade.*

## Proposed variation

The variation seeks to remove the existing conditions and replace them with a number of applicant proposed conditions. My initial response is that Environmental Health **OBJECTS** to the applications in their current form on the grounds of the 'Prevention of Public Nuisance'. Environmental Health is happy with the structure of the existing conditions and request in so far as noise limits that these are

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retained. They are designed to prevent disturbance to local residences and to support the licensing objective 'The Prevention of Public Nuisance'. I have outlined our position below to the two variations.

It should be noted that during 2016 following a music event at Dreamland the local authority received multiple complaints from local residents. The complaints pointed to loud amplified music being played in the external theme park area. These complaints point to the opportunity for Dreamland to cause significant disturbance to surrounding properties during music events.

### Theme Park and Event Space (LN-201600183)

Following a site consultation meeting with the licensee and the management of Dreamland Environmental Health would have no objection to the increase in large events as requested as part of the variation. We also have no issue with the requested reduction in days between events. Unfortunately Environmental Health cannot support an uncontrolled number of regular music events that may cause undue disturbance to surrounding premises.

The event space and theme park at Dreamland is an external space with residential premises at close quarters. The Noise Councils 'Code of Practice on Environmental Noise Control at Concerts' lists all venues as having 4-12 events per year. Given the descriptions I would put Dreamland in this category. It also gives a guidance noise level of 15 dB above background. The current conditions allow in excess of this. Environmental Health is not looking to relax the noise conditions for this area. I have taken the conditions in the variation and reworded them to a position where Environmental Health is satisfied that they will aid the operation of the licence.

Condition 21 and 22 shall be removed and replaced with:

1. Sound amplification systems shall not be used after the permitted hours for any purpose other than for public order or health and safety purposes.
2. The licensees within 28 days of the grant of any variation shall implement a helpline for customer comments and complaints. The helpline shall be available for contact by customers and residents throughout the operation of any event. The helpline shall be included on all advertisements on the Dreamland website for events involved with this licence where music is not ancillary. All contact with the helpline shall be logged with customer name, address, contact details, nature of complaint and complaint resolution description. It should be noted if the customer refuses to give any information. This complaint information shall be made available to the local licensing authority at their request within a period of 7 working days.
3. The licensees shall implement a general site Noise Management Plan (NMP) within 28 days of the grant of any variation. The NMP shall promote the licensing objectives and ensure the licensing conditions are adhered to. The NMP shall be reviewed if it is the opinion of the Licensee that sources or timings of disturbance have significantly changed. The NMP shall also be reviewed if more than 3 complaints (from different households) relating to noise, are received by either the local authority or the licensee, concerning an individual event.
4. During any event where music is not ancillary the licensee shall give unrestricted access to local authority officers to the site to conduct monitoring of noise levels.
5. There shall be no more than 12 music event days per year associated with this licence. An event shall be where the event is ticketed and music is not ancillary to the event. Where an event is in excess of 24 hours this shall be classed as 2 events.
  - a. Music at these events in relation to this licence shall terminate at 23:00pm.
  - b. For events that are considered large scale. Large scale shall be met where music is not ancillary to the event; they are ticketed and attended by more than 10,000 people.
    - i. These events shall be no more than 4 x 2 day events per year. This shall mean that if this is used to its maximum the licensee shall have used 8 of the 12 events listed in condition 5 above. Each series of events shall last no longer than 48 hours. There shall be 28 day between the end of one series of events and the beginning of another.
    - ii. At least 28 days prior to a planned event the licensee shall appoint a suitably qualified acoustic consultant. The duties of the acoustic consultant shall include (but not limited to):
      1. A Liaison between the responsible authority, Licensee, event promoter, technical contractors and artist management prior to, during and after the event.

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2. At least 14 days prior to the event produce a site and event specific Noise Management Plan (NMP) advising on noise mitigation techniques to minimise noise disturbance outside the venue, the likelihood of complaint, the risk of hearing damage to staff and patrons and noise sensitive premises.
  3. Conducting pre-event testing to ensure that noise levels outlined in this licence are achievable.
  4. Conducting noise monitoring during the event to ensure that noise levels outlined by condition in this licence are not breached.
- iii. The results of the monitoring of such events shall be made available through a report. The report shall refer to the findings of the NMP and highlight any breaches of the conditions and any mitigation taken at the time. Following a written request from the licensing authority to the licensee the report shall be sent to the local licencing authority within 14 days.
  - iv. Between the hours of 09:00am and 23:00pm the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade does not exceed 75dB(A) measured over a 15 minute period. This shall encompass a level of 70dB(A) measured over 15 minutes in either the 63hz or 125hz octave frequency bands.
- c. For events that are ticketed and where music is not ancillary to the event and attended by below 9999 people.
    - i. There shall be no more than 4 of these events per year. Where large scale events (condition 5b) have not been used these can be used here to increase the maximum 4 to a maximum of 12 possible events.
    - ii. The Licensee or DPS shall appoint a competent person responsible for:
      1. A Liaison between the responsible authority, Licensee, event promoter, technical contractors and Artist Management prior to, during and after the event.
      2. To conduct on site monitoring of any event to ensure that noise levels identified by condition in this licence are not breached.
    - iii. The results of the monitoring of such events shall be made available through a report. The report shall refer to the findings of the NMP and highlight any breaches of the conditions and any mitigation taken at the time. Following a written request from the licensing authority to the licensee the report shall be sent to the local licencing authority within 14 days.
    - iv. Between the hours of 09:00am and 23:00pm the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade does not exceed the background level (L90A measured over a 15 minute period) by more than 15dB.
  - d. For general events where music is not ancillary but also are not ticketed.
    - i. Between the hours of 09:00am and 23:00pm the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade does not exceed the background level (L90A measured over a 15 minute period) by more than 5dB.

### Buildings and Transit Licence (LN-201600141)

For this variation Environmental Health objects to the application in its current form and should this progress to a hearing we request that the Licencing sub-committee retains condition 21 as it is currently worded.

If the Licensing sub-committee are minded to support our position on the current noise conditions but wish to review the other conditions offered as part of the variation I have listed our position below. Environmental Health have taken the other conditions offered and reworded them. It is my opinion that while they are not the exact wording of the original conditions offered they do follow the same direction and would support the operation of the premises licence and support the licencing objectives.

It should also be noted that the operation of this licence is enclosed within buildings. The buildings should offer both construction mitigation and the opportunity for further mitigation. Based on this we certainly could not accept the noise related conditions put forward by the applicant i.e. 65dB over 15 minutes and 10dB above background post 11pm.

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If the Licencing sub-committee are happy to support our position on the current noise conditions then Condition 21 would be removed and replaced with:

1. Sound amplification systems shall not be used after the permitted hours for any purpose other than for public order or health and safety purposes.
2. The licensees within 28 days of the grant of any variation shall implement a helpline for customer comments and complaints. The helpline shall be available for contact by customers and residents throughout the operation of any event. The helpline shall be included on all advertisements on the Dreamland website for events involved with this licence where music is not ancillary. All contact with the helpline shall be logged with customer name, address, contact details, nature of complaint and complaint resolution description. It should be noted if the customer refuses to give any information. This complaint information shall be made available to the local licensing authority at their request within a period of 7 working days.
3. The licensees shall implement a general site Noise Management Plan (NMP) within 28 days of the grant of any variation. The NMP shall promote the licensing objectives and ensure the licensing conditions are adhered to. The NMP shall be reviewed if it is the opinion of the Licensee that sources or timings of disturbance have significantly changed. The NMP shall also be reviewed if more than 3 complaints (from different households) relating to noise, are received by either the local authority or the licensee, concerning an individual event.
4. During any event where music is not ancillary the licensee shall give unrestricted access to local authority officers to the site to conduct monitoring of noise levels.
5. For events that are considered large scale and where this licence is used in conjunction with LN/201600183. These conditions are applicable where music is not ancillary to the event; they are ticketed and attended by more than 10,000 people.
  - a. At least 28 days prior to a large scale event the licensee shall appoint a suitably qualified acoustic consultant. The duties of the acoustic consultant shall include (but not limited to):
    - i. A Liaison between the responsible authority, Licensee, event promoter, technical contractors and Artist Management prior to, during and after the event.
    - ii. At least 14 days prior to the event produce a site and event specific Noise Management Plan (NMP) advising on noise mitigation techniques to minimise noise disturbance outside the venue, the likelihood of complaint, the risk of hearing damage to staff and patrons and the effect on noise sensitive premises.
    - iii. Conducting pre-event testing to ensure that noise levels outlined in this licence are achievable.
    - iv. Conducting noise monitoring during the event to ensure that noise levels outlined by condition in this licence are not breached.
  - b. The results of the monitoring of such events shall be made available through a report. The report shall refer to the findings of the NMP and highlight any breaches of the conditions and any mitigation taken at the time. Following a written request from the licensing authority to the licensee the report shall be sent to the local licencing authority within 14 days.
  - c. Between the hours of 09:00am and 23:00pm the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade does not exceed the background level (L90A measured over a 15 minute period) by more than 5dB.
  - d. Between the hours of 23:00pm and 09:00am the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade shall be inaudible.
    - i. Inaudibility shall be where the background noise level (L90 15 min Linear for the third octave band levels of 50 to 160HZ and the overall Linear noise level) as measured at one metre from the façade of any noise sensitive premises with amplified music and/ or vocals switched off, shall not be increased when the music or vocals are played at the typically highest level and a measurement is repeated in L90 Linear at the same position over any 5 minute period, with the music, vocals and current background noise measured together.

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6. For events that are considered routine operation and which may be used in conjunction with licence LN-201600183. These conditions are applicable where music is not ancillary to the event; the events are ticketed and attended by up to 9999 people.
  - a. The Licensee or DPS shall appoint a competent person responsible for:
    - i. A Liaison between the responsible authority, Licensee, event promoter, technical contractors and Artist Management prior to, during and after the event.
    - ii. To conduct on site monitoring of any event to ensure that noise levels identified by condition in this licence are not breached.
  - b. Between the hours of 09:00am and 23:00pm the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade does not exceed the background level (L90A measured over a 15 minute period) by more than 5dB.
  - c. Between the hours of 23:00pm and 09:00am the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade shall be inaudible.
    - i. Inaudibility shall be where the background noise level (L90 15 min Linear for the third octave band levels of 50 to 160HZ and the overall Linear noise level) as measured at one metre from the façade of any noise sensitive premises with amplified music and/ or vocals switched off, shall not be increased when the music or vocals are played at the typically highest level and a measurement is repeated in L90 Linear at the same position over any 5 minute period, with the music, vocals and current background noise measured together.

### Additional Information

Dreamland is a Theme Park with residential premises at close quarters. The requirement by the licensee and the management of Dreamland to hold music events within the park space is recognised by Environmental Health. Unfortunately Environmental Health cannot support an unlimited number of regular music events that may cause undue disturbance to surrounding premises.

It should be noted that the applicants requested condition of 65dB over 15 minutes for unlimited music events is not something that Environmental Health would support. There is a significant potential for disturbance and the Council is obliged to take formal action on an operator where a Statutory Nuisance exists, that is, 'an unreasonable interference with the use and enjoyment of a neighbour's home'. WHO guidelines recommended that to prevent sleep disturbance bedrooms should not exceed 30dB at night (11pm to 7am) and 35dB at other times. The limits previously applied were already lenient and exceeded those recommended in relevant the Code of Practice.

In essence whilst we are happy to negotiate on wording of the above conditions it is extremely unlikely that we would move on the noise levels that are already on the current premises licence.

Kind regards,

Christopher Brown - **Environmental Protection Officer**  
On behalf of **ENVIRONMENTAL HEALTH**





# Memo



Date: 4<sup>th</sup> May 2017  
To: Morgan Sproates, Environmental Protection Manager  
Re: Premises Licence LN/201600183 Dreamland Margate  
Application to vary conditions 21 and 22

---

Further to your request to review the details provided by Andrew Merrick's application on behalf of Dreamland to vary the existing licence conditions with regard to an environmental noise. I offer the following comments (please also find attached my previous comments on the original premises application for reference).

## Existing noise conditions:

Conditions 21 and 22 currently establish noise limits and controls associated with external areas:

- Amusement Park Area

The Maximum Noise Level shall not exceed background noise level ( $L_{90A,15min}$ ) by more than 5dB at 1m from the facade of any Noise Sensitive Premises.

- Main Event Area

When music is ancillary to the event:

The Maximum Noise Level shall not exceed background noise level ( $L_{90A,15min}$ ) by more than 5dB at 1m from the facade of any Noise Sensitive Premises

When music is not ancillary to the event:

No more than 6 concert days per calendar year

The Music Noise Level shall not at any noise sensitive premises exceed 75dB(A) over 15 minute period measured 1m from the facade'.

- Licence only permits live music until 11pm

## Proposed variation

The variation seeks to remove existing conditions and replace them with a number of applicant proposed conditions. Mr Brown has reviewed most of these and I have only considered the acoustic implications.

### Large Scale Concerts: ref Section 2

The applicant is seeking to increase the number of main events from 6 to 8 per annum. Each event will not exceed 48 hrs so in affect are requesting 4, 2-day events. While this is an increase on the 6 previously agreed and in excess of the 3 recommended by Code of Practice it does restrict the events to fewer but on two consecutive days. This is a small

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increase and is arguably as impactful as the 6 single events currently permitted. A separation period of 28 days is helpful. However, the applicant defines these as 'large scale events' >10,000 and therefore discounts all other music events <10,000. All music events in this area, regardless of size should be included and only where music is ancillary should the tighter restriction of 5dB above background apply.

### Proposed Noise Criteria: ref 2.3

The applicant is proposing adhere to the existing noise limit but only to events in excess >10,000 when it should apply to all open air music events at the site.

A Music Noise Level (MNL) as defined in the Code of Practice on Environmental Noise Control at concerts should not exceed 65dB(A) measured over a 15 minute period at the façade of surrounding residential receptors. However, the higher threshold of 75dB was agreed during the premises application discussions. It appears that the applicant will continue to adhere to this overall limit.

The term specific noise is typically related to BS4142 'Method for rating industrial noise affecting mixed residential and commercial areas' and is not relevant here. Music Noise Level is preferred. The applicant adheres to the over-arching 75dB limit but seeks to propose 75dB L<sub>Zeq</sub> 15 at a radius of 2km, this would be unenforceable and difficult to measure given the very low level bass beat noise. While the Z or linear weighting is welcome given A weighting under assessing the impact of low frequency noise, for enforceability we should continue to assess against a level of 70dB(A) measured over 15 minutes in either the 63hz or 125hz octave frequency bands at the nearest dwellings. It would not be possible to monitor at 2km given the numerous surrounding buildings acting as a barrier and would not reflect the impact to properties nearer to the venue.

In 2.3.3 the applicant seeks to apply a lower noise limit to activities after 11pm to 9am for large events to 10dB above background L<sub>90</sub>. For sound to not increase background levels at all it would need to be 10dB below background. The proposal could lead to significant disturbance after 11pm and should not be permitted. Although could be a consideration after a large event until midnight.

### Noise criteria a smaller events ref 3.2

The applicant is proposing potentially unlimited smaller <10,000 events with a receptor noise limit of 65dB LA<sub>eq</sub> 15min until 11pm daily. This will have a significant detrimental impact on surrounding residential properties, it will interfere with sleep and likely amount to a Statutory Nuisance obliging the Council to serve a noise abatement notice on the operator. All music events involving amplification should be considered with the '8' events per annum and associated noise criteria.

The Noise Council Guidance on Environmental noise control at Concerts that for venues where there are 4 to 12 events per year the level is 15dB above background over 15 minutes. These are for all venues so could conceivably refer to Dreamland. An agreement could be reached on an increase to the current 5dB to 15dB for 4 further 'smaller music events'.

Scheduled Twilights events currently undertaken within the amusement park area are subject to a strict noise limiting condition not to exceed background noise level by more than 5dB at 1m from the facade of any residential premises. Should the operator want to exceed this limit it would need to be counted as a music event and restricted in terms of frequency of events, as referred to above.

### Event Space 2 ref s.7

There would be no additional impact by incorporating this area providing noise conditions are applicable.

### **Additional points for consideration**

The applicant has sought to increase the number of large events and have unlimited smaller events at 75dB LAeq 15min and 65 dBLAeq 15min respectively.

There is a significant potential for disturbance and the Council is obliged to take formal action on an operator where a Statutory Nuisance exists, that is, 'an unreasonable interference with the use and enjoyment of a neighbour's home'. WHO guidelines recommended that to prevent sleep disturbance bedrooms should not exceed 30dB at night (11pm to 7am) and 35dB at other times. The limits previously applied were already lenient and exceeded those recommended in relevant the CoP, which would categorise the site as 'an urban park not stadia or arena and also recommends that where there are other noise sources at the site, these should be taken into account when setting noise limits; needless to say an amusement park has many.

A review of events complaints made since Dreamland opened and compliance with existing conditions should also be considered before supporting or objecting to the variation.

Finally, consultation with the Planning Department is necessary given that the number of events could potentially exceed 28 days per annum and may require planning permission to operate an events space in addition to the permitted use as an amusement park.

Amanda Berry  
Environmental Health Officer



# Memo



Date: 15<sup>th</sup> January 2015  
To: Philip Bensted, Licensing and Land Charges Manager.  
Re: Premises Licence – Dreamland Margate

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Environmental Health is formally objecting to the above application on the grounds of preventing public nuisance.

## Background

It is not entirely clear from the application which activities are to be operated where and at what times. However to the best of my knowledge the applicant is seeking consent for the following activities, both in and outdoors:

Plays, films, boxing and sporting events all with associated amplified music 24hrs/7days

Dance 09:00 - 06:00 7 days

Outdoor (and Hall by the Sea) 23:00hrs weekdays and midnight weekends

Live 09:00 to 06:00 7 days

Outdoors (and Hall by the Sea) until 23:00hrs

Indoor other 09:00 – 06:00

Operating schedule states:

Outdoor (and Hall by the Sea) Mon to Sun until 23:00hrs

Indoors (other: Ball Room, Roller Disco) Sun to Thurs until 01:00hrs and Fri/Sat until 02:00hrs

Recorded music 24/7

Indoor (other: Ball Room and Roller Disco) 24/7

Outdoor (and Hall by the Sea) 23:00hrs weekdays and midnight weekends

Operating schedule states:

Outdoor (and Hall by the Sea) Sun to Thurs until 23:30hrs; Fri & Sat until 00:30hrs

Indoors (other: Ball Room and Roller Disco) 24/7

Other (music associated with each fairground ride operation) 09:00 – 06:00 when main attraction open to the public

Late Night refreshment 23:00 – 05:00

Alcohol 09:00 – 09:00

## Grounds

1. The boundary of much of Dreamland is surrounded by housing. In recent years additional residential dwellings (Stratford House and Weymouth House) have been built which are very close to the proposed main stage and venue space (Appendix A). Houses in Eaton Road, Belgrave Rd and Marine Terrace all have a direct line of sight with the venue as do many of the properties in Grosvenor Place which are at a higher elevation. There is no mitigation i.e. barriers, structures between the venue and the properties and Hall by the Sea benefits from very little insulation. The hard standing will act as a noise reflecting surface i.e. minimal sound absorption over

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distance. The site has a long history as an amusement park but not as an events venue.

2. The Noise Impact Assessment (NIA) and Noise Management Plan (NMP) have not been produced by noise consultants with adequate credentials i.e. post graduate diploma in Acoustics or higher. The reports have several inaccuracies and inconsistencies. The examples given as relevant experience with other large-scale events i.e. Bestival, AEG Live, run to the beat are not comparable to Dreamland, as those listed are either in large open spaces not surrounded by housing or are single annual events or within purpose built enclosed venues / arenas. The NIA uses BS4142 Method for Rating Industrial Noise. This standard explicitly says it should not be used to assess noise from music events.
3. The first floor Hall by the Sea is only 50m from Arlington House. The light weight building has little or no sound insulation (Appendix B). The hall can only ever support the proposed new double skin tin roof due to the structure's loading ability. There is no future capacity to insulate the roof and walls. Loud music will cause the tin roof to resonate effectively acting as a giant loud speaker.
4. The Roller Disco and Ball Room venues are more substantial buildings which could possibly support regular events. However, in the absence of an acoustic survey to determine the level of current sound insulation this is unknown and therefore a safeguarding condition would be necessary. Ventilation will also be necessary to prevent doors or windows being left open during summer months.
5. The Noise Code of Practice for concerts provides guidance on how such noise can be controlled. The code is designed to assist those planning an event; those responsible for licensing events and those responsible for enforcing nuisance provisions under the Environmental Protection Act. Dreamland would be classed as 'other urban venue' and as such the recommended Music Noise Level (MNL) is 65dB(A) Leq for 15min 1 to 3 events per calendar year. If >4-12 events are proposed the limit is more restrictive and the MNL should not exceed background noise by more than 15dB(A)15min at 1m from façade of any sensitive premises. The limits are in my opinion unachievable. Both from the main event space and from the Hall by the sea.
6. Noise predictions and assumptions made in the Noise Management Plan and the Noise Impact Assessment reports are in places questionable. The calculations are based on sound propagation laws. Recalculating these figures based on 100dB (which is the minimum level for audience enjoyment) over the distances to dwellings, there is no possibility of achieving the 65dB limit at all properties. NIA claims that 30-35dB reduction in noise level is possible with use of temporary structures and cardioid speaker system, this is effectively an 8 fold noise reduction to achieve the limit. It is not possible to accept such claims without supporting evidence i.e. details of other LA's where such techniques are already successfully employed at similar venues.
7. The noise associated with people attending the events cannot be mitigated e.g. applause and cheering. Being mindful that neighbours will be subject to noise associated from amusement park's daily activities i.e. noise from the operation of rides, ancillary music and then noise from large number of people visiting the park, it is essential that some peace is afforded to them in the evenings.
8. In section 6.9 of the NIA comments that the CoP on Concerts has been withdrawn is incorrect. It is under review. In the absence of updated guidance the CIEH still support use as a valid reference source.

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9. There is a history of noise complaints at Dreamland. These were investigated and complaints upheld resulting in the service of a noise abatement notice on the previous operator.

### Conclusion

Members will have to take account of how frequently the noise will be generated and how disturbing it will be, and balance the enjoyment of the participants against nuisance to other people. Environmental Health are seriously concerned that the proposal for late night events will severely impact on a large number of residential properties. Should a licence be granted, the very likely impact of noise on residents could cause a Statutory Nuisance and place the Council under a legal duty to serve a noise Abatement Notice which will seek to prohibit / restrict any further nuisance. This may affect the future viability of the site. It is our opinion that Dreamland is simply not suitable for such large scale 'open air' events.

If Members are of a mind to grant consent, the following conditions are recommended:

External Live and Recorded Events namely: Main Area and Hall by the Sea

- a) Limit the number of major external events for whole site:  
1-3 per calendar year 'the Music Noise Level (MNL) shall not at any noise sensitive premises exceed 65dB(A) over a 15min period measured 1m from the facade'
- Or >4-12 then 'the Music Noise Level (MNL) shall not at any noise sensitive premises exceed the background noise level by more than 15dB(A) over 15 minute period measured 1m from the facade'
- b) Apply suggested conditions proposed in the Noise Management Plan, namely: Section 3 - F, G, H & I (page 3 NMP)
- c) Music from the event is only permitted between 18:00 to 23:00hrs.

Indoor Venues namely: Roller Disco and Ball Room

- d) If  $\leq 30$  Events (combined):
  - The CoP code recommends for indoor venues for up to 30 events per calendar year a MNL not exceeding the background noise level by more than 5dB(A) over 15min period and events finish no later than 11pm. (Please note that <28 events will not require planning permission)
  - If > 30 Events music should be inaudible within an noise sensitive premises
- e) Install an adequate ventilation system to supply sufficient fresh air for patrons in the warmest weather, thus ensuring that sound proofed doors and windows remain closed

Amanda Berry  
Environmental Health Officer





**APPLICATION FOR VARIATION OF PREMISES LICENCE –  
DREAMLAND (THEME PARK AND EVENT  
SPACE) HALL BY THE SEA ROAD MARGATE**

*Licensing Sub-Committee – 7<sup>th</sup> June 2017 at 10 a.m*

Report Author ***Philip Bensted Regulatory Services Manager***

Portfolio Holder ***Cllr Lin Fairbrass Community Services***

Status ***For Decision***

Classification: ***Unrestricted***

Ward: ***Margate Central***

**Executive Summary:**

To consider this application for variation of a premises licence by Dreamland (Theme Park and Event Space) in the light of representations received.

**Recommendation(s):**

The instructions of the Sub-Committee are requested

**CORPORATE IMPLICATIONS**

<b>Financial and Value for Money</b>	None
<b>Legal</b>	<p>There is a right of appeal to a Magistrates' Court within 21 days of the date of the decision of the Licensing Sub-Committee with regard to the grant/refusal of a licence or any of the conditions attached to it.</p> <p>The Licensing Sub-Committee must pay proper attention to the applicant's rights under the provisions of the Human Rights Act 1998, which gives further effect in the United Kingdom to the fundamental rights and freedoms contained in the European Convention on Human Rights. The Licensing Sub-Committee must have proper regard to the rights of the individual applicant when making decisions that affect them. However, it also has to have regard to the safety and protection of the public and therefore to ensure that the right balance is found and think hard about how it can cause the least possible harm to individuals, bearing in mind its duty to ensure the protection of the public.</p>
<b>Corporate</b>	None.
<b>Equalities Act 2010 &amp; Public Sector Equality Duty</b>	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy &amp; maternity. Only</p>

aim (i) of the Duty applies to Marriage & civil partnership.
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## **1.0 Introduction and Background**

- 1.1 Application has been made by Licensed Support Services Ltd for variation of a premises licence described as a variation of licence conditions as described in the application at Annex 1.
- 1.2 The application showing the proposed variation is appended at Annex 1.
- 1.3 These premises were granted a premises licence in March 2016 which remains in force. This licence was last varied in August 2016. A copy of that licence and conditions are appended at Annex 2. The designated premises supervisor is Jennifer Debnam.

## **2.0 General Points**

- 2.1 Applicants for variation of a premises licence are required, as part of the licensing procedure, to display a public notice which provides information to the public regarding the manner in which objection may be made. Similarly, public notice of the application should be published in a local newspaper circulating in the vicinity of the premises. These requirements appear to have been complied with. No public objections have been received.
- 2.2 The applicant is further required to give notice of the application to responsible authorities. Kent Police and Environmental Protection have made representations which are appended at Annex's 3 and 4.
- 2.3 The Licensing Sub-Committee will be aware that it must carry out its functions under the 2003 Licensing Act to take steps which are appropriate for the promotion of the licensing objectives. The Licensing objectives are:- the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm. In carrying out its licensing functions, the Licensing Sub-Committee must also have regard to its statement of licensing policy and the Guidance issued under the Act.
- 2.4 The four licensing objectives are the matters the Licensing Sub-Committee must address when considering whether to grant or refuse the application. Each application should be considered on its merits. Reasons must be given for any decision made by the Sub-Committee.
- 2.5 The application should be determined within twenty working days beginning with the day after the end of the period during which representations may be made. Representations had to be made by the 11<sup>th</sup> May.

## **3.0 Options**

- 3.1 Grant the application with conditions consistent with the application.
- 3.2 Grant the application with different conditions.
- 3.3 Refuse the application.

## Agenda Item 5

Contact Officer:	Philip Bensted, Regulatory Services Manager, ext 7630
Reporting to:	Penny Button, Head of Neighbourhood Services, ext 7425

### Annex List

<i>Annex 1</i>	Application to vary premises licence
<i>Annex 2</i>	Premises licence
<i>Annex 3</i>	Police representations
<i>Annex 4</i>	Environmental Protection representations

### Background Papers

Title	Details of where to access copy
N/A	

### Corporate Consultation

<b>Finance</b>	N/A
<b>Legal</b>	N/A



Continued from previous page...

Non-domestic rateable value of premises (£)

Section 3 of 17

VARIATION

Do you want the proposed variation to have effect as soon as possible?  Yes  No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes  No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

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

**Describe Briefly The Nature Of The Proposed Variation**

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

1. Change licence to allow on and off sales
2. Annex 2 condition 1, Edit to read - All alcoholic drinks to be served in plastic containers or tin cans, the only exceptions being drinks that are served within the designated VIP area on the deposited plan and in a fenced SIA controlled area within the event and park space.
3. Delete condition 7 & 8
4. Condition 11. add the words - "apart from transfer to and from Buildings and Transit area covered by Licence No. N/201600141"
5. Delete condition 15
6. Re-write conditions 20 - 22 to read -
  1. General
  1. The DPS, event promoter & representatives shall undertake all reasonable & practicable measures to maintain compliance with the licensing objectives.
  2. The Licensing Authority shall be permitted unrestricted noise assessment access.
  3. Sound systems shall remain under the control of the DPS's authorised persons, except where control has been assumed by a relevant authority in the event of emergency.
  4. Sound amplification systems shall not be used after the permitted hours for any purpose except for public order & safety purposes.
  5. Implement a resident's helpline & log actions to promote good public relations & complaint resolution.
  6. Implement a venue noise plan to promote good practice during routine operation. Review the venue noise plan within 8-days if sources or timings of disturbance materially change, or more than 10 noise related complaints are received in any 28-day period.
7. Large scale concert events of 10,000 people or over.
  1. No more than 4 large scale (10,000 people or over) concert events per annum. No single event to last more than 48 hours and they will be a minimum of 28 days between each large scale event.

*Continued from previous page...*

2.2. The Licensee shall appoint a suitably qualified Acoustic Consultant whose duties will include:

2.2.1. Liaise with the Responsible Authorities, Licensee, event promoter, technical contractors & artist management prior to, during & after the licensed event.

2.2.2. Produce a Noise Management Plan advising on noise mitigation techniques to minimise noise disturbance outside the venue, likelihood of complaint & risk of hearing damage to persons attending the event.

2.2.3. Monitoring the on-site and off-site noise levels. Informing the licensee of any breaches of the prescribed limits and advising on the action necessary for compliance.

2.3. Noise criteria for the 4 large scale (10,000 people or over) concert events per annum.

2.3.1. Peak sound pressure level of amplified entertainment shall not exceed 140 dBC in any part of the licensed areas accessible to the public.

2.3.2. Between the hours of 09:00-23:00 specific noise level of licensed entertainment at the boundary of any noise sensitive receptor shall not exceed 75dB LAeq 15', and at 2Km from the venue shall not exceed 75dB LZeq 15' for octave bands centred on 63Hz & 125Hz.

2.3.3. Between the hours of 23:00-09:00 specific noise level of licensed entertainment at the boundary of any noise sensitive receptor shall not exceed 10dB above the L90 background level.

3. Routine operation

3.1. The DPS shall appoint a competent person responsible for:

3.1.1. Liaison with the Responsible Authorities, Licensee, event promoter, technical contractors & artist management prior to, during & after the licensed event.

3.1.2. Taking all practicable steps to minimise likelihood of complaint, including implementing routine noise mitigation in accordance with the venue noise management plan.

3.1.3. Monitor the on-site noise levels and act where levels predetermined in the venue noise management plan are exceeded & likely to cause disturbance.

3.2. Noise criteria for smaller scale (less than 10,000 people) concert events.

3.2.1. Peak sound pressure level of amplified entertainment shall not exceed 140 dBC in any part of the licensed areas accessible to the public

3.2.2. Between the hours of 09:00-23:00 specific noise level of licensed entertainment at the boundary of any noise sensitive receptor shall not exceed 65dB LAeq 15'.

3.2.3. Between the hours of 23:00-09:00 specific noise level of licensed entertainment at the boundary of any noise sensitive receptor shall not exceed the L90 background level.

7. To extend the area of the event space by including the car park (Event Space 2) as details on the submitted plan

8. Additional temporary bars may be installed in the park and event space as required to accommodate events

### Section 4 of 17

#### PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes  No

### Section 5 of 17

#### PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes  No

### Section 6 of 17

#### PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes  No

*continued from previous page...*

Section 7 of 17

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes  No

Section 8 of 17

**PROVISION OF LIVE MUSIC**

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes  No

Section 9 of 17

**PROVISION OF RECORDED MUSIC**

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes  No

Section 10 of 17

**PROVISION OF PERFORMANCES OF DANCE**

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes  No

Section 11 of 17

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes  No

Section 12 of 17

**PROVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes  No

Section 13 of 17

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes  No

Continued from previous page...

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the day of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises       Off the premises       Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Timings as detailed in the licence to remain the same. We are applying to vary the licence to allow for both on and off sale to allow for the movement of alcohol between this licensed area and the area covered by licence No. LN/201600183.



*Continued from previous page...*

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 14 of 17**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

**Section 15 of 17**

**OURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the day of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Timings to remain the same as the licence

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

As detailed in variation description.

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 17

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

*Continued from previous page...*

As detailed in Annex 2 of the licence and as per details of variation

c) The prevention of crime and disorder

As detailed in Annex 2 of the licence and as per details of variation

d) Public safety

As detailed in Annex 2 of the licence and as per details of variation

e) The prevention of public nuisance

As detailed in Annex 2 of the licence and as per details of variation

f) The protection of children from harm

As detailed in Annex 2 of the licence and as per details of variation

## **Section 17 of 17**

### **PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00\*

Band E - £125001 and over £635.00\*

If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

*continued from previous page...*

- Capacity 50000-59999 £32,000.00
- Capacity 60000-69999 £40,000.00
- Capacity 70000-79999 £48,000.00
- Capacity 80000-89999 £56,000.00
- Capacity 90000 and over £64,000.00

Fee amount (£)

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**Address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**DECLARATION**

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name	<input type="text"/>
Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/thanet/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**



**Thanet District Council  
Part A  
Premises Licence**

**Premises licence number**

LN/201600183

**Premises details**

Postal address of premises, or if none, ordnance survey map reference or description	
Dreamland (Theme Park and Event Space) Hall by the Sea Road	
Post town Margate, Kent	Post code CT9 1XJ
Telephone number 01843 [REDACTED]	

Where the licence is time limited the dates
None

Licensable activities authorised by the licence
<p><b>THE MAXIMUM NUMBER OF PERSONS IN ATTENDANCE AT ANY ONE TIME SHALL NOT EXCEED 29,999</b></p> <ol style="list-style-type: none"> <li>1) Plays (indoors/outdoors), films (indoors/outdoors), indoor sporting events, boxing or wrestling (indoors/outdoors)</li> <li>2) Live music (indoors/outdoors), recorded music (indoors/outdoors), performances of dance (indoors/outdoors), anything of a similar description (indoors/outdoors), supply of alcohol (on the premises)</li> <li>3) Late night refreshment (indoors/outdoors)</li> </ol>

The times the licence authorises the carrying out of licensable activities
<ol style="list-style-type: none"> <li>1) 9am to 11pm daily</li> <li>2) Theme Park – 9am to 11pm daily, Event Space – Sun – Thurs 9am to 10pm, Fri/Sat 9am to 11pm, Easter, May and August Bank Holiday Sundays extended to 11pm</li> <li>3) Event Space – Fri/Sat 11pm to midnight</li> </ol>

Agenda Item 5  
Annex 2

The opening hours of the premises

9am to 11pm daily  
Event Space extended to midnight on Fridays and Saturdays

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

On the premises only

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

Licensed Support Services Ltd  
Sandpit House, Toothill Road, Romsey, Hants SO51 9LN  
07810 [REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

7725385

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Ms Jennifer Debnam  
[REDACTED] Kent Road, Gravesend, Kent DA11 0SY  
01843 [REDACTED]

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

GM/PER/16/0010  
Gravesham Council

**Issued on the 15 August 2016**

**To commence on the 29 March 2016**

**Regulatory Services Manager** \_\_\_\_\_ [REDACTED]

**Annex 1 – Mandatory conditions**

**No supply of alcohol may be made under the premises licence:-**

- a) At a time when there is no designated premises supervisor in respect of the premises licence, or**
- b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended**

**Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.**

**Films**

**The admission of children (persons under 18 years) to the exhibition of any film is restricted in accordance with any recommendation of the British Board of Film Classification (BBFC) or the Licensing Authority.**

**Where a film exhibition has not been classified, the licence holder will certify to the Licensing Authority that an assessment of the suitability of the film for exhibition to children, in accordance with the BBFC Guidelines has been carried out, and that this has been confirmed by the Licensing Authority, in writing, prior to public viewing.**

**Any Door Supervisor employed at the premises will be licensed under the Private Security Industry Act 2001.**

**1. (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 a 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).

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

3. (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.

4. 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: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(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.”

5. (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 purposes of the condition set out in paragraph 1 –

a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

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 rate 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.

#### **Annex 2 – Conditions consistent with the operating Schedule**

**PEAK SEASON** – 1<sup>st</sup> July to 5<sup>th</sup> September, all Bank Holidays and adjoining weekend, all Kent recognised school holidays (Christmas, Easter, Summer and half terms) when the park is open to the public.

**OFF PEAK SEASON** – 6<sup>th</sup> September to 30<sup>th</sup> June when it is not a Bank Holiday or adjoining weekend or a Kent recognised school holiday open to the public.

#### **Conditions to be maintained for Off Peak Season**

1. All alcoholic drinks to be served in plastic containers, the only exceptions being drinks that are served within the designated VIP area on the deposited plan and in a fenced SIA controlled area within the Event Space, which will be one public bar and one VIP bar only.
2. A minimum of one personal licence holder shall be on duty during the sales of alcohol.

3. CCTV shall be installed, working and maintained with a thirty day rollover recording. Recordings shall be made available to the Police and Licensing Authority upon request if required. The licensed area shall be covered and entrance/exit covered at a minimum, in agreement with the Police and Local Authority.
4. The premises shall, in conjunction with the Police and Licensing Authority, adopt a zero tolerance drugs policy and a search policy in promotion of the licensing objectives. This policy shall also include a zero tolerance approach to New Psychoactive Substances (NPS), more commonly known as Legal Highs and Nitrous Oxide. Neither shall be allowed on any part of the site and persons stopped with substances shall be dealt with robustly.
5. A drugs box shall be kept in the main office and only the Police and the premises shall have the keys to open the box. The box can only be opened with both keys.
6. The Police and Licensing Authority shall be given twenty one days' notice of any occasion when the area is open to the public for non-licensable activities outside the hours for the provision of licensable activities.
7. Alcohol shall only be purchased and consumed within the park, outlined by its perimeter fence. Alcohol can only be transferred from the park into the Event Space if the Event Space is enclosed by a perimeter fence and they are used as part of the park's activities.
8. Accurate records shall be kept of the number of persons in this area, capable of transmission to the Police or Licensing Authority on request.
9. When the event space is to be used as the main area The Safety Advisory Group will be informed.
10. CCTV that is installed for the Event Space shall be made available to the Council Control Room. This condition shall be fulfilled for events larger than 5000 persons.
11. A minimum of one authorised member of staff at any entrance/exit to ensure that no alcohol leaves the licensed area.
12. A minimum of one SIA on duty at any time alcohol is available to be purchased consumed within the Theme Park.
13. This licence and the premises licence number LN/201600141 relating to Dreamland (Buildings and Transit Area) share SIA security staff. During the times that alcohol is available, body worn cameras shall be worn on up to six SIA security staff across the two licensed areas.
14. No alcohol to be taken on to any ride.

- 15.No off sales.
- 16.A copy of the premises licence to be displayed.
- 17.All staff to undertake suitable training to fully support the licensing objectives and accurate written records to be kept of training taken. Training to include the following subjects:
  - a) Prohibition of sales to persons who appear to be drunk or underage
  - b) Refusal of service and recording of refusals either via till or written record
  - c) Understanding of the licence conditions

This information is to be made available to the Police or Licensing Authority upon request.

- 18.Written names of all staff who have been authorised to sell alcohol and who they have been trained by to be displayed behind each bar.
- 19.By the second day at the beginning of every month a list of planned events that fall out of normal day to day business, like a ticketed event, to be sent to the Police Licensing Officer, Police Events Team, Thanet District Council Events Team and Thanet District Council Licensing.

**Extra condition for Peak Season**

- 20.One addition SIA to be inside the Theme Park during the sale of alcohol by retail.
- 21.Theme Park and VIP Area – the Maximum Noise Level shall not exceed background noise level (L90A, 15min) by more than 5dB at 1m from the façade of any noise sensitive premises.
- 22.Event Space – The Noise Management Plan dated 15<sup>th</sup> December 2014 supplied as part of the application must be implemented. This has regard to superseding noise limits stated below:
  - a) When music is ancillary to the event: the Maximum Noise Level shall not exceed background noise level (L90A. 15 min) by more than 5dB at 1m from the façade of any noise sensitive premises.
  - b) When music is not ancillary to the event: No more than six concert days per calendar year shall be permitted. Should any three concert days not be used consecutively (that is one day after another) they shall not be sooner or

**later than fifty six days before or after any other concert day. And the music noise level shall not at any noise sensitive premises exceed 75dB(A) over fifteen minute period measured 1m from the façade.**

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

**None**

**Annex 4 – Plans**

**Plans considered March 2016**



Philip Bensted

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**From:** Darren Dennett PC [REDACTED] <[REDACTED]@kent.pnn.police.uk>  
**Sent:** 11 May 2017 15:42  
**To:** Philip Bensted; Andy Merricks (LSS) [REDACTED]@licensing-support.co.uk  
**Subject:** Dreamland variations  
**Attachments:** ATT00001.txt

Philip,

Good afternoon, you would have received my notification about the Police supporting the application for Ziggy's.

The Police cannot support the variations for the Buildings Licence and the Event Space and Park Licence. The police had been close to coming to an agreement regarding the Building licence and I feel that can be quickly resolved. The Event Space and Park Licence the police have concerns under the Prevention of crime and Disorder, public nuisance and protection of children against harm. The Police are not happy to support the use of tin cans to sell alcohol.

The other issue that has recently come to light is that Dreamland are currently in breach of its licence and have been since the 2<sup>nd</sup> May 2017. The Police therefore cannot support the variations when the current licences are being breached.

Kind regards

Darren

PC [REDACTED] DENNETT  
Police Licensing Enforcement Officer  
CSU – Thanet  
01843 [REDACTED]  
07966 [REDACTED]  
[REDACTED]@kent.pnn.police.uk

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# Memo



Date: 10<sup>th</sup> May 2017  
 To: Philip Bensted, Thanet District Council Licensing Department  
 Ref: WK/201716908  
 Re: Premises Licence Variation – Buildings and Transit area (LN-201600141) and Theme Park and Events Space (LN-201600183)

Environmental Protection has been asked to comment as a responsible authority on the above variations to premises licences.

## Existing situation

Condition 21 of the Buildings and Transit area licence and Condition 21 and 22 of the Theme Park and Events space licence establish noise limits and controls associated with music based events. Those conditions being:

### Buildings and Transit

#### Condition 21

- a) *Until 11pm the maximum noise level shall not exceed background noise level (L90A, 15min) by more than 5dB at one metre from the façade of any noise sensitive premises.*
- b) *11pm to 2am inaudibility.*
- c) *The background noise level (L90, 15min Linear for the one third octave band levels of 50 to 160 Hz and the overall linear noise level), as measured at one metre from the façade of any noise sensitive premises with amplified music and/or vocals switched off, shall not be increased when the music or vocals are played at the typically highest level and a measurement is repeated in L90 Linear at the same position over any five minute period, with the music, vocals and current background noise measured together.*

#### Theme Park and Events Space

#### Condition 21

*Theme Park and VIP Area – the Maximum Noise Level shall not exceed background noise level (L90A, 15min) by more than 5dB at 1m from the façade of any noise sensitive premises.*

#### Condition 22

*Event Space – The Noise Management Plan dated 15th December 2014 supplied as part of the application must be implemented. This has regard to superseding noise limits stated below:*

- a) *When music is ancillary to the event: the Maximum Noise Level shall not exceed background noise level (L90A, 15 min) by more than 5dB at 1m from the façade of any noise sensitive premises.*
- b) *When music is not ancillary to the event: No more than six concert days per calendar year shall be permitted. Should any three concert days not be used consecutively (that is one day after another) they shall not be sooner or later than fifty six days before or after any other concert day. And the music noise level shall not at any noise sensitive premises exceed 75dB(A) over fifteen minute period measured 1m from the façade.*

## Proposed variation

The variation seeks to remove the existing conditions and replace them with a number of applicant proposed conditions. My initial response is that Environmental Health **OBJECTS** to the applications in their current form on the grounds of the 'Prevention of Public Nuisance'. Environmental Health is happy with the structure of the existing conditions and request in so far as noise limits that these are

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retained. They are designed to prevent disturbance to local residences and to support the licensing objective 'The Prevention of Public Nuisance'. I have outlined our position below to the two variations.

It should be noted that during 2016 following a music event at Dreamland the local authority received multiple complaints from local residents. The complaints pointed to loud amplified music being played in the external theme park area. These complaints point to the opportunity for Dreamland to cause significant disturbance to surrounding properties during music events.

### Theme Park and Event Space (LN-201600183)

Following a site consultation meeting with the licensee and the management of Dreamland Environmental Health would have no objection to the increase in large events as requested as part of the variation. We also have no issue with the requested reduction in days between events. Unfortunately Environmental Health cannot support an uncontrolled number of regular music events that may cause undue disturbance to surrounding premises.

The event space and theme park at Dreamland is an external space with residential premises at close quarters. The Noise Councils 'Code of Practice on Environmental Noise Control at Concerts' lists all venues as having 4-12 events per year. Given the descriptions I would put Dreamland in this category. It also gives a guidance noise level of 15 dB above background. The current conditions allow in excess of this. Environmental Health is not looking to relax the noise conditions for this area. I have taken the conditions in the variation and reworded them to a position where Environmental Health is satisfied that they will aid the operation of the licence.

Condition 21 and 22 shall be removed and replaced with:

1. Sound amplification systems shall not be used after the permitted hours for any purpose other than for public order or health and safety purposes.
2. The licensees within 28 days of the grant of any variation shall implement a helpline for customer comments and complaints. The helpline shall be available for contact by customers and residents throughout the operation of any event. The helpline shall be included on all advertisements on the Dreamland website for events involved with this licence where music is not ancillary. All contact with the helpline shall be logged with customer name, address, contact details, nature of complaint and complaint resolution description. It should be noted if the customer refuses to give any information. This complaint information shall be made available to the local licensing authority at their request within a period of 7 working days.
3. The licensees shall implement a general site Noise Management Plan (NMP) within 28 days of the grant of any variation. The NMP shall promote the licensing objectives and ensure the licensing conditions are adhered to. The NMP shall be reviewed if it is the opinion of the Licensee that sources or timings of disturbance have significantly changed. The NMP shall also be reviewed if more than 3 complaints (from different households) relating to noise, are received by either the local authority or the licensee, concerning an individual event.
4. During any event where music is not ancillary the licensee shall give unrestricted access to local authority officers to the site to conduct monitoring of noise levels.
5. There shall be no more than 12 music event days per year associated with this licence. An event shall be where the event is ticketed and music is not ancillary to the event. Where an event is in excess of 24 hours this shall be classed as 2 events.
  - a. Music at these events in relation to this licence shall terminate at 23:00pm.
  - b. For events that are considered large scale. Large scale shall be met where music is not ancillary to the event; they are ticketed and attended by more than 10,000 people.
    - i. These events shall be no more than 4 x 2 day events per year. This shall mean that if this is used to its maximum the licensee shall have used 8 of the 12 events listed in condition 5 above. Each series of events shall last no longer than 48 hours. There shall be 28 day between the end of one series of events and the beginning of another.
    - ii. At least 28 days prior to a planned event the licensee shall appoint a suitably qualified acoustic consultant. The duties of the acoustic consultant shall include (but not limited to):
      1. A Liaison between the responsible authority, Licensee, event promoter, technical contractors and artist management prior to, during and after the event.

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2. At least 14 days prior to the event produce a site and event specific Noise Management Plan (NMP) advising on noise mitigation techniques to minimise noise disturbance outside the venue, the likelihood of complaint, the risk of hearing damage to staff and patrons and noise sensitive premises.
  3. Conducting pre-event testing to ensure that noise levels outlined in this licence are achievable.
  4. Conducting noise monitoring during the event to ensure that noise levels outlined by condition in this licence are not breached.
- iii. The results of the monitoring of such events shall be made available through a report. The report shall refer to the findings of the NMP and highlight any breaches of the conditions and any mitigation taken at the time. Following a written request from the licensing authority to the licensee the report shall be sent to the local licencing authority within 14 days.
  - iv. Between the hours of 09:00am and 23:00pm the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade does not exceed 75dB(A) measured over a 15 minute period. This shall encompass a level of 70dB(A) measured over 15 minutes in either the 63hz or 125hz octave frequency bands.
- c. For events that are ticketed and where music is not ancillary to the event and attended by below 9999 people.
- i. There shall be no more than 4 of these events per year. Where large scale events (condition 5b) have not been used these can be used here to increase the maximum 4 to a maximum of 12 possible events.
  - ii. The Licensee or DPS shall appoint a competent person responsible for:
    1. A Liaison between the responsible authority, Licensee, event promoter, technical contractors and Artist Management prior to, during and after the event.
    2. To conduct on site monitoring of any event to ensure that noise levels identified by condition in this licence are not breached.
  - iii. The results of the monitoring of such events shall be made available through a report. The report shall refer to the findings of the NMP and highlight any breaches of the conditions and any mitigation taken at the time. Following a written request from the licensing authority to the licensee the report shall be sent to the local licencing authority within 14 days.
  - iv. Between the hours of 09:00am and 23:00pm the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade does not exceed the background level (L90A measured over a 15 minute period) by more than 15dB.
- d. For general events where music is not ancillary but also are not ticketed.
- i. Between the hours of 09:00am and 23:00pm the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade does not exceed the background level (L90A measured over a 15 minute period) by more than 5dB.

### Buildings and Transit Licence (LN-201600141)

For this variation Environmental Health objects to the application in its current form and should this progress to a hearing we request that the Licencing sub-committee retains condition 21 as it is currently worded.

If the Licensing sub-committee are minded to support our position on the current noise conditions but wish to review the other conditions offered as part of the variation I have listed our position below. Environmental Health have taken the other conditions offered and reworded them. It is my opinion that while they are not the exact wording of the original conditions offered they do follow the same direction and would support the operation of the premises licence and support the licencing objectives.

It should also be noted that the operation of this licence is enclosed within buildings. The buildings should offer both construction mitigation and the opportunity for further mitigation. Based on this we certainly could not accept the noise related conditions put forward by the applicant i.e. 65dB over 15 minutes and 10dB above background post 11pm.

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If the Licencing sub-committee are happy to support our position on the current noise conditions then Condition 21 would be removed and replaced with:

1. Sound amplification systems shall not be used after the permitted hours for any purpose other than for public order or health and safety purposes.
2. The licensees within 28 days of the grant of any variation shall implement a helpline for customer comments and complaints. The helpline shall be available for contact by customers and residents throughout the operation of any event. The helpline shall be included on all advertisements on the Dreamland website for events involved with this licence where music is not ancillary. All contact with the helpline shall be logged with customer name, address, contact details, nature of complaint and complaint resolution description. It should be noted if the customer refuses to give any information. This complaint information shall be made available to the local licensing authority at their request within a period of 7 working days.
3. The licensees shall implement a general site Noise Management Plan (NMP) within 28 days of the grant of any variation. The NMP shall promote the licensing objectives and ensure the licensing conditions are adhered to. The NMP shall be reviewed if it is the opinion of the Licensee that sources or timings of disturbance have significantly changed. The NMP shall also be reviewed if more than 3 complaints (from different households) relating to noise, are received by either the local authority or the licensee, concerning an individual event.
4. During any event where music is not ancillary the licensee shall give unrestricted access to local authority officers to the site to conduct monitoring of noise levels.
5. For events that are considered large scale and where this licence is used in conjunction with LN/201600183. These conditions are applicable where music is not ancillary to the event; they are ticketed and attended by more than 10,000 people.
  - a. At least 28 days prior to a large scale event the licensee shall appoint a suitably qualified acoustic consultant. The duties of the acoustic consultant shall include (but not limited to):
    - i. A Liaison between the responsible authority, Licensee, event promoter, technical contractors and Artist Management prior to, during and after the event.
    - ii. At least 14 days prior to the event produce a site and event specific Noise Management Plan (NMP) advising on noise mitigation techniques to minimise noise disturbance outside the venue, the likelihood of complaint, the risk of hearing damage to staff and patrons and the effect on noise sensitive premises.
    - iii. Conducting pre-event testing to ensure that noise levels outlined in this licence are achievable.
    - iv. Conducting noise monitoring during the event to ensure that noise levels outlined by condition in this licence are not breached.
  - b. The results of the monitoring of such events shall be made available through a report. The report shall refer to the findings of the NMP and highlight any breaches of the conditions and any mitigation taken at the time. Following a written request from the licensing authority to the licensee the report shall be sent to the local licencing authority within 14 days.
  - c. Between the hours of 09:00am and 23:00pm the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade does not exceed the background level (L90A measured over a 15 minute period) by more than 5dB.
  - d. Between the hours of 23:00pm and 09:00am the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade shall be inaudible.
    - i. Inaudibility shall be where the background noise level (L90 15 min Linear for the third octave band levels of 50 to 160HZ and the overall Linear noise level) as measured at one metre from the façade of any noise sensitive premises with amplified music and/ or vocals switched off, shall not be increased when the music or vocals are played at the typically highest level and a measurement is repeated in L90 Linear at the same position over any 5 minute period, with the music, vocals and current background noise measured together.

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6. For events that are considered routine operation and which may be used in conjunction with licence LN-201600183. These conditions are applicable where music is not ancillary to the event; the events are ticketed and attended by up to 9999 people.
  - a. The Licensee or DPS shall appoint a competent person responsible for:
    - i. A Liaison between the responsible authority, Licensee, event promoter, technical contractors and Artist Management prior to, during and after the event.
    - ii. To conduct on site monitoring of any event to ensure that noise levels identified by condition in this licence are not breached.
  - b. Between the hours of 09:00am and 23:00pm the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade does not exceed the background level (L90A measured over a 15 minute period) by more than 5dB.
  - c. Between the hours of 23:00pm and 09:00am the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade shall be inaudible.
    - i. Inaudibility shall be where the background noise level (L90 15 min Linear for the third octave band levels of 50 to 160HZ and the overall Linear noise level) as measured at one metre from the façade of any noise sensitive premises with amplified music and/ or vocals switched off, shall not be increased when the music or vocals are played at the typically highest level and a measurement is repeated in L90 Linear at the same position over any 5 minute period, with the music, vocals and current background noise measured together.

### Additional Information

Dreamland is a Theme Park with residential premises at close quarters. The requirement by the licensee and the management of Dreamland to hold music events within the park space is recognised by Environmental Health. Unfortunately Environmental Health cannot support an unlimited number of regular music events that may cause undue disturbance to surrounding premises.

It should be noted that the applicants requested condition of 65dB over 15 minutes for unlimited music events is not something that Environmental Health would support. There is a significant potential for disturbance and the Council is obliged to take formal action on an operator where a Statutory Nuisance exists, that is, 'an unreasonable interference with the use and enjoyment of a neighbour's home'. WHO guidelines recommended that to prevent sleep disturbance bedrooms should not exceed 30dB at night (11pm to 7am) and 35dB at other times. The limits previously applied were already lenient and exceeded those recommended in relevant the Code of Practice.

In essence whilst we are happy to negotiate on wording of the above conditions it is extremely unlikely that we would move on the noise levels that are already on the current premises licence.

Kind regards,

Christopher Brown - **Environmental Protection Officer**  
On behalf of **ENVIRONMENTAL HEALTH**



# Memo



Date: 4<sup>th</sup> May 2017  
To: Morgan Sproates, Environmental Protection Manager  
Re: Premises Licence LN/201600183 Dreamland Margate  
Application to vary conditions 21 and 22

---

Further to your request to review the details provided by Andrew Merrick's application on behalf of Dreamland to vary the existing licence conditions with regard to an environmental noise. I offer the following comments (please also find attached my previous comments on the original premises application for reference).

## Existing noise conditions:

Conditions 21 and 22 currently establish noise limits and controls associated with external areas:

- Amusement Park Area

The Maximum Noise Level shall not exceed background noise level ( $L_{90A,15min}$ ) by more than 5dB at 1m from the facade of any Noise Sensitive Premises.

- Main Event Area

When music is ancillary to the event:

The Maximum Noise Level shall not exceed background noise level ( $L_{90A,15min}$ ) by more than 5dB at 1m from the facade of any Noise Sensitive Premises

When music is not ancillary to the event:

No more than 6 concert days per calendar year

The Music Noise Level shall not at any noise sensitive premises exceed 75dB(A) over 15 minute period measured 1m from the facade'.

- Licence only permits live music until 11pm

## Proposed variation

The variation seeks to remove existing conditions and replace them with a number of applicant proposed conditions. Mr Brown has reviewed most of these and I have only considered the acoustic implications.

### Large Scale Concerts: ref Section 2

The applicant is seeking to increase the number of main events from 6 to 8 per annum. Each event will not exceed 48 hrs so in affect are requesting 4, 2-day events. While this is an increase on the 6 previously agreed and in excess of the 3 recommended by Code of Practice it does restrict the events to fewer but on two consecutive days. This is a small

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increase and is arguably as impactful as the 6 single events currently permitted. A separation period of 28 days is helpful. However, the applicant defines these as 'large scale events' >10,000 and therefore discounts all other music events <10,000. All music events in this area, regardless of size should be included and only where music is ancillary should the tighter restriction of 5dB above background apply.

### Proposed Noise Criteria: ref 2.3

The applicant is proposing adhere to the existing noise limit but only to events in excess >10,000 when it should apply to all open air music events at the site.

A Music Noise Level (MNL) as defined in the Code of Practice on Environmental Noise Control at concerts should not exceed 65dB(A) measured over a 15 minute period at the façade of surrounding residential receptors. However, the higher threshold of 75dB was agreed during the premises application discussions. It appears that the applicant will continue to adhere to this overall limit.

The term specific noise is typically related to BS4142 'Method for rating industrial noise affecting mixed residential and commercial areas' and is not relevant here. Music Noise Level is preferred. The applicant adheres to the over-arching 75dB limit but seeks to propose 75dB L<sub>Zeq</sub> 15 at a radius of 2km, this would be unenforceable and difficult to measure given the very low level bass beat noise. While the Z or linear weighting is welcome given A weighting under assessing the impact of low frequency noise, for enforceability we should continue to assess against a level of 70dB(A) measured over 15 minutes in either the 63hz or 125hz octave frequency bands at the nearest dwellings. It would not be possible to monitor at 2km given the numerous surrounding buildings acting as a barrier and would not reflect the impact to properties nearer to the venue.

In 2.3.3 the applicant seeks to apply a lower noise limit to activities after 11pm to 9am for large events to 10dB above background L<sub>90</sub>. For sound to not increase background levels at all it would need to be 10dB below background. The proposal could lead to significant disturbance after 11pm and should not be permitted. Although could be a consideration after a large event until midnight.

### Noise criteria a smaller events ref 3.2

The applicant is proposing potentially unlimited smaller <10,000 events with a receptor noise limit of 65dB LA<sub>eq</sub> 15min until 11pm daily. This will have a significant detrimental impact on surrounding residential properties, it will interfere with sleep and likely amount to a Statutory Nuisance obliging the Council to serve a noise abatement notice on the operator. All music events involving amplification should be considered with the '8' events per annum and associated noise criteria.

The Noise Council Guidance on Environmental noise control at Concerts that for venues where there are 4 to 12 events per year the level is 15dB above background over 15 minutes. These are for all venues so could conceivably refer to Dreamland. An agreement could be reached on an increase to the current 5dB to 15dB for 4 further 'smaller music events'.

Scheduled Twilights events currently undertaken within the amusement park area are subject to a strict noise limiting condition not to exceed background noise level by more than 5dB at 1m from the facade of any residential premises. Should the operator want to exceed this limit it would need to be counted as a music event and restricted in terms of frequency of events, as referred to above.

### Event Space 2 ref s.7

There would be no additional impact by incorporating this area providing noise conditions are applicable.



**Additional points for consideration**

The applicant has sought to increase the number of large events and have unlimited smaller events at 75dB LAeq 15min and 65 dBLAeq 15min respectively.

There is a significant potential for disturbance and the Council is obliged to take formal action on an operator where a Statutory Nuisance exists, that is, 'an unreasonable interference with the use and enjoyment of a neighbour's home'. WHO guidelines recommended that to prevent sleep disturbance bedrooms should not exceed 30dB at night (11pm to 7am) and 35dB at other times. The limits previously applied were already lenient and exceeded those recommended in relevant the CoP, which would categorise the site as 'an urban park not stadia or arena and also recommends that where there are other noise sources at the site, these should be taken into account when setting noise limits; needless to say an amusement park has many.

A review of events complaints made since Dreamland opened and compliance with existing conditions should also be considered before supporting or objecting to the variation.

Finally, consultation with the Planning Department is necessary given that the number of events could potentially exceed 28 days per annum and may require planning permission to operate an events space in addition to the permitted use as an amusement park.

Amanda Berry  
Environmental Health Officer



# Memo



Date: 15<sup>th</sup> January 2015  
 To: Philip Bensted, Licensing and Land Charges Manager.  
 Re: Premises Licence – Dreamland Margate

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Environmental Health is formally objecting to the above application on the grounds of preventing public nuisance.

## Background

It is not entirely clear from the application which activities are to be operated where and at what times. However to the best of my knowledge the applicant is seeking consent for the following activities, both in and outdoors:

Plays, films, boxing and sporting events all with associated amplified music 24hrs/7days

Dance 09:00 - 06:00 7 days

Outdoor (and Hall by the Sea) 23:00hrs weekdays and midnight weekends

Live 09:00 to 06:00 7 days

Outdoors (and Hall by the Sea) until 23:00hrs

Indoor other 09:00 – 06:00

Operating schedule states:

Outdoor (and Hall by the Sea) Mon to Sun until 23:00hrs

Indoors (other: Ball Room, Roller Disco) Sun to Thurs until 01:00hrs and Fri/Sat until 02:00hrs

Recorded music 24/7

Indoor (other: Ball Room and Roller Disco) 24/7

Outdoor (and Hall by the Sea) 23:00hrs weekdays and midnight weekends

Operating schedule states:

Outdoor (and Hall by the Sea) Sun to Thurs until 23:30hrs; Fri & Sat until 00:30hrs

Indoors (other: Ball Room and Roller Disco) 24/7

Other (music associated with each fairground ride operation) 09:00 – 06:00 when main attraction open to the public

Late Night refreshment 23:00 – 05:00

Alcohol 09:00 – 09:00

## Grounds

1. The boundary of much of Dreamland is surrounded by housing. In recent years additional residential dwellings (Stratford House and Weymouth House) have been built which are very close to the proposed main stage and venue space (Appendix A). Houses in Eaton Road, Belgrave Rd and Marine Terrace all have a direct line of sight with the venue as do many of the properties in Grosvenor Place which are at a higher elevation. There is no mitigation i.e. barriers, structures between the venue and the properties and Hall by the Sea benefits from very little insulation. The hard standing will act as a noise reflecting surface i.e. minimal sound absorption over

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distance. The site has a long history as an amusement park but not as an events venue.

2. The Noise Impact Assessment (NIA) and Noise Management Plan (NMP) have not been produced by noise consultants with adequate credentials i.e. post graduate diploma in Acoustics or higher. The reports have several inaccuracies and inconsistencies. The examples given as relevant experience with other large-scale events i.e. Bestival, AEG Live, run to the beat are not comparable to Dreamland, as those listed are either in large open spaces not surrounded by housing or are single annual events or within purpose built enclosed venues / arenas. The NIA uses BS4142 Method for Rating Industrial Noise. This standard explicitly says it should not be used to assess noise from music events.
3. The first floor Hall by the Sea is only 50m from Arlington House. The light weight building has little or no sound insulation (Appendix B). The hall can only ever support the proposed new double skin tin roof due to the structure's loading ability. There is no future capacity to insulate the roof and walls. Loud music will cause the tin roof to resonate effectively acting as a giant loud speaker.
4. The Roller Disco and Ball Room venues are more substantial buildings which could possibly support regular events. However, in the absence of an acoustic survey to determine the level of current sound insulation this is unknown and therefore a safeguarding condition would be necessary. Ventilation will also be necessary to prevent doors or windows being left open during summer months.
5. The Noise Code of Practice for concerts provides guidance on how such noise can be controlled. The code is designed to assist those planning an event; those responsible for licensing events and those responsible for enforcing nuisance provisions under the Environmental Protection Act. Dreamland would be classed as 'other urban venue' and as such the recommended Music Noise Level (MNL) is 65dB(A) Leq for 15min 1 to 3 events per calendar year. If >4-12 events are proposed the limit is more restrictive and the MNL should not exceed background noise by more than 15dB(A)15min at 1m from façade of any sensitive premises. The limits are in my opinion unachievable. Both from the main event space and from the Hall by the sea.
6. Noise predictions and assumptions made in the Noise Management Plan and the Noise Impact Assessment reports are in places questionable. The calculations are based on sound propagation laws. Recalculating these figures based on 100dB (which is the minimum level for audience enjoyment) over the distances to dwellings, there is no possibility of achieving the 65dB limit at all properties. NIA claims that 30-35dB reduction in noise level is possible with use of temporary structures and cardioid speaker system, this is effectively an 8 fold noise reduction to achieve the limit. It is not possible to accept such claims without supporting evidence i.e. details of other LA's where such techniques are already successfully employed at similar venues.
7. The noise associated with people attending the events cannot be mitigated e.g. applause and cheering. Being mindful that neighbours will be subject to noise associated from amusement park's daily activities i.e. noise from the operation of rides, ancillary music and then noise from large number of people visiting the park, it is essential that some peace is afforded to them in the evenings.
8. In section 6.9 of the NIA comments that the CoP on Concerts has been withdrawn is incorrect. It is under review. In the absence of updated guidance the CIEH still support use as a valid reference source.

# Agenda Item 5

## Annex 4

9. There is a history of noise complaints at Dreamland. These were investigated and complaints upheld resulting in the service of a noise abatement notice on the previous operator.

### Conclusion

Members will have to take account of how frequently the noise will be generated and how disturbing it will be, and balance the enjoyment of the participants against nuisance to other people. Environmental Health are seriously concerned that the proposal for late night events will severely impact on a large number of residential properties. Should a licence be granted, the very likely impact of noise on residents could cause a Statutory Nuisance and place the Council under a legal duty to serve a noise Abatement Notice which will seek to prohibit / restrict any further nuisance. This may affect the future viability of the site. It is our opinion that Dreamland is simply not suitable for such large scale 'open air' events.

If Members are of a mind to grant consent, the following conditions are recommended:

External Live and Recorded Events namely: Main Area and Hall by the Sea

- a) Limit the number of major external events for whole site:  
1-3 per calendar year 'the Music Noise Level (MNL) shall not at any noise sensitive premises exceed 65dB(A) over a 15min period measured 1m from the façade'  
Or >4-12 then 'the Music Noise Level (MNL) shall not at any noise sensitive premises exceed the background noise level by more than 15dB(A) over 15 minute period measured 1m from the facade'
- b) Apply suggested conditions proposed in the Noise Management Plan, namely: Section 3 - F, G, H & I (page 3 NMP)
- c) Music from the event is only permitted between 18:00 to 23:00hrs.

Indoor Venues namely: Roller Disco and Ball Room

- d) If  $\leq 30$  Events (combined):
  - The CoP code recommends for indoor venues for up to 30 events per calendar year a MNL not exceeding the background noise level by more than 5dB(A) over 15min period and events finish no later than 11pm. (Please note that <28 events will not require planning permission)
  - If > 30 Events music should be inaudible within an noise sensitive premises
- e) Install an adequate ventilation system to supply sufficient fresh air for patrons in the warmest weather, thus ensuring that sound proofed doors and windows remain closed

Amanda Berry  
Environmental Health Officer



**APPLICATION FOR TEMPORARY ACTIVITIES:  
TEMPORARY EVENT NOTICE APPLICATION  
BY: Alistair MOFFAT**

*Licensing Sub-Committee – 07 June 2017 at 11.30am*

Report Author ***Philip Bensted Regulatory Services Manager***

Portfolio Holder ***Cllr Lin Fairbrass Community Services***

Status ***For Decision***

Classification: ***Unrestricted***

Ward: ***Margate, Central***

**Executive Summary:**

To consider this application for temporary activities in the light of objections made by Kent Police.

**Recommendation(s):**

The instructions of the Sub-Committee are requested

**CORPORATE IMPLICATIONS**

<b>Financial and Value for Money</b>	None
<b>Legal</b>	<p>There is a right of appeal to a Magistrates' Court within 21 days of the date of the decision of the Licensing Sub-Committee with regard to the grant/refusal of a licence or any of the conditions attached to it.</p> <p>The Licensing Sub-Committee must pay proper attention to the applicant's rights under the provisions of the Human Rights Act 1998, which gives further effect in the United Kingdom to the fundamental rights and freedoms contained in the European Convention on Human Rights. The Licensing Sub-Committee must have proper regard to the rights of the individual applicant when making decisions that affect them. However, it also has to have regard to the safety and protection of the public and therefore to ensure that the right balance is found and think hard about how it can cause the least possible harm to individuals, bearing in mind its duty to ensure the protection of the public.</p>
<b>Corporate</b>	None.
<b>Equalities Act 2010 &amp; Public Sector Equality Duty</b>	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy &amp; maternity. Only</p>

	aim (i) of the Duty applies to Marriage & civil partnership.
--	--

## 1.0 Introduction and Background

- 1.1 A temporary event notice has been received from Alistair Moffat, of McDonalds, 95-97 High Street, Margate, Kent. The event is described as 'Music Festival at Dreamland on 10<sup>th</sup> June 2017'. There will be the following licensable activity - the provision of late night refreshment. It is intended that it will take place on the 10<sup>th</sup> June 2017 between the hours of 7am and midnight. The maximum number of people to be present will be 150. The premises does not have a premises licence.
  
- 1.2 Part 5 of the 2003 Licensing Act provides a system of permitted temporary activities, under which licensable activities can be carried out on a temporary basis (for a period not exceeding 7 days) without the need for a premises licence or a club premises certificate. A copy of the notice is appended at Annex 1.

## 2.0 General Points

- 2.1 The Act provides for periods of notice and the number of events that may be held. Notice must be given to the Licensing Authority, Police and Environmental Protection ten working days before the beginning of the event period. The Police and Environmental Protection then have three working days to lodge objections with the Licensing Authority and Applicant. A copy of the Police objection is appended at Annex 2.
  
- 2.2 Objections must relate to the undermining of the licensing objectives, the prevention of crime and disorder, public safety, the prevention of public nuisance, the protection of children from harm.

## 3.0 Options

- 3.1 Grant the application.
  
- 3.2 Refuse the application.
  
- 3.3 Grant the application with the conditions attached to the premises licence.

Contact Officer:	Philip Bensted, Regulatory Services Manager, ext 7630
Reporting to:	Penny Button, Head of Neighbourhood Services, ext 7425

### Annex List

Annex 1	Temporary event notice
Annex 2	Police Objection



## Background Papers

Title	Details of where to access copy
N/A	

## Corporate Consultation

Finance	N/A
Legal	N/A

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Agenda Item 6

Annex 1

①

received 26/05/17



<b>Thanet</b> <b>Temporary Event Notice</b> <b>Licensing Act 2003</b>	For help contact <a href="mailto:licensing@thanet.gov.uk">licensing@thanet.gov.uk</a> Telephone: +44(0)1843577413
---	---

\* required information

**Section 1 of 9**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes  No

**Applicant Details**

First name

Family name

E-mail address

Main telephone number  Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

VAT number

Legal status

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

# Agenda Item 6

## Annex 1

Your position in the business

Home country

The country where the headquarters of your business is located.

### Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

### Section 2 of 9

#### APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

Yes

No

Your date of birth  /  /   
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

### Correspondence Address

Is the address the same as (or similar to) the address given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Additional Contact Details**

Are the contact details the same as (or similar to) those given in section one? If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

E-mail	<input type="text" value="00108@uk.mcd.com"/>
Telephone number	<input type="text" value="01843 294689"/>
Other telephone number	<input type="text"/>

**Section 3 of 9**

**THE PREMISES**

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

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (See also guidance on completing the form, note 2)

Does the premises have an address?

Yes  No

**Address**

Is the address the same as (or similar to) the address given in section one? If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

Building number or name	<input type="text" value="95-97"/>
Street	<input type="text" value="High Street"/>
District	<input type="text"/>
City or town	<input type="text" value="Margate"/>
County or administrative area	<input type="text" value="Kent"/>
Postcode	<input type="text" value="CT9 1JT"/>
Country	<input type="text" value="United Kingdom"/>

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither  Premises licence  Club premises certificate

**Location Details**

Provide further details about the location of the event

We would like to stay open until midnight on 10th June 2017, Dreamland are holding a concert that evening and we would like the opportunity to provide their customers with refreshments when they leave the venue.

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

<input type="text"/>
----------------------

Describe the nature of the premises below (see also guidance on completing the form, note 4)

McDonalds, food establishment.

Describe the nature of the event below (see also guidance on completing the form, note 5)

Music Festival at Dreamland on 10th June 2017.

**Section 4 of 9**

**LICENSABLE ACTIVITIES**

State the licensable activities that you intend to carry on at the premises (see also guidance on completing the form, note 6):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.  
(See also guidance on completing the form, note 7).

**Event Dates**

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also guidance on completing the form, note 8)

Event start date       /  /   
   dd            mm            yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date             /  /   
   dd            mm            yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

07.00 - 00.00

[\(see also guidance on completing the form, note 9\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

150

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 10\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 11\):](#)

- On the premises only
- Off the premises only
- Both

**Section 5 of 9**

**RELEVANT ENTERTAINMENT** [\(See also guidance on completing the form, note 12\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

No entertainment at the premises.

**Section 6 of 9**

**PERSONAL LICENCE HOLDERS** [\(See also guidance on completing the form, note 13\)](#)

Do you currently hold a valid personal licence?  Yes  No

**Section 7 of 9**

**PREVIOUS TEMPORARY EVENT NOTICES** [\(See also guidance on completing the form, note 14\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?  Yes  No

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or  Yes  No
- b) Begins 24 hours or less after the event period proposed in this notice?

**Section 8 of 9**

**ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 15)**

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes  No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or  Yes  No
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes  No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or  Yes  No
- b) Begins 24 hours or less after the event period proposed in this notice?



**Section 9 of 9**

**CONDITION** (See also guidance on completing the form, note 17)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

**DECLARATION** (See also guidance on completing the form, note 18)

- \* The information contained in this form is correct to the best of my knowledge and belief
  - \* I understand that it is an offence:
    - (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
    - (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both
- Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name	<input type="text" value="Alistair James Moffat"/>
Capacity	<input type="text" value="Business Manager"/>
Date	<input type="text" value="26"/> / <input type="text" value="05"/> / <input type="text" value="2017"/> dd mm yyyy

- Once you're finished you need to do the following:
1. Save this form to your computer by clicking file/save as...
  2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/thanet/apply-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY	
Applicant reference number	<input type="text" value="Dreamland 10th June"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

< Previous 1 2 3 4 5 6 7 8 9 Next >



**Kent  
Police**

**Chief Officer of Police Objection Notice** in relation to a  
**Temporary Event Notice** given under Part 5 Section 100  
Licensing Act 2003 (S104 Licensing Act 2003)

<b>Details of person making objection</b>	
Name of Chief Officer of Police	Sharon Adley
Postal Address: (Area Headquarters)	Margate Police Station Fort Hill Margate CT9 1HL
E-mail address	██████████@kent.pnn.police.uk
Telephone Number:	01843 ██████████

**The Chief Officer of Police has received a Temporary Event Notice under Section 100 Licensing Act 2003, and under Section 104 of that Act, asks the Licensing Authority to consider this objection in respect of the prevention of crime and disorder objective.**

<b>Details of Temporary Event</b>	
Date(s) of event	10/06/2017 – 11/06/2017
Licensable activities proposed	The provisions of late night refreshment
Hours of licensable activities	0700 - 0000
Name of Premises:	McDonalds
Address of premises:	95-97 High St Margate Kent CT9 1JT
Date and time TEN received by police	26/05/2017
Date and time objection notice given to Licensing Authority and the premises user	30/05/2017

Due to the circumstances of this case, I am satisfied that allowing the premises to be used in accordance with the notice would undermine the crime prevention objective because .....

The Police are objecting to the TENs application for this event.

There is not enough for the Police to make a decision due to the nature of the event and the large number of people that will be in the area.

# Agenda Item 6

## Annex 2

This location is in the centre of a residential High St, allowing large number of people to stand in the immediate location for food will undoubtedly bring issues.

The area is already well known for ASB, crime and disorder and is a constant problem for youths who hang around. With that in mind this TENS would not support the licensing objectives.

There is no mention of SIA being employed. Who is going to move potential customers on? The Premises does not have a premises licence and is untested in trading to such hours.

Due to the information provided the Police cannot support this TENS.

*Please use separate sheets where necessary*

### **Suggested modifications that could be added to the temporary event notice to remedy the objection or other suggestions the Licensing Sub Committee may take into account:**

*Please use separate sheets where necessary. Consider s106 Licensing Act 2003.*

The TENS does not offer enough information about this event.

**Signed:**  
**Print name:** PC [REDACTED] Dennett

**Date:** 30/05/2017  
**Force Number:** [REDACTED]

## THANET DISTRICT COUNCIL DECLARATION OF INTEREST FORM

### Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

### Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or  
Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
  - exercises functions of a public nature; or
  - is directed to charitable purposes; or
  - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992

If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the

matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

### **Gifts, Benefits and Hospitality**

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £25 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

### **What if I am unsure?**

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Committee Services Manager well in advance of the meeting.

## **DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS, SIGNIFICANT INTERESTS AND GIFTS, BENEFITS AND HOSPITALITY**

MEETING.....

DATE..... AGENDA ITEM .....

DISCRETIONARY PECUNIARY INTEREST

SIGNIFICANT INTEREST

GIFTS, BENEFITS AND HOSPITALITY

THE NATURE OF THE INTEREST, GIFT, BENEFITS OR HOSPITALITY:

.....  
.....  
.....

NAME (PRINT): .....

SIGNATURE: .....

Please detach and hand this form to the Democratic Services Officer when you are asked to declare any interests.