

# Memo



Date: 10<sup>th</sup> August 2016  
To: Philip Bensted, Licensing and Land Charges Manager.  
Re: TEN application – Clique, 58-60 Harbour Parade Ramsgate  
From: Amanda Berry, Environmental Health Officer

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## Background

Environmental Health are objecting to the application for TEN to increase regulated entertainment from 2am until 4am and supply of alcohol from 3am to 4am in 26<sup>th</sup>, 27<sup>th</sup> & 28<sup>th</sup> August 2016 for the following reasons:

- Music noise already transmits to neighbouring properties even with a sound limiter fitted.
- The venue only has planning permission to operate as a café / restaurant (A3) not a drinking establishment or night club and planning consent was granted for residential properties directly above the premise based on this use.
- Harbour Street and Harbour Parade already have many licensed premises and increasing the potential for public nuisance from patrons between 3am and 4am should not be permitted.

## Summary

Environmental Health does not support any extension that would increase the potential for public nuisance and noise transmission to residential dwellings.

Please note: Objections have been raised recently regarding Clique's premise licence application and public nuisance concerns in Harbour Street & Harbour Parade - please see attached supporting documents for reference.



# Memo



Date: 18<sup>th</sup> July 2016  
To: Philip Bensted, Licensing and Land Charges Manager.  
Re: Premises Licence – Clique, 58-60 Harbour Parade Ramsgate  
From: Amanda Berry, Environmental Health Officer

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## Background

1.1 Following a complaint that Clique were operating regulated entertainment beyond the permitted hours and a visit from by the Police Licensing Officer, Mr & Mrs Florides wanted to discuss a proposal to regularise the premise licence and extend regulated entertainment with Environmental Health at a meeting on 21<sup>st</sup> June. Environmental Health raised concerns about the potential noise impact given that we have received a recent complaint from residents living in close proximity to the venue. The complaint resulted in Environment Health carrying out a sound limiter compliance check at the venue on 4<sup>th</sup> February 2016.

1.2 The following condition is attached to the premise licence:

**All music (recorded and live) shall be played through the noise limiter at the site. The noise limiter shall be in a locked enclosure only accessed by the licence holder. The licence holder shall ensure that the noise limiter is maintained to the manufacturer's specification and ensure that there is no drift in noise levels previously agreed by Environmental Health.**

The condition requires that the limiter is set to a level recommended by Environmental Health. This had previously been recommended at 88dB. During the assessment the limiter was checked and was set to 88dB. At the same time an Officer also took a measurement within the complainant's property for reference. It was noted that even at 88dB at source the bass beat was still plainly audible within the complainant's bedroom (Appendix 1). Notwithstanding compliance with the licensing condition any extension to regulated entertainment will be audible in the complainant's home. The noise recordings are available to Members.

1.3 There was a previous instance of non-compliance with regulated entertainment exceeding permitted hours leading to complaint and subsequent advice was given at the time by Environmental Health (Appendix 2). In November 2012 Environmental Health brought a review of the premises licence because of breaches of licence conditions and public nuisance. A licensing sub-committee modified the hours at the premises. In May 2013 Magistrates allowed an appeal by the licence holder. No costs were ordered against TDC, the Magistrates stating that 'the licence holders were warned early on of the possibility of Court for breaches of conditions and that the local authority were justified in bringing the action'. Why were they again operating beyond their permitted hours in June 2016?

1.4 Environmental Health concerns also relate to noise outbreak and from patrons causing a public nuisance to residents in the local vicinity. Any increase in regulated entertainment will encourage patrons to stay longer at the venue. The music noise level will encourage patrons to talk in raised voices which will be extended to 3am, three nights per week and bank holiday Sundays and Mondays, directly impacting on the flats above.

1.5 Planning permission was sought and granted for the change of use of first floor from restaurant to 2 x 2 bedroom flats and change of use of second and third floors to 2 x 1 bedroom flats

(TH14/0391). Therefore new sensitive receptors have been introduced that are even closer to the premises that will be directly impacted as in closest proximity to the premises.

1.6 Ramsgate seafront has 11 licensed premises, all of which are licensed to supply alcohol after midnight (Appendix 3) contributing to a vibrant night time economy. This brings benefits to our local economy but at the same time generates additional costs for the council, police and other partners. Environmental Health is mindful of the balance between the competing needs of our residents and those of our business community. However it is essential to ensure our residents are not unreasonably impacted by public nuisance and can enjoy their homes and environment. As there is little separation of commercial and residential areas in much of Ramsgate, this often means that our residents suffer the impacts of the late night economy, particularly in the radiating residential roads which take the brunt of local residents returning home from a night out. Also there are 21 residential boats residing within the harbour and they benefit from very little sound insulation or separating distance.

### **Summary**

1.7 Environmental Health would not support any extension that would increase the potential for public nuisance and noise transmission to residential dwellings and particularly where there are many other licensed premises in the vicinity.

Appendix 1.

Date: 8<sup>th</sup> February 2016  
Our Ref: WK/201557899



Mr Florides  
Clique Bar  
58-60 Harbour Parade  
Ramsgate  
Kent  
CT11 8LN

Dear Mr Florides

Complaint No: WK/201557899  
Complaint of loud music from Clique Bar, 58-60 Harbour Parade, Ramsgate, Kent, CT11 8LN

Further to our meeting last week I am writing to confirm that at the time of my inspection the sound limiter (AADTT SL2000) was set to 88dB and complied with condition 7, Annex 2 of remises licence LN/200800178.

Please find enclosed measurement details and note that the lower frequencies, particularly 63Hz were travelling through the structure of the building into the complainant's home. Advice given to you at the time remains, that it is, ensuring all four speakers are only suspended to the structure if they are on anti-vibration mounts and consider reducing the low frequency bass element. I would recommend further advice is sought from sound engineer in this regard.

Yours sincerely

A handwritten signature in black ink, appearing to read "A Berry".

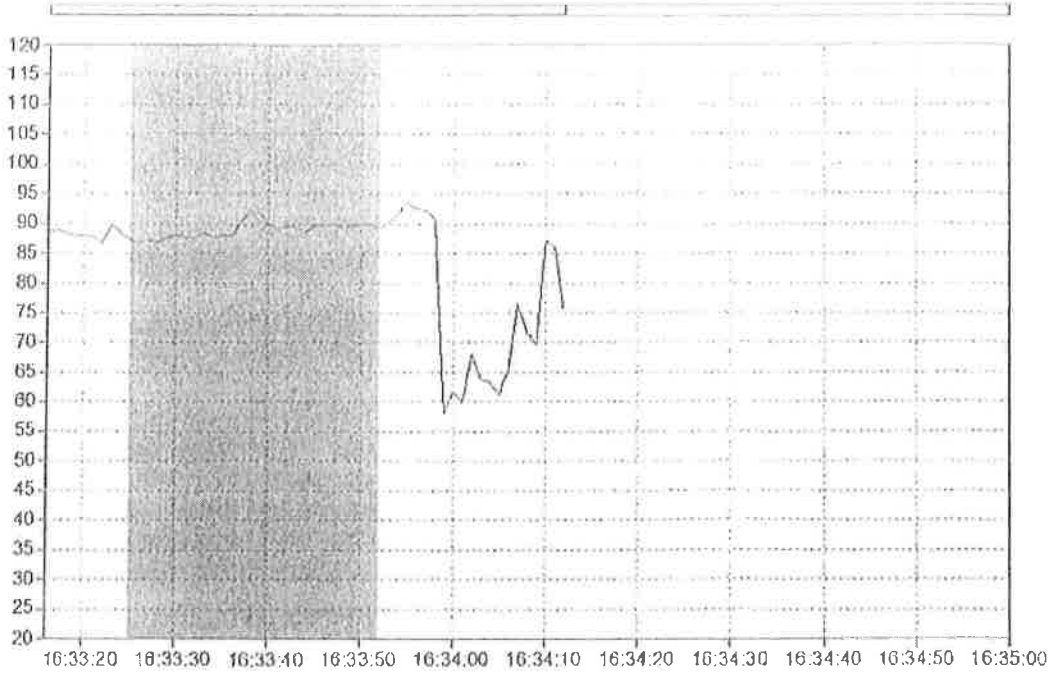
Miss A Berry  
Environmental Health Officer  
01843 [REDACTED]

c.c. Licensing Unit, Thanet Police  
Licensing Team

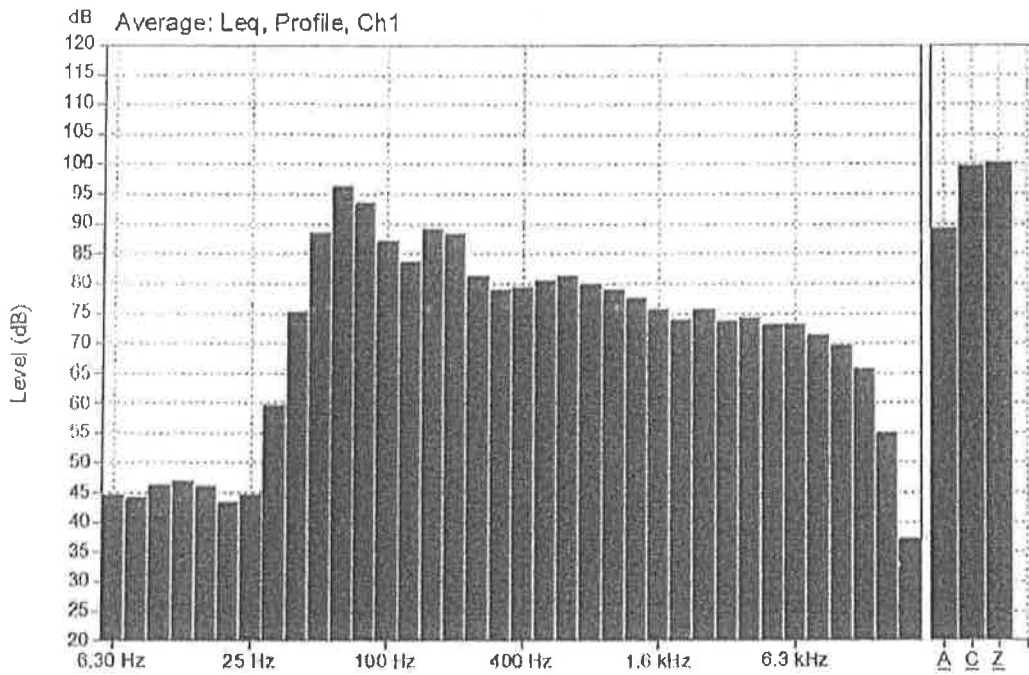
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[www.thanet.gov.uk](http://www.thanet.gov.uk)

Measurement within Clique Bar



SLM reading BST



Date: 23 September 2011  
Our Ref: WK/201135897  
Your Ref: LN/200800178



Mr. Florides  
Licensee  
Vista Bar  
60 Harbour Parade  
Ramsgate  
Kent  
CT11 8LN

Dear Mr. Florides

**AMPLIFIED MUISC AT VISTA 60 HARBOUR PARADE RAMSGATE KENT**

Thank you for attending at the Council Offices today.

On the evening of Friday 16<sup>th</sup> September last into the early hours of Saturday 17<sup>th</sup> September visits were made to Harbour Parade, Ramsgate by Council officers.

At approximately 12.30 a.m you were spoken to by Philip Bensted, Regulatory Services Manager and a Licensing Officer, about the level of recorded music from your premises and licence conditions. The doors were open so that the music could be heard from some considerable distance away. As a result of the conversation, music levels were reduced and the doors of your premises closed in order for you to comply with your licence conditions.

At approximately 1.45 a.m the same evening I received a complaint about your premises. At 2.30 a.m I witnessed the level of noise from recorded music from your premises, which was again too loud. The doors were open. I spoke to you and noise levels were reduced.

There are a number of conditions attached to your licence that were not being complied with. Namely, recorded music should cease at 2 a.m on Friday nights, doors and windows should be shut except for access and egress.

In addition, if anything other than background music levels are to be played then this should be directed through a sound limiting device, to be installed and set by a qualified engineer, levels to be agreed by Environmental Health. Please contact this office to arrange a site visit so that these levels can be set. You will need to ensure that a qualified sound engineer is present during this visit. Please contact me on 01843 577400 to arrange.

**Continued.....**



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I have taken into consideration the letter dated the 16<sup>th</sup> May 2011 sent to you about loud music, and the events of the 16<sup>th</sup>/17<sup>th</sup> September, together with your explanation. No further warnings will be given to you and are duly advised that should there be witnessed any further problems with your premises a review will be brought under the 2003 Licensing Act.

Any review could lead to hours being reduced at the premises, suspension or revocation of the licence. This was explained to you at our meeting, should you require further advice you may wish to speak to a Solicitor.

Yours sincerely

Zoe Fennell  
Environmental Protection Officer  
01843 [REDACTED]

[REDACTED]



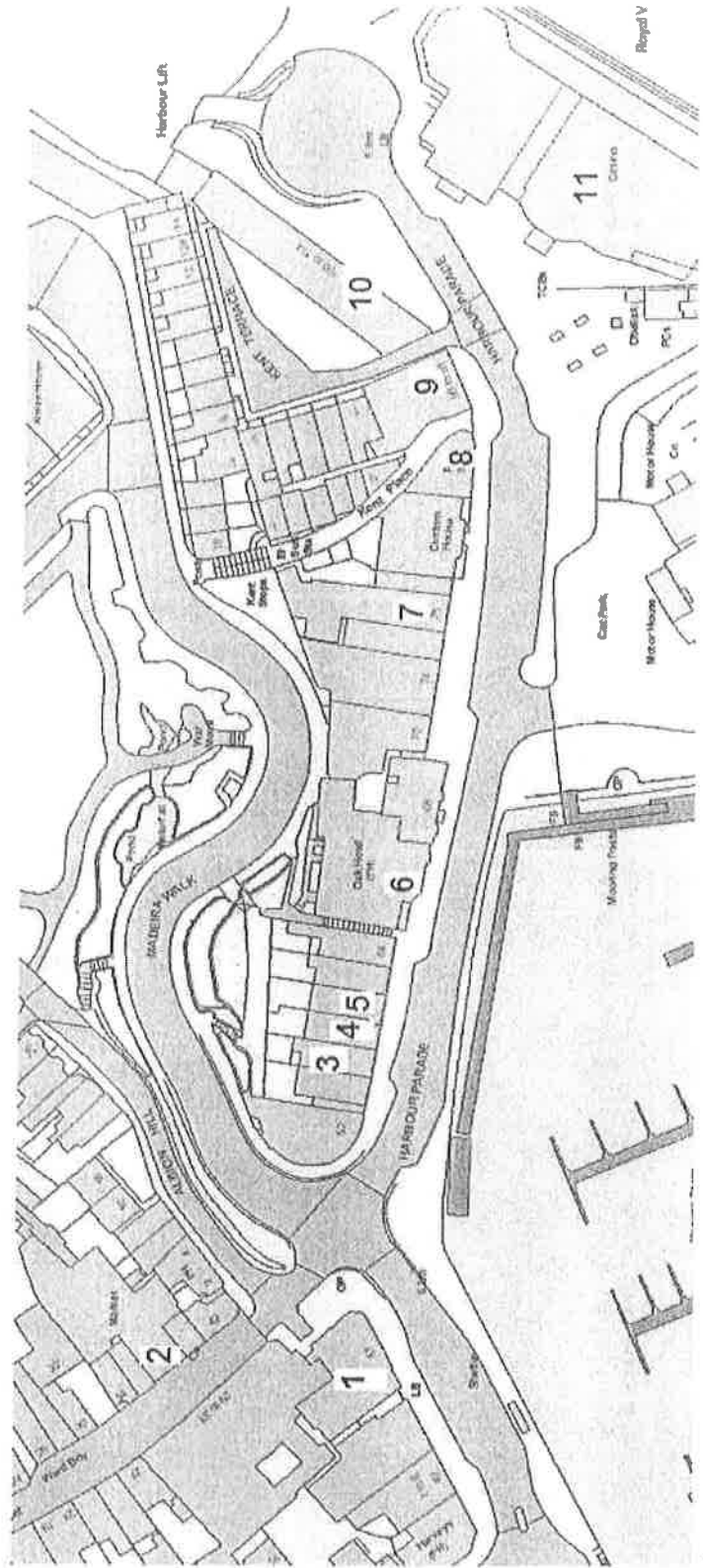
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## Closing times



1. The Royal 4:30am daily
2. The Goose Sun-Wed 12:30am Thurs - Sat 2:30am
3. Miles Café Sun - Wed 2am
4. Clique Bar Mon -Wed 1:30am, Thurs-Sat 3:30am & Sun 1:30am
5. Enoteca 2:30am
6. Oak Hotel 1:30am
7. Queens Head Mon - Sat 1:30am & Sun 12:30am
8. The Waterfront Sun-Wed 2am, Thurs 3am & Fri / Sat 4am
9. Bench Wine Bar Sun-Thurs Midnight, Fri / Sat 2am
10. Wetherspoons Sun - Wed 12:30am, Thurs - Sat 1:30am



# Objection to the application for a premises license

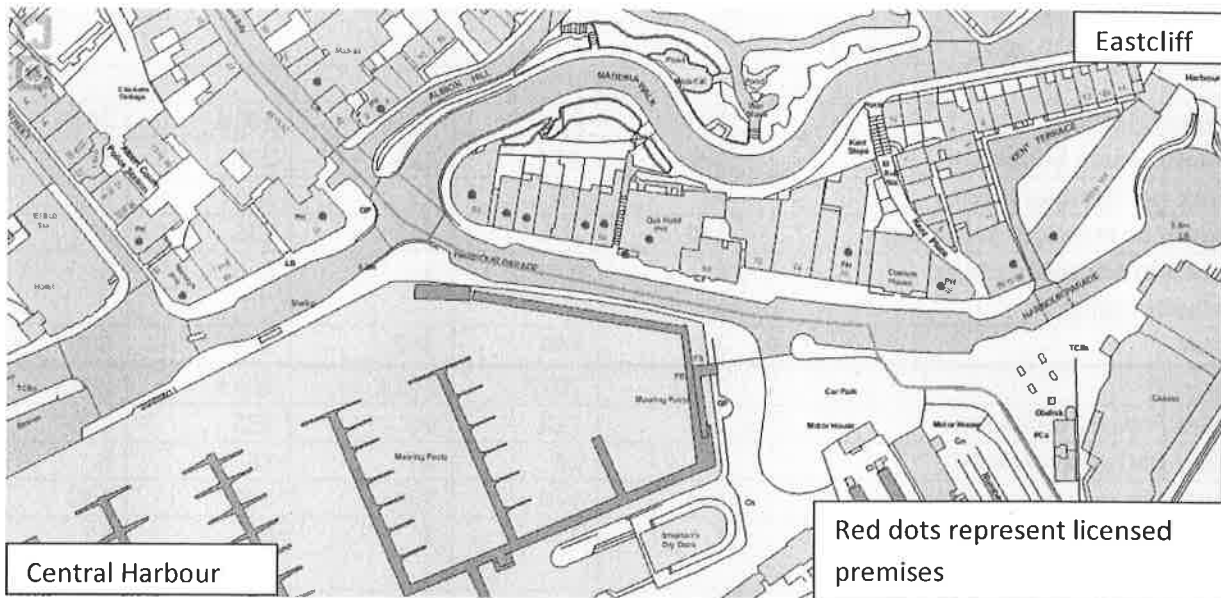
(Licensing Act 2003)

Application ref:

**Context:**

An application has been made by 'Rokka' licensed premises (64 Harbour Parade, Ramsgate) to request that the licensing committee consider extending their current opening hours to 4:00am. Their application also requests to extend their ability to play amplified and live music and sell alcohol until 3:45am on a Thursday, Friday and Saturday. Their current closing time is 3:30am and the sale of alcohol and music currently ceases at 3:00am. It is the view of the Community Safety Unit that to further extend this license will set a precedent for other premises and have a negative impact upon residents of Ramsgate.

The below map depicts the two wards and close proximity of licensed premises within the Central Harbour and Eastcliff wards that form the Ramsgate Night Time Economy.



**Summary:**

Following consultation with other council departments and Kent Police, it is felt that this extension is contrary to licensing objectives, as set out in Section 4(2)(a)-(c) Licensing Act 2003, namely the:

- Prevention of crime and disorder
- Public safety
- The prevention of public nuisance

Whilst it is recognised that the wider impact on residents cannot directly be attributed to one premise, but endemic of having a busy Night Time Economy. What can be demonstrated is the cumulative impact of a number of licensed premises extending their opening hours, duration of alcohol consumption and the considerable impact this will have, which we feel members will need to consider when making an informed decision.

This report is submitted on consideration of anticipated outcomes. Officers and members have a duty to consider the perception and impact on Thanet residents when making binding decisions such as these.

## Perceived impacts:

### 1. Increased violent crime and Anti Social Behaviour

The wards of Central Harbour and Eastcliff suffer from high crime and anti social behaviour. The ward of Eastcliff, which this premise is situated is the third highest ward for violent crime<sup>1</sup>. This ward is also the third highest ward for Anti Social Behaviour and nuisance<sup>2</sup>, and of these high levels of nuisance, a high percentage is drunk rowdy behaviour.

- **Concern: Extending the hours the economy operates, will also increase the potential for an increase in alcohol related disorder and violent crime**

During the weekend, from 6pm Friday to 6am Monday, across England and Wales, 70% of violent crimes are alcohol related and alcohol related crimes are more likely to be incidents between strangers (64%)<sup>3</sup>.

Furthermore, as the night progresses the proportion of violence related incidents increases from 23% before 6pm to 84% after midnight<sup>4</sup>.

<b>Kent Police Data</b>					
<b>Central Harbour</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Drunk/rowdy behaviour	106	108	135	220	190
Noisy party/rave/event	31	26	13	18	7
Rowdy or nuisance gathering	154	204	216	125	201
Rubbish/discarded drugs paraphernalia	4	6	3	9	8
<b>Total</b>	<b>295</b>	<b>344</b>	<b>367</b>	<b>372</b>	<b>406</b>
<b>Eastcliff</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Drunk/rowdy behaviour	122	118	96	135	156
Noisy party/rave/event	23	22	25	15	8
Rowdy or nuisance gathering	184	178	139	132	130
Rubbish/discarded drugs paraphernalia	7	3	3	8	11
<b>Total</b>	<b>336</b>	<b>321</b>	<b>263</b>	<b>290</b>	<b>305</b>
<b>Overall total</b>	<b>631</b>	<b>665</b>	<b>630</b>	<b>662</b>	<b>711</b>

The table above shows all calls to Police to the Central Harbour and Eastcliff ward over the past 5 years. Whilst it is recognised that the majority of the pubs and clubs in Ramsgate are in close vicinity and the source of the nuisance cannot be directly identified, it can be demonstrated that as the night time economy has grown, the amount of nuisance occurring has grown with it.

<sup>1</sup> Kent Connect, 'Thanet crime data' (<https://portals.kentconnects.gov.uk>, November 2015)  
<[https://portals.kentconnects.gov.uk/acl\\_users/credentials\\_cookie\\_auth/require\\_login?came\\_from=https%3A//portals.kentconnects.gov.uk/](https://portals.kentconnects.gov.uk/acl_users/credentials_cookie_auth/require_login?came_from=https%3A//portals.kentconnects.gov.uk/)>  
accessed 3<sup>rd</sup> July 2016

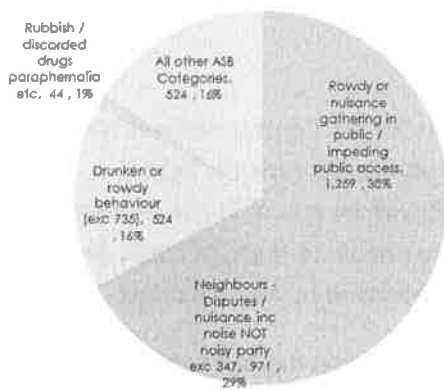
<sup>2</sup> IBID

<sup>3</sup> Internet memory foundation, '5 Facts About Alcohol Related Violence' ([Nationalarchives.gov.uk](http://webarchive.nationalarchives.gov.uk/20160105160709/http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/focus-on-violent-crime-and-sexual-offences--2013-14/sty-facts-about-alcohol-related-violence.html), 12th February 2015)  
<<http://webarchive.nationalarchives.gov.uk/20160105160709/http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/focus-on-violent-crime-and-sexual-offences--2013-14/sty-facts-about-alcohol-related-violence.html>> accessed 1 July 2016

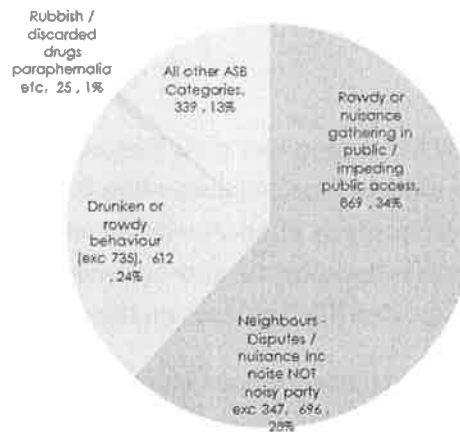
<sup>4</sup> IBID

Drunk and rowdy behaviour and rowdy or nuisance groups also make up two of the biggest proportions of police calls for the two wards:

### Central Harbour



### Eastcliff



And the two wards also have a disproportionate amount of calls with regards to drunk and rowdy behaviour and rowdy groups when compared to other wards:

Ward	Ward Population	ASB rate per 1000 for 2011		Visual Indicator
		ASB Total	2015	
Birchington North	3,860	69	18	●
Kingsgate	2,220	60	27	●
Cliffsend and Pegwell	4,800	142	30	●
Garlinge	4,880	209	43	●
Cliftonville East	6,270	282	45	●
Beacon Road	4,880	234	48	●
Nethercourt	4,830	235	49	●
Thanet Villages	7,010	349	50	●
Birchington South	6,310	363	58	●
St.Peters	7,130	445	62	●
Viking	7,270	474	65	●
Sir Moses Montefiore	5,150	400	78	●
Newington	5,270	470	89	●
Salmestone	5,720	523	91	●
Northwood	6,570	673	102	●
Bradstowe	4,200	463	110	●
Westgate-on-Sea	7,210	801	111	●
Westbrook	4,310	485	113	●
Dane Valley	7,950	946	119	●
Eastcliff	8,400	1565	186	●
Central Harbour	8,450	2230	264	●
Cliftonville West	9,960	2657	267	●
Margate Central	5,800	3089	533	●

- **Concern:** Extending the operating hours will further stretch already limited public services, at peak times.

Consideration needs to be given to whether resources such as Police, Ambulance and Waste and Recycling have the capacity to support an increase to Night time Economy operating hours.

## 2. Increased nuisance and Drunk and Rowdy Behaviour

Reports of drunk and rowdy behaviour in Central Harbour and Eastcliff, have more than doubled between 2011 and 2014, which could be attributed to the increase in bar and clubs. At the same time, Police resources have **not** seen similar increases. Friday and Saturday evenings / early hours are peak times for people requesting Police attendance.

### CCTV Evidence

Incidents recorded by CCTV operators show that out of 237 recorded incidents for the Central Harbour ward, 116 of those related to night time economy related disturbances. These disturbances are mainly fights, assaults or drunk and disorderly offences with the majority having to be dealt with by police. These incidents are called in, on a regular basis, by the door supervision staff showing they are unable to manage crime and disorder, and do not monitor their patrons on their route home through the town and residential areas.

Whilst provision has been made for door supervision on Friday, Saturdays, no provision has been made for Thursday when requests have also been made to extend opening hours.

- **Concern: No provision door supervision on Thursday evenings**
- **Concern: Increasing the Night Time Economy hours will increase the impact of nuisance to residential areas as patrons make their journey home without supervision, which may in turn place additional burdens on Police and Ambulance resources.**

## 3. Timings

Currently the closing times of premises in the Ramsgate Night Time Economy is staggered, meaning that people exit these premises which are in a close proximity, at different times. Research suggest that staggering closing times is an effective means to deal with the potential for alcohol related disorder, particularly when there are limited resources including Policing<sup>5</sup> and also features in a number of Home Office good practice guidance publications<sup>6</sup>.

Currently Rokka closes at 3:30am and from CCTV records, the latest disturbance recorded with regards to the night time economy was at 4am as the patron was on their journey home. If opening hours were to be extended to 4am, that would push these last disturbances back to 4:30am, meaning the disturbances become closer to the time that some residents will be getting up and starting their journeys to work, especially commuters.

- **Concern: Increasing closing times and not keeping the current exit stagger, could impact on already limited resources and their ability to deal with nuisance and disorder.**

## 4. Increased rubbish, litter, bodily fluids and waste (and associated clearance costs)

Ramsgate Harbour is a high profile area for Thanet. It also has a disproportionate amount (per resident) of operational services, which directly respond to the Night Time Economy. Functions such as bin emptying, waste removal, broken glass removal, street cleansing of bodily fluids , (eg. vomit, blood, urine and excrement) are undertaken after each weekend.

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<sup>5</sup> Regulating the Night: Metropolitan Police, Wilkinson 2000

<sup>6</sup> Good Practice in Managing the evening and Late Night Economy: A Literature Review from an Environmental Perspective, Accessed 02 July 2016: <http://webarchive.nationalarchives.gov.uk/20120919132719/www.communities.gov.uk/documents/communities/pdf/131197.pdf>

An increase in opening hours with the intention of increasing trade in the area means more foot fall. More foot fall requires more resource from street cleansing teams, including litter picking, use of mechanical sweepers, emptying bins more frequently, all of which have a resource and cost implication for operational services and specialist contractors (for example those who have to be contracted and paid to remove bodily fluids).

- **Concern:** It can be attributed that this is due to the night time economy and by extending the hours the economy operates, so will the cost and resource demand, for increased operational services.

## **5. Resident perception**

Community Safety attend regular meetings with residents and hold a public consultation on residents perception. Litter, rubbish, groups, alcohol related nuisance are topics that are regularly raised.

- Can attract scavenging animals including rats and seagulls.
  - Food litter can make an area appear rundown and neglected.
  - Local people deserve to live in a clean and safe environment.
  - Visitors are less likely to want to return to Ramsgate if it is littered and dirty.
- **Concern:** Increase in Night Time Economy could have a negative impact on perceptions of Ramsgate, visitors and tourism.

