

Memo



Date: 8th November 2017
To: Mr Philip Benstead, Regulatory Services Manager, Thanet District Council
Ref: WK/201749533
Re: Review of the premises licence for The Falcon Inn, 460 Margate Road,
Broadstairs, Kent, CT10 2PR.

We have reviewed documentation from Kent Police calling for a review of the premises licence for The Falcon Inn. Environmental Health supports this review under the licensing objective 'The Prevention of Public Nuisance'. The reason for our support is based on information received from a local resident as part of a complaint.

On 10th July 2017 the local authority received a complaint from a local resident who lives approximately 40 metres from the boundary of the Public House. The resident stated that:

'Loud music playing in the garden until about 1am Friday, Saturday and Sunday'

The complainant also stated that

'Friday evening was loud music, on Saturday there was a live band playing in the garden of the PH until 1am...they were also using a loudspeaker until that time too.'
On Sunday 9 there was karaoke in the garden.

As a standard practice we sent a letter of complaint to the Public House and a letter to the complainant with diary sheets. We received no response to our letter from the Public House.

On 24th August 2017 we received a letter and a set of diary sheets from the complainant covering a period from 23rd July 2017 until 23rd August 2017. The diary sheets mainly raised issue with the use of the Public House garden by patrons. The diary sheets reported loud noise emanating from the garden area through loud human voice (shouting swearing etc.) and loud amplified music. The complainant alleged that music from the internal parts of the public house was also audible at their property. The complainant alleged that they could not open windows for ventilation due to the noise. The letter we received alleges that local residents have contacted the Public House concerning the noise but no action had been taken.

Based on the letter and diary sheets we gave the complainant access to the council out of hour's service. This allowed the complainant to contact Council officers during set times. The two parties would then arrange a visit by officers to witness the issues the complainant was reporting. To date the complaint has not contacted us to use this service. On Monday 6th November I closed the complaint due to that lack of contact.

Following receipt of the review documentation I have reviewed the Facebook account of the Public House. I note that there are photographs that appear to have been taken in July 2017. The photographs show the garden area on a sunny day and what appears to be a band set up in the far corner of the garden. These photographs can also be found on the Isle of Thanet News Website with a publish date of 8th July 2017. I also found a video on the Public House Facebook page which appeared to show a band playing in the garden area of the Public House in failing light. The date adjoining the video was 7th July 2017. This could possibly be later in the same day. It should be noted that sunset in July is around 20:00pm-

20:30pm. These photographs and video appear to be directly linked to the complaint we received.

The boundary of the Public House garden is only 35 metres away from the façade of a residential premise and also has 12 other residential properties within 50 metres of its boundary. In my view this use of the garden by the current operator does not support the Licensing objective the prevention of public nuisance. It certainly does not show a regard for surrounding local residents.

With this in mind Environmental Health requests that further conditions are placed on the premises as part of this review. The conditions we request are:

- 1) Regulated entertainment at the site shall only take place within the internal parts of the Public House building and not at any time within external areas of the site.
- 2) The garden area shall be closed to patrons from 21:00pm onwards. Patrons wishing to smoke shall use the entrance on Margate Road only.
- 3) From 21:00pm onwards patrons shall enter and leave the premises by the entrance on Margate Road only. The entrance to the premises from the garden area shall be closed and not used (other than in an emergency). Signage shall be placed in the car park area to alert patrons to the relevant entrance.

It is my opinion that these conditions will aid the prevention of public nuisance.

Regards

Christopher Brown
Environmental Protection Officer
Environmental Health
Thanet District Council