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**Additional Information – Review of Premises Licence
K/13/24234 – The Challenge Arms, Eskdall Street, Kettering**

Further incidents and reports of public nuisance, and information relevant to the review hearing on the 16th August 2013, which occur after the initial review application submitted on the 1st June 2013.

Should you require any further information please do not hesitate to contact me.

Yours sincerely



Mr Chris Stopford
Environmental Services Manager

Working with and on behalf of local people



Updated information regarding the review of the premises licence for The Challenge Arms, Eskdail Street, Kettering

On the 1st July 2013, I (Christopher Stopford) submitted an application for the review of a premises licence under the Licensing Act 2003, for The Challenge Arms, 23 Eskdail Street, Kettering. In this application I provided information in support of the application up to the 27th June 2013. A Licensing Committee hearing has been set for the 16th August 2013.

I am therefore submitting further information in advance of this hearing, to bring the information up to date. This information being submitted in accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, as amended.

On 28th June 2013, Paul Baker visited neighbouring residential premises in response to a call to the Kettering Out of Hours Service. Paul Baker will state that a call was received at 22:00 hrs, as he walked from Kettering Town Centre towards the premises and being in the vicinity of Paul's Stop and Shop he could hear loud music. At 22:15 hrs, having followed the music around the corner towards The Challenge Arms, he entered surrounding residential premises and could clearly hear music and laughter and swearing emanating from The Challenge Arms. Due to the loudness of the music, and the loudness of people under the canopies on the car park, Paul Baker was satisfied of the existence of a public nuisance, and a statutory nuisance in contravention of the noise abatement notice, and the licensing objectives.

On 29th June 2013, Paul Baker visited neighbouring residential premises in response to a call to the Kettering Out of Hours Service. Paul Baker will state that a call was received at 21:10 hrs, as he walked from Kettering Town Centre towards the premises and being in the vicinity of Paul's Stop and Shop he could hear loud music. At 21:20 hrs, having followed the music around the corner towards The Challenge Arms, he entered surrounding residential premises and could clearly hear music from The Challenge Arms. Due to the loudness of the music Paul Baker was satisfied of the existence of a public nuisance, and a statutory nuisance in contravention of the noise abatement notice, and the licensing objectives.

On 6th July 2013, Paul Baker visited neighbouring residential premises in response to a call to the Kettering Out of Hours Service. Paul Baker will state that a call was received at 20:44 hrs. On visiting the area, arriving at 21:20 hrs, I noted that Mr O Hussain (the landlord's boyfriend and previous landlord) was standing outside neighbouring residential premises with a female, thought to be Katherine Harper. On their departure, Paul Baker visited the residential premises and could hear a low level of music in the main bedroom emanating from The Challenge Arms.

On 9th July 2013, I received a message requesting that I contact Gill Sherratt of Licensing Matters as they will be representing The Challenge Arms for the licence review hearing. I returned the call on the 10th July 2013, leaving a message for call back. On 11th July 2013, I spoke with Gill Sherratt, discussed the reasons for the review including verbally providing the information relating to events between the 27th June and 11th July 2013 as detailed above.

On 11th July 2013, Paul Baker visited neighbouring residential premises in response to a call to the Kettering Out of Hours Service. Paul Baker will state that a call was received at 21:14 hrs, stating that disturbance was due to karaoke style music. On visiting the area, arriving at 22:00 hrs Paul Baker visited the residential premises and could hear a low level of music in the main bedroom emanating from The Challenge Arms

On 18th July 2013, Paul Baker visited neighbouring residential premises in response to a call to the Kettering Out of Hours Service. Paul Baker will state that a call was received at 21:30 hrs. At 22:00 hrs he entered surrounding residential premises and could clearly hear music from The Challenge Arms. The music being a female voice singing "The Lion Sleeps Tonight" over an amplified microphone. Due to the loudness of the music Paul Baker was satisfied of the existence of a public nuisance, and a statutory nuisance in contravention of the noise abatement notice, and the licensing objectives.

On 23rd July 2013, I received an email from Gill Sherratt providing some proposed amended conditions to the operating schedule of the premises licence for consideration, as detailed below:

The Challenge Arms - Proposed Conditions

- The Licence Holder or suitably nominated person shall be responsible for the supervision and compliance with the noise conditions and general control of regulated entertainment.
- A noise limiter to be in operation at the premises on all occasions that entertainment is being provided. The noise level will be agreed by Environmental Health.
- All windows shall be kept closed when regulated entertainment is being provided.
- Suitable signage will be positioned at all doors to the premises requesting the co-operation of patrons to make as little noise as possible when leaving the premises.
- The Licence Holder or nominated person will assess the impact of any noisy activities on neighbouring premises at the start of the activity/entertainment and periodically throughout the activity/entertainment and take action to reduce noise levels if they are found to be excessive/distinguishable above background levels at the nearest residential property.
- A log book of the checks will be maintained and kept on the premises and made available for inspection by Environmental Health officers on request.
- A written log will be kept of all noise complaints received and reference to any remedial action that to control noise and other disturbance. The written log will be kept on the premises at all times and be available for inspection by Environmental Health officers on request.

Having reviewed these proposed conditions I responded on the 24th July 2013, providing written information regarding the further incidents of public nuisance from The Challenge Arms, and stating that "*Whilst I acknowledge the proposed conditions as 'step in the right direction' towards compliance with the prevention of public nuisance objective, I regret that my intention in the light of the further witnessed breeches is to take this matter to the Licensing Committee*".

On 25th July 2013, an email from sent by Gill Sherratt stating that she had spoken to the licence holder and that she has decided that probably the best thing to do in the circumstances is to withdraw all entertainment from the licence, along with a proposed condition that "No forms of live or recorded amplified music is permitted at the premises"

On 7th August 2013, an email from Ozlem Ozcan of narts, advised that they had been appointed by Katherine Harper and they are now representing The Challenge Arms, 23 Eskdail Street, Kettering.

Signed as a true record



Christopher Stopford
12th August 2013