

(Report of the Licensing Officer, Samantha Potts 7364)

Application – Temporary Event Notice

Premises – Jittermugs Coffee Shop, Preston Street, Faversham

Requested Licensable Activities	Days	Requested Hours	Agreed Hours	Comments
Supply of alcohol	14 th & 15 th February 2014	21:00-22:30		
Recorded Music	14 th & 15 th February 2014	18:30-22:30		Exempt under new de-regulations

Background

Mr Green of Jittermugs, Faversham has given notice of a Temporary Event for Jittermugs Coffee Shop, Preston Street, Faversham. The premise is a former furniture shop situated in the town centre of Faversham. The shop is accessed directly from the street, to the rear is a small enclosed courtyard accessed through the shop. Above the shop is residential accommodation.

Mr Green is the owner of the business and the Designated Supervisor. The premises holds a full Premises Licence granted on the 19th July 2011 following a Committee Hearing. On the licence is a condition that restricts the sale of alcohol to 21.00hrs 'until such time as adequate noise controls have been put in place'. Mr Green is considering applying for this to be removed but is awaiting the outcome of a Planning hearing. In the interim he has applied for a Temporary Event Notice to cover a Valentines event. The notice also requests low level recorded music, however since the de-regulation orders took effect last year, recorded music in this scenario is now exempt.

Consultation

The TEN was served by the applicant on Kent Police, the Councils Environmental Protection Team and Licensing, these being the only authorities consulted under this section of the Act.

The Environmental Protection Manager has submitted an objection on the grounds of 'Public Nuisance' and the potential for noise to transfer to the adjacent properties, in particularly the first floor flat.

Conclusion

Mr Green has given notice of a TEN for Jittermugs Coffee Shop. The Environmental Protection Manager has raised an objection under the Public Nuisance objective.

Councillors must decide if any of the following are appropriate:

- Grant the TEN as applied for.
- Grant the TEN with conditions and/or changes.
- Refuse the TEN.

TEN application
Environmental Services memo
Police e-mail
Plan of the area.

Scale 1:1'250



Jittermugs.

Temporary Event Notice

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

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

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

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	Green		
Forenames	Nicholas Darren		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day 23	Month 4	Year 1966
4. Your place of birth	Redruth, Cornwall, UK		
5. National Insurance Number	NL029394D		
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
Jittermugs coffee shop 18a Preston Street			
Post town Faversham		Post code ME13 8PP	
7. Other contact details			
Telephone numbers			
Daytime	01795 533121		
Evening (optional)	01795 538289		
Mobile (optional)	07861643999		
Fax number (optional)			
E-Mail Address (if available)	Nick@jittermugs.co.uk		
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			

Post town	Post code
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (if available)	

2. The premises	
Please 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) (Please read note 2)	
Jittermugs coffee shop, 18a Preston Street, Faversham ME13 8PP	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Within the open plan coffee shop area on the ground floor	
Please describe the nature of the premises below. (Please read note 4)	
Coffee shop. Purpose built commercial premises within Grade 2 listed building - ground floor area. Open plan seating area (seating 18 covers, plus two sofas) with separate kitchen and toilet area to the rear of the building down a couple of steps. There is a large cellar, used for storage and a courtyard to the rear with fire exit access to the adjacent property of the Alexander Centre.	
Please describe the nature of the event below. (Please read note 5)	
Valentine Weekend to serve sit down evening meals from special set menus, all preferably pre-booked, with low level music (from stereo) in the background.	

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
Friday 14 th February and Saturday 15 th February 2014		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)		
From 18:30 to 22:30		
Please 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. (Please read note 10)	28	
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 11)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

4. Personal licence holders (Please read note 12)		
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes	No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	Swale	
Licence number	SWALE-PL-1301	
Date of issue	28/06/2011	
Date of expiry	28/06/2021	
Any further relevant details		

5. Previous temporary event notices you have given (Please read note 13)		
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? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
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 b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 14)		
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? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
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 b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
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 b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 15)	
I shall (Please mark the appropriate boxes with an "X")	
Send at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>

If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority	<input checked="" type="checkbox"/>
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
If the premises are situated in one or more local authority areas, send a copy of this notice to each additional local authority exercising environmental health functions	<input checked="" type="checkbox"/>
Make or enclose payment of the fee for the application	<input checked="" type="checkbox"/>
Sign the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 16)

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 17)

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.

Signature	
Date	29/01/2014
Name of Person signing	Nicholas Green

For completion by the licensing authority

10. Acknowledgement (Please read note 18)

I acknowledge receipt of this temporary event notice.

Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

Samantha Potts

From: Licensing North Division Kent <licensing.north.division@kent.pnn.police.uk>
Sent: 30 January 2014 11:15
To: 'Nick Green'; Licensing (SBC)
Cc: David Ledger
Subject: RE: TEN application - Valentines
Attachments: ATT00001.txt

Hi Nick

No objection

Geoff Rowley

North Division Licensing Coordinator

☎ 04-2733

☎ 01634 792733

☎ 07807 340266

Licensing.north.division@kent.pnn.police.uk

☒ Medway Police Station, Purser Way, Gillingham, Kent. ME 7 1NE.

Please observe the confidentiality requirements with regard to the information contained within this email or any attached documents and do not forward it onto any other agency/professional without the prior permission of the author.

Should this email be received by an unintended recipient, please notify the author immediately.

Misuse of any information in this email may constitute a criminal offence.

From: Nick Green [mailto:nick@jittermugs.co.uk]
Sent: 30 January 2014 08:53
To: licensing@swale.gov.uk
Cc: Licensing North Division Kent; davidledger@swale.gov.uk
Subject: TEN application - Valentines

Please find attached our application for temporary event.

Thanks

Nick Green

This email and any other accompanying document (s) contain information from Kent Police, which is confidential or privileged. The information is intended to be for the exclusive use of the individual(s) or bodies to whom it is addressed. The content including any subsequent replies could be disclosable if relating to a criminal investigation or civil proceedings. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this email in error, please notify us immediately by contacting the sender or telephoning 01622 690690.

Internal Memorandum

To: Samantha Potts
From: David Ledger
Date: 30th January 2014
Location: Jittermugs Coffee Shop, 18a Preston Street, Faversham, Kent, ME13 8PP

I have received notification of a Temporary Event Notice application for the above premises for the 14th and 15th February 2014. I wish to object to the granting of this application on the grounds of Public Nuisance from noise being transmitted to adjoining residents.

David Ledger
Environmental Protection Team Manager

For Head of Service Delivery