AGENDA ITEM NO 9

REPORT NO LB23/09

ANGUS LICENSING BOARD – 17 JUNE 2009

PREMISES LICENCE – BUDDIES NIGHT CLUB, KIRRIEMUIR

REPORT BY THE CLERK TO THE BOARD

ABSTRACT
The purpose of this Report is to advise the Board of the extra measures discussed with Mr Douglas of Buddies Night Club, Kirriemuir, to reduce noise from the premises when the doors are open and from patrons when they are outside the premises.

1. RECOMMENDATION

It is recommended that the Board note the following report and the reply from Mr Douglas attached at Annex A.

2. BACKGROUND

At the Licensing Board meeting of the 18 March 2009 objections had been received from neighbours against the issue of a premises licence for Buddies. The complaints detailed noise from Buddies in the form of music, when the doors are open and from the patrons when they leave the premises or are outside smoking. Mention was also made of the litter problem in the lane leading to St Malcolm’s Wynd. The Premises Licence was granted, however the Board requested the Licensing Standards Officer (LSO) look into this matter and report back to them.

3. INFORMATION

The LSO visited the premises on the 25 March 2009 and was accompanied by Mr Douglas. The following points were noted by the LSO:

- The premises are at first floor level
- The lane where the premises are situated is a thoroughfare bounded by buildings either side
- The Roods Bar and an Indian Restaurant also exit into this lane
- The bottom area outside of Buddies was tidy at the time of my visit
- Exit to and egress from the premises is by the same flight of stairs
- Entry to the premises is through an outer door then a secondary internal door
- The speakers and dance floor are at the opposite end of the building to the entrance/exit
- The sound equipment volume levels are marked at a level acceptable to Environmental and Consumer Protection (ECP). Disc Jockeys are advised of this sound boundary
- SIA “badged” stewards are on duty and monitor and control access to and egress from the premises
- The ground level smoking area is observed and monitored by duty door staff
- Customers are encouraged to leave the premises as quickly and quietly as possible and show respect to neighbours
- No formal complaints have been made to ECP
Mr Douglas stated:
- He agrees that there may be a wave of music when patrons enter or leave Buddies
- He maintains the smoking area, however it is difficult at times to make patrons from Buddies use this area
- The lane, where the smoking area is situated is a thoroughfare, therefore litter and non-music noise may be attributed to others using this lane
- The smoking area is regularly cleaned in the mornings
- When developing Buddies he worked with planning and ECP to ensure that noise levels from the premises would comply with recommendations
- Buddies is only open on the weekends with a terminal hour of 2am

4. PROPOSALS

Mr Douglas agreed to consider the following:
- Construction of a suitable porch to reduce noise escape when patrons enter or leave the premises
- Brief door staff of the problem of external noise and introduce a policy to be read by all staff to assist in minimising nuisance
- Provisions of more smoking bins to reduce litter
- Provision of notices at smoking area requesting smokers not to be noisy
To Angus Licensing Board/Iain Johnstone LSO  
Date: 30/3/09

Statement. From Graham Douglas (Licensee) Buddies

As a licensee who is socially responsible and operating with regard to the 5 licensing objectives, and have already in place policies to deal with them, would like to address these complaints in a manner that does not just dismiss them but treats them with respect and will make adjustments to our policies and methods to improve those complaints that are reasonable and fair. Buddies has won Best Bar None two years running for Nightclub Category and once overall winner for all categories in Angus which proves our good track record. Also we are the only licenced premises in Angus that use only polycarbonate—no glass, even bottles are decanted.

The three complaints that have been lodged all come under the objective – Preventing Public Nuisance.

1/ We have policies in place on the dispersal of patrons and notices with regard to them leaving quietly. But we can look at ways to improve on this in conjunction with Tayside Police. We can also put up more notices and ask door staff to remind patrons to keep the noise down.

2/ We have policies in place regarding smoking and litter, we have a designated smoking area with ash bucket. Improvements can be made by patrons being more aware of the area and bins provided. We can also put up notices externally to create awareness.

3/ Limiting noise from the premises can possibly be improved by more stringent door control when patrons leave and enter for smoke breaks and possibly an external polycarbonate screen/porch can be fitted to help minimise any noise when doors are opened.

4/ In addition to these points all of them will be added to Buddies policies folder in their appropriate places.