



Agenda

Meeting: **Licensing Sub-Committee**
Date: **18 July 2017**
Time: **2.00 pm**
Place: **Council Chamber - Civic Centre Folkestone**

To: **To all members of the Licensing Sub Committee**

The sub-committee will consider the matters listed below at the date, time and place shown above. The meeting will be open to the press and public.

Members of the sub-committee who wish to have information on any matter arising on the Agenda which is not fully covered in these papers are requested to give notice prior to the meeting to the Chairman or appropriate officer.

1. **Apologies of absence**
2. **Declarations of interest**

Members of the Council should declare any interests which fall under the following categories*:

- a) disclosable pecuniary interests (DPI)
- b) other significant interests (OSI)
- c) voluntary announcements of other interests

3. **Declarations of lobbying**

Members should complete the enclosed yellow form and return it to the Committee Administrator at the meeting.

4. **Application for a variation to the premise licence at the Cinque Ports Arms, 1 High Street, New Romney, Kent. TN28 8BU (Pages 3 - 40)**

Report DCL/17/07 sets out the facts for the Licensing Committee to consider in determining a variation to a premise licence. The licensing committee is the Licensing Authority acting in a role formally taken by the

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Email: committee@shepway.gov.uk or download from our website
www.shepway.gov.uk

Magistrates Court. It is, therefore, not appropriate for officers to make additional comments other than in the capacity as a Responsible Authority under the legislation of the Licensing Act 2003. Therefore there are no comments from Legal, Finance or other officers included in this report.

*Explanations as to different levels of interest

(a) A member with a discloseable pecuniary interest (DPI) must declare the nature as well as the existence of any such interest and the agenda item(s) to which it relates must be stated. A member who declares a DPI in relation to any item must leave the meeting for that item (unless a relevant dispensation has been granted).

(b) A member with an other significant interest (OSI) under the local code of conduct relating to items on this agenda must declare the nature as well as the existence of any such interest and the agenda item(s) to which it relates must be stated. A member who declares an OSI in relation to any item will need to remove him/herself to the public gallery before the debate and not vote on that item (unless a relevant dispensation has been granted). However, prior to leaving, the member may address the meeting in the same way that a member of the public may do so.

(c) Members may make voluntary announcements of other interests which are not required to be disclosed under (a) and (b). These are announcements made for transparency reasons alone, such as:

- membership of outside bodies that have made representations on agenda items, or
- where a member knows a person involved, but does not have a close association with that person, or
- where an item would affect the well-being of a member, relative, close associate, employer, etc. but not his/her financial position.

Voluntary announcements do not prevent the member from participating or voting on the relevant item

This report will be made public on 10 July 2017

Folkestone

Hythe & Romney Marsh
Shepway District Council



Report Number **DCL/17/07**

To: Licensing Sub-Committee
Date: 18 July 2017
Status: Non-Executive Decision
Head of service: Dr Sarah Robson

SUBJECT: APPLICATION FOR A VARIATION TO THE PREMISE LICENCE AT THE CINQUE PORTS ARMS, 1 HIGH STREET, NEW ROMNEY, KENT. TN28 8BU

SUMMARY: This sets out the facts for the Licensing Committee to consider in determining a variation to a premise licence. The licensing committee is the Licensing Authority acting in a role formally taken by the Magistrates Court. It is, therefore, not appropriate for officers to make additional comments other than in the capacity as a Responsible Authority under the legislation of the Licensing Act 2003. Therefore there are no comments from Legal, Finance or other officers included in this report.

REASONS FOR DETERMINATION:

The Committee is obliged to determine the application with a view of promoting the licensing objectives. In making its decision the Committee must also have regard to all the representations made and the evidence it hears. The Committee is obliged to have regard to the national guidance and the councils own licensing policy.

DETERMINATION:

The Licensing Sub-Committee is asked to:

1. Note the contents of Report DCL/17/07.
2. Determine the application. The options for determining the application are set out in section 5 below.

1. BACKGROUND

- 1.1 Part 1 of the Licensing Act 2003 provides that the sale or supply of alcohol on and off the premise and other licensable activities must be authorised by a premise licence.

2. APPLICATION

- 2.1 An application has been made under the Licensing Act 2003 for a Variation to the Premise Licence by Mr Kevin Gibbons, the Designated Premise Supervisor, on behalf of the Licence Holders Mrs Sarah Gibbons and Mrs Sharon Epps.
- 2.2 The application is in relation to the Cinque Ports Arms, 1 High Street, New Romney.
- 2.3 This licence was granted in 2005 and was transferred to the current holders in 2016.
- 2.4 The application for variation of the premises licence is:-
- 2.4.1 To increase the capacity of the premises to 350 people
 - 2.4.2 To increase the floor space and the bar area
 - 2.4.3 For live music on Sundays and Bank Holidays.
- 2.5 A copy of the application is attached at Appendix 1.
- 2.6 A copy of the current licence is attached at Appendix 2.
- 2.7 The applicant is mindful of his responsibilities and has received copies of the objections (see Appendix 2). Within the licence application he has detailed how he promotes the four licensing objectives.

3. OBSERVATIONS

- 3.1 The Committee must take such steps, as it considers necessary for the promotion of the licensing objectives:
- The prevention of crime and disorder
 - Public Safety
 - The prevention of public nuisance
 - The protection of children from harm

Any further steps the applicant intends to take to promote the four licensing objectives can be found on part **M** of the application form attached and are reflected in 2.5 above.

4. RELEVANT REPRESENTATIONS

- 4.1 The comments received from the Responsible Authorities are set out in the table below:

Responsible Authority	Comments
Environmental Health (Commercial)	No objections
Kent Fire & Rescue Officer	The current exit capacity of the building would not support more than 180 people.
Child Protection Agency	No objections
Planning Officer	Objection.
Kent Police	No objections.
Environmental Health (Pollution)	Objection
Trading Standards	No objection
Public Health	No objection

4.2 Representations have also been received from other interested parties by the Licensing Authority regarding the application.

4.3 The representations can be viewed in Appendix 3.

5. OPTIONS

5.1 The licensing sub-committee has the following options:

- a) Grant the licence as requested.
- b) Modify the licence, by adding conditions.
- c) Reject whole or part of the application.

5.2 The committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

6. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting:

Arthur Atkins, Environmental Health and Licensing Manager
 Telephone: 01303 853242
 Email: arthur.atkins@shepway.gov.uk

No published documents have been relied upon in the preparation of the report.

Appendices:

Appendix 1. Application for premise licence variation

- Appendix 2. Current premise licence
- Appendix 3. Relevant Representations

Cinque Ports Variation application

Corporate Post Room

122 MAY 2017

licensing team

Licensing Team
 Shepway District Council
 Civic Centre
 Castle Hill Avenue
 Folkestone
 Kent CT20 2QY
 Telephone: 01303 853526/3407

Folkestone

Hythe & Romney Marsh
 Shepway District Council



Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/We CINQUE PORTS ARMS

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	SHEP00284/05
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
CINQUE PORTS ARMS 1 HIGH STREET NEW ROMNEY			
Post town	KENT	Post code	TN28 8BU
Telephone number at premises (if any)	01797 361894		
Non-domestic rateable value of premises	£		

Part 2 – Applicant details

Daytime contact telephone number	07939 836083		
E-mail address (optional)	kenin.gibbons@me.com		
Current postal address if different from premises address	AS ABOVE		
Post Town	—	Postcode	—

Cinque Ports Variation application

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

Cinque Ports Variation application

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day Month Year

--	--	--	--	--	--	--	--	--	--

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

THE CINQUE PORTS ARMS HAS EXTENDED ITS
LICENCED FLOOR SPACE.

VARIATIONS:-

- HOME ADDRESS FOR PREMISES LICENCE HOLDERS.
- INCREASE CAPACITY TO X 350
- INCREASED FLOOR SPACE + BAR AREA
- LIVE MUSIC ON SUNDAY + BANK HOLIDAYS

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Cinque Ports Variation application

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

Cinque Ports Variation application

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	 State any seasonal variations for indoor sporting events (please read guidance note 4) Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
Day	Start	Finish	Outdoors <input type="checkbox"/>	Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

Cinque Ports Variation application

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	/	/	Please give further details here (please read guidance note 3) We would like to add Sunday lunch for the occasional live music gigs		
Tue	/	/			
Wed	/	/	State any seasonal variations for the performance of live music (please read guidance note 4) occasional Bank Holiday's		
Thur	/	/			
Fri	20.00	23.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) NONE.		
Sat	20.00	23.00			
Sun	13.00	17.00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

Cinque Ports Variation application

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	
Mon				
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

Cinque Ports Variation application

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)		Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)		Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
			Please give a description of the facilities for dancing you will be providing		
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

Cinque Ports Variation application

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		
Day	Start	Finish	Indoors	<input type="checkbox"/>	
Mon			Outdoors	<input type="checkbox"/>	
			Both	<input type="checkbox"/>	
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

Cinque Ports Variation application

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)		On the premises	<input checked="" type="checkbox"/>
					Off the premises	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<p>State any seasonal variations for the supply of alcohol (please read guidance note 4)</p> <p style="text-align: center;"><i>No CHANGE</i></p> <p>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)</p>			
Mon						
Tue						
Wed						
Thur						
Fri						
Sat						
Sun						

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NONE

Cinque Ports Variation application

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

No CHANGE

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

No CHANGE

Cinque Ports Variation application

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

N/A.

Cinque Ports Variation application

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

The prevention of Crime and Disorder
The protection of Public Safety
The prevention of Nuisance
The protection of Children from Harm

b) The prevention of crime and disorder

Full CCTV System is installed inside and outside of premise, and is fully monitored by central control room. Storage of CCTV images is kept for 60 days. All staff trained to only sell alcohol to persons over 21 years of age. Authorized/approved forms of ID will be requested when necessary - Photo card PASS scheme, Photo card drivers license and Passport.

c) Public safety

CCTV Installed. Premise is well lit inside and outside. Two fire exits kept clear at all times. First aid kits on site. A member of staff trained in first aid always on site. Full public liability insurance held.

d) The prevention of public nuisance

Nuisance: Alcohol to only be sold to persons over the age of 21 years. Signage erected requesting that patrons leave the premise in a quiet and orderly manner with respect to the neighbor's

e) The protection of children from harm

Alcohol sold to over 21's. Any person under the age of 16 years to be accompanied by an adult.

Cinque Ports Variation application


Please tick yes

- I have made or enclosed payment of the fee 190 ?
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	15.5.17
Capacity	DPS

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Kevin Gibbons
@ Address

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Cinque Ports Variation application

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Appendix 2.

Premises Licence

Part A

Folkestone

Hythe & Romney Marsh

Shepway District Council



OR DESCRIPTION

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE GRID REFERENCE

Cinque Ports Arms

1 High Street

New Romney

Kent

TN28 8BU

Telephone: 01797 361894

WHERE THE LICENCE IS TIME LIMITED THE DATES

START DATE: 16/08/2013 (minor variation)

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Recorded Music

Live Music

Alcohol Sales On & Off Sales

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

	Recorded Music	Live Music	Alcohol Sales On & Off Sales
Monday	11:00 00:00		11:00 00:00
Tuesday	11:00 00:00		11:00 00:00
Wednesday	11:00 00:00		11:00 00:00
Thursday	11:00 00:00		11:00 00:00
Friday	11:00 02:00	20:00 23:00	11:00 02:00
Saturday	11:00 02:00	20:00 23:00	11:00 02:00
Sunday	11:00 00:00		11:00 00:00

THE OPENING HOURS OF THE PREMISES (IF GIVEN)

Monday	07:00 to 00:30
Tuesday	07:00 to 00:30
Wednesday	07:00 to 00:30
Thursday	07:00 to 00:30
Friday	07:00 to 02:30
Saturday	07:00 to 02:30
Sunday	07:00 to 00:30

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES

ON & OFF

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Mrs Sharon Gibbons	Mrs Sharon Epps
Sladden Cottage	79 The Deerings
North Street	Lydd
New Romney	Kent
Kent	

Telephone: 07939836083 or 01797 361894

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

5265451

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Mr Kevin Gibbons	
Cinque Ports Arms	
1 High Street	
New Romney	
Kent	
TN28 8BU	Telephone: 01797 361894

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

SHEPWAY DISTRICT COUNCIL
PERSONAL LICENCE NUMBER: SDC1445

Annex 1- Mandatory Conditions

Mandatory conditions where licence authorises supply of alcohol

(1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.

(2) The first condition is that no supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

(3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

MANDATORY LICENSING CONDITIONS ORDER 2010

1.

1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—

- (i) the outcome of a race, competition or other event or process, or
- (ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises

which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2.

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3.

The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4.

(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol,

identification bearing their photograph, date of birth and a holographic mark.

5.

The responsible person shall ensure that–

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

Annex 2 - Conditions Consistent with the Operating Schedule

Prevention of Crime & Disorder Operating Schedule.

Maximum capacity of 75.

Exterior lighting.

Public Safety Operating Schedule.

Toughened glass to be used inside.

Protection of children from harm Operating Schedule.

Children allowed on premises between 11:00 and 21:00 except in restaurant until 23:00. Children not permitted in bars. Children must be accompanied by an adult.

Annex 3 - Conditions Attached after a Hearing by the Licensing Authority

Hearing General.

The Sub-Committee has decided to approve the conversion and variations to the existing licence subject to the following amendments to the operating schedule, for the reasons set out below:

Prevention of Crime and Disorder

The Sub-Committee accepted the steps set out in the operating schedule.

Prevention of Public Nuisance

Supply of Alcohol:

Sunday to Thursday 11.00 - 24.00hrs

Friday and Saturday 11.00 - 02.00hrs

Bank Holidays 11.00 - 02.00hrs

Bank Holiday Monday 11.00 - 24.00hrs

Opening Hours:

Sunday to Thursday 07.00 - 24.30hrs

Friday and Saturday 07.00 - 02.30hrs

Bank Holidays 07.00 - 02.30hrs

Bank Holiday Monday 07.00 - 24.30hrs

Recorded Music

As per supply of alcohol hours

Live Music

Friday and Saturday only 20.00 - 23.00hrs

General Conditions:

In addition to the measures set out in the operating schedule:

- Number of events including outside music not to exceed 8 per year
- Noise arising from music and/or patrons on the premises is not audible at the boundary of neighbouring residential premises
- External areas to be closed at 23.00hrs
- Advisory signage to be posted
- Entry to premises to be restricted to before 23.00hrs
- Staff supervision of patrons arriving and leaving the premises
- Appropriate enforcement by the establishment in the event of unruly behaviour being witnessed
- Other measures described in the section on Prevention of Crime and Disorder

Reason: The Sub-Committee was concerned about disturbance to local residents as set out in observations made by the Council's Environmental Health Officer. However, the Sub-Committee took into account the need to allow flexibility under the new licensing regime and under its own policy and that the lack of complaints at present indicates that the premises is well managed.

Public Safety

The Sub-Committee accepted the steps set out in the operating schedule.

Protection of Children From Harm

The Sub-Committee accepted the steps set out in the operating schedule.

Annex 4 - Plans

As at 24/12/2010 held on file.

Corporate Post Room

11.5 JUN 2017

Licensing Team
Shepway District Council
Civic Centre
Castle Hill Avenue
Folkestone
Kent
CT20 2QY.

Ref: Variance to Premises License
of Cinque Port Arms.

Dear Sir/Madam,

It has been brought to our attention that the Cinque Port Arms of New Romney have proposed Increased Capacity, Increased Floorspace + disperse bar, and also Live Music on Sundays + Bank holidays. The noise levels of Fridays and Saturdays at the moment are too much to bare, being such a built up area it is having a detrimental affect on peoples lives. We already have a noise level diary sheet of which we fill out weekly, also we have Increased difficulty in parking with the Customers of the pub taking up valuable Space, and sometimes we have nowhere to park. The noise levels when Customers leave is annoying with door Slamming

and raised voices, so waking us up, not mentioning bottles and glasses left in the road.

The music is played in the outside extension area a lot of the time of which the side building opens up. I am led to believe that the music should be played in the main part of old building.

Also both of us work unsociable hours, nights/twilight hours, as some of the other residents do, could you please take our complaint into consideration.

Yours Sincerely

Shepway District Council. 14-6-2017
Licensing Dept.
Civic Centre,
Castlehill Ave,
Folkestone, CT20 2Q

Corporate Post Room

115 JUN 2017

Dear Sirs

Cinque Port Arms, New Romney, Kent.

In response to the application notice in the side window of the Cinque Port Arms for extended music hours, I wish to make my objections known.

We live several hundred yards from the Cinque Port public house, and never in the 20 yrs we have
(PTO)

- 2 -

lived here & had cause for
complaint - until now.

Their live entertainment noise
levels are loud where we are,
and because of complete
disregard of others, cannot
begin to imagine what it must
be like for their immediate
neighbours.

I sincerely hope action will be
taken on this matter.

Yours faithfully,

11.4 JUN 2017

13th June 2017

Re Licence No SHEP00284/05 Cinque Port Arms, High Street, New Romney, Kent

I have today seen the Variation to the Premises Licence posted in the window the above premises and wish to lodge my objections to it. This is the first time I have seen the document despite passing this spot daily.

I object to the increased capacity on the grounds that currently the numbers of customers parking in Lions Road causes this road to be blocked regularly. Complaints have been made via the Police to the Community Wardens for this area. Any increase would only worsen this situation. On the last Bank Holiday the landlord informed me he had 600 persons on the premises – bearing in mind this size of the building this appears to already be unsafe.

I object to the increased floor space and dispense bar on the same grounds, that to encourage more customers would be unsafe and lead to local roads being blocked.

I object to the live music on Sundays and Bank Holidays on the grounds that there is already ongoing complaints regarding the noise and disturbance regarding live music at this pub. This is causing considerable nuisance to the surrounding neighbourhood. The Environmental Services reference is WK/201625925 and the officer concerned is Daniel Stone.

I can confirm I made contact with the out of hour's service over the last bank holiday weekend – including the Sunday. The level of noise during the day was invasive and irritating. On the Sunday I am aware that further contact was made by Environmental Services and the landlord which resulted in an *increase* in volume therefore I suggest that the landlord is aware of the effect of his live music and does not respond positively when informed of it causing a nuisance.

I wrote to you last September and am aware of the licensing provisions already in place, provisions which continue to be broken. I hope that you can take this opportunity to review this licence in respect of the variance and also for live music.

I am happy to attend any hearing in person should it be required,

14th June 2017

Reference to
Y 97/7118/GEN

Corporate Post Room

11.6 JUN 2017

Your Ref
W12/2017 14715

Cinque Port Arms Licensing Application

To whom it may concern

We totally object to the licensees being allowed to have music on Sunday afternoons. We have to tolerate very loud live music on Friday and Saturday evenings also foul language and abusive behaviour. We don't feel we need to be subjected to any further annoyance especially Sunday afternoons when families with children are around.



**Kent Fire &
Rescue Service**

Our ref:

Your ref:

Inspector:

James Vaughan

Date:

7 July 2017

Licensing Department
Shepway District Council
Civic Centre
Castle Hill Avenue
Folkestone
CT20 2QY

Dear Sir/Madam,

Re: Application to vary the Premises Licence under the Licencing Act 2003, in respect of The Cinque Port Arms, 1 High Street, New Romney, TN28 8BU

With reference to the application dated 15 May 2017, the application has been examined and on behalf of the Fire Authority I wish to make a representation to the licensing committee that the Public Safety objective of the Licensing Act has not been adequately addressed.

The Fire Authority wish to make a representation for the following reasons:

1. The request to change the maximum capacity condition on the premises licence to 350 persons does not align with the current DCLG fire safety guidance; 'Fire Safety Risk Assessment: Small and Medium Places of Assembly'.
2. A Fire Safety Inspector from Kent Fire and Rescue Service visited the premises on 23 May and concluded that, based on the current exit capacity at the time of visit, the maximum occupancy should be increased to no more than 180 persons, in line with the above mentioned guidance.
3. The responsible person, Mr Kevin Gibbons, has been advised that if a suitable external means of escape from the garden area can be provided, which will accommodate at least 100 persons, the maximum capacity for the premises could be increased to 220 persons, in line with the above mentioned guidance.

This letter is without prejudice to the powers of the licensing authority and to any requirements or recommendations that may be made by enforcing authorities under other legislation.

If you require any further advice please contact this Fire Safety Office.

Yours faithfully

Candice Watson
Fire Safety Manager



Printed in black and white
'Reducing our impact on the environment'

www.kent.fire-uk.org

Chief Executive
Ann Millington

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Shepway District Council

Licensing Sub-Committee

18 July 2017

Declarations of Lobbying

Members of the Licensing Sub-Committee are asked to indicate if they have been lobbied, and if so, how they have been (i.e., letter, telephone call, etc.) in respect of the applications below:

Application No.

Type of lobbying

.....
.....
.....
.....
.....
.....
.....
.....
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SIGNED:

When completed, please return this form to the Committee Administrator at the meeting.

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