



# Agenda

Meeting: **Licensing Sub-Committee**  
Date: **28 September 2017**  
Time: **10.00 am**  
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. **APPLICATION FOR A VARIATION TO THE PREMISE LICENCE AT THE CINQUE PORTS ARMS, 1 HIGH STREET, NEW ROMNEY, KENT. TN28 8BU (Pages 3 - 38)**

Report DCL/17/12 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.

## **Queries about the agenda? Need a different format?**

Contact Committee Services – Tel: 01303 853369/853267  
Email: [committee@shepway.gov.uk](mailto:committee@shepway.gov.uk) or download from our website  
[www.shepway.gov.uk](http://www.shepway.gov.uk)

## Licensing Sub-Committee - 28 September 2017

\*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 20 September 2017

**Folkestone**

Hythe & Romney Marsh  
Shepway District Council



Report Number **DCL/17/12**

**To:** Licensing Sub-Committee  
**Date:** 28 September 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/17/12.
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 license.

## 2. APPLICATION

- 2.1 An application has been made under the Licensing Act 2003 for a Variation to the Premise Licence held by Mrs. Sharon Epps by the Designated Premise Supervisor Kevin Gibbons,
- 2.2 The application is in relation to the Cinque Ports Arms, 1 High Street, New Romney.
- 2.3 The application for variation of the premises licence is:-
- 2.3.1 To change the address of the premise licence holder
  - 2.3.2 To remove the maximum capacity for the premises
  - 2.3.3 To increase the area covered by the licence to include the increased floor space and the bar area created by a new extension.
- 2.4 A copy of the application is attached at Appendix 1.
- 2.5 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	No objections

Child Protection Agency	No objections
Planning Officer	No Objections
Kent Police	No objections.
Environmental Health (Pollution)	Conditions to be added if granted

4.2 Six representations have been received from other interested parties by the Licensing Authority regarding the application. These objections can be found in Appendix 2.

## 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](mailto: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
- Appendix 2. Relevant Representations

Licensing Team  
Shepway District Council  
Chic Centre  
Castle Hill Avenue  
Folkestone  
Kent CT20 2QY  
Telephone: 01303 853528/3407

Corporate Post Room

09 AUG 2017

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.

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)	Kevin.gibbons@me.com		
Current postal address if different from premises address	1 HIGH STREET NEW ROMNEY		
Post Town	KENT	Postcode	TN28 8BU

1

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  
~~09~~ ~~08~~ 2017  
09 08 2017

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

HAVING COMPLETED THE WORKS IN  
RELATION TO APPLICATION Y16/0549/SH &  
Y16/0614/SH, THE CINQUE PORTS ARMS  
ARE APPLYING FOR THE FOLLOWING  
LICENCE VARIATION:-

- 1, - HOME ADDRESS AMENDMENT TO LICENCE  
HOLDERS
- 2, - THE REMOVAL OF A SET FIGURE/  
NUMBER OF OCCUPANTS. "CAPACITY"
- 3, - INCREASED LICENCED FLOOR SPACE,  
FOR THE SALE OF ALCOHOL AND  
OTHER LICENCED ACTIVITIES.

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

N/A



**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**

**A**

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>	
Tue						
Wed				<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur						
Fri				<b>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</b> (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 <u>indoors or outdoors or both</u> – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>	
Tue						
Wed				<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Thur						
Fri				<b>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</b> (please read guidance note 5)		
Sat						
Sun						

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b>Please give further details</b> (please read guidance note 3)
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4)
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			<b>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</b> (please read guidance note 5)

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick</b> (please read guidance note 2)	Indoors <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>		Outdoors <input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both <input type="checkbox"/>
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)
			<b>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</b> (please read guidance note 5)	

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon	/	/	<b>Please give further details here</b> (please read guidance note 3) <b>TO HAVE LIVE MUSIC IN THE NEWLY BUILT AREA</b>		
Tue	/	/			
Wed	/	/	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur	/	/	NONE		
Fri	20.00	23.00	<b>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</b> (please read guidance note 5)		
Sat	20.00	23.00			
Sun	/	/	NONE		

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon	11.00	00.00	<b>Please give further details here</b> (please read guidance note 3) <b>TO HAVE RECORDED BACKGROUND MUSIC IN THE NEWLY BUILT AREA</b>		
Tue	11.00	00.00			
Wed	11.00	00.00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Thur	11.00	00.00	NONE		
Fri	11.00	02.00	<b>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</b> (please read guidance note 5)		
Sat	11.00	02.00			
Sun	11.00	00.00	NONE		

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>				
Mon			<b>Please give further details here</b> (please read guidance note 3)			
Tue						
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)			
Thur						
Fri			<b>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</b> (please read guidance note 5)			
Sat						
Sun						

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment you will be providing</b>			
			<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>				
Mon			<b>Please give further details here</b> (please read guidance note 3)			
Tue						
Wed						
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)			
Fri						
Sat			<b>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</b> (please read guidance note 5)			
Sun						

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the facilities for making music you will be providing</b>		
			<b>Will the facilities for making music be indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the provision of facilities for making music</b> (please read guidance note 4)		
Thur					
Fri					
Sat			<b>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</b> (please read guidance note 5)		
Sun					

**J**

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			<b>Will the facilities for dancing be indoors or outdoors or both – please tick</b> (see guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give a description of the facilities for dancing you will be providing</b>		
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed					
Thur			<b>State any seasonal variations for providing dancing facilities</b> (please read guidance note 4)		
Fri					
Sat					
Sun			<b>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</b> (please read guidance note 5)		

**K**

<b>Provision of facilities for entertainment of a similar description to that falling within i or j</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment facility you will be providing</b>	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)</b>	<b>Indoors</b> <input type="checkbox"/>
Mon				<b>Outdoors</b> <input type="checkbox"/>
Tue			<b>Please give further details here (please read guidance note 3)</b>	
Wed				
Thur			<b>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 4)</b>	
Fri				
Sat			<b>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 (please read guidance note 5)</b>	
Sun				

**L**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)</b>	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Indoors</b> <input type="checkbox"/>	<b>Outdoors</b> <input type="checkbox"/>
Mon				
Tue			<b>Please give further details here (please read guidance note 3)</b>	
Wed			<b>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</b>	
Thur				
Fri			<b>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 (please read guidance note 5)</b>	
Sat				
Sun				

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	11.00	00.00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) THE NEW AREA HAS A SECONDARY BAR THIS WILL DISPENSE ALCOHOL IN LINE WITH ITS CURRENT LICENCE		
Tue	11.00	00.00			
Wed	11.00	00.00			
Thur	11.00	00.00			
Fri	11.00	02.00			
Sat	11.00	02.00			
Sun	11.00	00.00			
			<b>Non standard timings:</b> 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)  NONE		

**N**

<p><b>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</b> (please read guidance note 8)</p> <p style="text-align: center;">NONE</p>
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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	<b>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)</b>
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

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

NONE

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

MY CURRENT LICENCE IS BEING HELD WITH MY PREVIOUS APPLICATION.

PLEASE NOTE THAT HAVING TAKEN ADVICE AND CONSIDERED THE OBJECTOR COMMENTS, WE HAVE REMOVED SUNDAY MUSIC FROM THE VARIATION.

**P** 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,e) (please read guidance note 9)**

The Prevention of Crime & Disorder  
The Protection of Public Safety  
The Prevention of Nuisance  
The Protection of Children from Harm

**b) The prevention of crime and disorder**

A Full CCTV System is installed inside and outside of the Licenced Premises covering all areas of the Pub, Which is monitored by an outside central control room.  
Storage of the CCTV Images is kept for 60 days. All staff are trained on the law that legally they cannot sell alcohol to persons under the age of 18, However we adopt a think 21 policy. Authorised/approved forms of ID will be requested when necessary - Photo Pass Scheme, Photo Card Driving Licence or Passport.

**c) Public safety**

Full CCTV System installed.  
The premises is well lit inside and outside. All fire exits and Exit Routes are clearly labeled and illuminated.  
All fire fighting equipment is onsite and serviced yearly.  
All Emergency Lighting is tested Monthly  
All Fire systems are serviced yearly and tested monthly.  
We have a first aider on site at all times, along with first aid kits.  
Full Public liability insurance held.

**d) The prevention of public nuisance**

Signage is erected requesting patrons to leave the premises in an orderly manner and respect its neighbors  
A Sound Limiter is fitted to manage noise levels when Live Music is being played  
Alcohol is not served to anyone under the age of 18  
Alcohol is not served to anyone that is severely under the influence of alcohol.

LICENCED DOOR STAFF ON FRIDAY & SATURDAY

**e) The protection of children from harm**

Children are not allowed at the Bar/s or in the Main bar area.  
Alcohol is not sold to anyone under the age of 18, Anyone under the age of 18 is not allowed on the premises without an adult.


Please tick yes

- I have made or enclosed payment of the fee
- 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	<del>2017</del> 09.08.17
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)**

CINQUE PORTS ARMS  
1 HIGH STREET  
NEW ROMNEY

Post town	KENT	Post code	TN28 2BU
Telephone number (if any)	07937 836083		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

# Premises Licence

## Part A

**Folkestone**  
Hythe & Romney Marsh  
Shepway District Council



**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDINARY RESIDENTIAL ADDRESS**  
Cinque Ports Arms  
1 High Street  
New Romney  
Kent  
TN26 8BU Telephone: 01797 361894

**OR DESCRIPTION**

**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

### **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.

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

Mrs Sharon Gibbons  
Stedden Cottage  
North Street  
New Romney  
Kent

Mrs Sharon Epps  
79 The Deerings  
Lydd  
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.

Licensing Act 2003

**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:

Licensing Act 2003

- 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.

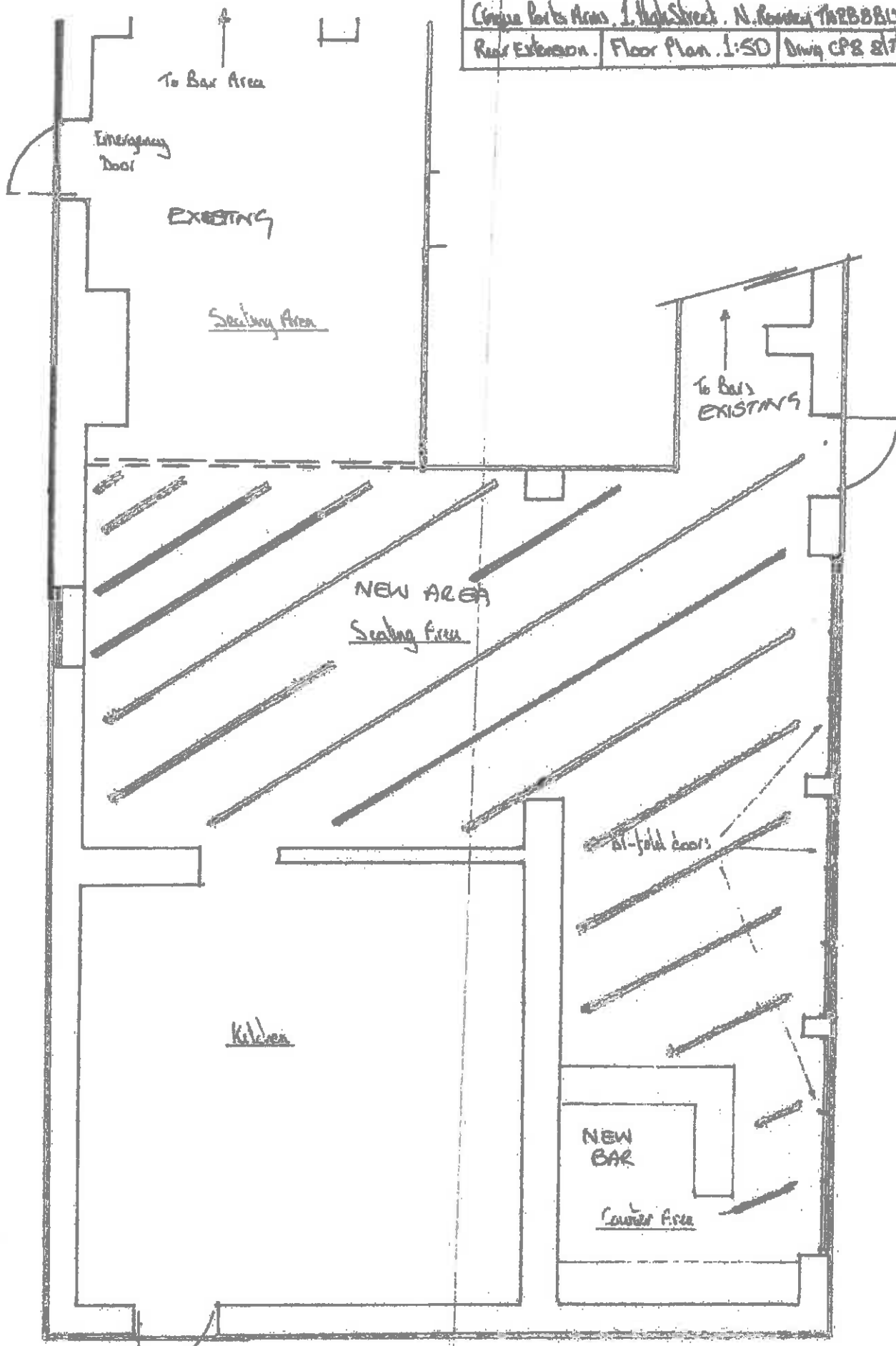
#### Protection of Children From Harm

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

#### Annex 4 - Plans

As at 24/12/2010 held on file.

Congue Park Area, 1, High Street, N. Conway TR28 8BLS  
Rear Extension. Floor Plan. 1:50 DWG CP8 21/10/17



21/07/2017

Cinque Ports Arms  
1 High Street  
New Romney  
Kent  
TN28 8BU  
[kevin.gibbons@me.com](mailto:kevin.gibbons@me.com)

Tel, 01797 361894

Variation of Premises Licence

Dear Shepway Licensing/Planning/Environmental Services

We acknowledge your previous concerns and have amended the New application to coincide with the following request:-

Sunday Music.-

This has now been removed from our application, We have listened to the concerns of the local residents and took them on board.

Environmental Services Request :-

- 1, All doors and windows are closed during live performances including DJ music.
- 2, Adequate ventilation must be provided to the premises, method must be in agreement with the local authority.
- 3, Noise limiter is to be installed within 6 weeks of the granting of the license. The noise limited must be set to a level agreed by the local authority.
- 4, A door supervisor must be in attendance for live performances including DJ music. They should also be in charge of keeping the noise from your patrons located at the front of your main entrance to a minimum.
- 5, Signs must be placed up at entrances and exits to remind your patrons to respect the neighbours and leave the site quietly.
- 6, Similar signs reminding your patrons to respect the neighbours and keep noise down to a minimum, must be put up within the designated smoking area.

\*All The conditions have already been implemented

Parking

We understand the frustration of the residents. But we cannot fix this problem alone. We have advised many of the residents to contact Kent County Council and request a review on the access to Lions Road. We would much prefer that it was either a one way street or yellow lines along the pub boundary. We are happy to support an application for this to be implemented.

Kind Regards

Kevin Gibbons, Sarah Gibbons & Sharon Epps

## **Farrell, Lisa**

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**From:** Stone, Daniel  
**Sent:** 05 September 2017 13:48  
**To:** Licencing  
**Cc:** Tse, Wai; Weller, Karen; Atkins, Arthur; James, Paul; Farrell, Lisa  
**Subject:** Cinque Ports Arms Major Variation

Hi

EH wish to apply the conditions below to the new Premise Licence. Mr Gibbons has previously intimated that he will not agree to the one relating to bottle movements.

- No live or recorded music outside.
- All doors and windows are closed during live performances including DJ music.
- Noise limiter is to be installed within 6 weeks of the granting of the license. The noise limiter must be set to a level agreed by the local authority.
- Live music, including DJs, must be periodically checked outside of the premises for possible noise disturbance to nearby residential properties. This must be carried out by a competent person, with the authorisation to lower the volume of the music, where required. A log book must be kept regarding these checks and be made available to the local authority for inspection, if requested. Log book should contain the times the check was carried out, who carried out and any actions taken.
- Appropriate staff supervisor must be in attendance for live performances including DJ music. They should also be in charge of keeping the noise from your patrons located at the front of your main entrance to a minimum.
- Signs must be placed up at entrances and exits to remind your patrons to respect the neighbours and leave the site quietly.
- Similar signs reminding your patrons to respect the neighbours and keep noise down to a minimum must be put up within the designated smoking area.
- CCTV operational during the hours of trading.
- External areas to be closed at 23.00hrs.
- Avoid movement of bottles and bins after 23:00hrs.

**Reasons:** To protect the amenities of nearby residential properties and to stop unreasonable noise affecting the public.

Should you confirm the acceptance of the above conditions, Environmental Health will not object to the granting of your major variation application. In the event that these conditions are not accepted, it will be referred to a licensing hearing.

**Advisory:** Please be aware even with these conditions in place, you are still subject to The Environmental Protection Act 1990 and shall not cause a statutory noise nuisance to nearby residential properties.

16<sup>th</sup> August 2017

Re Variation to the premises license date for expiry of receipt of responses 5<sup>th</sup> September 2017 for  
Licence No SHEP00284/05 Cinque Port Arms, High Street, New Romney, Kent

I understand there is an application to extend the capacity of this public house and I wish to lodge my objections to it:

I object to the increased capacity on the grounds that currently the numbers of customers parking in Lloris 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.

I also object on the grounds of noise. The premises has been subject to high number of complaints over the last year for excessive noise. To have 300 persons each weekend evening in the premises would result in increased noise and disturbance. When the pub has held events with capacities of this size this year, then complaints have been made to Environmental Health.

In essence my objection is because the local area is already suffering greatly because of this pub and to increase the numbers greatly would only make the situation worse

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

30<sup>th</sup> August 2017

Dear Sir/madam,

Cinque Port Arms  
1, High Street  
New Romney  
TN28 8BY

31 AUG 2017

I would like to object to the following

1) Removal of the number capacity on the license

Because of the following reasons:-

- a) Safety of the public in the building
- b) Lack of parking
- c) Noise in a residential area

2) Increase Floor space for licensable Activity

Because of the following reasons:-

- a) Increase activity such, as more bands and General entertainment, again creates Excessive noise.
- b) Lack of parking and blockage at the entrance to Lions Road from the main high street. (Overflow is parked in the Council Park opposite) but often is Full from the early customers.
- c) The Public House was known to be a place to take A family and now is known for its excessively loud musical events that disturb residents in all surrounding area.

**Sent:** 27 August 2017 15:41  
**To:** Licencing  
**Subject:** Cinque Ports Arms, 1 High St, New Romney, Kent, License Variation Application

Dear Sir/Madam,

**I am writing to lodge my objection to the above application for License Variation. My grounds are as below;**

**REMOVAL OF CAPACITY FIGURE IN LICENSE:** This affords us no indication of the numbers envisaged. Crowds of drunk customers leaving the pub late at night have caused noise, banging of car doors, loud voices and fights, arguments and damage to parked cars. The Police Service have often attended.

**INCREASED FLOOR SPACE FOR LICENSABLE ACTIVITIES;** This means more of the above. This is primarily a residential area and the character of this pub has changed from a family friendly pub where you could go for a meal and relax with friends and have a quiet drink. It has now become a pub with loud music which attracts a totally different crowd, (many of whom are banned from other pubs in the locality).

Yours faithfully,



**Sent:** 21 August 2017 12:50  
**To:** Licencing  
**Cc:** POP3Tilson, Russell  
**Subject:** cinqua port arms variation to premises licence.

Sent from **Mall** for Windows 10

## **CINQUE PORT ARMS VARIATION TO PREMISES LICENCE**

### **APPLICATION - OBJECTION.**

**1/ The live music at these events is of a full rock band type (drums, guitars) and amplifiers of some considerable size. Not only is the music loud but it also has to be of maximum duration. On the last occasion in total we had twenty six hours of it over three days. The location of the Cinque Ports is in a residential area and erecting two large marquees in the back garden is frankly never going to contain excessive noise.**

**2/ The Cinque Ports does not have its own car park it relies on the municipal car park opposite, which is used by other members of the public so where do people attending park?. The answer is in the road outside my house and**

about:blank

04/09/2017

so between 11:30 and 12:30 the shouting, swearing, door slamming and engine revving is unbelievable. The increase in the amount of street parking will eventually cause problems for emergency service vehicles, the fire station is of course in church road. Also access and egress from residents driveways will become a real problem. I have been told that it is an offence to block access to the highway?, will residents have to call the the police to get their cars out?.

3/ Three years ago we bought a property near a pub that occasionally played loud music now we find ourselves living near an open air rock concert venue which has a pub attached. The removal of the limit to the capacity is frankly absurd. The cinque ports is a small grade two listed pub, have the toilet facilities been upgraded to cater for hundreds of people, if not it is easy to imagine what that will mean for residents.

4/ In conclusion then the expansion being asked for in the application is entirely inappropriate given the location and size of the premises. I appreciate that shepway have imposed limitations and conditions previously but it is not unfair to say that these have not been adhered to as well as they might have. Therefore it is to be assumed that in future new limits will suffer the same fate.

**Re: Cinque Port Arms, 1 High Street, New Romney, Kent TN28 8BU**

**Dear Sirs,**

**I am a resident of Lydd Road, and live reasonably close to the above mentioned pub.**

**The Cinque Port Arms used to be a charming pub that was used mostly by the local community.**

**Since the new owners have taken over this pub it has gone through many changes, some legal and some illegal.**

**I have noticed noise levels increase dramatically within certain held events, and this also continues on some evenings after pub closure with many people waiting on the pavement outside the premises for extended periods of time with raised voices and shouting.**

**I have noted more recently an application by the present landlord to**

**a) increase floor space within the pub**

**b) removal of capacity figures.**

**It appears the landlord is applying to make this pub a larger venue for music events etc, and the problems of noise and nuisance associated with this.**

**I wish to object to this application, and hope Shepway Planning Department also take into consideration many other complaints made by local residents regarding issues related to these premises.**

**Yours faithfully,**

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**Shepway District Council**

**Licensing Sub-Committee  
28 September 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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