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Agenda

Meeting: Licensing Sub-Committee

Date: **13 December 2017**

Time: **2.00 pm**

Place: Council Chamber - Civic Centre Folkestone

To: To all members of the Licensing Sub Committee – Councillors

Roger Wilkins, Michael Lyons and Miss Susie Govett

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. Appointment of Chairman

The Committee must appoint a Chairman for this meeting.

2. Apologies of absence

3. **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

4. Declarations of lobbying

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

Queries about the agenda? Need a different format?

Contact Committee Services – Tel: 01303 853369/853267 Email: committee@shepway.gov.uk or download from our website www.shepway.gov.uk

Date of Publication: Tuesday, 5 December 2017

5. An application for a new premises licence to cover the whole of Saga, Enbrook Park Sandgate High Street, Sandgate (including the external areas) (Pages 3 - 46)

Report DCL/17/27 sets out the facts for the Licensing Committee to consider in determining a new premise licence. The licensing committee is the Licensing Authority acting in a role previously 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.

- (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

^{*}Explanations as to different levels of interest

Agenda Item 5

This report will be made public on 5 December 2017



Report Number DCL/17/27

To: **Licensing Sub-Committee**

Date: **13 December 2017**

Status: **Non-Executive Decision**

Head of service: **Ben Geering**

SUBJECT: AN APPLICATION FOR A NEW PREMISES LICENCE TO COVER THE WHOLE OF SAGA, ENBROOK PARK, SANDGATE HIGH

STREET, SANDGATE (INCLUDING THE EXTERNAL AREAS)

This report sets out the facts for the Licensing Committee to consider in determining a new premise licence. The licensing committee is the Licensing Authority acting in a role previously 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/17/27
- 2. Determine the application. The options for determining the application are set out in section 5 below.

1. BACKGROUND

- 1.1 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.
- 1.2 The premises does have a current premises licence. This licence only covers internal areas. When the Pavillion was constructed a licence was granted for live and recorded music until 23.00. The music caused noise nuisance in adjacent domestic premises on Military Road and the licence was called in for a review. On review a condition was put on the licence as follows:-

No live amplified instruments or vocalist performances can be held on the premises.

- 1. Performances can take place at a frequency of no more than twice a week for a maximum of 4 hours per performance. There will be a maximum of 65 events per year, of which no more than 12 may involve live music.
- 2. External speakers are not to be used for announcements or recordings.
- 3. All windows and doors to remain closed for the duration of any performance.
- 4. Advisory signage to be posted to remind patrons to keep noise to a minimum when leaving the premises.
- 5. The applicant must introduce a system for staff to supervise patrons to ensure that they leave the premises quickly and with minimum disruption to residents.

This application contains no reference to this in either the application or the operating schedule.

- 1.3 A copy of the application is enclosed as Appendix 1.
- 1.4 The premises are situated in sloping landscaped park land adjacent to Military Road, Enbrook Road and Sandgate High Street. There is a car park to the rear near Enbrook Road. On the eastern side is a modern block of mainly offices. On the western side bounded by Military Road is the Saga Pavillion. This a composite structure of steel, glass and canvas. This building has the Saga nursery underneath for use by Saga staff. The Pavillion is in regular use for events and functions and is where the live and recorded music would be played. Saga holds garden parties and functions in the park land and desires the licence to be extended to the outside areas.
- 1.5 Current licence details (where appropriate) are enclosed in Appendix 2.

2. APPLICATION

2.1 An application has been made for a new Premises Licence by the licence holder Saga Group Limited

- 2.2 The application is in relation to Saga, Enbrook Park, Sandgate High Street, Sandgate
- 2.3 The application is for plays, films, performance of dance, the provision of late night refreshment, the sale of alcohol, recorded and live music, Monday to Sunday 11.00 to 2300. Opening hours to be 11.00 to 23.30 Monday to Sunday.
- 2.4 The applicant is mindful of their responsibilities and has received copies of the objections (see Appendix 3).

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
- 3.2 The Shepway DC Licensing Policy is available at:
 http://www.shepway.gov.uk/media/4022/Licensing-Policy-Statement-2016-2021.pdf
- 3.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available at:

 https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003

4. RELEVANT REPRESENTATIONS

4.1 This hearing has been required by the Licensing Act 2003 because representation has been made by:

Responsible Authority	Comments
Kent Police	None
Environmental Health (Pollution)	Objections. EP have been in discussion with the applicant and may withdraw their objection subject to acceptable conditions.
Environmental Health (Commercial)	None
Kent Fire and Rescue	None
Planning	None
Child Protection Agency	None

4.2 10 Representations have been received from other interested parties by the Licensing Authority regarding the application. These objections can be found in Appendix 3.

5. OPTIONS

- 5.1 The licensing sub-committee has the following options:
 - a) Grant the Licence variation as requested.
 - b) Grant the Licence variation but add conditions.
 - c) Reject whole or part of the application.
- The committee is asked to note that it may not add conditions or reject the whole or part of the application merely because it considers it desirable to do so. The committee must only consider evidence that relates to the 4 licensing objectives. Any conditions must 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

Appendix 2 Current licensing hours and conditions.

Appendix 3 Relevant Representations

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Appendix 1

Saga New Premise Application



Application for a premises licence to be granted 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 Saga Group Limited

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Postal address Sega Enbrook Park Sendgate High Sendgate		nance survey map re	eference or des	cription
Post town	Folkestone		Postcode	CT20 3SE
	nber at premises (if any)	01303 771953 £870,000		

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

		Please tick as appropriate
a)	an individual or individuals *	pisase complete section (A)
b)	ne person other than an individuel *	
	I. as a ilmited company	please complete section (B)
	II. as a partnership	please complete section (B)
	III. as an unincorporated association or	please complete section (B)
	v. other (for example a statutory corporation)	please complete section (B)
C)	a recognised club	please complete section (B)
d)	a charity	please complete section (B)
e)	the proprietor of an advocational establishment	pisase complete section (B)
f)	a health service body	please complete section (B)

9)	Care 8	Stand:	o is re ards Ad t hospi	ot 20	100 (c	14) in					pleas	e com	ple	te s	ectio	i) nc	3)
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SECOND INDIVIDUAL APPLICANT (If applicable)

	Mr Mrs Miss	Ma		Other Titi			
	Surname	1	kat nan	nes			
	Date of birth	am 18 yea	ra old o	r over	Plea	se tick yes	
	Nationality				1100	ne new App	
	Current postal address if different from pramises address						
I	Post town			Posts	ode		
l	Daytime contact telephone number						
	E-mail address (optional)						
The same of the sa	ny registered number. In the case of a corporate, please give the name and add Name Sage Group Limited Address Enbrook Pæk Sandgele High Street Folkestorie Kent CT20 3SE	rees of ea	ch part	y concern	ed.	(ourer tries	a body
E	Registered number (where applicable) 063891						
	Description of applicant (for exemple, partne limited Company)	rehip, com	pany, u	nincorporal	ed essec	nletton etc.)	
Ē	elephone number (if any)						
	-mail address (optional)						-

Part 3 Operating Schedule

AAL	en do you want the premises licence to start?	23/11/2017
	ou wish the licence to be valid only for a limited period, when do want it to end?	
Sec.	see give a general description of the premises (please read guidance in Head Office providing conference and meeting facilities within the functions/events within the surrounding gardens/land.	
	000 or more people are expected to attend the premises at any time, please state the number expected to attend.	
What	licensable activities do you intend to carry on from the premises?	
(Plea	se see sections 1 and 14 and Schedules 1 and 2 to the Licensing A	ot 2003)
· ·		
•	vision of regulated entertainment	Please tick all that apply
•	vision of regulated entertainment plays (if ticking yes, fill in box A)	Please tick ali that
Pro		Please tick all that apply
Pro	plays (if ticking yes, fill in box A)	Please tick ali that apply
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Pro a) b) c) d)	plays (if ticking yes, fill in box A) films (if ticking yes, fill in box B) indoor sporting events (if ticking yes, fill in box C) boxing or wrestling entertainment (if ticking yes, fill in box D)	Please tick ali that apply
Pro a) b) c) d) e)	plays (If ticking yes, fill in box A) films (if ticking yes, fill in box B) Indoor sporting events (if ticking yes, fill in box C) boxing or wrestling entertainment (if ticking yes, fill in box D) ilve music (if ticking yes, fill in box E)	Please tick ali that apply
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Stand	Plays Standard days and timings (please read guidance note 6)		Will the performance of a play take place independent or outdoors or both - please tick (please read guidance note 2)	Indoors	
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Supply of alcohol Standard days and timings (please read		nd	Will the supply of alcohol be for consumption — please tick (please read guidance note 7)	On the premises	
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State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name Scott Nicho	les Cheesman	
Date of birth	19/12/1970	
Address 4b Douglas Maldstone Kent	Road	
Postcode	ME16 8ES	
Personal Ilo MAID0185/I	ence number (If known) LP/3007	
	nsing authority (if known) Borough Council	

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).

n/a

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Set	11:00	23:30	
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in Describe the steps you intend to take to profitors the four incarianty objectives.
a) General — all four licensing objectives (b, o, d and e) (please read guidance note 9)
CCTV will be installed within the pavilion and used during provision of iloensable activities in the
premises.
Regular Internal staff training will be carried out.
b) The prevention of orime and disorder
se above
c) Public safety
A fire risk assessment will be conducted and implemented in the premises.
d) The prevention of public nuleance
Notices to be erected requesting customers/guests leave the premises quietly.
e) The protection of children from harm
A challenge 25 scheme will be operated.

Checkilst:

Please tick to indicate agreement I have made or enclosed payment of the fee. M I have enclosed the plan of the premises. 1/4 I have sent copies of this application and the plan to responsible authorities and others M where applicable. I have enclosed the consent form completed by the individual I wish to be designated X premises supervisor, if applicable. I understand that I must now advertise my application. X I understand that if I do not comply with the above requirements my application will be X relected. [Applicable to all individual applicants, including those in a partnership which is not a X [imited liability partnership, but not companies or limited liability partnerships] I have Included documents demonstrating my entitiement to work in the United Kingdom

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 - Signatures (piease read guidance note 10)

(please read note 15).

Signature of applicant or applicant's solicitor or other duly authorized agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Declaration	 [Applicable to Individual applicants only, including those in a partnership which is not a limited liability partnership.] I understand I am not entitled to be leaved with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licesable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).
Signature	Harrison Clark Rickerbys Limited
Data	25/10/2017

Capacity	Solicitors on behalf of the applicant
For joint applications agent (please read capacity.	ons, signature of 2 nd applicant or 2 nd applicant's solicitor or other authorise guidance note 12). If signing on behalf of the applicant, piesse state in who
Signature	
Date	
Cepacity	
	nere not previously given) and postal address for correspondence associated with lease read guidance note 13) okerbys

01905 744535 If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Notes for Guidance

Post town

Worcester

Telephone number (if any)

licensing@hcriaw.com

- 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 ilcensing 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. In terms of specific regulated entertainments please note that:
 - Plays; no licenos is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.

Postcode

WR1 2JG

- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wreating Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wreating, or freestyle wreating between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports - defined as a contest, exhibition or display which combines boxing or wreating with one or more martial arts -- are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music; no licence permission is required for;
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.

- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 600.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 600, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church half, village half, community half, or other similar community premises, that is not licensed by a premises licence to self alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no liberce is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions; no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for;
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking piece on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wreetiing entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
- 3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 4. For example the 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.
- 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

- 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.
- 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
- 9. 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 or the presence of garning machines.
- 10. Please list here steps you will take to promote all four licensing objectives together.
- 11. The application form must be signed.
- 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
- 14. This is the address which we shall use to correspond with you about this application.
- 15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises ilcence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder casses to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the
 ohild of the holder, is a British citizen or a citizen of the UK and Colonies having the right of
 abode in the UK [pieces see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home
 Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card Issued by the Home Office to the family member of a national
 of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home
 Office to the holder indicating that the person named is allowed to stay indefinitely in the UK,
 or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

- A current immigration Status Document issued by the Home Office to the holder with an
 endorsement indicating that the named person is allowed to stay indefinitely in the UK or has
 no time limit on their stay in the UK, when producted in combination with an official
 document giving the person's permanent National Insurance number and their name issued
 by a Government agency or a previous employer.
- A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel islands, the isle of Man or Ireland when
 produced in combination with an official document giving the person's permanent National
 insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Blometric immigration Document (Biometric Residence Permit) issued by the
 Home Office to the holder which indicates that the named person can currently stay in the UK
 and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a
 European Economic Area state or Switzerland but who is a family member of such a national
 or who has derivative rights or residence.
- A current immigration Status Document containing a photograph issued by the Home Office
 to the holder with an endorsement indicating that the named person may stay in the UK, and
 is allowed to work and is not subject to a condition preventing the holder from doing work
 relating to the carrying on of a licensable activity when produced in combination with an
 official document giving the person's permanent National Insurance number and their name
 issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 17(3) or 18A (2) of the immigration (European Economic Area) Regulations 2008, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-

- evidence of the applicant's own identity such as a passport,
- evidence of their relationship with the European Economic Area family member
 e.g. a marriage certificate, civil partnership certificate or birth certificate, and
- evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (I) working e.g. employment contract, wage alipe, letter from the employer,
- (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
- (III) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
- (IV) self-sufficient e.g. bank statements.

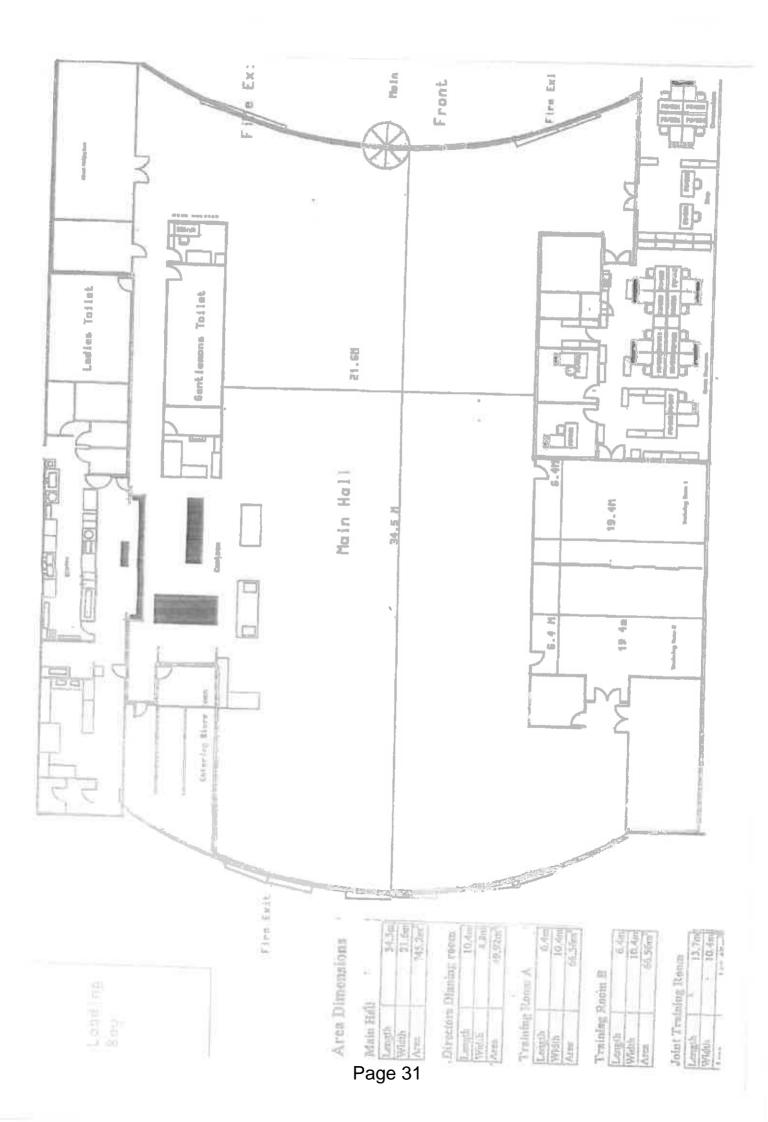
Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. if the document copied is a passport, a copy of the following pages should be provided:-

- (1) any page containing the holder's personal details including nationality;
- (II) any page containing the holder's photograph;
- (III) any page containing the holder's signature;
- (iv) any page containing the date of explry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your ilcensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have compiled with this guidance.





Consent of individual to being specified as premises supervisor

Scott Nicholas Cheesman

of 4b Dougles Road, Maidstone, Kent ME16 8E9

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

premises licence

by Sage Group Limited

relating to a premises licence, number n/a

for Saga, Enbrook Park, Sandgate High Street, Sandgate, Folksetone, Kent CT20 38E

and any premises licence to be granted or varied in respect of this application made by

Saga Group Limited

concerning the supply of alcohol at

Saga, Enbrook Park, Sandgate High Street, Sandgate, Folkestone, Kent CT20 3BE

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

MAID0185/LP/3007

Personal (Icenos lesulng

authority

Maldatoge Council

Signed

Name (please print)

Scott Nicholas Cheesman

Date

24/10/2017

APPENDIX 2

Saga - Current Licence Operating Schedule

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

	Live Music	Recorded Music/Making Music	Other Similar Regulated Entertainment	Supply of Alcohol On	Provision of Facilities for Dancing Provision of facilities for entertainment of a similar nature
Monday	19:00 23:00	19:00 23:00	19:00 23:00	19:00 23:00	19:00 23:00
Tuesday	19:00 23:00	19:00 23:00	19:00 23:00	19:00 23:00	19:00 23:00
Wednesday	19:00 23:00	19:00 23:00	19:00 23:00	19:00 23:00	19:00 23:00
Thursday	19:00 23:00	19:00 23:00	19:00 23:00	19:00 23:00	19:00 23:00
Friday	19:00 23:00	19:00 23:00	19:00 23:00	19:00 23:00	19:00 23:00
Saturday	12:00 23:00	12:00 23:00	12:00 23:00	12:00 23:00	12:00 23:00
Sunday	12:00 23:00	12:00 23:00	12:00 23:00	12:00 23:00	12:00 23:00

THE OPENING HOURS OF THE PREMISES (IF GIVEN)

Monday	18:30 to 23:30
Tuesday	18:30 to 23:30
Wednesday	18:30 to 23:30
Thursday	18:30 to 23:30
Friday	18:30 to 23:30
Saturday	11:30 to 23:30
Sunday	11:30 to 23:30

Conditions Attached

after a Hearing by the Licensing Authority 11 May 2006

The Sub-Committee has decided to give the following hours with conditions that are additional to those set out in the operating schedule.

Opening Hours

Monday to Friday 1830 – 2330hrs Saturday and Sunday 1130 – 2330hrs

Supply of Alcohol Monday to Friday 1900 – 2300hrs Saturday and Sunday 1200 – 2300hrs

All other regulated entertainment, hours will be as under the alcohol licence.

Prevention of Crime and Disorder

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

Prevention of Public Nuisance

No live amplified instruments or vocalist performances can be held on the premises.

- 1. Performances can take place at a frequency of no more than twice a week for a maximum of 4 hours per performance. There will be a maximum of 65 events per year, of which no more than 12 may involve live music.
- 2. External speakers are not to be used for announcements or recordings.
- 3. All windows and doors to remain closed for the duration of any performance.
- 4. Advisory signage to be posted to remind patrons to keep noise to a minimum when leaving the premises.
- 5. The applicant must introduce a system for staff to supervise patrons to ensure that they leave the premises quickly and with minimum disruption to residents.

Reasons: The Sub-Committee was concerned about disturbance to local residents, as set out in the letters on the application and as described by the objectors. However the Sub-Committee took account of the nature of the events Saga wish to run and the fact that they are well managed by Mrs Evans. There was no proposal to change the type of events held at the pavilion from those held in the past, which included: choral concerts, charitable dinners, fetes etc. The Sub-Committee was satisfied that Mrs Evans controlled the type of event put on at the Pavilion.

The Sub-Committee took into account the strength of feeling of the objectors and the concerns they had that matters might deteriorate in the future. The Environmental Health Manager reported that during 2000, there had been a number of complaints, but since the Council had worked with Saga to control noise and public nuisance and Saga had implemented various measures to improve noise control, matters had improved considerably. The objectors agreed that at the moment, events were well controlled; however, they feared events growing out of control.

With these points in mind, the Sub-Committee has allowed Saga a total of 65 events per year, including no more than 12 live music events per year. This is in effect what they have had recently, in that they are allowed to have up to 12 live music events per year under the previous Public Entertainment Licence (PEL), and on top of that they have run approximately 53 events, which previously would not have fallen under the PEL. These events will now all fall under the licence controlled by Shepway District Council.

The Sub-Committee also accepted the amendments to hours and amplified music proposed by the applicant, and made some further small amendments to hours to assist the residents.

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.

APPENDIX 3

Dear Sir/Madam

I wish to object to the application from Saga for a Premises Licence for Regulated Entertainment and the sale and Supply of Alcohol from 11.00 - 23.00 every day.

My objection is based on my concern that this new licence may increase the possibility of public nuisance for the many dwellings nearby, including my own.

I am particularly concerned about noise nuisance as this already happens occasionally when an Entertainment event is held in the Saga Pavilion. Because of the 'tented' roof arrangement on the building, the noise carries very easily across the Golden Valley. As this nuisance currently only happens occasionally, I am prepared to tolerate it (I understand that there is currently a clause attached to the existing licence restricting the number of events Saga can hold in a year). However, if by applying for this new licence, it is Saga's intention to hold more frequent events at the Pavilion, the noise nuisance would not be tolerable.

Additionally, depending on the nature of such events, I would be concerned about the possibility of an increase in low level disorder when guests are leaving the Pavilion.

I would be grateful if the Licensing team would consider my objection.

Dear Sir/Madam

To whom it may concern as a resident of Enbrook Rd I haven't minded the occasional event where amplification has been used for music or speaking although it is of an excessive volume and somewhat intrusive, the relative infrequency makes it bearable.

The thought of that being a daily or weekly occurrence would not be acceptable and I would be very concerned as to the level of disruption this would cause.

The selling of alcohol would also encourage a drinking culture on those nights which invariably makes its ways out into the local streets.

We object to this premises license being granted.

Kind Regards

- I wish to comment on the license application by Saga for a premises license. I have no objection to the sale of alcohol although I expect there will be an increase in inebriated behaviour and noise outside my house in Enbrook Road. I am much more concerned about the noise that will result from amplified sound of all types being permitted every day of the week until 11pm. We put up with the occasional event at the moment although the volume is excessive: I shouldn't be able to hear what people are saying from my house. I t must be deafening inside. You would think that performances are happening in the open air as there doesn't appear to be any sound proofing. This building is wholly inappropriate for the use of amplified music. Other performance venues are insulated so that you cannot hear what is going on inside from hundreds of yards away. No thought has been paid towards the affect this will have on nearby residents or the many just enjoying the beautiful park

surrounding the building. The only suitable entertainment would seem to be like the concerts of unamplified music that we can hear in the distance.

Re: Saga application for Entertainment and Alcohol license from 11.00 to 23.00 each day at Enbrook Park, Sandgate.

We the undersigned Sandgate would like to strongly oppose this application.

We have no problem with the licence that Saga currently have, though living where we are in close proximity to the building we are always aware of the loud noise whenever there is a function held there.

The thought of this being a daily licence is quite unacceptable, as presumably this will mean they can have events running till 23.00 every day of the week?

This would greatly affect our lives, as we mentioned earlier we can hear the noise from our bungalow and garden as it is now. We will have no peace!

Sage is a competitive business not an entertainment venue.

We ask you then to please please don't grant this application, it will be most unfair on us as Sandgate residents.

Re: Application for a licence for SAGA Group Ltd, Enbrook Park, Sandgate High Street, CT20 3SE, to provide alcohol between the hours of 11:00 and 23:00

With reference to the application by SAGA Group Ltd to provide alcohol throughout afternoons and late evenings, please accept this letter as a formal objection in the strongest possible terms on behalf of us both.

We have lived within earshot of the SAGA premises for a number of years, and have been disturbed and inconvenienced on several occasions by the noisy festivities taking place there over the weekends.

As there are already a number of premises licensed to sell alcohol in the locality (the Royal Norfolk Hotel, the Folkestone Rowing Club, the Providence Inne, the Inn Doors Micropub and The Ship Inn), we consider there to be sufficient alcoholic beverage outlets in this small village already. Furthermore, within a short walking distance there are other venues, such as the Golden Arrow and the Sandgate Hotel.

Enough!

Re: Saga application for Entertainment and Alcohol license from 11.00 to 23.00 each day at Enbrook Park, Sandgate.

I the undersigned who resides at Sandgate would like to strongly oppose this application.

I have no problem with the licence that Saga currently have, though living where I am in close proximity to the building I are always aware of the loud noise whenever there is a function held there.

The thought of this being a daily licence is quite unacceptable, as presumably this will mean they can have events running till 23.00 every day of the week?

This would greatly affect my life, as I mentioned earlier I can hear the noise from my bungalow and garden as it is now. I will have no peace!

Saga is a competitive business not an entertainment venue.

I ask you then to please don't grant this application, it will be most unfair on us as Sandgate residents.

Dear Licensing Dept,

It has been brought to my attention that SAGA PLC have applied for an alcohol licence for seven days a week from 11am to 11pm at the SAGA Pavillion.

This application has been poorly advertised and many of us who live adjacent to the SAGA Pavilion in Enbrook Park, were unaware that this application even existed.

That said, my wife and I strongly object to this proposal for the following reasons:

- 1.) Noise generated by functions hosted in the SAGA Pavillion. We already suffer excessive noise and disruption whenever a function is held in the Pavilion. The acoustics are appalling and sound is generated and amplified by the poor (acoustic) design of the building akin to a large tin can with no interior surfaces that can absorb the noise. Hence 200+ households in the immediate vicinity are obliged to listen to any musical performances, whether they want to or not. The granting of a licence would only, potentially make the situation worse, indeed it could become a nightly event. Not acceptable I'm afraid.
- 2.) Anti -social behaviour. We have only recently got over the problem of youngsters drinking in Enbrook Park and having a building within the park that could sell alcohol for 12 hours a day every day of the week will encourage more of this sort of behaviour. Please bear in mind that Enbrook Park sits predominately in a residential area.
- 3.) Parking. Whenever SAGA hold functions the residents of Enbrook Road, Military Road and Bybrook Field see and increase in visitor parking in their streets. They already have to suffer SAGA employees parking outside their properties during working hours and granting an alcohol license would exacerbate the situation.

To whom it may concern

It has come to my attention that the saga building in Sandgate is applying for a license to sell alcohol and have entertainment 7 days a week between 11 am and 11 pm.

The odd occasion is acceptable but as a regular event I strongly disagree with them getting a license to do this!

Dear sir/madam,

Please take this letter as a formal objection to sagas new application for a premises license to enable them to host plays, films, live and recorded music, dance performances and other regulated entertainment, as well as sell alcohol without any restrictions on number, frequency or timings (as per past / current license).

When saga have evening events the noise levels are excessive and disturb local residents, enabling Saga to make this a regular permanent thing would not benefit the local community as the noise disrupts sleep of both children and adults, and excessive drinking could increase anti-social behaviour in the area.

I appreciate you taking this information into consideration to make the right choice for the local community.

Dear Licensing Team,

Further to Notices displayed in the Saga grounds I wish to express my grave concern over granting of a license to Saga. The application states 7 days a week between 11am to 11pm.

I have lived in Enbrook Road ever since Saga was originally constructed. The use of amplified microphone and music creates significant levels of noise. Each time I can hear what is being spoken over a microphone inside my property. The level of music noise in my garden is far greater than a vehicles traveling past on the road. The current number of events where amplified equipment is used is just about bearable and I accept this. However, potential multiple events in the same week, week after week is not acceptable with the level of noise generated in a building inadequately acoustically designed for musical events.

As well as noise there have been antisocial behavior of those attending some these events. Constant events will only encourage groups to use the events to pursue disruption and property damage to those residents around this site.

Therefore, please take this as my objection to the granting of the Premises license as stated in the Notice.

Responsible Authority – Environmental Health

Environmental Health objects to the granting of this application, under prevention of a public nuisance.

Wai Tse - Environmental Health Officer



Shepway District Council

Licensing Sub-Committee 13 December 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
Saga, Enbrook Park	
SIGNED:	

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

