



Agenda

Meeting: **Licensing Sub-Committee**
Date: **4 June 2018**
Time: **10.00 am**
Place: **Council Chamber - Civic Centre Folkestone**

To: **Councillors Mrs Jenny Hollingsbee, Len Laws, Russell Tillson**

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. **Election of Chairman for the 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. **AN APPLICATION FOR A NEW PREMISES LICENCE FOR BAR BACCHUS, 2 CHURCH STREET, FOLKESTONE, KENT CT20 1SE (Pages 3 - 60)**

Report DCL/18/04 sets out the facts for the Licensing Committee to consider in determining an application for a new premise licence. The licensing committee is the Licensing Authority acting in a role previously

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Email: committee@folkestone-hythe.gov.uk or download from our website
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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.

5. Declarations of lobbying (Pages 61 - 62)

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

*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 24 May 2018

Report DCL/18/04

To: Licensing Sub-Committee
Date: 4 June 2018
Status: Non-Executive Decision
Head of service: Ben Geering

SUBJECT: AN APPLICATION FOR A NEW PREMISES LICENCE FOR BAR BACCHUS, 2 CHURCH STREET, FOLKESTONE, KENT CT20 1SE

SUMMARY: This report sets out the facts for the Licensing Committee to consider in determining an application for 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 4 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 revised national section 182 guidance and the council's own licensing policy.

DETERMINATION:

The Licensing Sub-Committee is asked to:

- 1. Note the contents of Report DCL/18/04.**
- 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 premise, 2 Church Street, Folkestone, Kent has been converted from a high street retail premises. It is proposed to be a high end cocktail and wine bar that will also serve cold food, cakes and coffee. The previous use of the premises did not require a premise licence.
- 1.3 The application seeks a premise licence to sell alcohol on the premises but does not seek either regulated entertainment or late night refreshment (No hot food, therefore, can be sold after 11pm).

A copy of the application is enclosed as Appendix 1.

- 1.4 The premise is situated in a predominantly commercial area although there is residential accommodation above adjacent retail premises and above these premises. There are restaurants, public houses and other licensed premises in the vicinity in addition to a wide variety of high street retail premises. The street outside is pedestrianised but vehicles are allowed access in the evening. There is good access to the local transport system being a short walk from the bus and train station and there is a taxi office close by.
- 1.5 The use of the premises is the subject of a planning application.

2. APPLICATION

- 2.1 An application has been made for a premise licence by Mark Macfarlane.
- 2.2 The application is in relation to 2 Church Street, Folkestone, Kent.
- 2.3 The application is for the supply of alcohol on the premises only. No other licensable activities are proposed.

The hours in the application are;

For the supply of alcohol Sunday to Thursday 10am until 11pm and Friday and Saturday 10am until 1am.

The opening hours for Sunday to Thursday are 10am until 11pm and Friday and Saturday 10am until 1am.

These hours, however, do not allow for drinking up time. The applicant has agreed, therefore, to reduce the hours for alcohol supply as follows to allow drinking up time. The opening hours will remain the same.

The hours for the supply of alcohol amended to: Sunday to Thursday 10am until 10.30pm and Friday and Saturday 10am until 00.30am.

- 2.4 The applicant is mindful of their responsibilities, have an operating schedule in line with the draft Folkestone & Hythe District Council's Licensing Policy 2018 Code of Practice (Appendix 3) and has received copies of the objections (see Appendix 2).

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/Shepway_District_Council_-_Licensing_Policy_Statement_2016-2021.pdf
- 3.3 The Home Secretary has issued revised 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>

The Committee members are advised to read the new guidance thoroughly. Your attention is drawn to paragraphs 9.42, 9.43 and 9.44 in respect of the determination of the application. Additionally members are advised to refer to section 10 about imposing conditions. It is also good practice that if they propose to apply conditions they should be discussed with the applicant prior to the determination to ensure that they are proportionate.

4. RELEVANT REPRESENTATIONS

- 4.1 This hearing has been required by the Licensing Act 2003 because representation has been made by independent representatives. The only representation by any Responsible Authority is from Planning.

| Responsible Authority | Comments |
|-----------------------------------|--------------------------|
| Kent Police | None |
| Environmental Health (Pollution) | None |
| Environmental Health (Commercial) | None |
| Kent Fire and Rescue | None |
| Planning | Has made representation. |
| Child Protection Agency | None |

- 4.2 3 additional 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) Grant the Licence but add conditions.
 - c) Reject whole or part of the application.
- 5.2 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. Decisions must be evidence based, considered on a case by case basis and the committee must only consider evidence that relates to the 4 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@folkestone-hythe.gov.uk

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

Appendices:

- Appendix 1. Application
- Appendix 2 Relevant Representations
- Appendix 3 Folkestone & Hythe District Council's Licensing Policy 2018 Code of Practice (draft)

licensing

Corporate Post Room

11 2 APR 2018

Licensing Team
Shepway District Council
Civic Centre
Castle Hill Avenue
Folkestone
Kent CT20 2QY
Telephone: 01303 858660
Email: licensing@shepway.gov.uk
www.shepway.gov.uk



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.

We MARK MACFARLANE
(insert name(s) of applicant)

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

Part 1 - Premises details

| | |
|--------------------------------------------------------------------------------------|------------|
| Postal address of premises or, if none, ordnance survey map reference or description | |
| 2 CHURCH STREET | |
| Post town | FOLKESTONE |
| Postcode | CT20 1SE |
| Telephone number at premises (if any) | |
| Non-domestic rateable value of premises | £ 11,500 |

Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate

- Please tick as appropriate
- a) an individual or individuals * please complete section (A)
 - b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)

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- ii as a partnership (other than limited liability) please complete section (B)
- iii as an unincorporated association or please complete section (B)
- iv 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 educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

| | | | | |
|----------------------------------------------------------------|------------------------------|---------------------------------------------------------------|-----------------------------|---------------------------------------------------------|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) <input type="checkbox"/> |
| Surname | | First names | | |
| Date of birth over | | I am 18 years old or <input type="checkbox"/> Please tick yes | | |
| Nationality | | | | |
| Current residential address if different from premises address | | | | |
| Post town | | Postcode | | |
| Daytime contact telephone number | | | | |
| E-mail address (optional) | | | | |

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SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | |
|-----------------------------------------------------------|------------------------------|---------------------------------------------------------------|-----------------------------|---------------------------------------------------------|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) <input type="checkbox"/> |
| Surname | | First names | | |
| Date of birth over | | I am 18 years old or <input type="checkbox"/> Please tick yes | | |
| Nationality | | | | |
| Current postal address if different from premises address | | | | |
| Post town | | Postcode | | |
| Daytime contact telephone number | | | | |
| E-mail address (optional) | | | | |

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

| | |
|-----------------------------------------------------------------------------------------------|-------------------------------------------|
| Name | BAR BACCHUS |
| Address | 2 CHURCH STREET FOLKESTONE CT20 1SE |
| Registered number (where applicable) | |
| Description of applicant (for example, partnership, company, unincorporated association etc.) | LIMITED COMPANY |
| Telephone number (if any) | |
| E-mail address (optional) | |

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Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY
~~01~~ 05 2018

10

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD MM YYYY
[][] [][] [][][][]

Please give a general description of the premises (please read guidance note 1)

BAR BACCHUS WILL BE A HIGH
END COCKTAIL AND WINE BAR
THAT WILL ALSO SERVE COLD
FOOD AND SELL FINE COFFEE
AND CAKES.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend. []

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2) Please tick all that apply

- 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)

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

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

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A

| Plays Standard days and timings (please read guidance note 7) | | | Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input type="checkbox"/> |
|------------------------------------------------------------------|-------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|--------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| Mon | | | Please give further details here (please read guidance note 4) | Both | <input type="checkbox"/> |
| | | | | | |
| Tue | | | State any seasonal variations for performing plays (please read guidance note 5) | | |
| | | | | | |
| Wed | | | Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| Thur | | | | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

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B

| Films Standard days and timings (please read guidance note 7) | | | Will the exhibition of films take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
|------------------------------------------------------------------------|-------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|--------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| Mon | | | Please give further details here (please read guidance note 4) | Both | <input type="checkbox"/> |
| | | | | | |
| Tue | | | State any seasonal variations for the exhibition of films (please read guidance note 5) | | |
| | | | | | |
| Wed | | | Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| Thur | | | | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

C

| | | | |
|------------------------------------------------------------------------------------------|-------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Indoor sporting events Standard days and timings (please read guidance note 7) | | | <u>Please give further details</u> (please read guidance note 4) |
| Day | Start | Finish | |
| Mon | | | |
| | | | |
| | | | |
| Tue | | | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5) |
| | | | |
| | | | |
| Wed | | | <u>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</u> (please read guidance note 6) |
| | | | |
| | | | |
| Thur | | | |
| | | | |
| Fri | | | |
| | | | |
| Sat | | | |
| | | | |
| Sun | | | |
| | | | |

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D

| | | | | | | |
|------------------------------------------------------------------------------------------------------|-------|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------|--------------------------|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 7) | | | Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3) | | Indoors | <input type="checkbox"/> |
| | | | | | Outdoors | <input type="checkbox"/> |
| Day | Start | Finish | | | Both | <input type="checkbox"/> |
| Mon | | | Please give further details here (please read guidance note 4) | | | |
| | | | | | | |
| Tue | | | | | | |
| | | | | | | |
| Wed | | | State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5) | | | |
| | | | | | | |
| Thur | | | | | | |
| | | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6) | | | |
| | | | | | | |
| Sat | | | | | | |
| | | | | | | |
| Sun | | | | | | |
| | | | | | | |

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E

| | | | | |
|------------------------------------------------------------------------------|-------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Live music Standard days and timings (please read guidance note 7) | | | Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3) | |
| | | | Indoors | <input type="checkbox"/> |
| | | | Outdoors | <input type="checkbox"/> |
| | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 4) | |
| Mon | | | | |
| | | | | |
| Tue | | | | |
| | | | | |
| Wed | | | State any seasonal variations for the performance of live music (please read guidance note 5) | |
| Thur | | | | |
| | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) | |
| Sat | | | | |
| | | | | |
| Sun | | | | |
| | | | | |

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F

| | | | | | | |
|---------------------------------------------------------------------------------|-------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------|--------------------------|
| Recorded music Standard days and timings (please read guidance note 7) | | | Will the playing of recorded music take <u>place indoors or outdoors or both -</u> <u>please tick</u> (please read guidance note 3) | | Indoors | <input type="checkbox"/> |
| | | | | | Outdoors | <input type="checkbox"/> |
| | | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | | |
| | | | | | | |
| Tue | | | | | | |
| | | | | | | |
| Wed | | | <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) | | | |
| | | | | | | |
| Thur | | | | | | |
| | | | | | | |
| Fri | | | <u>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</u> (please read guidance note 6) | | | |
| Sat | | | | | | |
| Sun | | | | | | |

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G

| Performances of dance Standard days and timings (please read guidance note 7) | | | Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input type="checkbox"/> | |
|----------------------------------------------------------------------------------|-------|--------|------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> | |
| Mon | | | Please give further details here (please read guidance note 4) | Both | <input type="checkbox"/> | |
| | | | | | | |
| Tue | | | | | | |
| | | | | | | |
| Wed | | | | State any seasonal variations for the performance of dance (please read guidance note 5) | | |
| Thur | | | | | | |
| Fri | | | | Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| Sat | | | | | | |
| Sun | | | | | | |

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H

| | | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------|-------|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|--------------------------|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7) | | | Please give a description of the type of entertainment you will be providing | | |
| Day | Start | Finish | Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| Mon | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | | | Please give further details here (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | | | Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| Sun | | | | | |

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I

| Late night refreshment Standard days and timings (please read guidance note 7) | | | Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | |
|-----------------------------------------------------------------------------------|-------|--------|---------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Day | Start | Finish | | <input type="checkbox"/> | |
| Mon | | | Please give further details here (please read guidance note 4) | Outdoors | |
| | | | | <input type="checkbox"/> | |
| Tue | | | | Both | |
| | | | | <input type="checkbox"/> | |
| Wed | | | | State any seasonal variations for the provision of late night refreshment (please read guidance note 5) | |
| Thur | | | | 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 6) | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

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J

| Supply of alcohol Standard days and timings (please read guidance note 7) | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 8) | | On the premises <input checked="" type="checkbox"/> |
|-------------------------------------------------------------------------------------|-------|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------------|
| | | | | | Off the premises <input type="checkbox"/> |
| | | | | | Both <input type="checkbox"/> |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 5) | | |
| Mon | 10.00 | 23.00 | | | |
| Tue | 10.00 | 23.00 | | | |
| Wed | 10.00 | 23.00 | | | |
| Thur | 10.00 | 23.00 | | | |
| Fri | 10.00 | 01.00 | | | |
| Sat | 10.00 | 02.00 | | | |
| Sun | 10.00 | 23.00 | | | |
| | | | Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) | | |

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

| | |
|------------------------------------|------------------------------|
| Name | MARK MACFARLANE |
| Date of birth | 21/05/78 |
| Address | 42a EAST CLIFF FOLKESTONE |
| Postcode | CT19 6BX |
| Personal licence number (if known) | SDC 1619 |

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Issuing licensing authority (if known)

□□□□

K

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 9).

L

| Hours premises are open to the public Standard days and timings (please read guidance note 7) | | | State any seasonal variations (please read guidance note 5) |
|--------------------------------------------------------------------------------------------------|-------|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Day | Start | Finish | |
| Mon | 10.00 | 01.00 23.00 | |
| Tue | 10.00 | 23.00 | |
| Wed | 10.00 | 23.00 | |
| Thur | 10.00 | 23.00 | |
| Fri | 10.00 | 01.00 | |
| | | | 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 6) |

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| | | | |
|-----|-------|-------|--|
| Sat | 10.00 | 01.00 | |
| Sun | 10.00 | 23.00 | |

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

- * NEIGHBOURS NOTIFIED AND HAPPY WITH BUSINESS
- * CEILING WILL BE HEAVILY SOUND PROOFED
- * OUTSIDE AREA FROM SHOP WILL BE METICULOUSLY MAINTAINED AND SWEEPED NIGHTLY

b) The prevention of crime and disorder

- * CCTV
- * PUB WATCH MEMBERSHIP
- * DOOR SUPERVISORS IF NECESSARY
- * STAGGERED DISPERSAL/CLOSING TIMES

c) Public safety

- * EXTERNAL LIGHTING
- * CCTV
- * DOOR SUPERVISORS AS REQUIRED

d) The prevention of public nuisance

- * HEAVY SOUND INSULATION
- * VERBAL REQUESTS TO ROWDY CUSTOMERS TO DISPERSE QUIETLY WHEN WALKING HOME

e) The protection of children from harm

* CHALLENGE 25 SCHEME
 * NO UNDER 18's POST 19.00
 * ENCOURAGEMENT TOWARDS PARENTS
 TO KEEP THEIR CHILDREN ORDERLY

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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 (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

| | |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Declaration | <ul style="list-style-type: none"> • [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 issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Bar Baccus new premise application 120418

| | |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>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).</p> <ul style="list-style-type: none"> 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 licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15) |
| Signature | <i>mmell</i> |
| Date | 10/04/18 |
| Capacity | MANAGER AND APPLICANT OF BAR BACCUS |

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

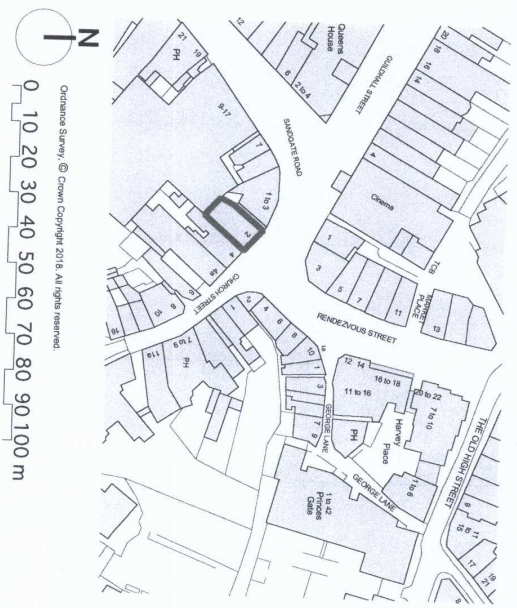
| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

| | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------|--|----------|--|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) | | | |
| | | | |
| Post town | | Postcode | |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) | | | |

Notes for Guidance

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

Bar Baccus new premise application 120418



SITE LOCATION PLAN

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 The drawing is to be read in conjunction with all other drawings and specifications and is not to be used in isolation.

Project Title
Change of Use
A1 to A4
 Projected Development at
2 Church Street
Folkestone
Kent CT20 1SE
 2018.03.28

Project Title
Change of Use
A1 to A4
 Projected Development at
2 Church Street
Folkestone
Kent CT20 1SE
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A1 to A4
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Project Title
Change of Use
A1 to A4
 Projected Development at
2 Church Street
Folkestone
Kent CT20 1SE
 2018.03.28

Bar Baccus new premise application 120418



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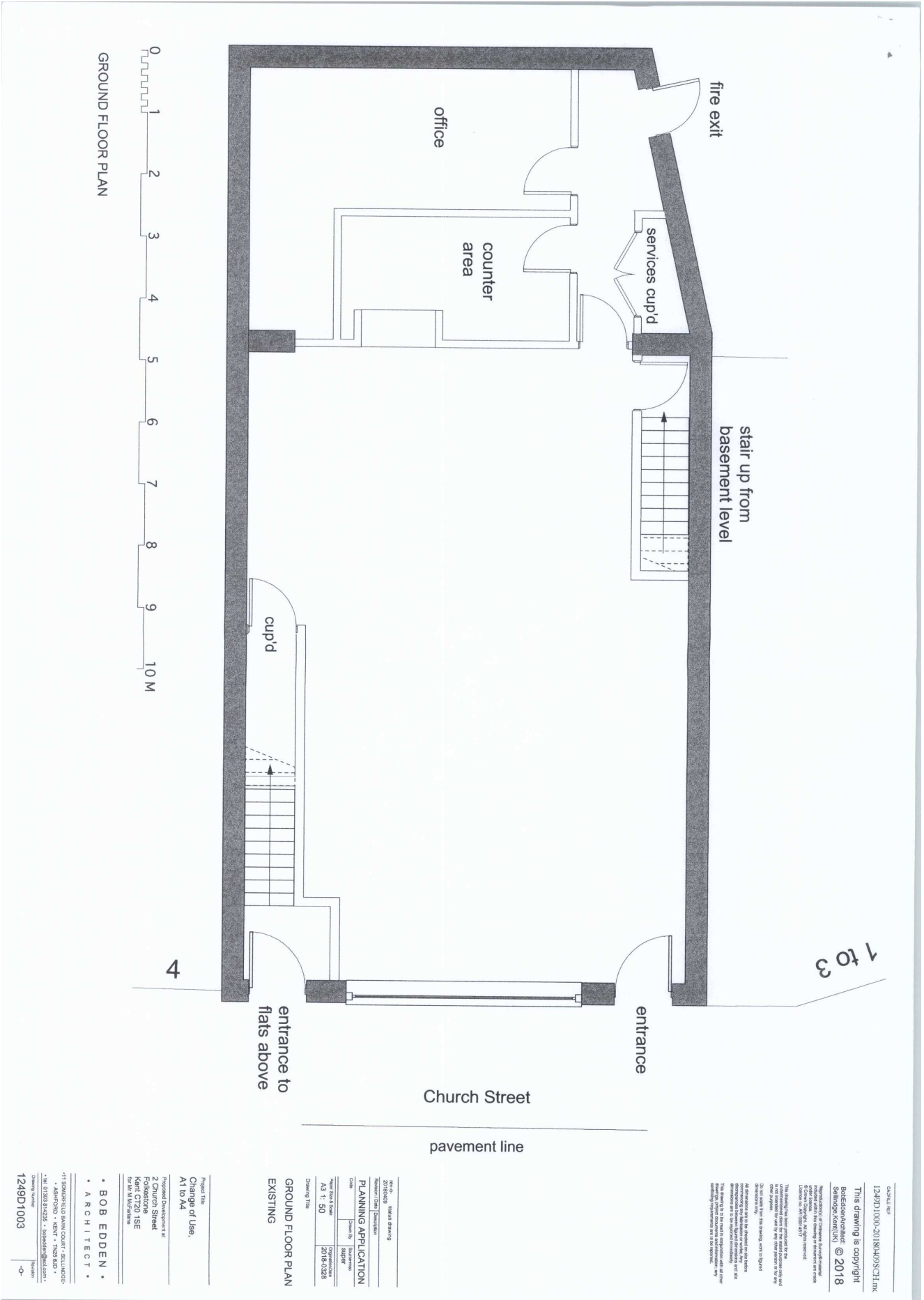
| | |
|---------------------|-------------------------------------|
| Project Title | Bar Baccus |
| Client | Robert M. Kent |
| Project Location | 2 Church Street, Sandgate, QLD 4017 |
| Project Description | Bar Baccus |
| Scale | AS 1:500 |
| Drawing Title | SITE BLOCK PLAN |
| Drawing Number | 1249D1002 |

Project Title
 Change of Use,
 A1 to A4
 2 Church Street
 Sandgate QLD
 For All M&P's please

• BOB EDDEN •
 • ARCHITECT •

11 BOWENFIELD BARN COURT - SULLIDGE
 • ASPHOND • KENT • TYSALO •
 2186 013001814235 - r.m.kent@sullidgekent.com
 Drawing Number
1249D1002

Bar Baccus new premise application 120418



1 to 3

fire exit

stair up from basement level

services cup'd

counter area

office

entrance

entrance to flats above

Church Street

pavement line

GROUND FLOOR PLAN



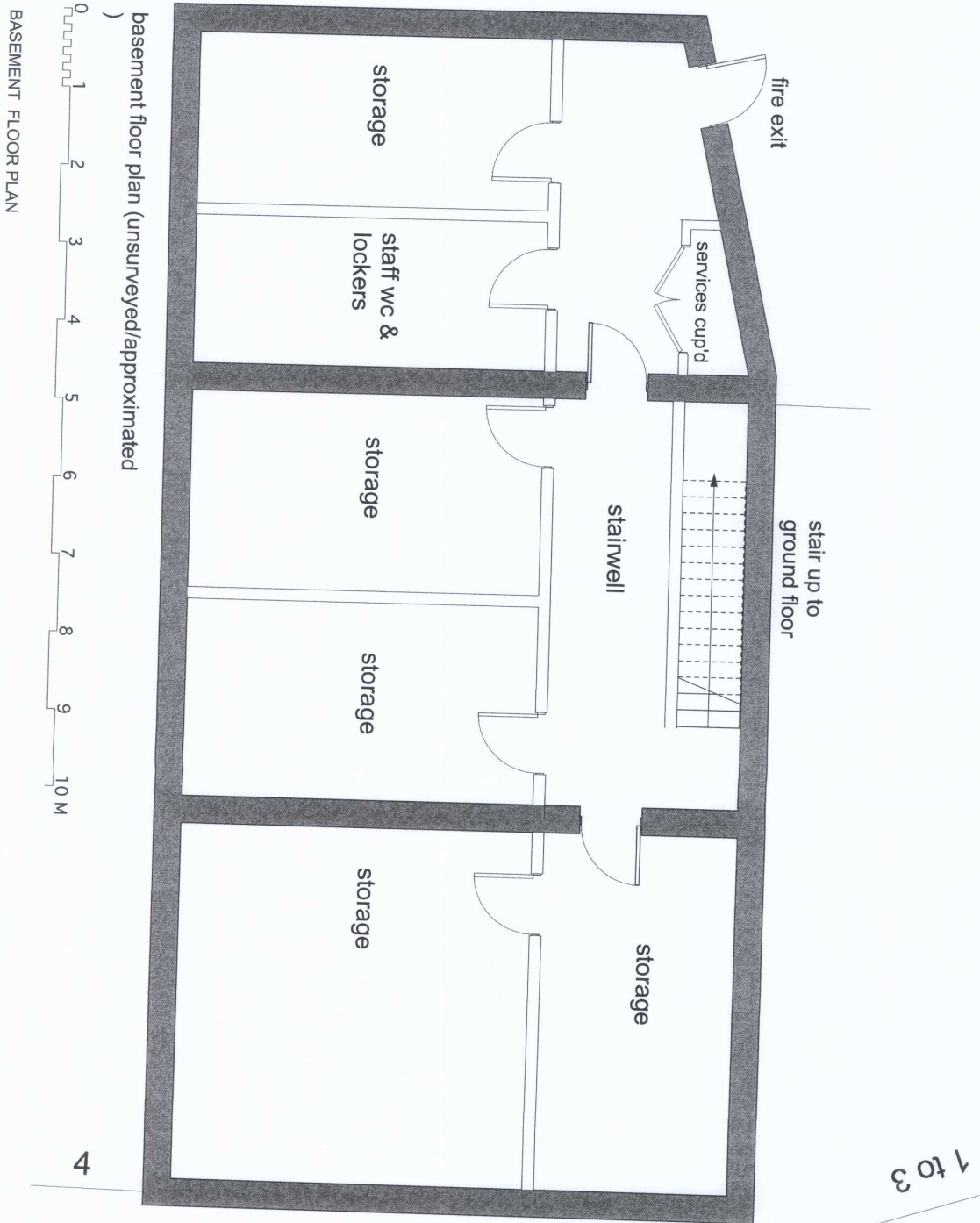
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 All dimensions are to be checked on site before construction and any discrepancies should be reported to the architect immediately.
 The architect shall not be responsible for any errors or omissions in this drawing.

| | |
|---------|------------|
| no. | 20180403 |
| date | 2018/04/03 |
| author | Bob Edden |
| checked | Bob Edden |
| drawn | Bob Edden |
| scale | 1:50 |
| date | 2018/03/28 |
| no. | 1249D1003 |

EXISTING
 GROUND FLOOR PLAN

Project Title
 Change of Use,
 A1 to A4
 Proposed Development at
 2, FOLKTON STREET
 KENT CT20 1SE
 for Mr M. McArthur
 • BOB EDDEN •
 • ARCHITECT •

1249D1003
 1249D1003



CADFILE REF
1248D1000-2018W409SCH.mxd

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| | |
|---------------|--------------------------------------------|
| Project Title | Bar Baccus - Bar & Restaurant |
| Client | Bar Baccus Ltd |
| Location | 2 Church Street, Folkestone, Kent CT20 1SE |
| Scale | 1:50 |
| Date | 2018.02.28 |

Basement Floor Plan
EXISTING

Project Title
Change of Use,
A1 to A4

Prepared/Checked by
2 Church Street
Folkestone
Kent CT20 1SE
for Mr M Edensor

• BOB EDEN •
• ARCHITECT •

Planning
Folkestone & Hythe District Council

4 May 2018

Good afternoon,

Following recent consultation regarding the above address, the Planning Department wishes to **object** to the proposed premises licence.

Licensing objectives state that the Council must take into account the prevention of public nuisance when considering licensing applications.

There is currently a planning application pending consideration (reference Y18/0474/SH) for the change of use of the premises from retail (Class A1) to drinking establishment (Class A4) with the current determination date being 05.06.2018. This application proposes that opening hours would be until 23.00pm.

It is considered that the proposed opening hours until 01.00am on a Friday and Saturday would not be acceptable. Surrounding drinking establishments open no later than 23.30 and as such it is considered that opening until 01.00am would give rise to public nuisance caused by customer arrival and departure and noise generated from the premises.

As such it is considered that the premises should stay open no later than 23.30 so as to prevent potential public nuisance late opening could cause.

Kind regards

Issy Hills

From: DickPascoe
Sent: 05 May 2018 15:25

I wish to oppose the granting of extended hours to the Bacchus bar in Church Street.

My grounds are that this is likely to cause disturbance to neighbours by noise.

This Bar is within a residential area that continually suffers from late night noise and disturbance.

This disturbance takes many forms including shouting, arguments and loud discussions as patrons

leave this bar to smoke various substances outside.

The churchyard is also used for late night drinking / smoking and this would only extend those numbers / hours.

Kind regards

Cllr Dick Pascoe

*Member; Folkestone & Hythe District Council.
for Folkestone Central Ward.
Cabinet Member for Property Management
and Environmental Health.*

From: Mary Lawes
Sent: 16 April 2018 07:57
Subject: Bar Bacchus WK/201810602

I would like to put an objection in against the above named License application on the grounds of noise.

Residents already have to endure noise from a number of venues in the area. The worst offender is Kipp's Ale House which breaches noise levels all the time. Residents no longer complain as they say the Council refuses to act.

Please do not allow this Bar Bacchus a late license in a residential area.

Kind Regards

Cllr Mary Lawes Independent
Folkestone & Hythe District Council.
Folkestone Town Council

The Licensing Manager, FHDC Licensing Committee
Folkestone and Hythe District Council
Civic Centre
Castle Hill Avenue
Folkestone Kent CT20 2QY

Dear Sir

Representations Re: Application for a Premises Licence, Bar Bacchus Ltd, 2 Church Street, Folkestone CT20 1SE

I write on behalf of the Folkestone Licensing Forum, supported by the Leas Residents Association, The Bayle Residents Association, the residents associations of Aspen House, Westcliff House, Whitecliffs, Albion Villas, and The Old High Street Neighborhood Watch Team.

The Folkestone Licensing Forum and resident associations mentioned above **are opposed** to the granting of a Premises Licence to 2 Church Street Folkestone, currently identified as The German shop, on the following grounds:

1. The over-provision of Licensed premises in the area and the impact of licensed activity on residential properties immediately surrounding the premises and those adjacent to the proposed Licensed premises;
2. The impact of additional Licensed premises facing Rendezvous Street directly opposite an area that has given rise to considerable concern over late night anti-social behaviour and the passage to and from such establishments by loud mostly aggressive groups of intoxicated people.
3. The absence of public transport in the immediate vicinity of 2 Church Street, thereby necessitating walking to and from the proposed establishment, or the increased use of taxis late at night, in an area designed for pedestrians, that has been opened to evening and late night vehicular access without any safety assessment or consultation with Town Centre residents.
4. Smoking outside the proposed Licensed premises bringing associated noise, rowdiness and disturbance, only a matter of a few yards from a purpose built senior citizens residential properties.
5. The inevitable abuse of curtilage that will occur and the historic failure to curb street drinking will see the owners of 2 Church Street extend their premises out onto the pedestrianised paved area bringing all day drinking into the heart of Folkestone, with the resultant example to children and other passing minors. Those establishments where street drinking is currently practised tend to be fenced off or shielded but this would not be possible at 2 Church Street without impinging on other shops and the public thoroughfare.
6. The creeping abandonment of the shopping district and the over-eager conversion to Licensed Premises that has seen a significant increase in bars and micro-breweries on/in the Town Centre without any reference to The Planning Legislation, the Town Centre Plan, the Core Strategy or any other Council-lead Policy.

7. The use of the Licensing Act 2003 to achieve the conversion to Licensed Premises of domestic and other business-use premises, is an unintended consequence of the Act and this and other applications should be suspended while the Folkestone and Hythe District Council Alcohol Policy 2018 is under review and out for public consultation.

The Folkestone Licensing Forum Is aware of the existing Shepway Statement of Licensing Policy as amended in January 2011 and the Licensing Objectives contained in the Licensing Act 2003 namely;

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

It is also noted from the Revised Guidance, dated 26 March 2015, that all four Licensing Objective carry equal weighting and amongst other things, should facilitate;

- Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- Giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
- Providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area;
- Encourage greater community involvement in licensing decisions, giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

It is also understood that the Licensing Authority has powers to place conditions on a Premises Licence, setting the parameters within which premises can lawfully operate. However, faced with what is now a string of Licensed Premises that lead from the upper part of town to the harbour area, the Licensing Authority will have difficulty in using these powers.

It is therefore considered that all four Licensing objectives are hazarded by this particular application. In particular the concentration of drinking establishments and the proven disturbance that late night drinking has caused all over Folkestone is a recipe for further crime and disorder.

There is a genuine concern amongst local residents that the centre of Folkestone is increasingly a no-go area after dark and whether or not born out by crime statistics, it is a perception that is not going away. People are concerned that their public safety is being compromised by the attraction of late night drinkers into the town centre.

There is no dispute that late night drinking and even daytime drinking has lead to increases in public nuisance. The well documented incidents of anti-social behaviour, public urination, loud use of foul language, fighting and late night arguments abound and this will be added to by the current proposal.

With regards to the fourth Objective, there can be no more prominent position in Folkestone than that presented by 2, Church Street and while the protection of children from harm is a

broad term, there is no doubt that this premises should not be granted a Premises Licence occupying the position it does.

in addition, it is noted that the Council has **not carried out an cumulative impact assessment**, however, it should be noted that;

1. The application by Bar Bacchus Ltd for a Premises Licence for 2 Church Street, currently know as The German Shop, (the Premises) is considered inappropriate on the grounds of over-provision of Licensed premises in the immediate vicinity.
2. In addition to three fully Licensed Premises within the immediate vicinity; The Kent Arms, The Guildhall, The British Lion, Premises Licenses are held by The Pullman, The Folkestone Wine Company, the former hamburger restaurant, Googies, the pizza restaurant in the old Burton Building, Weatherspoons, and the Italian restaurant opposite. Together with the Public House and other bars in Guildhall St. Rendezvous Street and the Old High Street, make the greatest concentration of drinking establishments in Folkestone - leading on down to the Harbour and the multitude of pubs and clubs around the Harbour.

It is the Licensing Forum and Residents Associations' contention that the addition of a further Licensed Premises in a Church Street will augment the areas reputation as a drinking and eating destination for young adult parties, particularly special occasions (celebratory parties and drinking events). It is also the Residents contention that the granting of a Premises Licence to 2 Church Street will give rise to increased noise and anti-social behaviour by customers leaving the establishment, and effectively creates a no-go area at night for both towns people and local residents (many of whom are elderly).

It is not clear from the Town Centre Plan, what part additional Licensed premises play in the development of Folkestone but the Residents believe that any additional Premises Licenses in the area under discussion will only diminish the retail opportunity and add to the chaotic late-night drinking economy, which leading councilors have stated is damaging to the towns health and reputation, and is to be discouraged by way of limiting opening hours to 23:30 in core residential areas.

In considering this application we ask that notice be taken of emerging policy/conditions contained in Folkestone & Hythe DC NEW Licensing Policy, which is currently out for consultation.

For the above reasons, The Folkestone Licensing Forum and the Residents Associations mentioned above, are opposed to the granting of a Premises Licence to Bar Bacchus, 2 Church Street, Folkestone, currently known as The German Shop, and are prepared to attend any hearing in order to express their concerns and make plain their opposition to this proposal.

P Carter
Chairman Folkestone Licensing Forum.

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Code of practice for licensed premises

Introduction

The Licensing Act 2003 (the Act) focuses on the promotion of four statutory licensing objectives which must be addressed when licensing functions are undertaken. The four licensing objectives are:

- **the prevention of crime and disorder**
- **public safety**
- **the prevention of public nuisance**
- **the protection of children from harm.**

Aim of the code

The aim of this code is to provide applicants and licensees with guidance on good practice for the promotion of the four licensing objectives which are the paramount considerations at all times. The code is consistent with the Home Office guidance issued under section 182 of the Act and with the Shepway District Council's statement of licensing policy.

It outlines what the Shepway District Council licensing authority and its responsible authority partners expect in practical terms from applicants when completing their operating schedules and from licensees when operating their premises under the terms of a premises licence.

Applicants and licensees are encouraged to make a proactive commitment to preventing problems from occurring at licensed premises through the voluntary adoption of this code.

The code will provide a consistent approach for licensees, responsible authorities, councillors, officers and members of the community, particularly residents and businesses in close proximity to licensed premises.

Risks associated with licensed premises

Risks associated with licensed premises can vary dependent on the premises type and characteristics, the design, layout and general environment, the location, the policies in place and the events being held there.

This code identifies many of the possible risks associated with the sale of alcohol and the provision of entertainment or late night refreshment and sets out good practice measures to mitigate those risks. It provides a key mechanism for the promotion of the licensing objectives, for well-run premises and a responsible approach to the provision of alcohol, entertainment and late night refreshment in the district.

It is recognised that not every risk will be relevant to every premise and it is unlikely that any one premise will need to address all of the measures. Indeed some premises may only need to introduce one or two measures.

The code cannot anticipate every possible risk, problem or circumstance that may arise from licensed premises. Neither does the code restrict an applicant or licence holder from promoting the licensing objectives through alternative means.

How will the code be used?

Applicants and licensees

A proactive and preventative approach is a key aspect of good management at licensed premises. The Shepway District Council licensing authority therefore encourages applicants to have regard to this code when completing their operating schedule.

Applicants have the opportunity to (a) certify that they have read the licensing policy and the code and (b) complete an assessment of the premises to assist applicants and licence holders have addressed that relevant elements of the policy in relation to their premise.

If problems occur at licensed premises after a licence has been granted and a reactive approach is needed, licensees are advised to put additional operational measures in place to manage and prevent those problems from recurring. The Shepway District Council licensing authority encourages licensees to have regard to this code when considering additional operational measures and use the assessment tool to improve promotion of the licensing objectives.

The licensing authority and responsible authorities

Use of the code is not a statutory or policy requirement but it will be taken into consideration and used by the licensing authority and responsible authorities as follows:

- when offering advice to applicants either at the design and planning stage or during pre-application discussions
- when responding to licence applications where the licensing objectives have not been adequately addressed in the operating schedule
- as a first point of dealing with licensed premises encountering problems, to raise standards to promote the licensing objectives in those premises and avoid further problems and
- for the review of licences where there is evidence that licensees have not promoted the licensing objectives.

Dealing with problem premises

The routine monitoring of licensed premises will be undertaken by the licensing authority and responsible authorities and findings under the four licensing objectives will be raised.

Problems or concerns with licensed premises will be identified and flagged up at an early stage and advice will be offered to licensees with a view to improving standards at their premises and to prevent or minimise subsequent problems.

Where problems have been identified, the licensing authority and responsible authorities will seek to agree appropriate measures from the code with the licence holder to be implemented at the premises. The aim of the code is to avoid the need for enforcement action such as prosecution or review but it will not replace enforcement action where it is necessary.

General – all four licensing objectives

This section provides guidance on good practice for the general promotion of all four licensing objectives at licensed premises. It is intended to help those applying for new licences or variations to existing licences in completing their operating schedules. It is also designed to guide licensees on the general promotion of the licensing objectives after a licence has been granted.

Licensees and their staff have responsibility for the effective and safe management of their premises and the promotion of the four licensing objectives. Training is the key to giving licence holders, premises managers and staff the knowledge and skills to deal with and

manage risks associated with licensed premises. Training should be provided to all staff and should be about both preventing and managing problems occurring at premises. Training should be regularly updated.

| Risk | | Good Practice Measure |
|----------------------------------------------------------------------------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Lack of knowledge or understanding of the Licensing Act 2003</p> | <p>G1</p> | <p>(a) Well trained staff will contribute to well run premises and a responsible approach to the sale of alcohol, provision of entertainment and late night refreshment. Formal qualifications for your staff, either to personal licence level or to another appropriate standard recognised by bodies such as the British Institute of Innkeepers (BII) would be preferential.</p> <p>(b) All staff should be advised of licensing law in writing before they are allowed to serve alcohol.</p> <p>(c) Training should also be provided on premises' specific policies relevant to the operation of the business.</p> <p>(d) A record should be kept of the date and name of person trained or advised and be made available for inspection by the police or licensing authority.</p> |

Prevention of crime and disorder

This section provides guidance on good practice for the prevention of crime and disorder from licensed premises. It is intended to help those applying for new licences or variations to existing licences in completing their operating schedules. It is also designed to guide licensees on the prevention and management of crime and disorder from their premises after a licence has been granted.

The main causes of crime and disorder in licensed premises arise from inadequate security provisions, poor design and layout, the type of event being promoted, overcrowding and customers being drunk or under the influence of drugs. This can result in theft, conflict, violence and anti-social behaviour. It is therefore recommended that applicants and licensees take a proactive approach to preventing and managing crime and disorder from their premises.

All applications for new licences and variations should address the steps proposed to prevent crime and disorder and this is best achieved through a premises risk assessment. Alcohol can be a significant contributory factor to levels of crime and disorder in an area. Good management and good practice along with adequate physical controls can make an important difference to the level of alcohol related crime at premises. Such measures should be reflected in the operating schedule.

For new premises or the refurbishment of existing premises, preventative measures should be factored in during the planning and design stage. Consideration should be given to the design and layout of the premises to minimise the potential for crime and disorder.

Licence holders should have clear documented policies and procedures in place which identify all crime and disorder risks associated with their premises and the measures implemented to prevent, manage and respond to those risks.

| Risk | | Good Practice Measure |
|-------------------------------------|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Security in and around the premises | CD1 | <p>(a) An alarm or other security measure should be installed at the premises to protect it when closed or empty.</p> <p>(b) Emergency exits should be alarmed when the premises are open to the public so that staff are immediately notified of unauthorised opening or tampering.</p> <p>(c) Any staff or private areas and cellars should be kept locked and secured whilst the premises are open to the public.</p> |
| | CD2 | <p>(a) CCTV should be installed inside and outside the premises. The cameras should cover all internal areas accessible to the public and areas immediately outside the premises. The date and time settings on the system must be correct.</p> <p>(b) The recordings should be in real time and on hard drive with the availability to copy disks for other agencies such as the police.</p> <p>(c) For analogue systems, tapes should be changed daily and used no more than 12 times.</p> <p>(d) Recordings should be kept for a minimum period of 28 days.</p> <p>(e) Staff should be trained in the maintenance and operation of such systems with a record kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority.</p> <p>(f) A trained member of staff should be on duty to operate the system whenever the premises are open.</p> |
| | CD3 | <p>External lighting provides an obvious means of crime deterrence. Care should be taken so that lighting does not impact on neighbours.</p> |
| | CD4 | <p>(a) Security systems should be integrated so that the alarm, CCTV and lighting work together in an effective manner.</p> <p>(b) The alarm should be linked to a system that will notify the police if it is activated.</p> |
| | CD5 | <p>(a) Door staff and / or stewards should be employed at the venue supervise admissions and customers inside the venue.</p> <p>(b) Any person performing the role of a door supervisor must be licensed with the Security Industry Authority (SIA) and SIA badges must be clearly displayed whilst working.</p> <p>(c) Door staff should be easily identifiable by wearing a uniform, high visibility jackets or arm bands.</p> |

| | | |
|------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | <p>(d) Door staff should sign into a register detailing their full SIA licence number, their name, contact details and the time and date their duty commenced and concluded.</p> <p>(e) Stewards and other staff at the premises should also be easily identifiable. Stewards must not be used for supervision of the door.</p> |
| | CD6 | <p>(a) Effective security policies, based on risk assessments, can protect your premises, staff and customers from threats, conflict or violence.</p> <p>(b) Security policies should be formulated in consultation with a police crime prevention officer.</p> <p>(c) All staff must be aware of a premises security policy with a record kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority.</p> <p>(d) Premises should be searched inside and out for suspect packages before, during and after opening hours. Staff should be trained to remain vigilant during opening hours and report any suspicious activity to the police.</p> |
| | CD7 | Security reviews should be held regularly and at least every three months with minutes kept. |
| | CD8 | <p>(a) Daily staff briefing and debriefing will enable licensees to improve working practices in their premises.</p> <p>(b) Briefings can be informal but any problems identified and remedial action taken should be recorded with records kept in the main office.</p> |
| Crime and disorder in and around the premises | CD9 | <p>(a) Promoted events may attract larger than usual crowds.</p> <p>(b) Such events must have a comprehensive risk assessment undertaken by the licence holder and submitted to the Shepway District Council Events Team.</p> <p>(c) It is expected that promoters should have obtained the BIIAB level 2 for large scale music events for over 1500 people.</p> <p>(d) In the event that a problem should arise during a promoted event, this should be documented by the licence holder and it is expected that a written debrief will be provided to the Shepway District Council licensing officer and the police licensing officer within 48 hours of the event.</p> |
| Crime including | CD10 | (a) Proper management of the door will depend on the size and type of venue. The number of door supervisors should |

| | | |
|---------------------------------------------------------------------------|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>conflict, violence or aggression in and around the premises</p> | | <p>be determined by a risk assessment taking into account the size of venue and the type of crowd the entertainment is likely to attract, but at the very least on a ratio of 1 door supervisor per 50 customers.</p> <p>(b) Consideration should be given to a sufficient provision of male and female door supervisors, but at least one female door supervisor should be used.</p> |
| | <p>CD11</p> | <p>A door admissions policy including any age restrictions, expected dress standards or the screening of hand bags should be widely publicised on any promotional material or website and clearly displayed at the entrance to the premises.</p> |
| | <p>CD12</p> | <p>(a) Ejecting or refusing entry to persons from the premises if they do not meet your admissions standards or they are known to be violent or aggressive.</p> <p>(b) In such cases, an entry should be made in an incident or log book.</p> <p>(c) Identification scanners should be considered if this would aide (i) swift entry procedures and (ii) identify customers with a history of problems at other venues.</p> |
| | <p>CD13</p> | <p>(a) A policy to manage capacity should be adopted to prevent overcrowding and patrons possibly becoming aggressive through accidental jostling.</p> <p>(b) For promoted events and large venues, the use of clickers is essential to record the number of patrons inside the premises.</p> <p>(c) For other events or smaller venues, ticket sales or head counts may be appropriate.</p> <p>(d) Consideration should be given to deliberately running below capacity to afford a comfort factor to your patrons and avoid conflict, violence or aggression within the premises.</p> <p>(e) Where a premises holds a special event which is expected to attract a greater than usual number of patrons and in excess of 1500 people, the premises licence holder will be expected to notify the Shepway District Council licensing officer and the police licensing officer licensing team at least 14 days in advance of the event.</p> |
| | <p>CD14</p> | <p>(a) Alternatives to glass drinking vessels should be considered to prevent glassware being used as an assault weapon, particularly during promoted events.</p> <p>(b) Drinking vessels made from plastic or polycarbonate would be preferential particularly in outside areas.</p> |

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| | | (c) Where alternatives are not used, there should be a robust glass collection policy in place. This should include regular collection of glassware by staff and prevention of glassware being removed from the premises. |
| | CD15 | (a) Measures to preserve a crime scene until police arrival, following the outbreak of disorder or any other crime should be clearly documented in a policy. (b) Such a policy should be formulated in consultation with a police crime prevention officer. (c) All staff must receive training on the policy with a record kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority. |
| | CD16 | (a) Staff training in conflict management should be provided to give them the knowledge and confidence to deal with difficult situations and reduce crime and disorder at the premises. (b) Training should also cover dealing with, logging and reporting incidents if they occur. (c) A record should be kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority. |
| | CD17 | Sharing of information with others in the industry. Regular meetings, the use of local radio networks or membership of a local pub / club watch scheme will enable information to be passed on about trouble makers and common problems in the area. |
| Drugs and weapons being brought into the premises | CD18 | (a) A zero tolerance policy to the use of drugs, including 'legal highs' and carrying of weapons in the premises should be adopted with a clear " <i>No search. No entry</i> " message. (b) Posters can be displayed throughout the premises to remind customers of zero tolerance policy. |
| | CD19 | (a) Effective search policies will minimise the opportunity for drugs and weapons to be brought into licensed premises and lead to drug and weapon seizure if attempts are made. (b) The use of search arches and wands may be appropriate in some cases. (c) Search policies should be formulated in consultation with the police licensing officer. |

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| | | <p>(d) Search policies must be advertised widely on tickets, promotional leaflets and on websites and prominently in the premises entrance and queuing area.</p> <p>(e) Searches should always be carried out in public areas and covered by CCTV.</p> <p>(f) All staff must be trained on search policies with a record kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority.</p> |
| | CD20 | Calling the police if customers are suspected of being in possession of drugs or weapons. All staff must be made aware of this requirement. |
| | CD21 | <p>(a) Seizing, retaining and documenting any drugs or weapons found with a clear audit trail and a process for surrendering them to the police.</p> <p>(b) A search policy should clearly set out procedures that must be followed by staff should they find drugs or weapons during a search including circumstances when the police should be called; the use of tamper proof bags and safe storage of seized items in a lockable box; details that need to be recorded and how / when seized items should be surrendered to the police.</p> |
| | CD22 | <p>(a) Supervising toilet areas can be effective in discouraging drug selling or use.</p> <p>(b) A toilet attendant may be appropriate for promoted events or on busy nights such as Friday and Saturday.</p> <p>(c) Regular toilet checks such as swabbing should be considered and where conducted, these should be documented with date, time and finding recorded.</p> <p>(d) Removal of flat surfaces in toilet areas can reduce the likelihood of drug misuse.</p> |
| | CD23 | Drug awareness training should be provided for all staff. A record should be kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority. |
| Theft from premises or lost property | CD24 | Bag hooks (Chelsea clips) and bag bells should be provided to prevent bag snatching. |
| | CD25 | Clear signage should be displayed throughout the premises about crime prevention and to warn customers of the potential for pickpockets and bag / laptop snatchers. |

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| | CD26 | Property patrols, managed cloakrooms and toilet attendants can be employed to prevent theft from patrons or the premises. |
| | CD27 | Premises layout and lighting should be considered. Secluded or dimly lit parts of the premises should be avoided as they can encourage crime. |
| | CD28 | Mirrors used throughout the premises can aid supervision and act as deterrents to thieves. |
| | CD29 | A lost and found policy should be in place in relation to lost / found property at the premises. The policy should include procedures regarding the logging and disposal of property and in particular any valuable property. Passports and any other ID found should be handed in to any police station. |
| | CD30 | (a) Carefully positioning alcohol in retail premises can reduce theft from the premises. Alcohol is a key target for shop thieves so it is best not to place alcoholic beverages within the first few metres near the door as this allows thieves to 'grab and run'. (b) It may be helpful for alcohol display areas to be covered by CCTV if possible. |
| | CD31 | Security tagging any items considered a specific target for theft, particularly alcoholic drinks over a certain price level will deter thieves. |
| Disorder from customers queuing to enter the premises or when leaving the premises | CD32 | (a) Reduce the potential for excessive queue lines with a well managed and efficient door policy. Long queuing times can cause people to become agitated or aggressive. Searches should therefore be conducted as quickly and effectively as possible. (b) Door staff will be required to refuse entry to premises to customers who do wait outside premises in a quiet and orderly fashion. |
| | CD33 | (a) A customer dispersal policy can minimise the potential for disorder from customers leaving the premises. A policy should clearly set out measures to avoid a mass exit at the end of the evening such as a gradual change in music style and increasing lighting levels. (b) Sufficient staff should be available at the end of the evening to manage a controlled shut down of the premises and maintain good order as customers leave. |
| | CD34 | (a) Staff training in preventing disorder should be provided to give them the knowledge and confidence to deal with difficult situations. |

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| | | (b) A record should be kept of the date and name of person trained. Records should be made available for inspection by the police or Licensing Authority |
| Customers getting drunk and dealing with drunken customers | CD35 | <p>(a) Drinks promotions should be socially responsible and not encourage excessive drinking.</p> <p>(b) A documented policy on responsible drinks promotions should be in place at the premises and should adhere to industry codes such as those recommended by the British Beer and Pub Association (BBPA) and The Portman Group. This is in addition to adherence with the mandatory licensing condition regarding irresponsible promotions.</p> <p>(c) Any drinks promotion should market the availability of soft drinks.</p> |
| | CD36 | <p>(a) Staff training on the effects of alcohol and how to spot early signs of customers becoming drunk should be provided to give them the knowledge and confidence to deal with drunken patrons.</p> <p>(b) Staff should be aware of their responsibilities under the Licensing Act 2003 and be able to recognise appropriate 'cut off' points for serving drunken customers, so as to reduce the likelihood of fights or aggressive behaviour.</p> <p>(c) When staff are collecting glasses, they can interact with customers and assess the levels of drunkenness. Any concerns should be reported back to a manager.</p> <p>(d) A record should be kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority.</p> |
| | CD37 | A duty of care policy regarding persons suffering adversely from the effects of drink should be in place at the premises. The policy should clearly express that every effort will be made by staff to prevent patrons from deteriorating to an uncontrolled intoxicated extent. All staff must be briefed on the policy. |
| | CD38 | Drink-aware posters can be displayed in the premises to remind customers of the unit content in alcoholic drinks and the safe alcohol consumption limits. |
| Consumption of alcohol on the street and street drinkers | CD39 | Restrict the sale of strong beer and cider above 5.5% ABV and the sale of single cans or bottles of beer and cider. Such sales can contribute to anti social behaviour and disorder through the consumption of alcohol on the street and in open spaces by street drinkers or persons who are already drunk. |

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| Sale of alcohol outside permitted hours | CD40 | Lockable shutters can be fitted on display units for alcohol in retail premises, which can be closed and locked at the end of permitted hours. |
| Tackling sexual harassment and discrimination | CD41 | Staff and SIA operatives training in a zero tolerance policy to sexual harassment and discrimination to deal with: (a) unwelcome sexual gestures and sexual innuendos confidence to deal with drunken patrons. (b) groping, pinching or smacking someone's body without consent (c) exposing sexual organs to someone (d) entering the opposite sexes toilet (e) derogatory comments or gestures based on someone's age, gender, race orientation or ability. |
| Reporting criminal offences | CD42 | Premises licence holders are requested to report all criminal allegations to the police , eg theft, drug possession, fraudulent documentation. It is then a matter for the police as to what is the appropriate action to take. |

Public Safety

This section provides guidance on good practice for the promotion of public safety at licensed premises. It is intended to help those applying for new licences or variations to existing licences in completing their operating schedules. It is also designed to guide licensees on the promotion and management of public safety at their premises after a licence has been granted.

The carrying on of licensable activities in particular the provision of alcohol and some types of entertainment can increase risks to the safety of the public (including performers) attending licensed premises. It is therefore recommended that applicants and licensees take a proactive approach to protecting and managing public safety at their premises.

All applications for new licences and variations should address the steps proposed to promote public safety and this is best achieved through a premises risk assessment.

For new premises or the refurbishment of existing premises, preventative measures should be factored in during the planning and design stage. Consideration should be given to the design and layout of the premises to achieve the highest possible standard of safety.

Licence holders should have clear documented policies and procedures in place which identify all public safety risks associated with their premises and measures implemented to prevent, manage and respond to those risks.

| Risk | | Good Practice Measure |
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| General safety of staff and customers | PS1 | (a) A full risk assessment taking into account public safety should be carried out at the premises to identify potential hazards posed to staff or customers and setting out precautions to manage the hazards. A risk assessment should be regularly reviewed, at least once every 12 months. |

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| | | <p>(b) All staff should be made aware of the risk assessment and precautionary measures therein.</p> <p>(c) A copy of the risk assessment should be kept at the premises and made available for inspection.</p> |
| | PS2 | First aid boxes should be available at the premises and maintained with sufficient in-date stock. |
| | PS3 | <p>(a) A recognised qualification in first aid should be held by at least one member of staff who should be on duty at all times the premises licence is in use.</p> <p>(b) Other staff should be trained to a basic first aid standard with records kept of the date and name of person trained.</p> |
| | PS4 | A first aid room or quiet room should be made available to anyone requiring medical attention. |
| | PS5 | Temperature levels and humidity in venues should be controlled for the comfort and safety of customers. An environment that is too hot or too cold can make customers irritable. Premises should be adequately heated and ventilated to avoid this. This can be achieved through use of air conditioning systems or natural ventilation in non-residential areas. Before installation, please check with the Council's Planning Department for advice as to whether this is permissible. |
| Overcrowding | PS6 | A documented capacity should be set for the premises overall and for individual rooms within the premises. Capacity can be determined by a risk assessment in consultation with the fire safety authority. The risk assessment should consider factors such as floor space, numbers of toilets, potential queuing time and available fire exits. |
| | PS7 | <p>(a) A policy to manage the capacity should be adopted to prevent overcrowding and localised overcrowding.</p> <p>(b) The use of electronic clocking systems, clickers, ticket sales or head counts may be appropriate.</p> <p>(c) Consideration should be given to deliberately running below capacity to afford a comfort factor to your patrons.</p> |
| Accumulation and disposal of glasses / drinking vessels | PS8 | <p>(a) A glass collection policy should include provisions for regular collection of glassware by staff and the prevention of glassware from being taken into external areas. Glassware should not be allowed to accumulate or cause obstruction.</p> <p>(b) Perimeter checks should be made outside the premises for any glasses or bottles.</p> |

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| | | (c) All staff must be made aware of the glass collection policy and their responsibility for the task. |
| | PS9 | Spillages and broken glass should be cleaned up immediately to prevent floors from becoming slippery and unsafe. |
| | PS10 | Bottle bins should be secure at all times and away from public areas. |
| Accident or other emergency incident on the premises | PS11 | <p>(a) A written policy to deal with all types of accidents and emergency incidents should be in place at the premises.</p> <p>(b) The policy should be based on risk assessments and include matters such as emergency management, contingency planning and evacuation procedures in the event of fire, bomb threats or suspect packages and when to contact emergency services.</p> <p>(c) Evacuation responsibilities and roles should be clearly communicated to staff, routes and exits should be well defined and evacuation plans exercised regularly.</p> <p>(d) A copy of the fire risk assessment should be kept at the premises and made available for inspection by the fire authority and licensing authority.</p> |
| | PS12 | A fire detection system should be in place at the premises and should be fully functional at all times. The system should be tested regularly with records kept and made available for inspection. |
| | PS13 | <p>(a) Means of escape in case of any emergency must be clearly visible, unobstructed and well maintained including areas outside exits leading to a place of ultimate safety such as the street.</p> <p>(b) Checks should be carried out before opening each day to ensure that exits are unlocked and unobstructed.</p> |
| | PS14 | Equipment should be checked and maintained regularly with a record kept of the date and findings of the checks. |
| | PS15 | <p>(a) Staff training in fire safety and any premises safety policy should be provided for all staff to give them the knowledge and confidence to deal with emergency situations, including location of equipment, utilities, services and layout of premises. Training should include how to use fire extinguishers.</p> <p>(b) Records should be kept of the date and name of person trained and made available for inspection.</p> |

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| | PS16 | An accident book should be kept in order to record all accidents or incidents and made available for inspection. |
| Drug use or drink spiking | PS17 | (a) A zero tolerance policy to the use of drugs in the premises should be adopted. (b) Posters can be displayed throughout the premises to remind customers of the zero tolerance policy. |
| | PS18 | Refusing entry to anyone who appears to be showing signs of drug use and contacting the emergency services in appropriate circumstances. In such cases, an entry should be made in an incident log book. |
| | PS19 | (a) A duty of care policy regarding persons suffering adversely from the effects of drugs should be in place at the premises. The policy should include drug awareness training for all staff so that they can recognise the effects of controlled drugs and provide medical attention where necessary. (b) All staff must be briefed on the policy. A record should be kept of the date and name of person trained. |
| | PS20 | (a) Prevent the possibility of drink spiking by offering various anti-drink spiking products to customers. (b) If a customer suspects that their drink has been spiked, you should report it to the police immediately. A process for this should be clearly set out in your duty of care policy. |
| | PS21 | A 'chill out' area should be provided. This should be cooler and quieter than rest of venue. |
| Smoking on the premises | PS22 | Staff should be aware of their responsibilities regarding smoke-free legislation and for monitoring compliance. |
| Safety of customers when leaving the premises | PS23 | Discourage drink driving by promoting schemes such as designated driver, with notices clearly displayed throughout the premises. |
| | PS24 | (a) Display information to customers with regards to safe options for travelling home. Information should include access to licensed taxi cabs or licensed private hire vehicles, the location of taxi ranks and public transport facilities including night bus options. (b) Provide a free taxi phone service and a safe waiting area for customers inside the premises. |

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| | PS25 | <p>(a) A 'chill out' period at the end of an evening can allow a slow dispersal from the premises allowing door staff to gain a handle on problem individuals, preventing arguing over taxis or congregation at takeaways and clashes with groups from other venues.</p> <p>(b) Provision of food and non alcoholic drinks during a chill out period can be effective in allowing customers to sober up before leaving the premises.</p> |
| | PS26 | <p>(a) Increased lighting inside the premises should be considered towards the end of an evening to affect the alertness of customers before they leave the premises.</p> <p>(b) Increased external lighting particularly in car parks under the direct control of the licence holder will provide added safety for customers as they leave the premises. Care should be taken so that lighting does not impact on neighbours, particularly in and close to established residential areas.</p> |

Prevention of public nuisance

This section provides guidance on good practice for the prevention and management of public nuisance from licensed premises. It is intended to help those applying for new licences or variations to existing licences in completing their operating schedules. It is also designed to guide licensees on the prevention and management of noise and other public nuisance issues from their premises after a licence has been granted.

Excessive noise and nuisance from licensed premises is a major concern for persons living or working in the area. It is therefore recommended that applicants and licensees take a proactive approach to preventing and managing public nuisance from their premises.

All applications for new licences and variations should address the steps proposed to prevent public nuisance. Where entertainment or other potentially noisy activity is planned, a noise assessment should be carried out. For some premises, the assessment will need to be carried out by a suitably qualified consultant.

For new premises or the refurbishment of existing premises, preventative measures should be factored in during the planning and design stage. Consideration should be given to the structure and layout of the premises and equipment both internally and externally, to ensure that the premises are fit for purpose. Sound attenuation measures can include wall linings, acoustic curtains and acoustic treatment to mechanical ventilation or air conditioning systems. Consideration should also be given to historical noise problems at the premises with measures put in place to prevent them from recurring.

Licence holders should have clear documented policies and procedures in place which identify all public nuisance risks associated with their premises and measures implemented to prevent, manage and respond to those risks. Licence holders should also engage with local residents and businesses on a regular basis to ensure that they are being good neighbours and dealing with problems as they arise.

| Risk | | Good Practice Measure |
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| Music, singing and speech noise breakout from the premises | PN1 | <p>(a) A noise management policy should be in place that sets out sound attenuation measures to prevent or control music, singing and speech noise breakout from the premises.</p> <p>(b) The policy should be based on the findings of an acoustic consultant's assessment.</p> <p>(c) All staff should be trained on the content of the policy to ensure a commitment to good noise management. A record should be kept of the date and name of person trained and made available for inspection by the licensing authority or environmental health responsible authority.</p> <p>(d) DJs, event promoters or other entertainment providers should be made aware of the policy in advance of any performance.</p> |
| | PN2 | <p>(a) Windows and doors should be kept closed whilst the premises licence is in use to prevent noise breakout. Ventilation should be provided by mechanical means.</p> <p>(b) Windows should be sound insulated.</p> <p>(c) Emergency exits should be sealed acoustic doors.</p> <p>(d) A lobbied area should be provided at the entrance and exit to the premises.</p> <p>(e) Doors should be fitted with self closing devices.</p> |
| | PN3 | <p>(a) A sound limiting device should be installed, set and sealed at a level approved by an acoustic consultant.</p> <p>(b) The sound limiting device should be used at all times that relevant regulated entertainment is taking place, including all externally promoted events.</p> <p>(c) Only the premises licence holder or a nominated deputy and the designated premises supervisor should have access to the sound limiting device.</p> |
| | PN4 | <p>(a) Locate entertainment facilities such as DJ booth, stage and loud speakers away from doors and windows.</p> <p>(b) Rubber speaker mounts can be used to minimise structure borne noise.</p> |
| | PN5 | <p>(a) Methods for monitoring noise should be included in a noise policy. Methods could range from simple perimeter checks and listening tests by the licence holder / staff to a detailed measurement taken by a qualified consultant using sound measuring equipment.</p> |

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| | | (b) Noise monitoring should actively be carried out on a regular basis and in particular when a new form of entertainment is introduced at the premises, when alterations are made to the premises or when a complaint is made directly to the venue. |
| | PN6 | (a) A log book should be kept of any noise monitoring carried, the findings and any remedial action taken. The log should indicate whether it was routine noise monitoring or the result of a complaint. (b) The log book should be made available for inspection by the licensing authority or environmental health responsible authority. |
| | PN7 | A contact telephone number should be made available to local residents and businesses which they can use to report noise disturbances to a responsible person at the venue as and when they occur. The telephone line should be available at all times the licence is in use. |
| Noise and nuisance from customers arriving and leaving the premises | PN8 | (a) Reduce the potential for excessive queue lines with a well managed and efficient door policy. (b) Long queues should be avoided and any queues should be directed away from residential properties. (c) Queues should be actively managed by door staff, especially later in the evening, to keep noise to a minimum. Rowdy behaviour from people queuing to get in should not be tolerated. (d) Door staff should refuse entry to anyone behaving in an anti-social way. (e) Restrict admittance or re-admittance to the premises after 23:00. |
| | PN9 | (a) A customer dispersal policy can minimise noise disturbance to local residents from customers leaving the premises. A policy should clearly set out measures to avoid a mass exit at the end of the evening. (b) A gradual change in music style and reduction in volume, for example quiet or mellow music towards the end of an evening and increasing lighting levels can help to reduce the potential for rowdy behaviour. (c) Sufficient staff should be available at the end of the evening to manage a controlled shut down of the premises and maintain good order as customers leave. |

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| | PN10 | <p>(a) Display prominent notices close to the exit doors, requesting patrons to leave the premises quickly and quietly.</p> <p>(b) Display notices in car parks reminding patrons that they are in a residential area and to leave quickly and quietly and not to slam doors, rev engines, sound horns or play loud music.</p> <p>(c) Make announcements at the end of an evening, requesting patrons to (i) leave the premises and area quickly and quietly; (ii) to use toilet facilities before leaving.</p> |
| | PN11 | <p>(a) Provide a free taxi phone service and an internal waiting area for customers to prevent noise disturbance to neighbours.</p> <p>(b) Steps should be taken to ensure that any taxi operators used and all their drivers are aware that they should arrive and depart as quietly as possible and should not sound their horns or leave engines idling unnecessarily.</p> |
| Noise and nuisance from customers using external areas such as beer gardens or forecourts | PN12 | Display prominent signs in external areas such as beer gardens and forecourts asking customers to keep noise to a minimum. |
| | PN13 | Restrict the use of external areas after 22:00 if premises are in a residential area. |
| | PN14 | <p>(a) Door supervisors or staff should regularly monitor and manage external areas to ensure that customers are not causing a disturbance to local residents.</p> <p>(b) For private forecourts, a physical barrier such as a rope should be used to mark the boundary of the area outside the premises where customers are allowed.</p> <p>(c) Limit the number of smokers permitted outside at any one time after a certain time.</p> <p>(d) Discourage smokers from loitering outside by not permitting them to take their drinks with them and removing external furniture after a certain time.</p> <p>(e) Locate smoking areas away from residential premises.</p> <p>(f) Do not permit customers to congregate on and block the public highway to passers by.</p> |

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| Noise from staff and entertainment providers leaving the premises | PN15 | Staff and performers who depart late at night or in the early hours on the morning when the business has ceased trading, should conduct themselves in such a manner as to avoid causing disturbance to nearby residents. This includes the loading and unloading of artists' equipment. |
| Noise and disturbance caused by deliveries, collections and waste disposal | PN16 | Commercial deliveries, collections and storage / disposal of waste , including beer deliveries, refuse collections and storage / disposal of waste and recyclables in external areas should be restricted to normal working hours between 08:00 and 18:00 Monday to Friday. |
| Litter and waste around the premises | PN17 | (a) Flyers should not be distributed outside the premises by the licence holder or any staff employed by the licence holder. (b) Licence holders should ensure that promoters of events at their premises do not distribute flyers outside the premises. |
| | PN18 | (a) Procedures should be in place for the prompt collection of street litter generated by the premises for example flyers, cigarette butts or food wrappers. (b) Regular patrols of the area outside the premises should be undertaken by staff to clear any litter attributable to the premises. (c) Use wall or floor mounted cigarette bins in designated smoking areas for customers. |
| Disturbance from external lighting | PN19 | External lighting for the premises should be turned off after the premises are closed to the public. |
| Noise or odours from plant and machinery | PN20 | Plant and machinery should not cause nuisance to local residents by way of noise, odours or vibration. Acoustic measures such as screening, enclosures, anti-vibration mounts, silencers or timing clocks should be used if necessary. |

Protection of children from harm

This section provides guidance on good practice for the protection of children from harm at licensed premises. It is intended to help those applying for new licences or variations to existing licences in completing their operating schedules. It is also designed to guide licensees on the protection and management of children from harm at their premises after a licence has been granted.

The carrying on of licensable activities in particular the provision of alcohol and some types of entertainment can increase risks of harm to children attending licensed premises. It is

therefore recommended that applicants and licensees take a proactive approach to protecting and managing the well being of children at their premises.

All applications for new licences and variations should address the steps proposed to protect children from harm and this is best achieved through a premises risk assessment.

Licence holders should have clear documented policies and procedures in place which identify all age restricted risks at their premises and measures implemented to prevent, manage and respond to those risks.

| Risk | | Good Practice Measure |
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| Children accessing licensed premises | CH1 | <p>(a) A documented policy setting out measures to protect children from harm should be in place at the premises. The policy should consider all activities associated with the premise including the sale of alcohol and the provision of regulated entertainment and when children should be allowed on or restricted from the premises.</p> <p>(b) All staff including door staff and bar staff should be trained on the policy.</p> |
| | CH2 | <p>(a) Restrict access to children depending on the nature of the business and / or circumstances.</p> <p>(b) The admission of children can be restricted up until a specified time in the evening.</p> <p>(c) The admittance of children can only be permitted if they are accompanied by an adult.</p> |
| Underage sales of alcohol | CH3 | <p>(a) Operate a strict 'No ID, No Sale' policy. 'Challenge 25' scheme serves as a reminder to staff of the need to be vigilant in preventing underage sales and to customers that it is against the law for anyone under 18 to purchase alcohol.</p> <p>(b) A 'Challenge 25' scheme gives staff additional support and encouragement to ask for ID from any person appearing to be under 25 years of age to prove that they are over 18.</p> <p>(c) Only accept photographic driving licences, passports or PASS (Proof of Age Standards Scheme) cards approved as means of ID. If you accept other forms of ID such as EU National ID cards, these must bear a photograph, date of birth and holographic mark.</p> <p>(d) Use till prompts to remind staff to ask for proof of age.</p> <p>(e) Prominently advertise the scheme in your premises so that customers are aware, in particular, display proof of age signs at the point of sale.</p> |

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| | CH4 | Display posters at the premises stating that it is an offence to purchase alcohol on behalf of an underage person (proxy sales). |
| | CH5 | Adverts or promotions for alcohol should not appeal to young persons. |
| | CH6 | <p>(a) Keep a refusals book (or refusal button on EPOS – Electronic Point of Sale) on the premises and ensure it is completed whenever a sale is refused to a person who cannot prove they are over the age of 18.</p> <p>(b) The book should contain the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused.</p> <p>(c) The book should be made available to police and authorised council officers on request.</p> <p>(d) The book should be reviewed on a regular basis to see if any patterns emerge.</p> |
| | CH7 | <p>(a) Staff training in the age related sections of the Licensing Act 2003 should be provided to all door, bar and till staff. This includes the ability to competently check customers' identification where necessary.</p> <p>(b) A record should be kept of the date and name of person trained.</p> |
| Access to age restricted films | CH8 | <p>(a) Adequate provisions for restricting children from viewing age restricted films should be in place at the premises.</p> <p>(b) Staff should be trained to check ages at point of sale and prior to entry to a screening room to ensure that admission of children to films is in accordance with the recommendations of the British Board of Film Classifications (BBFC).</p> |
| Access to age restricted gaming machines | CH9 | Age restricted gaming or vending machines should have suitable signage setting out the age restrictions and should be in full view of staff for monitoring. |
| Access to entertainment of an adult nature | CH10 | Children under the age of 18 should be excluded from the premises or part of the premises when specified activities such as adult entertainment are taking place. |
| | CH11 | Adverts for entertainment of an adult nature should not be displayed externally on the premises or in any part of the premises internally where they can be seen by young persons. |

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Agenda Item 5

Folkestone and Hythe District Council

Licensing Sub-Committee 5 June 2018

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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