



Agenda

Meeting: **Licensing Sub-Committee**
Date: **25 November 2019**
Time: **10.30 am**
Place: **Council Chamber - Civic Centre Folkestone**

To: **To Councillors Gary Fuller, Philip Martin and Ian Meyers**

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.

This meeting will be webcast live to the council's website at <https://folkestone-hythe.public-i.tv/core/portal/home>. Although unlikely, no guarantee can be made that Members of the public in attendance will not appear in the webcast footage. It is therefore recommended that anyone with an objection to being filmed does not enter the council chamber.

1. **Election of Chairman for the meeting**
2. **Apologies of absence**
3. **Declarations of interest (Pages 3 - 4)**

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

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

4. **Declarations of lobbying**

Queries about the agenda? Need a different format?

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

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

5. **HEARING FOR AN APPLICATION FOR A NEW PREMISES LICENCE:
FOLKLORE, 69 THE OLD HIGH STREET, FOLKESTONE, KENT, CT20
1RN (Pages 5 - 40)**

This report outlines the application made by The Peoples Cafe Folkestone Ltd for a new Premises Licence in the Old High Street in Folkestone. 2 Representations were received and therefore the Licensing Sub-Committee must determine the outcome for the application.

Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; 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. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

This page is intentionally left blank

This report will be made public on 15 November 2019



Report Number **DCL/19/20**

To: Licensing Sub-Committee
Date: 25 November 2019
Status: Non-Executive Decision
Head of service: Amandeep Khroud

SUBJECT: HEARING FOR AN APPLICATION FOR A NEW PREMISES LICENCE: FOLKLORE, 69 THE OLD HIGH STREET, FOLKESTONE, KENT, CT20 1RN

SUMMARY: This report outlines the application made by The Peoples Cafe Folkestone Ltd for a new Premises Licence in the Old High Street in Folkestone. 2 Representations were received and therefore the Licensing Sub-Committee must determine the outcome for the application.

REASONS FOR DETERMINATION:

The Committee is asked to consider the application for the new Premise Licence. When considering the application the Committee must ensure they fully promote the licensing objectives. 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/19/20.
2. Determine the application. The options for determining the application are set out in section 4.

1. BACKGROUND

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

A premises licence holder must comply with the four licensing objectives:

- The prevention of crime and disorder
 - Public Safety
 - The prevention of public nuisance
 - The protection of children from harm
- 1.2 The premises at 69, The Old High Street, Folkestone, is a newly constructed building of 5 levels comprising of offices and mixed commercial use on the lower ground and ground floor, first and second floors, with 4 residential flats above. The building as a whole also adjoins and exits onto Tontine Street, although the premises in question only exits onto The Old High Street.

2. APPLICATION

- 2.1 An application has been received from The Peoples Cafe Folkestone Ltd for a Premises Licence to cover the ground floor and lower ground floor of 69 The Old High Street. The bar and seating area will be on the ground floor with storage and the kitchen on the lower ground floor.

- 2.2 The application is for:

Films - Monday and Tuesday 17:00 – 23:00 and Sunday 17:00 – 22:00

Live Music – Thursday 18:00 – 22:00 and Sunday 13:00 – 22:00

Recorded Music - Monday, Tuesday and Wednesday 08:00 – 23:00, Thursday 08:00 – 00:00, Friday and Saturday 08:00 – 01:00 and Sunday 08:00 – 22:00

Supply of Alcohol On and Off Sales - Monday, Tuesday and Wednesday 12:00 – 23:00, Thursday 12:00 – 00:00, Friday and Saturday 12:00 – 01:00 and Sunday 12:00 – 22:00

Opening Hours – Monday, Tuesday and Wednesday 08:00 – 23:30, Thursday 08:00 – 00:30, Friday and Saturday 08:00 – 01:30 and Sunday 09:00 – 22:30

- 2.3 The ground floor will comprise of a café and bar, there will be a small outside terrace area set back from the road. During the day the café will serve hot and cold drinks, light snacks, breakfast and lunch. In the evening the café and bar will serve tapas style bar snacks and cocktails.
- 2.4 The premises will have a weekly schedule of events including movie nights, creative workshops, open mic nights and comedy.
- 2.5 The premises also intends to sell pre-packaged cocktails and cocktail ingredients in closed containers for customers to enjoy at home.

- 2.6 There is a comprehensive Operating Schedule on the application form showing how the applicant intends to promote the 4 Licensing Objectives – this includes robust staff training, joining the local pub watch scheme, CCTV, door supervisors on Friday and Saturday nights, a Manager and first aider onsite at all times of trading, Challenge 25 policy and no music to be played outside in the terrace area.

3. RELEVANT REPRESENTATIONS

- 3.1. This Hearing has been required by the Licensing Act 2003 because representation has been made by an independent representative and a Responsible Authority.

Responsible Authority	Comments
Kent Police	None
Environmental Health (Pollution)	None
Environmental Health (Commercial)	None
Kent Fire and Rescue	None
Planning	Objection due to the potential of late opening hours causing Public Nuisance
Child Protection Agency	None

One representation has been received from an interested party by the Licensing Authority regarding the application.

These can be found in Appendix 2.

4. OPTIONS

- 4.1. The Licensing Sub-Committee has the following options:
- a) Grant the licence in accordance with the application
 - b) Grant the licence with added conditions
 - c) Reject whole or part of the application
- 4.2. The Committee is asked to note that it may not add conditions or reject whole or part of the application merely because it considers it desirable to do so. The Committee must only consider evidence that relates to the 4 Licensing Objectives. Any conditions must promote the Licensing Objectives.

5. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

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

Briony Williamson, Senior Licensing Officer
Telephone: 01303 853475
Email: briony.williamson@folkestone-hythe.gov.uk

Background documents:

Current Licensing Policy is available here:

https://www.folkestone-hythe.gov.uk/media/4022/Licensing-Policy-Statement-2016-2021/pdf/Shepway_District_Council_-_Licensing_Policy_Statement_2016-2021.pdf

The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available at:

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

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.

6. APPENDICES

- Appendix 1. Application Form & Plan
- Appendix 2. Representations

Licensing Team
Folkestone and Hythe District Council
Civic Centre
Castle Hill Avenue
Folkestone
Kent CT20 2QY
Telephone: 01303 853660
Email: licensing@folkestone-hythe.gov.uk
www.folkestone-hythe.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.

I David Hamilton Boyd

(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

69 The Old High Street			
Post town	Folkestone	Postcode	CT20 1RN

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£6500

Part 2 - Applicant details

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

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

- i as a partnership (other than limited liability) please complete section (B)
- ii 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)	
Surname			First names		
Date of birth or over		I am 18 years old <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)					

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)	
Surname			First names		
Date of birth or over		I am 18 years old <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: The Peoples Café Folkestone LTD T/A Folklore
Address: Flat 2, 6 Millfield, Folkestone, CT20 1EU
Registered number (where applicable) 11591251
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited company
Telephone number (if any) 07530183202
E-mail address (optional) <u>Folklorect20@gmail.com</u>

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
0	1	0	3	2	0	2	0

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

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

Café/bar situated on the ground floor with small terrace area set back from the road. We will have one main room on the ground floor for customers with casual seating for approximately 30 guests.

There is accessible access via a ramp and an accessible bathroom on the ground floor.

Folklore will be a welcoming space serving great value hot and cold beverages as well as light snacks, grab and go lunches and breakfasts and lunches during the day.

We will use locally produced and sourced ingredients where possible and display local artists works on a monthly rotation.

In the evening we will offer cocktails and international tapas style bar snacks, we will have a full weekly schedule of events from movie nights, creative workshops, open mic nights, comedy and more.

We would like to sell homemade cocktail ingredients and pre-packaged cocktails to take away, these would be in closed containers for customers to enjoy at home.

We will focus on creating a welcoming hub for the local community as well as day trippers and tourists alike, aiming to make Folklore a destination throughout Kent and the local vicinity increasing footfall and revenue top the local economy.

In the basement we will have a kitchen space and a further bathroom.

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) X
- 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) X
- f) recorded music (if ticking yes, fill in box F) X
- g) performances of dance (if tick ng yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)

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

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

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"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) Films projected within the bar area for free movie nights		
Mon	17:00	23:00			
Tue	17:00	23:00			
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun	17:00	23:00			

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			
Thur			<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)
Fri			
Sat			
Sun			

D

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

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) Amplified music to be played during open mic nights and also for background music.		
Mon					
Tue					
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Wed					
Thur	18:00	22:00			
			<u>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</u> (please read guidance note 6)		
Fri					
Sat					
Sun	13:00	22:00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	08:00	23:00	<u>Please give further details here</u> (please read guidance note 4) Background music and also DJs on Friday, Saturdays, Sundays		
Tue	08:00	23:00			
Wed	08:00	23:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	08:00	00:00			
Fri	08:00	01:00	<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	08:00	01:00			
Sun	08:00	22:00			

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"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
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					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)</p>		
Fri					
Sat			<p><u>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</u> (please read guidance note 6)</p>		
Sun					

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

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 type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	X
Mon	12:00	23:00	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	12:00	23:00			
Wed	12:00	23:00			
Thur	12:00	00:00	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)		
Fri	12:00	01:00			
Sat	12:00	01:00			
Sun	12:00	22:00			

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	David Hamilton Boyd
Date of birth	25.03.1979
Address	Flat 2, 6 Millfield CT20 1EU
Postcode	
Personal licence number (if known)	PERS-LIC\1744
Issuing licensing authority (if known)	Camden

□□□□

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).

We will show age restricted films during these performances anyone not of the appropriate age will not be permitted entry and we will enforce ID checks where necessary.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	08:00	23:30	<u>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</u> (please read guidance note 6)
Tue	08:00	23:30	
Wed	08:00	23:30	
Thur	08:00	00:30	
Fri	08:00	01:30	

Sat	08:00	01:30	
Sun	09:00	22:30	

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)

In order to promote all of the licensing objectives we will carry out training with all staff during their induction and at monthly meetings in order to maintain a high level of awareness and keep up with any changes that may occur locally and within the premises themselves.

We will join the local pub watch group to keep up to date with local issues.

We will employ licensed door supervisors on Friday and Saturday nights.

Our managers which will always be on site during trading hours, will all be trained in first aid trained and be personal license holders.

b) The prevention of crime and disorder

Door supervisors

I will use or employ door supervisors from 20:00-01:30 on Friday and Saturday nights I consider them necessary to:

- Prevent the admission and ensure the departure from the premises of drunk and disorderly persons, without causing further disorder
- Keep out excluded individuals (subject to court or pub watch bans)
- Search and exclude persons suspected of carrying illegal drugs or offensive weapons
- Maintain an orderly queue outside the venue.
- I will ensure that any Door Supervisors used are registered by the Security Industry Authority.

CCTV

I will install CCTV equipment inside/outside the premises and ensure that it is maintained in working order.

I will set CCTV equipment to record 24 hours a day.

I will ensure that copies of all camera footage are retained for at least twenty eight days and are produced to an authorised officer on demand.

I will put up notices advising that CCTV has been installed on the premises so that they are clearly visible to the public within the licensed premises.

Bottles and glass

Where glass bottles are used, they will be retained or disposed of on the premises.

I will ensure that the consumption of alcohol is restricted to the areas identified on the plan attached to the operating schedule.

Glasses will not be allowed in the smoking area after 10pm on Friday and Saturdays, this will be monitored by door supervisors. At all other times the bar staff and managers will regularly check the smoking area and clear empty glassware.

ID Checks

I will ensure that any person selling or supplying alcoholic drink under the authority of a personal license holder asks for a photo ID proof of age where they have reason to suspect that the individual may be underage challenge 25 policy will be in place and all staff will be trained on this policy. We will also keep and maintain a refusal logbook.

Prohibited Substances

I will implement a policy agreed by the Police and local authority (for more information on this you can refer to the "Safer Clubbing Guide")

I will ensure that a secure deposit box is kept on the premises for the retention of confiscated items and ensure that the Police are advised of any items which require safe disposal.

Notices

I will display any conditions of entry to the premises in the vicinity of any entrance to the premises.

Crime prevention scheme

I shall participate in the local pubwatch scheme operating in the District.

Lighting

I will ensure that lighting is provided outside the premises during the hours of darkness when any licensable activity takes place on the premises.

c) Public safety**Escape routes**

I will make sure that escape routes and exits, including external exits, are maintained to ensure that they are not obstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified.

I will make sure that where chairs and tables are provided, internal gangways are kept unobstructed.

I will make sure that all exit doors are easily openable and do not require the use of a key, card, code or similar means

I will make sure that doors at such exits are regularly checked to ensure that they function satisfactorily, and a record of the check is kept.

I will make sure that any removable security fastenings are removed whenever the premises are open to the public or occupied by staff.

I will make sure that all fire doors are maintained effectively self-closing and not held open other than by approved devices (for example, electromagnetic releases operated by smoke detectors).

I will make sure that fire resisting doors to ducts, service shafts, and cupboards are kept locked shut.

I will make sure that the edges of the treads of steps and stairways are maintained so as to be conspicuous.

Fire

I will make sure that furnishings, hangings, curtains and temporary decorations are maintained in a flame-retardant condition.

I will make sure that hangings, curtains and temporary decorations are arranged so as not to obstruct exits, fire safety signs or fire-fighting equipment.

I will make sure that notices detailing the action to be taken in the event of fire or other emergencies, including how the fire brigade should be summoned, are prominently displayed and protected from damage and deterioration.

The fire brigade will be called at once to any outbreak of fire, however slight, and the details recorded in a Fire Log-book.

I will make sure that when disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency, and that patrons are made aware of these arrangements.

First Aid

I will make sure that adequate and appropriate supply of first aid equipment and materials is available on the premises.

I will make sure that at least one trained first-aider will be on duty when the public are present.

Lighting

In the absence of adequate daylight, I will make sure that the lighting in any area accessible to the public is fully operational.

I will make sure that Fire safety signs are adequately illuminated.

I will not alter Emergency lighting without prior notification to the Licensing Authority.

Safety Certification

I will make sure that the following systems are maintained and inspected by suitably qualified professional persons in accordance with any British Standards and at intervals recommended in national guidance, and will keep the records of such inspections available for inspection by authorised officers on request:

- Building Electrical Installation
- Emergency Lighting System
- Fire Warning System
- Gas boiler, calorifier or appliance
- Oil fired boiler or appliance
- Suspended ceilings
- Portable firefighting equipment
- Temporary Electrical Installation

Public Liability Insurance

I will make sure that I have valid public liability insurance in force and that a copy of the schedule is available for inspection by an authorised officer on request.

Alterations to the premises

I will not alter the premises in such a way as to make it impossible to comply with an existing license condition, without first seeking a variation of the premises license.

d) The prevention of public nuisance

Noise

I will make sure that Noise or vibration is not noticeable at the façade of any noise sensitive premises.

I will display prominent, clear and legible notices at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.

I will make sure that the placing of bottles into receptacles outside the premises takes place at times that will minimise disturbance to nearby properties.

I will not permit the playing of live or recorded music in outside area.

I will make sure that any request by an authorised officer of the Council in relation to reducing noise levels is complied with.

I will ensure that any ventilation system has suitable sound attenuation.

Lighting

I will ensure that flashing or particularly bright lights on or outside the licensed premises do not cause a nuisance to nearby properties, whilst balancing the need for lighting in the interests of prevention of crime and disorder.

Litter

I will provide adequate and suitable (lidded) receptacles to receive and store refuse from the premises.

I will make sure that receptacles for refuse storage are maintained in a clean condition.

I will make sure litter is regularly cleared from the vicinity of the premises.

We will have a licensed and registered commercial waste company to remove all our waste materials and refuse.

e) The protection of children from harm

Proof of age

I will implement a challenge 25 policy when serving alcohol. With all staff trained and regularly retained.

Film screenings

I will not exhibit any film unless -

- It has received a "U", "PG", "12A", "15" or "18" certificate from the British Board of Film Classification or the Local Authority; or
- It is a current newsreel which has not been submitted to the British Board of Film Classification.

Where films are classified by the relevant film classification body, I will make sure that children (persons under 18) are only admitted in accordance with the classification of the film:

- U – Universal – suitable for audiences aged 4 years and over;
- PG – Parental Guidance – some scenes may be unsuitable for young children;
- 12A – viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult;
- 15 – viewing by persons aged 15 years and over;
- 18 – viewing by persons aged 18 years and over.

I will make sure that, immediately before each exhibition of a film classified by the BBFC, there is a reproduction of the certificate of the Board for at least five seconds so as to be easily read by all persons in the auditorium or, as regards a trailer advertising a film, a statement approved by the Board indicating the classification of that film.

Where the Licensing Authority has made a recommendation on the restriction of admission of children to a film, I will make sure that notices are displayed both inside and outside the premises so that persons are aware of the classification.

I will make sure that a representation or written statement of the terms of any certificate given by the British Board of Film Classification is shown on the screen immediately before the showing of any film to which it relates and the representation or statement shall be shown for at least 5 seconds and in a form large enough for it to be read from any seat in the auditorium

Where the admission to film performances is restricted by age, I will display a notice to the effect below:

PERSONS UNDER THE AGE OF (INSERT APPROPRIATE AGE) CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME

Where the films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.

Access to children

I will not permit children under the age of 18 to access the premises after 20:00 every day of the week, before this time they must be accompanied by an adult.

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

	<p>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 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	
Date	
Capacity	


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

	<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	
Date	01/10/14
Capacity	DIRECTOR.

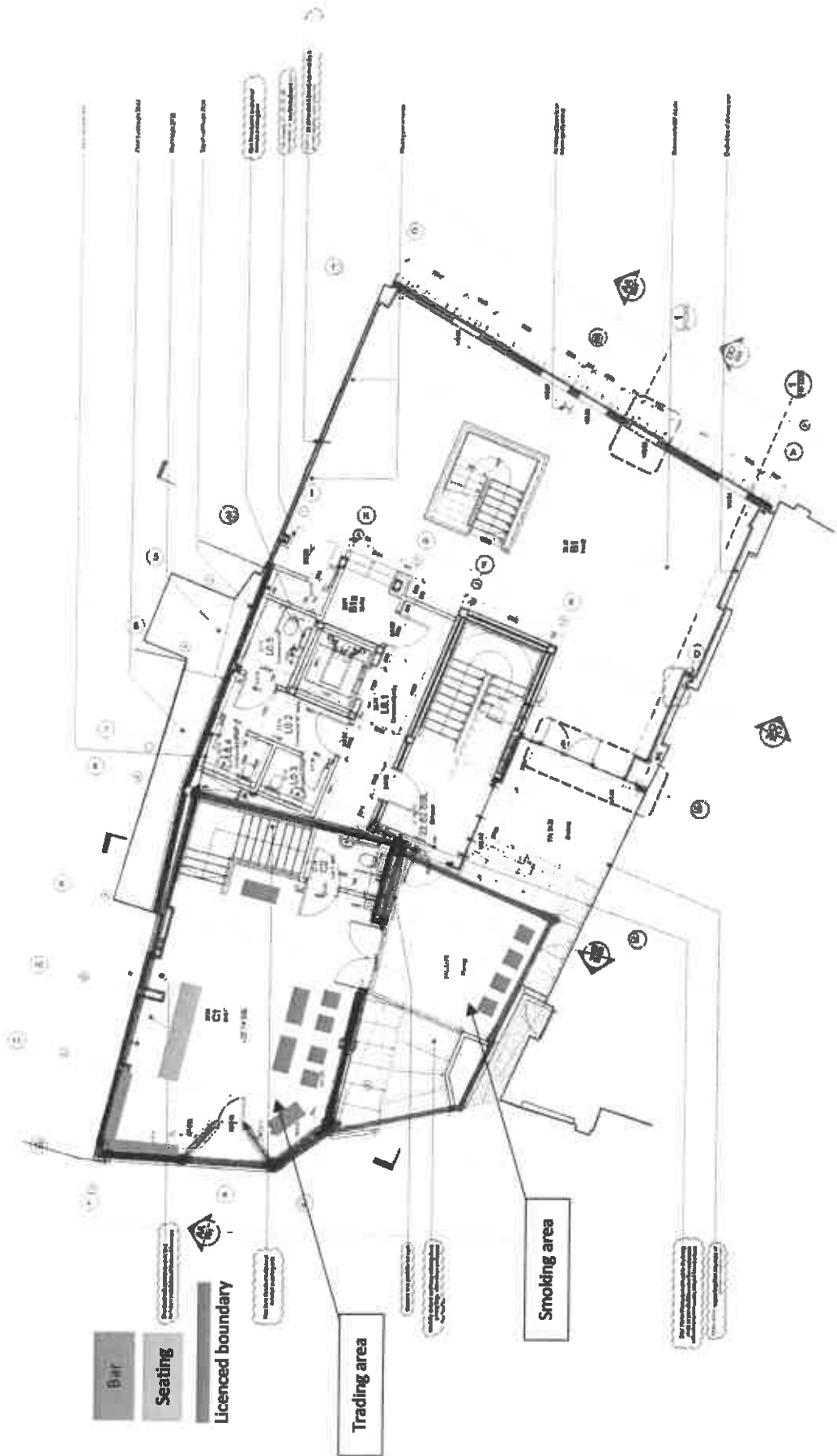
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

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 (s) gets consent to



Bar
Seating
Licenced boundary

Trading area

Smoking area

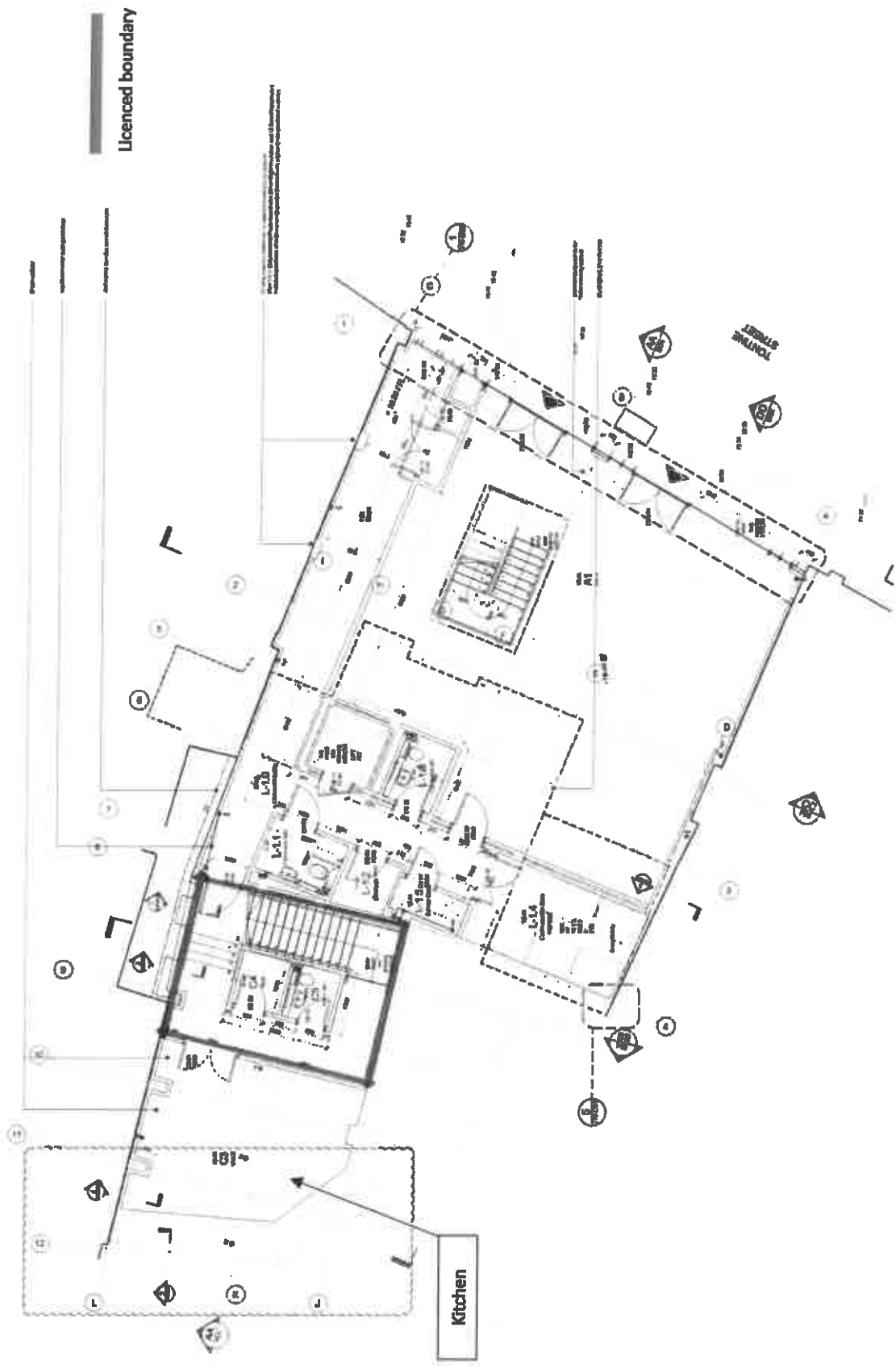
Plans



Project Name	16.116 200 - P00 P4
Client	
Architect	
Scale	
Date	

Status B

16.116 200 - P00 P4



Licensed boundary

Kitchen

1:100

Plans

Legend	
[Symbol]	Structural Steel
[Symbol]	Concrete
[Symbol]	Brick
[Symbol]	Blockwork
[Symbol]	Other

Legend	
[Symbol]	Structural Steel
[Symbol]	Concrete
[Symbol]	Brick
[Symbol]	Blockwork
[Symbol]	Other



Legend	
[Symbol]	Structural Steel
[Symbol]	Concrete
[Symbol]	Brick
[Symbol]	Blockwork
[Symbol]	Other



Legend	
[Symbol]	Structural Steel
[Symbol]	Concrete
[Symbol]	Brick
[Symbol]	Blockwork
[Symbol]	Other

Legend	
[Symbol]	Structural Steel
[Symbol]	Concrete
[Symbol]	Brick
[Symbol]	Blockwork
[Symbol]	Other

Legend	
[Symbol]	Structural Steel
[Symbol]	Concrete
[Symbol]	Brick
[Symbol]	Blockwork
[Symbol]	Other

Legend	
[Symbol]	Structural Steel
[Symbol]	Concrete
[Symbol]	Brick
[Symbol]	Blockwork
[Symbol]	Other

Legend	
[Symbol]	Structural Steel
[Symbol]	Concrete
[Symbol]	Brick
[Symbol]	Blockwork
[Symbol]	Other

Legend	
[Symbol]	Structural Steel
[Symbol]	Concrete
[Symbol]	Brick
[Symbol]	Blockwork
[Symbol]	Other

Legend	
[Symbol]	Structural Steel
[Symbol]	Concrete
[Symbol]	Brick
[Symbol]	Blockwork
[Symbol]	Other

Legend	
[Symbol]	Structural Steel
[Symbol]	Concrete
[Symbol]	Brick
[Symbol]	Blockwork
[Symbol]	Other

Status B

16.116 200-P-1 P7

Appendix 2 - Representation

Prevention of Public Nuisance

From general public:

From:

Sent: 21 October 2019 14:07

To: Licencing <Licencing@folkestone-hythe.gov.uk>

Cc:

Subject: WK/201931500

Reference: Folklore, 69 The Old High Street, Folkestone, Kent, CT20 1RN

I wish to register an objection as a local resident (Bail Steps, off the Old High Street) to the proposed licensing hours for these new premises.

I believe that the granting of a licence extending beyond normal opening hours for premises serving alcohol at weekends will add to existing anti-social behaviour in this locality.

The number of drink and alcohol-related incidents of violence or public nuisance in and around the Old High Street is well-documented (and appears to be growing), according to 101 calls made, local residents association and other monitoring.

This has a serious impact on those of us who live there - domestic violence, urination, defecation and other incidents have been just part of our experience of drunken behaviours on Bail Steps, along with disturbance of our sleep - and anxiety for the safety of everyone concerned.

In the past month, two major residents' association meetings have been called to discuss the effect of growing levels of nuisance behaviour in the local neighbourhood. The next is due to be held on October 27th, with representation of elected representatives .

We have received explicit assurances from Councillors and officers that the District Council Safer Communities initiative and other policies are all about working in a positive partnership with local residents to reduce the effect on our town of this problem.

We also understand that the intention behind FHDC regeneration policies is to promote Folkestone as a safe, enjoyable and positive area for visitors and new investment.

The balance needs to be struck between encouraging enterprise and new amenities - and the risk that personal over-indulgence and individual business interests outweigh these overarching priorities for our community.

I would ask that if a licence is granted, that weekend hours are kept to ensure closing down the premises and the serving of alcohol well before midnight.

Please acknowledge this communication: thank you.

From Responsible Authority:

From: Planning
Sent: 30 October 2019 14:51
To: Licencing <Licencing@folkestone-hythe.gov.uk>
Subject: Planning consultation - 69 The Old High Street

Good afternoon,

I am writing with regard to the above consultation for the proposed licence at 69 The Old High Street, Folkestone.

It is considered that the proposed opening hours until 01.30 on Friday's and Saturdays and 00.30 on Thursdays would result in noise disturbance to neighbouring residential occupants which would result in public nuisance. Other premises in the area close at 00.00.

The Planning Department would therefore request that the premise be open no later than 00.00 on any day of the week.

Planning
Folkestone & Hythe District Council, Civic Centre,
Castle Hill Avenue,

Folkestone and Hythe District Council

**Licensing Sub-Committee
25 November 2019**

Declarations of Lobbying

Members of the Licensing Sub-Committee are asked to indicate if they have been lobbied or not, and if so, how they have been (i.e., letter, telephone call, etc.) in respect of the applications below:

Application No.	Type of lobbying

SIGNED:

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

This page is intentionally left blank