



Agenda

Meeting: **Licensing Sub-Committee**
Date: **17 May 2022**
Time: **10.00 am**
Place: **Council Chamber - Civic Centre Folkestone**

To: **To Councillor John Collier, Gary Fuller and David Wimble**

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.

Please note there will be 37 seats available for members of the public, which will be reserved for those speaking or participating at the meeting. The remaining available seats will be given on a first come, first served basis.

Although social distancing measures have now ended, all attendees at meetings are kindly asked to wear face coverings, unless they are addressing the meeting.

1. **Election of Chairman for the meeting**
2. **Apologies of absence**

Queries about the agenda? Need a different format?

Contact Sue Lewis – Tel: 01303 853265
Email: committee@folkestone-hythe.gov.uk or download from our website
www.folkestone-hythe.gov.uk

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**

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

5. **An application to Vary the Premises Licence in respect of: Home Taproom, 61 Tontine Street, Folkestone, Kent, CT20 1JR (Pages 5 - 38)**

This report outlines the application made by Mr Ross Gandon to Vary the existing Premises Licence for this premises. 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.

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This report will be made public on 9 May 2022



Report Number **DCL/22/01**

To: Licensing Sub-Committee
Date: 17 May 2022
Status: Non-Executive Decision
Head of service: Ewan Green

SUBJECT: An application to Vary the Premises Licence in respect of:
Home Taproom, 61 Tontine Street, Folkestone, Kent, CT20 1JR

SUMMARY: This report outlines the application made by Mr Ross Gandon to Vary the existing Premises Licence for this premises. The Licensing Sub-Committee must determine the outcome for the application.

REASONS FOR DETERMINATION:

The Committee is asked to consider the application to Vary the Premises 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/22/01.
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 On the 16th June 2016, Mr Mark Swain applied for a Premises Licence for the premises at 61 Tontine Street, Folkestone. The premises was previously a newsagents shop and the application was for a micro pub. The application highlighted that people would not be permitted to drink outside in the street, it was intended that small one-act plays, poetry and non-amplified music may feature on some occasions. The focus was on the consumption of quality real-ales and wine in moderate quantities, enhanced conversation without the intrusion of loud music, no late opening, no sale of spirits, alcho-pops or strong lagers.

- 1.3 The licence granted was on 19th July 2016 for:

- **Live Music** – Monday – Saturday 11:00 – 22:30 and Sunday 11:00 – 20:30
- **Plays** – Monday – Saturday 11:00 – 22:30 and Sunday 11:00 – 20:30
- **Supply of Alcohol On Sales** – Monday - Saturday 10:30 – 22:30 and Sunday 10:30 – 20:30
- **Opening Hours** – Monday - Saturday 10:30 – 23:00 and Sunday 10:30 – 21:00

Environmental Health did not object to the application on the basis that the following conditions were adhered to, in accordance with what was applied for:

- All doors and windows must be closed when regulated entertainment is taking place
 - No amplified music or use of drums within the premises
 - Provision for patrons to dispose of used cigarettes at the front of the premises
 - No alcohol to be taken outside
- 1.4 On the 16th January 2019 the licence was transferred to Mr Trevor & Mrs Tnaesha Twohig.
- 1.5 On the 3rd May 2019 the premises was transferred to The Brewery of Angels & Demons and the premises name was changed to Home.

- 1.6 The current Premises Licence can be seen at Appendix 1.
- 1.7 During weekend evening visits in 2021 by Licensing Officers it was observed that Home Taproom were operating outside of their licence, namely that they were regularly having amplified live music and doors and windows were not always closed when music was played, Officers advised the Bar Manager to cease having amplified music events and apply for a Variation to their licence. They subsequently submitted Temporary Events Notices to cover the additional licensable activities and submitted an application to Vary their licence.

2. APPLICATION

2.1 On the 20th December 2021 Mr Ross Gandon, Director of Angels & Demons Brewery submitted an application to Vary the licence to extend the opening hours, extend hours of alcohol sales and add off sales and allow amplified live and recorded music, extend hours of plays and films and add late night refreshment. The application is for:

- **Plays** – Monday – Thursday 11:00 – 23:30, Friday and Saturday - 11:00-00:30 and Sunday 11:00 – 23:30
- **Films** - Monday - Thursday 11:00 – 23:30, Friday and Saturday 11:00-00:30 and Sunday 11:00 – 23:30
- **Live Music** – Monday - Thursday 11:00 – 23:30 Friday and Saturday 11:00-00:30 and Sunday 11:00 – 23:30
- **Recorded Music** – Monday - Thursday 11:00 – 23:30 Friday and Saturday 11:00-00:30 and Sunday 11:00 – 23:30
- **Late night refreshment** – Monday - Thursday 12:00 – 00:00, Friday and Saturday 12:00-01:00 and Sunday 12:00 – 23:00
- **Supply of Alcohol On and Off Sales** – Monday - Thursday 11:00 – 23:30 Friday and Saturday 11:00-00:30 and Sunday 11:00 – 23:30
- **Opening Hours** – Monday – Thursday 11:00 – 00:00, Friday and Saturday - 11:00-01:00 and Sunday 11:00 – 00:00

The application to Vary the Premises Licence can be seen at Appendix 2.

2.2. The Police asked for the following conditions to be added and the applicant has agreed to these:

The Prevention of Crime & Disorder

CCTV - The venue shall maintain a CCTV system. The CCTV system shall continually record whilst the venue is open for licensable activities and / or when customers remain on the premises. All recordings shall be time & date stamped, maintained for a 31 day period and be made available to the Police or authorised officer of the licensing authority upon request. The CCTV system shall:

- a. Cover all entry points used by the public.

- b. Enable frontal identification of persons entering in any light condition.
- c. Be maintained by a suitably qualified person.

CCTV - Sufficient competent persons should be authorised by the premises licence holder to provide the Police with downloaded CCTV data (footage and / or images) in an appropriate recorded format (usually to a disc, memory stick or data file sent electronically) when formally requested to do so. The authorised person(s) should be sufficient to enable such data to be obtained by the police within 48 hours of a formal request being made.

CCTV - Sufficient competent persons should be authorised by the premises licence holder to ensure that at all times the premises is open to the public, a member of staff is available to show the Police, when formally requested to do so, any images / footage from CCTV system with a minimum of delay.

I would like to recommend they have a minimum of 1 door staff every Friday and Saturday. This is not mandatory, but will be reviewed should any crime and disorder take place.

The venue should risk assess each event and request door staff should they feel it appropriate to do so.

2.3. An application to amend the planning permission is due to be submitted to the Planning Authority. This will be to amend/remove the following conditions that are currently present:

- No live or amplified music or amplified entertainment shall take place within the premises at any time.
- The use hereby permitted shall not be open to customers outside the following times: 10.30-23.00 Monday-Saturday and 10.30-16.00 Sundays and Bank Holidays.
- There shall be no cooking of food within the premises without the prior written consent in writing of the Local Planning Authority.

3. RELEVANT REPRESENTATIONS

3.1. This Hearing has been required by the Licensing Act 2003 because valid representations were received from a member of the public.

Responsible Authority	Comments
Home Office - Immigration	None
Kent Police	None
Environmental Health (Pollution)	None
Environmental Health (Commercial)	None
Kent Fire and Rescue	None

Planning	None
Child Protection Agency	None

The representation can be found at Appendix 3.

4. OPTIONS

4.1. The Licensing Sub-Committee has the following options:

- a) Grant the Application
- b) Grant the Application with amendments
- c) Add conditions to the Licence
- d) Reject whole or part of the Application

4.2. The Committee is asked to note that it may not add conditions or amend the licence merely because it considers it desirable to do so. The Committee must only consider evidence that relates to the 4 Licensing Objectives. Any conditions added 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, Licensing Specialist
Telephone: 01303 853475
Email: briony.williamson@folkestone-hythe.gov.uk

Background documents:

Current Licensing Policy is available under the Policies section of the website:

<https://www.folkestone-hythe.gov.uk/your-council/policies-plans-and-documents/policy-documents>

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. Current Licence

Appendix 2. Application to Vary a Premises Licence

Appendix 3. Representation

Premise Licence

Part A

Premises Licence Number: SHEP00668/16



Part 1 – Premise Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Home
61 Tontine Street
Folkestone
Kent
CT20 1JR Telephone: 07930 542441

WHERE THE LICENCE IS TIME LIMITED THE DATES

START DATE: 19/07/2016 Transfer: 03/05/2019

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Alcohol On Sales Only
Live Music
Plays

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

	Alcohol On Sales Only	Live Music	Plays
Monday	10:30 22:30	11:00 22:30	11:00 22:30
Tuesday	10:30 22:30	11:00 22:30	11:00 22:30
Wednesday	10:30 22:30	11:00 22:30	11:00 22:30
Thursday	10:30 22:30	11:00 22:30	11:00 22:30
Friday	10:30 22:30	11:00 22:30	11:00 22:30
Saturday	10:30 22:30	11:00 22:30	11:00 22:30
Sunday	10:30 20:30	11:00 20:30	11:00 20:30

NON_STANDARD TIMES (IF ANY)

THE OPENING HOURS OF THE PREMISES (IF GIVEN)

Monday	10:30 23:00
Tuesday	10:30 23:00
Wednesday	10:30 23:00
Thursday	10:30 23:00
Friday	10:30 23:00
Saturday	10:30 23:00
Sunday	10:30 21:00

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

ON ONLY

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

The Brewery of Angels & Demons
Great Cauldham Lane
Capel-Le-Ferne
Folkestone
Kent
CT18 7HQ Telephone: 01303 255 666

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

09836678

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

Mark Swain
61 Tontine Street
Folkestone
Kent
CT20 1JR

Telephone: 07930 542441

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

ISSUING AUTHORITY: Folkestone & Hythe District Council
PERSONAL LICENCE NUMBER: SDC1501

Annex 1- Mandatory Conditions

Mandatory conditions where licence authorises supply of alcohol

- (1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.
- (2) The first condition is that no supply of alcohol may be made under the premises licence-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Licensing Conditions Order 2010

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

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

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

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

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

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

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

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

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

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

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

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

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that—

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

(i) beer or cider: ½ pint;

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

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

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

Mandatory condition: exhibition of films

(2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission

of children must be restricted in accordance with any recommendation made by that body.

(3) Where-

- (a) the film classification body is not specified in the licence, or
- (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

(4) In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Mandatory condition: door supervision

- (1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.
- (2) But nothing in subsection (1) requires such a condition to be imposed-
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
 - (b) in respect of premises in relation to-
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- (3) For the purposes of this section-
 - (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 - Conditions Consistent with the Operating Schedule

Environmental Health has no objection to the granting of the application subject to the following conditions:

- All doors and windows must be closed when regulated entertainment is taking place within the property.
- No amplified music or use of drums within the premise.
- There appears to be no designated smoking area so it is presumed the patrons must be using the outside pavement as a smoking area. Please ensure there is a provision for the patrons to dispose of their disused cigarettes.
- No alcohol is to be taken outside of the premise.

General:

To meet all licensing objectives

Avoiding the sale of spirits, Alco-pops and strong lagers etc., Micro pubs intentionally avoid appealing to rowdy and heavy drinking customers. Opening hours too are limited to avoid attracting such customers. The focus is upon consumption of quality real-ales and wine in moderate quantities, enhanced by conversation without the intrusion of loud music, mobile phones, gaming machines or television. We will encourage a community spirit and responsible, moderate consumption of alcohol at all times.

The Prevention of Crime & Disorder:

Avoiding late closure and selling of strong lager. Aggressive or rowdy behaviour will not be tolerated. Challenge 25 policy in place. ID will be requested if in doubt of a person's age.

Public Safety:

Every care will be taken, so far as reasonably practical to protect the public from any harm. Premise and fire risk assessments are undertaken and appropriate action taken where risks are identified. Staff will be provided with suitable and sufficient training. Risk assessments will be reviewed annually and following and changes or incidents.

The Prevention of Public Nuisance:

We will take every care to consider the public and to ensure that our activities do not cause a nuisance or disturbance to our neighbours and members of the public. Signage will be displayed requesting customers leaving the premise do so in a quiet manner giving consideration to our neighbours.

There will be no external lighting so no light pollution to our neighbours. Air conditioning condenser is quietest on the market so should not cause any noise nuisance. Rear access road is large enough for a truck to park and turn around when making deliveries to the Micro pub.

The Protection of Children from Harm:

Challenge 25 policy in place. ID will be requested if in doubt of a person's age.

To accommodate parents wishing you bring their children to watch a play. Children will be allowed in the premise.

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

[Licensing Committee Hearing date:](#)

[Notice of Determination:](#)

Annex 4 - Plans

[Date: 20/06/2016 / as at application date](#)

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



Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Ross Gandon, Director at The Brewery of Angels and Demons
(Insert name(s) of applicant)

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

Premises licence number SHEP00668/16

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Home Taproom 61 Tontine Street Folkestone Kent			
		Postcode	CT20 1JR

Telephone number at premises (if any)	01303 244666
Non-domestic rateable value of premises	£ 1447.10

Part 2 – Applicant details

Daytime contact telephone number	07494211929		
E-mail address (optional)	badhometap@gmail.com		
Current postal address if different from premises address			
Post town		Postcode	

Please tick as appropriate

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

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

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

Home Taproom is the official taproom for The Brewery of Angels and Demons, established in 2015. We are a small taproom, on one floor, with an 70 people capacity. We have a small kitchen, in which we host different pop-up kitchens. We are a popular venue with local residents on Tontine Street, and in the Creative Quarter, and hold a positive relationship with residents near the venue whilst constantly supporting the local community, working with individuals to ensure a positive outcome for all.

We are looking to extend the hours of our license, to allow for later hours of service. We would like to apply for our license to begin at 11am, and to end at midnight on weekdays, and 1am on weekends. Additionally, we would also like to apply for live, amplified, and recorded music. Currently we hold a license between the hours of midday and 11pm, and midday to 9pm on Sundays. We constantly uphold values and behaviours that promote the licensing objectives, and in turn the safety of our customers, and have successfully acted within the terms of our current license at all times.

We would also like to apply for an 'off-sale' license, in which alcohol will be allowed to be sold with the intention of taking/drinking off the premises. This would be an asset to our Taproom, as we have introduced the sale of food through our pop-up restaurants, which is also available for take-away, so we would like to allow the option to take alcoholic drinks with these orders to drink in their homes. Furthermore, we have a drinks fridge that holds many hand-picked beers, which many customers would like to take home with them to drink on a later date, in their homes.

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

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon	11:00	23:30			
			<u>Please give further details here</u> (please read guidance note 3)		
Tue	11:00	23:30			
			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Wed	11:00	23:30			
			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur	11:00	23:30			
			<u>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</u> (please read guidance note 5)		
Fri	11:00	00:30			
			<u>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</u> (please read guidance note 5)		
Sat	11:00	00:30			
			<u>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</u> (please read guidance note 5)		
Sun	11:00	23:30			
			<u>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</u> (please read guidance note 5)		

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon	11:00	23:30			
Tue	11:00	23:30			
Wed	11:00	23:30	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur	11:00	23:30			
Fri	11:00	00:30	<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 5)		
Sat	11:00	00:30			
Sun	11:00	23:30			

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed					
Thur			<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 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3) Amplified live music within our venue, performed by local artists. Music will be amplified, but not excessive, being aware of any residents around us.		
Mon	11:00	23:30			
Tue	11:00	23:30			
Wed	11:00	23:30	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur	11:00	23:30			
Fri	11:00	00:30	<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 5)		
Sat	11:00	00:30			
Sun	11:00	23:30			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors <input checked="" type="checkbox"/>		
				Outdoors <input type="checkbox"/>		
				Both <input type="checkbox"/>		
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u>			
Mon	11:00	23:30				
Tue	11:00	23:30				
Wed	11:00	23:30			<u>State any seasonal variations for the playing of recorded music (please read guidance note 4)</u>	
Thur	11:00	23:30				
Fri	11:00	00:30			<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 (please read guidance note 5)</u>	
Sat	11:00	00:30				
Sun	11:00	23:30				

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

H

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

|

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	12:00	00:00	Please give further details here (please read guidance note 3) To allow our kitchen to occasionally continue serving food during the proposed hours.		
Tue	12:00	00:00			
Wed	12:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	12:00	00:00			
Fri	12:00	01:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	12:00	01:00			
Sun	12:00	23:00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) <u>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</u> (please read guidance note 5)		
Mon	11:00	23:30			
Tue	11:00	23:30			
Wed	11:00	23:30			
Thur	11:00	23:30			
Fri	11:00	00:30			
Sat	11:00	00:30			
Sun	11:00	23:30			

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 8).

Our venue is a taproom which serves alcoholic beverages, however we also provide soft drinks and snacks, which are available to children. We allow children into the venue until 8pm whilst accompanied by an adult. Access to children is restricted during busier periods, and constantly operate a 'Think 25' policy, whereby we ask for official ID for anyone that looks like they may be younger than 25. All children must be supervised by an adult at all times.

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	11:00	00:00	
Tue	11:00	00:00	
Wed	11:00	00:00	
Thur	11:00	00:00	
Fri	11:00	01:00	
Sat	11:00	01:00	
Sun	11:00	00:00	

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

Remove limitations on hours in which the premises can sell alcohol, and remove limitations on the ability to sell alcohol that is intended to be taken off the premises – Annex 2.

lease tick as appropriate

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

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

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

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

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

Our venue is constantly promoting the four licensing objectives, and the values that they promote. We ensure effective and responsible management, coupled with constantly updated training and supervision of staff. We also play an active role in the Folkestone PubWatch scheme, and are active members of the group.

b) The prevention of crime and disorder

All licensing conditions will be strictly followed at all times, ensuring the risk of crime and disorder will be limited to a minimum at all times. Any criminal offences that may be committed on or near the premises, despite our best efforts, will be reported to the relevant authorities immediately.

c) Public safety

Our venue takes public safety very seriously. We constantly monitor our capacity to ensure the safety of both our guests and the public. Our bar staff are trained in monitoring and diffusing violent behaviour. The manager of the venue is First Aid trained, and appropriate action will be taken if/when any physical accidents happen. All accidents are recorded in our log book. If there is any concern about the a customer taking alcohol of the premises, this request will not be granted to the customer, in the eyes of public safety when not at the venue.

d) The prevention of public nuisance

Sale of alcohol will be controlled, to ensure guests safety, and the safety of the public once they have left the building. Alcohol will be restricted to those who are thought to have had too much, to ensure we are not promoting, and are controlling, anti-social behaviour. Noise will be limited to an acceptable level, as is currently enforced, being aware of our local residents. Litter is constantly cleared both in, and around, the venue, whilst smoking is limited to our smoking area, which has ample ash trays. Our bins are located at the back of the venue.

e) The protection of children from harm

Think 25 policy is operated at all times during the sale of alcohol, to ensure those under 18 do not have access to alcohol. Children are not able to enter the bar after 8 o'clock, however this may be amended to an earlier time on busier nights, controlled by the license holder or representatives, to ensure the safety of children that may enter the premises. Children that enter the premises must be accompanied by an adult at all times.

Checklist:

Please tick to indicate agreement

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

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 10)

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

Signature	Ross Gandon, Director, The Brewery of Angels and Demons
Date	1/03/22
Capacity	70

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

Signature	
Date	
Capacity	

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

Home Taproom
61 Tontine Street
Folkestone
Kent

Post town	Folkestone	Post code	CT20 1JR
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Telephone number (if any)	07494211929
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Badhometap@gmail.com

Notes for Guidance

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

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

Representations

Representation 1

Dear Sir/Madam,

I am writing in respect of the application made by Mr Ross Gandon relating to the premises at 61 Tontine Street, Folkestone, Kent, CT20 1JR.

I am a resident of a nearby flat, and would not be happy if this extension to Mr Gandon's opening hours was approved as stated in his application.

Despite being a few doors down, we can clearly hear if/when there is live music at the venue, and this can cause disturbed sleep. This is not so bad at present, as we can be assured that the noise will stop at a relatively reasonable hour. These new proposed hours could mean having our sleep disturbed for a further 2-3 hours, especially at weekends.

This venue is in a highly populated residential area, with young children and shift workers alike living nearby.

I ask that you consider these factors when reviewing Mr Gandon's application.

Yours Sincerely,

Hannah Goff

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Folkestone and Hythe District Council

**Licensing Sub-Committee
17 May 2022**

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.

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