



Agenda

Meeting: **Licensing Sub-Committee**
Date: **14 November 2022**
Time: **11.00 am**
Place: **Council Chamber - Civic Centre Folkestone**

To: **Councillor Gary Fuller, Mrs Jenny Holligsbee 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.

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

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

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. **11.00 am - An application to Vary the Premises Licence in respect of: The Pullman, 7-9 Church Street, Folkestone, Kent, CT20 1SE (Pages 5 - 26)**

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

6. **11.45 am - An application to Vary the Premises Licence in respect of: Martello Pub, Beach Bank, Dymchurch Road, Hythe, Kent, CT20 1SE (Pages 27 - 46)**

This report outlines the application made by Beach Bank Caravan Park 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 4 November 2022



Report Number **DCL/22/43**

To: Licensing Sub-Committee
Date: 14 November 2022
Status: Non-Executive Decision
Head of service: Ewan Green

SUBJECT: An application to Vary the Premises Licence in respect of: The Pullman, 7-9 Church Street, Folkestone, Kent, CT20 1SE

SUMMARY: This report outlines the application made by The Pullman 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/22/43.
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 Pullman (previously known as the Pullman Wine Bar) has held a licence with Folkestone & Hythe District Council since the Licensing Act 2003 came into effect in 2005.

1.3 The licence granted was for:

- **Supply of Alcohol on & off sales** – Sunday-Thursday 10:00 – 23:30
Friday-Saturday 10:00 – 00:30
- **Live music** – Sunday-Thursday 10:00 – 23:30 Friday-Saturday 10:00 – 00:30
- **Recorded music** – Sunday-Thursday 10:00 – 23:30 Friday-Saturday 10:00 – 00:30
- **Provision of facilities for dancing** – Sunday-Thursday 10:00 – 23:30 Friday-Saturday 10:00 – 00:30
- **Late night refreshment** – Sunday-Thursday 10:00 – 23:30 Friday-Saturday 10:00 – 00:30
- **Opening hours** – Sunday-Thursday 10:00 – 00:00 Friday-Saturday 10:00 – 01:00

1.4 The current Premises Licence can be seen at Appendix 1.

1.5 The current owners, 'Trend Business Consultants', took over the premises in July 2014. Since that time they have been using the rear garden until closing time without realising that there was a condition on their licence that prevented them from using the garden after 22:00.

1.6 During the last 8 years we have not received complaints regarding the use of the rear garden, however in August this year our Environmental Health team received a complaint regarding noise:

The garden of the Pullman pub is to the rear of our homes. Night after night the patrons shout and laugh to often the early morning. It is 12.06 and I am still hearing the shouting. I do not know why the noise continues after closing, does the pub have extended hours? Homes surround the pub, it is too much, the noise affects me greatly, I have to have my windows open as it is so hot. The level of noise is too high I think the patrons should not be in the garden after 11 pm.

- 1.7. At this point the licence was checked and the condition was noted regarding the external areas closing at 22:00. We therefore informed the DPS and they then closed the garden at 22:00 each night.

2. APPLICATION

- 2.1 On the 23rd August 2022 an application was received to vary the licence.

- 2.2 The variation is to remove a condition that was added when the licence was originally issued:

- External areas to be closed at 22.00hrs

The application to vary the premises licence can be seen at Appendix 2.

- 2.2. The Police asked for the Operating Schedule to be updated and the applicant has agreed to the proposal. This can be seen at Appendix 3.

3. RELEVANT REPRESENTATIONS

- 3.1. This Hearing has been required by the Licensing Act 2003 because valid representations were received from a Responsible Authority and members of the public.

Responsible Authority	Comments
Home Office - Immigration	None
Kent Police	None
Environmental Health (Pollution)	Objection
Environmental Health (Commercial)	None
Kent Fire and Rescue	None
Planning	None
Child Protection Agency	None

The representations can be found at Appendix 4.

4. OPTIONS

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

- a) Grant the application to vary the licence
- b) Grant the application with amendments
- c) Add conditions to the licence that are relevant to the variation
- 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. New operating schedule
- Appendix 4. Representations

Premises Licence

Part A



Folkestone & Hythe District Council
Civic Centre, Castle Hill Avenue,
Folkestone, Kent CT20 2QY

Premises Licence Number: SHEP00313/05

Part 1 – Premise Details

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

The Pullman
7 Church Street
Folkestone
Kent CT20 1SE Telephone: 01303 252524

WHERE THE LICENCE IS TIME LIMITED THE DATES

START DATE: 24/11/2005 VDPS: 10/05/2019

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Alcohol Sales On & Off Sales
Live Music
Recorded Music
Provision of Facilities for Dancing
Late Night Refreshment

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

	Alcohol Sales On & Off Sales	Live Music	Recorded Music	Provision of Facilities for Dancing	Late Night Refreshment
Monday	10:00 23:30	10:00 23:30	10:00 23:30	10:00 23:30	23:00 23:30
Tuesday	10:00 23:30	10:00 23:30	10:00 23:30	10:00 23:30	23:00 23:30
Wednesday	10:00 23:30	10:00 23:30	10:00 23:30	10:00 23:30	23:00 23:30
Thursday	10:00 23:30	10:00 23:30	10:00 23:30	10:00 23:30	23:00 23:30
Friday	10:00 00:30	10:00 00:30	10:00 00:30	10:00 00:30	23:00 00:30
Saturday	10:00 00:30	10:00 00:30	10:00 00:30	10:00 00:30	23:00 00:30
Sunday	10:00 23:30	10:00 23:30	10:00 23:30	10:00 23:30	22:30 23:30

THE OPENING HOURS OF THE PREMISES (IF GIVEN)

Monday 10:00 to 00:00
Tuesday 10:00 to 00:00
Wednesday 10:00 to 00:00
Thursday 10:00 to 00:00
Friday 10:00 to 01:00
Saturday 10:00 to 01:00
Sunday 10:00 to 00:00

Bank Holidays and Christmas Eve 10:00 - 0100

Bank Holiday Monday 10:00 - 00:00

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

ON AND OFF

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

Trend Business Consultants Ltd
3 Queen Street
Ashford
Kent
TN23 1RF Telephone: 07775 714867

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

2562808

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

Mr James Owen Bicker

6 Darby Place

Folkestone

Kent

CT20 1EL

Telephone: 07783350012

**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:

SDC1535

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.

Annex 2 - Conditions Consistent with the Operating Schedule

General - to meet all objectives

Prevention of Crime & Disorder Operating Schedule

An operational CCTV system is installed inside and outside the premises

Membership of a local Crime Reduction Initiative

Public Safety Operating Schedule

Staff regularly check the premises for, and clear away, broken glass and other hazards.

Safety appliances and systems are regularly tested and re-certified.

Prevention of public nuisance Operating Schedule

Customers will be requested to leave the premises quietly.

Customer service is provided to contact local taxi companies

Protection of children from harm Operating Schedule

Children under the age of 16 will be permitted on the premises if accompanied by an adult and then only until 2030 hours unless dining.

Only an accredited proof of age card or driving licence with photograph is accepted as ID.

Amusement with prizes machines can be properly supervised by staff. Persons under the age of 18 will not be permitted to play AWP or other machines.

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

Hearing General

In addition to the measures set out in the operating schedule:

- Noise arising from music and/or patrons on the premises is not audible at the boundary of neighbouring residential premises
- Live music outside is to be limited to 8 events per year and must cease at 21.00hrs
- External areas to be closed at 22.00hrs
- External speakers are not to be used except on the 8 permitted events per year
- Advisory signage to be posted
- Staff supervision of patrons arriving and leaving the premises
- Appropriate enforcement by the establishment in the event of unruly behaviour being witnessed
- Other measures described in the section of Prevention of Crime and Disorder

Annex 4 - Plans

As at application date held on file

Folkestone & Hythe District Council

(Page 1 /22)

Details of the person applying to vary a premises licence under section 34 pf the licensing act 2003

Full name

james bicker

Email

Contact number

Details of premises (Page 2 /22)

Premises licence number (If you don't know this reference number you can enter the premises details and search for it here)

LC202101-1321

Postal address of premises or, if none, ordnance survey map reference or description

7-9 church street, folkestone, kent ct201el

Variation (Page 3 /22)

Date on which you want the variation to take effect if approved

23/08/2022

Proposed variation (Page 4 /22)

Details of the proposed variation

At present we have in appendix 3 of our licence a clause which says garden must shut at 22:00 hours, this has been invoked due to a complaint so we would seek to increase the tome limit to midnight whilst monitoring noise levels and dealing with accordingly.

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.

Folkestone & Hythe District Council

Operating schedule (Page 5 /22)

Select all options that would be subject to change if the application to vary is successful

Provision of regulated entertainment - please tick as appropriate

- Provision of late night refreshment

.....

Late night refreshment - standard days and timings (Page 14 /22)

Where will the provision of late night refreshment take place

Both

	Start	Finish
Monday	10.00	00.00
Tuesday	10.00	00.00
Wednesday	10.00	00.00
Friday	10.00	00.00
Saturday	10.00	00.00
Sunday	10.00	00.00

Details

State any seasonal variations for the provision of late night refreshments

Enter details where you intend to use the premises for the provision of late night refreshment at different times, to those listed in above

this will only change in our outside back garden which is only accessible through the main entrance to the Pullman and will be closely monitored.

.....

(Page 16 /22)

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

No such services take place.

.....

Hours premises are open to the public - standard days and timings (Page 17 /22)

	Start	Finish
Monday	10.00	00.00
Tuesday	10.00	00.00

Folkestone & Hythe District Council

Wednesday	10.00	00.00
Friday	10.00	00.00
Saturday	10.00	00.00
Sunday	10.00	00.00

State any seasonal variations

Enter details where you intend to use the premises to be open to the public at different times from those listed above

.....

(Page 18 /22)

Identify those conditions currently imposed on the certificate which you believe could be removed as a consequence of the proposed variation you are seeking

For the garden to be permitted to stay open until midnight.

.....

(Page 19 /22)

Upload the relevant documents

Are you able to upload a copy of the premises licence or relevant part of the licence?

Yes

Premises licence

Image (5).jpeg

Relevant part of the premises licence

Image (2).jpeg

.....

Describe any additional steps you intend to take to promote the four licensing objectives: (Page 20 /22)

General

We will continue to operate our over 21's only policy to minimise the younger crowd.

The prevention of crime and disorder

In order to advocate the prevention of crime and disorder we will display our anti-drugs policy and ensure this is maintained to a high standard in terms of staff being vigilant and customers are aware of this.

Public safety

we will ensure no minors are in the pub un accompanied after 6 pm

Folkestone & Hythe District Council

The prevention of public nuisance

we will ensure patrons leave quietly and staggered upon closing as well as moving on quickly.

The protection of children from harm

we will ensure children are accompanied by an adult at all times.

Checklist / Declarations (Page 21 /22)

- I / We will send copies of this application and the plan to responsible authorities.

- I / We understand that I must now advertise my application.

- I / We have uploaded the club premises certificate or relevant part of it or explanation

- I / We 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. (Page 22 /22)

Name of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant, please state in which capacity

Full name

Capacity

James Owen Bicker operations manager

Date

23/08/22

Once you submit this form you will be able to make your payment. Please note that if no payment is made this request will not be processed.

Conditions Consistent with the Operating Schedule

Premise is a Pub with inside and outside seating

General - To Meet all Licensing Objectives

Staff Training - Appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including:

- a. The responsible sale of alcohol.
- b. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification.
- c. The responsibility to refuse the sale of alcohol to any person who is drunk.
- d. Fire safety & emergency evacuation procedures
- e. All training will be recorded, and training records made available on request to an authorised officer of the Licensing Authority or the Police.

Recording Practices - The premises will maintain written reports and registers. These will be kept for a minimum of 12 months and made available to the police and any authorised officer of the licensing authority on request. Records will be maintained of the following:

- a. Any complaint against the premises in respect of any of the licensing objectives
- b. Any crime reported at the premises
- c. Any seizure of drugs or offensive weapons
- d. Any illegal drug related incident
- e. Any fault in the CCTV system

All written reports and registers will be regularly checked by the DPS.

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 28-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 24 hours of a formal request being made.

CCTV - Sufficient competent persons should be authorised by the premises licence holder to always ensure that when 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.

Drugs Zero Tolerance Policy - A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced.

Door Supervision

The premises will risk assess events and where appropriate employ door supervision to ensure the licensing objectives are upheld.

When a door supervisor is required

Where a requirement for door supervisor is identified, a register of door supervisors employed will be maintained.

This register will record their name, SIA Door Supervisor Licence number, contact details and be signed by the Door Supervisor as well as an authorised member of the premises management team.

Public Safety

Fire Safety - A fire risk assessment will be conducted and regularly reviewed. In-line with the Fire Risk Assessment:

- a. An integrated fire detection and alarm system is installed, checked, regularly tested, and maintained by a competent person.
 - b. Fire extinguishers are installed in accordance with the recommendations of the fire risk assessment.
 - c. Emergency lighting is installed in accordance with the recommendations of the fire risk assessment.
 - d. All emergency exits are marked on the premises plan.
- First Aid - Adequate & suitable first aid boxes will be maintained.

The Prevention of Public Nuisance

Refuse Disposal - No commercial waste shall be left on the street, all waste shall be stored in the commercial bins provided, prior to collection.

Refuse Disposal - Waste shall not be collected from the premises between the hours of 22.00 and 08.00 on any day.

Glass Recycling - Glass set aside for recycling shall not be emptied from one receptacle into another in any external area of the premises between the hours of 22.00 and 09.00 on any day.

Litter - The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared.

Noise Limiting Device - Where the licensable activity of amplified live music or recorded music are taking place, a noise limiter shall be fitted to the musical amplification system and set at a predetermined level, to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password and access shall only be by persons authorised by the Premises Licence holder.

Noise Escape - Where amplified live music or recorded music is played windows and doors will be kept shut, except for entrance and egress, after 21.00 to avoid any public nuisance being caused.

Noise Escape - No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

External Areas - No amplification system or speakers will be used externally, at the front of the premises.

Exit Signage - A sign requesting customers to respect residents and leave the premises quietly, will be displayed at each public exit to the premises.

External Doors - All external doors to the premises will remain closed after 21.00 except for entrance and egress, to prevent noise escaping from the premises.

Patrons will not leave the premises with any drink, alcoholic or soft. All drinks must be drunk prior to departure or left in situ inside the premises.

The Protection of Children from Harm

Challenge 25 - A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol; signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those photographic identification documents recognised in the Home Office guidance, including passports, photo-card driving licence or proof of age card bearing a PASS hologram.

Register of Refusals - A register of refusals book or electronic equivalent designed to record all refusals of sales of alcohol shall be maintained on the premises and made available to the police and local authority officers upon reasonable request.

Access Restriction for Children - Children under the age of 18 years shall not be permitted on the premises after 21.00 on any day unless they are eating in the restaurant and accompanied by a responsible adult.

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Representations

Representation 1

I'm writing to add my comments re licence variation application PR202208-81491.

I live in Church Street, next door but one to The Pullman. I spent 15 months (Jan 2021 to April 2022) living in a flat on the garden side of the building and was very close by, I could see directly into the Pullman's garden from my bedroom on the 1st floor (I have since moved to a bigger flat on the other side of the building which is better, although I still hear it).

It is often a noisy garden with a lot of shouting, shrieking, loud laughter and general noise of inevitably drunk people. It has a large capacity so can generate a lot of noise.

It was really quite disruptive at times and could impact when I was able go to bed, and that is with the supposed 10pm finish (the noise would actually often go on later). It is really very close to a lot of people's homes/bedrooms and for those who get up early for work it's a problem already. Several of my neighbours were really dismayed when they heard the garden might be open til midnight every day. I work from home so had some flexibility but it was very frustrating at times to have to stay awake when I didn't want to.

We also have the school next door and that can be noisy with children/parents arriving from 8am so if people end up struggling to sleep til after midnight then are disturbed again early that feels rather unfair.

I strongly feel the garden is too big, too noisy and too close to people's homes/bedrooms for it to be open til midnight every day. They say they will monitor the noise but none of us are confident about that with current noise/cut off times so far. The licence variation application seems to suggest that the 10pm limit imposed was due to a complaint which I'm not surprised about, I often thought about it myself.

The Pullman is generally a great pub and I believe all of us in the building want to support local businesses, but the news that the garden might open til midnight every day has been really stressful and for several flats in the building, really debilitating news.

Yours Sincerely,

Rosalind Keep

Representation 2

I would like to register my objection to the Licence Variation PR202208-81491 submitted by the Pullman Wine Bar, 7-9 Church Street, Folkestone, CT20 1SE.

The request to amend appendix 3 of the licence which currently requires the garden to shut at 22:00 to instead allow it to open until midnight is not considerate of the neighbouring properties and the community. The garden of the Pullman is adjacent to a number of residences, including houses on The Bayle and flats on Church Street, and while customers can remain inside the Pullman past 22:00, it is an infringement of local resident's right to quiet enjoyment to allow customers to remain in the outdoor garden area past this time, as noise from the garden area can clearly be heard within the surrounding residences.

Residents already have to tolerate the noise until 22:00, but allowing the noise to continue past this is not acceptable. In the summer the garden is generally full, and even in the colder months is it well used including my smokers, so the noise would be year-round. Not only are there many residents who are working and need to get up early for work, but there are many families also, but for any residents it is not appropriate for the timing to be extended as this will disrupt sleep and quiet time into the night for those who live nearby.

The two pubs on The Bayle (The Guildhall and The British Lion) both close at appropriate times so that customers in their gardens do not disturb local residents. They are also not as closely surrounded as the enclosed garden of the Pullman, the noise from which impacts a large number of dwellings.

Allowing the garden of the Pullman to open past 22:00 will create more opportunities for drinking, so in addition to the noise whilst in the garden, the patrons leaving often walk through The Bayle area, the churchyard or down Church Street and are loud which is disturbing (I am often awoken by drunk people talking loudly when they are leaving establishments around the town late at night), and a minority of patrons of pubs and bars engage in antisocial behaviour (arguing, fighting, graffiti etc) so allowing late night drinking in a garden area (which is not in direct view of the bar area in the Pullman and which makes monitoring of alcohol consumption and level of intoxication of customers much more difficult) is not conducive to maintaining the safety and tranquility of the local area.

The suggestion in the licence variation that noise levels could be dealt with accordingly does not seem possible once patrons have left an establishment, and if they've been out in the garden drinking out of view of the bar for some hours the noise they make as they exit and walk down the street is likely to be much greater than if their drinking had been in view of the bar.

It is wholly inappropriate for an outdoor pub garden in the middle of a residential area to be open past 10pm at night, on any night of the week. I therefore object to this licence variation.

Yours faithfully,

Clare Worley

Representation 3

My name is Andrei Ionescu, I'm a resident of Church Street, with a direct view of the garden of Pullman Bar. I understand that they are seeking to extend the hours that they use the garden.

The garden of the Pullman currently has a license until 22:00 and wishes to extend it. We've had a very difficult time falling asleep, and keeping our 1-year-old baby asleep whilst the clientele of the Pullman is out in the garden. They tend to be extremely loud without realizing this is a residential area. They are not instructed to keep their voices down in any way. The pub's garden has, in fact, gone over the hours of 22:00 on many occasions, leaving us frustrated.

Please take our concerns into consideration when coming to a decision on the matter.

If you have any questions regarding my comments, please don't hesitate to ask.

We look forward to an equitable resolution.

Kind regards,

Andrei

Representation 4

My family and I live at 1A Church Street, above the hairdresser's, we are part of a residential community along Church Street, many of us living above the retail shops, many of us will families and young children. Our son already gets woken up by drunk individuals leaving the Pullman at closing time, and now I am to understand that our son might have to go to school on less than 6 hours sleep?

We frequently have to sweep up broken glass and wash puke outside our door, of you give people more drinking time that will only increase of your create more drinking garden capacity for longer. Do I really have to move?

This is not a reasonable licence alteration request for the community, or school children that have to go to school with a sleep deficit.

Yours sincerely

Ben Page-Phillips and Cindy Elliott

Representation 5

I am a resident at the above address, I have been a resident here for quite some time now. I am very familiar with the Pullman pub as a customer and nearby resident. So near by in fact, my bedroom window is roughly 30-40m away from the pubs garden. Some nights it has been so loud I have had to wear ear plugs, some peoples noise levels are beyond unnecessary. I am a full time working adult, so is my partner and many others in the building. I have to be asleep by 10:00pm 5 nights

a week and when there are large groups of people at the pullmans pub it is very disturbing throughout my nights sleep and I notice a significant difference in my function throughout the next day.

I totally disagree with the lift in the current curfew as the current curfew is already unbearable most nights of the week. The customers at the Pullman pub are just too loud, loud shouting and laughing in big groups for hours.

Sleep is the most important attribute to one's health and longevity. I hope that the health of this community is put before the extra bonus profit of a business.

Your sincerely, Joseph.

Representation 6

I live at Church Street and my bedroom backs on to the garden of The Pullman.

I have seen that they have made a request to open the garden until midnight instead of closing it at 10pm. I would like to oppose this as it would be a great disturbance to myself and neighbours. It is already loud being open until 10pm and can only imagine midnight would be much louder as people drink more and get louder. I would be able to hear this and it would prevent me from getting to sleep. It's an anti-social request seeing as the pub is situated in such a residential area.

I hope the permission will not be granted.

Thank you,
Suzi Belton

Representation 7

I would like to submit my concerns re the Pullman opening hours application. I and many of the tenants at church street do not want the hours to be extended to midnight due to the amount of noise that already comes from the drinkers when they exit. I live next door and it can be problematic as it is.

Please let me know if you need anything more

With warm wishes and intention

Jordan Dixon

Representation 8

I live very close to the pub and hear the noise from the garden regularly. From my experience in the past year and half, the noise often goes on after 10PM, sometimes until midnight. I was surprised to learn from this application that they were supposed to close the garden at 10PM.

I am worried that if they extend the official garden opening hours, the noise level will get louder more often. As a resident, I would like the pub to keep the current opening hours and follow it more strictly.

Thank you,

Misato Takeda

Representation 9

I would like to make a representation to state objection to extend opening hours for Pullman Wine bar on 7-9 Church St, Folkestone.

The main reason is:

- Increased noise and disturbance of sleep of children and elderly person in the close neighbourhood of the pub
- The noise is in two areas: the streets around The Bayle as people passed by when leaving the pub and in the backyard area where our residential bedrooms are facing the outdoor garden of Pullman. The noise from the garden often echoes across the school playground towards the back of the houses.

Marketa Patelova

Representation 10

Environmental Health objects to the granting of this variation application under the grounds of preventing a public noise nuisance.

The condition to close the beer garden at 22:00hrs should remain in place. This is to protect the amenities of nearby residential premises.

Kind regards

Mr. Wai Tse

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This report will be made public on 4 November 2022



Report Number **DCL/22/44**

To: Licensing Sub-Committee
Date: 14 November 2022
Status: Non-Executive Decision
Head of service: Ewan Green

SUBJECT: An application to Vary the Premises Licence in respect of:
Martello Pub, Beach Bank, Dymchurch Road, Hythe, Kent, CT20 1SE

SUMMARY: This report outlines the application made by Beach Bank Caravan Park 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/22/44.
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 Beach Bank Caravan Park has held a licence with Folkestone & Hythe District Council since the Licensing Act 2003 came into effect in 2005.
- 1.3 The licence granted was for:
- **Supply of Alcohol on sales** – Monday-Saturday 10:00 – 23:00
Sunday 12:00 – 22:30
 - **Opening hours** – Monday-Saturday 10:00 – 23:00 Sunday 12:00 – 22:30
- 1.4 The current Premises Licence can be seen at Appendix 1.

2. APPLICATION

- 2.1 On the 7th September 2022 an application was received to vary the licence.
- 2.2 The variation is to extend the sale of alcohol, recorded music and opening hours:
- **Supply of Alcohol on sales** – Monday-Thursday 10:00 – 23:00
Friday-Saturday – 10.00 – 00:00, Sunday 12:00 – 22:30
 - **Opening hours** – Monday-Thursday 10:00 – 23:30 Friday-Saturday – 10.00 – 00:30, Sunday 12:00 – 23:00
 - **Recorded music** - Monday-Thursday 12:00 – 23:00 Friday-Saturday – 12.00 – 00:00, Sunday 12:00 – 22:30

The application to vary the premises licence can be seen at Appendix 2.

- 2.2. The Police asked for the Operating Schedule to be updated and the applicant has agreed to the proposal, this is included within the application form.

3. RELEVANT REPRESENTATIONS

- 3.1. This Hearing has been required by the Licensing Act 2003 because valid representations were received members 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

Following receiving a copy of the representations Mr Farmer sent the residents the following statement:

I would like to respond to the complaints raised against my caravan site.

I was unaware of any issues regarding noise from my site. When I was made aware of problems, I immediately made changes as I certainly do not want to cause public nuisance to my neighbours.

I have installed an awning which has dramatically cut down on the noise and I am installing a noise monitor in the bar so that noise limits are adhered too. I have also enforced strict timings on when the music must stop.

There is signage on the front of the site, stating that we are open to non-residents. we are on Facebook, have our own website promoting the pub, but most of all I have my personal reputation locally as a landlord for the past 31 years and might I add have never had to call on the police at any time. As to the pub offering no amenities to the local community, I think there is a misconception about my caravan site. This is a small family run business which I have been operating since 1991. I have families who live on the Martello estate who regularly use the pub. Indeed, it was one of the residents who showed me a what's app group which had been set up regarding complaints about my site and he thought I should be made aware of what was happening.

As to the site offering no amenities to the local community, I would strongly disagree. We had both a ladies and men's darts team in the local Hythe and district league, for over 20 years. The members have all been a mixture of onsite residents and people from the local community. This was of course all suspended during covid and this year we have had 2 local darts teams who play either on Tuesday or Thursday in the New Romney darts league, at present the team members all live locally off site. Pre covid the ladies Hythe and district darts league held a yearly charity event for the air ambulance, this was always held at my pub and raised over £14.000 for that charity. We also were members of the Hythe and district

pool league, and we actually won the 2nd division, 1st division and premier division titles. This was pre covid, but the team members were all local residents, not people from my site. We also held a yearly charity event with the darts league to raise funds for the lifeboat fund. We have also held individual charity events to raise money, one in particular was for a young local girl suffering from leukaemia. We held an event to raise money for the Palmarsh youth boxing club. I think this clearly shows that we are actually at the heart of this community and have been for many years.

We also have held, weddings, birthday parties, anniversaries and wakes too numerous to mention. The teachers from the Palmarsh primary school held their end of year celebration here. All of these are local community events which we have been participating in for over 30 years.

As for the Martell pub being out of character for the area. There has been a caravan park on this site since 1975, I became part owner in 1987 and took full ownership in 1991, when I then moved on site with my family. The site has always had a bar open to non-residents from when I became a partner. We have been here for over 30 years; we have not changed anything other than a recent, change of name from Beach bank to Martello pub. We thought this was appropriate in updating our image. Nothing else has changed, we are a small family run business, the average age of our onsite owners is 60. We attract older people, we have previously never had any issues with the council, neighbours, police or anyone else. It has come as a shock to me that this has happened.

The comment about the Prince of Wales pub, I don't really understand. It is a great pub but a good 10/15-minute walk from us but it does not appeal to my local regulars. People are entitled to a choice, as has been the case for the last 30 plus years.

The comment about someone not being able to sell their house, I would think is due to the economic climate at the moment. It may also be due to the noise from the military firing range which has been here for many years. As to the new owner comment, as previously stated, I have owned the site since 1991.

I think that due to covid, we were closed down for such a long period of time, it was very quiet everywhere. This is our first year of getting back to normal and we are doing nothing different now than we have for the past 30 years. We have 2 air bnb bungalows on site, they are adjacent to the bar and we have asked our guest if the noise is affecting them, the answer is no. The comment about someone shouting and swearing, we do not have young people on site, its predominantly older people. I would have been aware of this happening and would have put a stop to it, I have 3 young grandchildren living on the site, and I would not allow them or my daughter to be subjected to this kind of behaviour. Also, my own residents would not tolerate this kind of behaviour.

I am only applying for a 1-hour extension on Friday and Saturday night to bring me into line with other pubs in the area [the Prince of Wales] and to

accommodate my local regulars. I am willing to apply measure to counter the noise and adhere to strict opening times.

As I have previously stated I do not want to have issues with my neighbours and I am willing to make any improvements necessary.

I hope the above answers all of the issues raised,

*kindest regards
Tony*

2 representations were withdrawn.

The remaining representation can be found at Appendix 3.

4. OPTIONS

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

- a) Grant the application to vary the licence
- b) Grant the application with amendments
- c) Add conditions to the licence that are relevant to the variation
- 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. Representations

Premises Licence

Part A

Premises Licence Number: SHEP00277/05

Part 1 – Premise Details

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

Beach Bank Caravan Site
Dymchurch Road
Hythe
Kent
CT21 4NE

Telephone: 01303 239466

Folkestone & Hythe District
Council
Civic Centre, Castle Hill Avenue
Folkestone, Kent CT20 2QY

WHERE THE LICENCE IS TIME LIMITED THE DATES

START DATE: 24/11/2005

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Alcohol Sales On Premises Only

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

	Alcohol Sales On Premises Only
Monday	10:00 23:00
Tuesday	10:00 23:00
Wednesday	10:00 23:00
Thursday	10:00 23:00
Friday	10:00 23:00
Saturday	10:00 23:00
Sunday	12:00 22:30

THE OPENING HOURS OF THE PREMISES (IF GIVEN)

Monday	10:00 to 23:00
Tuesday	10:00 to 23:00
Wednesday	10:00 to 23:00
Thursday	10:00 to 23:00
Friday	10:00 to 23:00
Saturday	10:00 to 23:00
Sunday	12:00 to 22:30

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

ON & OFF

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

Beach Bank Caravan Site
Dymchurch Road
Hythe
Kent
CT21 4NE

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

N/A

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

Mrs Elaine Farmer
Beachbank Caravan Site
Dymchurch Road
Hythe
CT21 4NE

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

Folkestone & Hythe District Council – FHDC0360

Annex 1- Mandatory Conditions

A premises licence which authorises the supply of alcohol for consumption off the premises must include the following conditions.

The first condition is that the supply must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the premises licence, to members of the club for consumption on the premises.

Annex 2 - Conditions Consistent with the Operating Schedule

General - to meet all objectives

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

N/A

Annex 4 - Plans

As at application date held on file

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Folkestone & Hythe District Council

(Page 1 /22)

Details of the person applying to vary a premises licence under section 34 pf the licensing act 2003

Full name

Anthony Farmer

Email

[i.....@folkestone-hythe.gov.uk](mailto:Anthony.Farmer@folkestone-hythe.gov.uk)

Contact number0

Details of premises (Page 2 /22)

Premises licence number (If you don't know this reference number you can enter the premises details and search for it here)

LC202101-217

Postal address of premises or, if none, ordnance survey map reference or description

Beach Bank Caravan Park Dymchurch Road Hythe CT21 4NE

Variation (Page 3 /22)

Date on which you want the variation to take effect if approved

19/09/2022

Proposed variation (Page 4 /22)

Details of the proposed variation

Monday - Thursday 10.00 - 23.00 + 30mins Drinking up time. Friday - Saturday 10.00 - 24.00 + 30mins Drinking up time. Sunday 12.00 - 22.30 + 30mins Drinking up time.

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.

Folkestone & Hythe District Council

Operating schedule (Page 5 /22)

Select all options that would be subject to change if the application to vary is successful

Provision of regulated entertainment - please tick as appropriate

- **Recorded music**

.....

Recorded music - standard days and timings (Page 11 /22)

Where will the playing of recorded music take place

Both

	Start	Finish
Monday	12.00	23.00
Tuesday	12.00	23.00
Wednesday	12.00	23.00
Thursday	12:00	23:00
Friday	12.00	00.00
Saturday	12.00	00.00
Sunday	12.00	22.30

Details

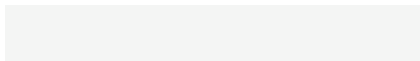
State any seasonal variations for the playing of recorded music

Enter details where you intend to use the premises for the playing of recorded music at different times from those listed above

(Page 16 /22)

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

None.



Hours premises are open to the public - standard days and timings (Page 17 /22)

	Start	Finish
Monday	10.00	23.30
Tuesday	10.00	23.30
Wednesday	10.00	23.30
Thursday	10:00	23:30
Friday	10.00	00.30
Saturday	10.00	00.30
Sunday	12.00	23.00

State any seasonal variations

Enter details where you intend to use the premises to be open to the public at different times from those listed above

(Page 18 /22)

Identify those conditions currently imposed on the certificate which you believe could be removed as a consequence of the proposed variation you are seeking

None

(Page 19 /22)

Upload the relevant documents

Are you able to upload a copy of the premises licence or relevant part of the licence?

No

Explain why you are not able to upload a copy of the premise licence or relevant part of the licence

Unable to find original licence, been informed by Mr John Bickel that you have the licence.

Describe any additional steps you intend to take to promote the four licensing objectives: (Page 20 /22)

General

1. Staff Training - Appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including: a. The responsible sale of alcohol. b. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification. c. The responsibility to refuse the sale of alcohol to any person who is drunk. d. Fire safety & emergency evacuation procedures All training will be recorded, and training records made available on request to an authorised officer of the Licensing Authority or the Police.

The prevention of crime and 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: Cover all entry points used by the public. Enable frontal identification of persons entering in any light condition. 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. Drugs Zero Tolerance Policy - A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced.

Public safety

Fire Safety - A fire risk assessment will be conducted and regularly reviewed. In-line with the Fire Risk Assessment: An integrated fire detection and alarm system is installed, checked, regularly tested and maintained by a competent person. Fire extinguishers are installed in accordance with the recommendations of the fire risk assessment. Emergency lighting is installed in accordance with the recommendations of the fire risk assessment. All emergency exits are marked on the premises plan. First Aid - Adequate & suitable first aid boxes will be maintained.

The prevention of public nuisance

Noise Limiting Device - Where the licensable activity of amplified live music or recorded music are taking place, a noise limiter shall be fitted to the musical amplification system and set at a predetermined level, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password and access shall only be by persons authorised by the Premises Licence holder. Noise Escape - Where amplified live music or recorded music is played windows and doors will be kept shut, except for entrance and egress, after 22.00 to avoid any public nuisance being caused. Noise Escape - No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. External Areas - No amplification system or speakers will be used externally, at the front of the premises. Smoking Area - Smokers shall be directed to smoke at the rear of the premises. Smoking Area Signage - A sign requesting customers to respect local residents and keep noise to a minimum, will be displayed in the designated Smoking Area. External Doors - All external doors to the premises will remain closed after 23.00 except for entrance and egress, to prevent noise escaping from the premises.

The protection of children from harm

Challenge 25 - A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol; signs to this effect will be displayed at the premises. The only

Folkestone & Hythe District Council

acceptable forms of identity will be those photographic identification documents recognised in the Home Office guidance, including passports, photo-card driving licence or proof of age card bearing a PASS hologram. Register of Refusals - A register of refusals book or electronic equivalent designed to record all refusals of sales of alcohol shall be maintained on the premises and made available to the police and local authority officers upon reasonable request.

Checklist / Declarations (Page 21 /22)

- I / We will send copies of this application and the plan to responsible authorities.
 - I / We understand that I must now advertise my application.
 - I / We 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. (Page 22 /22)

Name of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant, please state in which capacity

Full name Capacity
Anthony Farmer Proprietor

Date
19/08/22

Once you submit this form you will be able to make your payment. Please note that if no payment is made this request will not be processed.

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Representations

Representation 1

I am writing these comments for, and on behalf of my household sited immediately north of the site in question at Martello Lakes.

My comments are as follows:

- My household wish to object to the entirety of the contents contained within application **PR202208-81377** on the following grounds:

- I would bring to your attention the complaints that have previously been logged regarding the noise coming from the establishment outside of the current approved trading hours. Extending these hours will only exacerbate these current problems.

- The pub itself offers no local amenity for the wider community. There is little, if no, wayfinding signage to direct members of the public to the pub reinforcing that this facility offers no public benefit and is only to serve the on-site residents of the caravan site.

- The Martello Pub, as a use class, is entirely out of character with the surrounding environment that is predominantly family orientated residences.

- I would bring to your attention the locality of a well established pub 'The Prince of Wales' just a 10 minute walk east from the caravan site. Given the non-urban setting of this area of Hythe, a well established pub within a safe 10 minute walk would be deemed a rare luxury that should be utilised instead of extending a seemingly un-public and un-inviting secondary alcohol facility.

Kind Regards,

Aaron Bright

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Folkestone and Hythe District Council

**Licensing Sub-Committee
14 November 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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