



Agenda

Meeting: **Licensing Sub-Committee**
Date: **9 March 2022**
Time: **10.00 am**
Place: **Council Chamber - Civic Centre Folkestone**

To: **Councillors Philip Martin, Mrs Jenny Hollingsbee 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 at bit.ly/YouTubeMeetings. 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.

Although social distancing rules have been relaxed, for the safety of the public, elected members and staff, we will continue to seat members of the public approximately one metre apart. This means that there will be 13 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.

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. **10am - An application for a Premises Licence in respect of: Touchays, 124 High Street, Hythe, Kent, CT21 5LE (Pages 5 - 24)**

This report outlines the application made by Ms Clare Smith for an application for a Premises Licence for this premises. The Licensing Sub-Committee must determine the outcome for the application.

6. **11am - An application to Vary the Premises Licence in respect of: Folklore, 69 The Old High Street, Folkestone, Kent, CT20 1RN (Pages 25 - 98)**

This report outlines the application made by Mr David Boyd 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 1 March 2022



Report Number **DCL/21/51**

To: Licensing Sub-Committee
Date: 9 March 2022
Status: Non-Executive Decision
Head of service: Ewan Green

SUBJECT: An application for a Premises Licence in respect of: Touchays, 124 High Street, Hythe, Kent, CT21 5LE

SUMMARY: This report outlines the application made by Ms Clare Smith for an application for a 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 for a 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/21/51.
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 There is no previous history of a premises licence at this premises, it was previously a hairdressing salon.

2. APPLICATION

- 2.1 On the 18th November 2021, Ms Clare Smith submitted an application for a café/deli selling food and alcohol in the shop and also to customers in the dining area. The application is for Supply of Alcohol, On and Off Sales, Monday – Thursday 08:00-18.30, Friday & Saturday 08:00-22:30 and Sunday 10:00-18.00. The Opening Hours applied for are Monday – Thursday 07:30-19.00, Friday & Saturday 07.30-23:00 and Sunday 09.00-18.30. The application for the Premises Licence can be seen at Appendix 1.

3. RELEVANT REPRESENTATIONS

- 3.1. This Hearing has been required by the Licensing Act 2003 because valid representations were received from members of the public. No representations were received from Responsible Authorities.

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

Two representations from members of the public can be found at Appendix 2.

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. Application for a Premises Licence
- Appendix 2. Representations

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Folkestone & Hythe District Council

(Page 1 /20)

Your name

Clare Smith

Email

touchays@btinternet.com

(Page 2 /20)

Postal address of premises (inc postcode) or, if none, ordnance survey map reference or description

124 High Street Hythe Kent CT21 5LE

Telephone number at premises (if any)

07885806066

Premises band (check the Non domestic rateable value Main fee levels - GOV.UK . This will be used to calculate the correct fee)

B

Applicant details (Page 3 /20)

In what capacity are you applying for the premises licence?

as a limited company/limited liability partnership

Please confirm one of the following

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities

Details of applicant

Full name

Touchays Bespoke Ltd

Address (inc postcode)

2 Kings Court, Harwood Road, Horsham, West Sussex, United Kingdom, RH13 5UR

Registered number (where applicable)

11525825

Description of applicant (for example partnership, company, unincorporated association etc.)

limited company

Contact number

07885806066

Email

events@touchays.com

(Page 4 /20)

When do you want the premises licence to start?

01/01/2022

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

Please give a general description of the premises

A cafe/deli selling food and alcohol in the shop and also to customers dining in the cafe dining areas

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

(Page 5 /20)

Provision of regulated entertainment (tick all that apply)

Supply of alcohol (Page 15 /20)

Monday Start Monday Finish

08:00 18:30

Tuesday Start Tuesday Finish

08:00 18:30

Wednesday Start Wednesday Finish

08:00 18:30

Thursday Start Thursday Finish

08:00 18:30

Friday Start Friday Finish

08:00 22:30

Saturday Start Saturday Finish

08:00 22:30

Sunday Start Sunday Finish

10:00 18:00

Where will the supply of alcohol take place?

Both

Will the supply of alcohol be for consumption?

Both

Seasonal variations for the supply of alcohol

On Fridays and Saturdays we would like the deli to close at 18:30pm and then the cafe would remain open for evening dining only, last orders will be called at 10.30pm and the cafe will close at 11pm

Details of where you intend to use the premises for the supply of alcohol at different times to those listed

N/A

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor. (Page 16 /20)

Full name

Clare Smith

Date of birth

16/05/1970

Address (inc postcode)

43 Seabrook Road Hythe Kent CT21 5LX

Personal licence number (if known)

FHDC1192

Issuing licensing authority (if known)

FHDC

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

N/A

Hours premises are open to the public (Page 17 /20)

Monday Start Monday Finish

07:30 19:00

Tuesday Start Tuesday Finish

07:30 19:00

Wednesday Start Wednesday Finish

07:30 19:00

Thursday Start Thursday Finish

07:30 19:00

Friday Start Friday Finish
07:30 23:00

Saturday Start Saturday Finish
07:30 23:00

Sunday Start Sunday Finish
09:00 18:30

Any seasonal variations

Details of where you intend the premises to be open to the public at different times to those listed

Describe the steps you intend to take to promote the four licensing objectives (Page 18 /20)

General – all four licensing objectives

As the premises licence holder, shall ensure at all time, that there are sufficient and competent staff on duty for the purposes of fulfilling the terms and conditions of the licence. The team will undertake training to ensure all four licensing objectives are maintained and will keep records for this to ensure the safety of staff, customers and neighbours.

The prevention of crime and disorder

We will install CCTV coverage at the premises, sited to observe the entrance and exit doors of the premises and all main areas. Which will capture heads and shoulders of all people entering and exiting the premises. We will keep records for 28 days which will be available to the police and licensing officers on request if needed. There will always be a senior member of staff on duty when the premise is open. Challenge 25 policy will be in place and the team will be fully trained. Appropriate ID will be requested if in doubt of a persons age. Challenge 25 posters will be on display. A log will be in place if anyone has been refused sale of alcohol which can be made available to the police on request. There will be a zero tolerance of drugs on the premises and any issues will be reported to the police. Drug aware posters will be dispensed in the toilets. The opening and closing times will be displayed and followed by all team members. Intoxicated persons will be refused the sale of alcohol.

Public safety

CCTV will be in operation All entrances and exits will be kept hazard free and sufficiently lit. All staff will be trained in health and safety Intoxicated persons will be refused the sale of alcohol to prevent any ASB and public nuisance. The team will be fully trained to be able to turn these persons away.

The prevention of public nuisance

All customers will be asked to leave quietly and signage will reflect this. Noise levels will be kept to a minimum. The recorded music played will be back ground music only Intoxicated person will be refused the sale of alcohol to prevent ASB and public nuisance.

The protection of children from harm

Challenge 25 will be in place and all staff fully trained Approved ID will be requested in doubt of a persons age. Approved ID will be a photo ID. All staff will be trained regularly for underaged sales prevention regularly. Sent DPS consent form to Licensing@folkestone-hythe.gov.uk 161121 from events@touchays.com but also reattached too

Additional information (Page 19 /20)

Upload a plan of the premises

Plan-of-124-Highstreet-CT21-5LE.png

Upload the consent of individual to being specified as premises supervisor

Consent-to-be-Designated-Premise-Supervisor.doc

Upload the consent of individual to being specified as premises supervisor

Personal-licence-Clare-Smith.png

Upload proof of entitlement to work in the UK (see guidance notes on website)

Passport-Clare-Smith-.png

Declaration (Page 20 /20)

(Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership) I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

- The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15) .

- FHDC will send copies of this application and plan to responsible authorities and others where applicable, on my behalf.

I understand that I must advertise my application.

I understand that if I do not comply with the above requirements my application will be rejected.

- I am authorised to act on behalf of all applicants where there is more than one applicant.
-
-
-

Folkestone & Hythe District Council

Full name Date
Clare Smith 18/11/21

Capacity
Owner

**Consent of individual to being specified as premises
supervisor**

I
Clare Smith

[full name of prospective premises supervisor]

43 Seabrook Road, Hythe, Kent, CT215LX

[home address of prospective premises supervisor]

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

Premises Licence

[type of application]

by

Touchays Bespoke Ltd

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

Touchays Bespoke Limited, 124 High Street, Hythe, Kent, CT215LE

[name and address of premises to which the application relates]

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

Touchays Bespoke Ltd

[name of applicant]

concerning the supply of alcohol at

Touchays Bespoke Limited, 124 High Street, Hythe, Kent, CT215LE

[name and address of premises to which application relates]

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

Personal licence number

FHDC 1192

[insert personal licence number, if any]

Personal licence issuing authority

FOLKESTONE AND HYTHE DISTRICT COUNCIL

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

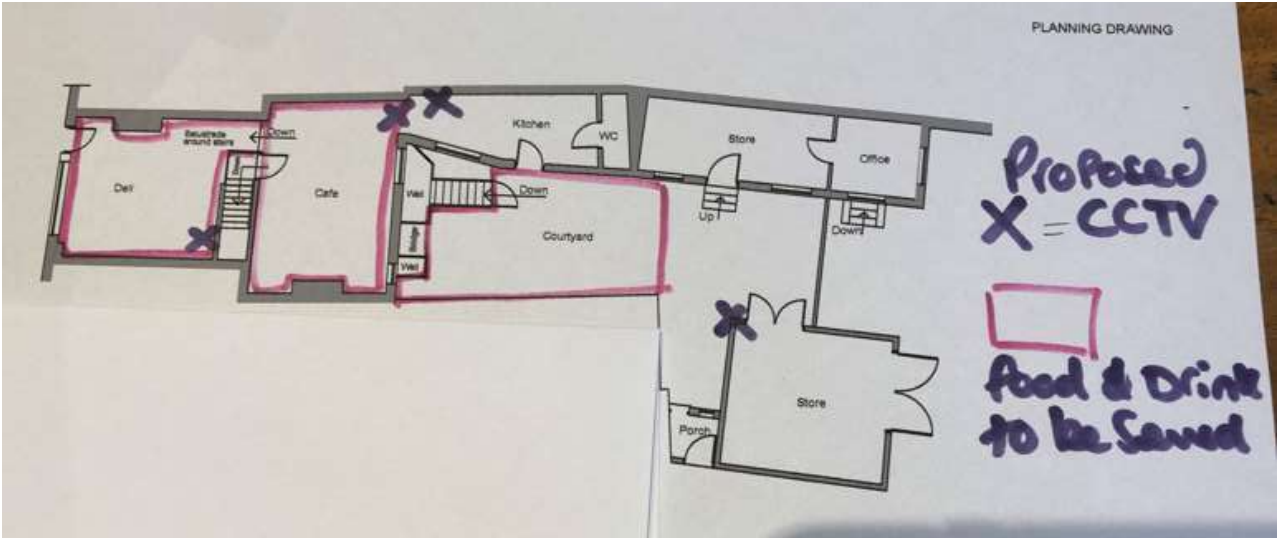
Clare Smith

Name (please print)

CLARE SMITH

Date

161121



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Representations

Representation 1

Dear Licensing Authority,

I would like to submit a representation against the notice of application for a premises licence for Touchays Bespoke Ltd, 124 High Street, Hythe, process number **PR202111-72406**.

It is the 12th year that our family have resided in the dwelling above 124 High Street, which I will refer to throughout this representation as 'the premises'. During this time the premises has always been a hairdressers. The hairdressers operated Mon-Sat, closing no later than 7.00pm on a Tuesday. Therefore, we have not previously been impacted by noise in the evenings from the premises below because they were never open.

It is my firm belief that the request to make 124 High Street a licensed premises and operating Friday and Saturday nights will undoubtedly impact on my family's quality of life. The application presents a public nuisance and I do not believe that the preventive measures outlined on the license application adequately address noise control. The property is a listed building. The property is single glazed and therefore does not afford protection against the anticipated increase in noise levels, especially in the evenings of Friday and Saturday nights, where it is proposed licensing hours until 10.30pm and closing of 11.00pm.

It is my understanding that as the premises is attached to a 'noise sensitive' dwelling, extra care needs to be taken to ensure excessive noise and vibration does not filter through the structure of the building.

The main concerns are as follows:

1. The noise of customers both inside and outside of the premises. On the license application it states that 'Noise levels will be kept to a minimum.' It does not propose how they will ensure this, I would like to see in more detail what considerations have been made to mitigate noise whilst customers are dining on the premises. How many covers will the Café/Deli seat at one time as this would have a direct impact on noise levels?
2. Where is the designated smoking area? If it's directly out front on the High Street, the customers are likely to congregate outside our front door. In addition to the noise, it also presents smoke pollution issues. Throughout the summer months, our windows are open, therefore not only will increased noise come directly into our living area but we will be exposed to smoke too. I have included a photo (Photo 1) to demonstrate how close our windows and our front door are to where customers are likely to gather. Unfortunately the same issues arise should customers use the courtyard out the back. My son's bedroom window is

directly above the courtyard and all of the surrounding properties are mainly residential.

3. The license application states that 'The recorded music played will be background music only'. What considerations have been given for parties or one off events? Customers may have an expectation to have the music played louder? Especially if it is a private party i.e. A wedding reception and the customer has secured the private use of the venue for their party.
4. The license application states that 'Intoxicated persons will be refused the sale of alcohol to prevent any ASB and public nuisance.' It is illegal to knowingly sell alcohol, or attempt to sell alcohol, to a person who is drunk so therefore shouldn't just be a consideration to avoid a ASB and public nuisance. Alcohol can inhibit behaviour and I have real concerns over how this will be addressed in reality, especially as we are the family living directly above the premises and wish to protect our children from harm.
5. The opening and closing of the entrance door. Every time the door opens and closes it is mostly slammed shut which rattles our living room windows and the vibrations can be felt throughout the dwelling.
6. Where is the kitchen situated and where will the ventilation/extractor be placed? This will not only expel odours of cooking smells but also sound? What considerations have been given in regards to this?
7. I have serious concerns about my family's safety in the event of a fire. Now a Café/Deli, the premises are at an increased risk of fire hazards, with ovens, grills and fryers. We live in a two storey dwelling directly above the property with no means to escape should we need to if our front door was compromised by a fire.
8. I am not satisfied that the license application has been shared widely amongst the residents in which it directly impacts on. We did not receive a copy of the notice of application until we raised the issue. A notice, without an envelope was then posted through our door on Saturday 22nd January, well over two weeks into the period of 28 consecutive days that we have to submit a representation.
9. In addition to this, the premises have a responsibility to display the license application prominently. I have included another photo (Photo 2) which I believe demonstrates that the license application is not displayed prominently.

I have also attached a PDF copy of the above letter for your attention.

Yours sincerely

JO PARTINGTON





Representation 2

Good afternoon

I am writing to outline my concerns over the application for the supply of alcohol on and off sales and the premises licence grant for

Touchays
124 High street
Hythe
CT21 5LE

PR202111-72406

I am strongly against this licence being granted.

I am a close resident and my property backs onto the premises and their outside space.

My children sleep at the back of my property and granting this licence will generate unwanted noise from customers consuming alcohol and using the outside space until late.

This is a very close knit residential area with small courtyards all backing onto each other and many properties having small children who go to bed early.

I only saw the planning by chance and I wasn't informed as a resident by letter or in person and I believe it isn't clearly outlined in the request how noise levels will be kept down along with no consideration for surrounding properties and neighbours .

Please accept my concerns

Thank you

Ms Lawrence

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This report will be made public on 1 March 2022



Report Number **DCL/21/52**

To: Licensing Sub-Committee
Date: 9 March 2022
Status: Non-Executive Decision
Head of service: Ewan Green

SUBJECT: An application to Vary the Premises Licence in respect of:
Folklore, 69 The Old High Street, Folkestone, Kent, CT20 1RN

SUMMARY: This report outlines the application made by Mr David Boyd 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/21/52.
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 2nd October 2019, Mr Boyd applied for a Premises Licence for the premises at 69 The Old High Street, Folkestone. The application went to a Hearing on the 25th November 2019 due to representations from Planning and a member of the public.

- 1.3 The application was for:

- **Films** - Monday and Tuesday 17:00 – 23:00 and Sunday 17:00 – 22:00
- **Live Music** – Thursday 18:00 – 22:00 and Sunday 13:00 – 22:00
- **Recorded Music** - Monday, Tuesday and Wednesday 08:00 – 23:00, Thursday 08:00 – 00:00, Friday and Saturday 08:00 – 01:00 and Sunday 08:00 – 22:00
- **Supply of Alcohol On and Off Sales** - Monday, Tuesday and Wednesday 12:00 – 23:00, Thursday 12:00 – 00:00, Friday and Saturday 12:00 – 01:00 and Sunday 12:00 – 22:00
- **Opening Hours** – Monday, Tuesday and Wednesday 08:00 – 23:30, Thursday 08:00 – 00:30, Friday and Saturday 08:00 – 01:30 and Sunday 09:00 – 22:30

The decision of the Licensing Sub Committee was:

That the application be granted, but with reduced hours, as shown below:

- **Films** - Monday and Tuesday 17:00 – 23:00 and Sunday 17:00 – 22:00
 - **Live Music** – Thursday 18:00 – 22:00 and Sunday 13:00 – 22:00
 - **Recorded Music** - Monday, Tuesday and Wednesday 08:00 – 23:00, Thursday 08:00 – 23:30, Friday and Saturday 08:00 – 00:00 and Sunday 08:00 – 22:00
 - **Supply of Alcohol On and Off Sales** - Monday, Tuesday and Wednesday 12:00 – 23:00, Thursday 12:00 – 23:00, Friday and Saturday 12:00 – 23:30 and Sunday 12:00 – 22:00
 - **Opening Hours** – Monday, Tuesday and Wednesday 08:00 – 23:30, Thursday 08:00 – 23:30, Friday and Saturday 08:00 – 00:00 and Sunday 09:00 – 22:30.
- 1.4 The current Premises Licence can be seen at Appendix 1.

2. APPLICATION

2.1 In the 8th January 2022 Mr Boyd submitted an application to Vary the licence to extend the opening hours, alcohol sales, live music and provision to play films. The application is for:

- **Films** - Monday - Thursday 18:00 – 23:00, Friday - 18:00-00:00 Saturday – 10:00-00:00 and Sunday 10:00 – 23:00
- **Live Music** – Monday – Friday 18:00 – 22:00, Saturday and Sunday 12:00 – 22:00
- **Recorded Music** – Monday – Thursday 08:00 – 23:30, Friday and Saturday 08:00 – 01:30 and Sunday 08:00 – 23:30
- **Supply of Alcohol On and Off Sales** – Monday - Thursday 12:00 – 23:30, Friday and Saturday 12:00 – 01:30 and Sunday 12:00 – 23:30
- **Opening Hours** – Monday - Thursday 08:00 – 00:00, Friday and Saturday 08:00 – 02:00 and Sunday 08:00 – 00:00.

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

In addition to the Operating Schedule measures Mr Boyd has highlighted to support the Licensing Objectives, he has signed up to FAPAC (Folkestone Area Partnership Against Crime), the Team Leaders are studying for the Licensing Course so they can gain a Personal Licence, with the aim that there will always be a personal licence holder at the premises during the evenings. He has also adopted a series of policies which 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 members of the public and from a Responsible Authority.

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

Nine representations from members of the public.

The representations can be found at Appendix 4.

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:

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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. Policies adopted

Appendix 4. Representations

Premise Licence

Part A

Premises Licence Number: SHEP00742/19

Part 1 – Premise Details

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

Folklore
69 The Old High Street
Folkestone
Kent
CT20 1RN

WHERE THE LICENCE IS TIME LIMITED THE DATES

START DATE: 02/01/2020 (grant) 16/12/20 (minor variation)

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Premise Opening Hours
Alcohol Sales On & Off
Recorded Music
Live Music
Films

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

	Alcohol On & Off Sales Only	Recorded Music	Live Music	Films
Monday	12:00 23:00	08:00 23:00		17:00 23:00
Tuesday	12:00 23:00	08:00 23:00		17:00 23:00
Wednesday	12:00 23:00	08:00 23:00		
Thursday	12:00 23:00	08:00 23:30	18:00 22:00	
Friday	12:00 23:30	08:00 00:00		
Saturday	12:00 23:30	08:00 00:00		
Sunday	12:00 22:00	09:00 22:00	13:00 22:00	17:00 22:00

NON_STANDARD TIMES (IF ANY)

THE OPENING HOURS OF THE PREMISES (IF GIVEN)

Monday 08:00 23:30
Tuesday 08:00 23:30
Wednesday 08:00 23:30
Thursday 08:00 23:30
Friday 08:00 00:00
Saturday 08:00 00:00
Sunday 09:00 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

The Peoples Cafe Folkestone Ltd
Flat 2
6 Millfield
Folkestone
Kent
CT20 1EU

Telephone: 07530183202

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

11591251

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

Mr David Hamilton Boyd

Flat 2

6 Millfield

Folkestone

Kent

CT20 1EU

Telephone: 07530 183202

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: Camden Council

PERSONAL LICENCE NUMBER: PERS-LIC/1744

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

General - To meet all Licensing Objectives

In order to promote all of the licensing objectives we will carry out training with all staff during their induction and at monthly meetings in order to maintain a high level of awareness and keep up with changes that may occur locally and within the premises themselves. We will join the local pub watch group to keep up to date with local issues. Regular risk assessments will be carried out, and door supervisors will be employed if deemed necessary. Our managers which will always be on site during trading hours, will all be trained in first aid trained and be personal license holders.

The Prevention of Crime & Disorder

Door Supervisors: The premises will complete a risk assessment on a regular basis and when appropriate will employ SIA registered door supervisors from 20:00 - 00:00 on Friday and/or Saturday Nights. The risk assessments will be made available to licensing officers. If a risk assessment concludes a door supervisor necessary, it would be to:- Prevent the admission and ensure the departure from the premises of drunk and disorderly persons, without causing further disorder

- Keep out excluded individuals (subject to court or pun watch bans)
- Search and exclude persons suspected of carrying illegal drugs or offensive weapons
- Maintain an orderly queue outside the venue
- I will ensure that any door supervisors used are registered by the security industry authority.

CCTV: I will install CCTV equipment inside/outside the premises and ensure that it is maintained in working order. I will set CCTV equipment to record 24 hours a day. I will ensure that copies of all camera footage are retained for at least 28 days and are produced to an authorised officer on demand. I will put up notices advising that CCTV has been installed on the premises so that they are clearly visible to the public within the licensed premise.

Bottles and glass: Where glass bottles are used, they will be retained or disposed of on the premises. I will ensure that the consumption of alcohol is restricted to the areas identified on the plan attached to the operating schedule. Glasses will not be allowed in the smoking area after 10pm on Friday and Saturdays, when appropriate, this will be monitored by door supervisors. At all other times the bar staff and managers will regularly check the smoking area and clear empty glassware. ID Checks: I will ensure that any person selling or supplying alcoholic drink under the authority of a personal licence holder asks for a photo ID proof of age where they have reason to suspect that the individual may be underage challenge 25 policy will be in place and all staff will be trained on this policy. We will also keep and maintain a refusal logbook. Prohibited Substances: I will implement a policy agreed by the police and local authority (for more information on this you can refer to the "Safer Clubbing Guide"). I will ensure that a secure deposit box is kept on the premises for the retention of confiscated items and ensure that the Police are advised of any items which require safe disposal. Notices: I will display any conditions of entry to the premises in the vicinity of any entrance to the premises. Crime Prevention Scheme: I shall participate in the local pub watch scheme operating in the district.

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

Public Safety

Escape Routes:

I will make sure that escape routes and exits, including external exits, are maintained to ensure that they are not obstructed, in good order with non-slippery and event surfaces, free of trip hazards and clearly identified. I will make sure that where chairs and tables are provided, internal gangways are kept unobstructed. I will make sure that all exit doors are easily openable and do not require the use of a key, card, code or similar means. I will make sure that doors at such exits are regularly checked to ensure that they function satisfactorily, and a record of the check is kept. I will make sure that any removable security fastenings are removed whenever the premises are open to the public or occupied by staff. I will make sure that all fire doors are maintained effectively self-closing and not held open other than by approved devices (for example, electromagnetic releases operated by smoke detectors). I will make sure that fire resisting doors to ducts, service shafts, and cupboards are kept locked shut. I will make sure that the edges of the threads of steps and stairways are maintained so as to be conspicuous. Fire: I will make sure that furnishings, hanging, curtains and temporary decorations are maintained in a flame-retardant condition. I will make sure that hangings, curtains and temporary decorations are arranged so as not to obstruct exits, fire safety signs or fire-fighting equipment. I will make sure that notices detailing the action to be taken in the event of fire or other emergencies, including how the brigade should be summoned, are prominently displayed and protected from damage and deterioration. The fire brigade will be called at once to any outbreak of fire, however slight, and the details recorded in a Fire log book. I will make sure that when disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency, and that patrons are made aware of these arrangements. First Aid: I will make sure that adequate and appropriate supply of first aid equipment and materials is available on the premises. I will make sure that at least one trained first-aider will be on duty when the public are present. Lighting: In the absence of adequate daylight, I will make sure that the lighting in any area accessible to the public is fully operational. I will make sure that fire safety signs are adequately illuminated. I will not alter emergency lighting without prior notification to the licensing authority. Safety Certification: I will make sure that the following systems are maintained and inspected by suitably qualified professional persons in accordance with any British Standards and at intervals recommended in national guidance, and will keep the records of such inspections available for inspections by authorised officers on request:

- Building Electrical Installation - Emergency Lighting System - Fire Warning System - Gas Boiler - Oil Fired Boiler or appliance - Suspended Ceilings - Portable Firefighting Equipment - Temporary Electrical Installation

Public Liability Insurance: I will make sure that I have valid public liability insurance in force and that a copy of the schedule is available for inspection by an authorised officer on request. Alterations to the premises: I will not alter the

premises in such a way as to make it impossible to comply with licence condition, without first seeking a variation of the premises licence.

The Prevention of Public Nuisance

Noise: I will make sure that noise or vibration is not noticeable at the façade of any noise sensitive premises. I will display prominent, clear and legible notices at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly. I will make sure that the placing of bottles into receptacles outside the premises takes place at times that will minimise disturbance to nearby properties. I will not permit the playing of live or recorded music in outside area. I will make sure that any request by an authorised officer of the council in relation to reducing noise levels is complied with. I will ensure that any ventilation system has suitable sound attenuation.

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

Litter: I will provide adequate and suitable (lidded) receptacles to receive and store refuse from the premises. I will make sure that receptacles for storage are maintained in a clean condition. I will make sure that litter is regularly cleared from the vicinity of the premises. We will have a licensed and registered commercial waste company to remove all our waste materials and refuse.

The Protection of Children from Harm

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

Film Screenings: I will not exhibit any film unless:

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

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

I will make sure that, immediately before each exhibition of a film classified by the BBFC, there is a reproduction of the certificate of the board for at least five seconds so as to be easily read by all persons in the auditorium or, as regards a trailer advertising a film, a statement approved by the board indicating the classification of that film. Where the licensing authority has made a recommendation on the restriction of admission of children to a film, I will make sure that notices are displayed both inside and outside the premises so that persons are aware of this classification.

Where the admission to film performances is restricted by age, I will display a notice to the effect - 'Persons under the age of (insert appropriate age) cannot be admitted to any part of the programme. Where the films of different categories form part of the same programme, the notice shall refer to the oldest age restriction. Access to Children: I will not permit children under the age of 18 to access the premises after 20:00 every day of the week, before this time they must be accompanied by an adult.

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

Licensing Committee Hearing date: 25/11/2019

Notice of Determination: 25/11/19

Decision:

The Committee have agreed to grant the premise licence as follows:

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

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

Recorded Music - Monday, Tuesday and Wednesday 08:00 – 23:00, Thursday 08:00 – 23:30, Friday and Saturday 08:00 – 00:00 and Sunday 09:00 – 22:00

Supply of Alcohol On and Off Sales - Monday, Tuesday and Wednesday 12:00 – 23:00, Thursday 12:00 – 23:00, Friday and Saturday 12:00 – 23:30 and Sunday 12:00 – 22:00

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

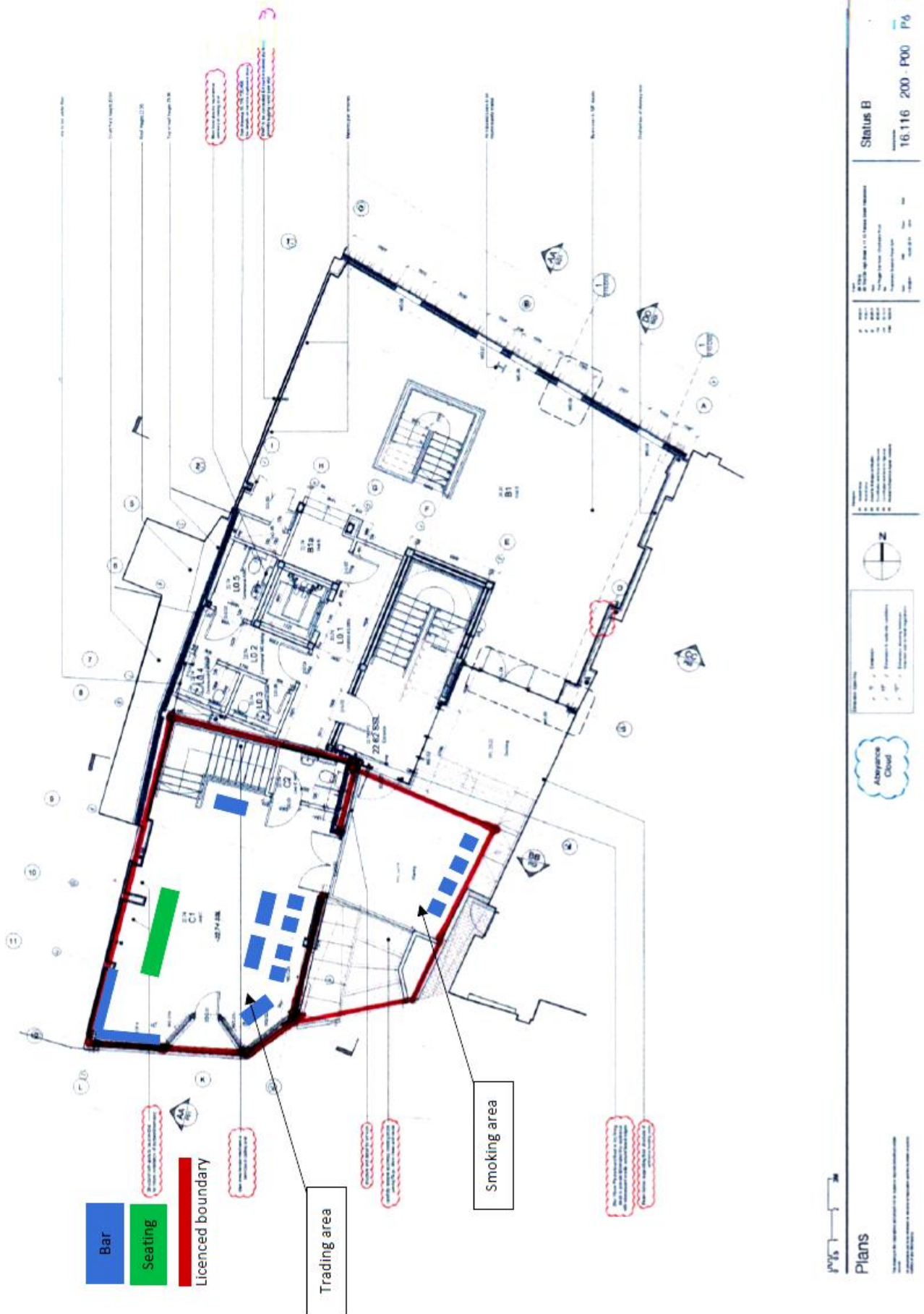
Reason:

This decision is based on the following licensing objectives:

- The prevention of crime and disorder
- The prevention of public nuisance

Annex 4 - Plans

Date: 01/10/2019 / as at application date held on licence



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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 David Boyd

(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

SHEP00742/19

Part 1 – Premises Details

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

Folklore
 69 The Old High St

Post town	Folkstone	Postcode	CT20 1RN
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Telephone number at premises (if any)	
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Non-domestic rateable value of premises	£TBC
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Part 2 – Applicant details

Daytime contact telephone number	07530183202		
E-mail address (optional)	accounts@folklorect20.com		
Current postal address if different from premises address	32a guildhall st		
Post town	Folkstone	Postcode	CT20 1DZ

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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

I wish to extend our opening hours and hours of service, I also want to add the provision for live music every night as well as the provision to play movies every night.

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 type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | x |
| 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) | x |
| f) recorded music (if ticking yes, fill in box F) | x |
| 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) x

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

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 (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> Performance of films for movie events and also just as background with and without sound					
Mon	18:00	23:00						
Tue	18:00	23:00						
Wed	18:00	23:00				<u>State any seasonal variations for the exhibition of films (please read guidance note 4)</u>		
Thur	18:00	23:00						
Fri	18:00	00:00				<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 (please read guidance note 5)</u>		
Sat	10:00	00:00						
Sun	10:00	23:00						

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			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
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)			Will the performance of live music take place <u>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			
Mon	18:00	22:00	Please give further details here (please read guidance note 3) Acoustic music, occasionally amplified but no drums.		
Tue	18:00	22:00			
			We don't intend to have music every day but want the flexibility to have ad hock events throughout the year		
Wed	18:00	22:00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	18:00	22:00			
			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	18:00	22:00			
Sat	12:00	22:00			
Sun	12:00	22:00			

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	x
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u> Background music and also DJs playing at background levels, we do not have a dance floor and offer only table service		
Mon	08:00	23:30			
Tue	08:00	23:30	<u>State any seasonal variations for the playing of recorded music (please read guidance note 4)</u>		
Wed	08:00	23:30			
Thur	08:00	23:30			
Fri	08:00	01:30			
Sat	08:00	01:30			
Sun	08:00	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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
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)			<u>Will the provision of late night refreshment 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					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

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	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	12:00	23:30						
Tue	12:00	23:30						
Wed	12:00	23:30						
Thur	12:00	23:30				Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	12:00	01:30						
Sat	12:00	01:30						
Sun	12:00	23:30						

K

<p>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).</p>

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	00:00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Tue	08:00	00:00	
Wed	08:00	00:00	
Thur	08:00	00:00	
Fri	08:00	02:00	
Sat	08:00	02:00	
Sun	08:00	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.

lease tick as appropriate

- I have enclosed the premises licence x
- 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)

General - To meet all Licensing Objectives

In order to promote all of the licensing objectives we will carry out training with all staff during their induction and at monthly meetings in order to maintain a high level of awareness and keep up with changes that may occur locally and within the premises themselves. We will join the local pub watch group to keep up to date with local issues. Regular risk assessments will be carried out, and door supervisors will be employed if deemed necessary. Our managers which will always be on site during trading hours, will all be trained in first aid trained.

b) The prevention of crime and disorder

The Prevention of Crime & Disorder

Door Supervisors: The premises will complete a risk assessment on a regular basis and when appropriate will employ SIA registered door supervisors from 21:00 - 02:00 on Friday and/or Saturday Nights. The risk assessments will be made available to licensing officers. If a risk assessment concludes a door supervisor necessary, it would be to;- Prevent the admission and ensure the departure from the premises of drunk and disorderly persons, without causing further disorder

- Keep out excluded individuals (subject to court or pun watch bans)
- Search and exclude persons suspected of carrying illegal drugs or offensive weapons
- Maintain an orderly queue outside the venue
- I will ensure that any door supervisors used are registered by the security industry authority.

CCTV: I will install CCTV equipment inside/outside the premises and ensure that it is maintained in working order. I will set CCTV equipment to record 24 hours a day. I will ensure that copies of all camera footage are retained for at least 28 days and are produced to an authorised officer on demand. I will put up notices advising that CCTV has been installed on the premises so that they are clearly visible to the public within the licensed premise.

Glasses will not be allowed in the smoking area after 10pm on Friday and Saturdays, when appropriate, this will be monitored by door supervisors. At all other times the bar staff and managers will regularly check the smoking area and clear empty glassware. ID Checks: I will ensure that any person selling or supplying alcoholic drink under the authority of a personal licence holder asks for a photo ID proof of age where they have reason to suspect that the individual may be underage challenge 25 policy will be in place and all staff will be trained on this policy. We will also keep and maintain a refusal logbook. Prohibited Substances: I will implement a policy agreed by the police and local authority (for more information on this you can refer to the "Safer Clubbing Guide). I will ensure that a secure deposit box is kept on the premises for the retention of confiscated items and ensure that the Police are advised of any items which require safe disposal. Notices: I will display any conditions of entry to the premises in the vicinity of any entrance to the premises.

Crime Prevention Scheme: I shall participate in the local pub watch scheme operating in the district.

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

c) Public safety

I will make sure that escape routes and exits, including external exits, are maintained to ensure that they are not obstructed, in good order with non-slippery and event surfaces, free of trip hazards and clearly identified. I will make sure that where chairs and tables are provided, internal gangways are kept unobstructed. I will make sure that all exit doors are easily openable and do not require the use of a key, card, code or similar means. I will make sure that doors at such exits are regularly checked to ensure that they function satisfactorily, and a record of the check is kept. I will make sure that any removable security fastenings are removed whenever the premises are open to the public or occupied by staff. I will make sure that all fire doors are maintained effectively self-closing and not held open other than by approved devices (for

example, electromagnetic releases operated by smoke detectors). I will make sure that fire resisting doors to ducts, service shafts, and cupboards are kept locked shut. I will make sure that the edges of the threads of steps and stairways are maintained so as to be conspicuous. Fire: I will make sure that furnishings, hanging, curtains and temporary decorations are maintained in a flame-retardant condition. I will make sure that hangings, curtains and temporary decorations are arranged so as not to obstruct exits, fire safety signs or fire-fighting equipment. I will make sure that notices detailing the action to be taken in the event of fire or other emergencies, including how the brigade should be summoned, are prominently displayed and protected from damage and deterioration. The fire brigade will be called at once to any outbreak of fire, however slight, and the details recorded in a Fire log book. I will make sure that when disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency, and that patrons are made aware of these arrangements. First Aid: I will make sure that adequate and appropriate supply of first aid equipment and materials is available on the premises. I will make sure that at least one trained first-aider will be on duty when the public are present. Lighting: In the absence of adequate daylight, I will make sure that the lighting in any area accessible to the public is fully operational. I will make sure that fire safety signs are adequately illuminated. I will not alter emergency lighting without prior notification to the licensing authority. Safety Certification: I will make sure that the following systems are maintained and inspected by suitably qualified professional persons in accordance with any British Standards and at intervals recommended in national guidance, and will keep the records of such inspections available for inspections by authorised officers on request:

- Building Electrical Installation - Emergency Lighting System - Fire Warning System - Gas Boiler
- Oil Fired Boiler or appliance - Suspended Ceilings - Portable Firefighting Equipment - Temporary Electrical Installation

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

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

d) The prevention of public nuisance

The Prevention of Public Nuisance

Noise: I will make sure that noise or vibration is not noticeable at the façade of any noise sensitive premises. I will display prominent, clear and legible notices at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly. I will make sure that the placing of bottles into receptacles outside the premises takes place at times that will minimise disturbance to nearby properties. I will not permit the playing of live or recorded music in outside area. I will make sure that any request by an authorised officer of the council in relation to reducing noise levels is complied with. I will ensure that any ventilation system has suitable sound attenuation. Lighting: I will ensure that flashing or particularly bright lights on or outside the licensed premises do not cause a nuisance to nearby properties, whilst balancing the need for lighting in the interest of prevention of crime and disorder.

Litter: I will provide adequate and suitable (lidded) receptacles to receive and store refuse from the premises. I will make sure that receptacles for storage are maintained in a clean condition. I will make sure that litter is regularly cleared from the vicinity of the premises. We will have a licensed and registered commercial waste company to remove all our waste materials and refuse.

e) The protection of children from harm

The Protection of Children from Harm

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

Film Screenings: I will not exhibit any film unless:

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

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

I will make sure that, immediately before each exhibition of a film classified by the BBFC, there is a reproduction of the certificate of the board for at least five seconds so as to be easily read by all

persons in the auditorium or, as regards a trailer advertising a film, a statement approved by the board indicating the classification of that film. Where the licensing authority has made a recommendation on the restriction of admission of children to a film, I will make sure that notices are displayed both inside and outside the premises so that persons are aware of this classification.

Where the admission to film performances is restricted by age, I will display a notice to the effect - 'Persons under the age of (insert appropriate age) cannot be admitted to any part of the programme. Where the films of different categories form part of the same programme, the notice shall refer to the oldest age restriction. Access to Children: I will not permit children under the age of 18 to access the premises after 20:00 every day of the week, before this time they must be accompanied by an adult.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have 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	<i>D.Boyd</i>
Date	08.01.2020
Capacity	Director

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)

David Hamilton Boyd
32a Guildhall st

Post town	Folklore	Post code	CT20 1RN
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Telephone number (if any)	07530183202
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional) accounts@folklorect20.com
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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.



Counter Terrorism/ Suspect packages policy



Date Created:

Date of last review: 01.02.2022

Expected Standards

There are 4 licensing objectives of equal importance:

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

Terrorist attacks in the UK are a real and serious danger; it is possible that your premises could be involved in a terrorist incident.

Basic Good Housekeeping reduces the opportunity for placing suspect packages and helps to deal with false alarms and hoaxes.

All staff must be vigilant and consider the following:

- ☒ Searching and checking the premises (inside and out) before, during and after opening hours for anything that looks out of place
- ☒ Remaining vigilant during opening hours.
- ☒ Ensure all emergency exits are secured when not in use, in order to prevent unauthorised entry.

Management must ensure that evacuation responsibilities and roles are clearly communicated to all staff.

- Routes and exits must be well defined and evacuation plans exercised regularly.
- It may be safer to stay inside the building if the threat is outside.
- Consider the possibility of a multiple attack and the need to move people away from other areas of potential danger, which may include glazing.
- CCTV can help clarify if a security alert is real and is often vital in any post-incident investigation.

Reporting suspicious activity is vital in the effort to combat terrorism

If you have suspicions about somebody's activities or behaviour, call the Anti-Terrorist hotline on 0800 789 321.

If you have information that requires an urgent or immediate police response, always dial 999.

<https://www.gov.uk/government/publications/crowded-places-guidance>

Please sign this document to acknowledge that you have understood your responsibilities in regards to Counter Terrorism and Suspect packages.

Date:

Trainee's Name:

Trainee's Signature:

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Crime and Disorder Policy



Date Created:

Date of last review: 01.02.2022



Expected Standards

There are 4 licensing objectives of equal importance:

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

It is our legal obligation to ensure that we **prevent crime and disorder** on our premises. As a business we value our reputation, care for our clients and staff, want to work in partnership with the statutory authorities and are committed to trading within the law while maintaining the highest possible ethical standards in all our business activities.

We expect all of our team to work with us to commit to running a venue that is free from crime and disorder. This policy is intended to guide you through the process and should be implemented in conjunction with all other policies.

What to look out for

Crime and Disorder can come in many formats we as a venue have designed out crime by providing CCTV, training, security staff when deemed necessary, venue design and layout. However, despite our best efforts sometimes criminals can target our buildings, staff and customers and we need to be aware and take actions to combat this. **Is it all of our responsibilities to look out for situations that could facilitate crime such as:**

- Inadequate security provisions that could facilitate crime
- Poor design and layout resulting in hidden crime in the building
- Specific events that targeted by criminals
- Overcrowding
- Drunk, Intoxicated, or drugged customers
- Banned persons

Examples of criminal activity include:

- Theft
- Criminal damage
- Drugs use and Drug Dealing
- Selling stolen goods
- Conflict and Violence or aggression
- Weapons
- Anti-social behaviour
- Sale of fake goods or tickets
- Fake/counterfeit money

- Underage drinking
- Fraudulent use of cards or cash
- Sexual harassment

Staff procedure and responsibilities.

It is all our responsibilities to take a proactive approach to preventing and managing crime and disorder, we have taken the following steps which you must familiarise yourself with;

1. Created policies and procedures for all the major crime and disorder types
2. Created an operating schedule
3. Checked the layout of the premises against secure by design principles to minimise the potential for crime and disorder
4. Installed, monitored and maintained high quality CCTV
5. Briefed staff and door staff on their responsibilities and how to resolve issues relating to crime and disorder
6. Recruit only SIA approved door and security staff
7. Work in partnership with responsible authorities to deal with area and venue specific crime and disorder types, best practise schemes such as Pubwatch and Best Bar None, have and use a radio.
8. Train our staff on industry recognised courses personal licences and emergency aid for our team leaders.
9. Wearing Uniforms that are highly visible so that customers can easily find staff
10. Keeping an incident, refusals and accident book
11. Adhere to venue specific and locally managed Banning systems and procedures with our local pub watch group.
12. Reward/ praise staff if they turn away underage or intoxicated people
13. Swabbing toilets for drugs every month to ensure that our toilets are not being used for use of recreational drugs recorded in the incident book.

Please sign this document to acknowledge that you have understood your responsibilities in regards to our search policy.

Trainee's Name:

Trainee's Signature:

Date:



Dispersal policy



Date Created:

Date of last review: 01.02.2022

Expected Standards

There are 4 licensing objectives of equal importance:

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

It is our legal obligation to ensure that we prevent crime and disorder and public nuisance on our premises and as people are leaving our premises. As a business we value our reputation, want to have good relationships with our neighbours, care for our clients, want to work in partnership with the statutory authorities and are committed to trading within the law while maintaining the highest possible ethical standards in all our business activities.

We expect all of our team to work with us to commit to running a venue that is orderly, peaceful and free from crime, disorder and nuisance. This policy is intended to guide you through the process. This policy should be implemented in conjunction with all other policies.

Staff procedure and responsibilities;

The following steps should be taken to disperse customers:

- As soon as last orders are called;
 - a staff member should visit each group or individual in the premises advising them in a friendly manner that the premises are now closed, thank them for their custom and advise them that they should start to drink up.
 - music levels should be slowly reduced to a minimum and low volume calming relaxing music put on
 - Lighting levels will be slowly increased
 - Staffing levels at service points may be reduced and staff redirected to other duties such as customer dispersal, glass collection and monitoring outside spaces
 - Empty glasses should be collected from each table
 - Windows and entrance doors should kept closed to ensure neighbours are not disturbed.
- Floor staff and door staff should be tasked with remaining both inside and outside the premises and ask customers who are leaving to do so:
 - Quietly
 - With no open drinks
 - And to move away from the premises as quickly and orderly as possible
- A limited period of 'drinking-up' time will assist with the gradual dispersal of all customers at the end of the evening. In England and Wales there is no statutory drinking up time but our internal policy is 30 minutes after last orders.

- Appropriate signage is placed at all exit doors asking customers to respect our neighbours/leave quietly if this is damaged or missing this must be reported to a supervisor or manager.
- Appropriate signage is placed at side doors reminding customers not to take any drinks/glasses/bottles out of the premises after 10pm. If this is damaged or missing this must be reported to a supervisor or manager.
- There should be visible management and staff presence in the customer areas during closing time to ensure all customers leave quietly, orderly, and quickly.
- We can provide appropriate information to customers who require a taxi our preferred supplier is JJ's Taxi. All staff will know the locations of the nearest Taxi Rank on Tontine Street.

Please sign this document to acknowledge that you have understood this policy and what you are required to do.

Trainer's Name:

Trainer's Signature:

Trainee's Name:

Trainee's Signature:

Date:



Drunkenness and disorderly behaviour policy



Date Created:

Date of last review: 01.02.2022

Expected Standards

There are 4 licensing objectives of equal importance:

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

It is against the law to knowingly sell alcohol to someone who is drunk or appears to be drunk. It is also an offence to knowingly buy, or obtain alcohol for a drunken person on licensed premises e.g. a bar, restaurant, pub or nightclub.

It is also against the law to allow people to behave in a disorderly way whilst inside our premises or on the grounds of our premises.

Section 143 Licensing Act 2003 makes it an offence for someone who is either drunk **or** disorderly, if they fail to leave the premises when requested to do so by staff or Police

Folklore takes our legal responsibilities to sell alcohol responsibly very seriously and we expect staff to take this very seriously too. If you do sell alcohol to someone who is drunk or disorderly or disorder breaks out on our premises due to drunkenness, you could be prosecuted and fined. There is a fixed fine of £1000 for the person who sold the alcohol to a drunk person. If you are a Personal Licence Holder you could face a criminal prosecution and your Personal Licence is also at risk. Furthermore, your Manager or Owner could also face prosecution and possibly lose their licence as a result of your actions.

We are in the business of selling alcohol, but we need to ensure that our customers enjoy using our facilities without behaving in a way that is offensive to others or that breaks the law.

Therefore, it is important that you know how to deal with drunkenness and disorderly behaviour if it should arise.

What to look out for:

- Disruptive behaviour
- Raised voices and arguments
- Customers buying drinks or shots in quick succession
- One or more people playing to a crowd
- People being held up by their friends
- Glazed eyes
- Stumbling
- Slurred words
- Vomit in the toilets

At the other extreme, intoxicated persons can often be quiet or simply asleep. Keeping an eye on each of your customers will help you to identify potential problems early before they get out of control.

Our specific internal standards

- We try to create a positive friendly welcoming and inclusive environment
- We train all our staff to ensure that they can serve customers as quickly and professionally as possible
- We don't offer any 2 4 1 deals or multiple drink discounts, we also have no shooter menu
- Water is served to every customer as standard and is topped up throughout their stay with us
- We don't have a dance floor, we don't encourage rowdy behaviour and set a relaxed calm environment. Dancing on chairs or tables is never tolerated
- Vaping and smoking is not permitted within the premise
- Guests are not to take any drinks outside after 10pm
- All floor staff are trained and briefed in the environment we aim to create and report back to team leaders if in doubt

When to step in and what to do

Service should be refused to any customer who is or appears to be:

- drunk
- or any customer who is trying to buy a drink for someone who is or appears to be drunk
- or any customer(s) who are acting in a disorderly fashion that is related to drunkenness

It is generally better to intervene too early rather than too late. Steps should be as follows:

1. A quiet word with a problem customer(s) or group can often resolve the situation before an offence is committed.
If you think someone is drunk;
 - a. politely refuse them explaining that it is company policy not to serve to people who may have had too much to drink, but you would happily provide them with a soft drink, tea, coffee or water.
 - b. If you think someone in a group of people is drunk politely refuse them explaining that it is company policy not to serve to people who may have had too much to drink, but you would happily provide them with a soft drink, tea, coffee or water. The reason for this is because they may give the drunk person alcohol that they have bought. If they don't listen to you or you feel uncomfortable dealing with a situation then:
2. Escalate to team leader of door staff. Be polite but firm with the problem customer.
 - a. Do not serve them any more alcohol
 - b. If they are in a group, advise the group of your decision, and let them know that you can't serve them.
 - c. If the customer is aggressive, do not get aggressive back or say or do anything to worsen the situation, calmly explain that it is company policy and inform them that they will need to leave.
3. If it escalates beyond your capabilities, then you should escalate to the door security team or team leader who should ask and supervise the person or group to leave the premises.

4. Calling the police should be a last resort, but if necessary, appropriate and you have exhausted all other means to control the situation you must call the Police.

Refusal logbook

Remember to log the refusal in the refusals book. The log is kept behind the bar you must log the date and time, which product was refused, why you refused the sale plus any other details that may be useful to others in future such as a description of the person(s).

Please sign this document to acknowledge that you have understood your responsibilities in regards to drunk and disorderly customers

Trainer's Name: David Boyd

Trainer's Signature:

Trainee's Name:

Trainee's Signature:

Date: ...01.02.2022.....

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Glass collection Policy



Date Created:

Date of last review: 01.02.22

Our focus is to provide a safe and enjoyable environment for all users -it is every member of staffs responsibility to ensure that there is a minimum risk to both fellow staff and customers -all members of staff are to proactively collect glasses.

We wish to cut down on any chance of broken glass by maintaining due vigilance and clearing all bottles, glasses and mugs on a regular basis from the bar, toilet areas and other external areas of the building and its premises.

Any unattended drinking vessels must be collected as soon as possible to avoid the risk of injuries or drink spiking.

When collecting bottles, we will place them carefully into a glass bin to avoid any undue noise and risk of broken glass.

Bottle bins will be emptied on a regular basis before they are completely full and overflowing.

When walking the floor, all staff will look for any hazard that could constitute a risk to fellow staff or customers, including spillages, broken glass, bottles or glass on the floor. Should anyone come across any risks then they must both dry the spillage and place a wet floor sign to notify others, or remove the offending items.

Signage has been placed by side exit to notify customers that they are not allowed to take any glassware after 10pm from the premises to minimise the areas at risk of spillages and breaking incidents.

Please sign this document to acknowledge that you have understood your responsibilities in regards to Glass collection.

Trainer's Name:

Trainer's Signature:

Date:

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Lost/ Found Property Policy

Date Created:01.02.2022

Date of last review: 01.02.2022

Folklore accepts no responsibility for private property whilst on the premises, including accepting any liability including should lost property being returned for any reason to someone who is not its owner- e.g. if someone makes a false representation to the management or staff of Folklore of ownership of the property.

Property that is left on the premises will be kept for a period 3 months, after which it will be disposed of. Any found passports or driving licences will not be returned to a member of the public, but will be returned to the issuing authority.

Valuable property will be kept securely in a locked safe.

All property will be logged in the lost/found property register and in order for it to be reclaimed; a detailed description of the item and proof of identity will be required. All returned items must be signed for by the individual making collection.

Please sign this document to acknowledge that you have understood your responsibilities in regards to Lost and Found Property.

Trainer's Name:

Trainer's Signature:

Date: 01.02.2022

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Noise and public nuisance policy



Date Created:

Date of last review: 01.02.2022

Expected Standards

There are 4 licensing objectives of equal importance:

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

Noise and nuisance sit under the prevention of public nuisance and we have a legal obligation to keep noise levels at a minimum both whilst we have customers on-site and during our normal operational hours.

We like to operate as good neighbours and intend to operate in this location for a long time, therefore it is important to build and maintain close relationships with local residents, businesses and the statutory authorities such as the Police, Council and Fire Service.

What to look out for?

Internal noise: Internal noise is noise seeping from inside our premises to outside, this can come from a variety of sources such as:

- **People:** When a large number of people gather together, particularly when drinking or having a good time they can make a lot of noise intentionally and unintentionally. It is our job to make sure that it can't seep out of the premises and disrupt our neighbours.
- **Speakers, Playlists or sound-making equipment**
- **Building work**

External noise: Noise outside our premises caused by us or our customers this can come from a variety of sources such as:

- **People**
 - Queuing to get in
 - Leaving
 - Outdoor smoking area
- **Deliveries**

Our specific standards for internal and external noise

Internal noise: Internal noise is noise seeping from inside our premises to outside, this can come from a variety of sources such as:

- **People:** It is our job to make sure that internal people noise can't seep out of our premises and disrupt our neighbours, we can do this through:
 - Keeping external windows and door closed after 10pm
 - We do not allow any group larger than 6 as this is our largest table
 - Playing relaxing music if it seems like the noise levels are getting too high and adjusting the volume
 - Approaching loud groups and asking them to reduce their tempo

- **Speakers, Playlists or sound making equipment:**
 - During the day, play one of the chilled café playlists at a low level
 - Staff are allowed to choose from the pre saved playlists
 - We do not allow heavy dance music, metal, or rock
 - Bands are not permitted to play after 10pm
 - Recorded music to only played through our small house system

- **Building work**
 - Building and/or repair work can only take place between 8-6 pm to avoid disturbing neighbours

External noise: Noise outside our premises caused by us or our customers this can come from a variety of sources such as:

- **People**
 - Queuing to get in
 - Where necessary we ask guests leaving to respect our neighbours and make there way home straight away and not congregate outside.
 - It's our responsibility to monitor smokers outside, and one being loud will be asked to be quiet and we will stop serving anyone that isn't respecting this policy.
 - Drinks are not to be taken outside after 10pm

We encourage all of our customers to respect the fact that we have neighbours, and do everything we can to make sure that, when our customers leave or are enjoying themselves in our external or internal areas, they understand that any excessive noise or unruly behaviour can have an impact on the local neighbourhood.

We encourage all of our customers to respect neighbouring businesses, it's important to recognise that they may work different hours from us.

By having this approach, it helps us to be seen as a good neighbour within the local area and promotes a positive image of the pub.

When to step in and what to do

Internal noise: Internal noise is noise seeping from inside our premises to outside, this can come from a variety of sources such as:

- **People:**
 - You should check that all external windows and doors are closed
 - Play relaxing music if it seems like the noise levels are getting too high
 - Turn down music's volume
 - Approach loud groups and asking them to reduce their tempo
- **Speakers, Playlists, or sound making equipment:**
 - Check the decibel counter and if it its over **xxxDB insert decibel limit** the volume should be turned down.
 - Music can be switched to something with less bass
 - Ask band/DJ to turn equipment down
- **Building work**
 - Explain what work is happening and how long it will continue for
 - Give notice before any works are to be started
 - If the complainant isn't happy then ask what hours would better suit them?
Negotiate to create the best solution for all parties.

External noise: Noise outside our premises caused by us or our customers this can come from a variety of sources such as:

- **People**
 - Queuing to get in
 - it's very unusual that guests will que to come in but if this does occur it is important that they are asked to respect our neighbours and wait quietly by floor staff and/or door staff.
 - Leaving:
 - We give all guests 30 min after last orders to finish their dinks and leave
 - Where necessary we ask guests leaving to respect our neighbours and make their way home straight away and not congregate outside.
 - Ask security staff in their tasking instructions to manage noise levels when on duty
 - Signage inside the venue, outside and on receipts asking guests to leave quietly
 - Outdoor smoking area:
 - Smoking area is monitored by floor staff and guests reminded to be quiet, if this isn't respected we will stop serving them and ask them to leave
 - Security staff in their tasking instructions to manage noise levels whilst on duty
- **Deliveries**
 - Receiving –
 - All delivers are after 8am and not driven but dropped of in trollies
- **Glass bin emptying**
 - All glass bins are emptied into our bin store within the building and isn't audible to neighbours

Noise and ASB Complaints logbook

We like to operate as good neighbours and intend to operate in this location for a long time, therefore it is important to build and maintain close relationships with local residents, businesses and the statutory authorities such as the Police, Council and Fire Service if we receive complaints from any of the above sources they should be treated seriously and with respect.

Be polite and apologise. Pass the person to the most senior person in the building. All complaints must be lodged the complaints logbook. The log is kept above the desk and labelled "**incidents and complaints**" so that you can access it easily, you must log the date and time, which product was refused, why you refused the sale plus any other details that may be useful to others in future such as a description of the person(s).

Please sign this document to acknowledge that you have understood your responsibilities in regards to noise.

Date:01.02.2022.....

Trainer's Name:

Trainer's Signature:



Safeguarding and Vulnerable Persons Policy

Date Created:

Date of last review: 01.02.2022

Expected Standards

There are 4 licensing objectives of equal importance:

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

Safeguarding sits under the protection of children from harm section and the public safety sections and we have a legal obligation to protect children and vulnerable adults from harm. Safeguarding is a term we use to describe how we protect adults and children from abuse or neglect and is an important shared priority of businesses, local authorities, and the police.

As a business, we want to ensure all of our customers can enjoy our facilities free from harm, and we are committed to protecting the most vulnerable in society by ensuring that if we are worried about someone's safety our staff are equipped to deal with it.

What to look out for?

Alcohol can often make people more vulnerable particularly those who might be at risk from child sexual exploitation, domestic abuse, or people taking advantage of a physical or mental disability.

These people may be at risk of abuse or neglect due to the actions (or lack of action) of another person. In these cases, licensed businesses must work together to identify people at risk, and put steps in place to help prevent abuse or neglect.

Abuse and neglect take many forms: These are the recognised forms of adult and child abuse

- **Physical Abuse:** Non-accidental harm to the body. It can range from physical injuries such as hitting, pushing, wounding etc. to things such as misuse of medication, inappropriate use of restraint and dehydration/malnutrition.

- **Domestic Violence:** Physical, sexual, psychological or financial violence that takes place within an intimate or family-type relationship and forms a pattern of cohesive and controlling behaviour'. People should be aware that domestic violence is not always physical and also includes forced marriage and so-called 'honor crimes'. Many people think that Domestic Abuse perpetrators are male, however it is estimated that over 25% of Domestic Abuse victims are male. Domestic Abuse also takes place in same-sex relationships, so be open-minded as to who could be a victim.
- **Sexual Abuse:** Includes sexual assault or sexual acts which have not been consented to. Also, encompasses rape and non-contact abuse such as sexual harassment or pornography.
- **Child Sexual Exploitation:** This could be a combination of a number of categories of abuse. It can take place anywhere, but often Licensed Premises may be used as a lure for vulnerable children. They may be plied with alcohol and other intoxicants then groomed for the sexual gratification of a number of adults. Things to look out for are the same adult coming to the bar with different children, or the same child coming to the bar with different adults. Inappropriate touching or language, the child looking uncomfortable or nervous in the presence of the adult.
- **Psychological/Emotional Abuse:** Mental abuse such as threats, abandonment, intimidation, humiliation, deprivation of physical or emotional contact and cultural needs. Can also include verbal abuse. Psychological abuse can be harder to spot as it is often done in private and has no physical signs.
- **Financial or Material Abuse:** Can encompass internet scams, fraud or theft of property but also alludes to control over financial ownership such as wills, inheritance or property.
- **Discriminatory Abuse:** Unequal treatment of a person due to their race, gender, age, disability, sexual orientation or religion.
- **Organizational Abuse:** The mistreatment, abuse or neglect of a person in a setting where the person lives or a service that they use.
- **Modern Slavery:** Modern slavery is a hidden crime and targets people living in poverty or with a lack of education or unstable social conditions. Modern Slavery encompasses slavery, domestic servitude, human trafficking and forced labour. It is an international crime and can include victims that have been brought over from overseas and vulnerable people within the UK who are forced to work illegally against their will, often in illegal establishments.
- **Neglect and Acts of Omission:** Includes all aspects of neglect such as deprivation of food, shelter, clothing or heating. Abusers can also harm victims by ignoring their medical or physical needs, which is mostly applicable in a care situation where abuse can occur through failing to provide medication to a person, banning visitors or ignoring/isolating the person.

- **Self-Neglect:** Self-Neglect is a little different to the other types of abuse as this is inflicted from an individual to themselves and focuses on a lack of self-care so much that it affects personal health and safety. Self-Neglect also encompasses self-harm, failing to care for one's personal hygiene, surroundings or health.

When to step in and what to do

All staff performing a public facing service should receive appropriate basic training to understand vulnerability and how to support vulnerable customers.

Free training materials can be sourced from a number of organisations such as **National Pubwatch 'Supporting Vulnerable Persons' film** or **Metropolitan Police 'Welfare and Vulnerability Engagement (WAVE) presentation and videos.**

Ask for Angela

Consider using the "Ask for Angela" campaign (or similar). Posters can be placed in strategic locations encouraging vulnerable people to "Ask for Angela" to ask for help from the venue staff to extricate them from a situation. If you do use this campaign, please ensure that **ALL** members of staff who are likely to interact with customers in any way, are fully conversant with the campaign and what to do if someone "Asks for Angela"

Have a direct line of communicating with the local authority CCTV operators i.e. the pub link radio

If you are a member of the local Pub link radio system. The radio will normally be carried by the management or head door supervisor

Identification of a "Safe Area" inside the venue where vulnerable people can remain and be cared for until their safety has been ensured.

The office has been identified as a safe area, however decking area may also be used if the situation is not too serious. Guests can also leave via the back exit if its deemed necessary.

Have a nominated member of staff who will be responsible for dealing with any vulnerable people associated with the venue.

The general manager and DPS will be the responsible person for ensuring the continued welfare of vulnerable people, he/she may delegate such responsibility as appropriate to other duty managers working at the premises.

Have a register documenting the incidents where vulnerable people have been identified and the actions taken by the venue to ensure their safety.

Any incidents where vulnerable people have been identified will be fully reported in the incident book. This will include the issues that caused the vulnerability in the first place, staff members involved in the care of the vulnerable person, the final result/disposal. Any such reports must be signed off by the DPS

Have a list of local taxi company details to be provided to customers upon request and when required arrange a taxi on behalf of a customer.

Local Taxi firm numbers will be displayed in the foyer of the premises. Staff members will always call (free of charge) a taxi for any vulnerable person upon request.

A nominated manager to be present and to remain in the main customer entry area no later than 30 minutes prior to closing time to ensure the safe and quiet exit from the premises by all customers.

The team leader on duty or door staff will be the responsible person for ensuring the safe and quiet egress of customers from the premises. Ordinarily he/she will be positioned within the foyer of the premises at 30 minutes prior to the terminal hour.

Reporting vulnerable adults

- Assess the situation i.e. are the emergency services required? If the person is in immediate danger, or fear for their safety, wellbeing or life then yes call the emergency services either on 999 or the Police on 101, dependent upon the circumstances
- Ensure the safety and wellbeing of the individual this may mean separating them from their abuser or taking them to the “Safe Area” (see above).
- Establish what the individual’s views and wishes are about the safeguarding issue and procedure – remember any investigations will always be ‘victim led’ so they cannot be forced into a certain course of action but should be encouraged to report it to either the Police or other support groups to assist them in breaking the cycle of abuse.
- Maintain any evidence [for example CCTV, if they consent record on your phone what they say]
- Remain calm and try not to show any shock or disbelief
- Remember do not ask leading questions stick to :
 1. What happened?
 2. When did it happen?
 3. Where did it happen?
- Listen carefully and demonstrate understanding by acknowledging regret and concern that this has happened, repeating what has been told to you serves two purposes, it demonstrates to the victim that you are listening and also ensures that accuracy is maintained.
- Inform the person that you are required to share the information, explaining what information will be shared and why
- The information you need to collect is
 - Name
 - Date of Birth
 - Address
 - Contact details
- Make a written record of what the person has told you, using their words, what you have seen and your actions.

Reporting vulnerable children

Take the steps as detailed above however some further steps can be taken:

- **If the child is not in immediate danger**
 - Work with the child to establish if a responsible adult can come and pick them up
 - Report it to 101

- **In the child is in immediate danger**
 - Report it to your local police 999

REMEMBER – Doing nothing is not an option. You wouldn't want any of the above forms of abuse happening to a member of your family. You could be the person that helps the victim break the cycle of abuse that they may have been subject to for months or even years.

I understand that it is my responsibility to report any abuse or neglect I witness to my line manager immediately, discreetly and away from other customers.

Please sign this document to acknowledge that you have understood your responsibilities in regards to safeguarding.

Trainer's Name Trainer's Signature:

Date:01.02.2022.....

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Weapons policy



Date Created:

Date of last review: 01.02.2022

Expected Standards

There are 4 licensing objectives of equal importance:

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

It is the duty of the management to create a safer environment for patrons and staff and uphold the licensing objectives especially in relation to prevention of crime and disorder and public safety when considering offensive weapons.

The legal definition of an offensive weapon is **“any article made or adapted for use for causing injury to the person or intended by the person having it with him for such use by him or by another”**. It is an offence for any person to have in their possession in a public place a bladed or sharply pointed article; a bladed article excludes a folding pocketknife with a blade cutting edge not exceeding 3 inches.

In performing their duties, the Manager/ Door Supervisors should prevent patrons entering the premises with any article they consider could be used as a weapon to cause injury to another person. This will include knives of any description; knuckle-dusters, clubs, coshes, any article made with a blade or sharp edge, certain tools such as Stanley knives, wood chisels, scissors and gas sprays, firearms, replica guns, etc.

Door Supervisors/ managers should never retain any weapon; all offensive weapons should be transferred immediately to the manager/ team leader for safe storage in a secure place until they are handed over to the Police and ensure all details are recorded carefully in the incident book.

Dissemination of Policy to Staff

Managers have a responsibility to make known to all existing and new staff (at their induction) the existence of their policy and advise staff what their responsibilities are in relation to it, including where relevant the search and seizure procedures of weapons.

Prevention of people with weapons from entering the premises

Management has a duty to prevent people with weapons from entering the premises in order to protect their own staff and other customers.

- Any items found should be stored in a secure storage area (office) and recorded before they are handed to the Police.
- Arrangements should be made for the Police to collect the items within 24 hours where possible.

Please sign this document to acknowledge that you have understood your responsibilities in regards to weapons

Date:

Trainer's Name:

Trainer's Signature:



Checking ID

The F.L.A.R.E. System



Only original ID is acceptable, do not accept photocopies/images/apps on phones or out of date ID.

Feel

- Have the person remove ID from their wallet or plastic holder.
- **Feel** for information cut out or pasted on.

Look

- **Look** for PASS hologram, or Hologram on a driving licence
- **Look** at the photograph. Hairstyles, eye makeup, and eye colour can be altered, so focus your attention on nose and chin. These features do not change. When encountering people with beards or facial hair, cover the facial hair part of the photograph and concentrate on the nose and ears.
- **Look** at the date of birth and do the math's ... Pre-printed age charts can be helpful.
- Compare the age on the ID with the persons apparent age. For example, if the ID says the person is 24 but he or she only **looks** 17, do not accept the ID no matter how genuine it looks.
- **Look** for the expiration date, if it has expired do not accept it.
- Do not be fooled by UV markings – many fake IDs have UV markings.

Ask

- **Ask** questions of the customer, such as middle name, zodiac sign, birth month. If the person responds with a number, it is probable that he or she is lying.
- If the customer is with a companion, **Ask** the companion to quickly tell you their companions name. Any hesitation probably indicates lying.
- **Ask** the customer to sign his or her name to compare signatures.
- **Ask** for another form of ID – bank card etc to corroborate and Photo ID presented

Refuse Sale

Giving the benefit of the doubt **IS NOT AN OPTION**

If in doubt refuse the sale

Entry in refusal register

Make an **entry** in your refusal register (incident book)

- Time
- Date
- Name/description
- Product attempted to purchase
- Staff member details making refusal

Please sign this document to acknowledge that you have understood your training and responsibilities and agree understand how to check ID.

Date:

Trainer's Name:

Trainer's Signature:

Representations

Environmental Health

Environmental Health objects to the granting of this application on the grounds of preventing a public nuisance.

As I understand, there are residential properties (69b Old High Street) directly above this venue. There are no supporting evidence to suggest there is adequate mitigation measures/insulation within the premises, to allow this premise to be a late night music venue with DJ or live music, without it materially affecting the amenities of the local residents.

I do not object to the venue having internal back ground music or showing movies/sports events. Sound levels, however, must be to a level that does not cause a public or statutory nuisance.

Kind regards

Mr. Wai Tse
Environmental Protection Specialist

Representation 1

Dear Sirs,

I am writing to you with my objection to the above licence which relates to Premises Licence at 69 The Old High Street, Folkestone.

The application is for an extension of opening hours and hours of service as well the provision of live music and movies every night.

I live in Flat 1, 69 B The Old High Street, Folkestone which is directly above the premises requesting the variation, and I have lived there for the last year.

For context the entire building is new and was completed in 2021. I moved in while Folklore below was also new and being established. When I moved into my property Folklore was a fledgling cafe during the daytime and was not open as a venue in the evenings. I did not receive an initial notification to licence the premises for alcohol in the evenings, and as such did not comment.

Folklore has a front door which opens onto The Old High Street as well as a door to the side which opens onto an open courtyard area. This area is owned by Creative Folkestone and as far as I am aware does not form part of the tenancy for Folklore 69 The Old High Street. Although not part of the tenancy, Creative Folkestone have allowed Folklore to use the area for outdoor seating for the cafe. I believe this was

agreed during the initial stages of the covid pandemic when the Government allowed take out refreshments only. It has been allowed to continue.

There are up to 4 tables, 8 benches and umbrellas which are placed outside in the morning and are taken in at night. There is enough seating outside for 24 people. The tables are wooden topped and metal framed and are fully foldable and collapsible. They are erected and dismantled outside in the courtyard. The tables are noisy when they are unfolded and secured together as well as the noise while they are moved around.

The entrance door to Flats 1 -4 is in the courtyard space and all occupants share this space.

The window to my bedroom is directly above the side door to Folklore.

I have had cause to speak with David Boyd who is the applicant for the licence on a number of occasions with regards to noise. I have to say that he has been very amenable each time.

After closing time the staff and the licensee would congregate in the courtyard socialising and discussing matters. This would keep me awake at night and is unnecessary. I asked if this could stop and was agreed.

I asked if there could be a delay in putting all of the tables out at 7am due to the noise as it woke me up every morning, unless he was expecting 24 people outside at 7a to drink coffee. He has now delayed this to 9am.

I also went downstairs to the bar one evening when the music was intolerably loud late at night. I noted that there was only 4 customers inside. I asked of he was turning the venue into a nightclub. He apologised and turned the music down. Although I could still hear it from inside.

I am objecting to the licence for the following reasons:

There is already an issue of noise that comes from Folklore which I can hear within my flat.

During warmer times, I cannot open the windows to my property at night as the noise is intolerable.

My bedroom window is above the side door and is constantly opened and closed for access to the courtyard for either smokers, staff serving drinks, movement of outdoor furniture. The door is heavy and it is noisy and is being opened throughout the day and into the evening.

I have to sleep with earplugs to reduce the noise levels, however this does not stop it completely.

Both the courtyard and in the street are areas for congregation late into the night which does not only increase noise levels, I have also witnessed fighting in the street

as well as vomit which was left next to the communal entrance to my flat. The vomit was left for a number of days.

I try to stay away from my home at the weekends due to the levels of noise. I should not have to do this and find somewhere else to stay. I did not realise when I took on my property that I would be living directly above a night time venue. I thought it was a cafe.

The noise from the music resonates through the entire building and there is a constant beat and bass that I can hear.

I do have 2 children from a previous marriage which live with their mother at another address, I have not had them come to stay with me over the weekends as I do not wish them to be disrupted due to the noise. I want to spend more time with my children, however I feel that as the situation is at present, I cannot.

Folklore is the only premises in The Old High Street which is purely for the consumption of alcohol and coffee and the only place that plays music as a night time venue. The other entertainment locations are restaurants. Above all the shops and restaurants in The Old High Street are flats and residential properties. It is therefore more of a residential area and a day time shopping area than anything else. Years ago there were a number of Pubs in the street, however the demographics have now changed.

In essence, the noise disruption that I receive from Folklore has and is having an impact on my quality of life and I oppose the changes to the Licence and I would also urge that all details of the licence are readdressed.

I have said to David Boyd that I do not want him to fail and I wish him every success, however we all need to find a compromise. Opening later and louder every night is no compromise.

Should you wish to speak further, then please do not hesitate to contact me.
Kindest regards,

John Evans

Representation 2

Dear Sir, Madam

I'm writing to strongly object to this licence application.

I'd also like to know why I wasn't Informed?

I live in flat 4, 69b old high street (directly above the bar) I didn't receive a letter about this application. I just stumbled across it by chance.

I live here with my 4 year old daughter and we share an entrance way with the bar.

When we return home in the evening our entrance is often obstructed by bouncers. Or rowdy drinkers.

The sound proofing in the building is such that we have had to abandon the front bedroom at the weekends, it's too noisy to sleep.

The smoking terrace / outside seating area is also badly maintained and often we open the door in the morning to piles of vomit and cigarette butts.

Also there are frequent altercations between drinkers, mostly verbal but sometimes physical,

For the well being of my daughter I must strongly object to this bar being allowed any extra hours.

Indeed the current hours are already far too disruptive to our lives,

Thankyou

Simon Davenport

Representation 3

Dear Sir/Madam,

I am writing regarding the proposed extension to licensing hours on the above application.

Whilst I am reluctant to object to a small business owner trying to extend their trade, I cannot support this application. The Old High Street is a residential as well as a business area and unless one actually lives here you cannot fully appreciate how disturbing late night opening is for the residents. However well intentioned a bar or pub owner is, they have little or no control over the noise made by premises emptying late at night.

We are regularly woken by drinkers leaving establishments, even when sober their loud voices echoing around the narrow street are disturbing and when drunk they regularly urinate or worse on our doorsteps.

I appreciate that some premises were open before we moved here and we accepted that when we chose to live here, but I have to object to extending the opening hours.

Yours faithfully,

Tessa Houghton Budd

Representation 4

To Whom It May Concern,

In respect of the application of intended licensable activity of The applicant 'The Peoples Cafe Folkestone Ltd' at the premises on 69 The Old High Street, we want to strongly object. We want object to an extension of the times and activities that are proposed on the grounds that:

The fact that there is a licensed bar (with an alcohol license) in a residential street where a great number of people not only have a home and need to sleep is in itself something we as residents have not chosen or been invited to object to, as far as I have been aware of.

This is the first time we found a notice of licensable activity in our postbus. Also as we are 8 flats and almost direct neighbours of the premises, there was only one notice put through the letterbox, which in itself is not right.

We object strongly to a licenced bar being in a residential street in itself. This is our home and we need to live here, work here and sleep. At the moment often the licence is breached, in the form of lock-ins where staff plus clients enjoy loud music and alcoholic drink after hours. This is a regular occurrence.

Last summer we were surprised to hear live music in the courtyard next to the premises that was so very loud as it is enclosed by high walls that amplify and echo the sounds. This was a regular occurrence, was there a license in place we wondered?

It certainly directly interferes with my work as a psychotherapist in which I need to talk to people either in the room backing onto the Old High Street (no.73-79) or on Zoom in the early hours of the evening. Either way I cannot make myself heard and cannot think straight with such high decibels of noise pollution. And my work is in a room with double glazing.

When punters leave the premises there is a lot of drink in them. They cry, shout, scream at all hours and provide a lot of noise pollution. Nowhere around the premises are there notices to remind the punters to be quiet when they leave, as people are living here and often in bed when they leave. (these notices can be found in West Folkestone outside drinking establishments) I have never heard the staff reprimand their clients for their out of control behaviour.

On Tontine Street there are two live music venues for young people already: Home bar, with DJ's and Jamjar Music Cafe with Live Music, plus a late night venue with very loud music: The Party Bar. We think there is enough late night drinking and music to choose from already. Punters cruise from the Wetherspoons pub to and from these other venues through The Old High Street and it is indeed unbearably

chaotic and loud on Fridays and Saturdays. We really do not need more and later licensing for Live and Recorded Music indeed right next to our bedroom backing onto The Old High Street, (flat 8) the more as Folklore is a venue with tables outside, an echoing courtyard, very young punters especially in groups (as they advertise especially catering for groups) and without any behavioural restraints or awareness people are actually trying to sleep.

As said, it is bad enough anyone has given these guys a rather late licence already, it does not need any extension. We very strongly object.

We have no problems with Pick Up Pintxos, their clientele drinks and leaves the premises calmly. Bella Vita is often very rowdy and open very late too. This side of The Old High Street has an enormous amount of licensed premises on their doorstep and is a thoroughfare to and from other premises nearby. It is very hard in the weekend to get any sleep and sometimes on Thursday nights too. It also encourages domestic disputes, drug taking and dealing and other criminal activity like pissing anywhere, driving souped up cars and motorbikes extremely fast round the one way system, etc.

Please have mercy on us as ordinary hardworking residents that are bombarded with bad behaviour and enormous noise pollution as it is.

Kind Regards,

Jessica Moolenaar
73-79 The Old High Street

Representation 5

To whom it may concern,

I would like to voice my opposition to the planned extension of the licence for:

Folklore
69 Old High Street
Folkestone
Kent
CT20 1RN

I am strongly opposed to the extension of the opening hours beyond midnight and the extension of both live and recorded music.

The noise from this bar on its live music/DJ nights is offensive and disruptive to the otherwise relatively peaceful immediate neighbourhood.

"Keeping the door shut" as per their current licence does little to mitigate the thundering music and excited shouting from within. The door is opened every few seconds to facilitate the smokers and vapers and access and egress, during these

moments the DJ may as well be in my flat for all the noise reduction the door is offering.

Not to mention the increase in drunken late night traffic and incidents of both violence and vandalism that seem to have increased since this establishment has been open.

Our town already has far too many late night hotspots for noise, drink, drugs, vandalism and violence; I really don't think it's in our best interests to establish another one.

I would also like to note that this process of appeal has been appallingly mishandled. Despite living opposite the bar in question I have received no notice of the application for the extension of hours and neither have my friends and neighbours who live in the building that bar forms part of. I only found out about this application by chance a few hours before the deadline.

Regards,

Matt McEvelly
56/58 Old High Street

Representation 6

To: Folkestone & Hythe District Licensing
Re: License variation application PR202201-74033

I would like to object to the above application for variation of license, on the grounds that such a variation cannot benefit public safety, public order or the prevention of crime and disorder.

Folklore Bar currently has a premises license allowing opening on Friday and Saturday nights until midnight, with alcohol served until 2330.

The licensee is requesting a variation to extend opening hours by two hours on Friday and Saturday nights, until 02.00, with alcohol served until 01.30.

Folklore Bar is situated at the end of the Old High Street, in which the only other licensed premises are four restaurants - Marleys restaurant, Big Boys Fine Burger Restaurant, Bella Vita and Asador Pickup Pintxos. Friday and Saturday closing of these premises are, respectively, 00.30, midnight, 23.00 and 23.59. These restaurants and Folklore Bar together positively contribute to the public value of the Old High Street and its part in Folkestone's night-time economy.

However it is also the case that the Old High Street is the quickest route between Rendezvous Street and Tontine Street. With the cluster of late-opening bars in Rendezvous Street - Lucky Chip, Punch & Judy Tavern, Wetherspoons, Space Bar + Gallery and Kipps Alehouse, all closing between midnight and 02.30 - and the 4am-

closing Jolson's on Tontine Street, it has become normal on weekends for large numbers of people to make their way from Rendezvous Street to Tontine Street at the time these bars close up.

We live on the Bail Steps, just off the Old High Street. In our experience, late nights on Friday and Saturday nights are a constant source of serious noise disturbance between midnight and 4am, as people make their way down the Old High Street or are leaving Jolson's. Shouting and the sound of heated arguments are regular occurrences, as is the noise of people banging on shopfronts, breaking bottles and other less-than sociable behaviour. There have been several occasions in past years of shop windows in the Old High Street broken during these hours. My wife and I have a young daughter, and we are frequently woken by the noise from the Old High Street around these hours. On occasion these disturbances sound like incidents of assault or other serious altercations.

This pattern of noise nuisance and anti-social behaviour is the direct result of the sequence of late-closing premises which leads people to move between Rendezvous Street to Tontine Street via the Old High Street. It is clear that the licensees of Rendezvous Street are already failing in their commitments to require that their clientele leave quietly, and I believe this current context should be taken into account in reviewing this application.

Folklore Bar's variation of license would, in my opinion, further add to the problems of noise and antisocial behaviour in the Old High Street at weekends. The bar is small and it is questionable whether it can cope with an influx of clientele between midnight and 2am, or whether it could effectively deal with gatherings outside its premises as people make their way from other establishments. It is my concern that an extended license will only have the effect of attracting more people than the bar's capacity can serve, while an extending closing time of 2am would itself contribute to the number of people gathering in the Old High Street. It seems very unlikely that the bar could fulfil the 'prevention of crime/disorder' or 'prevention of public nuisance' commitments it makes in its application.

I am concerned that rather than enhancing the attractive restaurant offer that has steadily built up in the Old High Street, this variation is likely to further contribute to and exacerbate what is already a significant issue of nuisance and public disorder in and around the area of Rendezvous Street, the Old High Street and Tontine Street, while being detrimental to other businesses on the Old High Street.

I would like to add that while the general perception of the Old High Street area is one of commercial and night-time economy activity, it is important to emphasise that this area is also significantly residential, and it is we residents who are most affected by current licensing decisions for the area. Those of us living in the neighbourhood accept the mixed-use nature of the area; but I feel strongly that the concerns of residents are often ignored in favour of the development of hospitality and the night-time economy, with little clear direction from the district council regarding a general policy for licensing that balances the needs of businesses with those of residents.

With kind regards,

Dr John-Joseph Charlesworth
52 The Bayle

Representation 7

To: Folkestone & Hythe District Licensing
Re: License variation application PR202201-74033

I strongly object to this application to extend opening times by two hours on Friday and Saturday nights, until 02.00, with alcohol served until 01.30 submitted by Folklore Bar.

The Old High Street and surrounding streets currently already suffers excessive night time noise, anti-social behaviour, damage and disturbance as a result of the already late opening hours of several premises at the top of The Old High Street, Rendezvous Street and other nearby Streets. Premises such as Wetherspoons, Space Gar, Kipps Alehouse are a small selection of premises that already result in significant disturbance to the public from noise and other antisocial behaviour and the addition of extended opening hours of Folklore Bar will add to the already significant impact on this area.

The Old High Street is a narrow street not only of businesses, but of residential premises along its entire length. It is a narrow street where noise and sound reverberates beyond and to immediate neighbouring areas, including Bail Steps, The Bayle and The Parade. Folklore is situated at the bottom of The Old High Street and the other venues named above at the top end. Extending opening hours will encourage customers to move from Folklore to the other venues (or vice versa), with the potential for alcohol fuelled antisocial behaviour becoming worse and damage and criminality increasing.

Whilst the applicant claims to be taking responsible measures to maintain an orderly house and encourage his patrons to consider the neighbours, inevitably experience shows us that once having left the premises, licensees have no control or authority. As The Old High Street is a pedestrian only area, police patrols are rare (especially at night when foot patrol simply do not occur) and resources very limited and stretched. Enforcement to mitigate noise, antisocial behaviour and criminality in public streets is therefore beyond the control of the licensee and would require significant additional resources and commitment from Kent Police to deal with the quality of life issues faced by residents locally.

Whilst I support and encourage the Folkestone nighttime economy, this has to be balanced against the impact on residents and extending opening hours by even 2

hours, twice a week, will have a significant negative impact on the local residential population.

Yours sincerely,

Carl Mehta
3 Bayle Court

Representation 8

Objection to the license variation application PR202201-74033 (Folklore, 69 The Old High Street

1. I am a local resident, living just 300m from the premises concerned.
2. I expressed concerns over late night opening at the original hearing and was pleased that the key concerns were accepted then as valid. They remain valid now.
3. I am in no doubt that the management of the premises is responsible and that the stated intentions for additional measures for the proposed variation of licensing are sincere.

I do not see these proposals as realistic or safe: my main reasons are as follows:

- Firstly, the venue location is not suited to extended hours at weekends, which would exist as the only element in this street of a late night-time economy venue.
- Secondly, there is a clear risk of interaction with individuals and groups who routinely demonstrate anti-social behaviour in this precise location.
- Thirdly, it appears that there has been a change from the original proposal for these premises which was strongly predicated on community activities, rather than a drinking location with entertainment for commercial reasons.

Local residents are not killjoys or averse to small enterprise.

Many of us expressing concerns are also traders or work from home. We recognise the value of a thriving economy, but also see for ourselves that there is a notable after-hours/late evening change from a characterful, historic and varied centre of art shops, coffee-houses and small specialist traders to a place that frankly can feel very dangerous at times.

Location and change of character from the existing mix of premises on the Old High Street.

The location of these premises is at the “funnel end” of the Old High Street (OHS), which serves as an echo chamber for rowdy behaviour and even the simple incidence of loud voices, which disturbs sleep and creates stress on a daily basis - most notably at weekends.

As a coffee bar, with a limited license, Folklore contributes positively to the mix referred to.

The application for extended opening hours at weekends for these premises, however, is unique in the OHS in representing the sole location for an addition to the late hours night-time economy - those licensed premises with hours beyond 11:00 pm.

Were the variation to be granted, a new link in the chain would be created between venues which are known to create nuisance behaviours, such as the Party Bar on Tontine Street and the other late night drinking venue - namely Wetherspoons in Rendezvous Street.

The statistical evidence of complaints about these premises (and to be truthful, the clientele) will significantly understate the scale of problems – as in most cases residents have become inured to a sense of impotence – “nobody listens” – with some reports being made to the police of more serious concerns. I would strongly argue that this information should be reviewed on a regular basis by the licensing panel, without the need for residents to lodge comments or concerns – this can be difficult for residents, if there is concern about being publicly identified.

While it might be argued that this is a different model or that the clientele are different, there can be no question that the safety and security of clients and residents could be severely challenged by travelling groups of intoxicated and aggressive clients of these establishments.

The significant risk of extending existing patterns of anti-social behaviour

In terms of considering a longer term strategic view for the good reputation of Folkestone, this must form a part of the licensing policy, while the assessment of individual cases is quite rightly on the specific case under consideration. This case will, however, set a precedent as part of the first wave of hearings under the recently updated policy – and residents will be watching with interest.

The key issues for this application include the criteria of

- preventing crime and disorder
- public safety
- preventing public nuisance

It is very hard to truly represent the actuality of experiencing life in this characterful area at the heart of our local heritage. The existing regular weekend pattern of anti-social elements disturbing local residents includes alcohol-fuelled aggression in various forms, including domestic violence and groups of (mostly men) singing, chanting, swearing and arguing or actually fighting.

The noise and disturbance can be heard echoing right up to the top of OHS, passing immediately by the foot of the Bail Steps, where our house is located. The behaviours include vomiting, urinating and excreting in locations such as the stairway down from OHS to Mill Bay and on occasions right outside our house, which lies on one of the two routes from OHS up towards the main centre of the town. Our

neighbours have a young child who is often disturbed late at night by this behaviour outside her bedroom window, which is notably worse on Friday and Saturday nights.

It is a matter of record that when these incidents escalate further, several violent assaults have resulted in this vicinity, with police crime reports marking this area out as a 'hot spot' of anti-social behaviour.

This evidence supported the case for the recent installation of additional CCTV cameras on the known through routes for trouble at closing time, passing through the Old High Street and including the crossroads of The Bayle, Bayle Street/The Parade, with further cameras at Church Street/The Bayle and Rendezvous Street/The Old High Street.

Changes to the character of usage described at the time of the original license application

I recall the applicant setting out the case at the original licensing hearing for community benefit from these attractive brand-new premises, designed and built by the Creative Foundation – and I many ways felt supportive of the business on this basis, while objecting than to the later hours.

There were suggestions of meeting community needs for additional small venues for spoken word poetry, talks, films of interest to the local population. Unfortunately, these community developments have not emerged, as yet, which is understandable in the light of Covid. etc..

However, the proposed extended music license element is not really in that character, but reflects a commercial opportunity for background entertainment during a night out at a bar.

The premises were constructed as a combination of a commercial facility facing onto the Old High Street - Folklore - and the provision of a series of residential units. This provision added to the considerable number of residents who live above the shops facing, adjacent to and further up the Old High Street.

As the facilitator for AFRA - Alliance of Folkestone Residents Associations - I've heard vivid testimony from some of these residents of the long-term routine misery they endure, due to the combination of poor behaviour and the historic architecture, with a narrow, cobbled street making noise resonate particularly strongly.

On a personal level, I have known friends leave their flats in this street over the last two years, because of this phenomenon and the behaviours described above. Today, I was approached unexpectedly at a local residents meeting by an Old High Street resident who moved into the lower section of the Old High Street just a few months ago and is already finding the situation very challenging - she wishes to set up a residents' association to challenge these issues at the planning stage.

There is clear evidence that the design of the building provides a meeting or outdoor social space between the Folklore premises and the adjacent housing at 71 The Old

High Street. Here on a regular basis the significant detritus of cigarette butts and general litter provide signs that this is a place where people like to hang out.

During good weather, the Folklore team understandably make good use of this space with seating for outdoor service. It is hard to see that they would be able to manage customer usage of an outdoor space designed for extending provision in order to comply with their commitment that all service would be indoors. Human nature will undoubtedly mean that this is a gathering point on the way out or that some will seek fresh air breaks from the indoor space and so on.

Evidence for this risk can be found further up the Old High Street with the misuse after hours of the outdoor space for Big Boys Burgers - again premises with a highly responsible management, but with a design element that attracts some of the wrong elements in our community.

In conclusion, I personally welcome the presence of Folklore in the Old High Street with its current licensing arrangements as contributing to local choice in the daytime and early evening economy: the management have also shown considerable solidarity in working with other traders to combat crime, antisocial behaviour and to address common issues together.

Unfortunately, I believe this application is ill-conceived as I do not think that the case for extending into the late night-time economy can be justified when set against the criteria of

- preventing crime and disorder
- public safety
- preventing public nuisance
- protecting children from harm

I am therefore objecting to both the extension of hours for the music license and the serving of alcohol.

Jon O'Connor
50 The Bayle

Representation 9

As a resident of the Old High Street, I object to the proposed extension of opening hours and operating of Folklore beyond 23.30. The current use already results in a lot of noise right up until closing time, partly because the doors are open, partly because customers spill out onto the street (where they are outside the effective jurisdiction of the cafe owner).

It is little appreciated unless one lives here, that the Old High Street funnels and amplifies noise along its whole length so that one cannot sleep until revellers have gone home. It is already an issue with the overspill from the Party Bar on Tontine Street, but Folklore is right inside the Old High Street.

There may be shops along its entire length, but in fact the Old High Street is also a residential street, unsuited to the so-called night-time economy.

Yours sincerely,

Christopher Houghton Budd

44a Old High Street

Folkestone and Hythe District Council

**Licensing Sub-Committee
9 March 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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