



# Agenda

Meeting: **Licensing Sub-Committee**  
Date: **7 August 2023**  
Time: **11.00 am**  
Place: **Council Chamber - Civic Centre Folkestone**

To: **To all members of the Licensing Sub Committee**

The sub-committee will consider the matters listed below at the date, time and place shown above. The meeting will be open to the press and public.

Members of the sub-committee who wish to have information on any matter arising on the Agenda which is not fully covered in these papers are requested to give notice prior to the meeting to the Chairman or appropriate officer.

This meeting will be webcast live to the council's website at <https://folkestone-hythe.public-i.tv/core/portal/home>.

Although unlikely, no guarantee can be made that Members of the public in attendance will not appear in the webcast footage. It is therefore recommended that anyone with an objection to being filmed does not enter the council chamber.

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

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

## **Queries about the agenda? Need a different format?**

Contact Sue Lewis – Tel: 01303 853265  
Email: [committee@folkestone-hythe.gov.uk](mailto:committee@folkestone-hythe.gov.uk) or download from our  
website  
[www.folkestone-hythe.gov.uk](http://www.folkestone-hythe.gov.uk)

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

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

4. **Declarations of lobbying**

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

5. **Application for a Premises Licence in respect of: The Green Room, The Grand, The Leas, Folkestone CT20 2XL. (Pages 5 - 28)**

6. **Exclusion of Public**

**To exclude the public for the following item of business on the grounds that it is likely to disclose exempt information, as defined in paragraph 2 of Part 1 of Schedule 12A to the Local Government Act 1972 –**

**‘Information which is likely to reveal the identity of an individual.’**

7. **Review of Dual Driver licence. (Pages 29 - 62)**

## **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 28 July 2023



Report Number: **DCL/23/17**

**To:** Licensing Sub-Committee  
**Date:** 7<sup>th</sup> August 2023  
**Status:** Non-Executive Decision  
**Head of service:** Ewan Green, Director of Place

**SUBJECT:** An application for a Premises Licence in respect of: The Green Room, The Grand, The Leas, Folkestone CT20 2XL.

**SUMMARY:** This report outlines the application made by Beton Collective CIC 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/23/17.
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

## 2. APPLICATION

- 2.1 On the 7<sup>th</sup> June 2023 Beton Collective CIC submitted a completed application for a new Premises Licence at The Green Room, The Grand.

The application is for:

**Plays:** Mon-Sun 08.00-22.00

**Films:** Mon-Sun 08.00-22.00

**Performance of Dance:** Mon-Sun 08.00-22.00

**Sale of Alcohol On/Off Sales:** Mon- Sun 08.00-21.30

**Anything of a similar description to live music, recorded music or performance of dance:** Mon-Sun 08.00-22.00

**Hours Open to Public:** Mon-Sun 08.00-22.00

Due to the Live Music Act 2012, Live Music and Recorded Music were deregulated and are not considered licensable activities between 8:00 – 23:00 where there is an alcohol licence in place, therefore those activities are not shown above.

The application for a Premises Licence can be seen at Appendix 1.

## 1. RELEVANT REPRESENTATIONS

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

<b>Responsible Authority</b>	<b>Comments</b>
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
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The representations from members of the public can be found at Appendix 2.

## 2. OPTIONS

2.1. 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

1.1. 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.

## 1. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillor's 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](mailto:briony.williamson@folkestone-hythe.gov.uk)

### **Background documents:**

The Folkestone & Hythe Statement of 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.

**2. APPENDICES**

Appendix 1. Application for a Premises Licence

Appendix 2. Representations



# Folkestone & Hythe District Council

(Page 1 /20)

Your name

**Katarzyna Szyszko**

Email

[hq@betoncollective.org](mailto:hq@betoncollective.org)

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

**The Grand The Leas CT20 2XL**

Telephone number at premises (if any)

**07955832343**

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

**B**

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## Applicant details (Page 3 /20)

In what capacity are you applying for the premises licence?

**other (for example a statutory corporation)**

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

**Beton Collective CIC**

Address (inc postcode)

**26 Page Road CT18 7SF Hawkinge**

Registered number (where applicable)

**14479925**

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

# Folkestone & Hythe District Council

community interest company

Contact number

**07955832343**

Email

[hq@betoncollective.org](mailto:hq@betoncollective.org)

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When do you want the premises licence to start?

**19/04/2023**

If you wish the licence to be valid only for a limited period, when do you want it to end? **01/01/2024**

Please give a general description of the premises

**The Green Room at the Grand. The room can be attended by 150 people. It will be occasionally used for public events including classical music concerts, workshops, conferences, wedding receptions, film screenings. The room will not be in constant use, and not open to public except for the events.**

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

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Provision of regulated entertainment (tick all that apply)

- **Plays**
  - **Films**
  - **Live music**
  - **Recorded music**
  - **Performances of dance**
  - **Anything of a similar description to that falling within**
  - **Supply of alcohol**
- 

**Plays (Page 6 /20)**

Monday Start Monday Finish

**08:00            22:00**

# Folkestone & Hythe District Council

Tuesday Start Tuesday Finish  
**08:00 22:00**

Wednesday Start Wednesday Finish  
**08:00 22:00**

Thursday Start Thursday Finish  
**08:00 22:00**

Friday Start Friday Finish  
**08:00 22:00**

Saturday Start Saturday Finish  
**08:00 22:00**

Sunday Start Sunday Finish  
**08:00 22:00**

Where will the performance of the play take place?

**Both**

Further details

**The plays would not take place regularly. It would be performed occasionally and without amplification of sound.**

Seasonal variations for performing plays

Details of where you intend to use the premises for the performance of plays at different times to those listed

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## Films (Page 7 /20)

Monday Start Monday Finish  
**08:00 22:00**

Tuesday Start Tuesday Finish  
**08:00 22:00**

Wednesday Start Wednesday Finish  
**08:00 22:00**

Thursday Start Thursday Finish  
**08:00 22:00**

Friday Start Friday Finish  
**08:00 22:00**

Saturday Start Saturday Finish  
**08:00 22:00**

Sunday Start Sunday Finish  
**08:00 22:00**

# Folkestone & Hythe District Council

Where will the exhibition of films play take place?

**Both**

Further details

**Performing of films would take place occasionally. The films would be projected on the portable screen via projector.**

Seasonal variations for the exhibition of films

Details of where you intend to use the premises for the exhibition of films at different times to those listed

**Live music (Page 10 /20)**

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Monday Start Monday Finish

**08:00 22:00**

Tuesday Start Tuesday Finish

**08:00 22:00**

Wednesday Start Wednesday Finish

**08:00 22:00**

Thursday Start Thursday Finish

**08:00 22:00**

Friday Start Friday Finish

**08:00 22:00**

Saturday Start Saturday Finish

**08:00 22:00**

Sunday Start Sunday Finish

**08:00 22:00**

Where will the live music take place?

**Both**

Further details

Seasonal variations for the performance of live music

Details of where you intend to use the premises for live music at different times to those listed

# Folkestone & Hythe District Council

## Recorded music (Page 11 /20)

Monday Start Monday Finish  
**08:00**            **22:00**

Tuesday Start Tuesday Finish  
**08:00**            **22:00**

Wednesday Start Wednesday Finish  
**08:00**            **22:00**

Thursday Start Thursday Finish  
**08:00**            **22:00**

Friday Start Friday Finish  
**08:00**            **22:00**

Saturday Start Saturday Finish  
**08:00**            **22:00**

Sunday Start Sunday Finish  
**08:00**            **22:00**

Where will the recorded music take place?

**Both**

Further details

Seasonal variations for the performance of recorded music

Details of where you intend to use the premises for recorded music at different times to those listed

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## Performances of dance (Page 12 /20)

Monday Start Monday Finish  
**8:00**            **22:00**

Tuesday Start Tuesday Finish  
**08:00**            **22:00**

Wednesday Start Wednesday Finish  
**08:00**            **22:00**

Thursday Start Thursday Finish  
**08:00**            **22:00**

Friday Start Friday Finish  
**08:00**            **22:00**

Saturday Start Saturday Finish  
**08:00**            **22:00**

Sunday Start Sunday Finish  
**08:00**            **22:00**

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Where will the performances of dance take place?

**Both**

Further details

Seasonal variations for the performance of dance

Details of where you intend to use the premises for the performance of dance at different times to those listed

**Anything of a similar description to live music, recorded music or performance of dance (Page 13 /20)**

.....  
Monday Start Monday Finish  
**08:00 22:00**

Tuesday Start Tuesday Finish  
**08:00 22:00**

Wednesday Start Wednesday Finish  
**08:00 22:00**

Thursday Start Thursday Finish  
**08:00 22:00**

Friday Start Friday Finish  
**08:00 22:00**

Saturday Start Saturday Finish  
**08:00 22:00**

Sunday Start Sunday Finish  
**08:00 22:00**

Please give a description of the type of entertainment you will be providing

Where will this take place?

**Both**

Further details

Any seasonal variations

Non standard timings where you intend to use the premises for this type of entertainment at different times to those listed

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## Supply of alcohol (Page 15 /20)

Monday Start Monday Finish

**08:00**            **21:30**

Tuesday Start Tuesday Finish

**08:00**            **21:30**

Wednesday Start Wednesday Finish

**08:00**            **21:30**

Thursday Start Thursday Finish

**08:00**            **21:30**

Friday Start Friday Finish

**08:00**            **21:30**

Saturday Start Saturday Finish

**08:00**            **21:30**

Sunday Start Sunday Finish

**08:00**            **21:30**

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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

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

**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

**Josip Pucekovic**

Date of birth

**30/04/1980**

Address (inc postcode)

**26 Page Road, Hawkinge CT18 7SF**

Personal licence number (if known)

**FHDC1991**

Issuing licensing authority (if known)

**Folkestone**

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

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

Monday Start Monday Finish

**08:00 22:00**

Tuesday Start Tuesday Finish

**08:00 22:00**

Wednesday Start Wednesday Finish

**08:00 22:00**



# Folkestone & Hythe District Council

Thursday Start Thursday Finish

**08:00 22:00**

Friday Start Friday Finish

**08:00 22:00**

Saturday Start Saturday Finish

**08:00 22:00**

Sunday Start Sunday Finish

**08:00 22:00**

Any seasonal variations

**The premises are not to be open every day to the public. The premises will be open to the public as per events that can occur at any day of the week.**

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

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

General – all four licensing objectives

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

**2. Recording Practices - The premises will maintain written reports and registers. These will be kept for a minimum of 12 months and made available to the police and any authorised officer of the licensing authority on request. Records will be maintained of the following: a. Any complaint against the premises in respect of any of the licensing objectives b. Any crime reported at the premises c. Any seizure of drugs or offensive weapons d. Any illegal drug related incident e. Any fault in the CCTV system All written reports and registers will be regularly checked by the DPS.**

The prevention of crime and disorder

**The venue maintains a CCTV system. The CCTV system continually records even when the venue is not open for licensable activities and / or when customers remain on the premises. All recordings shall be time & date stamped, maintained for a 31 day period and be made available to the Police or authorised officer of the licensing authority upon request. The CCTV system shall: a. Cover all entry points used by the public. b. Enable frontal identification of persons entering in any light condition. c. Be maintained by a suitably qualified person. - CCTV - Sufficient competent persons should be authorised by the premises licence holder to provide the Police with downloaded CCTV data (footage and / or images) in an appropriate recorded format**

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(usually to a disc, memory stick or data file sent electronically) when formally requested to do so. The authorised person(s) should be sufficient to enable such data to be obtained by the police within 48 hours of a formal request being made. - CCTV - Sufficient competent persons should be authorised by the premises licence holder to ensure that at all times the premises is open to the public, a member of staff is available to show the Police, when formally requested to do so, any images / footage from CCTV system with a minimum of delay. - Drugs Zero Tolerance Policy - A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced. - Door Supervisor - A Door Supervisor will be employed at the premises when licensable activities are taking place under the following criteria: a. On Friday, Saturdays & Sundays when the Sunday precedes a Bank Holiday, from 21.00 until the last patron has left the premises and dispersed from the area immediately to the front of the premises. b. Where a requirement for door supervisor is identified, a register of door supervisors employed will be maintained. This register will record their name, SIA Door Supervisor Licence number, contact details and be signed by the Door Supervisor as well as an authorised member of the premises management team. - Externally Promoted Events - No externally promoted events will be permitted at the premises; 'externally promoted events' are those which are promoted, managed and delivered by external promoters not affiliated to the Premises Licence holder. - Food & Soft Drinks - Hot food and non-intoxicating beverages including drinking water shall be available until 22.00 in all parts of the premises when alcohol is sold or supplied on the premises.

Public safety

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

The prevention of public nuisance

**Refuse Disposal** - No commercial waste shall be left on the street, all waste shall be stored in the commercial bins provided, prior to collection. **Refuse Disposal** - Waste shall not be collected from the premises between the hours of 22.00 and 08.00 on any day. **Glass Recycling** - Glass set aside for recycling shall not be emptied from one receptacle into another in any external area of the premises between the hours of 22.00 and 09.00 on any day **Litter** - The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared. **Noise Escape** - Where amplified live music or recorded music is played windows and doors will be kept shut, except for entrance and egress, after 22.00 to avoid any public nuisance being caused. **Noise Escape** - No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. **External Areas** - No amplification system or speakers will be used externally, at the front of the premises. **Smoking Area** - Smokers shall be directed to smoke at the front of the premises. **Smoking Area Signage** - A sign

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requesting customers to respect local residents and keep noise to a minimum, will be displayed in the designated Smoking Area. Smoking Area - Alcoholic drinks will not be permitted to leave on any day, including for those leaving for the purpose of smoking. External Tables & Chairs - All tables and chairs located in the external areas of the premises will be rendered unusable after 21.00 on each day. Exit Signage - A sign requesting customers to respect local residents and leave the premises quietly, will be displayed at each public the exit to the premises. Dispersal Policy - A suitable Dispersal Policy will be adopted by the premises and all relevant staff will receive training in the implementation of the policy. A copy of the policy will be kept at the premises and made available to the Police or Environmental Health Officer on request. External Doors - All external doors to the premises will remain closed after 23.00 except for entrance and egress, to prevent noise escaping from the premises.

The protection of children from harm

A Challenge 25 - A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol; signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing a PASS hologram. Register of Refusals - A register of refusals book or electronic equivalent designed to record all refusals of sales of alcohol shall be maintained on the premises and made available to the police and local authority officers upon reasonable request. Access Restriction for Children - Children under the age of 18 years shall not be permitted on the premises after 21.00 on any day.

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## Additional information (Page 19 /20)

Upload a plan of the premises  
**Adobe Scan 12 Apr 2023.pdf**

Upload the consent of individual to being specified as premises supervisor  
**DPS Consent Form Blank.pdf**

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

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## 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).

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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.

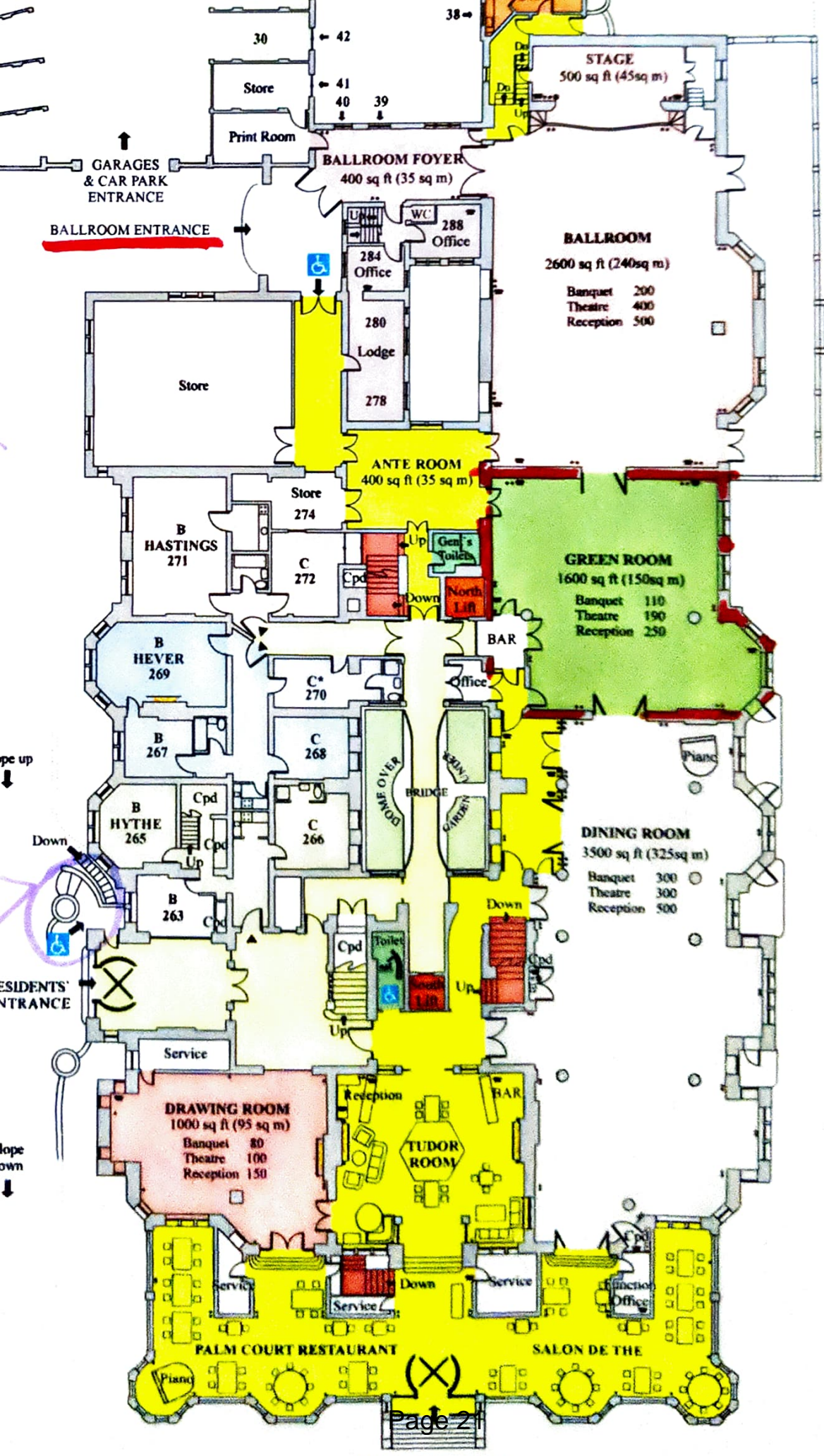
Full name    Date

**Josip Pucekovic 19/04/23**

Capacity

**Director**

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# Representations

## Representation 1

Name: Tatiana Dudova

Address: Inverness suite, the Grand

Commenter Type: Neighbour

Stance: Object

Reason: Prevention of public nuisance

Comments: Beton and GRFL Directors did inform the residents of their arrangement, in broad terms, but regrettably no consultation was held on this application. I was not even aware until last week that an application had been submitted. While I support commercial activities at the Grand and wish Beton every success, it is important to keep in mind that the Grand is first of all a residential building. It is also an old building that was built before sound amplifying equipment came into use; the Green room and other commercial spaces on the ground floor have no sound insulation required where such equipment is used.

I purchased my flat because it overlooks the garden, and therefore there is no traffic noise. As someone who suffers from severe headaches I greatly value this quiet location. At the time of purchase of my property at the Grand and until use of the Green room and its adjoining rooms was discontinued during lockdown, the planning permission was to only use amplified music in the Music room located one floor below, next to Keppels. There is no reason why this should be any different now. If and when adequate soundproofing solutions are implemented by qualified professionals, the matter of sound amplifying equipment usage may be revisited, if necessary.

I would like to point out that noise carries at the Grand, e.g., I can hear one of my neighbours, a musician, rehearsing even though he lives two floors away. Noise is a very big concern, and for everyone who lives on the first floor directly above the commercial spaces noise is probably the main concern. Loud music and singing sounds as if it's preformed in our own flats. Thankfully, as I mentioned above, so far our quiet enjoyment of our homes was protected by restricting loud music to the Music room.

I hope we can continue to enjoy the peace and quiet of our beautiful homes. These concerns are very specific to the Grand and other older mixed-use buildings, and very different from free-standing event venues where the only noise-related concerns are for outside neighbours located some distance away.

The wording "occasionally used for public events" is too vague and open to very different interpretations; I would therefore suggest replacing it with a clearer more specific wording. I would suggest that two live non-amplified music events per month would be plenty.

I have no objections to any number of “quiet “ events held in the Green room provided my concerns as per below are addressed.

There are presently no designated smoking areas at the Grand, and I hope it stays this way. I strongly oppose the introduction of any designated smoking areas. It is especially unacceptable that Beton guests should be allowed to smoke and drink near any entrances/exits of the Grand as it would encourage noise, disturbances and littering.

Also, from a practical standpoint, I wonder how such smokers would re-enter the building after having a smoke outside, unless they are given a passcode for the electronic lock (see below), or somehow keep the door open, either is unacceptable. Building access and security: Beton clients currently enjoy free access not only to the Green room but to the entire building, if they wish, and there are no measures in place to restrict their access or to ensure they leave the building once the event they were attending is over. Inadequate security was one of the issues we cited when we took Mr. Stainer, the former owner/manager of the Grand to the Tribunal, and won. And now security is a concern, once again.

Our investment into fob-operated electronic locks is presently invalidated by the access given to Beton and their guests. I don't know if they were also issued a numeric passcode for the electronic locks, and whether they may be sharing it with anyone (see re smoking above; I hope not!). It is natural for people to be curious about the Grand and wish to visit more than just the one room where an event is held, however this is our home, and uninvited visitors are may pose a security risk.

We have many elderly and vulnerable people among our residents, and it is very important that they stay and feel safe. I would like to reiterate that I hope the Grand becomes the home of many very successful commercial activities. I also hope that such activities are not to the detriment of the residents' safety, security, comfort and general welfare.

## **Representation 2**

Name: Thomas von Nordheim

Address: Ingoldsby Suite, The Grand, Folkestone CT20 2LR

Commenter Type: Neighbour

Stance: Object

Reason: Prevention of public nuisance

Comments: I wish to make representation under the Licencing Act 2003 for application reference PR202304-88831. I am one of the leaseholders and occupants of The Ingoldsby Suite, The Grand, which is exactly above The Green Room for which the licence is sought for.

In a historical context The Grand was a hotel, built with a steel frame structure and concrete in which, unfortunately, sound travels. The Grand is now a building with full



time residents. To facilitate commercially run events to be held at The Grand, the premises would have to be updated to modern standards of sound insulation or held in specific areas only (i.e. Keppel's Music Room).

A licence was granted in 2004 (ref. Application IPEL/279) to the previous freeholder, and this put certain restrictions on the use of the commercial parts of The Grand. These included that no amplified music could be played, events were restricted to one a month etc.

The current licence application indicates that amplified sound may be used, even though the applicants lease states it is not allowed, or so we have been told by the directors of the freeholders.

The application asks for 14 hour per day license (8am-10pm), 7 days a week, 365 days a year with potentially 150 guests in attendance and a bar selling alcohol.

The events are varied and include stage plays, live music, film screenings, concerts, weddings etc. This is unsustainable given we could in theory be disturbed by noise from the Green Room every day of the year with events back to back.

Any licence granted would need to reflect that the building is mainly residential and cannot be used for commercial events which could give rise to complain. Perhaps Sundays and Bank holidays can be excluded. It is the days when people like to enjoy the peace and quiet of their homes.

The licence application states use for "occasional events". However, the council has granted a licence (reference LC202306-17361) for a total of 5 consecutive days of events last week. On all of these days we were subjected to noise from The Green Room to include amplified and non-amplified sound and speech, live performed and recorded music. 5 days in a row is not occasional.

After minor impact from events on Friday to Sunday, on Monday 26. June there was a live music jazz concert with amplified singing, accompanied by piano and bass from 7pm-10pm, although we heard noise from downstairs until 11pm. The noise level was very intrusive.

On 28. June the Green Room hosted "Show Up, a Musical comedy" which included piano music and singing from 5.30 to 9.45 pm. After having been compelled to raise our concerns with the applicants on a couple of occasions before, it was Monday's event which made us formally complain to the directors of the freehold about the current use of The Green Room. Although I am in favour of events at The Grand, if it is facilitated and monitored correctly, I am concerned about the impact of future events, if a licence in its current "carte blanche" version is granted to the applicants and I therefore object.

### **Representation 3**

Name: Chris Fallon

Address: The Ingoldsby Suite, The Grand, The Leas, Folkestone CT20 2LR

Commenter Type: Neighbour

Stance: Object

Reason: Prevention of public nuisance

Comments: I am the joint leaseholder and full time resident of the Ingoldsby Suite at the Grand. I am objecting to the granting of the licence in its current form because of the following factors linked to environmental emissions concerns.

The Ingoldsby Suite is located directly above the entirety of The Green Room so the impact is considerable and it can also impact on neighbouring flats on the first floor and potentially through other areas. The Green Room is unsuitable for the activities that are listed on the licence application ie: dance performance, recorded music, live music or "anything similar" and the fact that these can be undertaken from 8.00am to 10.00pm Monday to Sunday all year. The noise created by these activities will have a major detrimental impact on those living above this space.

I am not opposing the use of the Green Room for events and activities but the commercial usage has to be suitable for a residential building and the fact that they are beneath residents homes and not involve activities that will be detrimental to the lives of those living there.

Usage needs to be restricted to activities that it is suited for such as talks, conferences, writing classes, exhibitions etc which we understood to be the case.

During the period of the previous management of the commercial areas of The Grand the Council placed restrictions on the frequency and types of events that could be held here and this included non amplified sound activities. This was in recognition of how sound carried and reverberated and impacted residents through a building such as The Grand with its construction type, acoustic properties and structure. Nothing has changed in this time in terms of sound insulation and structure of the building.

The Green Room is not a space designed for the uses detailed in the application and has not been adapted for these purposes. If an occasional musical event/workshop/activity was allowed then the use of "occasional" needs to be defined in terms of regularity, type and time of day permitted and not a frequent occurrence that is allowed as part of the licence agreement otherwise there is the possibility of numerous events with noise in a week/month and throughout evenings and weekends.

The licence allows for up to 150 people to attend events in a licensed premise which in such a space at The Green Room with its acoustic properties can create much noise. Recent events/workshops with music have demonstrated how sound can emanate from this space.

The space known as The Music Room adjacent Keppels was used for musical activities because it was neither below or above residential flats and had better sound insulation . The old Keppels bar also was not beneath residential properties. It has been confirmed by GFRL that the Music Room will be brought back into use but there still needs to be clarity and restrictions on the types of events that are held in The Green Room.

It has also been confirmed by GFRL that amplified sound is not allowed in the Green Room but can it be clarified if this should be stated in the Licence? Finally this application would have benefited from consultation with residents prior to submission but I only found out about it on the 26th June. It is good news that it has been confirmed that residents are to be involved in the proposals for the other commercial spaces.

#### **Representation 4**

Name: Robert Dancy

Address: The Lambourne Suite, the Grand, The Leas, Folkestone CT20 2LR

Commenter Type: Neighbour

Stance: Object

Reason: Prevention of public nuisance. Prevention of Crime and Disorder

Comments: The Grand is primarily a residential building with over 50 apartments. No notice was delivered to each residential apartment of The Grand and the notice has only been displayed in the common areas for a few days, less than a week and certainly not since the 7th June, this has not allowed time for detailed consideration. However I have the following objections.

I object to the proposed start time of 08.00am - the Green Room is within The Grand and shares its entrance with the residential access for flats, with this in mind I think the earliest the public should be allowed access is 10.00am.

Likewise I object to the proposed finish time of 10.00pm on Sunday, I feel that music & licensed events should finish earlier on a Sunday to allow the residents some peace late evening, so i would suggest 8.30pm as a finish on Sundays. I think 08.00 -22.00 7 days a week is too much.

In order to use toilet facilities I believe mean that members of the public will need to access areas of The Grand that are currently secured by access control and only accessible by residents, this poses a security risk. When the Keppels bar was open this had separate access for the public and appropriate facilities. i believe the venue should appropriate access and toilet facilities not requiring access to the residential part of the building.

We have had problems in The Grand before with loud music late at night and unknown people wandering around the residential areas. I am aware of at least one assault in the building by strangers. Access to residential areas should be prevented.

#### **Representation 5**

Name: Grenville Hancox

Address: Lancaster Suite, the Grand, The Leas, Folkestone CT20 2LR

Commenter Type: Neighbour

Stance: Support

Reason: No objection

This application is reasonable and takes into account the potential impact on residents /neighbours through public engagement. Beton Collective have proved themselves to be wholly responsible and considerate since January 2023 and the foundation of their business. The impact on residents life of the programme of events and the associated licensed provision is wholly positive and beneficial.

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of the Local Government Act 1972.

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