

Notice of Licensing Sub-Committee

Date: Tuesday, 20 August 2019 at 10.00 am

Venue: Committee Suite, Civic Centre, Poole BH15 2RU



Membership:

Chair: To be elected

Cllr N Decent

Cllr B Dunlop

Cllr G Farquhar

Cllr S Baron (Reserve Member)

All Members of the Licensing Sub-Committee are summoned to attend this meeting to consider the items of business set out on the agenda below.

The press and public are welcome to attend.

If you would like any further information on the items to be considered at the meeting please contact: Democratic Services or email democratic.services@bcpcouncil.gov.uk

There is a: [Licensing Committee and Sub Committee Protocol for Public Speaking](#)

Press enquiries should be directed to the Press Office: Tel: 01202 454668 or email press.office@bcpcouncil.gov.uk

This notice and all the papers mentioned within it are available at democracy.bcpCouncil.gov.uk

GRAHAM FARRANT
CHIEF EXECUTIVE

12 August 2019



Available online and
on the Mod.gov app



AGENDA

Items to be considered while the meeting is open to the public

- | | |
|---|---------|
| 1. Election of Chair
To elect a Chair for this meeting of the Licensing Sub-Committee. | |
| 2. Apologies
To receive any apologies for absence from Councillors. | |
| 3. Declarations of Interests
Councillors are required to comply with the requirements of the Localism Act 2011 regarding disclosable pecuniary interests. Declarations received will be reported at the meeting. | |
| 4. Exclusion of Press and Public
In relation to the items of business appearing below, the Committee is asked to consider the following resolution: -

'That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.' | |
| 5. Application for Variation of Premises Licence - The Buffalo - 303-305 Wimborne Road, BH9 2AA

Laceys Solicitors representing Russell Restaurants Bournemouth Limited have made an application for variation to the premises licence to extend both the commencement and terminal hours for the sale of alcohol and the provision of regulated entertainment. | 3 - 26 |
| 6. Review of a Public Carriage Driver licence
Please refer to the non-public report circulated at '6'. | 27 - 34 |
| 7. Review of a Public Carriage Driver licence
Please refer to the non-public report circulated at '7'. | 35 - 44 |
| 8. Review of Hackney Carriage Driver's Licence
Please refer to the non-public report circulated at '8'. | 45 - 54 |

No other items of business can be considered unless the Chair decides the matter is urgent for reasons that must be specified and recorded in the Minutes.



Licensing Sub-Committee

Report subject	Application for Variation of Premises Licence The Buffalo 303-305 Wimborne Road BH9 2AA
Meeting date	20 August 2019
Status	Public Report
Executive summary	Laceys Solicitors representing Russell Restaurants Bournemouth Limited have made an application for variation to the premises licence to extend both the commencement and terminal hours for the sale of alcohol and the provision of regulated entertainment.
Recommendations	<p>Members are asked to decide whether to: -</p> <ul style="list-style-type: none"> a) Grant the application for variation as made; b) Refuse the application for variation; c) Grant the premises licence subject to additional conditions. <p>Members of the Licensing Sub-Committee are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.</p>
Reason for recommendations	<p>The Licensing Authority has received two representations from Councillor Simon Bull and another person under the prevention of crime and disorder, prevention of public nuisance and public safety licensing objectives.</p> <p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the representations.</p> <p>Where representations have been received in relation to an application by a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Scheme of Delegation set out in the Council's Constitution states that these applications should be dealt with by the Licensing Sub-Committee.</p>

Portfolio Holder(s):	Councillor Lewis Allison - Tourism, Leisure and Communities
Corporate Director	Kate Ryan – Corporate Director for Environment & Community
Contributors	Sarah Rogers – Senior Licensing Officer ☎ (01202) 454929 ✉ sarah.rogers@bcpcouncil.gov.uk
Wards	Winton East
Classification	For Decision

Background

1. An application for variation under the Licensing Act 2003 was made on 26th June 2019. The application is to extend the hours for the sale of alcohol and the provision of regulated entertainment to commence at 10:00 hours on all days and to end at 01:00 on Sundays to Thursdays with a further 30 minutes for late night refreshment and opening (01:30 hours). A copy of the application is at Appendix 1.
2. A plan is attached as Appendix 2 showing the location of the premises.
3. The premises have had the benefit of a Premises Licence since 25 November 2005 when the licence was converted from the previous Licensing Act 1964. On 26 September 2018 the licence was transferred and from then on operated as Buffalo under the ownership of the applicant.
4. On the 13 November 2018 Bournemouth Borough Council's Licensing Board considered a previous application to vary the permitted hours for the supply of alcohol, regulated entertainment, late night refreshment and the hours they are open to the public. A decision was made to grant on Fridays and Saturdays for the hours 11:00 to 02:00 for alcohol and regulated entertainment, 23:00 to 02:30 for late night refreshment and 11:00 to 02:30 for the opening hours with additional noise prevention conditions. The hours for Sundays before Bank Holidays, Christmas Eve and New Year's Eve until 05:00 hours the following day were also approved.
5. A copy of the current Premises Licence is attached as Appendix 3.
6. A number of Temporary Event Notices were given in April 2019 to allow live music from 23:00 to 00:00 hours for "Local Live" events. No complaints were received to Environmental Health as a result and they are not making representation to this application.

Consultation

7. The application has been served on all responsible authorities and the applicant confirmed that the statutory notices were displayed on site and published in the local newspaper.
8. The application prompted representations from two other persons on the grounds that they believe the grant of the application will undermine the prevention of crime and disorder, prevention of public nuisance and public safety licensing objectives. A copy of the representations are attached at Appendix 4.

Options

9. Before making a decision, Members are asked to consider the following matters:

- The representations made by the other persons.
- The submissions made by or made on behalf of the applicant.
- The relevant licensing objectives, namely the prevention of crime and disorder, prevention of public nuisance and public safety.
- The Licensing Act 2003, Regulations, Guidance and the Council's Statement of Licensing Policy.

Summary of financial implications

10. N/A

Summary of legal implications

11. If Members decide to refuse the application or attach conditions to the licence which the applicant does not agree to, the applicant may appeal to the Magistrates' Court within a period of 21 days beginning with the day that the applicant is notified, in writing, of the decision.

Summary of human resources implications

12. N/A

Summary of environmental impact

13. N/A

Summary of public health implications

14. N/A

Summary of equality implications

15. N/A

Summary of risk assessment

16. N/A

Background papers

Bournemouth's Statement of Licensing Policy:

<http://www.bournemouth.gov.uk/Business/Documents/StatementofLicensingPolicyLA2003.pdf>

Appendices

- 1 – Copy of variation application
- 2 – Location plan
- 3 – Copy current Premises Licence
- 4 - Representations

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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 Russell Restaurants Bournemouth Limited

(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 BH083870
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description (The) Buffalo 303-305 Wimborne Road			
Post town	Bournemouth	Postcode	BH9 2AA
Telephone number at premises (if any)		01202 520277	
Non-domestic rateable value of premises		£48,700	

Part 2 – Applicant details

Daytime contact telephone number	Tom Russell -		
E-mail address (optional)	tom@barbuffalo.co.uk		
Current postal address if different from premises address	Registered Office Unit 3 Ingworth Road, Poole BH12 1JY Correspondence 3 Beaufoys Close, Ferndown BH22 9RS		
Post town	See above	Postcode	See above

Part 3 - Variation

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☒ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

To extend the hours for the sale of alcohol and the provision of regulated entertainment to commence at 10:00 hours on all days and to end at 01:00 Sundays to Thursdays (instead of 23:00 hours) with a further 30 minutes for late night refreshment and opening. The terminal hour on Fridays, Saturdays, Bank Holiday Sundays, Christmas Eve and New Year's Eve will remain unchanged.

Note that the applicant has given a number of TEN's earlier this year to extend the opening hours and these have not resulted in any issues or complaints about the premises.

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:

Not applicable

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 see guidance note 3) **Please tick all that apply**

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

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

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

In all cases complete boxes K, L and M

Boxes A to D and G are not included on the licence and have been omitted from the form in the interest of saving paper and sustainability.

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	10:00	01:00	<u>Please give further details here</u> (please read guidance note 5) References to 01:00 and 02:00 are to the day following. The current non-standard timings to be deleted. Note that Live Music between the hours of 10:00 and 23:00 would be exempt under the Live Music Act in any event.		
Tue	10:00	01:00			
Wed	10:00	01:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6) None		
Thur	10:00	01:00			
Fri	10:00	02:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7) Sundays falling on Bank Holiday Weekends and Christmas Eve, from 10:00 to 02:00 the day following and on New Year's Eve, from 10:00 until 05:00 on January 1 st .		
Sat	10:00	02:00			
Sun	10:00	01:00			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	10:00	01:00	<u>Please give further details here</u> (please read guidance note 5) References to 01:00 and 02:00 are to the day following. The current non-standard timings to be deleted. Note that Recorded Music between the hours of 10:00 and 23:00 would be exempt under the Live Music Act in any event.		
Tue	10:00	01:00			
Wed	10:00	01:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6) None		
Thur	10:00	01:00			
Fri	10:00	02:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7) Sundays falling on Bank Holiday Weekends and Christmas Eve, from 10:00 to 02:00 the day following and on New Year's Eve, from 10:00 until 05:00 on January 1 st .		
Sat	10:00	02:00			
Sun	10:00	01:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing As at present	
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors <input checked="" type="checkbox"/>
Mon	10:00	01:00		Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue	10:00	01:00	Please give further details here (please read guidance note 5) References to 01:00 and 02:00 are to the day following. The current non-standard timings to be deleted.	
Wed	10:00	01:00		
Thur	10:00	01:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6) None	
Fri	10:00	02:00		
Sat	10:00	02:00	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 (please read guidance note 7) Sundays falling on Bank Holiday Weekends and Christmas Eve, from 10:00 to 02:00 the day following and on New Year's Eve, from 10:00 until 05:00 on January 1 st .	
Sun	10:00	01:00		

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input checked="" type="checkbox"/>
Mon	23:00	01:30	Please give further details here (please read guidance note 5) References to 01:30 and 02:30 are to the day following. The current non-standard timings to be deleted.	
Tue	23:00	01:30		
Wed	23:00	01:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 6) None	
Thur	23:00	01:30		
Fri	23:00	02:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7) Sundays falling on Bank Holiday Weekends and Christmas Eve, from 23:00 to 02:30 the day following and on New Year's Eve, from 23:00 until 05:00 on January 1 st .	
Sat	23:00	02:30		
Sun	23:00	01:30		

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	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 6) None		
Mon	10:00	01:00			
Tue	10:00	01:00			
Wed	10:00	01:00			
Thur	10:00	01:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) Sundays falling on Bank Holiday Weekends and Christmas Eve, from 10:00 to 02:00 the day following and on New Year's Eve, from 10:00 until 05:00 on January 1 st .		
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun	10:00	01:00			

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 10).</p> <p>No adult entertainment or services etc will be provided.</p>
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L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6) None
Day	Start	Finish	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 (please read guidance note 7) Sundays falling on Bank Holiday Weekends and Christmas Eve, from 10:00 to 02:30 the day following and on New Year's Eve, from 10:00 until 05:00 on January 1 st .
Mon	10:00	01:30	
Tue	10:00	01:30	
Wed	10:00	01:30	
Thur	10:00	01:30	
Fri	10:00	02:30	
Sat	10:00	02:30	
Sun	10:00	01:30	

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.

It is not proposed to remove any conditions.

Please tick as appropriate

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

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

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

Not applicable

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 11)

The premises have operated successfully since the applicant took them over in October 2018. The applicant does not consider that it is appropriate or necessary to offer any additional or amended conditions in connection with this application.

b) The prevention of crime and disorder

Please refer to section M(a) above.

c) Public safety

Please refer to section M(a) above.

d) The prevention of public nuisance

Please refer to section M(a) above.

e) The protection of children from harm

Please refer to section M(a) above.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- 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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	For Lacey's Solicitors LLP
Date	25 June 2019
Capacity	Solicitors for the Applicant

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Mr Philip Day
Lacey's Solicitors LLP
9 Poole Road

Post town	Bournemouth	Post code	BH2 5QR
Telephone number (if any)	01202 755216		

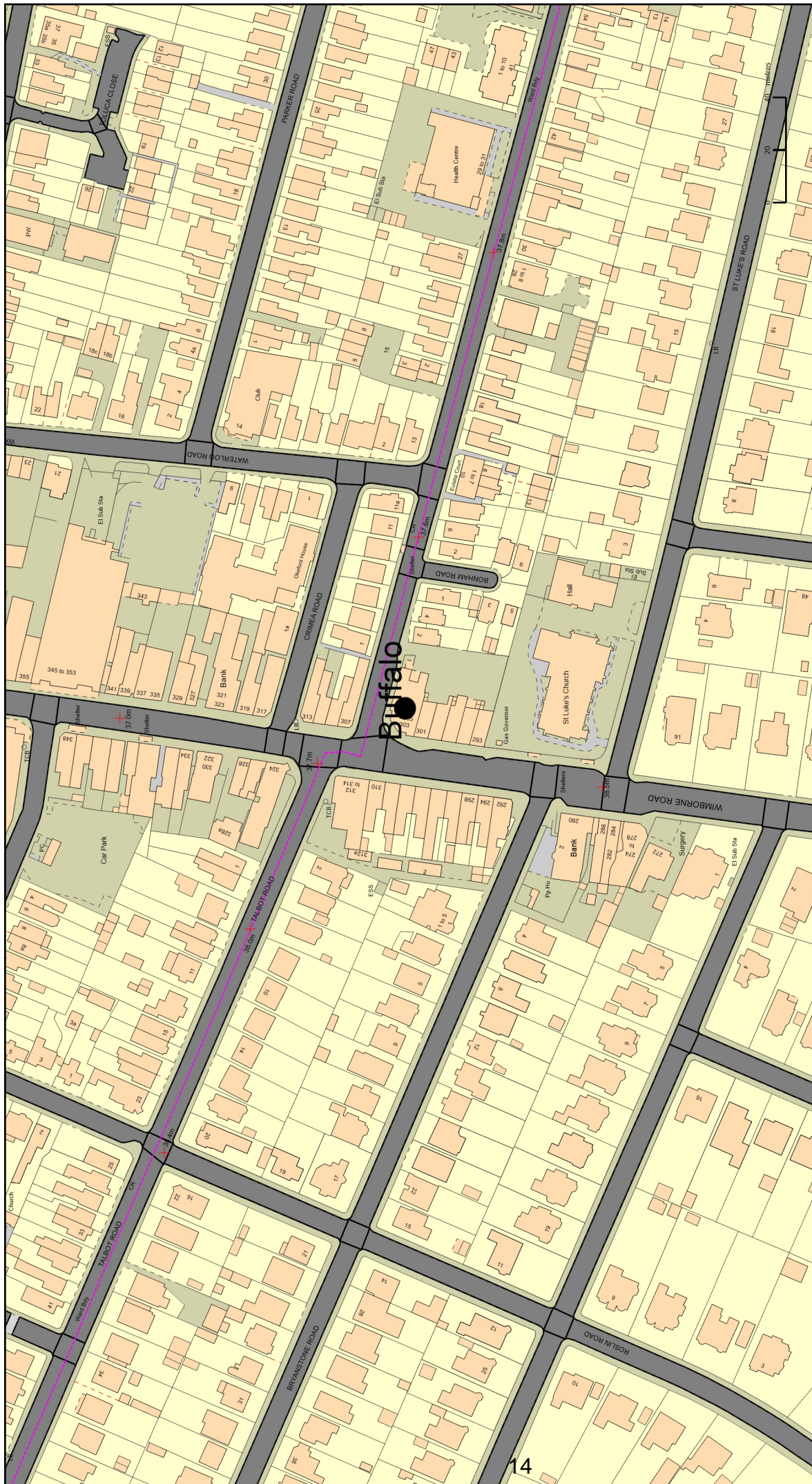
Scale: 1:2000 @ A4

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Buffalo 303-3-5 Wimborne Road
Application for Variation to Premises Licence

district_borough_unitary_region





Premises Licence Part A

Premises licence number: BH083870

Postal address of premises, or if none, ordnance survey map reference or description:	
The Buffalo - 303-305 Wimborne Road	
Post town: Bournemouth	Post Code: BH9 2AA
Telephone number: 01202 520277	

Licensable activities authorised by the licence:
Live Music Recorded Music Activity like Music / Dance Late Night Refreshment Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:
<p>Live Music Monday - 18:00 to 23:00 Tuesday - 18:00 to 23:00 Wednesday - 18:00 to 23:00 Thursday - 18:00 to 23:00 Friday - 11:00 to 02:00 Saturday - 11:00 to 02:00 Sunday - 18:00 to 23:00 Performance of live music will take place indoors. <u>Non-standard timings for the performance of live music.</u> Sundays falling on Bank Holiday Weekends and Christmas Eve, from 11:00 to 02:00 the day following and on New Year's Eve, from 11:00 until 05:00 on January 1st</p> <p>Recorded Music Monday - 18:00 to 23:00 Tuesday - 18:00 to 23:00 Wednesday - 18:00 to 23:00 Thursday - 18:00 to 23:00 Friday - 11:00 to 02:00 Saturday - 11:00 to 02:00 Sunday - 18:00 to 23:00 Playing of recorded music will take place indoors. <u>Non-standard timings for the playing of recorded music.</u> Sundays falling on Bank Holiday Weekends and Christmas Eve, from 11:00 to 02:00 the day following and on New Year's Eve, from 11:00 until 05:00 on January 1st</p> <p>Activity like Music / Dance Monday - 18:00 to 23:00 Tuesday - 18:00 to 23:00 Wednesday - 18:00 to 23:00 Thursday - 18:00 to 23:00 Friday - 11:00 to 02:00 Saturday - 11:00 to 02:00 Sunday - 18:00 to 23:00 Entertainment will take place indoors. <u>Non-standard timings for entertainment.</u> Sundays falling on Bank Holiday Weekends and Christmas Eve, from 11:00 to 02:00 the day following and on New Year's Eve, from 11:00 until 05:00 on January 1st</p>

Late Night Refreshment

Friday - 23:00 to 02:30

Saturday - 23:00 to 02:30

Provision of late night refreshments will take place indoors and outdoors.

Non-standard timings for provision of late night refreshments.

Sundays falling on Bank Holiday Weekends and Christmas Eve, from 23:00 to 02:00 the day following and on New Year's Eve, from 23:00 until 05:00 on January 1st

Supply of Alcohol

Monday - 11:00 to 23:00

Tuesday - 11:00 to 23:00

Wednesday - 11:00 to 23:00

Thursday - 11:00 to 23:00

Friday - 11:00 to 02:00

Saturday - 11:00 to 02:00

Sunday - 11:00 to 23:00

Non-standard timings for the supply of alcohol.

Sundays falling on Bank Holiday Weekends and Christmas Eve, from 11:00 to 02:00 the day following and on New Year's Eve, from 11:00 until 05:00 on January 1st

The opening hours of the premises:

Monday - 11:00 to 23:30

Tuesday - 11:00 to 23:30

Wednesday - 11:00 to 23:30

Thursday - 11:00 to 23:30

Friday - 11:00 to 02:30

Saturday - 11:00 to 02:30

Sunday - 11:00 to 23:30

Non-standard timings.

Sundays falling on Bank Holiday Weekends and Christmas Eve, from 11:00 to 02:00 the day following and on New Year's Eve, from 11:00 until 05:00 on January 1st

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:

Alcohol will be consumed on and off the premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
Russell Restaurants Bournemouth Limited Unit 3 Ingworth Road Poole Dorset BH12 1JY Tel: 07711 533151 Email: tom@barbuffalo.co.uk

Registered number of holder, for example company number, charity number (where applicable):
10930223

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:
Mr Thomas Oliver Mark Russell

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:
BH082326 Bournemouth Borough Council

Annex 1 – Mandatory conditions

Mandatory Conditions (Sections 19,20,21 LA 2003)

- 1.1. There shall be no sale or supply of alcohol when there is no designated premises supervisor in respect of this premises licence or at a time when the said premises supervisor does not hold a personal licence or when his/her licence is suspended.
- 1.2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 1.3. Any person used to carry out a security activity as required under condition 2.6 below must be licensed by the Security Industry Authority.

The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014

- 1.4.
 1. The responsible person must 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 –
 - (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (d) 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;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 1.5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 1.6.
 1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

3. 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 either -
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

1.7. The responsible person must 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;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

The Licensing Act 2003 (Mandatory Conditions) Order 2014

1.8.

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 -
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula —

$$P = D + (D \times V)$$

Where —

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating schedule

Prevention of Crime and Disorder

- 2.1. A CCTV system shall be installed and thereafter maintained to a standard approved by the police, to cover all public entry and exit points enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record and cover all public areas of the building (other than the toilets) at all times the premises are open to customers. All recordings shall be stored for a minimum period of 31 days with correct date and time stamping.
 - 2.1.1 Facilities shall be made available to allow police and other authorised officers to view recordings immediately on request and to be provided with copies in playable format as soon as is reasonably practicable, provided in both cases that requests are compliant with data protection legislation and regulations. To that end, a staff member who is conversant with and authorised to access the CCTV system shall be available at all times the premises are open to the public.
 - 2.1.2 Appropriate signage advising customers of CCTV being in operation, shall be prominently displayed in the premises.
 - 2.1.3 A documented check of the CCTV shall be completed weekly to ensure all cameras remain operational and the 31 days storage for recordings is being maintained.
- 2.2. An incident log shall be kept at the premises. The log should include the date and time of the incident and the name of the member of staff involved. The log to be made available on request to an authorised officer of the Council or the Police, which shall record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any noise complaints received
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system
 - (f) any official visit or inspection by a responsible authority or emergency service.
- 2.3. The premises shall also maintain a Refusals Register and use the same to record any occasion when a customer is refused the service of alcohol and the reason for the refusal.
 - 2.3.1 Both the incident book and the refusals register shall be checked by the Designated Premises Supervisor or a senior manager at least once a week and signed to that effect.
- 2.4. The holder of the licence shall consider all events that take place at the premises (such as, but not limited to, the showing of football, rugby or private parties) and in respect of any event that the

premises assesses as medium risk or above, the event shall be subject to a written risk assessment and appropriate SIA registered door staff shall be deployed for such event.

- 2.5. A copy of any risk assessment that has been undertaken shall be maintained on the premises and a copy provided to the police on request. Any such risk assessment shall be reviewed annually or at the request of the police.
- 2.6. A minimum of two SIA registered door staff shall be deployed at the Premises from 21:30 hours until close or all customers have dispersed (whichever is later) on every Friday and Saturday night. The premises shall have a written dispersal policy and abide by the same.

Public Safety

- 2.7. Toughened safety glass shall be used when serving pints and halves.

Prevention of Public Nuisance

- 2.8. To join the local Pubwatch, while such a scheme exists.
- 2.9. No external drinking after 23:00 and the rear door to be closed and not used except in emergencies after 23:00.
- 2.10. 'Please leave quietly' signs to be displayed.
- 2.11. There shall be no commercial deliveries to the premises nor collections of waste from the premises between 21:00 hours and 06:00 hours.
- 2.12. Whenever regulated entertainment is being provided (other than under The Live Music Act), all doors and windows shall be kept closed, except for normal access and egress.

Protection of Children from Harm

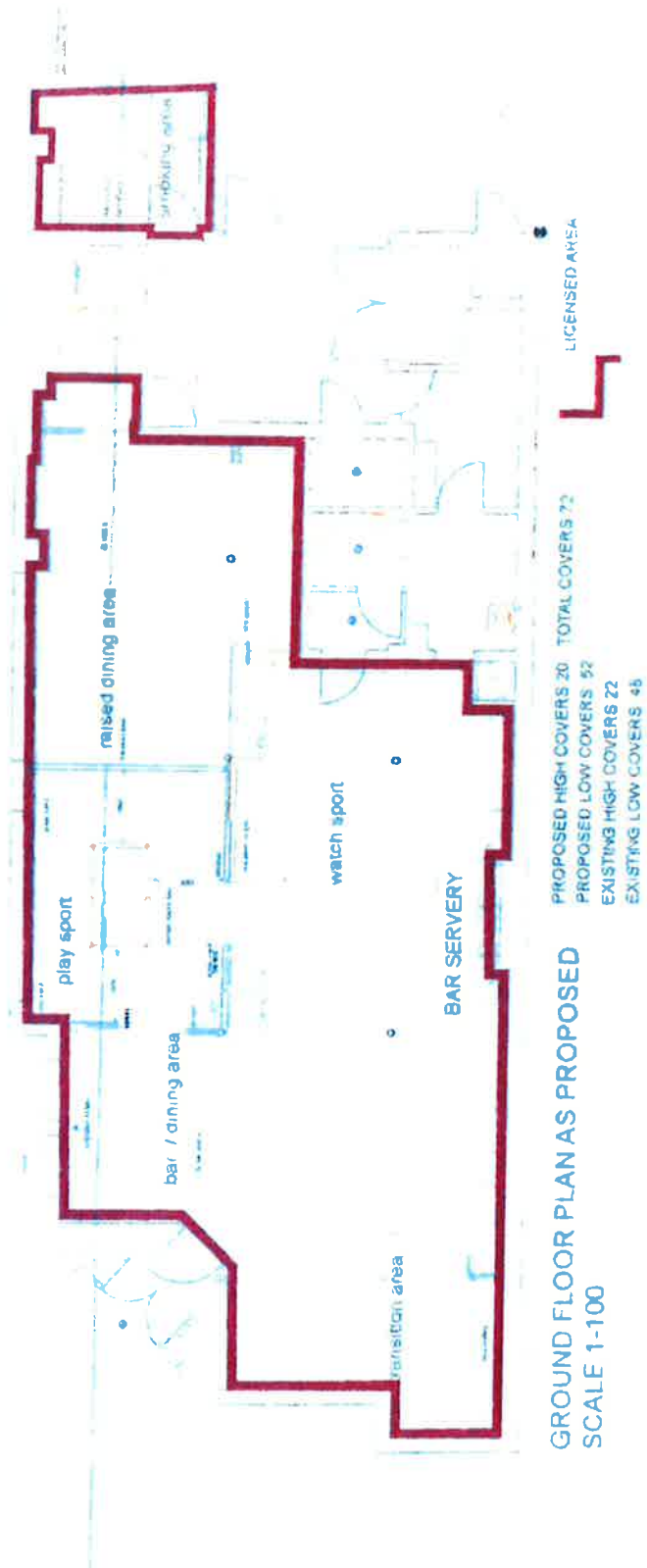
- 2.13. The age verification scheme required by the mandatory conditions shall specify that any person who appears to be under the age of 25 (as opposed to 18) shall be required to produce proof of age in a form specified by the conditions, before being served with alcohol.
 - 2.13.1 "Challenge 25" posters or similar shall be prominently displayed at the bars.
- 2.14. All staff concerned in the sale or supply of alcohol shall receive training on the law relating to prohibited sales (i.e. to children and persons who are drunk).
 - 2.14.1 Refresher training shall take place at least once every 6 months.
 - 2.14.2 All staff training shall be documented, and copies of the training records made available for inspection by police, council and other authorised officers on request.
- 2.15. Any alcohol sold or supplied for consumption off the premises (other than for consumption in any external area shown on the approved plan) shall be supplied in sealed containers.

Annex 3 – Conditions attached after a hearing by the licensing authority

N/A

Annex 4 – Plans

This licence is issued in accordance with the plan M140284 dated 15 July 2014, as attached.



GROUND FLOOR PLAN AS PROPOSED
SCALE 1:100

PROPOSED HIGH COVERS 20
PROPOSED LOW COVERS 52
EXISTING HIGH COVERS 22
EXISTING LOW COVERS 48

Rev C Alternative scheme PS 6.05.2014
Rev B Alternative scheme PS 15.04.2014
Rev A Alternative scheme PS 15.04.2014
Rev A Alternative scheme PS 15.04.2014
Rev A Alternative scheme PS 15.04.2014

BOURNEMOUTH BOROUGH COUNCIL
LICENSING SECTION
15 JUL 2014
APPROVED
REF. No. M140284

Ground Floor
The Hub and Kitchen, 7819
385-389, Victoria Road
Bournemouth, Dorset
BM9 2AA
Phone: 01202 555555
Postcode: BH9 2AA
5.000 @ 10
March 2014
5717-14-101
C



**Premises Licence
Part B**

Premises licence number: BH083870

Postal address of premises, or if none, ordnance survey map reference or description:	
The Buffalo - 303-305 Wimborne Road	
Post town: Bournemouth	Post Code: BH9 2AA
Telephone number: 01202 520277	

Licensable activities authorised by the licence:
Live Music, Recorded Music, Activity like Music / Dance, Late Night Refreshment, Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:
Live Music: (Indoors) Sunday to Thursday - 18:00 to 23:00, Friday to Saturday - 11:00 to 02:00 Recorded Music: (Indoors) Sunday to Thursday - 18:00 to 23:00, Friday to Saturday - 11:00 to 02:00 Activity like Music / Dance: (Indoors) Sunday to Thursday - 18:00 to 23:00, Friday to Saturday - 11:00 to 02:00 Late Night Refreshment: (Indoors & Outdoors) Friday to Saturday - 23:00 to 02:30 Supply of Alcohol: Sunday to Thursday - 11:00 to 23:00, Friday to Saturday - 11:00 to 02:00 <u>Non-standard timings for all licensable activities.</u> Sundays falling on Bank Holiday Weekends and Christmas Eve, from 11:00 to 02:00 the day following and on New Year's Eve, from 11:00 until 05:00 on January 1st

The opening hours of the premises:
Sunday to Thursday - 11:00 to 23:00, Friday to Saturday - 11:00 to 02:30 <u>Non-standard timings.</u> Sundays falling on Bank Holiday Weekends and Christmas Eve, from 11:00 to 02:00 the day following and on New Year's Eve, from 11:00 until 05:00 on January 1st

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:
Alcohol will be consumed on and off the premises.

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
Russell Restaurants Bournemouth Limited, Unit 3 Ingworth Road, Poole, Dorset, BH12 1JY. Tel: 07711 533151 Email: tom@barbuffalo.co.uk

Registered number of holder, for example company number, charity number (where applicable):
10930223

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:
Mr Thomas Oliver Mark Russell

State whether access to the premises by children is restricted or prohibited:
None

Mrs Nananka Randle
Licensing Manager

Issued: 05 July 2005
Revised: 13th November 2018 [Full Variation]

Sarah Rogers - Licensing

From: diane rees ·
Sent: 16 July 2019 15:03
To: licensing@bcpcouncil.gov.uk
Subject: The Buffalo Ref 171410

Categories: Jenny

Dear Sir or Madam,

I strongly wish to register my objection to the above.

I live in close proximity of this establishment.

For the last few months I have suffered from noise and anti social behaviour in the early hours of Saturday and Sunday mornings when the Buffalo is open until gone 2.00 am.

There is always shouting and laughter on the road in front of my house at these times. Recently, one early Saturday morning, I had a drunkard fall over my wall into my garden, with her friends then taking photos.

My daughter and young grandchild are awoken most early Saturday mornings when they stay over with us. If this license is granted it will be impossible for them to stay over on a week day due to work and school the next morning.

I have been very tolerant of the increase of noise caused by the Buffalo's extended hours on Friday and Saturday making no complaints as it was just 2 days a week.

To allow The Buffalo to stay open until past 1.00 am Sunday to Thursday will cause misery to me and others close to me.

I urge this application to be refused.

Yours faithfully,

Diane Rees.

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Licensing Act 2003 - Representation Form

Personal/Business Details	
Name: Cllr Simon Bull	
Address: 15 Frampton Road	
Town: Bournemouth	
Post Code: BH9 1HD	
Email: simon.bull@bcpcouncil.gov.uk	
Contact Telephone Numbers:	Mobile: 07957206806 Daytime:

I wish my personal/business details to be excluded from public documentation (tick box)	
--	--

Premises Details <i>(Please give as much information as possible)</i>
Application Ref: M165872
Name of Premises: Buffalo Bar
Address of Premises: 303 - 305 Wimborne Road, Bournemouth

Reasons for Representation <i>(Please give information under each relevant Licensing Objective)</i>
<p>The Prevention of Crime and Disorder: The granting of this license is likely to cause an increase in crime and disorder through drunkenness.</p>
<p>The Prevention of Public Nuisance: The granting of this license is likely to cause an increase in Public Nuisance through anti-social behaviour such as increased noise, rowdiness, drunken behavior and other activities.</p>
<p>Public Safety: The granting of this license is likely to cause a reduction in public safety along a main highway through drunkenness and drunken behavior.</p>
<p>The Protection of Children from Harm:</p>

I declare that the information I have provided is true and correct.

SignedCllr Simon Bull..... Dated19.07.19.....

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of the Local Government Act 1972.

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