

# Notice of Licensing Sub-Committee

Date: Tuesday, 14 April 2020 at 10.00 am

Venue: Skype Meeting



---

## Membership:

### Chairman:

### Vice Chairman:

Cllr B Dunlop

Cllr G Farquhar

Cllr D A Flagg

Reserve: Cllr D Farr

---

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.

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](mailto:democratic.services@bcpcouncil.gov.uk)

Press enquiries should be directed to the Press Office:  
email [press.office@bcpcouncil.gov.uk](mailto:press.office@bcpcouncil.gov.uk)

This notice and all the papers mentioned within it are available at [democracy.bcpCouncil.gov.uk](http://democracy.bcpCouncil.gov.uk)

GRAHAM FARRANT  
CHIEF EXECUTIVE

2 April 2020



Available online and  
on the Mod.gov app



## Maintaining and promoting high standards of conduct

### Declaring interests at meetings

Familiarise yourself with the Councillor Code of Conduct which can be found in Part 6 of the Council's Constitution.

Before the meeting, read the agenda and reports to see if the matters to be discussed at the meeting concern your interests

Do any matters being discussed at the meeting relate to your registered interests?

Disclosable Pecuniary Interest

Yes

Declare the nature of the interest

Do NOT participate in the item at the meeting. Do NOT speak or vote on the item EXCEPT where you hold a dispensation

You are advised to leave the room during the debate

Local Interest

Yes

Declare the nature of the interest

Applying the bias and pre-determination tests means you may need to refrain from speaking and voting

You may also need to leave the meeting. Please seek advice from the Monitoring Officer

No

Do you have a personal interest in the matter?

Yes

Consider the bias and pre-determination tests

You may need to refrain from speaking & voting

You may also need to leave the meeting. Please seek advice

No

You can take part in the meeting speak and vote

What are the principles of bias and pre-determination and how do they affect my participation in the meeting?

Bias and predetermination are common law concepts. If they affect you, your participation in the meeting may call into question the decision arrived at on the item.

#### Bias Test

In all the circumstances, would it lead a fair minded and informed observer to conclude that there was a real possibility or a real danger that the decision maker was biased?

#### Predetermination Test

At the time of making the decision, did the decision maker have a closed mind?

If a councillor appears to be biased or to have predetermined their decision, they must NOT participate in the meeting.

For more information or advice please contact the Monitoring Officer  
([tanya.coulter@bcpcouncil.gov.uk](mailto:tanya.coulter@bcpcouncil.gov.uk))

### Selflessness

Councillors should act solely in terms of the public interest

### Integrity

Councillors must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships

### Objectivity

Councillors must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias

### Accountability

Councillors are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this

### Openness

Councillors should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing

### Honesty & Integrity

Councillors should act with honesty and integrity and should not place themselves in situations where their honesty and integrity may be questioned

### Leadership

Councillors should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs

# AGENDA

Items to be considered while the meeting is in public session

**1. Election of Chairman**

To elect a Chairman of this meeting of the Licensing Sub-Committee.

**2. Apologies**

To receive any apologies for absence from Members.

**3. Declarations of Interests**

Councillors are requested to declare any interests on items included in this agenda. Please refer to the workflow on the preceding page for guidance.

Declarations received will be reported at the meeting.

**4. Protocol for Public Representation at Virtual Meetings**

5 - 8

In response to the Government's guidance to limit the spread of Coronavirus and restrictions around the gathering of more than two people, the following items of business will be conducted as virtual hearings under the Licensing Act 2003.

A revised protocol for public representation at virtual meetings is included with the agenda sheet for this meeting.

This approach has been taken to ensure the Council is compliant with the current restrictions and is not putting participants and members of the public at risk.

**5. Review of Premises Licence at The Talbot, 559 Wimborne Road, Bournemouth, BH9 2AR**

9 - 44

To consider an application by the Chief Officer of Dorset Police for a review of the premises licence for The Talbot at 559 Wimborne Road on the ground of prevention of crime and disorder and public safety licensing objectives

**6. Application for Full Variation of Premises Licence for Bistro on the Beach, Solent Promenade, Southbourne, Bournemouth**

45 - 74

To consider an application to vary the Premises Licence for Bistro on The Beach of Solent Promenade, Southbourne, to increase the licensable area to include the existing take away area, to add off sales for the supply of alcohol, and to identify the location of an outdoor temporary bar servery area - all in accordance with the current licence schedule and conditions.

Note: The Licensing Sub Committee at its meeting on 17 March 2020 opened and adjourned this item until 14 April 2020.





## LICENSING COMMITTEE AND SUB COMMITTEE PROTOCOL FOR PUBLIC REPRESENTATION AT VIRTUAL MEETINGS

**The existing protocol for public speaking has been adapted to apply in respect of virtual hearings under the Licensing Act 2003, and, subject to the provisions of the Coronavirus Act Regulations 2020, virtual hearings under the Gambling Act 2005, and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by the Policing and Crime Act 2009).**

This includes applications relating to the licensing of alcohol, regulated entertainment, late night refreshment, gambling, and sex establishments, Hackney Carriage and Private Hire vehicles, which are the responsibility of the Licensing Committee/Sub Committee to determine as set out in Part 3.3 of the Council's Constitution.

1. The Chair welcomes everyone to the hearing, identifies all parties present and makes introductions.
2. Matters of general housekeeping are dealt with, notification that the hearing may be recorded for subsequent publication on the Council's website, reminder to switch mobile phones to silent.
3. All persons who have given notice of their intention to speak are identified.
4. Identify if any person who wishes to withdraw a representation or wishes not to speak
5. Chair explains proposed procedure and order of speaking for hearing as set out in Appendix A. All parties confirm agreement or make representations on procedure proposed.
6. Licensing Officer's report is presented.
7. Parties present their representations in the order agreed.
8. Parties who are speaking should not repeat the information which they have already given in writing in their representation. They will be able to expand on the written information given, provided the information remains relevant. Any addition information should be limited to the grounds of their representation(s). For example, if they are objecting on the grounds of Public Nuisance, then they should confine their comments to matters relating to Public Nuisance.
9. Members of the Licensing Committee or Sub Committee may ask questions after each representation and at the end of all representations. Parties, will be allowed to ask questions through the Chair.
10. Following representations, the parties will be given the opportunity to sum up. Party who spoke first to go last. The hearing will then conclude.
11. The Sub-Committee will deliberate in private with Legal Adviser and Clerk present.

12. Notification of the Sub Committee's decision will be given within the period of five working days beginning with the day or the last day on which the hearing was held in accordance with the regulations. The notification of decision will include information about the right of appeal as appropriate

#### General points

- The hearing may be adjourned at any time at the discretion of the Members
- Members may amend the procedure at any time if they consider it to be in the public interest or in the interest of a fair hearing
- The Sub Committee may decide to conduct all or part of a hearing in non public session where it considers the public interest in doing so, outweighs the public interest in the hearing.
- The Chair may exclude any person from a hearing for being disruptive.
- Meetings of the Licensing Committee in public session are recorded by the Council for subsequent publication on its website.
- The hearing will take the form of a discussion.
- Only persons (or their representatives) who have made an application, are subject to an application or have submitted a written representation to the Licensing Authority under the relevant Act are permitted to speak at the hearing.
- Any further information to support an application or a representation must be submitted at least 5 working days prior to the Hearing. Any submissions submitted less than 24 hours before the hearing must be agreed by all parties at the Hearing, before it can be considered
- If a party has informed the Authority that he does not intend to participate, or be represented at the hearing, or has failed to advise whether he intends to participate or not, the hearing may proceed in his absence

**For other matters in Part 3.3 of the Council's Constitution which are the responsibility of the Licensing Committee, the procedures set out in Appendix 6 of the Council's Constitution in relation to public questions, statements and petitions as amended by the provisions of the Coronavirus Act Regulations 2020 shall apply.**

This includes such matters as making recommendations on relevant policies, approving the level of fees charged by the Council, and making decisions on tariffs charged by the Public Carriage Trade.

**The Council's Constitution can be accessed using the following link:**

<https://democracy.bcpccouncil.gov.uk/ieListDocuments.aspx?CId=151&MIId=3671&Ver=4&Info=1>

For further information please contact [democraticservices@bcpcouncil.gov.uk](mailto:democraticservices@bcpcouncil.gov.uk)

**Proposed procedure and order of speaking for virtual hearings**

- The Licensing Officer/Other Council Officer presents report
- Applicant will make their Application
- Questions of the Applicant by all parties, Members of the Committee/Sub-Committee to go first
- Responsible Authorities and Other Persons will make their representations.
- Questions of the Responsible Authorities and Other Persons. Members of the Committee/Sub-Committee to go first.
- All parties will be given an opportunity to sum up (with the party who spoke last to go first). The hearing will then conclude.
- Sub-Committee will deliberate in private with Legal Adviser and Clerk present. (Councillors new to Licensing may observe but will not take part in the decision making).
- Notification of the Sub Committee's decision will be given within the period of five working days beginning with the day or the last day on which the hearing was held in accordance with the regulations. The notification of decision will include information about the right of appeal as appropriate

This page is intentionally left blank



**LICENSING SUB-COMMITTEE**



Report subject	<b>Review of Premises Licence at The Talbot, 559 Wimborne Road, Bournemouth, BH9 2AR</b>
Meeting date	14 April 2020
Status	Public Report
Executive summary	To consider an application by the Chief Officer of Dorset Police for a review of the premises licence for the Talbot at 559 Wimborne Road on the ground of prevention of crime and disorder and public safety licensing objectives.
Recommendations	<p><b>It is RECOMMENDED that members:</b></p> <ul style="list-style-type: none"> <li>• <b>Modify the conditions of the licence</b></li> <li>• <b>Exclude a licensable activity from the scope of the licence</b></li> <li>• <b>Remove the Designated Premises Supervisor</b></li> <li>• <b>Suspend the licence for a period not exceeding three months</b></li> <li>• <b>Revoke the licence</b></li> <li>• <b>Leave the licence in its current state</b></li> </ul> <p><b>Members of the Licensing 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.</b></p>
Reason for recommendations	<p>Where a review application by a responsible authority, or any other person, has been received the scheme of delegation set out in the Council's Constitution states that these applications should be dealt with by the Sub-Committee.</p> <p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the application.</p>

Portfolio Holder(s):	Councillor Lewis Allison – Tourism, Leisure and Communities
Corporate Director	Kate Ryan – Corporate Director for Environment & Community
Report Authors	Tania Jardim – Licensing Officer (01202) 454927 tania.jardim@bcpcouncil.gov.uk
Wards	Winton East
Classification	For Decision

## Background

1. An application to review the premises licence, under section 51 of the Licensing Act 2003 was made by Louise Busfield on behalf of the Chief Officer of Dorset Police on the 27<sup>th</sup> February 2020. Following a prolonged period of engagement with the premises and an incident of disorder that occurred on the 16<sup>th</sup> February 2020, Dorset Police no longer have confidence in the DPS or the premises licence holder. A copy of the review application is attached at Appendix 1.
2. A copy of the current premises licence and plan showing the location is attached at Appendix 2.
3. The premises have held a premises licence which allows films, indoor sporting events, live music, recorded music, activity like music/dance, late night refreshment and supply of alcohol since 16<sup>th</sup> March 2006.
4. The current licence holder, Ei Group plc, initially took over the premises as Enterprise Inns on 13<sup>th</sup> June 2007, however, since then the premises licence has been the subject of various transfer applications and applications to vary the Designated Premises Supervisor (DPS). It was transferred to other individuals on the 9<sup>th</sup> December 2012 and 24<sup>th</sup> December 2012 before it was then transferred back to Enterprise Inns on the 30<sup>th</sup> September 2013. On the 27<sup>th</sup> May 2015, it was again transferred to another individual but then back to Enterprise Inns on the 5<sup>th</sup> April 2016. Enterprise Inns changed its name to Ei Group plc on the 14<sup>th</sup> February 2017. Since the last transfer, the licence holder has submitted eight applications to vary the DPS at the premises.
5. A representation from the Licensing Authority has been submitted in support of the review application. A copy of this representation is attached at Appendix 3.
6. No other representations were received from the other responsible authorities or any other person.

## Consultation

7. Dorset Police submitted the application on 27<sup>th</sup> February 2020 and declared that a copy of the application had been served on the other responsible authorities and the licence holders on that day.

8. On the 28<sup>th</sup> February 2020, Tania Jardim of the Licensing Authority displayed a site notice to the front of the premises. A spare copy was handed to Mr London who was at the premises at the time.
9. Two further notices were placed in the main offices of the Town Hall (Customer Services Reception at St Stephen's Road and the main public noticeboard in Bourne Avenue). A notice was also published on the BCP Council's website.
10. Mr Richard Taylor of Gosschalks Solicitors emailed the Licensing Authority to confirm that he was representing the applicant.

### **Options Appraisal**

11. Before making a decision, Members are asked to consider the following matters: -
  - The application made by Dorset Police.
  - The submissions made by or on behalf of the licence holder.
  - The relevant licensing objectives, namely the prevention of crime and disorder.

### **Summary of financial implications**

12. An appeal may be made against the decision of Members by the applicant or the licence holder to the Magistrates' Court which could have a financial impact on the Council.

### **Summary of legal implications**

13. The decision of the Licensing Sub-Committee can be appealed to Dorset Magistrates Court by the applicant or the licence holder 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**

14. N/A

### **Summary of sustainability impact**

15. N/A

### **Summary of public health implications**

16. N/A

### **Summary of equality implications**

17. N/A

### **Summary of risk assessment**

18. N/A

### **Background papers**

Bournemouth Borough Council's Statement of Licensing Policy

<https://bournemouth.gov.uk/Business/Licensing/LicensingAct/TheLicensingAct2003.aspx>

## **Appendices**

1. Copy application for review by Dorset Police
2. Copy current premises licence and plan showing the location of the premises.
3. Representation in support of the Review by the Licensing Authority.

*[Insert name and address of relevant licensing authority and its reference number (optional)]*

**Application for the review of a premises licence or club premises certificate 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 Louise Busfield on behalf of the Chief Officer of Dorset Police** .....

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> The Talbot 559 Wimborne Road	
<b>Post town</b> Bournemouth	<b>Post code (if known)</b> BH9 2AR

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> EI Group Plc.
--

<b>Number of premises licence or club premises certificate (if known)</b> BH087969
---

**Part 2 - Applicant details**

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick ✓ yes

Mr  Mrs  Miss  Ms  Other title  
(for example, Rev)

**Surname**

**First names**

**I am 18 years old or over**

Please tick ✓ yes

**Current postal  
address if  
different from  
premises  
address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

<b>Name and address</b>  Drug & Alcohol Harm Reduction Team Bournemouth Divisional Headquarters 5 Madeira Road Bournemouth BH1 1QQ
<b>Telephone number (if any)</b> 01202 227824
<b>E-mail address (optional)</b> licensing@dorset.pnn.police.uk

**This application to review relates to the following licensing objective(s)**

- Please tick one or more boxes ✓
- |   |                                     |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety                        | <input type="checkbox"/>            |
| 3) the prevention of public nuisance    | <input type="checkbox"/>            |
| 4) the protection of children from harm | <input type="checkbox"/>            |

**Please state the ground(s) for review** (please read guidance note 2)

The Prevention of Crime and Disorder. Specifically that the premises is being operated in contravention of licence conditions and that there are incidents occurring as a result of mismanagement which have led to significant disorder. Dorset Police no longer have confidence in the DPS or Premises Licence Holder.



**Please provide as much information as possible to support the application** (please read guidance note 3)

This application for a review of the premises licence for The Talbot is being submitted by Dorset Police on the grounds of the licensing objective of the Prevention of Crime & Disorder and Public Safety.

This application has been made following a prolonged period of engagement which has extended from 7<sup>th</sup> June 2018 until very recently following an incident of disorder which occurred on the 16<sup>th</sup> February and led to Dorset Police and our partners discovering, once again, a number of significant breaches at the premises.

It has always been and will continue to be the intention of Dorset Police Drug & Alcohol Harm Reduction Team to engage and support the DPS and Management in a consistent attempt to improve the operation of The Talbot, however, this latest incident in particular evidences that, despite this extensive support and engagement, the Licensing Objectives to Prevent Crime and Disorder and ensure Public Safety are not being promoted.

Dorset Police Licensing Officers have documented their engagement with this premises since before June 2018, however for the purpose of this application I will refer only to the specific involvement that we have had since June 2018.

It is important to note that only incidents that result in Dorset Police being contacted can be relied upon. We are aware from speaking with members of the community that there are further incidents of concern that are also not reported to Dorset Police or other partner authorities.

In advance of providing details of the incidents and concerns that have led to this Application to Review the Premises Licence, I will explain how Dorset Police structure our engagement towards attempting to achieve improvements to licensed premises in a collaborative approach to achieve efficient improvements and avoid bringing concerns before the Licensing Sub-Committee where possible.

Dorset Police are generally advised of an incident or intelligence linked to a specific premises. In the first instance, isolated incidents or intelligence may not be corroborated or may be unreliable and we would therefore consider a premises at this stage to be of *Interest* to us. This might necessitate a letter to be sent to the DPS or indeed a visit from the local Policing Team or a Police Licensing Officer.

In the event that our concerns are heightened in any way, either through corroborating the initial report/intelligence or we receive further reports from Police Officers or the public, then the premises will then be escalated and be of *Concern* to us. At this stage Licensing Officers and the Licensing Sergeant will discuss how it is most appropriate to manage the risk with the DPS and Premises Licence Holder during an arranged meeting. It is made clear at this time to the DPS/Premises Licence Holder that the premises is of concern.

In the event that the premises continues to underperform or is failing to act on the concerns of Dorset Police then the Licensing Officer will engage the support of the Licensing Authority and other agencies to determine a collaborative approach towards persuading the DPS/Premises Licence Holder to make improvements to their working practices. Whilst it remains the responsibility of the DPS/Premises Licence Holder to make improvements, suggestions are generally made by Dorset Police Licensing Officers and our partners as to the areas of particular concern to encourage improvement during this phase which we refer to as the *Problem Solving Profile* stage.

Having received significant engagement and having been offered advice by Dorset Police and our partners where appropriate, if the premises continue to underperform or continues to raise concerns then we will seek to escalate the premises to a phase we refer to as *Target*. This is

overseen by the Drug & Alcohol Harm Reduction Team Inspector and is communicated to our partners and will include a period of collating evidence towards a *Review*. Where it is appropriate to do so we will also meet with the DPS/Premises Licence Holder to ensure that they fully understand the position and that Dorset Police consider that their premises is not upholding the Licensing Objectives.

It is important to note that during any of the phases detailed above, Dorset Police seek to engage the support and co-operation of the DPS/Premises Licence Holder to avoid a Licensing Sub-Committee Hearing. In the event that this is not possible, then the premises will escalate to the final phase, referred to as *Review*, at which point the application is made to seek a Review of the Premises Licence.

There are occasions when the risk or nature of the concern does not allow all phases to be explored. This will generally be in serious cases where the Licensing Act 2003 supports an immediate escalation to a latter phase or where the nature of the incident casts immediate doubt over the ability of the premises to operate safely and lawfully. On these occasions, the evidence produced in support of the Review will generally be relatively current.

Due to the engagement that we undertake, where each or most of the phases of engagement have been explored in advance of the Review being submitted, it may be that some of the evidence being produced is up to 12 months (or in some cases longer) old. This should serve only to confirm that the premises has been underperforming over a sustained period of time despite structured engagement. We will endeavour to highlight the above phases of engagement chronologically throughout the document.

There now follows a summary of the engagement that has taken place at The Talbot which resulted in concerns, engagement, support and ultimately, the decision to seek a Review of the premises licence -

7<sup>th</sup> June 2018

Visit conducted by Police Licensing Officer Sarah Dutton, PC Steve Lemon and BCP Council Licensing Officer Sarah Rogers. This visit was conducted following reports of two violent incidents that occurred within 5 days of each other, both of which were assaults, one involving the use of a glass as a weapon.

Officers spoke with the DPS, Magdalena and Salle, the Area Manager of The Talbot. There was a discussion regarding the lack of Refusals Register and Incident Book at the premises. There were some scant details of incidents within Magdalena's diary, however, there was insufficient detail rendering the entries ineffective.

Magdalena confirmed that the premises was generally frequented by young individuals, predominantly male, who use the venue "like a youth club". This was confirmed when the CCTV was viewed for a selection of times and dates.

Advice was given with regards to improving the management of violent incidents at the premises and some suggestions made with regards to making improvements to the infrastructure of the outside area to reduce the risk of anti-social behaviour and enable the DPS to have greater control over the outside areas of the premises.

Following this visit a Minor Variation was submitted, accepting the recommendations of the attending officers and introduced the following to the Premises Licence –

- Use of Polycarbonate vessels in the beer garden at the front of the premises.
- Closure of the beer garden from 2300hrs each day.
- Clear signage displayed in the beer garden discouraging anti-social behaviour and noise.
- Risk Assess the requirement for SIA Door Supervision for busy events.

Despite concerns that were raised by officers regarding the ability of Magdalena to operate the premises safely and lawfully, the decision was made to retain Magdalena at the premises by the representative of the Licence Holder alongside an Action Plan to introduce improvements to the working practices at the premises.

After a short time the Licence Holder made the decision to replace the DPS at The Talbot. Magdalena was replaced by Leigh who had introduced notices to the outside area discouraging noise, updated the staff training records and introduced an incident log to the premises.

During a visit conducted by Police Licensing Officer Sarah Dutton it was discovered that Leigh had banned a female discovered to be using cannabis at the premises, was upholding the *Challenge 25* campaign and had started closing the outside areas of the premises at approximately 2030hrs to ensure greater control of the overall premises.

At this stage, despite some improvements that had been introduced, the premises was considered a '*Concern*' due to the nature of the incidents, the lack of upholding the existing licence conditions and the change of DPS at the premises that experienced two significant assaults within a short period of time.

Whilst it would usually be expected to begin in the '*Interest*' category, the concern was such that further monitoring was necessary in order to support the premises either to '*Interest*' or towards being removed from the focus of Dorset Police altogether.

#### 2<sup>nd</sup> October 2018

Follow up visit conducted by Sergeant Gosling and Licensing Officer Sarah Dutton to advise the DPS of the concerns that we have for the premises. Leigh advised that he had banned three individuals within a week and had gained the support of a local SIA contractor in addition to being comprehensive with his recording of incidents that had taken place at the premises, of which there were many.

The premises was reduced down to '*Interest*' at this stage due to the information being passed to Dorset Police by the DPS.

#### 27<sup>th</sup> October 2018

A follow up visit was conducted by Licensing Officers following a report of a large fight that occurred at the premises on Wednesday 24<sup>th</sup> October 2018. Following the incident that evening a Burglary occurred at the premises which included the theft of the CCTV system and the Cash Safe.

There was no evidence present to suggest a link between both incidents, however, it was not therefore possible to review the CCTV of the incident of violence.

At this point the premises escalated to '*Concern*' once again and there was sufficient concern that the issues would continue that we communicated our concerns to our partners at BCP Licensing Authority and arranged a meeting with the Area Manager.

#### 8<sup>th</sup> November 2018

Visit conducted by Police Licensing Officers to the premises to meet the Area Manager, Salle Wroblewski, and the DPS, Leigh Beecham.

DPS raised concerns regarding the level of drug consumption by customers at the premises. The DPS further stated that the intoxication was present during weekdays and weekends and therefore the introduction of SIA support staff at the weekends that had been implemented voluntarily had

been ineffective.

The Area Manager advised that the plan was to identify suitable replacement tenants for the premises to take over from the current DPS and to overhaul the premises completely.

#### 11<sup>th</sup> February 2019

Meeting with the new Manager, Tracy Bondsfield and the area Manager, Salle Wroblewski to discuss changes that are being proposed to improve the performance of the premises. This was a generally positive meeting with several proposals being put forward to improve the compliance of the premises.

#### 16<sup>th</sup> March 2019

Pre-arranged meeting with Salle Wroblewski and a new DPS, Sydney, who had been brought in suddenly to take over from Tracy Bondsfield. No explanation was provided other than that there was a 'long-term plan' to reform the premises, details of which were unable to be released at that time.

Alterations were made to the infrastructure at the front of the premises to make it more open and a new offering would be provided for drink and food to attract a different customer base.

Reassurance provided that Tracy was an experienced Assistant Manager, formerly of a premises in Central Bournemouth, who had a 'zero tolerance', no nonsense approach to issues being caused by customers. The premises was due to open the following day after a short period of closure to effect a refurbishment of the main bar area.

#### 15<sup>th</sup> June 2019

Impromptu visit conducted by Police Licensing Officer Sarah Dutton at approximately 2000hrs as a result of excessive noise emanating from the premises and two males who could be seen arguing outside the premises. During the visit it was necessary for Police Licensing Officer Sarah Dutton to request the music noise levels to be lowered in order to hold a conversation.

Concerns raised regarding the presence of a group of local males who had previously been highlighted as being of concern by the DPS during a previous meeting. A referral was sent to the BCP Environmental Health regarding the apparently excessive high levels of noise emanating from the premises.

#### 31<sup>st</sup> August 2019

Report received of an assault that took place at The Talbot at approximately 2145hrs. Initially, there were two individuals involved, however, due to a lack of control over the premises, several more customers became involved in the altercation which continued outside.

Some customers were seen on CCTV to be involved in the altercation and others seen trying to stop the altercation. The DPS had no control over the incident. Customers seen outside the premises with glasses despite there being a condition for no glasses being outside the premises at that time.

Most concerning is that the CCTV captures a young child being caught up in the altercation and trying to flee the altercation in a distressed state on two separate occasions. The DPS later confirmed that the child was living in the residential flats above the premises at that time but that their parents were not involved in the altercation.

The DPS further advised that the victim had spoken on the phone to her previous to attending The Talbot to ask whether they would be permitted entry to the premises as he had an issue with another regular customer following a previous incident at The Talbot. The DPS encouraged the customer to return to The Talbot rather than telling them to stay away as to avoid any further conflict. Had the advice been to stay away from the premises or deal more robustly with the other individual then this incident could have been proactively prevented.

#### 15<sup>th</sup> September 2019

Large fight reported outside The Talbot. This was as a result of a large group of local males, the same group that had caused issues previously, stood outside the premises holding glasses. The altercation concerned a drink driver, however, due to the apparent lack of control over this outside area the DPS was unable to diffuse the situation effectively.

#### 18<sup>th</sup> September 2019

Area Manager Salle Wroblewski confirms that due to the lack of ability by the DPS to control the premises and other issues relating to her ability to operate the premises effectively, the DPS will be replaced within 10 days.

Police Licensing Officer Louise Busfield responds to this correspondence to inform them that the constant changes in DPS have not dealt with the fundamental concerns that we have regarding the premises.

At this time the premises was escalated to '*Problem Solving Profile*' and highlighted formally to BCP Licensing Authority who agreed to a joint meeting with the Management of The Talbot.

#### 6<sup>th</sup> February 2020

Pre-arranged meeting between Police Licensing Officer Louise Busfield, BCP Licensing Officer Sarah Rogers, Katie Tyszka of 'Pub Solutions' and Simon Maynard (Manager).

There was a DPS temporarily put in place whilst Mr Simon Maynard was in the process of applying for his Personal Licence before assuming the DPS position. A visit was arranged following ongoing concerns that there were frequent changes to the DPS, poor management of the premises and intelligence suggesting that the premises was permitting entry to persons who were excluded from Pubwatch premises.

It was discovered that the CCTV system had been faulty and therefore closed for business since the 2<sup>nd</sup> February. Premises would re-open when the CCTV was operational.

Risk Assessments were poorly completed in respect of events taking place at the premises. It was also identified that Mr Maynard was employing SIA staff directly without a Non-Frontline SIA licence and that there were no specific Training Logs present for the premises, only those that are generic to all premises.

It was identified that there was a breach of Condition 2.1 as The Talbot had not been represented at Pubwatch and Condition 2.4 was breached in that there was no policy in place for dealing with incidents of violence and disorder. Most alarmingly, there was no incident log being completed.

During the visit it was confirmed that a person who is excluded from licensed premises in the area through the Pubwatch scheme was living at The Talbot, the explanation given that "he had nowhere else to go". Advised that it was not appropriate to accommodate an excluded person at a licensed premises.

Officers highlighted concerns regarding apparent over-intoxication of customers at the premises and in particular that there were irresponsible drink promotions at The Talbot. Whilst the

promotions may be appropriate in other premises, they were potentially fuelling the disorder emanating from The Talbot and it was agreed that the promotions would cease.

Mr Maynard advised that he was working with other members of his family to manage The Talbot and a further premises in East Dorset. Mr Maynard was strongly encouraged by officers against attempting to share his efforts between The Talbot and the other premises due to the levels of attention that The Talbot will demand in order to achieve compliance with the conditions of the Premises Licence and to enable him to uphold the licensing objectives.

#### 11<sup>th</sup> February 2020

During the Pubwatch meeting it was confirmed by Mr Maynard and the DPS that The Talbot had reopened on the 8<sup>th</sup> February 2020.

#### 16<sup>th</sup> February 2020

Large fight that started inside The Talbot and continued outside the premises. Several persons involved in a fight which led to a male being struck with a glass and suffering head injuries. There was an apparent lack of control of the incident whereby the DPS remained behind the bar and the other female member of staff trying to control a large altercation inside and outside of the premises.

Female member of staff, later identified as Tara, identified herself to attending Police officers as the 'Landlady' of the premises on their arrival. No other members of staff seen on CCTV at the premises during the incident.

#### 17<sup>th</sup> February 2020

Police Licensing Officer Louise Busfield spoke with the DPS of the premises at 1130hrs and arranged to meet with them at The Talbot at 1400hrs the same day. Confirmed during the telephone conversation that Mr Maynard had not been involved in the incident at The Talbot.

Visit conducted at The Talbot by Sergeant Gareth Gosling, Police Licensing Officer Louise Busfield and BCP Licensing Officer Sarah Rogers. The DPS was unable to meet with officers due to being called away on a 'family emergency' and were therefore met by Mr Maynard. Officers were unable to reach the DPS via telephone.

Incident Log and Refusals Book were checked and appeared to not be transparent. There were up to 6 entries for ID Checks recorded for Wednesday 12<sup>th</sup> February 2020 by Tara, the explanation given that the weekly 'Free Pool' event attracts lots of younger people who are asked to produce ID. There were no entries for any of the preceding Wednesdays when the same events took place. No explanation could be offered for this.

Incident log entry for the incident of the 16<sup>th</sup> February 2020 was completed by Tara. No explanation could be given as to why this had not been completed by the DPS or Mr Maynard. Tara explained that she had been the sole person responsible for showing the CCTV to attending officers for that incident and was occupied doing so for approximately 10 minutes. Tara was clear that no other persons showed CCTV to the attending Police officers.

Mr Maynard and Tara maintained that throughout the incident the previous day he had been present on the premises, however, had been in the second floor flat as it was his day off work. Mr Maynard stated that he was unaware of any incident occurring until the DPS called him after which time he had assisted in showing the CCTV to the attending Police Officers. Mr Maynard was adamant that he had not heard the commotion or had seen the array of blue flashing lights from the vehicles outside the premises and only came downstairs when he received a call from the DPS on his mobile phone.

CCTV was reviewed both during and after the incident. Mr Maynard could not be seen on any camera throughout the premises. Mr Maynard was also unable to produce CCTV footage prior to the 14<sup>th</sup> February 2020 and he advised that this was due to the Hard Drive being replaced. Mr Maynard was asked to provide CCTV footage for specified times on the 8<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> February to demonstrate availability of the CCTV on those dates. This has yet to be received by Dorset Police.

#### 18<sup>th</sup> February 2020

Visit conducted at 1200hrs at the premises in East Dorset known to be operated by Mr Maynard. CCTV check at that premises identified that Mr Maynard was present at that premises at 2143hrs on the 16<sup>th</sup> February 2020 playing Pool and later behind the bar. Mr Maynard was challenged as to his previous account of being present upstairs at The Talbot during the incident which took place at approximately 2230hrs on the 16<sup>th</sup> February 2020.

Mr Maynard explained that he had briefly left The Talbot to assist with closing the premises at the end of the evening and stated that 'last orders' had been called at 2130hrs as it had been a quiet night. It was explained to Mr Maynard that he had not featured at all on the CCTV footage at The Talbot, however, he was clearly present at a different premises shortly before the incident took place at The Talbot. Dorset Police also received further intelligence that Mr Maynard had not been present at The Talbot for the entire evening.

Mr Maynard stated that he had applied to Hampshire Licensing Authority for his Personal Licence despite living in Dorset. The explanation given was that his identity document show him as living in Hampshire.

Further visit conducted the same day to The Talbot to speak with the DPS whom Mr Maynard had said would be present and on duty. The DPS was not present, however, communication was facilitated by Tara who reached the DPS on her mobile phone.

The DPS informed Police Licensing Officer Louise Busfield that they had become overwhelmed with the burden of responsibility and has decided that they no longer wishes to be the DPS at The Talbot. Suitable advice was given in relation to what actions were required in order to achieve their removal from the Premises Licence as DPS. The notification by the DPS to remove themselves from The Talbot as DPS was received a short time later.

The Talbot closed for a short time due to no DPS being in place.

It was clear at this time that the management of the premises were not appropriate to the premises and there was no sustainable route towards improvement. The premises was escalated to 'Target' on the authority of Inspector Baxter.

#### 20<sup>th</sup> February 2020

Email received from Area Manager Salle Wroblewski advising that The Talbot would remain closed for business as they shared Police and Licensing Authority concerns regarding the effectiveness of Tara and Mr Maynard to compliantly operate The Talbot.

The Talbot would remain closed until Tuesday 25<sup>th</sup> February 2020 at the earliest and Mr Maynard was reported to have resigned from The Talbot. It was reported that Ian Brierley, the 'Agreement Holder' at The Talbot was in discussions with two potential managers who are robust and have a proven track record in the trade. It was advised that once the new managers had been selected their details would be passed to Dorset Police immediately and prior to the re-opening of the premises.

#### 25<sup>th</sup> February 2020

Intelligence received that The Talbot had re-opened on Monday 24<sup>th</sup> February 2020. Telephone conversation received later by Ian Brierley to advise that The Talbot would be re-opening from lunchtime that day, however, no mention made as to the premises being open the previous evening.

Visit conducted at The Talbot to meet the DPS by Sergeant Gosling, Police Licensing Officer Louise Busfield and BCP Licensing Officer Sarah Rogers. The DPS identified himself as Mr Richard Lundon and he informed officers that he had opened the premises at 1600hrs on Monday 24<sup>th</sup> February 2020 on the advice of Ian Brierley who had informed him that he could open the business from 1500hrs on Monday 24<sup>th</sup> February 2020.

An enquiry by BCP Licensing Officer Sarah Rogers identified that the application to Transfer DPS had been received by BCP Licensing Authority at 2214hrs on Monday 24<sup>th</sup> February 2020, which indicated that the premises had been trading for over 6 hours without a valid Premises Licence. Mr Lundon advised of the significance of this offence.

Mr Lundon advised that he operates the premises alone and has no support in doing so. When asked how Mr Lundon manages rest breaks, meal breaks and replenishing stock, including changing beer barrels, Mr Lundon stated that he does not need any rest breaks, does not eat or drink during his shift and ensures barrels are changed in advance of opening.

Police Licensing Officer Louise Busfield and Sergeant Gosling viewed the CCTV as BCP Licensing Officer Sarah Rogers remained in the public bar to supervise the premises that was open for business. Mr Lundon advised that having arrived the previous day he had already been operating the CCTV, however, could not remember the password to access the CCTV. Mr Lundon made a call and after a short time was able to access the CCTV.

It was identified that the CCTV could be accessed as far back as the 14<sup>th</sup> February 2020. Mr Lundon advised this was due to the CCTV being replaced at his request in late January when he had been asked to take over The Talbot. This account conflicted with the accounts provided previously by the Area Manager as to why Mr Lundon had been introduced to The Talbot and cast doubt over Mr Lundon's integrity.

Mr Lundon advised that he had a 'zero tolerance' approach to operating premises and has 25 years experience of operating premises in different parts of the UK. As a demonstration of his experience and commitment to 'zero tolerance' he advised that the previous evening he had refused a male the sale of alcohol on the basis that he had been drunk.

Refusals Book was checked and no entries were in the book for the previous evening. Mr Lundon, when asked why there was no entry in the book for the previous evening, quickly jotted an entry in the book in our presence and said words to the effect, "better to have something written in than nothing" when asked why he had completed the entry in our presence and not beforehand.

Dorset Police have since discovered that Mr Lundon applied to become the DPS on the 5<sup>th</sup> February 2020 at a further premises in Southampton, suggesting that he is sharing his responsibilities and oversight between both premises. That is entirely inappropriate for a premises such as The Talbot due to the concerns and issues that have been highlighted to all of the individuals linked to the business.

On this basis and due to the lack of consideration by the Premises Licence Holder and the DPS to appreciate the gravity of the concerns at The Talbot the decision was made to escalate the premises to 'Review'.

It is clear that both Dorset Police and BCP Licensing Authority have engaged with the Premises Licence Holders and the array of Designated Premises Supervisors over the past 20 months to seek improvements to the premises that would provide a compliant and safe premises that promotes the licensing objectives.



Unfortunately, despite these efforts the premises continues to be of concern and due to the nature of the incidents that are taking place, the apparent lack of control by all of those who have assumed responsibility for the premises during the past 20 months and lack of a sustainable solution to the concern, Dorset Police consider that it is appropriate to apply for a Review of the Premises Licence.

Dorset Police invite the Sub-Committee to consider all of the options available to them under the Licensing Act 2003 with particular consideration to be given to revocation of the Premises Licence as we do not consider at this time that there are very few other options available to the Sub-Committee that would sufficiently address our concerns and that haven't already been explored.

**Please tick ✓ yes**

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day    Month    Year

--	--	--	--	--	--	--	--

**If you have made representations before relating to the premises please state what they were and when you made them**

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature L.Busfield

Date 27<sup>th</sup> February 2020

Capacity Police Licensing Officer

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6)	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

**Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

This page is intentionally left blank



## Premises Licence Part A

Premises licence number: BH087969

<b>Postal address of premises, or if none, ordnance survey map reference or description:</b>	
The Talbot 559 Wimborne Road	
<b>Post town:</b> Bournemouth	<b>Post Code:</b> BH9 2AR
<b>Telephone number:</b> 01202 383957	

<b>Licensable activities authorised by the licence:</b>
Films Indoor Sporting Events Live Music Recorded Music Activity like Music / Dance Late Night Refreshment Supply of Alcohol

<b>The times the licence authorises the carrying out of licensable activities:</b>
<b>Films</b> Monday - 08:00 to 00:00 Tuesday - 08:00 to 00:00 Wednesday - 08:00 to 00:00 Thursday - 08:00 to 00:00 Friday - 08:00 to 01:00 Saturday - 08:00 to 01:00 Sunday - 08:00 to 00:00 Exhibition of films will take place indoors. <u>Non-standard timings for the exhibition of films.</u> Bank Holiday Weekends (Friday, Saturday, Sunday and Monday) - 08:00 to 02:00, Christmas Eve and Boxing Day - 08:00 to 02:00, New Year's Eve – From 08:00 on 31st December to 00:00 on 2nd January
<b>Indoor Sporting Events</b> Monday - 08:00 to 00:00 Tuesday - 08:00 to 00:00 Wednesday - 08:00 to 00:00 Thursday - 08:00 to 00:00 Friday - 08:00 to 01:00 Saturday - 08:00 to 01:00 Sunday - 08:00 to 00:00 <u>Non-standard timings for indoor sporting events.</u> Bank Holiday Weekends (Friday, Saturday, Sunday and Monday) - 08:00 to 02:00, Christmas Eve and Boxing Day - 08:00 to 02:00, New Year's Eve – From 08:00 on 31st December to 00:00 on 2nd January
<b>Live Music</b> 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 23:00 Saturday - 11:00 to 23:00 Sunday - 11:00 to 23:00 Performance of live music will take place indoors. <u>Non-standard timings for indoor sporting events.</u>

Bank Holiday Weekends (Friday, Saturday, Sunday and Monday) - 08:00 to 02:00, Christmas Eve and Boxing Day - 08:00 to 02:00, New Year's Eve – From 08:00 on 31st December to 00:00 on 2nd January

**Recorded Music**

Monday - 08:00 to 00:00

Tuesday - 08:00 to 00:00

Wednesday - 08:00 to 00:00

Thursday - 08:00 to 00:00

Friday - 08:00 to 01:00

Saturday - 08:00 to 01:00

Sunday - 08:00 to 00:00

Playing of recorded music will take place indoors.

Non-standard timings for the playing of recorded music.

Bank Holiday Weekends (Friday, Saturday, Sunday and Monday) - 08:00 to 02:00, Christmas Eve and Boxing Day - 08:00 to 02:00, New Year's Eve – From 08:00 on 31st December to 00:00 on 2nd January

**Activity like Music / Dance**

Monday - 12:00 to 00:00

Tuesday - 12:00 to 00:00

Wednesday - 12:00 to 00:00

Thursday - 12:00 to 00:00

Friday - 12:00 to 01:00

Saturday - 12:00 to 01:00

Sunday - 12:00 to 00:00

Entertainment will take place indoors

Non-standard timings for entertainment.

Bank Holiday Weekends (Friday, Saturday, Sunday and Monday) - 08:00 to 02:00, Christmas Eve and Boxing Day - 08:00 to 02:00, New Year's Eve – From 08:00 on 31st December to 00:00 on 2nd January

**Late Night Refreshment**

Monday - 23:00 to 00:00

Tuesday -23:00 to 00:00

Wednesday - 23:00 to 00:00

Thursday -23:00 to 00:00

Friday -23:00 to 01:00

Saturday -23:00 to 01:00

Sunday -23:00 to 00:00

Provision of late night refreshments will take place indoors.

Non-standard timings for provision of late night refreshments.

Bank Holiday Weekends (Friday, Saturday, Sunday and Monday) - 23:00 to 02:00, Christmas Eve and Boxing Day - 23:00 to 02:00, New Year's Eve – From 23:00 on 31st December to 00:00 on 2nd January

**Supply of Alcohol**

Monday -08:00 to 00:00

Tuesday -08:00 to 00:00

Wednesday -08:00 to 00:00

Thursday -08:00 to 00:00

Friday -08:00 to 01:00

Saturday -08:00 to 01:00

Sunday -08:00 to 00:00

Non-standard timings for the supply of alcohol.

Bank Holiday Weekends (Friday, Saturday, Sunday and Monday) - 08:00 to 02:00, Christmas Eve and Boxing Day - 08:00 to 02:00, New Year's Eve – From 08:00 on 31st December to 00:00 on 2nd January

**The opening hours of the premises:**

Monday -08:00 to 00:30

Tuesday -08:00 to 00:30

Wednesday -08:00 to 00:30

Thursday -08:00 to 00:30

Friday -08:00 to 01:30

Saturday -08:00 to 01:30  
 Sunday -08:00 to 00:30  
Non-standard timings.  
 Bank Holiday Weekends (Friday, Saturday, Sunday, Monday) 08:00 to 02:30 Christmas Eve and Boxing Day 08:00 to 02:30, New Year's Eve - From 08:00 on 31st December to 00:30 on 2nd January

**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:**

Ei Group Plc  
 3 Monkspath Hall Road  
 Solihull  
 West Midlands  
 B90 4SJ  
 Tel: 0121 256 3189  
 Email: [licensing@enterpriseinns.com](mailto:licensing@enterpriseinns.com)

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

2562808

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:**

Mr Richard London

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

EXE-0010401  
 Exeter City 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. Admission of children (under the age of 18) to any exhibition of films must be restricted in accordance with the film classification body designated as the authority under Section 4 of the Video Recordings Act 1984.
- 1.4. Where the film classification is not specified, or the relevant licensing authority has notified the premises licence holder under Section 20 (3)(b) of the Licensing Act 2003, the admission of children must be restricted in accordance with any recommendation made by the Licensing Authority.

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

- 1.5.
  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).
- 1.6. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.



## 1.7.

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.

## 1.8. 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

## 1.9.

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. The premises shall engage with recognised local liaison groups, such as Townwatch and/or other groups/organisations (e.g. the Council and the Police) to promote the licensing objectives.
- 2.2. Staff shall be trained and advised to report evidence of crime taking place on the premises.
- 2.3. Managers shall be trained in the new Conflict Management BII Certificate course.
- 2.4. The premises shall operate a policy for dealing with incidents of violence and disorder. All incidents shall be recorded in a logbook.
- 2.5. All staff shall be trained in Drug Awareness as part of their induction and records of this shall be available on request.
- 2.6. The premises shall comply with the recommendations of the Dorset Police Crime Prevention Officer. CCTV recordings shall be retained for a period of 31 days and be made available to the police on request.

### Public Safety

- 2.7. Drinks shall be packaged and promoted in a socially responsible manner.

### Prevention of Public Nuisance

- 2.8. Details of local licensed taxi companies shall be available in the premises.
- 2.9. Prominent notices requesting customers to leave in a quiet manner shall be displayed.

- 2.10. Bottles shall not be disposed of outside the premises until 09:00 hours the following day.
- 2.11. The premises shall not tolerate drunken behaviour on the premises and shall work with the local residents on any alleged nuisance around the site.
- 2.12. Live music is not permitted after 23:00 hours.

Protection of Children from Harm

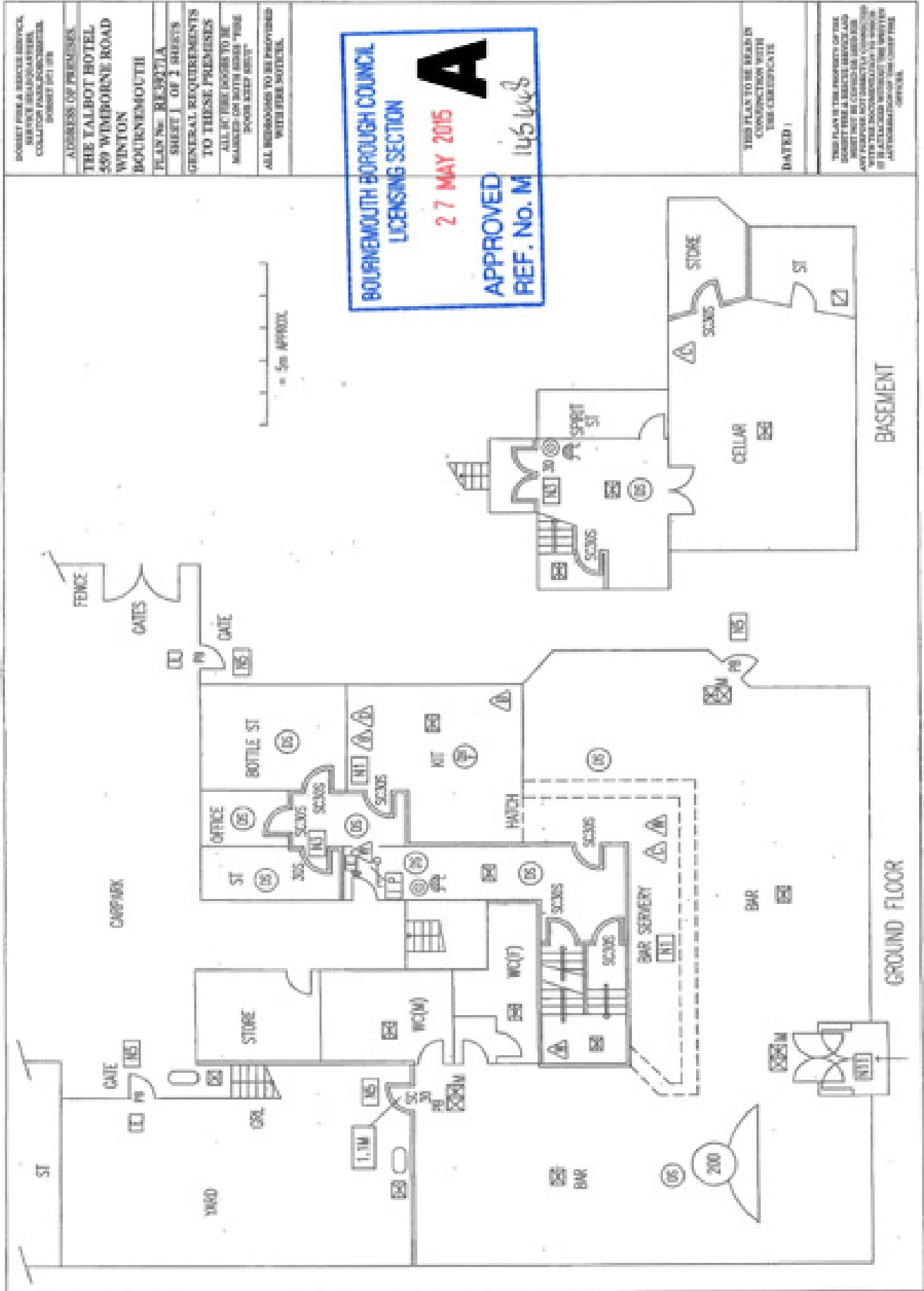
- 2.13. All staff shall be trained on the law and practice relating to age restricted sales.
- 2.14. The premises shall support proof of age standards scheme.
- 2.15. No adult entertainment shall be provided.
- 2.16. No children shall be permitted on the site (except residents) after 22:00 hours.
- 2.17. Only PASS approved ID's shall be acceptable plus Passports or photo driving licences.
- 2.18. A refusals register shall be kept and managed at the premises at all times.
- 2.19. Pass scheme signage shall be displayed at the entrance to the premises.

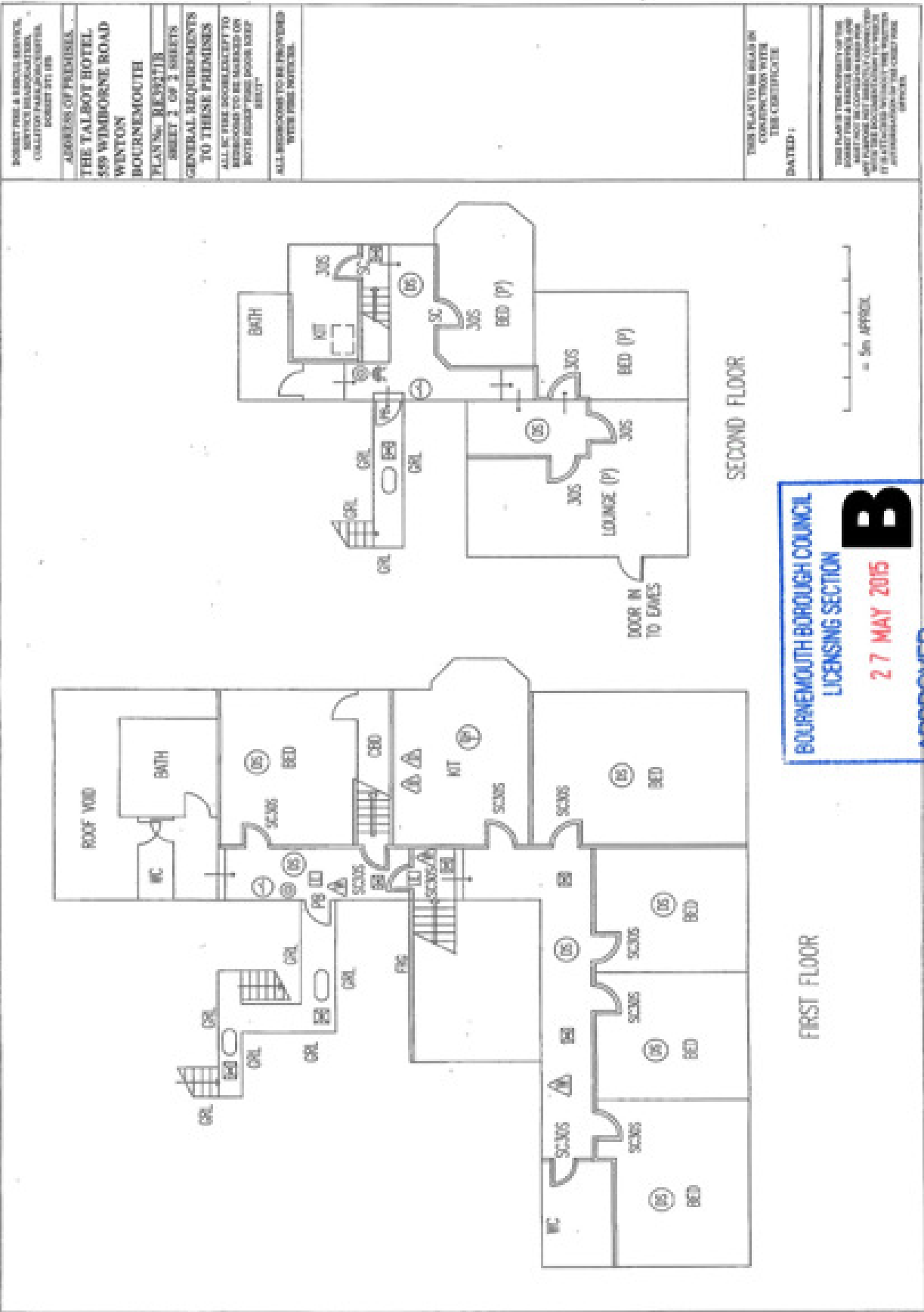
**Annex 3 – Conditions attached after a hearing by the licensing authority**

N/A

**Annex 4 – Plans**

This licence is issued in accordance with the plans M145448 A and B dated 27 May 2015, as attached.





**BOURNEMOUTH BOROUGH COUNCIL**  
**LICENSING SECTION**

B

27 MAY 2015

APPROVED

REF. No. M 145448

## Premises Licence Part B

Premises licence number: BH087969

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

The Talbot 559 Wimborne Road

**Post town:** Bournemouth

**Post Code:** BH9 2AR

**Telephone number:** 01202 383957

**Licensable activities authorised by the licence:**

Films, Indoor Sporting Events, 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:**

**Films:** (Indoors) Sunday to Thursday - 08:00 to 00:00, Friday to Saturday - 08:00 to 01:00

**Indoor Sporting Events:** Sunday to Thursday - 08:00 to 00:00, Friday to Saturday - 08:00 to 01:00

**Live Music:** (Indoors) Monday to Sunday - 11:00 to 23:00

**Recorded Music:** (Indoors) Sunday to Thursday - 08:00 to 00:00, Friday to Saturday - 08:00 to 01:00

**Activity like Music / Dance:** (Indoors) Sunday to Thursday - 12:00 to 00:00, Friday to Saturday - 12:00 to 01:00

**Late Night Refreshment:** (Indoors) Sunday to Thursday - 23:00 to 00:00, Friday to Saturday - 23:00 to 01:00

Non-standard timings for all of the above licensable activities (excluding live music):

Bank Holiday Weekends (Friday, Saturday, Sunday and Monday) - 08:00 to 02:00, Christmas Eve and Boxing Day - 08:00 to 02:00, New Year's Eve – From 08:00 on 31st December to 00:00 on 2nd January

**Supply of Alcohol:** Sunday to Thursday - 08:00 to 00:00, Friday to Saturday - 08:00 to 01:00

Non-standard timings for the supply of alcohol.

Bank Holiday Weekends (Friday, Saturday, Sunday and Monday) - 08:00 to 02:00, Christmas Eve and Boxing Day - 08:00 to 02:00, New Year's Eve – From 08:00 on 31st December to 00:00 on 2nd January

**The opening hours of the premises:**

Sunday to Thursday - 08:00 to 00:30, Friday to Saturday - 08:00 to 01:30

Non-standard timings.

Bank Holiday Weekends (Friday, Saturday, Sunday, Monday) 08:00 to 02:30, Christmas Eve and Boxing Day - 08:00 to 02:30, New Year's Eve - From 08:00 on 31st December to 00:30 on 2nd January

**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:**

Ei Group Plc, 3 Monkspath Hall Road, Solihull, West Midlands, B90 4SJ

Tel: 0121 256 3189, Email: licensing@enterpriseinns.com

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

2562808

**Name of designated premises supervisor where the premises licence authorises the supply of alcohol:**

Mr Richard London

**State whether access to the premises by children is restricted or prohibited:**

See Conditions 1.3, 1.4 & 2.16

Issued: 24 November 2019

Revised: 24 February 2020 (Vary DPS)

Mrs Nananka Randle

Licensing Manager

**From:** Sarah Rogers - Licensing  
**Sent:** 18 March 2020 14:12  
**To:** Tania Jardim  
**Subject:** The Talbot 559 Wimborne Road Bournemouth

Dear Sirs

I am a Senior Licensing Officer of Bournemouth, Christchurch and Poole Council and wish to support the review application made by Dorset Police on 27 February 2020 in respect of the above premises.

Over the course of several years I have been involved in discussions on behalf the Licensing Authority between Dorset Police, the Regional manager of Ei Group Plc (formerly known as Enterprise Inns plc) Salle Wroblewski, and various personnel who were brought in to deal with these problematic premises, in an attempt to bring them to a standard that is expected of BCP Licensing Authority and Responsible Authorities.

The main issues of concern have been reports of the following:-

- Assaults
- Large fights
- Concern of the level of drug consumption at the premises
- Ineffective use of SIA supervisors
- Excessive noise
- Allowing known troublesome persons excluded by Pub Watch into the premises
- Lack of control over the premises both inside and outside
- Faulty CCTV discovered after an incident
- Intoxicated customers
- Drink promotions we considered to be irresponsible for the type of clientele
- Not updating an incident book
- Not consistently using a refusal register

Practical remedies were discussed at meetings and, in the short term, alleviated our concerns. However, it would not be long before the premises reverted back to old behaviours and incidents would appear to be happening again requiring our attention.

With consideration given to paragraph 11.10, of the Section 182 Guidance, the Premises Licence holders have always been made aware at an early stage of the need for improvement and continued advice and guidance was given on how the concerns of both Dorset Police and the Licensing Authority could be satisfied.

I have personally (shown as LA) attended the following meetings:-

Date	In attendance	Reason for Meeting	Actions Agreed
24.02.16	Salle Wroblewski/Dorset Police/LA	Incident reported on 30.01.16 @ 19.02 Male drinking in premises, buying drinks for others.  Male has been involved in a fight with approx 4 others post-closing time o/s of pub. Arrested S4, also in possession of disguised taser.	DPS has given 6 months' notice to leave with it to take effect ASAP. She is interviewing at the moment for replacement and wants new person to have no association with previous history.

		Staff unable to access CCTV at time.	<p>Discussed minor variation application to tidy up licence conditions and remove onerous ones.</p> <p>CCTV checked - staff training required on how to operate the system and query camera 11 as to whether it is working or not (she will get back to us).</p> <p>Discussion over the history of the visits made last year following the S19 issues and our concerns at that time.</p> <p>Many changes will be made to the premises once the new tenant is in place and possible refurbishment/rebranding to make the venue more appealing.</p>
07.06.18	Salle Wroblewski/Dorset Police/LA/Manager and DPS Magdalena Chruszcz	Visit following further incidents at the premises.	<p>An Action Plan produced by Ei Group plc was presented to the DPS in an attempt to assist her in dealing with fights.</p> <p>Not long after this visit the DPS was replaced.</p>
08.11.18	Salle Wroblewski/Dorset Police/LA/Temporary DPS Lee Beecham	Meeting arranged by Sarah Dutton (Police) to meet with the temporary DPS who has been brought in to trouble shoot and until the new tenants have been appointed.	<p>Main issue identified has been the drug use (not within the premises) but customers who go off site to take and then return. Refusals and ejections have been made and a zero tolerance stance taken.</p> <p>2 x doorstaff are now working at the weekends. Police suggest searches on entry and will send through relevant drug policy and info.</p> <p>Plans for the long term are to appoint a new tenant with a good offering to turn the premises around.</p>
11.02.19	Salle Wroblewski/New Manager and DPS/LA	Meeting to meet with new management Tracy Bondshield and Steve Motley to discuss previous concerns.	<p>Polycarb drinking vessels to be implemented outside from 18:00hrs and for sporting events.</p> <p>SIA security to be provided Fridays and Saturdays and for sporting events.</p>



			Minor Variation further discussed.
13.03.19	Dorset Police/LA/New DPS	Special Visit with Sarah Dutton, Dorset Police to meet with new DPS (Sydney Pring) who has previous experience working in Yates's and The Brasshouse.	They propose to re-open on Sunday 17 <sup>th</sup> March. For the first couple of weekends of trading they will have doorstaff on Fridays and Saturdays.  The front smoking/drinking outside area has been removed and relocated to the rear of the premises – advice given about noise management and consideration to residential neighbours nearby. They will have a TV screen in this area showing sport by this will be muted at 20:00hrs and customers must come inside after 22:00hrs.
06.02.20	Dorset Police/LA/New Manager and DPS/Pub Solutions	Special visit to meet the new manager (Simon Maynard) and DPS (Danielle Thorn) with their representative from Pub Solutions.  Meeting to discuss previous issues and seek reassurance of ability to run the premises.	CCTV to be repaired before reopening.  Risk Assessments recommended for events taking place at the premises to ensure adequate security.  Advised that training logs were too generic and should contain more information relating to the premises procedures and policies.
17.02.20	Dorset Police/LA/ Simon Maynard/Tara	Special Visit with Sgt Gosling and Louise Busfield following incident at premises.  Simon Matnard states that he was day off and upstairs but intell advises he was at another premises working (White Heather).  DPS did not appear to get involved albeit call 999.  Tara (Simon's mother) identified herself to Police as landlady and was the only person dealing with the incident.  No confidence in this management team and conscious of them lying to us.	On the 18.02.20 the DPS resigned from her position.  Ei Group advised that they would be closing the premises until alternative arrangements have been made. Simon Maynard and his family left the premises.

		<p>DPS not available at meeting as she was called to attend an aunt in hospital urgently and Louise unable to contact her.</p> <p>CCTV viewed and further fight happened inside the premises during the incident outside.</p> <p>Police and LA have great concerns over the premises. Expedited Review considered by Police.</p>	
25.02.20	Dorset Police/LA/New DPS Richard Lundon	<p>Mr London confirmed that he had been brought in to bring the premises back to a high standard and had lots of experience working in similar premises and changing the profile of them.</p> <p>He confirmed to us that he opened for trade at approx 16.30 yesterday (24.02) but calling the office KPP advised me that that application to vary the DPS into his name arrived at 22.14. There was therefore approximately 6 hours of trading without a DPS.</p> <p>The Police viewed the CCTV in the office but I stayed in the bar area as there were customers and no other staff members to guard the bar.</p>	<p>The Police informed me afterwards that they had concerns with Mr London and thought that he was not as honest as he could have been with them over matters leaving them as concerned as they have been and seriously considering a review application.</p>

It can be seen from the above information that both Dorset Police and BCP Licensing Authority have worked tirelessly with the Premises Licence holder and their numerous tenants.

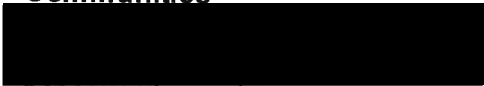
In my 20 years experience as a Licensing Officer with the Council I cannot recall a premises that I have invested as much time into with such minimal improvement. It is my belief that the licence holders, Ei Group plc, should have been taking more protective steps to promote the licensing objectives.

In the early stages of engagement it was believed that a minor variation, to add additional conditions including the use of polycarbonate vessels in the beer garden at the front of the premises, closure of the beer garden from 23:00hrs each day, clear signage displayed in the beer garden discouraging anti-social behaviour and noise and to risk assess the requirement for SIA supervision for busy events would further enhance their operating schedule. However, this was not carried through, instead referred to as an Action Plan therefore not making it enforceable.

In an attempt to put this into context it is not often that the Licensing Authority feel compelled to support a Responsible Authority in their review application process. The stepped approach adopted by all Responsible Authorities to address concerns ultimately achieves the aim of a well-run, responsible retailer who professionally upholds the licensing objectives and, in many instances, even over and beyond their own operating schedules. It is clear that this has not been the intention of Ei Group therefore the Licensing Authority support entirely this review application.



**Sarah Rogers**  
**Senior Licensing Officer**  
**Communities**



[bcpcouncil.gov.uk](http://bcpcouncil.gov.uk)

Sign up to BCP Council's email news service

This page is intentionally left blank

**LICENSING SUB-COMMITTEE**



Report subject	<b>Application for a Full Variation of premises licence for Bistro on the Beach</b>
Meeting date	17 March 2020
Status	Public Report
Executive summary	<p>Mr Ian Meads made an application on behalf of Mr Peter Bruton to vary the Premises Licence for Bistro on The Beach of Solent Promenade, Southbourne on the 28<sup>th</sup> January 2020. The application seeks to:</p> <p>Increase the licensable area to include the existing take away area Add off sales for the supply of alcohol /</p> <p>Identify the location of an outdoor temporary bar servery area - all in accordance with the current licence schedule and conditions.</p> <p>This is a resubmission of the application as the Licensing Authority rejected the original application due to a technical issue. It was not advertised correctly in accordance with the guidelines of the Licensing Act 2003.</p>
Recommendations	<p><b>Members are asked to decide whether to: -</b></p> <ul style="list-style-type: none"> <li><b>a) Grant the variation application as made;</b></li> <li><b>b) Refuse the variation application;</b></li> <li><b>c) Grant the application subject to additional conditions.</b></li> </ul> <p><b>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.</b></p>
Reason for recommendations	<p>The Licensing Authority has received a representation from Dorset Police under the licensing objectives of the prevention of crime and disorder, public safety and the prevention of public nuisance.</p> <p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the representation.</p> <p>Where representations have been received in relation to an application by a responsible authority or any other person, and the</p>

	<p>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
Report Authors	Ms Michelle Fletcher  (01202) 451560  Michelle.fletcher@bcpcouncil.gov.uk
Wards	East Southbourne & Tuckton;
Classification	For Decision

### Background

1. on the 28<sup>th</sup> January 2020 an application was resubmitted to vary the premises licence BH083711 for Bistro on the Beach under the Licensing Act 2003 as attached at Appendix 1. This application mirrors the one originally submitted in August 2019 with the added advantage of agreed conditions with the Responsible Authorities. The application is for:

Removal of Transitional Grandfather rights conditions 1.8 to 1.18.

Add conditions as agreed with Dorset Police and Environmental Health.

Increase the licensable area in include the existing take away area.

Add off sales for the supply of alcohol.

Identify a temporary bar location– (technically this isn't required as the area is already licensed).

All in accordance with the current Licence schedule and conditions.

2. A plan is attached at Appendix 2 showing the location of the Premises.
3. A copy of the current premises licence is attached at Appendix 3

### Consultation

4. The original application was submitted in August 2019 and both Environmental Health and Dorset Police mediated conditions with the applicant. The application was then rejected by the Licensing Authority in September 2019 as the application had not been advertised in accordance with the Licensing Act 2003.

At this time, it was agreed that the applicant would resubmit the application in the New Year as the changes were not required until the next season. They were advised that they should add any conditions agreed via mediation into the new application.

5. On the 27<sup>th</sup> January 2020 Mr Meads made contact with the Licensing Authority for pre-application advice relating to the site notice and newspaper advert so that the application would not be rejected again. At this time again, Mr Meads was reminded

to include any previously agreed conditions in the proposed application to which he confirmed he had.

6. The application for a full variation was then received on the 28<sup>th</sup> January and served on all responsible authorities, the applicant confirmed that the statutory notices were displayed on the site and published in the local newspaper.
7. The following comments were received by Environmental Health:

*“On behalf of the Public Protection Team, please accept this e-mail as confirmation that I have corresponded with the applicant previously regarding this application and note that they have added the suggested conditions below to this application.*

  1. *Noise from amplified music and associated sources either generated within the premises or the external licenced area shall not be audible in noise sensitive premises at any time.*
  2. *The premises licence holder shall take all reasonable steps to ensure that patrons using any outside areas do so in a quiet and orderly fashion.*

*This will therefore satisfy the department that the Licensing Objective in relation to prevention of public nuisance would be sufficiently upheld and therefore I have no objections to this application being granted.”*
8. On the 7<sup>th</sup> February 2020 a representation was received from Dorset Police. A copy of this representation is attached at Appendix 4.
9. The Licensing Authority researched similar premises to gauge what other permissions have been previously granted for similar premises on the seafront. This information was shared with Dorset Police and they were also reminded that they had previously agreed conditions with the applicant and asked if they wished for their representation to remain. Dorset Police confirmed at that time that their representation was to remain.
10. No other representations were received from any of the other responsible authorities or any other person.

### **Options Appraisal**

11. Before making a decision, Members are asked to consider the following matters:
  - The representations made by Dorset Police.
  - The submissions made by or made on behalf of the applicant.
  - The relevant licensing objectives, namely the prevention of crime and disorder, public safety.
  - The Licensing Act 2003, Regulations, Guidance and the Council’s Statement of Licensing Policy.



### **Summary of financial implications**

N/A

### **Summary of legal implications**

12. The applicant has the right of appeal against the decision made by the committee 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**

13. N/A

### **Summary of sustainability impact**

14. N/A

### **Summary of public health implications**

15. N/A

### **Summary of equality implications**

16. N/A

### **Summary of risk assessment**

17. N/A

### **Background papers**

Bournemouth Borough Council's Statement of Licensing Policy:

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

### **Appendices**

1. Copy of the application to vary a premises licence
2. Location plan of premises
3. Current Premises Licence
4. Licensing representation from Dorset Police

This page is intentionally left blank

175682

RECEIVED 28 JAN 2020

**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 Peter Bruton

*(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**

<b>Premises licence number</b> BH083711
--

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
Bistro On The Beach Solent Promenade Southbourne Coast Road			
Post town	Southbourne	Postcode	BH6 4BE

Telephone number at premises (if any)	01202 431473
Non-domestic rateable value of premises	£

**Part 2 – Applicant details**

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	Mr P Bruton
Post town	
Postcode	

**Part 3 - Variation**

Please tick as appropriate

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

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)      No

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

We would like to be able to house a temporary minimal bar outside the Bistro main entrance that can provide off sales to people on the beach directly in front of the premises.

We would also like to be able to have the option of off sales of alcohol from our takeaway facility (situated to the right of the Bistro main building.)

Any alcohol served outside will be done so in polycarbonate glasses and bottles. No glass wear will be allowed to leave the bistro 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:

N/A
-----

**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) Yes

**In all cases complete boxes K, L and M**

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	yes
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)  None: Same as previous licence       <b>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</b> (please read guidance note 7)    Same timings as on current licence		
Mon	10am	00.00am			
Tue	10am	00.00am			
Wed	10am	00.00am			
Thur	10am	00.00am			
Fri	10am	00.00am			
Sat	10am	00.00am			
Sun	12pm	11.30pm			

K

<p><b>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</b> (please read guidance note 10).</p> <p>N/A</p>
---

L.

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon			<b>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</b> (please read guidance note 7)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

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.

We would like the following removed:-

1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 1.14, 1.15, 1.17, 1.18

2.1, 2.2, 2.3, 2.4, 2.6, 2.11

We would like to replace 1.17 with the attached information and change the wording on 2.11 with the attached updated wording (see next page)

# AGREED CONDITIONS

Delete 1.17 but offer the following in the prevention of crime and disorder section

- 2.1 A CCTV system, shall be installed to cover all entry and exit points enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record and cover areas where alcohol is kept for selection and purchase by the public, whilst the premises is open for licensable activities. It shall operate during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with correct date and time stamping.
- 2.1.1 Cameras for the system shall be positioned in at least the locations identified on the approved plan.
- 2.1.2 A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. Subject to the tests provided for in the Data Protection Act being met, this staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
- 2.1.3 Subject to the tests provided for in the Data Protection Act being met, CCTV shall be downloaded on request of the Police or authorised officer of the council. Appropriate signage advising customers of CCTV being in operation, shall be prominently displayed in the premises.
- 2.1.4 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 shall include the date and time of the incident and the name of the member of staff who has been involved. and made available on request to an authorised officer of the Council or the Police, which shall record the following:
- (a) any complaints received
  - (b) any incidents of disorder
  - (c) any faults in the CCTV system / or searching equipment /or scanning equipment
  - (d) any refusal of the sale of alcohol
  - (e) any visit by a relevant authority or emergency service
  - (f) all crimes reported to the venue
  - (g) all ejections of patrons
  - (h) all seizures of drugs or offensive weapons
- 2.2.1 This log to be checked on a weekly basis by the licence holder or a responsible person that is nominated in writing.

Replace the wording of 2.11 in the protection of children from harm with the following additional two conditions:-

- 2.11 All staff involved in the sale of alcohol shall receive training on the law relating to prohibited sales, the age verification policy adopted by the premises and the conditions attaching to the premises licence. Refresher training shall be provided at least once every 6 months. A record shall be maintained of all staff training and that records shall be signed by the person receiving the training and the trainer. The records shall be kept for a minimum of 12 months and made available for inspection by Police, Licensing or other authorised officers.
- 2.12 A Challenge 25 scheme shall be adopted in compliance with the age verification condition. Customers who appear to be under 25 years of age shall be required to prove their age when purchasing alcohol.



2.12.1 Suitable forms of identification shall be a Passport, holographic PASS scheme card or other identification recognised by the Licensing Authority in its Statement of Licensing Policy.

2.12.2 Challenge 25 posters shall be displayed at the premises.

Please tick as appropriate

- I have enclosed the premises licence yes
- 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 11)**

Plastic/Polycarbonate glass wear  
Confined area of sales  
Staff controlling waste management  
Age verification  
Low noise levels  
Management presence

**b) The prevention of crime and disorder**

All staff are trained on age verification and we will refresh this training within all outlets  
A manager is on duty throughout every shift, with more than one on busy shifts and will observe the areas where alcohol is consumed

**c) Public safety**

This has always been paramount and will continue to be the case. As above, age verification will be strictly enforced and by using plastic or polycarbonate glasses, there will be no issues with breakages.

**d) The prevention of public nuisance**

1. Noise from amplified music and associated sources either generated within the premises or the external licensed area shall not be audible in noise sensitive premises at any time.
2. The premises license holder will take all reasonable steps to ensure that patrons using any outside areas do so in a quiet and orderly fashion.

**e) The protection of children from harm**

We will only use plastic or polycarbonate glasses and so there will be no risk of injury from breakages. We will also employ staff who will maintain the cleanliness of the outside areas, especially the beach

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.  yes
- I have enclosed the premises licence or relevant part of it or explanation.  yes
- I understand that if I do not comply with the above requirements my application will be rejected.  yes

**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	Ian Meads
Date	27 <sup>th</sup> January 2020
Capacity	General Manager

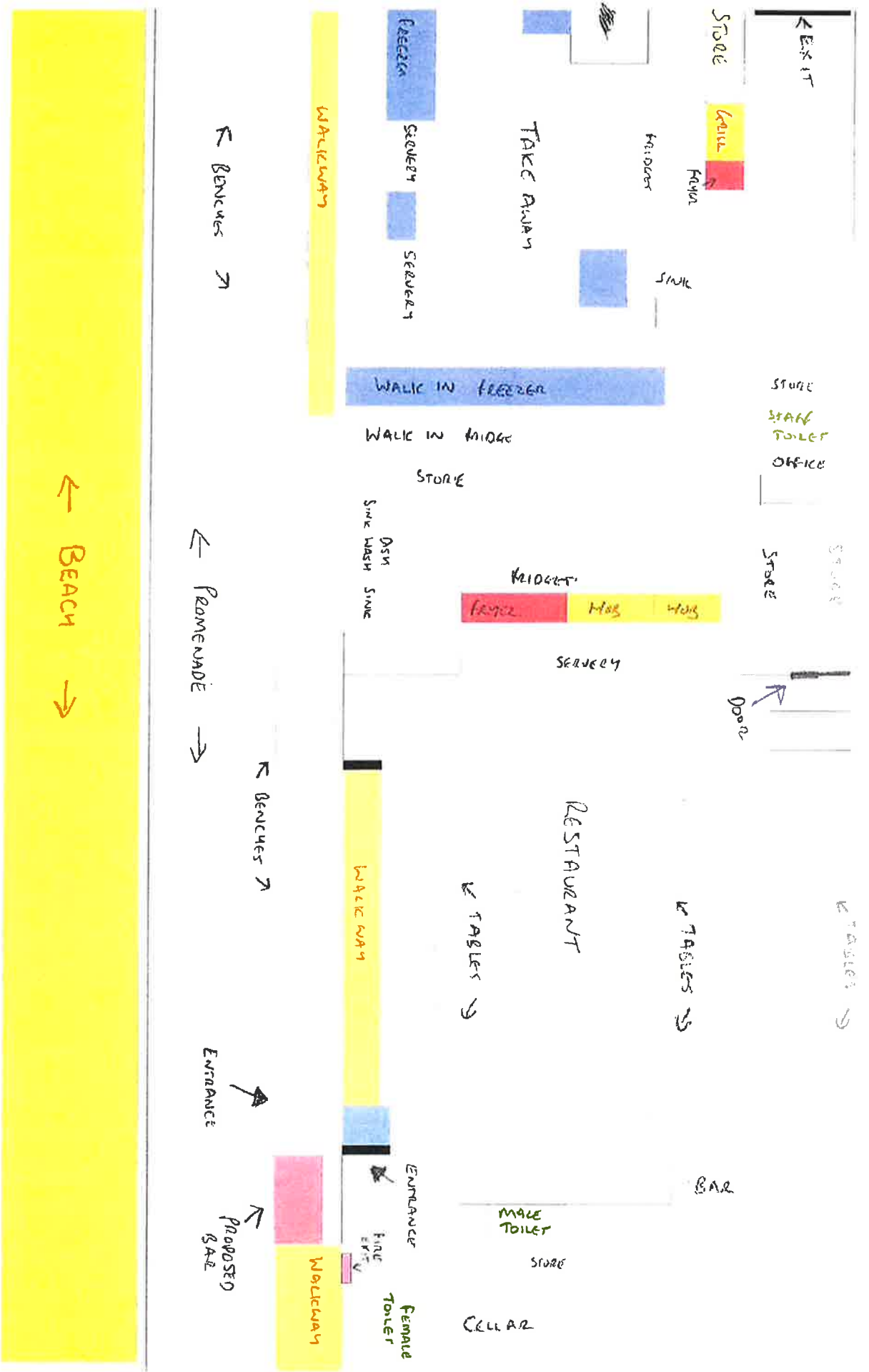
**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

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

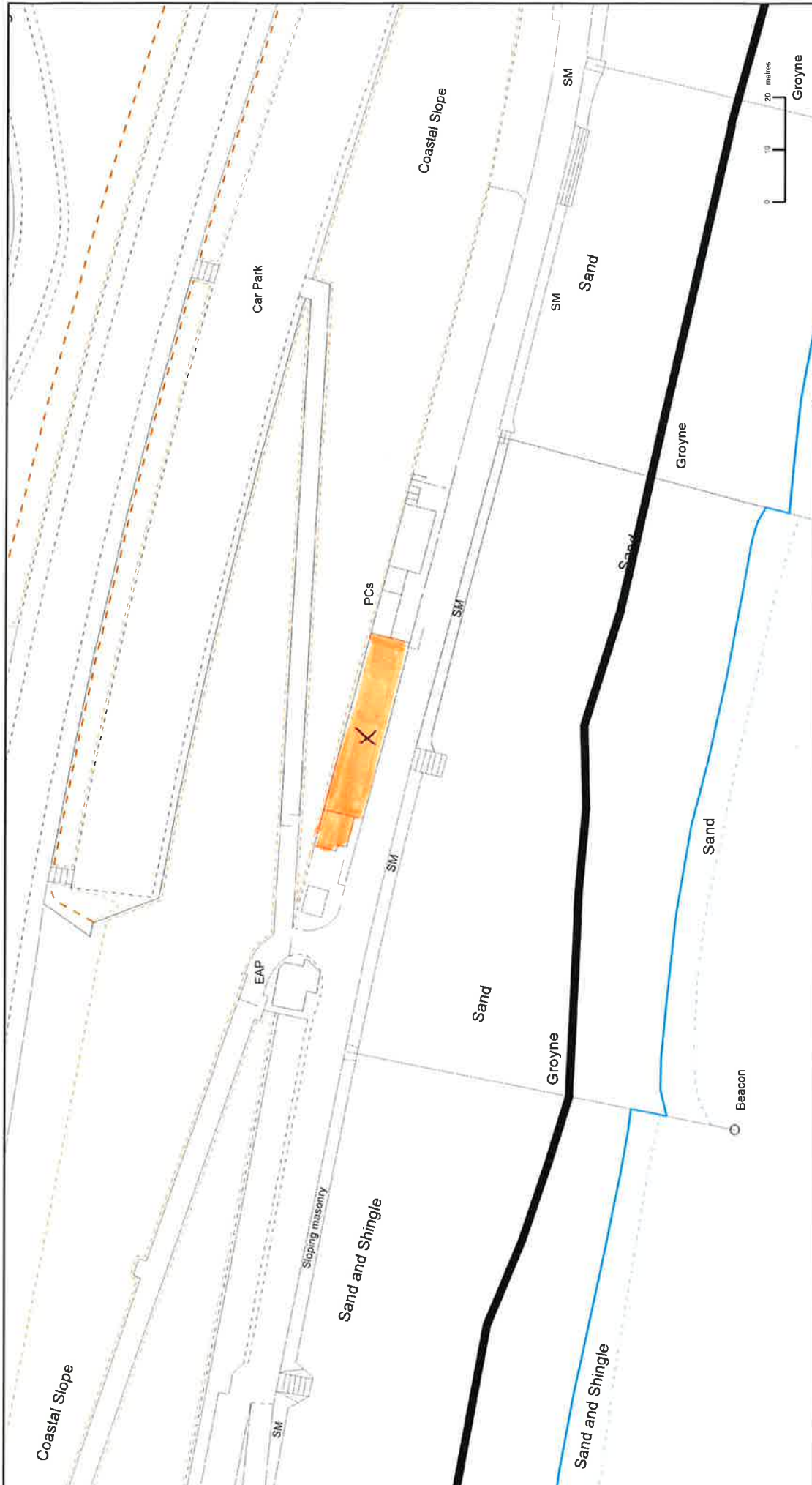
Ian Meads,  
Bistro on the Beach, Solent Promenade, Southbourne Coast Road, Bournemouth BH6 4BE

<b>Post town</b>	<b>Bournemouth</b>	<b>Post code</b>	<b>BH6 4BE</b>
<b>Telephone number (if any)</b>			
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>			



- FREEZERS
- TOILETS
- WALKWAY
- FRIDGES
- HOB
- DOORS
- PROPOSED BAR

← BEACH →



Scale: 1:1000 @ A4


Date: 04 March 2020

Creator: USER NAME


This map is produced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office (© Crown Copyright). Unauthorised reproduction in any form is prohibited and may lead to prosecution or civil proceedings.


BCP Council Licence: 100000019829 2019

 district\_borough\_unitary\_region

 BBC\_TIPSITES\_2017

 BBC\_PRIORITY\_2017

 BBC\_TIPSITES\_BUFFER

 BBC\_SUSPECT\_2017

This page is intentionally left blank



**Premises Licence  
Part A**

**Premises licence number: BH083711**

<b>Postal address of premises, or if none, ordnance survey map reference or description:</b>	
Bistro on the Beach Solent Promenade Southbourne	
<b>Post town: Bournemouth</b>	<b>Post Code: BH6 4BE</b>
<b>Telephone number: 01202 431473</b>	

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

<b>The times the licence authorises the carrying out of licensable activities:</b>
<b>Live Music: (Indoors)</b> Monday - Saturday - 15:00 to 00:00 Sunday - 15:00 to 23:30
<b>Recorded Music: (Indoors)</b> Monday - Saturday - 15:00 to 00:00 Sunday - 15:00 to 23:30
<b>Performances of Dance: (Indoors)</b> Monday - Saturday - 15:00 to 00:00 Sunday - 15:00 to 23:30
<b>Activity like Music / Dance: (Indoors)</b> Monday - Friday - 15:00 to 00:00 Sunday - 15:00 to 23:30
<u>Non standard timings for all Licensable Activities listed above</u> New Year's Eve - From start of permitted hours 31st December to end permitted hours 1st January
<b>Late Night Refreshment: (Indoors)</b> Monday - Saturday - 23:00 to 00:30 Sunday - 23:00 to 00:00
<u>Non standard timings for provision of late night refreshments</u> Good Friday - 23:00 to 00:00 Christmas Day - 23:00 to 00:00 New Year's Eve - From start of permitted hours 31st December to end permitted hours 1st January
<b>Supply of Alcohol:</b> Monday - Saturday - 10:00 to 00:00 Sunday - 12:00 to 23:30
<u>Non standard timings for the supply of alcohol</u> Good Friday - 12:00 to 23:30 Christmas Day - 12:00 to 15:00 & 19:00 to 23:30 New Year's Eve - From start of permitted hours 31st December to end permitted hours 1st January

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

**Part 2**

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:</b>
Mr Peter John Bruton

<b>Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:</b>
Mr Peter John Bruton

<b>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:</b>
2005/00412/025SPEC Southampton City Council



## Annex 1 - Mandatory conditions

### Mandatory Conditions (Sections 19,20,21 LA2003)

- 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.

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

- 1.3 (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).
- 1.4 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 1.5 (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

1.6 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: 1/2 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

- 1.7
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.

Mandatory Conditions - (Embedded Restrictions) - Attached as part of Conversion Application under Transitional Grandfather Rights Restaurants/Hotels

- 1.8 The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the supply to, or consumption by, any person of alcohol in any premises where they are residing.
- 1.9 The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the sale of alcohol to a trader or club for the purposes of the trade or club.
- 1.10 The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of persons so supplied.
- 1.11 The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the supply of alcohol for consumption on premises to persons employed there for the purposes of the businesses carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
- 1.12 The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.
- 1.13 No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
  - 1.13.1 He is the child of the holder of the premises licence;
  - 1.13.2 He resides in the premises, but is not employed there;
  - 1.13.3 He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
  - 1.13.4 The bar is in premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary;
- 1.14 The licensee shall have regard and comply with any relevant provisions of the following enactments during any licensable activities taking place on the premises:
  - 1.14.1 Children and Young Persons Act 1933
  - 1.14.2 Cinematograph (Safety) Regulations 1955
  - 1.14.3 Sporting Events (Control of Alcohol Etc) Act 1985
- 1.15 Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.

Conditions on Public Entertainment Licence - Attached as Part of Conversion Application under Transitional Grandfather Rights

- 1.16 Noise from within the premises shall not be audible at noise sensitive properties between the hours of 23:00 and 07:00 the following day. It shall not increase the ambient noise levels in the locality and there shall be no dominant frequencies.

- 1.17 There shall be compliance with the recommendations contained within Dorset Police Crime Prevention Officers report, dated 2<sup>nd</sup> December 2003, at all times.
- 1.18 The STANDARD TERMS AND CONDITIONS prescribed by the Council under paragraph 11 of Schedule 1, Local Government (Miscellaneous Provisions) Act 1982

## **Annex 2 - Conditions consistent with the operating schedule**

### General

- 2.1 Maximum number of persons to be on the premises including staff shall be limited to 84.

### The Prevention of Crime and Disorder

- 2.2 Save for private or corporate events and when the ordinary public are admitted the applicant shall:
  - 2.2.1 Ensure that no customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public
  - 2.2.2 Apply a policy requiring sight of evidence of age from any person appearing to those selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol
  - 2.2.3 Display at the premises notices:
    - (i) that members of the public should be aware of pickpocket or bag snatchers, and to guard their property
    - (ii) giving the name of a contact for customers if they wish to report concerns
    - (iii) the normal hours under the terms of the premises licence at which licensable activities are permitted to take place to be displayed on or immediately outside the premises.

### Public Safety

- 2.3 As to exits, when disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency.
  - 2.3.1 Disabled people on the premises are made aware of those arrangements.
  - 2.3.2 All emergency exits doors are easily open able, without the use of a key, card, code or similar means.
  - 2.3.3 Doors at such exits are regularly checked to ensure that they function satisfactorily and a record of the check kept.
  - 2.3.4 Any removable security fastenings are removed whenever the premises are open to the public or occupied by staff.
  - 2.3.5 All fire doors are maintained effectively self-closing and shall not be held open other than by approved devices (for example electromagnetic releases operated by smoke detectors) fire resisting doors to ducts, service shafts, and cupboards shall be kept locked shut.
- 2.4 Any capacity limits for licensed premises shall be observed.
- 2.5 Ensure that adequate and appropriate supply of first aid equipment and materials is available on the premises.
  - 2.5.1 If necessary, at least one suitably trained first aider shall be on duty when the public are present; and if more than one suitably trained first aider that their respective duties are defined.

- 2.6 In the absence of adequate daylight, the lighting in any area accessible to the public, members or guests shall be in operation when they are present.
- (i) fire safety signs adequately illuminated
  - (ii) emergency lighting is not altered
  - (iii) emergency lighting batteries are fully charged before the admission of the public, members or guests; and in the event of the failure of normal lighting, where the emergency lighting battery has a capacity of one hour, arrangements are in place to ensure that the public, members or guests leave the premises within 20 minutes unless within the time normal lighting has been restored and the battery is being re-charged; and, if the emergency lighting battery has a capacity of three hours, the appropriate period by the end of which the public should have left the premises is one hour.

#### Prevention of Public Nuisance

- 2.7 Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- 2.8 The placing of refuse, such as bottles, into receptacles outside the premises takes place at times that shall minimise disturbance to nearby properties.
- 2.9 Noxious smells from licensed premises are not permitted so as to cause a nuisance to nearby properties and the premises are properly vented.
- 2.10 Flashing or particularly bright lights on or outside licensed premises do not cause a nuisance to nearby properties.

#### Protection of Children from Harm

- 2.11 A requirement for the production of proof of age cards before any sale of alcohol is made.

#### **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 07- T556/020, as attached.



**Premises Licence  
Part B**

**Premises licence number: BH083711**

<b>Postal address of premises, or if none, ordnance survey map reference or description:</b>	
Bistro on the Beach Solent Promenade Southbourne	
<b>Post town:</b> Bournemouth	<b>Post Code:</b> BH6 4BE
<b>Telephone number:</b> 01202 431473	

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

<b>The times the licence authorises the carrying out of licensable activities:</b>
Live Music: (Indoors) Monday - Saturday - 15:00 to 00:00, Sunday - 15:00 to 23:30 Recorded Music: (Indoors) Monday - Saturday - 15:00 to 00:00, Sunday - 15:00 to 23:30 Performances of Dance: (Indoors) Monday - Saturday - 15:00 to 00:00, Sunday - 15:00 to 23:30 Activity like Music / Dance: (Indoors) Monday - Friday - 15:00 to 00:00, Sunday - 15:00 to 23:30 <u>Non standard timings for all Licensable Activities listed above</u> New Year's Eve - From start of permitted hours 31st December to end permitted hours 1st January Late Night Refreshment: (Indoors) Monday - Saturday - 23:00 to 00:30, Sunday - 23:00 to 00:00 <u>Non standard timings for provision of late night refreshments</u> Good Friday - 23:00 to 00:00, Christmas Day - 23:00 to 00:00 New Year's Eve - From start of permitted hours 31st December to end permitted hours 1st January Supply of Alcohol: Monday - Saturday - 10:00 to 00:00, Sunday - 12:00 to 23:30 <u>Non standard timings for the supply of alcohol</u> Good Friday - 12:00 to 23:30, Christmas Day - 12:00 to 15:00 & 19:00 to 23:30 New Year's Eve - From start of permitted hours 31st December to end permitted hours 1st January

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

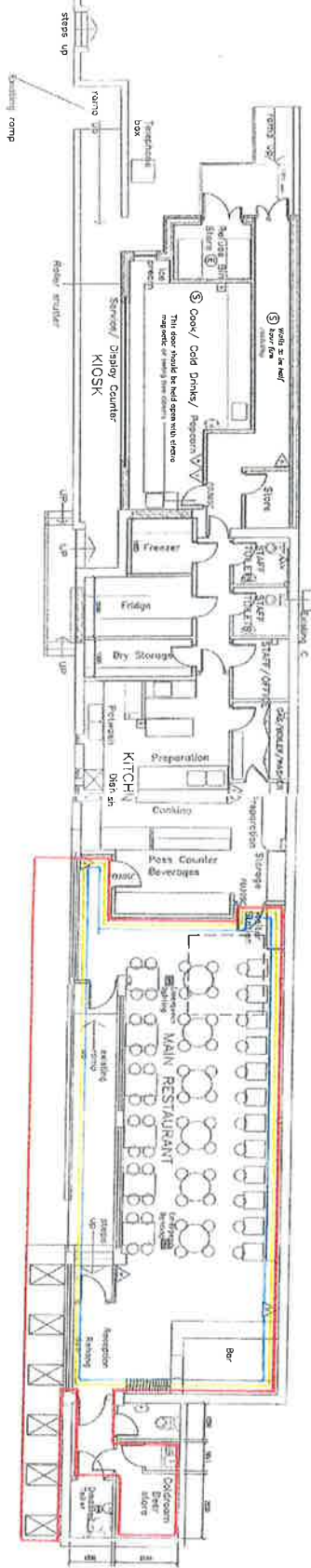
<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:</b>
Mr Peter John Bruton,

<b>Name of designated premises supervisor where the premises licence authorises the supply of alcohol:</b>
Mr Peter John Bruton

<b>State whether access to the premises by children is restricted or prohibited:</b>
See condition 1.13

Issued: 24 November 2005  
Revised: 26 April 2016 [Transfer & Vary DPS]

Mrs Nananka Randle  
Licensing Manager



- KEY**
- Alcohol
  - Entertainment
  - Late Night
  - Amusements
  - Office floor

**NOTES**

- 1. Do NOT scale from this drawing
- 2. Use 30mm grid for all dimensions
- 3. All dimensions are in millimeters unless stated otherwise
- 4. All dimensions are in millimeters unless stated otherwise
- 5. This drawing and the design shall be the property of Greenward Associates and may not be reproduced without written permission.

- NOTES**
- 1. Do NOT scale from this drawing
  - 2. Use 30mm grid for all dimensions
  - 3. All dimensions are in millimeters unless stated otherwise
  - 4. All dimensions are in millimeters unless stated otherwise
  - 5. This drawing and the design shall be the property of Greenward Associates and may not be reproduced without written permission.
- Drawing prepared with AutoCAD**

**GREENWARD ASSOCIATES**  
**RICS Designers and Surveyors**

Wilton Road  
 7, Bournemouth  
 Bournemouth BH1 1JN

Tel: 01202 356434  
 Fax: 01202 544300  
 email: info@greenward.com

**CLIENT** Bistro on the Beach

**PROPERTY** Bistro on the Beach  
 Solent Promenade  
 Southampton

**Drawing Title** Floor Plans

Scale 1:100

Drawn By Tom Green

13th January 2007

07-1556/020 A

This page is intentionally left blank





Chief Constable James Vaughan MSt (Cantab)  
www.dorset.police.uk

---

Licensing Team  
Bournemouth Borough Council  
Town Hall  
Bournemouth

Drug & Alcohol Harm Reduction Team  
Bournemouth Police Station  
Madeira Rd  
Bournemouth  
BH1 1QQ  
Phone: 01202 227824  
Email: [licensing@dorset.pnn.police.uk](mailto:licensing@dorset.pnn.police.uk)

Date: 07/02/2020

Ref – FV Application – Bistro on the Beach, Solent Promenade , Southbourne Coast Road, Bournemouth

I am writing to object, on behalf of the Chief Officer of Police, to the recent application for a Variation of Premises Licence at *Bistro on the Beach Solent Promenade, Southbourne Coast Road , Bournemouth*, to provide a 'temporary minimal bar' and off sales from this and the takeaway facility to people on the beach 'directly in front of the premises'.

The applicant states that 'a manager will observe the areas where alcohol is consumed' and that 'they will take reasonable steps to ensure patrons using the outside area do so in a quiet and orderly fashion'; however there are no assurances as to how the operator proposes to maintain such control over its customers who can purchase alcohol for consumption in what is an expansive public environment that is not demarcated in any way.

The premises is situated in an attractive part of the promenade and beach, which naturally appeals to a wide demographic of beach users. There is further concern that alcohol could be accessible to children, disappointingly the applicant has omitted to detail any controls that would be in place to mitigate the risk of proxy sales.

As with any licensed premises, the operator has a duty of care towards their customers, and this is of particular significance due to the location of this premises. Given the national statistic that 1 in 8 coastal deaths in the UK involves alcohol, it is of concern that the applicant has not detailed any measures that would be in place to safeguard their customers.

It is therefore the opinion of Dorset Police that to grant the licence for the provision of off sales of alcohol would undermine the Licensing Objectives to Prevent Crime and Disorder, Public Safety and Public Nuisance.

Louise Busfield 8952  
Licensing Officer  
Drug and Alcohol Harm Reduction Team  
Prevention Department Bournemouth Police Station Dorset Police

This page is intentionally left blank