

# Notice of Licensing Sub-Committee

Date: Friday, 3 May 2019 at 9.00 am

Venue: Room 50 - Town Hall, Bournemouth, BH2 6DY



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## Membership:

Cllr D Kelsey

Cllr A Morgan

Cllr J Trickett

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

The press and public are welcome to attend.

If you would like any further information on the items to be considered at the meeting please contact: Democratic Services - [democratic.services@bcpcouncil.gov.uk](mailto:democratic.services@bcpcouncil.gov.uk) or Jill Holyoake - 01202 454715.

Press enquiries should be directed to the Press Office: Tel: 01202 454668 or 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

30 April 2019



Available online and  
on the Mod.gov app



# AGENDA

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

**1. Election of 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 required to comply with the requirements of the Localism Act 2011 regarding disclosable pecuniary interests. Declarations received will be reported at the meeting.

**4. Application for a Temporary Event Notice License - Saxo Bar, 57-59 Charminster Road, Bournemouth, BH8 8UE**

See report at '4'.

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



## LICENSING SUB-COMMITTEE

Report subject	<b>Notice for a Temporary Event Saxo Bar, 57-59 Charminster Road</b>
Meeting date	3 May 2019
Report author	Mrs Tania Jardim 01202 454927 <a href="mailto:tania.jardim@bcpcouncil.gov.uk">tania.jardim@bcpcouncil.gov.uk</a>
Contributors	N/A
Wards	Queens Park
Status	Public Report
Classification	For Decision
Executive summary	Mr Philip Day of Lacey's Solicitors has given two Temporary Event Notices (TENs) on behalf of Mr Majid Razi from 02:00 to 05:00 hours on 12th and 19th May 2019 for the sale of alcohol, the provision of regulated entertainment and the provision of late night refreshments.
Recommendations	<p><b>Members are asked to decide whether to:-</b></p> <ul style="list-style-type: none"> <li>• <b>Grant the Temporary Event Notice as made;</b></li> <li>• <b>Refuse the Temporary Event Notice as made;</b></li> <li>• <b>Grant the Temporary Event Notice subject to conditions.</b></li> </ul> <p><b>Members of the Licensing Board 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 an objection from Dorset Police under the prevention of crime and disorder licensing objectives.</p> <p>The Licensing Authority may only consider aspects relevant to the notice that have been raised in the objection.</p> <p>Where an objection has been received in relation to a notice by a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Scheme of Delegation set out in the Council's Constitution states that these applications should be dealt with by the Licensing Board.</p>
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## Background

1. On the 25 April 2019, two notices for Temporary Events were made for events on Date(s): 12th May and 19th May. See Appendix A.

The premises currently have the benefit of a Premises Licence under the Licensing Act 2003 granted on 25 November 2005. The current Designated Premises Supervisor is Mr Majid Razi. See Appendix B.

## Consultation

2. The notice was served on Dorset Police and Environmental Health on the 25 April 2019.

An objection notice was received from Dorset Police on 25 April 2019 in relation to the prevention of crime and disorder licensing objectives. See Appendix C.

## Options

3. Before making a decision, Members are asked to consider the following matters:
  - The objection 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.
  - The Licensing Act 2003, Regulations, Guidance and the Council's Statement of Licensing Policy.

## Summary of financial implications

4. N/A

## Summary of legal implications

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

### **Summary of human resources implications**

6. N/A

### **Summary of environmental impact**

7. N/A

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

8. N/A

### **Summary of equality implications**

9. N/A

### **Summary of risk assessment**

10.

### **Background papers**

Bournemouth Borough Council's Statement of Licensing Policy:

<https://www.bournemouth.gov.uk/councildemocratic/GouncilMeetings/CommitteesPanels/LicensingBoard.aspx>

### **Appendices**

Appendices

A - Copy of Temporary Event Notices

B - Copy of Licence

C - Objection

# APPENDIX A

## Temporary Event Notice (19<sup>th</sup> May 2019)

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

<b>1. The personal details of premises user (Please read note 1)</b>			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	Razi		
Forenames	Majid		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day	Month	Year
4. Your place of birth			
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
57-59 Charminster Road			
Post town Bournemouth	Postcode BH8 8UE		
7. Other contact details			
Telephone numbers			
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)			
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			
Mr Philip Day			
Laceys Solicitors LLP			
9 Poole Road			
Post town Bournemouth	Postcode BH2 5QR		
9. Alternative contact details (if applicable)			
Telephone numbers:			
Daytime	01202 755216		
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)			

<b>2. The premises</b>	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
Saxo Jazz Bar 57-59 Charminster Road Bournemouth BH8 8UE	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	BH082974
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Not applicable	
Please describe the nature of the premises below. (Please read note 4)	
Bar	
Please describe the nature of the event below. (Please read note 5)	
Late opening to judge whether there is any positive or negative impact on the licensing objectives, prior to the submission of an application to vary the licence.	

<b>3. The licensable activities</b>		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
The early hours of Sunday, 19 <sup>th</sup> May 2019		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 10)		
From 02:00 until 05:00 for the sale of alcohol and provision of regulated entertainment and until 05:30 hours for the provision of late night refreshment.		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)	150	
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13) No relevant entertainment will be provided.
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<b>4. Personal licence holders (Please read note 14)</b>		
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority		
Licence number	BH17112	
Date of issue	25 January 2007	
Any further relevant details	The Premises User is content that the conditions attached to the Premises Licence be attached to the TEN with the exception of the following:- 2.1 – Last entry time of 02:00 (The last admission would be at 4.30 a.m.)	

<b>5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)</b>		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	Two	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

<b>6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)</b>		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

<b>7. Checklist (Please read note 17)</b>		
I have: (Please tick the appropriate boxes, where applicable)		
Sent at least one copy of this notice to the licensing authority for the area in which the	<input checked="" type="checkbox"/>	

premises are situated	
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

<b>8. Condition (Please read note 18)</b>
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

<b>9. Declarations (Please read note 19)</b>	
The information contained in this form is correct to the best of my knowledge and belief. I understand that it is an offence: (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	25 <sup>th</sup> April 2019
Name of Person signing	Philip James Day of Lacey's Solicitors LLP, duly authorised in this regard by Majid Razi

For completion by the licensing authority

<b>10. Acknowledgement (Please read note 20)</b>	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

**Notes for Guidance**

The notes do not form part of the Notice and have been removed in the interest of saving paper and sustainability generally

### Temporary Event Notice (12<sup>th</sup> May 2019)

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

<b>1. The personal details of premises user (Please read note 1)</b>			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	Razi		
Forenames	Majid		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth		Day	Month
4. Your place of birth		Year	
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
57-59 Charminster Road			
Post town Bournemouth			
7. Other contact details			
Telephone numbers			
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)			
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			
Mr Philip Day			
Laceys Solicitors LLP			
9 Poole Road			
Post town Bournemouth		Postcode BH2 5QR	
9. Alternative contact details (if applicable)			
Telephone numbers:			
Daytime		01202 755216	
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)			

<b>2. The premises</b>	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
Saxo Jazz Bar 57-59 Charminster Road Bournemouth BH8 8UE	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	BH082974
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Not applicable	
Please describe the nature of the premises below. (Please read note 4)	
Bar	
Please describe the nature of the event below. (Please read note 5)	
Late opening to judge whether there is any positive or negative impact on the licensing objectives, prior to the submission of an application to vary the licence.	

<b>3. The licensable activities</b>		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
The early hours of Sunday, 12 <sup>th</sup> May 2019		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 10)		
From 02:00 until 05:00 for the sale of alcohol and provision of regulated entertainment and until 05:30 hours for the provision of late night refreshment.		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)	150	
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13) No relevant entertainment will be provided.
--

<b>4. Personal licence holders (Please read note 14)</b>		
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority		
Licence number	BH17112	
Date of issue	25 January 2007	
Any further relevant details	The Premises User is content that the conditions attached to the Premises Licence be attached to the TEN with the exception of the following:- 2.1 – Last entry time of 02:00 (The last admission would be at 4.30 a.m.)	

<b>5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)</b>		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	One	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

<b>6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)</b>		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

<b>7. Checklist (Please read note 17)</b>		
I have: (Please tick the appropriate boxes, where applicable)		
Sent at least one copy of this notice to the licensing authority for the area in which the	<input checked="" type="checkbox"/>	

premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

<b>8. Condition (Please read note 18)</b>
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

<b>9. Declarations (Please read note 19)</b>	
The information contained in this form is correct to the best of my knowledge and belief. I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months or to both	
Signature	
Date	25 <sup>th</sup> April 2019
Name of Person signing	Philip James Day of Lacey's Solicitors LLP, duly authorised in this regard by Majid Razi

For completion by the licensing authority

<b>10. Acknowledgement (Please read note 20)</b>	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

**Notes for Guidance**

The notes do not form part of the Notice and have been removed in the interest of saving paper and sustainability generally

Premises Licence  
Part A

Premises licence number: BH082974

<b>Postal address of premises, or if none, ordnance survey map reference or description:</b>	
Saxo Bar 57-59 Charminster Road	
<b>Post town:</b> Bournemouth	<b>Post Code:</b> BH8 8UE
<b>Telephone number:</b> 01202 299998	

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

<b>The times the licence authorises the carrying out of licensable activities:</b>
<p><b>Live Music</b> Monday - 08:00 to 02:00 Tuesday - 08:00 to 02:00 Wednesday - 08:00 to 03:00 Thursday - 08:00 to 02:00 Friday - 08:00 to 03:00 Saturday - 08:00 to 03:00 Sunday - 08:00 to 02:00 Performance of live music will take place indoors. <u>Non-standard timings for the performance of live music.</u> On Christmas Eve and Sundays before a Bank Holiday from 08:00 until 03:00 hours. On New Year's Eve from 08:00 until the end of permitted hours on New Year's Day.</p> <p><b>Recorded Music</b> Monday - 08:00 to 02:00 Tuesday - 08:00 to 02:00 Wednesday - 08:00 to 03:00 Thursday - 08:00 to 02:00 Friday - 08:00 to 03:00 Saturday - 08:00 to 03:00 Sunday - 08:00 to 02:00 Playing of recorded music will take place indoors. <u>Non-standard timings for the playing of recorded music.</u> On Christmas Eve and Sundays before a Bank Holiday from 08:00 until 03:00 hours. On New Year's Eve from 08:00 until the end of permitted hours on New Year's Day.</p> <p><b>Performances of Dance</b> Monday - 08:00 to 02:00 Tuesday - 08:00 to 02:00 Wednesday - 08:00 to 03:00 Thursday - 08:00 to 02:00 Friday - 08:00 to 03:00 Saturday - 08:00 to 03:00 Sunday - 08:00 to 02:00 Performance of dance will take place indoors. <u>Non-standard timings for the performance of dance.</u> On Christmas Eve and Sundays before a Bank Holiday from 08:00 until 03:00 hours. On New Year's Eve from 08:00 until the end of permitted hours on New Year's Day.</p>

**Late Night Refreshment**

Monday - 23:00 to 02:30

Tuesday - 23:00 to 02:30

Wednesday - 23:00 to 03:30

Thursday - 23:00 to 02:30

Friday - 23:00 to 03:30

Saturday - 23:00 to 03:30

Sunday - 23:00 to 02:30

Provision of late night refreshments will take place indoors.

Non-standard timings for provision of late night refreshments.

On Christmas Eve and Sundays before a Bank Holiday from 08:00 until 03:00 hours.

On New Year's Eve from 08:00 until the end of permitted hours on New Year's Day.

**Supply of Alcohol**

Monday - 08:00 to 02:00

Tuesday - 08:00 to 02:00

Wednesday - 08:00 to 03:00

Thursday - 08:00 to 02:00

Friday - 08:00 to 03:00

Saturday - 08:00 to 03:00

Sunday - 08:00 to 02:00

Non-standard timings for the supply of alcohol.

On Christmas Eve and Sundays before a Bank Holiday from 08:00 until 03:00 hours.

On New Year's Eve from 08:00 until the end of permitted hours on New Year's Day.

**The opening hours of the premises:**

Monday - 08:00 to 02:30

Tuesday - 08:00 to 02:30

Wednesday - 08:00 to 03:30

Thursday - 08:00 to 02:30

Friday - 08:00 to 03:30

Saturday - 08:00 to 03:30

Sunday - 08:00 to 02:30

Non-standard timings.

On Christmas Eve and Sundays before a Bank Holiday from 08:00 until 03:00 hours.

On New Year's Eve from 08:00 until the end of permitted hours on New Year's Day.

**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:**

Mr Majid Razi  
Saxo Bar  
59 Charminster Road  
Bournemouth  
BH8 8UE  
01202 299998

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

Mr Majid Razi  
Saxo Bar  
59 Charminster Road  
Bournemouth  
BH8 8UE

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

BH17112  
Bournemouth Borough Council

## **Annex 1 – Mandatory conditions**

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

- 1.1. There shall be no sale or supply of alcohol when there is no designated premises supervisor in respect of this premises licence or at a time when the said premises supervisor does not hold a personal licence or when his/her licence is suspended.
- 1.2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 1.3. Any person used to carry out a security activity as required under condition 2.10, 2.11 and 2.12 below must be licensed by the Security Industry Authority (SIA).

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

- 1.4.
  1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 1.5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 1.6.
  1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.

1.7. The responsible person must ensure that -

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

The Licensing Act 2003 (Mandatory Conditions) Order 2014

1.8.

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

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

Where -

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

- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
  4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.  
  
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

### Prevention of Crime and Disorder

- 2.1. Last entry to the premises shall be no later than 02:00 hours on Wednesday, Friday and Saturday nights, on Sundays immediately preceding a Bank Holiday Monday and on New Year's Eve (i.e. 02:00 hours on the day following in each case) and no later than 01:00 hours on all other Sundays, Mondays, Tuesdays and Thursdays (unless Christmas or New Year's Eve fall on one of those days) (i.e. 01:00 hours on the day following in each case).
- 2.2. The premises shall maintain an accurate and up to date incident book, which shall be kept at the premises and be made available for inspection by an authorised officer on request.
- 2.3. CCTV on the premises shall comply with the recommendations of the Dorset Police Forensics Officer and CCTV recordings shall be immediately available to police on request.
- 2.4. There shall be a member of staff on duty at all times who is able to operate the CCTV system competently and is able to download images immediately if requested to do so.
- 2.5. The premises shall operate the "Challenge 21" policy. All customers who appear to be under the age of 21 shall be asked to provide photo ID before being sold alcohol.
- 2.6. All staff shall be trained in the legality and procedure of alcohol sales using the SWERCOTS training pack (or equivalent scheme approved by the Government) prior to undertaking the sale of alcohol. Refresher training shall be given to all staff on a 6 monthly basis or when there is a change in legislation. A record of this training shall be kept at the premises and be available for inspection by an authorised officer on request.
- 2.7. A refusals register shall be kept at the premises and signed off by the DPS at least once a week to ensure that all members of staff are using it. The register shall be made available for inspection by an authorised officer on request.
- 2.8. No late night refreshment shall be provided for consumption away from the premises.
- 2.9. Substantial refreshment in the form of table meals shall be readily available between 12:00 and 14:00 hours and between 19:00 and 23:00 hours on all days that the premises are open. Menus detailing the available food offering shall be prominently displayed outside the front of the premises and internally.
- 2.10. An SIA registered door supervisor shall be employed at the premise from 22:00 hours until the premises close on every Friday and Saturday night and on any Sunday immediately preceding a Bank Holiday Monday and on New Year's Eve into New Year's Day.

- 2.11. An SIA registered door supervisor shall also be employed: -
- 2.11.1 On any night when the premises are providing regulated entertainment in the form of a performance of dance or live music, from 22:00 hours until the premises close, unless attendance at the event is restricted to no more than 50 customers; and
  - 2.11.2 On any night when the premises are open for the sale of alcohol beyond Midnight, from Midnight until the premises close unless attendance is restricted to no more than 50 customers.
- 2.12. Any door supervisor employed at the premises shall be required to: -
- 2.12.1 Wear high visibility clothing so as to be readily identifiable to the public;
  - 2.12.2 Refuse entry to any person who appears to be intoxicated or under the influence drugs; and
  - 2.12.3 Remove any person from the premises when requested to do so by the manager.
- 2.13. The toilets in the premises shall be checked by a member of staff at regular intervals and a record shall be made of those checks. The records shall be retained for at least 30 days and made available for inspection by any authorised officer upon reasonable request.
- 2.14. Customers shall not be allowed to bring alcohol onto the premises.
- 2.15. The premises shall actively participate in the Pubwatch scheme for the area as long as the same is in existence and thereafter in any successor scheme and shall subscribe to any radio link scheme.
- 2.16. Sales of alcohol for consumption off the premises shall not be permitted save that nothing herein shall prevent alcohol from being sold for consumption either in the external areas to the front or rear of the building.

#### Prevention of Public Nuisance

- 2.17. A notice shall be prominently displayed at the exit from the premises requesting customers to leave quietly.
- 2.18. A record shall be made of any noise complaints received regarding the premises and the response or action taken.
- 2.19. Details of the name of the designated premises supervisor or responsible manager and his/her telephone number shall be made available to local residents who might potentially be affected by noise from the premises.
- 2.20. Whenever live or recorded music is being provided as regulated entertainment, regular monitoring of noise levels outside the premises shall be undertaken to ensure that noise levels are not such as to cause a nuisance to nearby residential properties. A record shall be kept of such monitoring and the record shall be made available for inspection by authorised officers upon request.
- 2.21. When regulated entertainment takes place all windows and doors shall remain shut at all times except for entry and exist of customers.
- 2.22. The sound amplification system shall be controlled by a noise limiter, limiting the maximum volume of amplified music played in the premises (with no dominant frequencies) and all amplified music and speech shall be routed through the noise limiter.
- 2.23. The level(s) at which the noise limiter shall be set shall be such as to ensure that any amplified music or speech shall not cause a nuisance to occupiers of the nearest noise sensitive residential properties.
- 2.24. The outside seating area to the front of the premises shall be vacated by 23:00 hours and signs shall be displayed at the exit from the premises and within that area advising customers of this requirement.

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

#### Variation of 30 August 2011

3.1. No external speaker shall be installed in any outside area.

#### Review of 2 February 2017

3.2. The Live Music Act 2012, shall be dis-applied as per Section 177A of the Licensing Act 2003.

3.3. Prior to any musical entertainment being provided an acoustic assessment shall be carried out to demonstrate that the premises are suitable to provide such entertainment without disturbing nearby residents. The assessment with any recommendations shall be submitted to the Environmental Health section for written approval.

3.4. The recommended works shall be carried out in accordance with the assessment (Acoustic report dated 24 February 2017, as attached) and maintained thereafter whilst the premises provides entertainment. Only after obtaining written approval of the works completed from the Environmental Health section shall musical entertainment be permitted at the premises.

### **Annex 4 – Plans**

This licence is issued in accordance with the plan M082974, as attached.



**Premises Licence  
Part B**

Premises licence number: BH082974

<b>Postal address of premises, or if none, ordnance survey map reference or description:</b>	
Saxo Bar 57-59 Charminster Road	
<b>Post town:</b> Bournemouth	<b>Post Code:</b> BH8 8UE
<b>Telephone number:</b> 01202 299998	

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

<b>The times the licence authorises the carrying out of licensable activities:</b>
<b>Live Music:</b> (Indoors) Sunday - Tuesday - 08:00 to 02:00, Wednesday - 08:00 to 03:00, Thursday - 08:00 to 02:00, Friday - Saturday - 08:00 to 03:00. <b>Recorded Music:</b> (Indoors) Sunday - Tuesday - 08:00 to 02:00, Wednesday - 08:00 to 03:00, Thursday - 08:00 to 02:00, Friday - Saturday - 08:00 to 03:00. <b>Performances of Dance:</b> (Indoors) Sunday - Tuesday - 08:00 to 02:00, Wednesday - 08:00 to 03:00, Thursday - 08:00 to 02:00, Friday - Saturday - 08:00 to 03:00. <b>Late Night Refreshment:</b> Sunday - Tuesday - 23:00 to 02:30, Wednesday - 23:00 to 03:30, Thursday - 23:00 to 02:30, Friday - Saturday - 23:00 to 03:30. <b>Supply of Alcohol:</b> Sunday - Tuesday - 08:00 to 02:00, Wednesday - 08:00 to 03:00, Thursday - 08:00 to 02:00, Friday - Saturday - 08:00 to 03:00. <b>Non-standard timings for all authorised activities:</b> On Christmas Eve and Sundays before a Bank Holiday hours from 08:00 until 03:00. On New Year's Eve from 08:00 until the end of permitted hours on New Year's Day.

<b>The opening hours of the premises:</b>
Sunday - Tuesday - 08:00 to 02:30, Wednesday - 08:00 to 03:30, Thursday - 08:00 to 02:30, Friday - Saturday - 08:00 to 03:30. <u>Non-standard timings.</u> On Christmas Eve and Sundays before a Bank Holiday hours from 08:00 until 03:00. On New Year's Eve from 08:00 until the end of permitted hours on New Year's Day.

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

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:</b>
Mr Majid Razi, Saxo Bar, 59 Charminster Road, Bournemouth, BH8 8UE

<b>Name of designated premises supervisor where the premises licence authorises the supply of alcohol:</b>
Mr Majid Razi

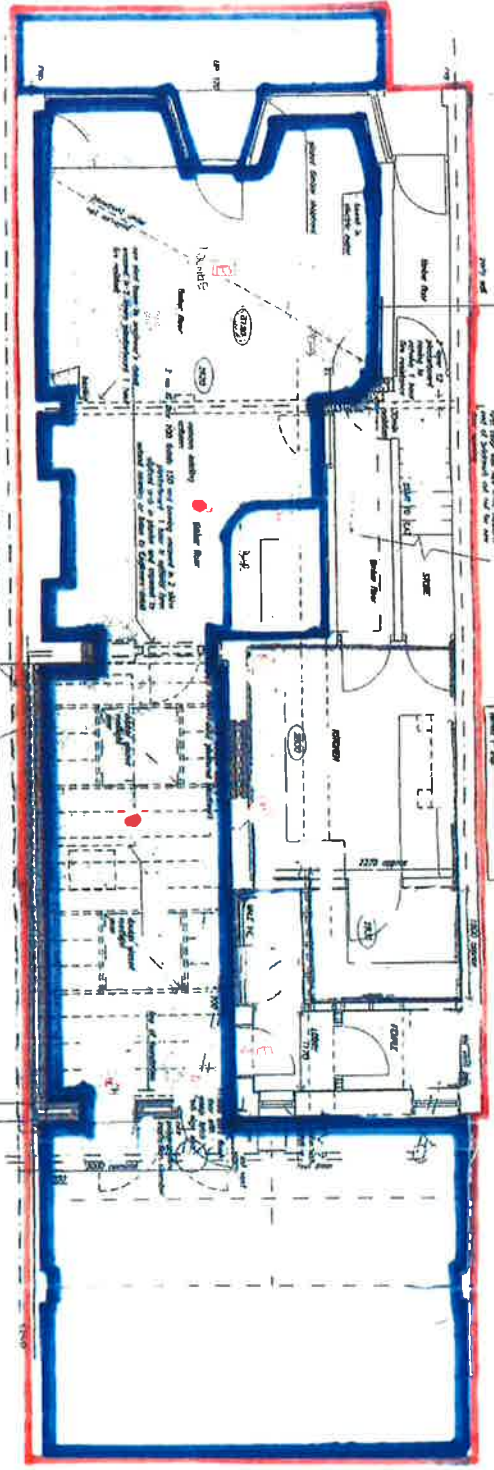
<b>State whether access to the premises by children is restricted or prohibited:</b>
None

**Mrs Nananka Randle**  
**Licensing Manager**

**Issued: 24 November 2005**  
**Revised: 7 March 2017 (Review)**

NOT TO SCALE  
 THIS PLAN IS A REPRESENTATION OF THE PROPOSED WORK AND IS NOT A CONTRACT DOCUMENT. THE CONTRACT DOCUMENTS SHALL PREVAIL IN THE EVENT OF A DISCREPANCY.  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.

200m bands were surveyed by 200m and shown as 200m bands with 100m intervals. The 200m bands are shown as 200m bands with 100m intervals.



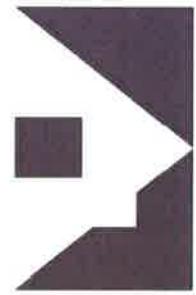
**PROPOSED GROUND FLOOR PLAN**

**57/59 Charrinister Road  
 Bournemouth**

scale 1:50

**Bournemouth Borough Council  
 LICENSING SECTION  
 18 JAN 2016  
 APPROVED  
 REF No. M082974**

**1:50**  
 ARCHITECT  
 CONTRACTOR  
 CLIENT  
 DATE



**Venta Acoustics**

**Report VA1723 NIA&NMP**

**Saxo Bar, 57-59 Charminster Road,  
Bournemouth**

**Noise Impact Assessment and Management Plan**

**24 February 2017**

**Mr M Razi  
Saxo Bar  
57-59 Charminster Road  
Bournemouth  
BH8 8UE**

01962 461016  
0203 8650332  
mail@ventaacoustics.com

registered company no. 10139494

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Appendix A – Sample Complaint Form

## 1. Introduction

As part of a licensing application, Saxo Bar, 57-59 Charminster Road is required to undertake an acoustic assessment of the premises, following concerns raised by Bournemouth Borough Council Environmental Health Department.

The licensing decision states:

*Prior to any musical entertainment being provided an acoustic assessment shall be carried out to demonstrate that the premises are suitable to provide such entertainment without disturbing nearby residents. The assessment with any recommendation shall be submitted to the Environmental Health section for written approval.*

The Saxo Bar is located on the northern side of the Charminster Road. The local area has many bars and restaurants, including Havana Bar, Hadrian's Café and Joy restaurant in close proximity. It is understood that the area has a lively night-life, with many of the establishments in the area open until 3 or 4am on the weekends. Saxo Bar have informed us that they operate until 2am during the week and 3am on the weekends.

Venta Acoustics have been appointed to undertake an investigation into the noise breakout from the premises as well as prepare a noise management plan for the premises with a view to reducing the potential for noise disturbance to the surrounding area.

All staff at Venta Acoustics are fully qualified and members of the Institute of Acoustics, the recognised UK professional body for acoustics, noise and vibration professionals and are fully competent to undertake noise impact assessments.

## 2. Noise Breakout Investigation

Venta Acoustics attended site on 23<sup>rd</sup> February to undertake sound insulation investigations at the premises, concentrating on noise breaking out the front façade of the premises onto Charminster Road.

Initially, high volume 'pink' noise was generated from two loudspeakers in the source room, positioned so as to obtain a diffuse sound field within the space. A spatial average of the resulting one-third octave band noise levels was obtained within and directly outside the premises.

Background noise levels were measured on the road in lulls between traffic in order to correct the received noise measurements for the influence of the prevailing noise climate.

The prevailing background noise was traffic noise from Charminster Road and the surrounding streets.

With the entrance door closed, the façade of the building provides a reduction of 24dB from inside to outside with pink noise used as the source.

A secondary exercise was then undertaken using Saxo Bar’s PA system and mixer to play music from the bar’s normal playlist. Due to the variation in the spectral shape and energy between the music and pink noise, this showed a marginally better sound reduction of 26dB.

Whilst undertaking these exercises, subjective observations were made as to audibility of the sound outside the premises, and also on the other side of the road, outside Joy Restaurant, 74 Charminster Road, which has flats above.

Noise levels from the premises were audible directly outside the premises, and also at the near side kerb. The mid-frequencies were noted to be clearer than the bass element of the music in these locations. However, across the road and outside Joy, noise from music was very hard to differentiate from the ambient noise between vehicle pass-bys.

The dominant transmission path for noise from the bar is through the doorset, which is a single glazed element with no seals at the head, jamb or threshold. Although the façade is single glazed, it was not noted to be clearly radiating sound in comparison to the door.

Figure 2.1 shows the measured internal noise levels in compared to the external noise level and the background noise levels measured during the exercise. These measurements were undertaken with music being played in the bar at a limited level of 85dB(A)

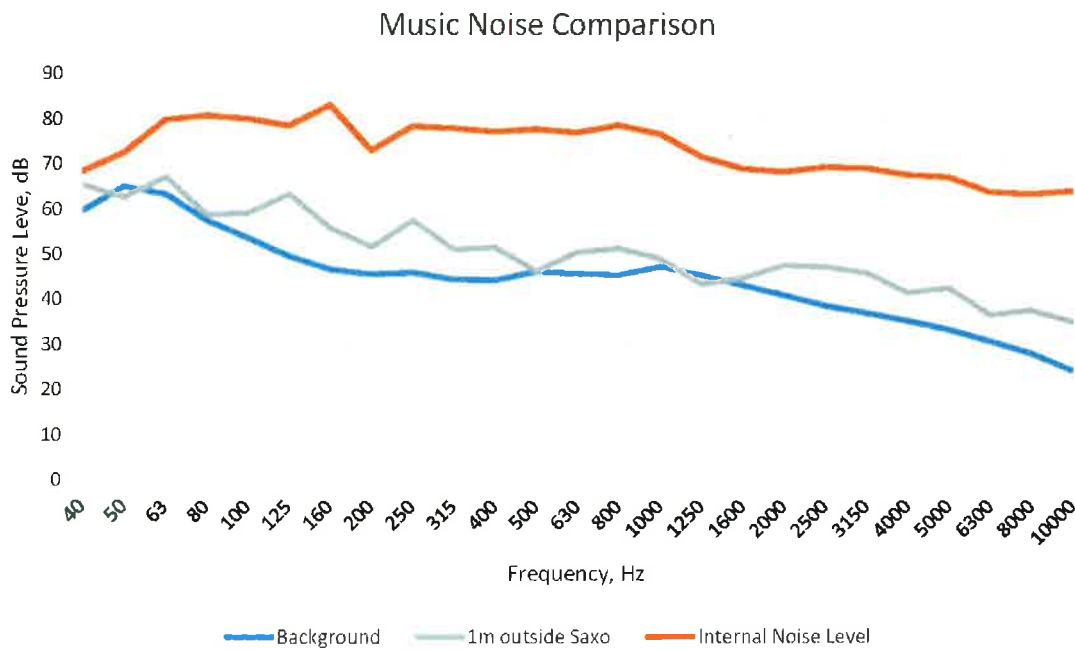


Figure 2.1 – Music noise level comparison

With music limited to this level, noise levels outside the windows of the most affected residential premises, the apartments above Joy, approximately 20m away have been calculated to be 33dB(A).

Although not directly applicable to music noise, BS8233 *Guidance on sound insulation and noise reduction for buildings* provides guidance as to desirable internal ambient noise levels for different areas within residential buildings and may be taken as an indication of likely background noise levels in the residential premises.

The relevant section of the standard is shown below in Table 2.1.

Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living Room	35 dB LAeq, 16 hour	-
Dining	Dining Room	40 dB LAeq, 16 hour	-
Sleeping (daytime resting)	Bedroom	35 dB LAeq, 16 hour	30 dB LAeq, 8 hour

Table 2.1 – Excerpt from BS8233:2014 - Indoor ambient noise levels for dwellings [dB ref. 20µPa]

BS8233 states that with partially open windows, the sound insulation from inside to outside is reduced to approximately 15dB, which would result in internal noise levels of up to 16dB(A) from music when it is played at 85dB(A) in Saxo Bar, which is considerably below the levels shown in Table 2.1.

However, in order to further reduce noise levels, and control the potential for impact to the surrounding area, section 3 includes mitigation measures which should be incorporated to further control noise.

### 3. Mitigation Recommendations

#### 3.1 Noise Limiter

The premises has a noise limiter installed which has previously been bypassed due to the complexity of the system resulting in it being set up incorrectly. This is understood to have been the case during the site visit by Environmental Health to the premises previously.

During the site visit, Venta Acoustics worked with the management of Saxo bar to set up the noise limiter correctly, and enact an internal music noise limit of 85dB(A) within the bar. Above this level, the limiter mitigates the noise using a ‘gentle’ system, attenuating frequencies across the range to meet the limit. However, should input levels much higher than this be generated, the limiter will force a ‘hard’ intervention and turn the music off until noise levels are reduced.

It should be noted that the setup is based upon the limiter being used with the existing mixer as the input device for all music in the premises. Should the mixer be changed for a different unit, the system would need to be re-calibrated for the different input voltages.

Figure 3.1 shows a photo of the limiter with the dials set up correctly for the 85dB(A) limit with the premises.



Figure 3.1 – Noise limiter dial settings

The limiter comes with a lockable front cover and it is understood that the management at Saxo Bar will be fitting and locking the cover from this point onwards to stop DJs or other members of staff changing the noise level output from the system.

### 3.2 Lobby Door System

The management of the premises have stated that they will be fitting a lobby door system to the premises which will involve extending out from the front of the premises at the mullions of the front windows to create a new lobby where the existing front veranda is. This will then be fitted with a new external grade door, with compressible seals to the entirety of the door frame, as well as a self-closing system. The sides walls of the lobby should be solid, with either glazing, blockwork or a lightweight construction. The interfaces of all junctions should be well constructed and sealed to the existing façade to maximise the benefit realised by the lobby door system.

It is also understood that door staff are employed in the evenings, who can ensure the doors remain closed and allows the bar to control the access and egress of patrons to minimise noise breakout from the premises.

With this proposed lobby door system in place, noise levels breaking out through the door are likely to be reduced by at approximately 10-15dB. (10dB is typically is viewed as a subjective halving of loudness).

## 4. Discussion

Prior to the works, predicted noise levels outside the most affected residential windows are 31dB(A) with the music limited to 85dB(A).

With a secondary lobby door system in place, noise levels would be expected to be significantly less at the residences, with external noise levels of approximately 20dB(A), resulting in internal noise levels of less than 10dB(A), which would likely be inaudible.

To further help control noise, the next section includes a noise management plan that will be adopted by the premises.

## 5. Conclusion

An assessment of the noise breakout from the Saxo Bar was undertaken by Venta Acoustics.

The main source of noise breakout from the premises was shown to be around the door and door set area. Recommendation as to the implementation of a lobby door system to mitigate noise breakout and reduce the potential for noise impact has been given.

The premises already had a noise limiter, which was not in use. This has been setup with the assistance of Venta Acoustics and the limit set to 85dB(A).

Noise levels from the premises in its current form would be expected to be approximately 30dB(A) outside the windows of the most affected residential premises. Following the implementation of the lobby door system, along with the noise limiter, this would be expected to drop to below 20dB(A).

The adoption of a noise management plan has been suggested and a suitable document is included following this section.

**Jamie Duncan MIOA**

# Noise Management Plan

## 1.0 Potential Noise Sources

- 1.1 Saxo Bar understand the identification and recognition of potential causes of disturbance assists greatly in planning to avoid disturbances to our neighbours.
- 1.2 The following noise sources have been identified in relation to the operation of Saxo Bar:
  - Music noise from speakers used in the bar for music;
  - Patrons talking when smoking outside Saxo bar;
  - Patrons leaving Saxo throughout and at the end of the night, including taxis.
- 1.3 Saxo can operate until 3am which, due to the late time and low background noise levels, provides a greater opportunity for disturbance to nearby residents.
- 1.4 Music noise has been identified as an issue previously by the Council during an evening site visit.

## 2.0 Music – Setting Limits

- 2.1 Saxo Bar and Venta Acoustics have set the noise limiter in the bar to operate at 85dB(A).
- 2.2 This setting is based upon the current equipment in place in the premises and would need to be recalibrated should the mixer or speakers be changed.
- 2.3 The limiter should remain set up so that the dials are in the positions shown below. The dial cover will be fitted and locked to ensure that these settings are not changed.



- 2.4 All amplified music will be run through the mixer to ensure the limiter controls noise output. Live music in the venue would be acoustic with no drums used on the premises.
- 2.5 To document and back up this limit, the management of the premises will measure the internal noise level of the premises with their sound level meter, which was compared against a class 1 calibrator and shown to be within 3dB tolerance. This will be undertaken nightly for the first six months, with a log kept for Council inspection, if required.

### 3.0 Management Controls

- 3.1 The responsibility for the management controls will be assumed by the bar manager. Other members of staff may assume the role in the future following suitable training.
- 3.2 To minimise noise break-out from Saxo Bar, the internal and external doors to the lobby door system to the bar will be kept closed at all times when music is playing, except when being used for access and egress, which will be enforced by the door staff.
- 3.3 A culture of neighbourly consideration will be encouraged amongst patrons through the use of signs and polite reminders from staff and door staff.
- 3.4 Saxo Bar may have patrons smoking outside on the pavement. Signs will be placed by the door reminding patrons of the proximity of neighbours to ensure they do not become raucous and encouraging non-smokers to return indoors. Staff will also monitor the area periodically to ensure they are not becoming overly loud.
- 3.5 Most patrons access and leave Saxo Bar on foot via Charminster Road and the surrounding streets. Signs will be installed reminding patrons of the proximity of neighbours and encouraging them to keep their voices down. At closing time, a member of staff will also be on the door to remind patrons.
- 3.6 Should patrons be picked up by taxi in the evening, patrons will be encouraged to stay in Saxo Bar until the taxi arrives. Taxis will be encouraged to turn off their engines and not sound their horns, with a member of staff liaising with the driver to fetch the patron if necessary. If complaints relating to noise from taxis are raised, taxi pickups from an alternative nearby location will be encouraged.
- 3.7 A written log of all sound level checks will be maintained with any relevant comments regarding noise levels, adverse weather conditions, etc.

### 4.0 Complaints Procedure

- 4.1 Neighbour complaints can be made via the main telephone number 01202 299998, which is available during opening hours including events (or answerphone out of hours). These details will be distributed to nearby residents, and will be given out at any further community meetings, or on request. Clear instructions would be given to those likely to answer on these procedures for handling complaints.
- 4.2 A complaint action procedure will be produced and made available staff who will be instructed to follow it on receiving a complaint. This procedure would include checking and adjusting the music volume and supervising patrons outside the premises.
- 4.3 A timed and dated log will be kept in the office of all complaints, including actions taken and responses given. Other information recorded in the complaints log will include the

approximate number of patrons and staff present at the time of the complaint, and any specific activities or conditions which were noteworthy at the time. A sample complaint log sheet is attached at Appendix A. Any other notes or email communications should be copied and a record kept in the complaint log folder.

- 4.4 Saxo Bar will aim to respond within one working day, but certainly within a week of the complaint being made, with a response/explanation, as well as any future actions or improvements we can implement.

## 5.0 Community Liaison Meeting

- 5.1 Saxo Bar will offer to host a meeting with residents at our premises twice a year to discuss the ongoing implementation of this Noise Management Plan, and provide feedback on the neighbour liaison and responses to any complaints. The CLM meetings will be an open forum for discussion of any matter of mutual interest.
- 5.2 Any improvements identified through this liaison process which could further assist in managing any noise impact on our neighbours would then be considered for inclusion in an updated version of this Noise Management Plan.





**DORSET POLICE**  
DRUG & ALCOHOL HARM REDUCTION TEAM  
BOURNEMOUTH POLICE STATION  
MADEIRA ROAD  
DORSET, BH1 1QQ  
Telephone: 01202 222445

The Licensing Team  
Bournemouth Borough Council  
The Town Hall Annex  
St Stephen's Road  
Bournemouth  
BH2 6EA

Your reference:  
In any reference please quote:  
If telephoning please ask for: Gareth Gosling 2551  
Direct dial: 01202 222445  
Email: [licensing@dorset.pnn.police.uk](mailto:licensing@dorset.pnn.police.uk)  
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Dear Sir /Madam

Date: 25/04/2019

## **Licensing Act 2003 – Temporary Event Notice – Saxo Jazz Bar**

I refer to the Temporary Event Notices (TENs) received in respect of Saxo Jazz Bar, 57-59 Charminster Road, Bournemouth for 12<sup>th</sup> and 19<sup>th</sup> May 2019.

On behalf of the Chief Officer of Police I wish to **OBJECT** to these TENs on the grounds that to grant would undermine the Prevention of Crime and Disorder and Public Safety licensing objectives.

In addition to the premises being within the Charminster Cumulative Impact Area (CIA), details of which are publicly available on the BCP Website but can also be provided separately if required, we do have a number of concerns regarding this premises.

On the evening of 1<sup>st</sup> March 2019 we can evidence that there were a number of breaches to the existing premises. The breaches identified during that evening were relating to conditions 2.1 and 2.24 of the existing licence.

The following evening, 2<sup>nd</sup> March 2019, further breaches were identified in relation to conditions 2.1, 2.24, 2.10, 2.12 and 2.12.1. Further breaches to the existing operating hours were evidenced on the 31<sup>st</sup> March 2019 in that the premises remained open far beyond the permitted hours.

A Warning Letter was sent to the DPS to highlight these breaches on the 2<sup>nd</sup> April 2019 highlighting the concerns of Dorset Police.

A visit was conducted to the premises by Licensing Officers on the 4<sup>th</sup> April 2019 and breaches of the following conditions were identified during that visit -

2.1 – It was acknowledged by the DPS that this condition was not being adhered to consistently. We agreed that measures would be taken to address this issue going forward.

2.10 – The DPS acknowledged that door supervisors were not consistently available during the time that the premises licence demanded. A cursory check of the Door Supervisor log

book indicated that door supervisors had not been present during the required times on 20 of the 26 nights that the premises had been conditioned to have door supervisors present.

2.6 – The most recent training records were dated 4/11/2016. This condition demands that approved training is delivered on at least a 6-monthly basis. The DPS did not have any formal training regime in place at the time of the visit.

2.7 – No records were being made of the Refusals of service. The DPS was offered suitable advice regarding this breach in condition and advised that this would be monitored.

2.9 – There was no substantial food available other than some light bar snacks. Advice was given to the DPS. No menus were available at the venue.

2.12.1 – Dorset Police could evidence that door supervisors were not adhering to this condition. The DPS agreed to rectify this immediately and purchase uniform. In addition, words of advice were offered with regards to employing Door Supervisors directly without a Non-Front Line SIA Licence, which was the case during the time of the visit.

2.16 – This is most concerning. The DPS had no regard for the impact that off-sales can have on the local environment. The DPS stated that he was allowing his customers to decant alcohol into plastic vessels at the end of the night to drink when they left the premises.

A verbal warning was issued to the DPS to rectify the above immediately. The DPS was advised that the premises would be closely monitored over a period of 6 months to determine whether any improvements were evident.

Dorset Police are of the view the applicant has failed to demonstrate in their current operating schedule that they can operate a safe and lawful premises. We are currently undergoing a period of monitoring to determine whether it is appropriate for formal action to be taken in respect of the premises. This has been communicated directly to the DPS of the premises.

To grant the use of these TENs and allow the premises to enhance their schedule beyond the hours that they currently operate would not only undermine our engagement efforts to help encourage the premises to be operated lawfully, but it would also place the public at greater risk given that we have concerns that the premises is not currently upholding the licensing objective of preventing crime and disorder by adhering to existing conditions.

Accordingly, the Licensing Board is invited to refuse this application on the basis that there are exceptional reasons above to support the refusal.

Yours faithfully,

Police Sergeant 2551 Gareth Gosling  
Drug & Alcohol Harm Reduction Team  
Dorset Police