

Notice of Licensing Sub-Committee



Date: Wednesday, 12 June 2019 at 2.30 pm

Venue: Council Chamber - Civic Offices, Bridge Street, Christchurch BH23 1AZ

Membership:

Cllr B Dion

Cllr D A Flagg

Cllr D Kelsey

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

The press and public are welcome to attend.

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

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

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

GRAHAM FARRANT
CHIEF EXECUTIVE

4 June 2019



Available online and
on the Mod.gov app



WITNESSES AND RIGHT TO REPRESENTATION

Any person entitled to attend the hearing may be assisted or represented by any person whether or not that person is legally qualified. In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

The authority shall disregard any information given by a party or any person to whom permission to appear at the hearing is given by the authority which is not relevant to—

- (a) their application, representations or notice (as applicable) or in the case of another person, the application representations or notice of the party requesting their appearance, and
- (b) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a chief officer of police, the crime prevention objective.

FAILURE OF PARTIES TO ATTEND THE HEARING

If a party has informed the Licensing Authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his/her absence. If a party who has not so indicated fails to attend or be represented at a hearing, the Authority may:-

- a) Where it considers it to be necessary in the public interest, adjourn the hearing to a specified date; or
- b) Hold the hearing in the party's absence

Where a hearing is held in the absence of a party, the authority shall consider at the hearing application, representation or notice made by that party. Where the authority adjourns the hearing it will notify the parties of the date, time and place to which the hearing has been adjourned.

WITHDRAWAL OF REPRESENTATION

A party who wishes to withdraw any representations they have made, may do so:-

- a) By giving notice to the authority no later than 24 hours before the day on which the hearing is to be held; or
- b) Orally at the hearing.

DISRUPTIVE BEHAVIOUR

The Licensing Authority may require any person attending the hearing who, in their opinion, is behaving in a disruptive manner to leave the hearing and may:-

- a) Refuse that person to return; or
- b) Permit him/her to return only on such conditions as the authority may specify

Although such a person may before the end of the hearing submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

PROCEDURE OF HEARING

1. Facts of the Case – Responsible Officer
2. Responsible Authorities' and Other Persons' Case
3. Applicants' Case
4. Brief Summary by Responsible Authorities and Other Persons
5. Brief Summary by Applicant
6. Members Questions (Members may ask questions after each representation and at the end of all representations)
7. The parties will be given the opportunity to sum up (with the party who spoke first to go last)
8. Sub-Committee Retire to Make Decision
9. Sub-Committee Return to Announce Decision (A written decision notice will be issued following the hearing in accordance with the regulations).
10. The Legal Advisor will advise parties of any right of appeal as appropriate.

The full protocol can be viewed on the BCP Council Website

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 Premises Licence - Licensing Act 2003 - Tom's Bar, 1 Church Street, Christchurch.

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The Council is required by the Licensing Act 2003 to hold a hearing when there are representations in respect of a premises licence application and determine whether to grant the licence.

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.

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LICENSING SUB-COMMITTEE

Report subject	Application for a Premises Licence - Licensing Act 2003 – Tom’s Bar, 1 Church Street, Christchurch.
Meeting date	12 June 2019
Report author	Sean Whitney
Wards	Christchurch Town
Status	Public Report
Classification	For Decision
Executive summary	The Licensing Act 2003 requires the council as the Licensing Authority to issue premises licences. Where there are representations to an application for a premises licence the council must hold a hearing to consider those representations and decide whether to grant a premises licence under the Licensing Act 2003
Recommendations	It is RECOMMENDED that: Members consider of all the evidence placed before them and reach a decision
Reason for recommendations	The Council is required by the Licensing Act 2003 to hold a hearing when there are representations in respect of a premises licence application and determine whether to grant the licence.

Background

1. An application shown at Appendix 1 has been received for a Premises Licence for the sale of alcohol, the playing of recorded music and late night refreshment at 1 Church Street, Christchurch.
2. The premises previously operated as a clothes shop and was granted planning permission with conditions on the 22nd March 2019 for a change of use to Class A4. Operations associated with this use were also permitted at 1A Castle Street. The applicant intends to operate the premises “as a high-end speakeasy wine and cocktail bar with tapas-style artisanal food supplied by local suppliers and provision of food and drink, including coffees and teas, from breakfast through to evening”.

3. The Premises Licence application is for;
- the supply of alcohol both on and off the premises between 0900 and 2300hrs Sunday to Wednesday, 0900 to 2400hrs on Thursdays and 0900 to 0100hrs Fridays and Saturdays
 - recorded music that is either unamplified or only played through the in-house background music system between 0900 and 2300hrs Sunday to Wednesday, 0900 to 2400hrs on Thursdays and 0900 to 0100hrs Fridays and Saturdays
 - late night refreshment indoors between 2300 and 2400 on Thursdays and 2300 to 0100 Fridays and Saturdays
 - opening hours of the premises are 0900 to 2300hrs Sunday to Wednesday, 0900 to 2400hrs on Thursdays and 0900 to 0100hrs Fridays and Saturdays

Licensing Objectives

4. BCP Council is designated as the Licensing Authority by the Licensing Act 2003 for the various licensing functions prescribed within the Act.
5. Whilst carrying out its statutory duties, the Licensing Authority must promote the four licensing objectives :-
- (a) The Prevention of Crime and Disorder;
 - (b) Public Safety;
 - (c) The Prevention of Public Nuisance; and
 - (d) The Protection of Children from Harm.
6. Any conditions to be attached to a licence must be appropriate to achieve those objectives. Any objections must also be based on the objectives.
7. The Licensing Act 2003 dictates that there must be a 'presumption of issue' unless the evidence presented at the hearing satisfies the Sub-Committee that one or more of the licensing objectives cannot be met. However, if problems subsequently occurred, any person may demand that the licence be reviewed by way of a review application, resulting in another hearing.

Statement of Licensing Policy

8. It is essential that the Sub-Committee takes into account the Council's Statement of Licensing Policy whilst considering the application. This is a statutory obligation.
9. The applicant, responsible authorities, or 'other persons' should bring to members attention any relevant paragraphs in that policy that they feel to be of particular relevance to this application.

10. The Statement of Licensing Policy makes it clear that the Licensing Authority's role is to hold a balance between the needs of the licensing, entertainment and food industry and the needs of residents and others including businesses, workers, shoppers and visitors.
11. The council's policy does not make any predetermined presumptions about licensed premises and their associated applications based on the area in which they are located. The Licensing Authority shall consider each application on its own merits and will base its consideration on the applicant controlling entertainment and customer behaviour whilst in their direct control and not what may occur when customers are beyond that control.
12. If the Sub-Committee does choose to depart from its own policy it must have heard compelling and exceptional reasons during the hearing and must disclose the reasons as part of the decision.

Section 182 of Licensing Act 2003 Guidance

13. It is also a statutory obligation of the Sub-Committee to take into account the statutory guidance to the Licensing Act 2003 before reaching a decision.
14. The applicant, responsible authorities, or 'other persons' should bring to members attention any relevant paragraphs that they feel to be of particular relevance to this application.

Application and Representations Received

15. Copies of the application were sent to all responsible authorities and the statutory notice was displayed on site and published in a local newspaper in compliance with the statutory requirements.
16. Dorset Police and the Applicant have agreed a set of conditions shown at appendix 2. These agreed conditions now form part of the operating schedule.
17. Ten representations from other persons were also received objecting to the application. These representations are shown at Appendix 3.

Statutory Obligations

18. The Licensing Act 2003 in Section 18(3) and (4) lays down what appropriate steps the Licensing Sub Committee may, having considered all relevant factors as detailed above, take as part of its decision.
19. The steps that may be taken are;
 - (a) To grant the licence subject to –
 - (i) The conditions mentioned in subsection 2(a) (*operating schedule*) modified to such extent as the authority considers appropriate for the promotion of the licensing objections, and
 - (ii) Any condition which under section 19, 20, and 21 must be included in the licence; (*Mandatory Conditions*)

- (b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
- (c) To refuse to specify a person in the licence as the premises supervisor;
- (d) To reject the application.

Options for Decision

20. The Licensing Sub-Committee must make a decision taking into account all relevant matters before them, but not any that are irrelevant. Hearsay evidence is admissible but it will be for the Sub-Committee to attach whatever weight it thinks fit to such evidence.
21. Whilst there is no fetter on the Sub-Committee's discretion, it must be done according to the rules of reason and justice, not according to private opinion. The main rules of natural justice are to give the other side a fair opportunity of commenting on any evidence before the Sub-Committee and of contradicting it. It is not necessary to allow cross examination but instead a tribunal of this kind is master of its procedure providing that the rules of natural justice are applied.
22. If Members consider that granting the licence would not jeopardise any of the Licensing Objectives, it should be granted in full as submitted. This would include conditions being attached based on the operating schedule as contained within Section M of the application shown at Appendix '1'.
23. Alternatively the Sub Committee may grant the licence but impose extra conditions as it thinks fit or make amendments to the operating schedule conditions and/or proposed hours etc.
24. There appears to be no supporting evidence to refuse to specify the nominated person as the Designated Premises Supervisor.
25. If members consider that no number of conditions would ensure that all of the Licensing Objectives would be upheld, then the application should be rejected.
26. Full reasons for the decision must be given based on the evidence presented to the sub-committee as relevant only to the Licensing Objectives.

Summary of financial implications

27. There are no financial implications associated with this report.

Summary of legal implications

28. 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 environmental impact

29. Noise, litter and light pollution are all examples of considerations that may be taken into account as part of the Prevention of Public Nuisance Licensing Objective.

Summary of equality implications

30. All applicants and objectors will be treated fairly without discrimination, based on the law and natural justice.

Background papers

Published works

Appendices

Appendix 1; Premises Licence Application

Appendix 2; Agreed conditions with Dorset Police

Appendix 3: Representations from other persons

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Application for a premises licence to be granted 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 TOMS EVENT BARS LTD

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description 1 CHURCH STREET			
Post town	CHRISTCHURCH	Postcode	BH23 1BW

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£21,500.00

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
Surname			First names	
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality				
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)				
Current residential address if different from premises address				
Post town		Postcode		
Daytime contact telephone number				
E-mail address (optional)				

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name TOMS EVENT BARS LTD
Address Unit 1 Beaver Industrial Estate 8 Airfield Road Christchurch Dorset BH23 3TG
Registered number (where applicable) 10440036
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited company

Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	8	052019

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
 Ground floor of listed building in secondary shopping frontage in central Christchurch, proposed to be operated as a high-end speakeasy wine and cocktail bar with tapas-style artisanal food supplied by local suppliers and provision of food and drink, including coffees and teas, from breakfast through to evening.

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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



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



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	09:00	23:00	<u>Please give further details here</u> (please read guidance note 4) Recorded music will be limited to either unamplified music or amplified music played through the in-house background music system only.		
Tue	09:00	23:00			
Wed	09:00	23:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	09:00	24:00			
Fri	09:00	01:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	09:00	01:00			
Sun	09:00	23:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed					
Thur	23:00	24:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri	23:00	01:00			
Sat	23:00	01:00			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	09:00	23:00			
Tue	09:00	23:00			
Wed	09:00	23:00			
Thur	09:00	24:00			
Fri	09:00	01:00			
Sat	09:00	01:00			
Sun	09:00	23:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Thomas Owen	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) BH169306	
Issuing licensing authority (if known) Bournemouth Borough Council	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

This proposal is for a high-end speakeasy wine and cocktail bar to complement other food and drink offers in this area of Christchurch, which area has been designated for such uses under local planning policy. The applicant has operated a successful events and hospitality business in the Christchurch area for a number of years and is experienced in catering for the discerning public. The intention is to provide a first-class establishment maintaining the integrity and character of this listed building whilst providing a welcoming, sophisticated, safe and relaxing space for those wishing to enjoy socialising and easy conversation. A plan of the proposed premises is submitted with this application – the layout of the tables and chairs are for illustrative purposes only.

It is proposed that the premises are open from 9am serving coffees and pastries, continuing to be open throughout the day, with food available, and moving to providing wine and cocktails for those wishing to enjoy a safe and convivial environment, without high volume music, in the evenings. Accordingly, the following general conditions are proposed:

- Non-intoxicating beverages, including drinking water, shall be available to patrons throughout the permitted hours for the sale of alcohol.
- Staff involved in the sale of alcohol will receive appropriate training in the licensing laws, and in particular, how to prevent underage sales.
- A record shall be maintained detailing :
 - a) Any refusals of the sale of alcohol
 - b) Any incidents occurring at the premises to include any incidents of crime and disorder, seizures of fraudulent ID, ejections of patrons.

b) The prevention of crime and disorder

A suitable CCTV system shall be installed and maintained in good working order, and shall record at all times the premises are open to the public (unforeseen faults excepted). Recordings shall be kept for a minimum of 31 days and copies be provided on reasonable request to officers of the licensing authority or Police, provided that such requests are in connection with the prevention or detection of crime, and subject to the Data Protection legislation.

c) Public safety

No specific public safety measures are considered necessary over and above the statutory requirements already existing under other legislation.

d) The prevention of public nuisance

Prominent clear and legible notices will be displayed at the exit to the premises requesting patrons to respect the neighbouring area and leave the premises quietly.

e) The protection of children from harm

A 'Challenge 25' proof of age scheme shall be operated at the premises whereby any person reasonably appearing under the age of 25 years shall be asked to prove their age by means of photographic identification when attempting to purchase alcohol and signs to this effect will be displayed at the premises.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	Trethowans LLP
Date	9 th April 2019
Capacity	Solicitors and Authorised Agents for the Applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Sandra Graham Trethowans LLP 5 Parkstone Road			
Post town	Poole	Postcode	BH15 2NL
Telephone number (if any)	01202 673071		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) Sandra.graham@trethowans .com			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and

- (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.
 - 15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,

- (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
- (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
- (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Subject: FW: Licensing Act 2003 - Application for a Premises Licence - Toms Bar, 1 Church St, Christchurch

Importance: High

From: Sandra Graham [mailto:Sandra.Graham@trethowans.com]

Sent: 31 May 2019 17:47

To: Sean Whitney

Cc: 'Busfield, Louise'

Subject: RE: Licensing Act 2003 - Application for a Premises Licence - Toms Bar, 1 Church St, Christchurch

Importance: High

Dear Sean

As you are probably aware, although the Police did not raise a representation as such against this application I have respected in good faith some of their comments as a result of which I have agreed a slight variation on the wording of the conditions to be put forward by the applicant.

For ease of reference I will set out below all the proposed conditions as they now stand (some unchanged from the operating schedule and some slightly re-worded, and with the addition of no. 8) so that you can copy and paste them in to your report:

1. Non-intoxicating beverages, including drinking water, shall be available to patrons throughout the permitted hours for the sale of alcohol
2. 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 record 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 officers or authorised officers from other responsible authorities.
3. 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 a licensing officer of the licensing authority or the Police, which shall record the following:
 - (a) any incidents of crime and disorder
 - (b) any faults causing the CCTV system to be inoperable
 - (c) any refusal of the sale of alcohol
 - (d) any visit by a responsible authority or emergency service
 - (e) all ejections of patrons
 - (f) all seizures of drugs or offensive weapons

This log to be checked on a weekly basis by the DPS of the premises.
4. A CCTV system, shall be installed to cover the entry/exit point 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 (unforeseen faults excepted). All recordings shall be stored for a minimum period of 31 days with correct date and time stamping. Recordings shall be made available upon the reasonable request of Police or an authorised officer of the licensing authority throughout the preceding 31 day period provided that such requests are in connection with the prevention or detection of crime and subject to current Data Protection legislation.
5. 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 for licensable activities. This staff member must be able to show a Police officer or authorised officer of the licensing authority retained data or footage, subject to current Data Protection legislation, with the absolute minimum of delay when requested.

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.

6. Prominent, clear and legible notices will be displayed at the exit to the premises requesting patrons to respect the neighbouring area and leave the premises quietly.
7. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards (such as a driving licence or passport / Holographically marked PASS scheme identification cards). Appropriate signage advising customers of the policy will be prominently displayed in the premises.
8. The Premises Licence Holder shall use reasonable endeavours to maintain membership of the PubWatch scheme (or any successor scheme).

Kind regards
Sandra Graham

Sandra Graham

For and on behalf of Trethowans LLP

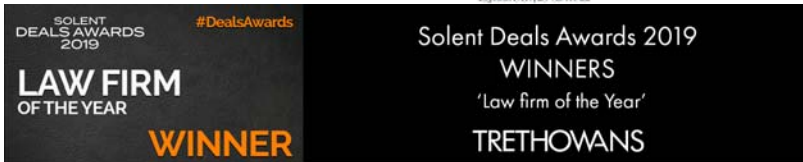
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Trethowans LLP, The Pavilion, Botleigh Grange Business Park, Hedge End, Southampton SO30 2AF, Switchboard: +44 (0) 23 8032 1000

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From: [Licensing Com](#)
To: [Becky Baker](#); [Sean Whitney](#)
Subject: FW: New Premises Application for 1Church Street, Christchurch
Date: 08 May 2019 08:15:18

From: peter fenning [REDACTED]
Sent: 07 May 2019 16:47
To: licensing@bcpcouncil.gov.uk
Subject: New Premises Application for 1Church Street, Christchurch

Dear Sir/Madam

I wish to oppose this application on the grounds of public safety and prevention of public nuisance

Public Safety

I am a resident of [REDACTED] Christchurch, BH23 1DJ and have resided in Christchurch for the last 20 years. My residence is located some 250 metres from the premises at 1 Church Street in Bridge Street.

I frequently walk into Christchurch town centre and am very familiar with the location of this new bar.

This bar is located at the junction of Castle Street and Church Street and the main High Street and is a very busy road junction.

The pedestrian pavement in Castle Street outside this new bar is just 2 metres wide and outside the only entrance into this bar it narrows to 1,2 metres due to a traffic protection bollard system. Two persons can hardly pass through now. It is a "blind" right angled corner and presently difficult for a pram or disabled mobility vehicle to pass through.

At the eastern end of the bar frontage in Castle street there is a tapered section of the pavement which allows pedestrian access across Castle Street to a central traffic-pedestrian refuge. It is heavily used so much so that the bus stop previously located some 10 metres eastwards along Castle Street was closed and moved elsewhere due to traffic congestion problems and possible road safety issues.

It is with this narrow 2metre wide pavement section, outside the bar frontage in Castle Street that the applicant has decided to operate a smoking zone for his customers..

In an email displayed on the Dorsetforyou planning website for this bar application the applicant, Tom Owen,

has stated "We have submitted our smoking policy which we believe is satisfactory, we will do our utmost to control any smokers that wish to smoke outside the premises"

The Christchurch Borough Council's , (CBC) planning officer has reported to the Council's planning committee

At page 12, section 8.18 which deals with impact on neighbouring living conditions. She states that the applicants have discussed the potential of additional disturbance to neighbouring residents with the CED Environmental Health officer and are keen to take steps to control and limit noise disturbance by controlling the taking of drinks outside the premises and managing the outside area where smoking would be permitted to congregate at the Castle Street side of the building . The submission, dated 20/02/2019, by the CED Environmental Health Officer to this planning application makes no mention of smoking but states that no drinks will be taken outside and notices will be placed near the exit door asking people to respect the neighbourhood and

keep noise to a minimum outside the building.

However it is noteworthy that no planning condition relating to the taking of drinks outside the premises was made in the grant of planning permission.

There is no mention of Mr Owen's smoking policy document and one is bemused to think that Mr Owen can control the behaviour of smokers located on a public pedestrian pavement outside his premises. One asks if he will be placing ash trays on the pavement. Will he be able to exercise any control over the noise emanating from a gathering of smokers which will be directly beneath the windows of two floors of residential accommodation especially when this bar will be open 4 days per week until 23.00 hours and with midnight closing time on a Thursday at midnight and also on both Friday and Saturdays until 1.00 am the following mornings

Prevention of Public Nuisance

From the last paragraph above it may be deduced that a nuisance from the external smoking area is likely to occur to the residents of the two floors above this pub.

A further nuisance will occur to residents wishing to use the pavement outside this pub in Castle Street.

Management and collection of waste was a matter of concern to the Councillors on the Christchurch Council planning committee and they requested that a waste management strategy shall be submitted to and be approved by the LPA. This request was embodied in planning condition 7 and included measures for the storage and disposal of waste from the planning unit and the limiting of noise and disturbance from the proposed waste management measures. This is to be approved in writing by the LPA before the approved A4 use is commenced.

I request that the licensing subcommittee ensures that this matter is completed and that noise and disturbance to neighbours is limited.

Finally the permitted use is that the premises shall be open to customers between the following hours only

09:00- 23.00 Sunday to Wednesday

09:00 -00.00 Thursday

09:00-01:00 Friday and Saturday.

In order to ensure that these conditions are met would the subcommittee please consider that no drinks will be served within 30 minutes of the stated closing time.

Thanking you for your attention

Yours sincerely

Peter J Fenning

[REDACTED]

[REDACTED]

Christchurch

BH23 1DJ

Email [REDACTED]

Sent from [Mail](#) for Windows 10

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From: [Licensing.Com](#)
To: [Sean Whitney](#); [Becky Baker](#)
Subject: FW: Objection licencing application Toms bar 1 church street Christchurch BH23 1BW
Date: 08 May 2019 08:14:41

From: Kathleen Godley [REDACTED]
Sent: 07 May 2019 22:19
To: licensing@bcpcouncil.gov.uk
Subject: Objection licencing application Toms bar 1 church street Christchurch BH23 1BW

I object to the licencing application of Toms Bar 1 Church street, Christchurch BH23 1
On the following Grounds

1. The prevention of crime and disorder
2. **Prevention of Public Nuisance bar is below 2 residential flats no waste or bottle disposal**
3. **Public Safety Narrow pavement**
4. **Protection of Children on walkway.**

Thank you Kathleen Godley

Sent from [Mail](#) for Windows 10

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From: [Becky Baker](#)
To: [Sean Whitney](#)
Subject: FW: Premise license 1 Church Street Christchurch objection
Date: 13 May 2019 14:39:49
Attachments: [image001.wmz](#)
[image001.jpg](#)
Importance: High



Becky Baker
Senior Licensing Officer
Public Health and Protection
T. 01202 795352
becky.baker@bcpcouncil.gov.uk
bcpcouncil.gov.uk

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From: George Gregory [REDACTED]
Sent: 07 May 2019 16:16
To: licensing@bcpcouncil.gov.uk
Subject: Premise license 1 Church Street Christchurch objection

I believe that the application is contrary to licensing objectives the prevention of a public nuisance and public safety.

The entries in section M subsections c and d are inadequate to ensure those licensing objectives are met. Specifically nuisance by noise to residents around the area is not adequately mitigated by a notice asking patrons to respect neighbours and there are safety matters that are not covered. At The planning committee where planning permission was granted for change of use the chairman expressed his serious concern for public safety because of the intention of designating a very narrow street (Castle street) as a smoking policy area due to the possibility of pedestrians being forced into the roadway and for noise nuisance to residents.

I would request that you not grant this application but if you are minded to do so that you impose stringent conditions regarding;

Noise nuisance, maximum volume of background recorded music, restricted hours (e.g. 9 am to 6 pm) for bottling out, keg movements and say 9 am to 9 pm for cellar cooling plant operation, last drinks to be served 30 minutes before premise closing time. Effective waste management policy should be set as a condition, it emerged during the planning permission process that a proposed process may be unviable due to disputed access rights.

Public Safety, Castle Street and entrance corner to be kept clear of all bar patrons at all times, no drinks to be taken outside, no waste to be placed in Castle street outside the bar.

During the Planning Permission process a condition was imposed regarding noise insulation to minimise nuisance to the flats above and it should be verified with building control that this was

satisfactorily installed. A satisfactory Waste Management strategy was also mandated and this should be reflected in license conditions as mentioned above. boxes.

George Gregory

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From: [Licensing.Com](#)
To: [Sean Whitney](#); [Becky Baker](#)
Subject: FW: Licencing Application Toms Bar 1 Church Street Christchurch BH23 1BW
Date: 08 May 2019 08:18:05

-----Original Message-----

From: Dyrck Lamble [REDACTED]
Sent: 07 May 2019 16:40
To: licensing@bpcouncil.gov.uk
Subject: Licencing Application Toms Bar 1 Church Street Christchurch BH23 1BW

Dear Sir/Madam,

I am writing to object to the licence application for Toms Bar 1 Church Street Christchurch BH23 1BW. It seems to me that it is wholly inappropriate to allow a bar that is based in otherwise residential building to remain open and playing recorded music until 01:00. Even if the bar itself is soundproofed there will, inevitably, be noise from people arriving, leaving and standing outside smoking until closing time. This will surely be unacceptably difficult for the residents above.

I have, in the past, defended a pub's right to make some noise when it was there first and new residential development has been allowed nearby but in this instance the residents were there first and the bar's right to cause a disturbance should be very limited.

Kind Regards

Dyrck Lamble

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From: [Licensing.Com](#)
To: [Becky Baker](#); [Sean Whitney](#)
Subject: FW: Licence Objection in Christchurch
Date: 08 May 2019 08:14:11

-----Original Message-----

From: Damian Heywood [REDACTED]
Sent: 07 May 2019 22:50
To: licensing@bcpcouncil.gov.uk
Subject: Licence Objection in Christchurch

We wish to object to the licence proposed for Toms Bar, 1 Church Street, Chrsitchurch BH23 1BW (previously Roberta's).

As local residents living in Wick Lane for 54 years, we are concerned that a licence until 1:00am will cause problems on three grounds:

- 1) Prevention of Crime and Disorder - excessive drinking leading to late-night anti-social behaviour;
- 2) Prevention of Public Nuisance - late-night noise and disturbance to residents including us;
- 3) Public Safety - narrow pavement outside premises exposing passing pedestrians, drivers or cyclists to possible anti-social behaviour.

Yours faithfully

Mr & Mrs Heywood

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From: [Licensing Com](#)
To: [Becky Baker](#); [Sean Whitney](#)
Subject: FW: Objection to Licensing Application
Date: 08 May 2019 08:14:24

-----Original Message-----

From: Sheila McDougall [REDACTED]
Sent: 07 May 2019 22:20
To: licensing@bpcouncil.gov.uk
Subject: Objection to Licensing Application

Please note I am objecting to the licensing of Toms Bar 1 Church Street, Christchurch BH23 1BW on the following 4 grounds.

1/ The prevention of crime and disorder (licence wanted until 1am in the morning) 2/ The prevention of Public nuisance (the bar is below 2 residential flats, no place for waste or bottle disposal) 3/ Public safety (the pavement is only 1.2m wide) 4/ Protection of children from harm (children, pushchairs and school children use the walkway outside)

From Mrs Sheila McDougall

[REDACTED]

BH23 1JZ

Sent from my iPad

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6th May 2019

Licensing Team
BCP Council Offices
Bridge Street
Christchurch
BH23 1AZ

Dear Sirs / Madam

OBJECTION TO APPLICATION FOR LICENCING – Tom’s Bar, 1 Church Street, Christchurch, BH23 1BW

I am putting in writing my objection on all four counts for the licencing of the premises of Tom’s Bar. 1 Church Street, Christchurch, BH23 1BW

1 The prevention of Crime and Disorder

This property (1 Church Street) was previously a clothes shop where the two flats above had quiet and peaceful enjoyment of their properties. The application for late night opening and the consumption of alcohol at Tom’s Bar, will give rise to increased noise levels for the two flats above and adjacent properties. There will also be a risk of street brawls where late nights and alcohol mix, together with no consideration of where any smokers will be located. The property has no outside space excepting the street corner outside (located under the two flats)

2 The Prevention of public nuisance

The application for loud music to be played within the building during the hours requested is unacceptable for the two flats above and the local residents. Especially into the early hours when any loud music noise travels further especially during the summer months, where doors are opened and people conjugate outside smoking or awaiting taxi’s. There is also the consideration of glass being recycled and what time such bottles are collected. Furthermore, where would these be stored pending collection? Delivery of alcohol etc is also of concern, where would a lorry park to access Tom’s bar and what time of day? This is a busy corner unit with no suitable parking / space.

3 Public Safety

If lorry’s park on the pavement to make deliveries how would wheelchair users or families with young children in pushchairs get around that busy corner/junction? The application has not considered how Tom’s Bar will tackle people from the bar standing outside on the narrow pavements / smoking / waiting for taxi’s etc and whether the general public with wheelchairs / pushchairs etc will get by.

4 Protection of children from harm

The application has not considered how families with young children in the adjacent areas (flats around Tom’s Bar) would be able to sleep with the noise levels that the bar will inevitably have. Certainly the flats above have a restriction in their leases for no noise / musical instruments to be made/played between the hours of 11pm and 7am. This will need to be adhered to.

This corner of Church Street and the two flats above, has enjoyed quiet times before this application for music and alcohol at extended times of the day has been made. I hope that you consider my objection fully before you grant the licence?

Yours faithfully

Carol Parker

Carol Parker
Concerned local resident.



BH23 1DT

6th May 2019

Licensing Team
BCP Council Offices
Bridge Street
Christchurch
BH231AZ

Dear Licensing Team

Objection to Application for Licensing: Tom's Bar, 1 Church Street, Christchurch BH23 1BW

I am writing to register objection on all 4 Licensing Objectives to the request for Licensing of the above premises at 1 Church Street, Christchurch.

I am extremely worried about this application as I own the upstairs flat in the same building of the newly created 'Toms Bar'. The shop unit was previously a ladies dress shop for 37 years, from which there was minimal disturbance and noise. Under the Human Rights Act we are entitled to the peaceful enjoyment of our properties, creating a bar underneath residential properties does not conform to this right.

I object to the application on the following grounds and to grant this Licence would undermine these licensing objectives:

1) The prevention of Crime and Disorder

At the Christchurch Planning Committee on 21 March 2019, David Jones, Chairman of the Committee stated 'just because planning is granted, it doesn't mean it gives the applicant carte blanche to do what he wants'.

1 Church Street is home to 2 residential flats, as well as the commercial ground floor unit, where residents are entitled to the peaceful enjoyment of their properties. The late night licensing requested and the consumption of alcohol creates a platform for crime and disorder. In recent years, this corner of Christchurch has suffered intolerably with late night drinkers and crime figures are increasing. The hours requested into the early morning are unacceptable and give no allowance for any 'drinking up' time. Crime and disorder for resident families above the bar is a real concern to peaceful living. The noise and disturbance from customers leaving at all times of night is unacceptable. An 'early' night at home above the bar of a reasonable 10pm will be impossible, moreso with a young family. The licensing requested gives no consideration to this.

2) The prevention of Public Nuisance

The request for amplified music to be played during the hours requested and within the building is unacceptable. This will cause nuisance to residents in the flats above and local neighbours. No amount of sound proofing, even though a planning condition, will limit the noise, especially in the evenings and bedtimes when sound travels further. No guarantee of sound proofing has been seen. Smokers hanging around outside and underneath mine and my neighbours' residential windows, especially in the summer, will be intolerable. At the Planning Committee, the Planning officers added many conditions including that of a self-closing door. It is very hard to see how this will be controlled at all, and I do not believe this will be adequate in preventing noise and public nuisance to us as residents above.

In addition, the noise of bottles being distributed, then empties being discarded and recycled immediately outside and under the windows of our flats will be horrendous. Kegs of beer, bottles and other goods being supplied to the ground floor of our flats will be noisy, as well as delivery lorries in the early hours and late nights on this dangerous corner. Proper and restful sleep will be impossible. There is no decent outside provision for waste at 1 Church Street, and the proposal for dealing with these 2 buildings further down on Castle Street is not workable and will create havoc and public nuisance with pedestrians.

3) Public Safety

This corner of Christchurch is notoriously busy, three roads meet, the pavement is on the way to the Priory, and old, young, the disabled, wheelchair, pushchair users and families constantly use this thoroughfare. The pavement directly outside the shop unit is only 1.2m wide, just enough for a parent and pushchair. A bar with late licensing hours will be an accident waiting to happen. The response within the Licensing application for Section (c) Public safety is completely inadequate. There is no reference to safety or how Toms Bar will tackle alcohol influenced customers pushing other members of the public into the Highway or preventing them congregating outside smoking and drinking. There is also no apparent provision for disabled persons within this proposal. The picture below illustrates how narrow the pavement is with a Dad, toddler and a pushchair outside the front door.



4) Protection of Children from Harm

The steps described in the application supporting this Licensing Objective are again inadequate. The applicant suggests they will support the 'Challenge 25' proof of age scheme for customers looking to purchase alcohol from them if approved.

There is no reference to the prevention of noise and disturbance from their proposed bar with young resident children in the flats above trying to sleep before attending school or playgroup as they have previously enjoyed. Children from The Priory School also use this as a walkway to activities and assemblies in the Priory, any drinkers or smokers congregating outside will be a threat to these children.

Furthermore, the conditions of the Lease for 1B Church Street, First Schedule restrictions imposed, Clause 4, state 'no musical instrument... noise making... any singing shall be practiced to cause annoyance to the occupiers... in the building or so as to be audible outside ...between the hours of 11pm and 7am'. This is a requirement of the lease that needs to be adhered to.

Two thirds of 1 Church Street is residential – please give full consideration to this, the lease restrictions and the human rights entitlement to the peaceful enjoyment of our properties before granting any alcohol or music licence.

I humbly request that full and kind consideration is given to this objection.

Yours sincerely

Jane Parkinson

From: [Becky Baker](#)
To: [Sean Whitney](#)
Subject: FW: Objection Pendrill
Date: 13 May 2019 14:46:30
Attachments: [image003.jpg](#)



Becky Baker
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From: John Pendrill [REDACTED]
Sent: 06 May 2019 18:45
To: Licensing Com
Subject: Application for Tom's Event Bar 1 Church Street, Christchurch

Hello,

I am against the application proposals. My reasons are:-

To prevent a public nuisance: Two residential properties are above the premises so the 16 hours applied for opening will create disturbances for the occupants. In warmer weather it may be impossible to open windows due to noise. Quiet enjoyment of the residential properties is likely to be impossible. As it is intended to be an events bar the likelihood is that there will be many occasions when it is at full capacity with the attendant noise problem that such gatherings generate.

To prevent crime and disorder: The application relates to premises on the corner of two busy roads where the footpath width is 1.2 metres on one side and not much wider on the other side. On the narrower side there are railings to prevent pedestrians walking into the road. This fact limits the width so people using mobility scooters or pushing prams or buggies may have trouble passing bar users who are outside to smoke. Pedestrians may find it is necessary to walk on the carriageway in order to pass. This situation could lead to disorder when smokers do not give way to pedestrians.

Public safety: Conditions were applied to the planning permission. One was fire proofing the bar to protect the residential premises. Another element was air conditioning and the location of the units could create problems and noise disturbance to the apartments. Fire hazard is a significant concern. When the premises was a dress shop the maximum likely number of occupants at any one time was four. At the planning meeting it was stated that the bar will be organised to have 30 customers plus staff. This difference in numbers is a material fact in the event of an emergency. There is one access point only.

Protection of children from harm: Customers who smoke will be on a footpath outside the

premises. Children who have been at an entertainment in town such as are held at The Regent Centre will return to relatives or friends cars so passing the bar with its noisy and possibly disorderly environment. It would be an experience that children will find unpleasant.

Again I assert that I am against the application.

John Pendrill

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From: [Becky Baker](#)
To: [Sean Whitney](#)
Subject: Objection Rollo Reid
Date: 13 May 2019 14:46:50
Attachments: [image003.jpg](#)



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From: Rollo Reid [REDACTED]
Sent: 06 May 2019 17:30
To: Licensing Com
Subject: 1 Church St Christchurch Licence

Dear Sir or Madam,

I am writing to object to the proposed licensing hours for the 'Tom's Bar' at 1 Church Street Christchurch.

The Pub is on the ground floor with two domestic homes above it. There are numerous other residences around the building. Hours from 9 am to 1 pm are totally unreasonable. It is far from certain that the various interfaces with neighbouring properties have suitable sound and vibration insulation.

In addition, the pavement outside is very narrow and leads to front doors of many homes. Inevitably there will be traffic noise during all the late hours.

I would propose that no music is allowed at all until it is proven that the sound insulation is acceptably good; and that, when this is achieved, music should stop by 10 pm at the latest. In this area of many homes, the pub itself should close before 11pm.

Please make sure that license conditions are strong and strongly controlled.

Yours Sincerely

John Rollo Reid, [REDACTED] BH23 1DZ.

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