

Notice of Licensing Sub-Committee

Date: Thursday, 19 December 2019 at 10.00 am

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



Membership:

Chairman:

Vice Chairman:

Cllr J Bagwell

Cllr D Kelsey

Cllr P Parrish

Reserve: Cllr B Dion

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.

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

If you would like any further information on the items to be considered at the meeting please contact: Jill Holyoake Tel: 01202 454715 or email jill.holyoake@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

11 December 2019



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 and the Council's Code of Conduct regarding Disclosable Pecuniary Interests.

Councillors are also required to disclose any other interests where a Councillor is a member of an external body or organisation where that membership involves a position of control or significant influence, including bodies to which the Council has made the appointment in line with the Council's Code of Conduct.

Declarations received will be reported at the meeting.

4. Review of Premises Licence - Camden Bar and Kitchen, 4-6 Bournemouth Road, Poole BH14 0ES

3 - 28

An application has been received from Environmental Health for a review of the Premises Licence for the premises known as Camden Bar and Kitchen, 4-6 Bournemouth Road, Poole BH14 0ES. This matter is brought before the Licensing Committee for determination.

5. Application for New Premises Licence - Bar Beyond, Whitley Hotel, West Cliff Gardens, Bournemouth BH2 5HL

The Sub-Committee is asked to formally open and adjourn consideration of the above application until 14 January 2020 in order to comply with requirements of the Hearing Regulations.

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	An application for a Review of a Premises Licence for the premises known as: Camden Bar and Kitchen, 4-6 Bournemouth Road, Poole BH14 0ES
Meeting date	Thursday 19 th December 2019
Status	Public Report
Executive summary	An application has been received from Environmental Health for a review of the Premises Licence for the premises known as Camden Bar and Kitchen, 4-6 Bournemouth Road, Poole BH14 0ES. This matter is brought before the Licensing Committee for determination.
Recommendations	It is recommended that: The Committee consider the application and subsequent representation submitted and determine what action should be taken.
Reason for recommendations	As required under the Licensing Act 2003

Portfolio Holder(s):	Cllr Lewis Allison, Portfolio Holder for Tourism, Leisure and Communities
Corporate Director	Kate Ryan, Corporate Director for Environment & Community
Contributors	Cassie Schofield, Consumer Protection Officer Frank Wenzel, Licensing Manager
Wards	Parkstone
Classification	For decision

Background

1. The Licensing Act 2003 enables the Licensing Committee to consider applications for review of Premises Licences or Club Premises Certificates from responsible authorities or interested parties, and have regard to any relevant representations received.
2. The Licensing Act 2003 gives the Licensing Committee the power to take such steps (if any) as it considers necessary for the promotion of the licensing objectives. The steps are to;
 - modify the conditions of the licence by altering, omitting or adding conditions;
 - exclude a licensable activity from the scope of the licence;
 - remove the designated premises supervisor from the licence;
 - suspend the licence for a period not exceeding three months;
 - revoke the licence.

Should the Licensing Committee take such steps as to modify the conditions or exclude a licensable activity, the Licensing Act 2003 allows for such actions to have effect for a temporary period, not exceeding three months.

3. The Live Music Act 2012 amended the Licensing Act 2003 by deregulating the performance of live and recorded music on premises, licensed for the sale of alcohol on the premises, between the hours of 08:00 and 23:00 hours and if the music is amplified in the presence of an audience of no more than 500 people. If these criteria are met then live and recorded music ceases to be regulated entertainment and any existing conditions relating to live and recorded music are suspended. This also allows premises without live and recorded music on the licence to have live and recorded music.

Where the licensing objectives are not being met a review can be called and section 177A allows for the modification of the conditions of the premises licence to add a statement that s177A(2) of the Licensing Act 2003 does not apply so as

to ensure all existing conditions relating to live and recorded music continue to apply and conditions can be added relating to music as if –

- a) the live and recorded music were regulated entertainment, and
- b) the licence or certificate licensed the live and recorded music

Any new conditions relating to music that may be added as a result of the review will continue to apply in accordance with s177A(4) of the Licensing Act 2003.

4. Camden Bar and Kitchen is located at 4-6 Bournemouth Road, Poole.

A location map is attached as Appendix 1.

5. Environmental Health has submitted a review following a number of visits to the premises due to complaints of noise nuisance from music. The application for review relates to the prevention of public nuisance licensing objective.

The application is attached as Appendix 2.

6. The current premises licence is attached as Appendix 3.

7. Consultation has been carried out in accordance with the Licensing Act 2003.

8. 1 letter of representation from a responsible authority, Planning, has been received.

The letter of representation is attached as Appendix 4.

Summary of financial implications

9. None

Summary of legal implications

10. Following the outcome of the committee hearing, all parties to the application have the right to appeal to the magistrate's court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The determination of the application for review will not have effect until the end of the period given for appealing against the decision or, if the decision is appealed against, until the appeal is disposed of.

Summary of human resources implications

11. None

Summary of environmental impact

12. Noise from the premises is affecting residential properties.

Summary of public health implications

13. None

Summary of equality implications

14. None

Summary of risk assessment

15. Not applicable

Background papers

Licensing Act 2003 – published works

Guidance issued under section 182 of the Licensing Act 2003 – published works

Appendices

Appendix 1 - Location map

Appendix 2 – Review application

Appendix 3 – Premises Licence

Appendix 4 – Representation letter

Google Maps Camden Bar and Kitchen



Appendix 1

Appendix 2

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

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Environmental Health, BCP Council

(Insert name of applicant)

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

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Camden Bar 4-6 Bournemouth Road	
Post town Poole	Post code (if known) BH14 0ES

Name of premises licence holder or club holding club premises certificate (if known) Poole Leisure Ltd 4 Rowland Avenue Poole BH15 3DE
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Number of premises licence or club premises certificate (if known) BOP_M008503

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates (please complete (A) below)

☐

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

Please tick ✓ yes

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

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

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

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Environmental Health – BCP Council Unit 1 New Fields Business Park Stinsford Road Poole BH17 0NF
Telephone number (if any) 01202 261743
E-mail address (optional) paul.barker@bcpcouncil.gov.uk

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

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

Prevention of public nuisance

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

Since the middle of June 2019 noise complaints regarding this premises has increased substantially. There have been many complaints about various things including noise from customers to the moving of barrels. The one constant complaint has been about amplified music. The premises has no regulated entertainment on their licence and as such is using the permissions granted by the Live Music Act 2012 to play recorded music above background levels in the premises.

Out of hours officers have attended the premises on 4 occasions in recent weeks and each visit was beyond 23:00hrs. The music was well above background level on each occasion and as such was causing nuisance in neighbouring residential properties. After the first incident the duty manager was spoken to regarding unregulated entertainment and the volume. The licensing Authority wrote a formal warning to the DPS. Since receiving the warning 2 further visits were made and again the music levels were causing disturbance. Upon making the DPS aware of my intention to call a review, it has transpired that the required attenuation work that was supposed to have been implemented when Camden extended into 4 Bournemouth Road has not been carried out. Conversations have taken place with the owners of the premises in order to resolve the situation and a further noise attenuation report was commissioned by the owners of the bar. This report will be submitted to the committee. I had a discussion with the Acoustic engineer that carried out the tests and we both agreed that background music is all that the current attenuation is capable of containing. Ongoing conversations with the business owner have revealed that stopping all entertainment may prove to have a substantial detrimental effect on the business as they have had some regular low key events for a number of years that haven't given cause for complaints. An example of this is an open microphone acoustic evening. In order to provide long term protection to local residents we would ask the Licensing committee for the following.

The review is called to request that the Sub-Committee make a statement dis-applying the live music exemption given to the premises under Section 177A(2) of the Licensing Act 2003, pursuant to Sections 177A(3) and 177A(4) of the said Act and as such apply the following condition in relation to the playing of live music to the premises licence

1. Any amplified music played at the premises, using the permissions granted by the Live Music Act 2012, must be played through an in house system that is controlled by a noise limiting device. This noise limiter must have the levels agreed by officers from BCP Council Environmental Health Department.

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

Please tick ✓ yes
☐

If yes please state the date of that application

Day		Month		Year	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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

yes

Please tick ✓

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☐
- I understand that if I do not comply with the above requirements my application will be rejected ☐

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

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

Signature



Date **05/11/2019**

Capacity **Environmental Health Officer**

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) Paul Barker Environment & Communities BCP Council Unit 1, New fields Business Park Stinsford Road	
Post town Poole	Post Code BH17 0NF
Telephone number (if any) 01202 261743	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) Yes please	

Notes for Guidance

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

Borough of Poole
PREMISES LICENCE SUMMARY ISSUED
UNDER THE LICENSING ACT 2003

Appendix 3

Premises licence Number:	BOP_M008503
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Premises Details	
Postal Address of premises, or if none, ordnance survey map reference or description	CAMDEN BAR AND KITCHEN
Address	4/6 BOURNEMOUTH ROAD
Post town	POOLE
Post code	BH14 0ES
Telephone number	01202 383879

Where the Licence is time limited the dates	N/A
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Licensable activities authorised by the licence	Plays, Late night refreshment, Supply of alcohol
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The times the Licence authorises the carrying out of licensable activities											
Licensable Activity		A	B	C	D	E	F	G	H	I	J
Mon	Start	10:00								23:00	10:00
	Finish	22:00								00:00	00:00
Tue	Start	10:00								23:00	10:00
	Finish	22:00								00:00	00:00
Wed	Start	10:00								23:00	10:00
	Finish	22:00								00:00	00:00
Thur	Start	10:00								23:00	10:00
	Finish	22:00								00:00	00:00
Fri	Start	10:00								23:00	10:00
	Finish	22:00								02:00	02:00
Sat	Start	10:00								23:00	10:00
	Finish	22:00								02:00	02:00
Sun	Start	10:00								23:00	10:00
	Finish	22:00								00:00	00:00

Non-Standard Timings

On Christmas Eve and Bank Holiday Sundays activities I and J will finish at 02:00 hours and the premises will close at 02:00 hours

On New Years Eve activities I and J will finish at 03:00 hours and the premises will close at 03:00 hours

Key to Licensable Activities:

- A. Performance of Play – indoors only
- B. Exhibition of Film
- C. Indoor Sporting Events
- D. Boxing or Wrestling
- E. Performance of live music

- F. Playing of recorded music
- G. Performance of dance
- H. Anything similar to (e) (f) or (g)
- I. Late night refreshment – indoors only
- J. Supply of Alcohol –on the premises only

The opening hours of the Premises	Day	Time of opening	Time of closing
	Monday	10:00	00:00
	Tuesday	10:00	00:00
	Wednesday	10:00	00:00
	Thursday	10:00	00:00
	Friday	10:00	02:00
	Saturday	10:00	02:00
	Sunday	10:00	00:00

Where the licence authorises supplies of alcohol whether these are on and/or off supplies	On the premises
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Name, (registered) address of holder of premises licence	Poole Leisure Ltd
Address	4 Rowland Avenue
Post town	POOLE
Post code	BH15 3DE

Registered number of holder, for example company number, charity number (where applicable)	Limited company: 7435325
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Name of Designated Premises Supervisor where the premises licence authorises for the supply of alcohol	Mrs Lauren Nolan
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State whether access to the premises by children is restricted or prohibited	Children will be permitted on the premises until 21:00
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This licence is granted subject to the statutory provisions and regulations.

Date Signed: 5 January 2015



S. Robson

Head of Environmental and Consumer Protection Services

Borough of Poole
PREMISES LICENCE ISSUED UNDER THE LICENSING ACT 2003

Premises licence Number:	BOP_M008503
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Part 1 – Premises Details

Postal Address of premises, or if none, ordnance survey map reference or description	CAMDEN BAR AND KITCHEN
Address	4/6 BOURNEMOUTH ROAD
Post town	POOLE
Post code	BH14 0ES
Telephone number	01202 383879

Where the Licence is time limited the dates	N/A
--	------------

Licensable activities authorised by the licence	Plays, Late night refreshment, Supply of alcohol
--	---

The times the Licence authorises the carrying out of licensable activities

Licensable Activity		A	B	C	D	E	F	G	H	I	J
Mon	Start	10:00								23:00	10:00
	Finish	22:00								00:00	00:00
Tue	Start	10:00								23:00	10:00
	Finish	22:00								00:00	00:00
Wed	Start	10:00								23:00	10:00
	Finish	22:00								00:00	00:00
Thur	Start	10:00								23:00	10:00
	Finish	22:00								00:00	00:00
Fri	Start	10:00								23:00	10:00
	Finish	22:00								02:00	02:00
Sat	Start	10:00								23:00	10:00
	Finish	22:00								02:00	02:00
Sun	Start	10:00								23:00	10:00
	Finish	22:00								00:00	00:00

Non-Standard Timings

On Christmas Eve and Bank Holiday Sundays activities I and J will finish at 02:00 hours and the premises will close at 02:00 hours

On New Years Eve activities I and J will finish at 03:00 hours and the premises will close at 03:00 hours

Key to Licensable Activities:

- A. Performance of Play – indoors only
- B. Exhibition of Film
- C. Indoor Sporting Events
- D. Boxing or Wrestling
- E. Performance of live music
- F. Playing of recorded music
- G. Performance of dance

- H. Anything similar to (e) (f) or (g)
- I. Late night refreshment –indoors only
- J. Supply of Alcohol –on the premises only

The opening hours of the Premises	Day	Time of opening	Time of closing
	Monday	10:00	00:00
	Tuesday	10:00	00:00
	Wednesday	10:00	00:00
	Thursday	10:00	00:00
	Friday	10:00	02:00
	Saturday	10:00	02:00
	Sunday	10:00	00:00

Where the licence authorises supplies of alcohol whether these are on and/or off supplies	On the premises
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Part 2	
Name, (registered) address, telephone number and email (where relevant) of holder of premises licence	Poole Leisure Ltd
Address	4 Rowland Avenue
Post town	POOLE
Post code	BH15 3DE
Telephone number	01202 383879
email	lauren@camdenbar.co.uk

Registered number of holder, for example company number, charity number (where applicable)	Limited company: 7435325
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Name, address and telephone number of Designated Premises Supervisor where the premises licence authorises the supply of alcohol	Mrs Lauren Nolan
Address	77 Victoria Road
Post town	POOLE
Post code	BH12 3AA
Telephone number	

Personal licence number and issuing authority of personal licence held by Designated Premises Supervisor where the premises licence authorises for the supply of alcohol	Bop_M006857 Borough of Poole
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This licence is granted subject to the statutory provisions and regulations.

Date Signed: 5 January 2015



S. Robson
Head of Environmental and Consumer Protection Services

Annex 1 – Mandatory conditions

1. Supply of alcohol:

- (1) No supply of alcohol may be made under the premises licence –
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

2. Security:

- (1) Where one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - b) be entitled to carry out that activity by virtue of section 4 of that Act.

3.

- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries 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 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 a disability).
- 4 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 5
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
 - (a) a holographic mark, or
 - (b) an ultraviolet feature
- 6 The responsible person must ensure that –
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (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.
- 7
 - (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 - (2) For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula—

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

where—

- (i) P is the permitted price,
 - (ii) D is the rate 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) "valued 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

1. The premises shall be an active member of the local Pub Watch Scheme (when such a scheme is in existence).
2. The premises shall install and maintain a CCTV system to meet the requirements of Dorset Police
3. Prior to undertaking the sale of alcohol, all staff shall be trained in the legality and procedure of alcohol sales using the SWERCOTS 'No Proof of Age – No Sale' training package, or equivalent. All training shall be refreshed at least on a yearly basis and accurate records kept of the training (signed by the trainer and the recipient).
4. The premises shall employ a minimum of 2 SIA registered door supervisors when directed by Dorset Police. Any direction made by the Police will be made in writing.
5. A 'Challenge 25' policy shall be adopted by the premises and appropriate signage displayed.
6. There will be a strict rule in place forbidding patrons to take drinks outside the premises. There will be signs in place detailing this prohibition.
7. The premises shall display the policy in regards to the admission of children which will state that children are welcome on the premises until 21:00 hours.
8. The noise limiter shall be set at a level that is satisfactory to the Head of Environmental and Consumer Protection Services and is consistent with that of background music.
9. Background music shall be turned off at:-
 - a. 22:30 hrs on Sunday evenings
 - b. 23:30 hrs between Monday and Thursday evenings, inclusive
 - c. 01:30 hrs on both Saturday and Sunday mornings
10. There shall be clear signage fitted at appropriate points within the Premises, to include the exit point thereto, which states an encouragement to patrons to leave quietly and to encourage the ordering of taxis from within the Premises.
11. The premises licence holder will commission a full acoustic report on the premises and act on any recommendations from the consultant and/or an Environmental Health Officer.

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

None

Annex 4 – Plans

As attached

Cassie Schofield
Consumer Protection Officer
By e-mail only

Date: 3 December 2019
Our Ref: EN/19/00534
Contact: Caroline Turner
Email: caroline.turner@bcpcouncil.gov.uk
Tel: 01202 633304

Dear Cassie

Consultation Response from Planning to the Review of Premise Licence – Camden Bar, 4-6 Bournemouth Road BH15 0ES

The relevant Planning history for the above premises is as follows:-

6 Bournemouth Road

14 February 2011 - APP/10/01607/C granted *Change of use from A1 to A3, installation of new shopfront, fascia sign & retractable awning to front elevation. Small flat roof extension to rear & installation of new extract duct. Ashley Cross Conservation Area***

Condition 2 states: *No deliveries shall be taken at or despatched from the site other than between 08:00 and 23:00 hours on Mondays to Saturdays inclusive and 10:00 and 23:00 hours on Sundays unless otherwise agreed in writing by the Local Planning Authority.*

Condition 3 states: *The premises shall not be open for the serving of or consumption of food or drink outside of the following hours*

08.00 hours - 12.30 hours Monday to Thursday

08.00 hours - 02.00 hours Friday to Saturday

10.00 hours - 22.30 hours Sunday

Condition 5 states: *No sound amplifying equipment or music, which would produce audible noise outside the premises shall be installed or played without the prior written consent of the Local Planning Authority.*

From the details supplied in the Premises Review Application, the owners are in breach of Condition 5 as there is no written consent from the LPA for sound amplifying equipment or music to be installed or played.

4 Bournemouth Road

23 December 2014 - APP/14/01405/C granted *Change of Use for the existing sandwich shop (assumed A1 at present) to A3 use as cafe/bar*

Condition 3 states: *Within 1 month from the date of this permission a noise/sound attenuation report shall be submitted to and approved in writing by the Local Planning Authority, which shall include timescales for implementation. The report shall thereafter be implemented in accordance with the agreed details and timescales and thereafter retained as such.*

Condition 4 states: *The use hereby permitted shall not operate and no deliveries taken at or despatched from the site otherwise than between 08:00 and 23:00 hours on Mondays to Saturdays inclusive and 10:00 and 23:00 hours on Sundays.*

From the details supplied in the Premises Review Application, the owners are in breach of:-

- a) Condition 3 as no noise/sound attenuation report has been submitted for approval in writing from the LPA and also
- b) Condition 4 as it would appear they are operating outside the permitted hours of use.

Planning, therefore, supports the application made by Environmental Health.

Yours sincerely

Caroline Turner
Enforcement Officer