Notice of Licensing Sub-Committee

Date: Thursday, 29 April 2021 at 10.00 am

Venue: Virtual Meeting



Membership:

Cllr J Bagwell Cllr J J Butt Cllr A Hadley

Reserve 1: Cllr Williams Reserve 2: Cllr Anderson

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 view the live stream of this meeting at the following link:

https://democracy.bcpcouncil.gov.uk/ieListDocuments.aspx?Cld=289&Mld=4671&Ver=4

If you would like any further information on the items to be considered at the meeting please contact: Sarah Culwick at sarah.culwick@bcpcouncil.gov.uk 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

21 April 2021





Maintaining and promoting high standards of conduct

Declaring interests at meetings

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

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

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

Disclosable Pecuniary Interest

Yes

Declare the nature of the interest

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

You are advised to leave the room during the debate Local Interest

Yes

Declare the nature of the interest

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

You may also need to leave the meeting. Please seek advice from the Monitoring Officer No

Do you have a personal interest in the matter?

Yes

No

Consider the bias and predetermination tests You can take part in the meeting speak and vote

You may need to refrain from speaking & voting

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

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

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

Bias Test

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

Predetermination Test

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

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

For more information or advice please contact the Monitoring Officer (susan.zeiss@bcpcouncil.gov.uk)

Selflessness

Councillors should act solely in terms of the public interest

Integrity

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

Objectivity

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

Accountability

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

Openness

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

Honesty & Integrity

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

Leadership

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

AGENDA

Items to be considered while the meeting is 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 requested to declare any interests on items included in this agenda. Please refer to the workflow on the preceding page for guidance.

Declarations received will be reported at the meeting.

4. Protocol for Public Representation at Virtual Meetings

In response to the Government's guidance to limit the spread of Coronavirus and restrictions around the gathering of more than two people, the following items of business will be conducted as virtual hearings in accordance with Government Regulations and Article 16 of the Council's Constitution. This approach has been taken to ensure the Council is compliant with the current restrictions and is not putting participants and members of the public at risk.

A revised protocol for public representation at formal virtual meetings of the Licensing Sub Committee is included with the agenda sheet for this meeting.

5. Application for Variation of Premises Licence - More The Merrier, 68 Kimberley Road, Bournemouth BH6 5BY

To open and adjourn consideration of the above application until the Licensing Sub Committee meeting on 12 May 2021 in order to comply with the timescales of the Hearing Regulations.

6. Application for Variation of Premises Licence - Urban Reef, Undercliff Drive, Bournemouth

To open and adjourn consideration of the above application until the Licensing Sub Committee meeting on 12 May 2021 in order to comply with the timescales of the Hearing Regulations.

7. Application for a New Premises Licence for Anemos 15 The Quay Poole BH15 1HS

An application has been received for a new premises licence for the premises known as 'Anemos', 15 The Quay, Poole BH15 1HS.

This matter is brought before the Sub-Committee for determination.

5 - 8

9 - 42

8. Exclusion of Press and Public

In relation to the items of business appearing below, the Sub Committee is asked to consider the following resolution: -

'That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 5 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.'

9. Review of Public Carriage Driver's Licence

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The Licensing Sub Committee is required to determine whether the driver remains a 'fit and proper' person to hold a Public Carriage driver licence (Christchurch zone).

Note: This item was deferred by the Sub Committee at its meeting on 15 April 2021 to enable the driver one further opportunity to attend the hearing.

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 COMMITTEE AND SUB COMMITTEE PROTOCOL FOR PUBLIC REPRESENTATION AT VIRTUAL MEETINGS

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

It has been amended in accordance with Article 16 of the Council's Constitution: Covid-19 Interim Decision Making Arrangements, and the requirements of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

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

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

- 11. Following representations, the parties will be given the opportunity to sum up. Party who spoke first to go last. The hearing will then conclude.
- 12. Members will deliberate in private with the clerk and legal representative as appropriate present.
- 13. The decision will be taken by the Committee and notification of the decision will be given within the period of five working days beginning with the day or the last day on which the hearing was held in accordance with the regulations. The notification of decision will include information about the right of appeal as appropriate.
- 14. The Legal Advisor will advise the parties of any right of appeal as appropriate at the conclusion of the hearing.

General points

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

For other matters in Part 3.3 of the Council's Constitution which are the responsibility of the Licensing Committee, the procedures set out in Appendix 6 of the Council's Constitution in relation to public questions, statements and petitions as amended by Article 16: Covid-19 Interim Decision Making Arrangements and the provisions in The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 shall apply.

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

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

https://democracy.bcpcouncil.gov.uk/ieListMeetings.aspx?CommitteeID=151&Info=1&bcr=1

For further information please contact democraticservices@bcpcouncil.gov.uk

Proposed procedure and order of speaking for virtual hearings

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

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LICENSING SUB-COMMITTEE



Report subject	Application for a New Premises Licence for Anemos 15 The Quay Poole BH15 1HS
Meeting date	29 April 2021
Status	Public Report
Executive summary	Innpacked Limited, on behalf of Jag Bar and Restaurant Limited, have made an application for a premises licence for a new restaurant to provide on sales of alcohol, between the hours of 10:00 and 23:00 Monday to Sunday.
Recommendations	It is RECOMMENDED that:
	Members are asked to decide whether to:-
	a) Grant the application for a premises licence as made;
	b) Refuse the application for a premises licence;
	c) Grant the premises licence subject to additional conditions.
	Members of the Licensing Sub-Committee are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.
Reason for recommendations	The Licensing Authority has received representations from 1 other person on the grounds that the application would undermine the prevention of public nuisance licensing objective.
	The Licensing Authority may only consider aspects relevant to the application that have been raised in the representations.
	Where representations have been received from a responsible authority or any other person, and the concerns have not been resolved through mediation between the parties, the Scheme of Delegation set out in the Council's Constitution states that these applications should be dealt with by the Licensing Sub-Committee.

Portfolio Holder(s):	Councillor May Haines – Community Safety
Corporate Director	Kate Ryan – Corporate Director for Environment & Community
Report Authors	Tania Jardim – Licensing Officer
Wards	Poole Town
Classification	For Decision

Background

- 1. An application for a premises licence under the Licensing Act 2003 was made on the 16th March 2021. A copy of the application it attached at Appendix 1.
- 2. A plan showing the location of the premises is attached at Appendix 2.
- 3. The application was served on all responsible authorities and the applicant confirmed that the statutory notices were displayed on site and published in the local newspaper.
- 4. The application prompted 1 representation from other persons under the prevention of public nuisance licensing objective. A copy of the representation is attached at Appendix 3.
- 5. No representations were received from any of the responsible authorities.

Options Appraisal

- 6. Before making a decision, Members are asked to consider the following matters:
 - The representations made by or on behalf of other persons.
 - The submission made by or made on behalf of the applicant.
 - The relevant licensing objectives, namely the prevention of public nuisance.
 - The Licensing Act 2003, appropriate Regulations, Statutory Revised Guidance issued under section 182 of the Licensing Act 2003 – April 2018 and the Council's Statement of Licensing Policy.

Summary of financial implications

7. N/A

Summary of legal implications

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

Summary of human resources implications

9. N/A

Summary of sustainability impact

10. N/A

Summary of public health implications

11. N/A

Summary of equality implications

12. N/A

Summary of risk assessment

13. N/A

Background papers

BCP Council – Statement of Licensing Policy - https://www.bcpcouncil.gov.uk/Business/Licences-and-permits/Documents/Licensing/solp-2020.pdf

Hearing Regulations - https://www.legislation.gov.uk/uksi/2005/44/contents/made

Revised Guidance issued under Section 182 of the Licensing Act 2003 - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment/920 data/file/705588/Revised guidance issued under section 182 of the Licensing Act %202003 April 2018_pdf

Appendices

- 1 Copy of Application
- 2 Location Map
- 3 Copy of Representation

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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	Jag Ba	ar and Restaurant Limited				
	(Insert	t name(s) of applicant)				
descr	ibed in	premises licence under section n Part 1 below (the premises) a ensing authority in accordance	and I/we are	makin	g this applicat	ion to you as the
Part	1 – Pro	emises details				
Ane	tal adda emos Γhe Qu	ress of premises or, if none, order	nance survey	map re	ference or desc	eription
Pos	t town	Poole			Postcode	BH15 1HS
Tele	ephone	number at premises (if any)				
Non	n-dome	estic rateable value of premises	£ 6,300.00			
Part	2 - Ap	plicant details				
Pleas	e state	whether you are applying for a	premises licer	ice as	Please ticl	k as appropriate
a)	an i	ndividual or individuals *			please compl	ete section (A)
b)	a pe	rson other than an individual *				
	i	as a limited company/limited lipartnership	iability	\boxtimes	please compl	ete section (B)
	ii	as a partnership (other than lim liability)	nited		please compl	ete section (B)
	iii	as an unincorporated association	on or		please compl	ete section (B)
	iv	other (for example a statutory	corporation)		please compl	ete section (B)
c)	a rec	cognised club			please compl	ete section (B)
d)	a ch	arity			please compl	ete section (B)

e)	the propi	netor o	of an ec	ducation	al establisl	hment		p	leas	se complete	sec	ction	(B)
f)	a health	service	body] р	leas	se complete	sec	ction	(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] р	leas	se complete	sec	ction	(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									e sec	ction	(B)	
h)	the chief England			lice of a	police for	ce in] р	leas	se complete	e sec	ction	(B)
	ou are appelow):	olying a	as a pe	rson des	scribed in ((a) or (b) plea	ase co	nfir	m (by tickir	ng y	es to	one
premi	ises for lic	ensable	e activ	rities; or		siness w	hich	involv	ves 1	the use of th	he		
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(A) IN	DIVID U <i>A</i>	AL AP	PLIC	ANTS (1	fill in as ap	plicabl	e)						
										Other Title			
Mr		Mrs		Miss			Ms		(: e	for xample,			
Mr Surna		Mrs		Miss				□ irst na	e F	for xample, Rev)			
Surna		Mrs			I am 18 ye	ears old	F		e F	for xample, Rev)	tick	yes	
Surna Date	ame	Mrs			I am 18 ye	ears old	F		e F	for xample, Rev)	tick	yes	
Surna Date Natio	of birth nality nt residen ferent fron	tial add			I am 18 ye	ears old	F		e F	for xample, Rev)	tick	yes	
Surna Date Natio Curre if diff	of birth nality nt residen erent fron	tial add			I am 18 ye	ears old	F		e F	for xample, Rev)		yes	
Date Natio Curre if diff address Post to	of birth nality nt resident from sss own me conta	tial add	ises			ears old	F		e F	for xample, Rev) es Please t		yes	
Date Natio Curre if diff address Post to	of birth nality nt resident from ss own me conta il address	tial add	ises			ears old	F		e F	for xample, Rev) es Please t		yes	

SECOND INDIVIDUAL APPLICANT (if applicable)

								Other Title (for	
Mr 🗌	Mrs		Miss		N	Лs		example,	
						 -		Rev)	
Surname						Fi	irst nar	nes	
Date of birth			I a	am 18 years	s old or o	ver		P	lease tick yes
Nationality						_			
Where applicate checking service note 15 for info	ce), the	e 9-digi							
Current resider if different from address									
Post town						_		Postcode	
Daytime conta		ephone	e number	r		_			
E-mail addres (optional)	s					_			
(B) OTHER AF Please provide a give any registe body corporate	name :	and re umber	egistered :. In the	case of a p	artnersh	nip (or othe	er joint ventu	ropriate please ure (other than a
Name Jag Bar and R	estaura	ant <u>Lin</u>	nited						
Address 15 The Quay, I	Poole,	BH15	1HS						
Registered nun 12936653	nber (v	where a	applicable	e)					
Description of Private Limited			r exampl	e, partners	hip, comp	any	y, unino	corporated ass	sociation etc.)
Telephone nun	nber (i	f any)							

E-n	nail address (optional)	
Part	3 Operating Schedule	
Wh	en do you want the premises licence to start?	ASAP
	ou wish the licence to be valid only for a limited period, en do you want it to end?	DD MM YYYY
Gre	ase give a general description of the premises (please read guidance eek restaurant with small bar facility serving freshly cookeduce.	
	000 or more people are expected to attend the premises at any time, please state the number expected to attend.	
What	licensable activities do you intend to carry on from the premises?	
(plea	se see sections 1 and 14 and Schedules 1 and 2 to the Licensing Ad	et 2003)
Pro	vision 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 (if ticking yes, fill in box H)	(g)

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	
Supply of alcohol (if ticking yes, fill in box J)	\boxtimes

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
guidance note 7)			(1	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guid	dance note 4)	
Tue					
Wed			State any seasonal variations for performing p guidance note 5)	<u>lays</u> (please re	ad
Thur					
Fri			Non standard timings. Where you intend to us for the performance of plays at different times the column on the left, please list (please read g	to those listed	l in
Sat					
Sun					

B

Films Standard days and timings (please read			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
timings (please read guidance note 7)			(1	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guid	dance note 4)	
Tue					
Wed			State any seasonal variations for the exhibition read guidance note 5)	of films (plea	se
Thur					
Fri			Non standard timings. Where you intend to us for the exhibition of films at different times to column on the left, please list (please read guida	those listed in	
Sat					
Sun					

Standa timings	rsporting rd days and s (please note 7)	nd read	Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			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 (please read guidance note 6)
Fri			
Sat			
Sun			

D

entert	g or wres ainments ard days a	;	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
timing	s (please :	read	(Pouse rous garantee note o)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gui	dance note 4)	
Tue					
Wed			State any seasonal variations for boxing or wro entertainment (please read guidance note 5)	estling	
			entertainment (please read guidance note 3)		
Thur					
Fri			Non standard timings. Where you intend to us for boxing or wrestling entertainment at differ		
			listed in the column on the left, please list (plea		
Sat			note 6)		
Sun					

Live music Standard days and timings (please read			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
guidance note 7)			(produce route gardanice riote c)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gui	dance note 4)	
Tue					
Wed			State any seasonal variations for the performation (please read guidance note 5)	nce of live mu	<u>sic</u>
Thur					
Fri			Non standard timings. Where you intend to us for the performance of live music at different t listed in the column on the left, please list (plea	imes to those	
Sat			note 6)		
Sun					

Recorded music Standard days and timings (please read		nd	Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
_	ice note 7		(prease read guidance note 3)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guid	dance note 4)	
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to us for the playing of recorded music at different t listed in the column on the left, please list (plea	imes to those	
Sat			note 6)		
Sun					

Performances of dance Standard days and		-	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
timings (please read guidance note 7)			(prease read guidance note 3)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gui	dance note 4)	
Tue					
Wed			State any seasonal variations for the performa (please read guidance note 5)	nce of dance	
Thur					
Fri	Fri		Non standard timings. Where you intend to us for the performance of dance at different times the column on the left, please list (please read g	s to those liste	d in
Sat					
Sun					

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

Late night refreshment Standard days and			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
timings (please read guidance note 7)			Product total governor note of	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guid	dance note 4)	
Tue					
Wed			State any seasonal variations for the provision refreshment (please read guidance note 5)	of late night	
Thur					
Fri			Non standard timings. Where you intend to us for the provision of late night refreshment at d those listed in the column on the left, please list	ifferent times	
Sat			guidance note 6)		
Sun					

Supply of alcohol Standard days and timings (please read			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	\boxtimes
	ce note 7		guidance note 8)	Off the premises	
Day	Start	Finish		Both	
Mon	10:00		State any seasonal variations for the supply of	alcohol (please	e
		23:00	read guidance note 5)		
Tue	10:00				
		23:00			
Wed	10:00				
		23:00			
Thur	10:00		Non standard timings. Where you intend to us	to those listed in the	
		23:00	for the supply of alcohol at different times to the column on the left, please list (please read guida		
Fri	10:00				
		23:00			
Sat	10:00				
		23:00			
Sun	10:00				
		23:00			

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 Armand Kurti				
Date of birth				
Address				
Postcode				
Personal licence number (if known)				
Issuing licensing authority (if known) BCP Council				

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	08:00		
		23:30	
Tue	08:00		
		23:30	
Wed	08:00		
		23:30	Non standard timings. Where you intend the premises to be
Thur	08:00		open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
		23:30	
Fri	08:00		
		23:30	
Sat	08:00		
		23:30	
Sun	08:00		
		23:30	

\mathbf{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)

NB: As the business will be food led, the selection of the alcohol menu has been designed to enhance the customers dining experience. The nature of the alcohol that we intend to sell is that they will not appeal to individuals looking to buy cheap alcohol in large quantities.

The Premises Licence holder shall make sure that all staff are trained in the main principles of the Licensing Act 2003, notably the promotion of the four licensing objectives, and the specific conditions of this premises licence before being allowed to sell alcohol.

The training shall be written into a programme ongoing and under constant review and shall be made available to a relevant responsible authority when called upon.

b) The prevention of crime and disorder

A CCTV system shall be installed to cover all entry and exit points enabling frontal identification of every person entering in any light condition.

The CCTV system shall continually record and cover areas where alcohol is kept for selection and purchase by the public, whilst the premises is open for licensable activities. It shall operate during all times when customers remain on the premises.

All recordings shall be stored for a minimum period of 31 days with correct date and time stamping and shall be made available immediately upon the request of Police or an authorised officer of the council throughout the preceding 31 day period.

A staff member from the premises who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.

CCTV shall be downloaded on request of the Police or authorised officer of the council.

Appropriate signage advising customers of CCTV being in operation, shall be prominently displayed in the premises.

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.

A premises daily register shall be kept at the premises. This register shall be maintained and kept for a rolling period of 12 months.

The register shall record all incidents which may have occurred which are relevant to the supply of alcohol and the promotion of the licensing objectives. Such incidents shall include, but not be limited to, complaints made to the premises alleging nuisance or anti- social behaviour by persons attending or leaving the premises and all refusals to sell alcohol.

The register shall be readily available for inspection by an authorised person upon reasonable request.

Super-strength lagers, beers and/or ciders, i.e. those with an ABV of 6.5% or higher, shall not be sold at the premises.

c) Public safety

All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.

Regular checks and maintenance shall be carried out on all equipment, electrical installations, emergency lighting and fire alarms and equipment to ensure their continued safe operation. A written record of these checks shall be kept and made available to an authorised officer of the licensing authority.

The premises licence holder shall ensure that a suitable fire risk assessment and emergency plan is in place at all times.

An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.

d) The prevention of public nuisance

Signage requesting customers to be respectful of others when entering or leaving the premises shall be installed in a prominent position by the premises' exit.

No person shall be allowed to leave the licensed area whilst in the possession of any glass drinking vessel or open glass bottle, whether empty or containing any beverage.

Arrangements shall be put in place to ensure that waste collection contractors do not collect refuse further to the supply of alcohol between 19:00 and 07:00

Disposal of waste bottles into external receptacles where the noise shall be audible to neighbouring properties shall not occur between 19:00 hours and 07:00 hours on the following day.

No deliveries to the premises from a commercial vehicle shall take place between 19:00 and 07:00 on the following day.

The premises licence holder shall ensure that any patrons drinking and/or smoki outside the premises do so in an orderly manner and ensure that there is no publi nuisance.	_
A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are the following recognised photograph identification cards: a driving licence, a passport, a military identification card o Proof of Age card carrying a 'PASS' logo.	ic
Notices advertising that the premises operates a "Challenge 25" scheme shall be displayed in a clear and prominent position at the premises entrance.	
All occasions when persons have been refused service shall be recorded in the premises daily register.	
There shall be no children unaccompanied by a responsible adult on the premise after 7pm.	S
The premise licence holder or Designated Premises Supervisor shall ensure that management and staff who are not personal licence holders are fully trained and briefed on the four licensing objectives and Challenge 25 and they are adhered to	
Checklist: Please tick to indicate agreen	nent
I have made or enclosed payment of the fee.	\boxtimes
• I have enclosed the plan of the premises.	\boxtimes
 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. 	\boxtimes
• I understand that I must now advertise my application.	\boxtimes
 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 	\boxtimes
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	 [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	Ian Crockard	
Date	15/03/2021	
Capacity	Duly Authorised Agent	

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)

Innpacked Ltd

10 Whittle Road

Ferndown Industrial Estate

Post town	Wimborne		Postcode	BH21 7RU	
Telephone n	umber (if any)				
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) PREMISESLICENCE@INNPACKED.COM					

Notes for Guidance

- 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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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.
 - o 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.
 - o 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;
 - o 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:
 - o 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 <u>permanent residence in the UK</u> 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.



| Date |

CH	C02	\S	FB		гп		CCTV		(III)		\otimes	©	FIR
Fire Extinguisher - WET CHEMICAL	Fire Extinguisher - CO2	Fire Extinguisher - WATER	Fire Blanket	Licensed area	Electric consumer unit	Fire alarm panel	CCTV Camera	Emergency lighting with directional arrow	Emergency lighting with battery backup	Manual call point	Fire alarm sounder	Combined smoke/fire detector. Mains powered inter-linked units	FIRE SYMBOL KEY:

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From:

To: <u>Licensing Com</u>
Subject: M184105

Date: 10 April 2021 14:55:21

15 The Quay, Poole BH151HS

	Dear Sir	
--	----------	--

Re Licence application M184105 Jag Bar and Restaurant 'Anemos' 15 The Quay Poole

I would like to make representation against this application in relation to prevention of public nuisance.

I feel that the hours requested from 10am to 2300 each day are excessive. This property is situated in a residential block and the longer the premises can sell alcohol the more likely it is for disturbance and noise. Obviously they will want to do a lunchtime service. But do they really need to serve alcohol at 10am in the morning?

I don't know if there will be tables and chairs outside but this will add to any possible disturbance.

The previous business had tables and this did impinge on the pavement as it is fairly narrow at this point.

Inside the premises there is a piano so I am concerned that this may lead to entertainment and further noise. I understand this would need to be a separate application which I have not seen yet.

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Agenda Item 9

By virtue of paragraph(s) 1, 2, 5 of Part 1 of Schedule 12A of the Local Government Act 1972.









