

Notice of Licensing Sub-Committee

Date: Wednesday, 12 May 2021 at 10.00 am

Venue: Virtual Meeting



Membership:

Cllr S C Anderson

Cllr J Bagwell

Cllr J J Butt

Reserve 1: Cllr D Brown

Reserve 2: Cllr D Burton

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?CId=289&MId=4723&Ver=4>

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

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

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

GRAHAM FARRANT
CHIEF EXECUTIVE

4 May 2021



Available online and
on the Mod.gov app



Maintaining and promoting high standards of conduct

Declaring interests at meetings

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

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

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

Disclosable Pecuniary Interest

Yes

Declare the nature of the interest

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

You are advised to leave the room during the debate

Local Interest

Yes

Declare the nature of the interest

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

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

No

Do you have a personal interest in the matter?

Yes

Consider the bias and pre-determination tests

You may need to refrain from speaking & voting

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

No

You can take part in the meeting speak and vote

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

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

Bias Test

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

Predetermination Test

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

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

For more information or advice please contact the Monitoring Officer
(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

5 - 8

In response to the Government's guidance to limit the spread of Coronavirus and restrictions around the gathering of more than two people, the following items of business will be conducted as virtual hearings 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 a new Premises Licence - BH1 Stop Mini Market, Old Christchurch Road, Bournemouth

To open and adjourn consideration of the above application until the Sub-Committee meeting on 13 May 2021 in order to comply with the timescales of the Hearing Regulations.

6. Application for a Variation of a Premises Licence, More the Merrier, 68 Kimberley Road

9 - 30

An application has been received for a variation of the premises licence for the premise known as 'More the Merrier', 68 Kimberley Road, Bournemouth, BH6 5BY.

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

7. Application for a Variation of a Premises Licence, Urban Reef, Undercliff Drive, Bournemouth

31 - 80

An application has been received for a variation of the premises licence for the premise known as 'Urban Reef', Undercliffe Drive, Bournemouth.

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

8. Application for a Variation of a Premises Licence, Noisy Lobster, Avon Christchurch

81 - 188

An application has been received for a variation of the premises licence for the premise known as 'Noisy Lobster', Avon Beach, Mudeford, Christchurch, BH23 LAN.

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

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.
3. 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.bcpccouncil.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	More the Merrier, 68 Kimberley Road
Meeting date	12 May 2021
Status	Public Report
Executive summary	<p>Application has been made by David Ramsey Licensing Consultant, on behalf of the premises licence holder Esra Oksuz, to remove condition 2.11 imposed on the licence which states:-</p> <p>“Muzaffer Oksuz shall not be responsible for, or authorise, any sale of alcohol at the premises.”.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members are asked to decide whether to:-</p> <ul style="list-style-type: none"> a) Grant the application for variation as made; b) Refuse the application for variation; c) Grant the variation subject to additional conditions. <p>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.</p>
Reason for recommendations	<p>The Licensing Authority has received a representation from Dorset Police to the removal of this condition as they remain concerned that Mr Oksuz is unable to commit to the promotion of the licensing objectives and therefore undermine them.</p> <p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the representations.</p> <p>Where representations have been received from a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Scheme of Delegation set out in the Council's Constitution states that these applications should be dealt with by the Licensing Sub-Committee.</p>

Portfolio Holder(s):	Councillor May Haines – Community Safety
Corporate Director	Kate Ryan – Corporate Director for Environment & Community
Report Authors	Sarah Rogers – Senior Licensing Officer
Wards	West Southbourne
Classification	For Decision

Background

1. An application for variation to the premises licence under the Licensing Act 2003 was made on the 12th March 2021. Details of the reasons for the application are set out at section M(a) of the variation application form. A copy of the application is attached at Appendix 1.
2. A plan showing the location of the premises is attached at Appendix 2.
3. The current premises licence is attached at Appendix 3.

Consultation

4. 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.
5. The application prompted a representation by Dorset Police citing their concern over Mr Oksuz's ability to promote and uphold the licensing objectives. A copy of their representation is attached at Appendix 4.
6. No representations were received from any of the other responsible authorities or any other person.

Options Appraisal

7. Before making a decision, Members are asked to consider the following matters:
 - The representation made by Dorset Police.
 - The submissions made by, or on behalf of, the applicant.
 - The relevant licensing objectives, namely the prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm.
 - The Licensing Act 2003 (Section 35), 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

8. N/A

Summary of legal implications

9. 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

10. N/A

Summary of sustainability impact

11. N/A

Summary of public health implications

12. N/A

Summary of equality implications

13. N/A

Summary of risk assessment

14. N/A

Background papers

BCP Council – Statement of Licensing Policy –

<https://www.bcpCouncil.gov.uk/Business/Licencesandpermits/Documents/Licensing/solp2020.pdf>

Hearing Regulations – <https://www.legislation.gov.uk/ukSI/2005/44/contents/made>

Licensing Act 2003 Guidance –

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Appendices

Appendix 1 – Copy application for a variation to the premises licence

Appendix 2 – Copy of location plan

Appendix 3 – Copy current premises licence

Appendix 4 – Representation by Dorset Police

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Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/We ESRA OKSUZ

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number BH82357

Part 1 – Premises Details

MORE THE MERRIER 68 KIMBERLEY ROAD

Post town	BOURNEMOUTH	Postcode	BH6 5BY
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Telephone number at premises (if any)	01202 427081
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Non-domestic rateable value of premises	£6488.00
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Part 2 – Applicant details

Daytime contact telephone number	<div style="background-color: black; width: 100px; height: 1.2em;"></div>
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E-mail address (optional)	
---------------------------	--

Current postal address if different from premises address	68 KIMBERLEY ROAD
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Post town	BOURNEMOUTH	Postcode	BH6 5BY
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Part 3 - Variation

Please tick as appropriate

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

☒ Yes

☐
No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☒ No

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

REMOVAL OF CONDITION 2.11

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>	
				Off the premises	<input checked="" type="checkbox"/>	
				Both	<input type="checkbox"/>	
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)			
Mon	0001	0000				
Tue	0001	0000				
Wed	0001	0000				
Thur	0001	0000				<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri	0001	0000				
Sat	0001	0000				
Sun	0001	0000				

K

<p>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 10).</p> <p>NO ENTERTAINMENT OF AN ADULT NATURE IS ENVISAGED</p>
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L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)	
Day	Start	Finish		
Mon	0001	0000		
Tue	0001	0000		
Wed	0001	0000		
Thur	0001	0000		<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7)
Fri	0001	0000		
Sat	0001	0000		
Sun	0001	0000		

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.
 ALL EXISTING CONDITIONS OTHER THAN CONDITION 2.11 ARE STILL FELT TO BE RELEVANT AND WILL REMAIN.

Please tick as appropriate

- I have enclosed the premises licence ☐
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

CURRENT LICENCE WITH TRANSFER APPLICATION

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

Mr Muzaffer OKSUZ, the owner of the premises had his personal licence revoked in 2008 and as a result the condition 2.11 was added to the premises licence.
This condition has caused the applicant serious financial and operational problems by having to hire extra staff and pay for their training and personal licence.
During the past 13 years the applicant and his family have made great efforts to improve the professionalism of the operation resulting in no problems in relation to age restricted sales and incidents of potential antisocial behaviour in the past year.
Mr. OKSUZ has re sat his Award for Premises Licence Holders and has been granted his personal licence by BCP council.
Mr Oksuz and Ezra Oksuz believe that he is now proved to be a responsible person worthy of this condition being removed.
Miss ESRA OKSUZ is the oldest daughter of Muzaffer OKSUZ and is extremely capable and accompanied her father at the 2019 review hearing where she proved her capability when speaking at this hearing.

b) The prevention of crime and disorder

ALL OTHER CURRENT CONDITIONS APPLY

c) Public safety

ALL OTHER CURRENT CONDITIONS APPLY

d) The prevention of public nuisance

ALL OTHER CURRENT CONDITIONS APPLY

e) The protection of children from harm

ALL OTHER CURRENT CONDITIONS APPLY

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- 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 5 – Signatures (please read guidance note 12)

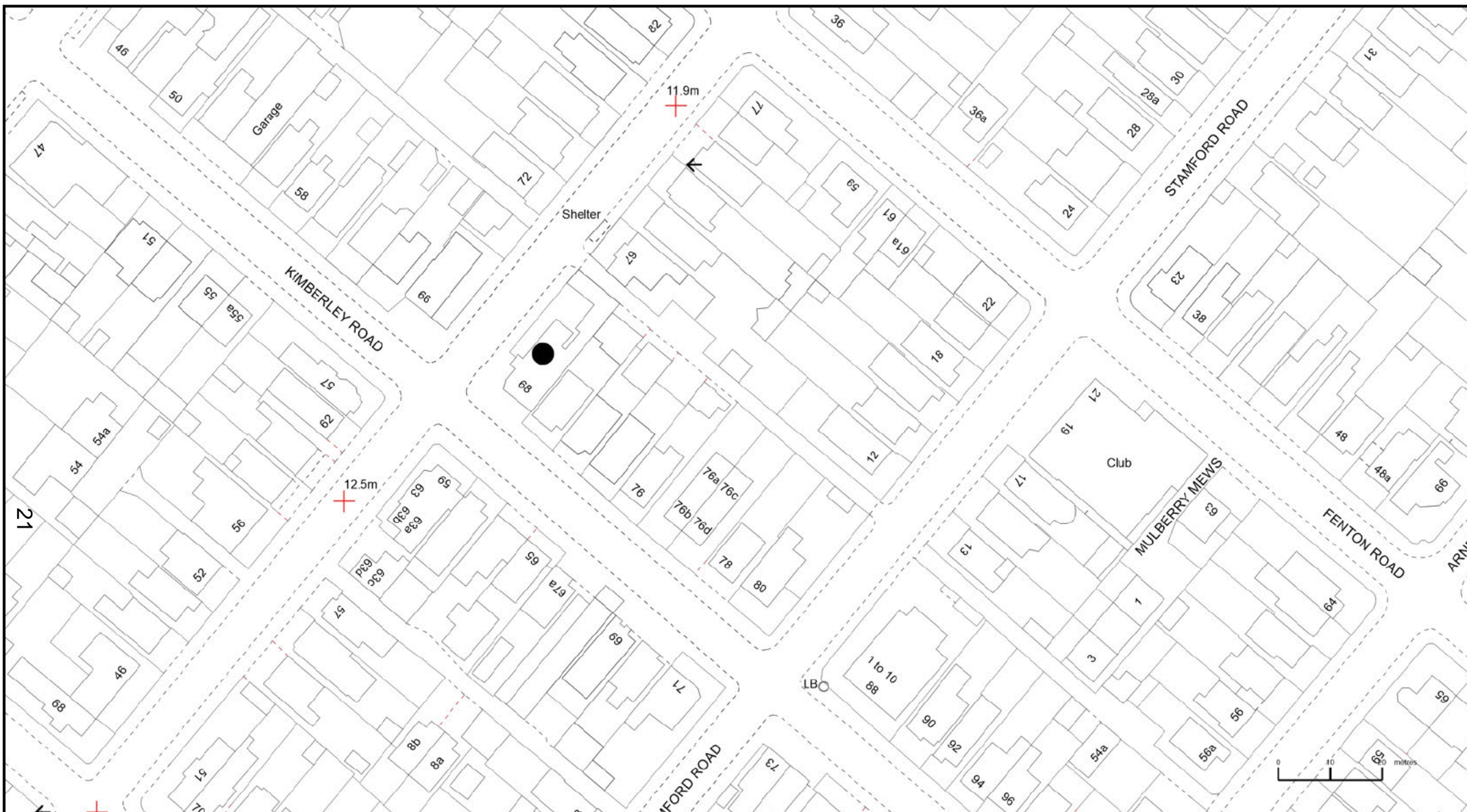
Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	<i>David Ramsay</i>
Date	12 th March 2021
Capacity	David Ramsay Licensing Consultant on behalf of ESRA OKSUZ

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

Signature	
Date	
Capacity	

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More the Merrier 68 Kimberley Road

Application to for Variation to Premises Licence - March 2021

[REDACTED]

[REDACTED]

Scale: 1:1000 @ A4

Date: 28 April 2021

Creator: Sarah Rogers - Senior Licensing Officer

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OS 100000019829 BCP Council



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Premises Licence Part A

Premises licence number: BH083244

Postal address of premises, or if none, ordnance survey map reference or description:	
More The Merrier 68 Kimberley Road	
Post town: Bournemouth	Post Code: BH6 5BY
Telephone number: 01202 293739	

Licensable activities authorised by the licence:
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:
Supply of Alcohol
Monday to Sunday - 00:01 to 00:00

The opening hours of the premises:
Monday – Sunday - 00:01 to 00:00

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

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
Esra Oksuz

Registered number of holder, for example company number, charity number (where applicable):
N/A

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

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

Annex 1 – Mandatory conditions

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

- 1.1. There shall be no sale or supply of alcohol when there is no designated premises supervisor in respect of this premises licence or at a time when the said premises supervisor does not hold a personal licence or when his/her licence is suspended.
- 1.2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

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

- 1.3.
 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.

The Licensing Act 2003 (Mandatory Conditions) Order 2014

- 1.4.
 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 2. For the purposes of the condition set out in paragraph 1 -
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula —

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

Where –

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

- (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating schedule

- 2.1 No sale of intoxicating liquor shall be made to persons where there are grounds to believe that the sale shall result in crime and disorder.
- 2.2 The premises licence holder and Designated Premises Supervisor shall contribute to alleviate public nuisance on and in the vicinity of the premises during the times when the premises are open to members of the public.
- 2.3 Notices shall be displayed asking clients to have consideration for local residents when leaving the premises, reinforced by management and staff.
- 2.4 All deliveries and collections of refuse shall take place during day time hours.
- 2.5 No employee under the age of 18 years of age shall be responsible for the sale of intoxicating liquor.
- 2.6 The premises licence holder shall comply with the recommendations of the Police Crime Prevention Officer and co-operate and partake in any initiatives aimed at reducing anti social behaviour.
- 2.7 A documented check of the CCTV system shall be completed weekly to ensure all cameras remain operational and the 31 days storage for recordings is being maintained.
 - 2.7.1 A staff member 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 the Police or an authorised Officer of the Council recent data or footage with the absolute minimum of delay when requested.
 - 2.7.2 CCTV shall be downloaded on request of the Police or an authorised Officer of the Council.
 - 2.7.3 Appropriate signage advising customers of CCTV being in operation shall be prominently displayed in the premises.

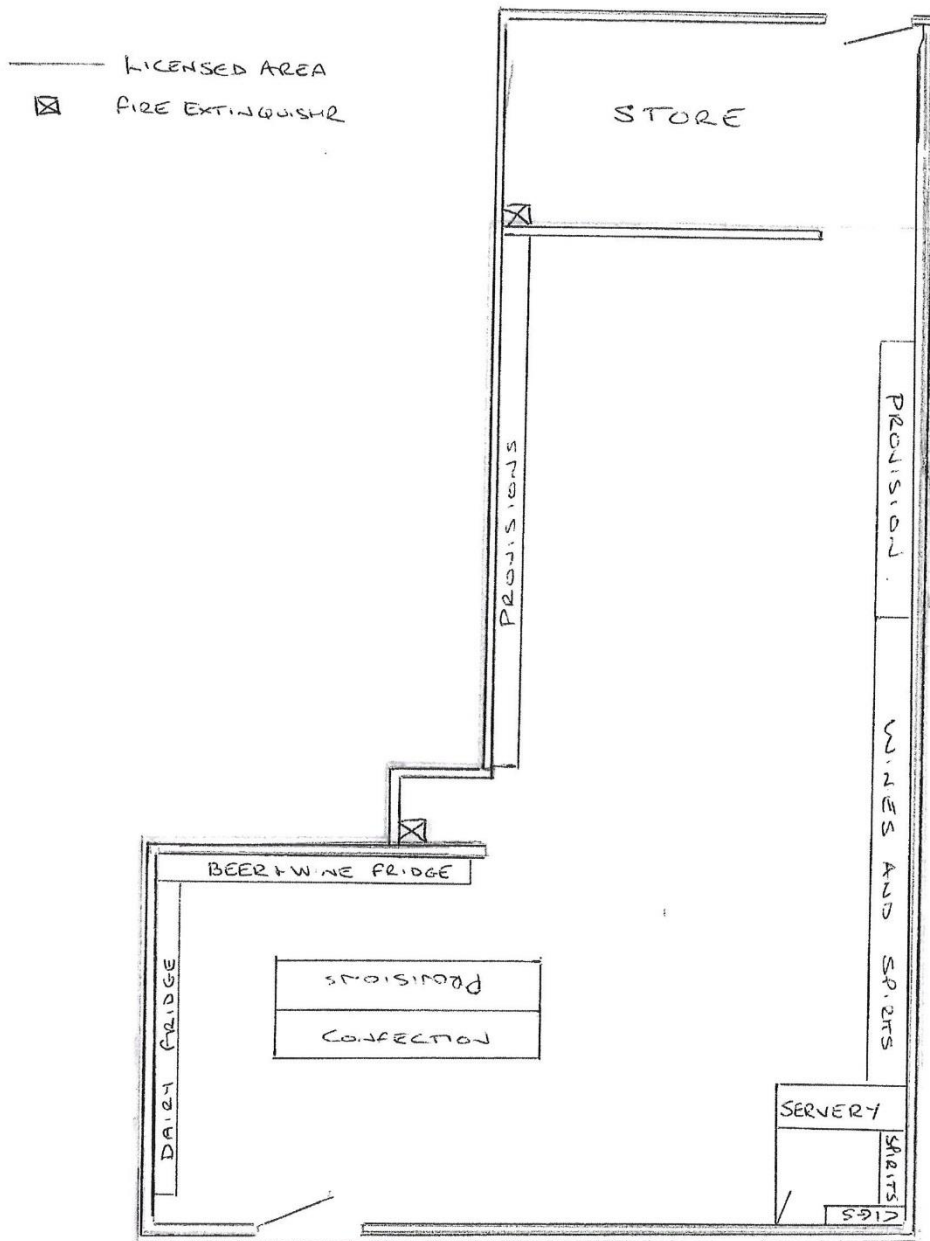
- 2.8 All staff shall be trained in the management of conflict. This shall enable them to deal efficiently with troublesome and abusive customers.
- 2.8.1 Staff shall be trained in accordance with any guidance given by TSSW in relation to all age restricted products.
- 2.8.2 A "No Proof of Age - No Sale" age verification policy shall be adopted and records kept of that training at the premises. Such records shall be kept and made available to Police, Licensing or other authorised Officers.
- 2.8.3 A record shall be maintained of all staff training and the person receiving the training, and the trainer, shall sign that record. The records shall be kept for a minimum of 12 months and made available for inspection by Police, Licensing or other authorised Officers.
- 2.8.4 Written records of training and subsequent refresher training (including in-house training) shall be kept for all staff involved in the sale of alcoholic beverages.
- 2.9 The premises shall adopt the 'Challenge 25' policy and appropriate signage such as PASS Scheme signage shall be prominently displayed both at the entrance to and throughout the premises.
- 2.10 The only ID that shall be accepted will be those approved by PASS, UK passports and photo driving licenses.
- 2.11 Muzaffer Oksuz shall not be responsible for, or authorise, any sale of alcohol at the premises.
- 2.12 An incident book shall be kept at the premises and be made available for inspection by an authorised officer on request.
- 2.13 As far as is possible, there shall be no single can sales of alcohol especially where it is suspected that the purchaser is intoxicated or likely to engage in anti-social behaviour, crime or disorder.
- 2.14 A refusals register shall be kept diligently at the premises. All incidents shall be entered with details and descriptions of customers and actions. Records shall be kept for no less than 12 months and shall be available for inspection by an authorised Officer on request.
- 2.14.1 The refusal and incident register shall be in book form and checked and signed weekly by the DPS.

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

- 3.1 A Personal Licence holder shall be present on the premises at all times alcohol sales are made.

Annex 4 – Plans

This licence is issued in accordance with the plan M083244, dated 24.11.05, submitted with the application, as attached.



MORE THE MERRIER
 68 KIMBERLEY ROAD
 BOURNEMOUTH
 BH6 5BY

BOURNEMOUTH BOROUGH COUNCIL
 LICENSING SECTION

24 NOV 2005

APPROVED
 REF. No. M 083244

Premises Licence Part B

Premises licence number: BH083244

Postal address of premises, or if none, ordnance survey map reference or description:	
More The Merrier 68 Kimberley Road	
Post town: Bournemouth	Post Code: BH6 5BY
Telephone number: 01202 293739	

Licensable activities authorised by the licence:
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:
Supply of Alcohol: Monday to Sunday - 00:01 to 00:00

The opening hours of the premises:
Monday to Sunday - 00:01 to 00:00

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

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
Esra Oksuz

Registered number of holder, for example company number, charity number (where applicable):
N/A

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

State whether access to the premises by children is restricted or prohibited:
N/A



Issued: 24 November 2005

Revised: 12 March 2021 (Transfer and Vary DPS)

Mrs Nananka Randle

Licensing Manager

Email dated 23/03/21 to Licensing Authority

Good afternoon Licensing

Further to the above application I can confirm that Dorset Police wishes to object to the removal of condition 2.11 (Muzafer Oksuz shall not be responsible for, or authorise, any sale of alcohol at the premises)

This premises has been subject to review hearings as requested by Dorset Police in December 2019, due to concerns of about how the premises was being managed and alleged breaches of the conditions added in 2008, and a further review in July 2020 due to the same application to remove condition 2.11.

It was decided at that time that there had been insufficient time since the premises licence review in November 2019, to be confident that this condition could be removed without risk of undermining licensing objectives.

On 16th March 2021, I conducted a visit to the premises as Dorset Police had received reports that there was a lack of enforcement on the premises of the wearing masks as required under The Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) Regulations 2020.

Mr Oksuz was seated behind the counter, not wearing a mask and when challenged , he stated ' I sometimes do' and proceeded to rummage around on the floor, whereby he held up a clear plastic visor, which he did not put on. Mr Oksuz then left his seat to speak to a customer in the shop, still failing to wear a mask.

Dorset Police is therefore concerned that if Mr Oksuz is either not able or prepared to able to comply with the current requirements of the Coronavirus Legislation, it casts serious doubt on his commitment to promoting the Licensing Objectives and as such, this objection is submitted.

Kind regards,

Louise

Louise Busfield 8952

Licensing Officer

Drug and Alcohol Harm Reduction Team

Prevention Department Bournemouth Police Station Dorset Police
E: louise.busfield@dorset.pnn.police.uk



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LICENSING SUB-COMMITTEE



Report subject	Urban Reef, Undercliff Drive
Meeting date	12 May 2021
Status	Public Report
Executive summary	<p>Licensing Lawyers, on behalf of the licence holders Urban Reef Restaurant Limited, have made application for a premises licence for their restaurant to include the beach deck area.</p> <p>Application is made for regulated entertainment, late night refreshment and the supply of alcohol, both on and off the premises, 24 hours a day each day of the week, with the following exceptions:-</p> <p>No sale of alcohol for consumption in the external areas of the premises shall take place between the hours of 23:00 and 08:00 the following day.</p> <p>Regulated entertainment shall not take place between the hours of 22:00 and 08:00 the following day.</p> <p>Late night refreshment, after 23:00, shall not apply to the beach deck area.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members are asked to decide whether to:-</p> <p>a) Grant the application for a premises licence as made;</p> <p>b) Refuse the application for a premises licence;</p> <p>c) Grant the premises licence subject to additional conditions.</p> <p>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.</p>
Reason for recommendations	<p>The Licensing Authority has received representations from Dorset Police and one other person on the grounds that to grant this application it would undermine the prevention of crime and disorder and the prevention of public nuisance licensing objectives.</p> <p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the representations.</p>

	Where representations have been received from a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Scheme of Delegation set out in the Council's Constitution states that these applications should be dealt with by the Licensing Sub-Committee.
Portfolio Holder(s):	Councillor May Haines – Community Safety
Corporate Director	Kate Ryan – Corporate Director for Environment & Community
Report Authors	Sarah Rogers – Senior Licensing Officer
Wards	Bournemouth Central
Classification	For Decision

Background

1. An application for a premises licence under the Licensing Act 2003 was made on the 11th March 2021. A copy of the application and supporting plan is attached at Appendix 1.
2. A plan showing the location of the premises is attached at Appendix 2.
3. The premises are currently licensed and the new application is made to include the external beach decked area with a connecting area for transit. The terms and conditions of the current licence are replicated, with the exception of the decked area where restrictions have been offered on its use between the hours of 22:00 and 08:00 the following day.
4. A copy of the current licence is attached at Appendix 3.

Consultation

5. 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.
6. The application prompted a representation from Dorset Police and one other person under the prevention of crime and disorder and prevention of public nuisance licensing objectives.
7. A copy of the representation made by Dorset Police, which includes the thread of conversation between them and the applicant's solicitor is attached at Appendix 4. The proposed conditions referred to are attached at Appendix 5. Subsequent amendments and suggestions to these conditions by the applicant are attached at Appendix 6.
8. The representation from the other person is attached at Appendix 7.
9. Environmental Health have agreed for the following two conditions to be imposed, should the application be granted:-

- a) Where licensable live or recorded music is planned to be held on the beach deck, a Noise Management Plan (NMP) must be submitted at least 28 days before the event. The NMP must include schedule, breaks, details on any amplification, sound levels and the processes in place to minimise disruption to residents including contact telephone numbers of the responsible person on-site during the event with which noise complaints can be addressed if they arise. The plan shall include the methodology to achieve that Music noise levels do not exceed 65dB(A) over a 15 minute period when measured at the boundary of any noise sensitive premises and that low frequency noise shall be controlled at the 63Hz and 125Hz octaves, so as not to exceed 70dB(A) at any time when measured at the boundary of any noise sensitive premises.
 - b) The premises licence holder shall require that any patrons drinking and/or smoking immediately outside the premises do so in an orderly manner and are supervised by staff.
10. Two further representations were received from other persons but following discussions with the applicant they confirmed to the Licensing Authority that they were satisfied with the proposals being made and withdrew their representations accordingly.
11. No Representations were received from any of the other responsible authorities.

Options Appraisal

12. Before making a decision, Members are asked to consider the following matters:
- The representations made by or on behalf of Dorset Police and the other person.
 - The submissions made by or made on behalf of the applicant.
 - The relevant licensing objectives, namely the prevention of crime and disorder and 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

13. N/A

Summary of legal implications

14. 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

15. N/A

Summary of sustainability impact

16. N/A

Summary of public health implications

17. N/A

Summary of equality implications

18. N/A

Summary of risk assessment

19. N/A

Background papers

BCP Council – Statement of Licensing Policy –

<https://www.bcpCouncil.gov.uk/Business/Licences-andpermits/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_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Appendices

Appendix 1 – Copy application and plan

Appendix 2 – Location plan

Appendix 3 – Copy current premises licence

Appendix 4 – Representation by Dorset Police

Appendix 5 – Proposed conditions

Appendix 6 – Suggested amendments by applicant to proposed conditions

Appendix 7 – Representation by other person, Mr T Goodship



LICENSING
LAWYERS

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267 Banbury Road,
Oxford OX2 7HT

The Old Counting House
82e High Street,
Wallingford, Oxon,
OX10 0BS

BCP Council
Licensing Authority
Town Hall Annexe
St Stephens Road
Bournemouth
BH2 6EA

Tel : 0844 556 1191
Fax: 0844 272 5591

Web: www.licensinglawyers.co.uk
E-mail: enquiries@licensinglawyers.co.uk

Our Ref : URB01004/21

Your Ref:

11 March 2021

Dear Sirs

Urban Reef, Undercliff Drive, BH5 1BN,

We have been instructed to make an application for a premises licence in respect of the above premises and therefore we have pleasure in enclosing the application form, along with the supporting information. Arrangements are being made for the necessary site and press notices to be published.

As you will be aware, the premises already hold a licence and this application now seeks to include a decked area on the beach, with a connecting area for transit, rather than any other substantial changes. Bringing this decked area within the licensed area provides some advantages over the current situation, not least in that it provides the ability for additional control to be exercised over the area, with staff being present whilst licensable activities are undertaken. The conditions and hours offered are intended to replicate those on the existing licence, although providing more of a restriction to the hours on the decked area. Assuming that the application is granted as requested, then we would anticipate that the existing licence may be surrendered but otherwise it would be retained and continue to be used for the current licensed area.

In making this application, we have submitted a draft to the police for their observations and we are aware that the Council has itself submitted its own application for a licence to help promote recovery after the difficulties of the last year. We hope that this instant application will therefore be considered favourably as it sits alongside the intent of the Council's own application.

Our client is keen to discuss any concerns that may be raised by interested persons or the responsible authorities to avoid the need for a hearing and for that purpose, we would be grateful if you could provide our contact details, perhaps by showing a copy of this letter, to anyone who makes an enquiry concerning the application or suggests that they are proposing to make a representation.

In the event of any query, this matter is being dealt with by Mr Payne, who can be contacted on 0844 556 1192.

Yours faithfully,

Licensing Lawyers

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 Urban Reef Restaurant Limited

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
Urban Reef The Overstrand Undercliff Drive Boscombe			
Post town	Bournemouth	Postcode	BH5 1BN

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 68,500

Part 2 - Applicant details

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

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

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

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

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name Urban Reef Restaurant Limited
Address 23 Argyll Road Bournemouth BH5 1EB
Registered number (where applicable) 06773166
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

As soon as possible

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

DD		MM		YYYY			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)

Restaurant

Note that this premises already holds a Premises Licence which is substantially the same as this application, with the exception of the beach deck area.

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

N/A

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) As per existing licence Not held externally between 22:00 and 08:00 on the following day			
Mon	00:00	00:00				
Tue	00:00	00:00	<u>State any seasonal variations for performing plays</u> (please read guidance note 5)			
Wed	00:00	00:00				
Thur	00:00	00:00	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Fri	00:00	00:00				
Sat	00:00	00:00				
Sun	00:00	00:00				

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input checked="" type="checkbox"/>
Mon	00:00		<u>Please give further details here</u> (please read guidance note 4) As per existing licence			
		00:00				
Tue	00:00		Not held externally between 22:00 and 08:00 on the following day			
		00:00				
Wed	00:00		<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)			
		00:00				
Thur	00:00					
		00:00				
Fri	00:00		<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
		00:00				
Sat	00:00					
		00:00				
Sun	00:00					
		00:00				

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) As per existing licence Not held externally between 22:00 and 08:00 on the following day		
Mon	00:00	00:00			
Tue	00:00	00:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Wed	00:00	00:00			
Thur	00:00	00:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	00:00	00:00			
Sat	00:00	00:00			
Sun	00:00	00:00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) As per existing licence Not held externally between 22:00 and 08:00 on the following day		
Mon	00:00	00:00			
Tue	00:00	00:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed	00:00	00:00			
Thur	00:00	00:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri	00:00	00:00			
Sat	00:00	00:00			
Sun	00:00	00:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) As per existing licence Not held externally between 22:00 and 08:00 on the following day			
Mon	00:00	00:00				
Tue	00:00	00:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)			
Wed	00:00	00:00				
Thur	00:00	00:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Fri	00:00	00:00				
Sat	00:00	00:00				
Sun	00:00	00:00				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing As per existing licence		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon	00:00			Outdoors	<input type="checkbox"/>
		00:00		Both	<input checked="" type="checkbox"/>
Tue	00:00		<u>Please give further details here</u> (please read guidance note 4)		
		00:00			
Wed	00:00				
		00:00			
Thur	00:00		<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
		00:00			
Fri	00:00				
		00:00			
Sat	00:00		<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
		00:00			
Sun	00:00				
		00:00			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	23:00	00:00	<u>Please give further details here</u> (please read guidance note 4)		
	00:00	05:00			
Tue	23:00	00:00			
	00:00	05:00			
Wed	23:00	00:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
	00:00	05:00			
Thur	23:00	00:00			
	00:00	05:00			
Fri	23:00	00:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) Late night refreshment shall not apply to the beach deck area		
	00:00	05:00			
Sat	23:00	00:00			
	00:00	05:00			
Sun	23:00	00:00			
	00:00	05:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	00:00	00:00			
Tue	00:00	00:00			
Wed	00:00	00:00			
Thur	00:00	00:00			
Fri	00:00	00:00			
Sat	00:00	00:00			
Sun	00:00	00:00			
			No sale for consumption in external areas of the premises between 23:00 and 08:00 on the following day		

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 Mr Christopher G Warwick	
Date of birth [REDACTED]	
Address [REDACTED] [REDACTED] [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) PA0156	
Issuing licensing authority (if known) Christchurch BC	

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).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5) NB: The beach deck area is accessible to the public at all times and hence no restriction on access to the public is possible
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
Mon	00:00		
		00:00	
Tue	00:00		
		00:00	
Wed	00:00		
		00:00	
Thur	00:00		
		00:00	
Fri	00:00		
		00:00	
Sat	00:00		
		00:00	
Sun	00:00		
		00:00	

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)

The licence holder shall undertake steps to promote the licensing objectives as agreed in writing from time to time between the licence holder and a Responsible Authority or Interested Party.

Patrons shall be discouraged from taking bottles and other glassware from the premises

b) The prevention of crime and disorder

The licence holder shall install and maintain a CCTV system with cameras in locations as indicated on the approved plan.

Alcohol sales within the beach deck area shall cease by 23:00 on each day.

c) Public safety

All issues of public safety are covered by existing legislation, in particular ;
The Health and Safety at Work etc Act 1974
The Regulatory Reform (Fire Safety) Order 2005

d) The prevention of public nuisance

Issues of public nuisance are addressed through existing legislation, in particular, the Environmental Protection Act 1990 and the Noise Act 1996.

However;

Suitable signage shall be positioned at exits to request patrons to make as little noise as possible when leaving the premises

There shall be no external regulated entertainment after 22:00 to 08:00 the following day (see above in hours of operation, so no need to duplicate as a separate condition)

No sale of alcohol or hot food intended for consumption in the external areas of the premises shall take place from 23:00 to 08:00 the following day (see above in hours of operation, so no need to duplicate as a separate condition)

Between 22:00 and 08:00 on the following day, external windows and doors shall be kept closed to any area that is used for regulated entertainment, save for when in use for the purposes of entrance or exit.

The Licence holder shall prepare and implement a noise management plan. This plan shall be kept available for inspection at the premises.


e) The protection of children from harm

Admission to any video exhibition shall be in accordance with the BBFC rating unless an alternative rating has been given by the local authority or the recording has been produced in compliance with guidelines for the screening of television programmes between the hours of 06:00 and 21:00.

In compliance with the mandatory condition, identification shall be requested of any person attempting to purchase alcohol who appears to be under 21 years of age. Acceptable forms of identification shall be a driving licence, PASS card or any other ID recognised by the Licensing Authority in its Statement of Licensing Authority or licensing publications

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	11 March 2021
Capacity	Solicitors and agents for the applicant

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

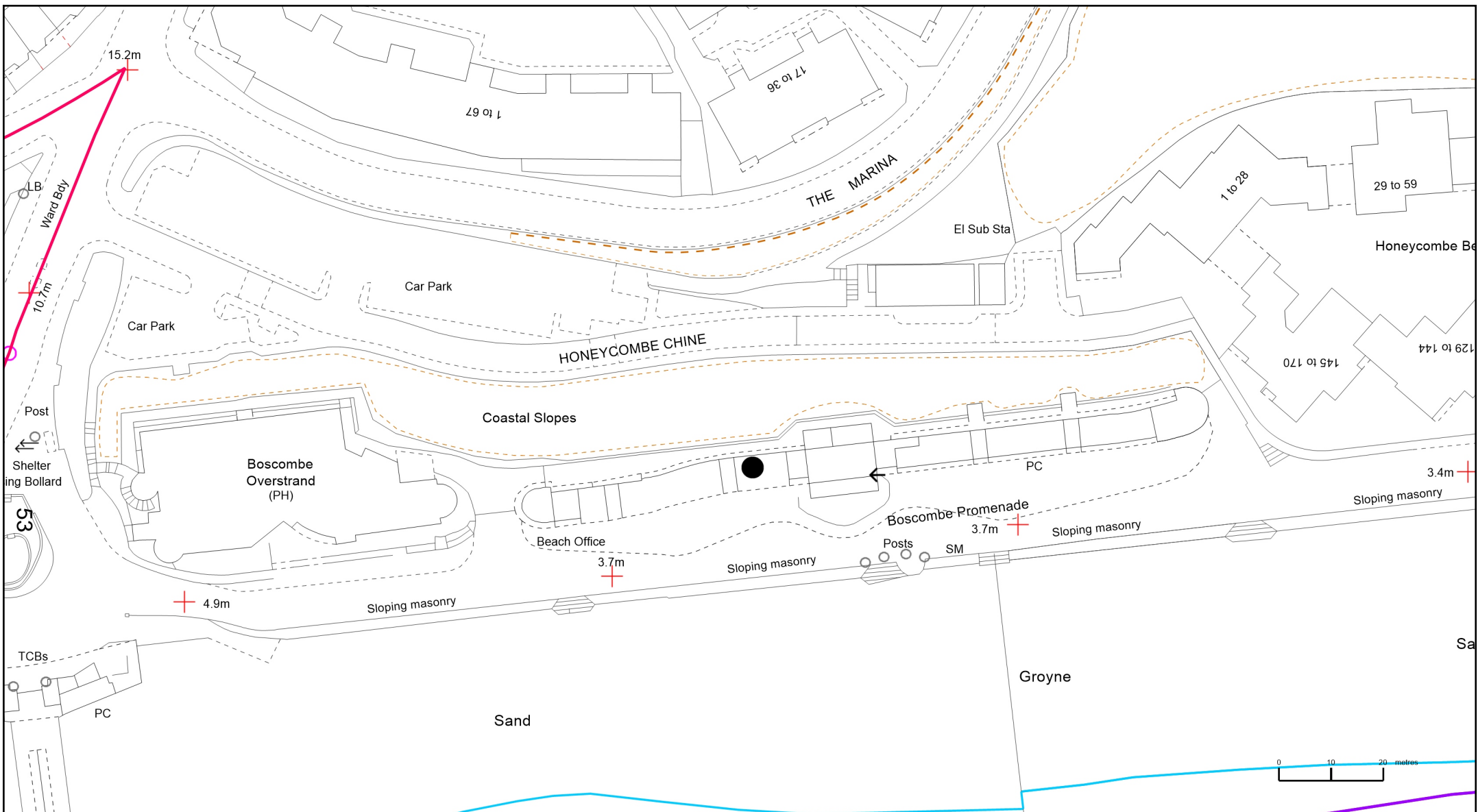
**Licensing Lawyers
The Old Counting House
82e High Street**

Post town	Wallingford	Postcode	OX10 0BS
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Telephone number (if any)	08445561193
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
applications@licensinglawyers.co.uk

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Urban Reef Undercliff Drive

Application to for Variation to Premises Licence - March 2021

Scale: 1:1000 @ A4

Date: 28 April 2021

Creator: Sarah Rogers - Senior Licensing Officer

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OS 100000019829 BCP Council



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Premises Licence Part A

Premises licence number: BH151631

Postal address of premises, or if none, ordnance survey map reference or description:	
Urban Reef - Undercliff Drive	
Post town: Bournemouth	Post Code: BH5 1BN
Telephone number: 01202 443966	

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

The times the licence authorises the carrying out of licensable activities:
Plays: (Indoors & Outdoors) Monday to Sunday - 00:01 to 00:00 Films: (Indoors & Outdoors) Monday to Sunday - 00:01 to 00:00 Live Music: (Indoors & Outdoors) Monday to Sunday - 00:01 to 00:00 Recorded Music: (Indoors & Outdoors) Monday to Sunday - 00:01 to 00:00 Performances of Dance: (Indoors & Outdoors) Monday to Sunday - 00:01 to 00:00 Activity like Music / Dance: (Indoors & Outdoors) Monday to Sunday - 00:01 to 00:00 Late Night Refreshment: (Indoors) Monday to Sunday - 23:00 to 05:00 Supply of Alcohol: Monday to Sunday - 00:00 to 00:00

The opening hours of the premises:
Monday to Sunday - 00:01 to 00:00

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

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Urban Reef Restaurant LTD 23 Argyll Road Bournemouth BH5 1EB Tel: 01202 443960
--

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

06773166

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

Mr Chris George Warwick

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

PAO 156 Christchurch Borough Council

Annex 1 - Mandatory conditions

Mandatory Conditions (Sections 19,20,21 LA2003)

- 1.1 There shall be no sale or supply of alcohol when there is no designated premises supervisor in respect of this premises licence or at a time when the said premises supervisor does not hold a personal licence or when his/her licence is suspended.
- 1.2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 1.3 Admission of children (under the age of 18) to any exhibition of films must be restricted in accordance with the film classification body designated as the authority under Section 4 of the Video Recordings Act 1984.
- 1.4 Where the film classification is not specified or the relevant licensing authority has notified the premises licence holder under Section 20 (3)(b) of the Licensing Act 2003, the admission of children must be restricted in accordance with any recommendation made by the Licensing Authority.

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

- 1.5 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 1.6 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 1.7 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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

- (a) a holographic mark, or
- (b) an ultraviolet feature

1.8 The responsible person must ensure that-

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

- (i) beer or cider: 1/2 pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

The Licensing Act 2003 (Mandatory Conditions) Order 2014

1.9 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

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

Where -

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

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating schedule

General

- 2.1 The licence holder shall undertake steps to promote the licensing objectives as agreed in writing from time to time between the licence holder and a Responsible Authority or Interested Party.
- 2.2 Patrons shall be discouraged from taking bottles and other glassware from the premises.

The Prevention of Crime and Disorder

- 2.3 The licence holder shall install and maintain a CCTV system with cameras in locations as indicated on the approved plan.

The Prevention of Public Nuisance

- 2.4 Suitable signage shall be positioned at exits to request patrons to make as little noise as possible when leaving the premises.
- 2.5 There shall be no external regulated entertainment after 22:00 to 08:00 the following day.
- 2.6 No sale of alcohol or hot food intended for consumption in the external areas of the premises shall take place from 23:00 to 08:00 the following day
- 2.7 Between 21:00 and 08:00 on the following day, external windows and doors shall be kept closed to any area that is used for regulated entertainment.
- 2.8 The Licence holder shall prepare and implement a noise management plan. This plan shall be kept available for inspection at the premises.

The Protection of Children From Harm

- 2.9 Admission to any video exhibition shall be in accordance with the BBFC rating unless an alternative rating has been given by the local authority or the recording has been produced in compliance with the guidelines for the screening of television programmes between the hours of 06:00 and 21:00.
- 2.10 In compliance with the mandatory condition, identification shall be requested of any person attempting to purchase alcohol who appears to be under 21 years of age. Acceptable forms of identification shall be a driving licence, PASS card or any other ID recognised by the Licensing Authority in its Statement of Licensing Authority or licensing publications.

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

N/A

Annex 4 - Plans

This licence is issued in accordance with the plan Drawing No. 180_BR_100 submitted with the application, as attached.

**Premises Licence
Part B**

Premises licence number: BH151631

Postal address of premises, or if none, ordnance survey map reference or description:	
Urban Reef - Undercliff Drive	
Post town: Bournemouth	Post Code: BH5 1BN
Telephone number: 01202 443966	

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

The times the licence authorises the carrying out of licensable activities:
Plays: (Indoors & Outdoors) Monday to Sunday - 00:01 to 00:00 Films: (Indoors & Outdoors) Monday to Sunday - 00:01 to 00:00 Live Music: (Indoors & Outdoors) Monday to Sunday - 00:01 to 00:00 Recorded Music: (Indoors & Outdoors) Monday to Sunday - 00:01 to 00:00 Performances of Dance: (Indoors & Outdoors) Monday to Sunday - 00:01 to 00:00 Activity like Music / Dance: Monday to Sunday - 00:01 to 00:00 Late Night Refreshment: Monday to Sunday - 23:00 to 05:00 Supply of Alcohol: Monday to Sunday - 00:01 to 00:00

The opening hours of the premises:
Monday to Sunday - 00:01 to 00:00

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

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
Urban Reef Restaurant LTD, 23 Argyll Road, Bournemouth, BH5 1EB. Tel: 01202 443960

Registered number of holder, for example company number, charity number (where applicable):
06773166

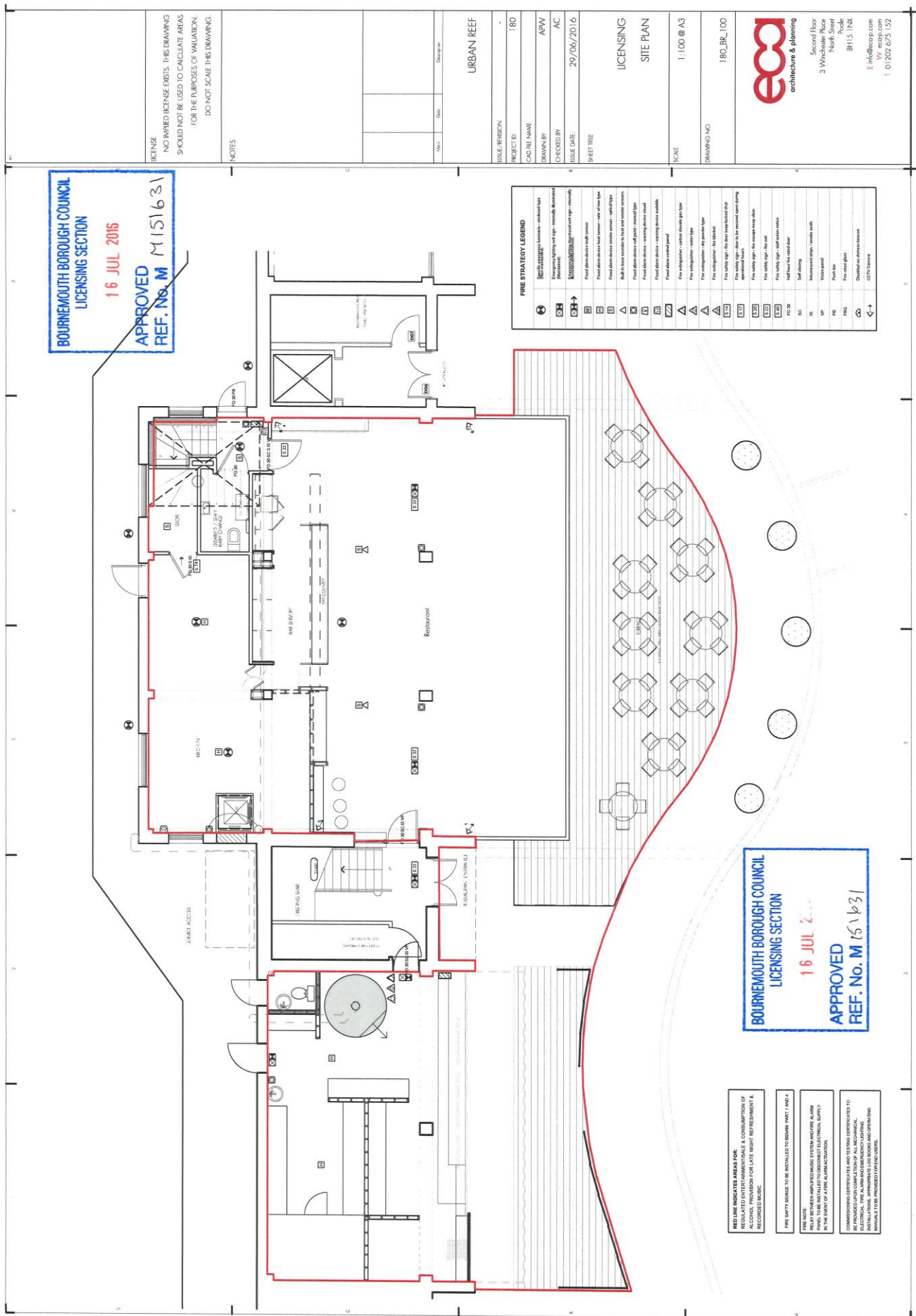
Name of designated premises supervisor where the premises licence authorises the supply of alcohol:
Mr Chris George Warwick

State whether access to the premises by children is restricted or prohibited:
See Conditions 1.3, 1.4 & 2.9

Issued: 16 July 2016



Mrs Nananka Randle
Licensing Manager



Representation from Dorset Police with email thread of communication between applicant's solicitor and Dorset Police

08/04/21

Good Afternoon Mr Payne,

Thank you for your patience in allowing us to consider your application on behalf of Urban Reef. You will appreciate that due to the significant uplift in applications that we are currently receiving, these matters are taking longer to process than usual.

I know from my numerous conversations with Louise that efforts have been made to agree a set of conditions and an operating schedule that will both enable the premises to expand and make use of the beach area adjacent to the existing premises and also continue to allow the premises operators to promote the licensing objectives.

Unfortunately we have not been able to achieve an agreement in advance of the final date for representations (today) and it is therefore with regret that I must, on behalf of the Chief Officer of Police, object to the grant of the licence as applied on the basis that I have concerns that the licensing objectives of Public Safety and the Prevention of Crime & Disorder will not be upheld.

The key areas that remain outstanding for agreement are summarised as follows –

1. CCTV coverage – We need to be satisfied that there is adequate CCTV coverage to meet the risks associated with the provision.
2. Alcohol provision alongside a table meal. It remains unclear whether the extension to the premises will be as a 'restaurant' or otherwise. If the premises is intended to be flexible in its use then this will require a more complex set of conditions to enable the premises to be operated safely and in promotion of the licensing objectives. I don't necessarily suggest that we need to cater for a 'worst case scenario', but we need to be confident that given the anticipated high demand for this provision, that the premises can be operated safely and responsibly.
3. Off sales of alcohol. This is something that we are keen to manage as we are aware of the risks associated with off-sales provision on the beach and the issues caused as a result of such provision. Additionally, this raises concerns regarding proxy-sales of alcohol.
4. Glass – Whilst I accept that there will be occasions where glass containers are sold for the purpose of deliveries, the addition of glass vessels to a beach will always cause concern to us and recently agreed licenses for the same area prohibit the use of glass vessels.
5. SIA provision is something that would not be ordinarily associated with a restaurant, however, as we are yet to agree, through conditions, whether the premises will be solely operated as a restaurant, I would need to be satisfied that minimum numbers of SIA will be in place during operating hours when the premises is not used as a restaurant.

The above are some of the key areas of concern and there remains other areas of the proposal that we feel need to be amended.

It is important that all parties appreciate that Bournemouth beaches are anticipating unprecedented numbers of visitors this Summer and for some time to come due to the restrictions in place regarding international travel. Dorset Police and our partners have worked

with key stakeholders, including licensed premises, to ensure that we can support all those operating along Bournemouth beach to deliver safe and enjoyable provisions. As we emerge from the pandemic and the restrictions that were imposed, it is important that we do so responsibly and do not risk adding additional strain on public services during a time when Dorset Police and our partners are experiencing unprecedented demand.

I look forward to continuing to hopefully mediate conditions that will satisfy our concerns and enable the operate to deliver a safe and successful provision.

Regards,

Gareth Gosling 2551
Sergeant

09/04/21

Thank you for the email.

Thank you for the very positive suggestion of mediation. I have discussed this with my client and perhaps the best way forward would be to organise a meeting to discuss matters ? Would it be possible to set up a meeting for the week after next, unless we are able to agree amendments before then ? My client is away next week and may not have reliable access to the internet.

Although we did approach the DAHRT before the application was submitted and the first substantive response was received this week, we do appreciate that you must be under pressure at the moment and it would indeed be helpful to try and negotiate on the operating schedule if possible, not least to relieve some of the burden on you and to save additional work through a licensing hearing.

At this stage, I do have some concerns with the suggestion that 'there remains other areas of the proposal that we feel need to be amended' : To help us focus our efforts, please could you set those out for us ?

Please do be assured that our client does run a responsible premises and is keen to ensure that any trading into the future is done in a way that promotes a safe return to some form of normality.

Regards,

Jon Payne
BSc(Hons), Dip HSW, CMS, MCIEH, FRIPH, MIOL, CMIOSH,
Barrister (NP), Solicitor

23/04/21

Hi Jon,

Firstly, I would like to apologise for the lack of engagement on this particular application. As you know, we would much rather be proactive in working with applicants on their new and variation applications, however, on this occasion it hasn't been possible.

I note the plans for expanding the Urban Reef on to the beach area to provide additional provision and space for food and drink.

I feel that whilst I accept that Mark generally operates premises that have not significantly come to our attention over the years, including a relatively recently additional provision adjacent to Bournemouth Lower Gardens, my concern is with regards to the location where the extension is intended and not the nature of the provision being sought.

You will no doubt be aware of the 5 recent applications for licensed premises (2 x new and 3 x variations) on Bournemouth beach submitted by BCP Council. These provisions essentially sought to make use of beach area for hospitality purpose. It is expected that whilst the nature and theme of the provision is yet to be determined, there is anticipated to be high-end 'restaurant-style' provisions taking place in these spaces, not dissimilar to the standard of provision offered by Urban Beach.

You may be aware that as part of the mediation for these applications Dorset Police agreed 24 conditions which sought to ensure that the operators of these provisions would be well-placed to promote the licensing objectives, in particular the prevention of crime and disorder.

We are anticipating unprecedented levels of visitors to Dorset this Summer season and have established a multi-agency response to meet expected demand to ensure that we can continue to deliver the best possible service to the Dorset public and those visiting Bournemouth beaches this season and beyond.

My concern is that without additional measures in place the extension of the existing provision will adversely impact the ability of Dorset Police and our partners to manage the demand from the volume of visitors to the Bournemouth beaches. There is concern that certain aspects of your proposal may further add to the issues of crime and disorder that we have experienced in past years.

I have attached the 24 conditions for your consideration. (See Appendix 5 of report) At this stage, the view of Dorset Police is that in the event that you could not agree to the introduction of these conditions, we would seek to request that the Licensing Sub-Committee introduce these conditions, as they have agreed to for both new BCP Council applications this week, to ensure that Mark and his team can continue to promote the licensing objectives and support Dorset Police and our partners to deliver the best possible service in keeping people safe when they visit our beaches.

In the event that you wish to query or amend any of these conditions then I am of course happy to discuss this with you.

I look forward to receiving your response and once again apologise for the delay in responding to you.

Regards,

Gareth

Gareth Gosling 2551
Sergeant

28/04/21

Dear Gareth

Thank you for this set of proposals. I have annotated with some commentary and indicated those that are acceptable along with those that need some modification. (See Appendix 6 of report)

One proposal that needs some more thought is No 6 : As drafted, it was a unilateral arrangement with no mechanism of appeal (other than Judicial Review) and so not capable of enforcement as a lawful condition. Perhaps you could think over the points raised and the best way of dealing with those ?

I can see that some of the conditions have been drafted with 'events' in mind, but what we have here is effectively an external area to be used as an extension of the restaurant and not a new area where there will be HVVD. There is no issue with preparing management plans, most of which will be based on the existing ones that have been shown to be effective.

It is important to bear in mind that with the off-sales provision already in place, the area could already be used as such. It would of course be much better if it was however included in the licensed area so that drinks could be served there, rather than customers having to enter the main premises, buy and then resume their seats. In the proposed mode, traffic is then much reduced and the transit of drinks containers to the area can be undertaken by staff in a more responsible and managed way.

Hopefully we can agree on the attached and decide how to deal with the 'resource' issue.

Regards,

Jon Payne

BSc(Hons), Dip HSW, CMS, MCIEH, FRIPH, MIOL, CMIOSH,
Barrister (Non-practising), Solicitor

28/04/21

Good Afternoon Jon,

Thanks for coming back to me on this.

Whilst I accept that there is an existing licence, this is an Application for a New Licence which incorporates a significant additional space to the front in a very popular part of Bournemouth beach.

Whilst I would not wish to undermine the existing conditions for the area which is currently covered by a Premises Licence, this additional outdoor space represents a significant risk to crime and disorder which I don't think has been fully appreciated.

The term 'event' has been used as it is likely during the peak periods that this space would be used, however, I am happy for the name to be changed to suit.

The number of deletions from the proposal that has been put in place further along Bournemouth beach is unacceptable to Dorset Police and the effect of this additional provision on Bournemouth is likely to be detrimental to the licensing objective to prevent crime and disorder.

Whilst I would at this stage usually engage in a period of negotiation I feel that on this occasion the risks are too great and any significant departure from the proposal as laid out in my previous correspondence is likely to significantly undermine the efforts of Dorset Police and our partners to deliver a safe experience for visitors to Bournemouth beach this coming season and beyond.

I am grateful for your comments on the proposal and the time taken to obtain your client's instructions, however, on this occasion, given our proposals and your client's view of those proposals, I feel that it would be appropriate for this matter to be decided by the BCP Council Licensing Sub-Committee.

If I can be of any further assistance or you wish to discuss further, please do not hesitate to get in touch.

Regards,

Gareth

Gareth Gosling 2551

Sergeant

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Proposed Conditions in respect of Urban Reef Variation

1. The premises shall operate and maintain a text/radio/pager link system (whichever is used by Townwatch), to be activated, made available to and monitored by the DPS or their authorised agent.
2. The premises shall maintain membership of the Townwatch scheme (or any successor scheme); a senior member of staff shall attend all Townwatch meetings for the month preceding the event until the month prior to the conclusion of the event unless an emergency arises preventing such attendance. The premises will support and participate in all Townwatch initiatives.
3. All staff involved in the sale of alcohol shall receive training on the law relating to prohibited sales, the age verification policy adopted by the premises and the conditions attaching to the premises licence. Refresher training shall be provided at least once every 6 months. A record shall be maintained of all staff training and that record shall be signed by the person receiving the training and the trainer. The records shall be kept for a minimum of 12 months and made available for inspection by police, licensing or other authorised officers. The training must be delivered by or on behalf of an accredited training provider.
4. A suitably trained and competent person must ensure weekly safety checks of the premises, decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come into contact are undertaken. Records of these safety checks must be kept and maintained by the operator and made available for inspection by an authorised officer.
5. The holder of the licence shall undertake a risk assessment regarding; the deployment of SIA Door Supervisors at different times of the day and on different days of the week to determine whether it is appropriate to deploy door staff on those days and/or at any other time(s) and to then implement the outcome of the risk assessment. A copy of the risk assessment should be made available immediately to an authorised officer of the Licensing Authority or Dorset Police upon request.
6. If there is a formal multi-agency 'stepped process' for escalation of resources operating in the vicinity of the licensed premises the licence holder must ensure that they increase the levels of resources in line with the recommendations of Dorset Police and their partners. To ensure consistency, any requests for increase in staffing shall be authorised by an officer holding the rank of Inspector or above. The Event Management Plan, agreed with Dorset Police, will detail the level of resources required for each of the 'stepped process' levels.
7. The licence holder shall ensure that the operator of the premises has an Evacuation Plan which enables the safe evacuation and movement of staff and customers in the event of an incident. This plan will include provision for movement of persons within the premises when the space outside of the curtilage of the premises is occupied.
8. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale, a description of the person refused, why they were refused (e.g. no ID, fake ID) and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of a Responsible Authority (Licensing Act 2003)

9. There shall be a written drugs policy detailing the actions to be undertaken to minimize the opportunity to use or supply illegal substances with the premises. Training of staff in relation to this policy shall be recorded and available for inspection by an authorised officer at all reasonable times. Records shall be retained for at least 12 months.
10. No drinks shall be served in glass containers at any time.
11. The premises shall install and maintain a comprehensive CCTV system, all entry and exit points to the alcohol service areas will be covered enabling evidential frontal identification of every person (ie. head and shoulders) entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period. The CCTV system should be updated and maintained according to police recommendations.
12. 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 is 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.
13. An incident log shall be kept at the premises. The log should include the date and time of the incident and the name of the member of staff involved. The log to be made available on request to an authorised officer of the Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any visit by a relevant authority or emergency service.
14. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors to prevent access to the alcohol by both customers or staff.
15. The number of persons permitted in the premises at any one time (including staff) shall not exceed the number as stated within the Event Management Plan, which will be agreed by the Safety Advisory Group Meeting 28 days in advance of any event.
16. 'Challenge 25', shall be operated at the premises where the only acceptable forms of identification are (recognised photographic identification cards, such as a driving licence or passport / Holographically marked PASS scheme identification cards). Appropriate signage advising customers of the policy shall prominently displayed in the premises.
17. There shall be no promotional sales of alcohol at the premises where alcohol is sold at a price lower than that at which the same or similar alcoholic drinks are sold, or usually sold, on the premises.

18. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
19. A currently qualified first aider must always be employed on the premises when the premises are open to the public. The venue will also provide first aid facilities commensurate with the type of event and customers expected.
20. A procedure for supporting and dealing with unwell members of the public will be in place including those who appear to be affected by alcohol or drugs. Staff will be appropriately trained in such procedures.
21. There shall be no sales of alcohol for consumption off the premises.
22. There shall always be a personal licence holder on duty on the premises when the premises are authorised to sell alcohol.
23. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
24. The PLH/DPS will operate to a written dispersal policy which ensures the safe and gradual dispersal of customers from the premises. The policy will be agreed with Dorset Police. The PLH/DPS will ensure that staff receive training on the policy and a record of training shall be kept/made available to an authorised officer upon request.

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Proposed Conditions in respect of Urban Reef In relation to the area of the premises consisting of the beach deck;

1. The premises shall operate and maintain a text, radio or pager link system (whichever is used by Townwatch), to be activated, made available to and monitored by the DPS or their authorised agent.

Agreed

- ~~2. The premises shall maintain membership of the Townwatch scheme (or any successor scheme); a senior member of staff shall attend all Townwatch meetings for the month preceding the event until the month prior to the conclusion of the event unless an emergency arises preventing such attendance. The premises will support and participate in all Townwatch initiatives.~~

[Deleted as this seems to relate to events. The deck is not likely to be used during the Winter and attendance at Townwatch whilst it is not there would be of limited value. An alternative might be to require attendance at TW where one is held whilst the deck is in use]

3. All staff involved in the sale of alcohol shall receive training on the law relating to prohibited sales, the age verification policy adopted by the premises and the conditions attaching to the premises licence. Refresher training shall be provided at least once every 6 months. A record shall be maintained of all staff training and that record shall be signed by the person receiving the training and the trainer. The records shall be kept for a minimum of 12 months and made available for inspection by police, licensing or other authorised officers. Training **that is non-specific to the premises** must be delivered by or on behalf of an accredited training provider

[If one or two people attended a training course by an accredited trainer to a group from different premises, they may well not tailor the course to the conditions of the premises in which they work. This can be picked up on in-house training]

- ~~4. A suitably trained and competent person must ensure weekly safety checks of the premises, decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come into contact are undertaken. Records of these safety checks must be kept and maintained by the operator and made available for inspection by an authorised officer.~~

[This is effectively a requirement of the Health and Safety at Work (etc) Act 1974, so a duplication of an existing legal requirement and thus not lawful as a condition. There will be limited infrastructure on the deck itself, consisting of tables and chairs/sofas]

5. The holder of the licence shall undertake a risk assessment regarding; the deployment of SIA Door Supervisors at different times of the day and on different days of the week to determine whether it is appropriate to deploy door staff on those days and/or at any other time(s) and to then implement the outcome of the risk assessment. A copy of the risk assessment should be made available immediately to an authorised officer of the Licensing Authority or Dorset Police upon request.

Agreed

6. If there is a formal multi-agency 'stepped process' for escalation of resources operating in the vicinity of the licensed premises the licence holder must ensure that they increase the levels of resources in line with the **reasonable** recommendations of Dorset Police and their partners. To ensure consistency, any requests for increase in staffing shall be authorised by an officer holding the rank of Inspector or above. The Premises Management Plan, ~~agreed with Dorset Police~~, will detail the level of resources required for each of the 'stepped process' levels.

Note the point in relation to external approvals below. How would any disagreement be settled on what recommendations are put in place ? What input would premises have into the process of deciding if more resources are required ? Would it not be better to rely on the door supervision condition already mentioned above and introduce a provision to re-evaluate this ?

7. The licence holder shall ensure that the operator of the premises has an Evacuation Plan which enables the safe evacuation and movement of staff and customers in the event of an incident. This plan will include provision for movement of persons within the premises when the space outside of the curtilage of the premises is occupied.

Agreed

8. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale, a description of the person refused, why they were refused (e.g. no ID, fake ID) and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of a Responsible Authority (Licensing Act 2003)

Agreed

9. There shall be a written drugs policy detailing the actions to be undertaken to minimize the opportunity to use or supply illegal substances with the premises. Training of staff in relation to this policy shall be recorded and available for inspection by an authorised officer at all reasonable times. Records shall be retained for at least 12 months.

10. No drinks shall be served in **open** glass containers at any time.

[Open needs to be inserted as off-sales are authorised at the premises already and it would be impractical, for instance, to decant a bottle of wine into a plastic container for off-sale]

11. The premises shall install and maintain a comprehensive CCTV system, ~~all entry and exit points to the alcohol service areas will be covered enabling evidential frontal identification of every person (ie. head and shoulders) entering in any light condition.~~ The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period. The CCTV system should be updated and maintained according to police recommendations.

[Because it will be possible to walk onto the deck along its length, the 'standard' requirement in relation to entry points would be difficult to achieve and not achievable at reasonable cost, as it would need a bank of cameras. There is also a problem trying to get cables and power from the main

premises to the deck area. It is however agreed that cameras can be pointed at the area from the premises.]

12. 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 is 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.

Agreed

13. An incident log shall be kept at the premises. The log should include the date and time of the incident and the name of the member of staff involved. The log to be made available on request to an authorised officer of the Council or the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment

~~(g) any visit by a relevant authority or emergency service.~~

Agreed

- ~~14. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors to prevent access to the alcohol by both customers or staff.~~

The current premises licence has 24-hour authorisation, so this is not necessary.

15. The number of persons permitted in the premises at any one time (including staff) shall not exceed the number as stated within the Event Premises Management Plan, ~~which will be agreed by the Safety Advisory Group Meeting 28 days in advance of any event.~~

This is not an 'event'. Note that it is settled law that approval by an external agency is not lawful. Agreed however to have a management plan in place.

16. 'Challenge 25', shall be operated at the premises where the only acceptable forms of identification are (recognised photographic identification cards, such as a driving licence or passport / Holographically marked PASS scheme identification cards). Appropriate signage advising customers of the policy shall prominently displayed in the premises.

Agreed

17. There shall be no promotional sales of alcohol at the premises where alcohol is sold at a price lower than that at which the same or similar alcoholic drinks are sold on the main premises.

This is agreed on the basis that the price for alcohol will be the same as in the main premises.

18. ~~The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.~~

This would negate the ability to do off-sales, which already exists. The premises is primarily used as a restaurant but there may be occasions that customers have a drink whilst waiting for a table to become available.

19. ~~A currently qualified first aider must always be employed on the premises when the premises are open to the public. The venue will also provide first aid facilities commensurate with the type of event and customers expected.~~

Please see comment regarding statutory requirements above. It is however anticipated that a first aider will be present to meet the statutory obligations.

20. A procedure for supporting and dealing with unwell members of the public will be in place including those who appear to be affected by alcohol or drugs. Staff will be appropriately trained in such procedures.

Agreed

21. ~~There shall be no sales of alcohol for consumption off the premises.~~

Not agreed, as this entitlement exists already for the premises.

22. There shall always be a personal licence holder on duty on the premises when the premises are **open for the sale** alcohol.

Agreed with modification (as previously written it would require presence even if the premises were closed)

23. ~~No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.~~

This cannot be agreed, as menus are displayed on the building and to be placed on tables or stands and menus will be handed to customers. It is not clear what the purpose of the condition is – to prevent nuisance perhaps?

24. The PLH/DPS will operate to a written dispersal policy which ensures the safe and gradual dispersal of customers from the premises. The policy will be agreed with Dorset Police. The PLH/DPS will ensure that staff receive training on the policy and a record of training shall be kept/made available to an authorised officer upon request.

Agreed

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Email received from Mr Goodship dated 29/03/21

Hi,

I wish to provide my comments based on the application referenced above.

I currently live in the Litzo, which is a series of houses and flats just above Boscombe pier approach.

With regard to the licence application.

My I express my initial concern that the text of the application is particularly vague and the timings do not make any sense, maybe that is on purpose?

Whilst I appreciate that there seems to be a rush from establishments to extend their outside spaces to make up for lost time, this is indeed transitory, as at some stage having outside space will not be as important.

Urban Reef is sited not far from a host of residential properties to both sides and above, all of which were there before Urban Reef, and are in quite close proximity.

It is important that where these establishments exist in an urban setting there needs to be a harmonious engagement with its surroundings.

My initial concern is of noise and public disturbance. Extending an establishments licence for outdoor activities etc. when that establishment is close to residential properties is unfair. Currently both Urban Reef and the bar next door have sufficient outdoor space to cater for the 'crowds' and it is manageable. With the expectation that this summer in particular will be manic, it is wise that this licensing request be put on hold for at least a year until the situation settles. Drinking is already spilling onto the beach with the erection of the new decking....am not sure I even saw that application as I would have had very serious concerns, so to extend drinking with the crowds expected this year to descend onto the beach is a recipe for disaster....as I am sure that the police will be busy elsewhere.

In conclusion, I am all for providing a choice to the visitors, I just think that this year is not the time to open up more opportunities for drinking knowing full well that the beach will be full to capacity and by allowing this application you will be undoubtedly fuelling the fire

Regards

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LICENSING SUB-COMMITTEE



Report subject	Application to vary the premises licence for The Noisy Lobster Avon Beach Christchurch
Meeting date	12 May 2021
Status	Public Report
Executive summary	Avon Beach Ltd have made an application to vary the premises licence for the Noisy Lobster Avon Beach Mudeford to include the off sale of alcohol Monday to Sunday for 11:00 to 21:00 from a takeaway food hatch at the premises.
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members are asked to decide whether to: -</p> <ul style="list-style-type: none"> a) Grant the application to vary the premises licence as made; b) Refuse the application to vary the premises licence; c) Grant the variation to the premises licence subject to additional conditions. <p>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.</p>
Reason for recommendations	<p>The Licensing Authority has received representations from 44 other persons, on the grounds that to grant this application would undermine all four of the licensing objectives.</p> <p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the representation.</p> <p>Where representations have been received in relation to an application by a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Scheme of Delegation set out in the Council's Constitution states that these applications should be dealt with by the Licensing Sub-Committee.</p>

Portfolio Holder(s):	Councillor May Haines – Community Safety
Corporate Director	Kate Ryan – Corporate Director for Environment & Community
Report Authors	Trudi Barlow – Licensing Officer
Wards	Mudeford, Stanpit & West Highcliffe;
Classification	For Decision

Background

1. An application to vary the current premises licence under the Licensing Act 2003 was submitted by the applicant Avon Beach Ltd on the 18 March 2021. See Appendix 1.
2. The application was to include the supply of alcohol for off sales from a hatch attached to the current premises. The hours for the off sales from this hatch are 11:00 to 21:00 daily. The hatch is currently providing hot take away food and the off sales of alcohol will be subject to the current licence conditions (see appendix 2) on the main restaurant/café, specifically in relation to conditions 14 and 22.
3. A plan is attached as Appendix 3 showing the location of the premises.

Consultation

4. The application has been served on all responsible authorities and the applicant confirmed that the statutory notices were displayed on site and published in the local newspaper.
5. During the consultation period in response to the application Dorset Police have mediated with the applicant and agreement has been reached that should the application to vary the premises licence be granted then further conditions shall be attached to the licence. Appendix 4. No representations were received from any of the other Responsible Authorities
6. The application prompted 44 representations from other persons in respect of all four of the licensing objectives see Appendix 5.

Options Appraisal

7. Before making a decision, Members are asked to consider the following matters:
 - The representation made by the other persons
 - The submissions made by or made on behalf of the applicant.
 - The relevant licensing objectives, namely the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm
 - The Licensing Act 2003, Regulations, Guidance and the Council's Statement of Licensing Policy.

Summary of financial implications

8. N/A

Summary of legal implications

9. 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

10. N/A

Summary of sustainability impact

11. N/A

Summary of public health implications

12. N/A

Summary of equality implications

13. N/A

Summary of risk assessment

14. 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_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Appendices

- 1 – Application to vary the premise licence
- 2 – Copy current premises licence
- 3 – Location Plan
- 4 – Conditions agreed with Dorset Police
- 5 – Representations

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Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/We Peter William Hayward

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PL0007
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Noisy Lobster Avon Beach Mudford			
Post town	Christchurch	Postcode	BH23 4AN

Telephone number at premises (if any)	01425272162
Non-domestic rateable value of premises	£108,000

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)	info@avon-beach.co.uk		
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

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

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			
0	0	0	0	0	0	0	0

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) x ☐ No

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

The Noisy Lobster, owned and run by Avon Beach Ltd, wishes to sell alcoholic drinks from its take away outlet previously called All Things Fish – to be renamed The Lobster Hatch. All Things Fish has been in operation for over 6 years. The rebrand to 'The Lobster Hatch' is purely as the food menu is to increase. By using Temporary Events Notices, All Things Fish has sold alcohol on the weekends in the summer holidays for the past 5 years. This has been a great success without harming any Licensing Objectives. This Major Variation of the license is to add the take away outlet as an extra point of sale in the Premises License.

It is to open from 11:00 until 21:00 (weather permitting). Avon Beach Ltd wishes to sell alcohol during these times

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) **Please tick all that apply**

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

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

☐

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

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
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 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
			State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed					
Thur					
			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)			
Mon						
Tue						
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)			
Wed						
Thur						
			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)			
Fri						
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)			
Mon						
Tue						
Wed						
Thur			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)			
Fri						
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)			
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon	11:00	21:00			
Tue	11:00	21:00			
Wed	11:00	21:00			
Thur	11:00	21:00			
Fri	11:00	21:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat	11:00	21:00			
Sun	11:00	21:00			

K

<p>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 10).</p> <p>The Provision of Alcohol. A challenge 25 policy will be in place as is the case with the Noisy Lobster Restaurant. All staff are employees and trained by Avon Beach Ltd which owns the Noisy Lobster Restaurant</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	11:00	21:00	
Tue	11:00	21:00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7)
Wed	11:00	21:00	
Thur	11:00	21:00	
Fri	11:00	21:00	
Sat	11:00	21:00	
Sun	11:00	21:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

NA

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

X

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

As with the existing bars at the Noisy Lobster Restaurant. All staff will be fully trained regarding the serving of alcohol and employ a challenge 25 policy.

b) The prevention of crime and disorder

At all times the 'All Things Fish' is open it shall be staffed by fully trained members of staff. Staff will be trained to the licensing objectives .

c) Public safety

All staff will be fully trained. Supervisors will be on site who are first aid trained

d) The prevention of public nuisance

Staff will be trained not to serve intoxicated persons.

e) The protection of children from harm

As currently in place, all staff will be trained to employ the challenge 25 policy

Checklist:

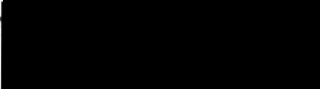
Please tick to indicate agreement

- I have made or enclosed payment of the fee; or x
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. x
- I understand that I must now advertise my application. ☐
- I have enclosed the premises licence or relevant part of it or explanation. ☐
- 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 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	17.3.2021
Capacity	DIRECTOR

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

Signature	
Date	
Capacity	

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

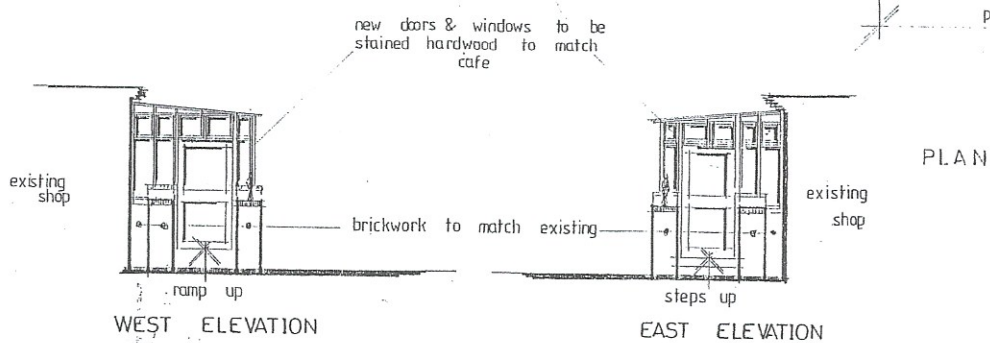
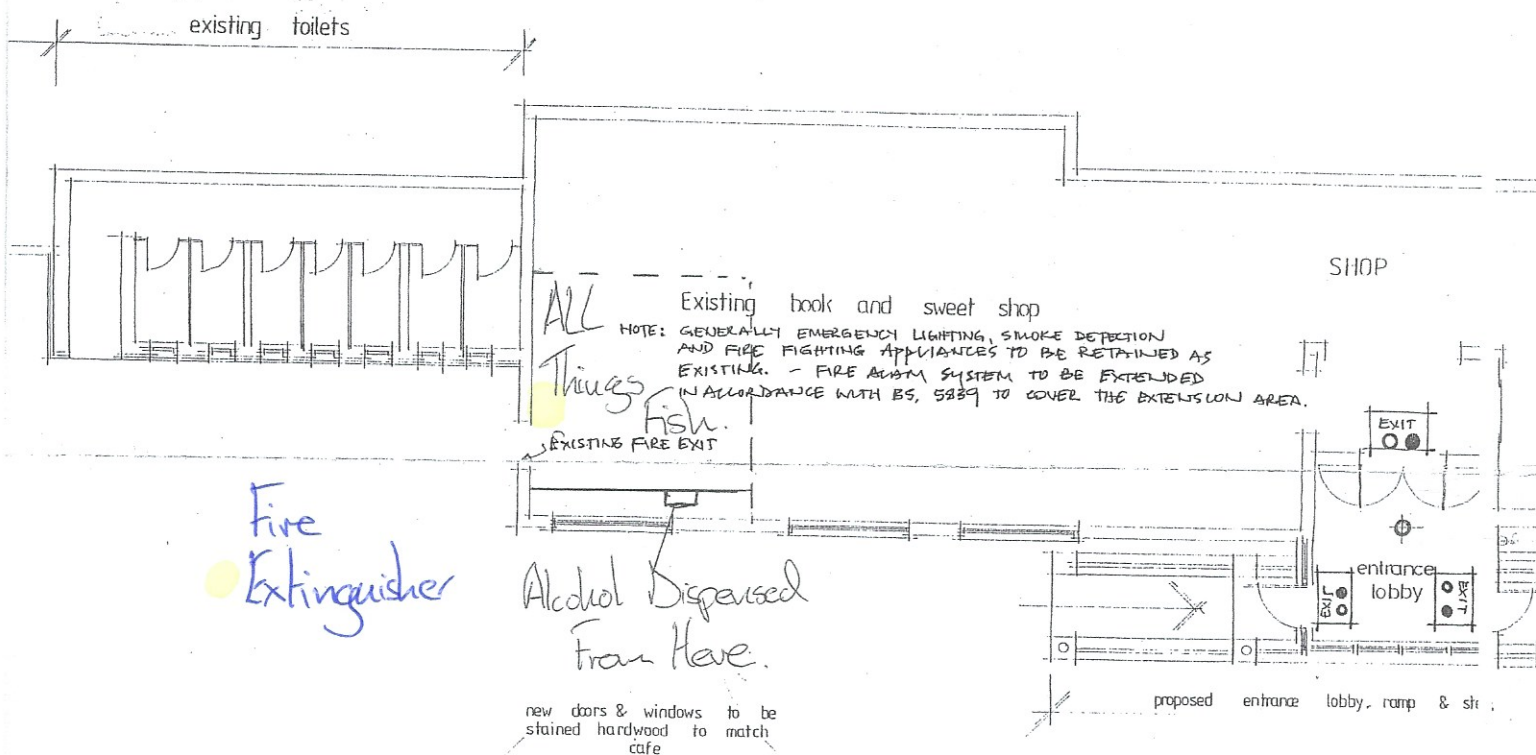
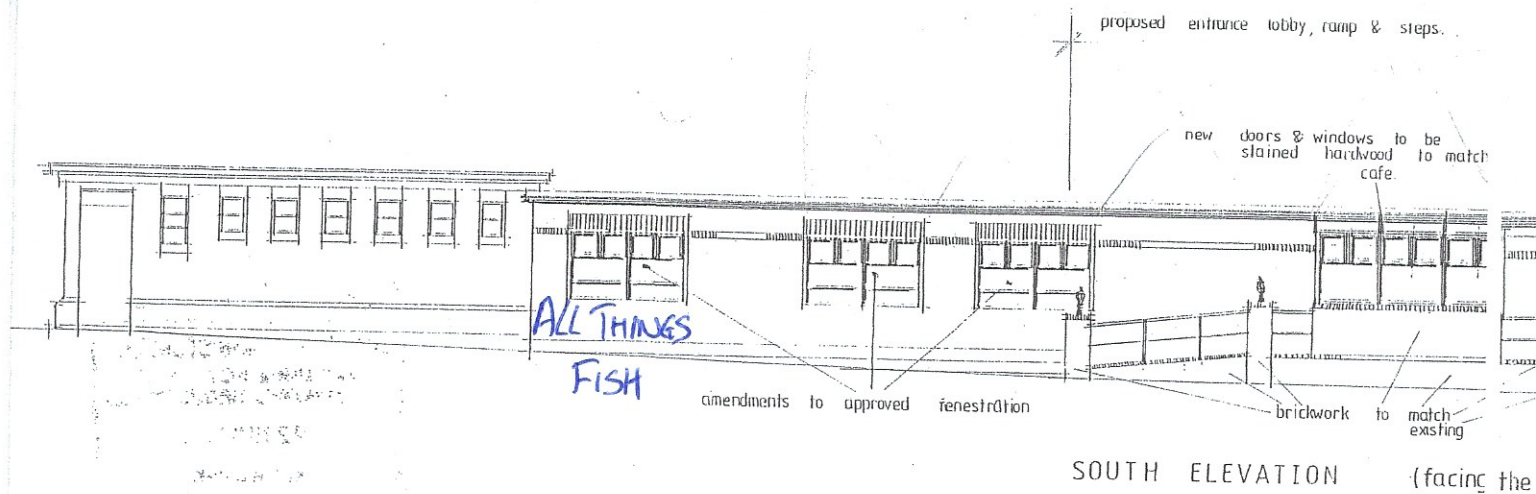
Post town		Post code	
Telephone number (if any)			

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.



NOTE
EXISTING FIRE ALARM
IN ACCORDANCE WITH

AVON BEACH CAFE, MI DEPT

<p>This drawing is copyright and the property of William J. Lester. It is not to be used for any other project without the written authority of the author.</p> <p>Do not scale from this drawing, work to figured dimensions. All dimensions are in meters unless otherwise stated. Any Variations, Tolerances, Allowances and to be confirmed by component manufacturer. Please refer to the relevant standards and specifications.</p>		
REV.	DESCRIPTION	DATE

REVISION NOTES



Endavour House, Crow Act Lane, Ringwood,
B24 1HP
mail@williamjlester.com
01425 482324

Client
Avon Beach Limited

Project
**Avon Beach Cafe,
Christchurch,
Dorset.**

Title
Location Plan

Scale 1:500 @ A3 Date 2009/2017
Drawn WJL Checked AK
Drawing No. 5691-03-AC-001
Revision *



• All Things FSH.
Christchurch Bay



BCP Council
Civic Offices
Bridge Street
Christchurch
BH23 1AZ



Licensing Act 2003

Premises Licence

PL0007

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Noisy Lobster

AVON BEACH, MUDEFORD, CHRISTCHURCH, DORSET, BH23 4AN.

Telephone 01425 272 162

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- entertainment of a similar description to that falling within entertainment facilities for making music or dancing
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Monday to Sunday	9:00am	Midnight
E. Performance of live music (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight
F. Playing of recorded music (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight
H. Entertainment of a similar description to that falling within E, F, or G (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight
I. Provision of facilities for making music (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight
J. Provision of facilities for dancing (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight
K. Provision of facilities for entertainment of a similar description to that falling within I or J (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight
L. Late night refreshment (Indoors & Outdoors)	Monday to Sunday	11:00pm	5:00am
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday	9:00am	Midnight

Licensing Act 2003

Premises Licence

PL0007

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	Midnight	Midnight

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Avon Beach Ltd

Avon Beach, Mudeford, Christchurch, BH23 4AN.

accounts@avon-beach.co.uk

Telephone [REDACTED]

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

PETER WILLIAM HAYWARD

The Noisy Lobster, Avon Beach, Mudeford, DORSET, BH23 4AN.

Telephone [REDACTED]

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. [REDACTED]

Issued by Christchurch

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

1. There shall be no sale or supply of alcohol when there is no designated premises supervisor in respect of this premises licence or at a time when the said premises supervisor does not hold a personal licence or when his/her licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
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.

Licensing Act 2003

Premises Licence

PL0007

ANNEXES continued ...

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

- a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
 - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
- b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can be 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 out in accordance with the age verification

Licensing Act 2003

Premises Licence

PL0007

ANNEXES continued ...

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 shall 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
- iv. still wine in 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. 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.

8. For the purposes of the condition set out above -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) "permitted price" is the price found by applying the formula -

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

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the

Licensing Act 2003

Premises Licence

PL0007

ANNEXES continued ...

value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant persons" 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

9. Where the permitted price given by Paragraph (b) of paragraph 8 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.

10. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 8 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.

11. Admission of children (under the age of 18) to any exhibition of films must be restricted in accordance with the film classification body designated as the authority under section 4 of the Video Recordings Act 1984.

12. Where the film classification is not specified or the relevant licensing authority has notified the premises licence holder under Section 20 (3)(b) of the Licensing Act 2003, the admission of children must be restricted in accordance with any recommendation made by the Licensing Authority.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

Licensing Act 2003

Premises Licence

PL0007

ANNEXES continued ...

13. On New Year's Eve the premises are entitled to an additional licensed period for the sale of alcohol from the commencement of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day.
14. All off sales shall be made either in cans or plastic bottles.
15. Adequate provisions will be made for safe disposal of bottles and cans supplied in off sales.
16. All reasonable steps will be taken to ensure that noise from the premises is controlled and kept to reasonable levels.
17. In the event of late night opening patrons will be asked to disperse from the area quietly by way of clear, prominent notices and verbal requests.
18. The 'Challenge 25' proof of age scheme shall be in operation at the premises. Staff shall therefore request acceptable proof of age (as per the mandatory conditions) from persons who appear to be under the age of 25 before they are supplied with alcohol.
19. All staff shall receive training regarding the Licensing Act, with such training including the proof of age scheme.
20. At all times the upstairs of the premises are open the bar shall be staffed by a member of staff.
21. Supervisors at the premises shall be trained in first aid.
22. Alcohol shall only be consumed by those persons that are consuming food.
23. The premises shall be operated and set out like a restaurant.

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

None

ANNEX 4 - PLAN OF PREMISES

In accordance with the plan submitted with the minor variation September 2018.

BCP Council
Civic Offices
Bridge Street
Christchurch
BH23 1AZ



Licensing Act 2003

Premises Licence

PL0007

Licensing Act 2003

Premises Licence Summary

PL0007

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Noisy Lobster

AVON BEACH, MUDEFORD, CHRISTCHURCH, DORSET, BH23 4AN.

Telephone 01425 272 162

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
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THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

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L. Late night refreshment (Indoors & Outdoors)	Monday to Sunday	11:00pm	5:00am
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday	9:00am	Midnight

Licensing Act 2003

Premises Licence Summary

PL0007

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	Midnight	Midnight

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Avon Beach Ltd
Avon Beach, Mudeford, Christchurch, BH23 4AN.

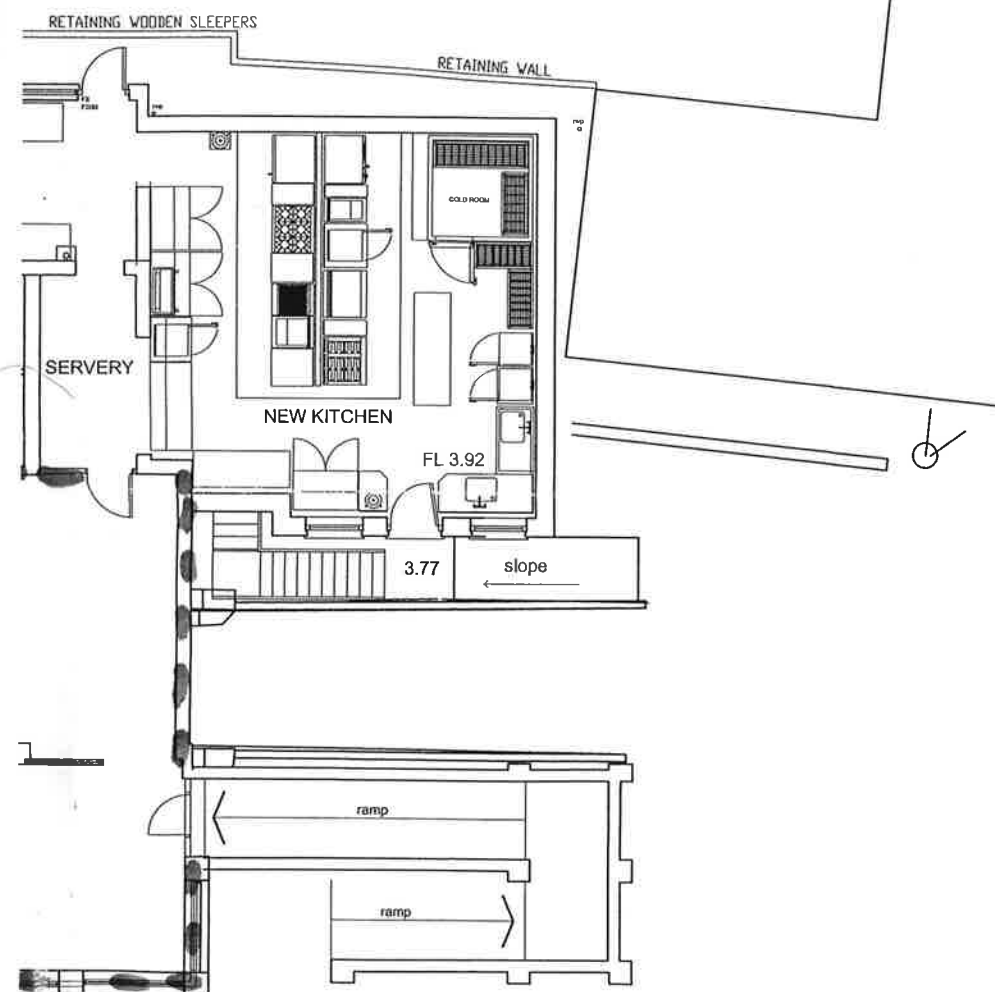
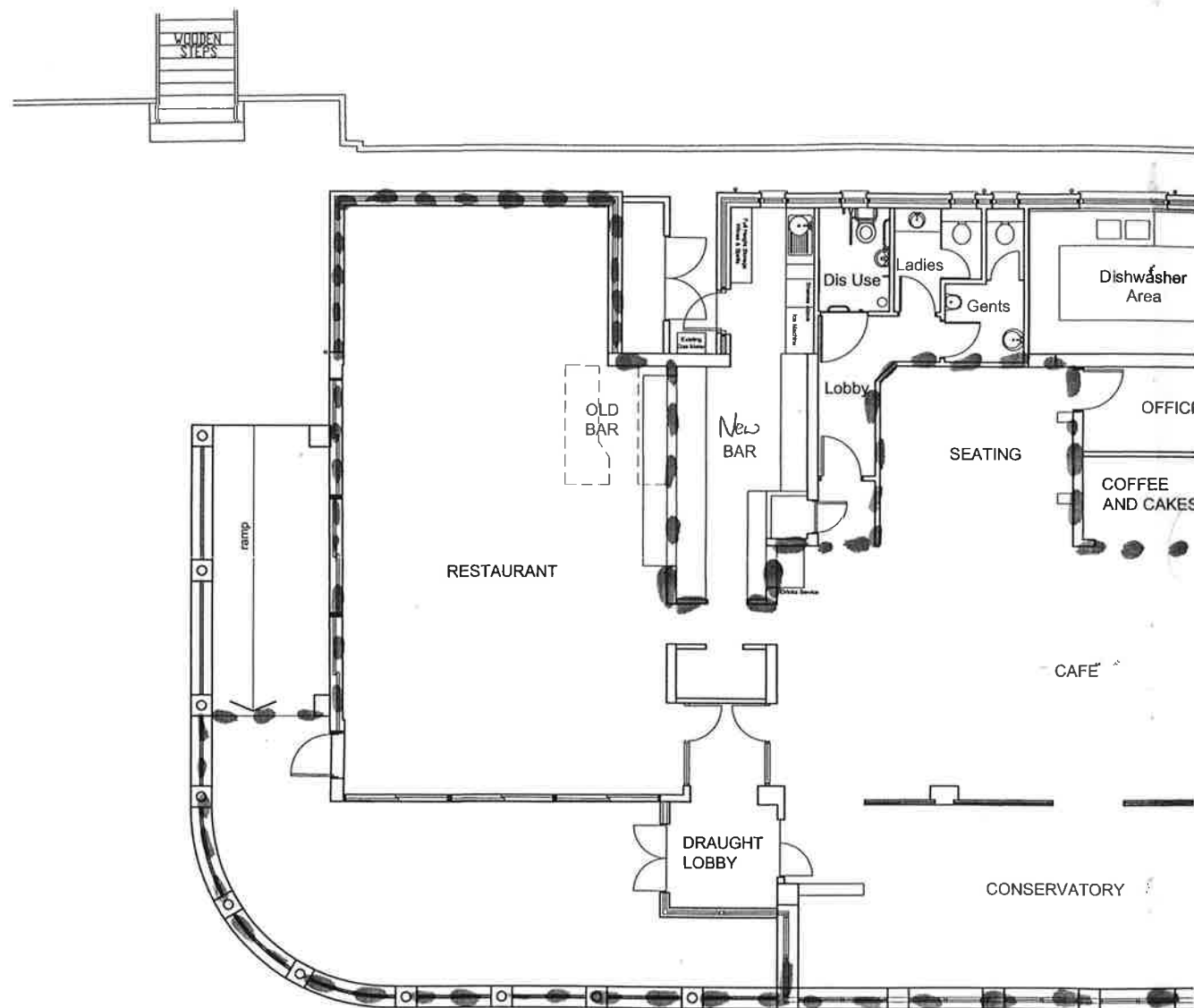
REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

PETER WILLIAM HAYWARD

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

114 - Licensable Area



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Do not scale from this drawing, work to figured dimensions. All dimensions to be checked on site and any discrepancies reported to the Architect immediately.
Any Vehicle Tracking shown is indicative and to be confirmed by competent consultant. Proposals subject to Potential archaeological constraints.

REVISION NOTES

REV.	DESCRIPTION	DATE

WILLIAMS LESTER
CHARTERED ARCHITECTS
Endeavour House, Crow Arch Lane, Ringwood, BH24 1PN
www.williamslester.com mail@williamslester.com
01425 485234

Client
Avon Beach Limited

Project
Avon Beach Cafe, Friars Cliff,
Christchurch, Dorset.

Title
Licensing Drawing

Scale	1:100 @ A2	Date	09/2014
Drawn	DO	Checked	DL
Drawing No.	4701/BR/500	Revision	*

From: Busfield, Louise <Louise.Busfield@dorset.pnn.police.uk>
Sent: 12 April 2021 09:12
To: Trudi Barlow; Licensing Com
Cc: Dorset Police Licensing
Subject: FW: Application to Vary Premises licence - Noisy Lobster Avon Beach

Good morning Licensing

Please see below conditions that have been mediated, and agreed, to be included on the above variation.

Kind regards,
Louise
Louise Busfield 8952
Licensing Officer
Drug and Alcohol Harm Reduction Team
Prevention Department Bournemouth Police Station Dorset Police
E: louise.busfield@dorset.pnn.police.uk T: 01202 222445

Connect with Dorset Police: [Online](#) | [Facebook](#) | [Twitter](#) | [LinkedIn](#) | [Youtube](#)

Subject: RE: Application to Vary Premises licence - Noisy Lobster Avon Beach

Good afternoon

Many thanks for forwarding the link to the Lobster Hatch menu.
I have set out the conditions as discussed as below and subject to your confirmation will forward the same to the Licensing Authority for inclusion on your Premises Licence.

A CCTV system, shall be installed to cover all entry and exit points of the premises 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. Recordings shall be made available immediately upon the request of Police or an authorised officer of the council throughout the preceding 31 day period. The CCTV system shall be updated and maintained according to police recommendations.

CCTV shall be installed above the bar in the take away outlet enabling frontal identification of customers when placing their order.

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.

All staff working at the premises concerned with the sale of alcohol shall be trained in accordance with an accredited training scheme from time to time and shall receive refresher training at least every 6 months. A record of all staff training shall be maintained and kept on the premises and made available on request to an authorised officer of the Council or the Police.

An incident log shall be kept at the premises. The log shall include the date and time of the incident and the name of the member of staff who has been involved. and made available on request to an authorised officer of the Council or the Police, which shall record the following:

- (a) any complaints received
- (b) any incidents of disorder
- (c) any faults in the CCTV system / or searching equipment /or scanning equipment
- (d) any refusal of the sale of alcohol
- (e) any visit by a relevant authority or emergency service
- (f) all crimes reported to the venue
- (g) all ejections of patrons
- (h) all seizures of drugs or offensive weapons

This log to be checked on a weekly basis by the DPS of the premises.

Challenge 25, shall be operated at the premises where the only acceptable forms of identification are (recognised photographic identification cards, such as a driving licence or passport I Holographically marked PASS scheme identification cards). Appropriate signage advising customers of the policy shall prominently displayed in the premises.

Staff will control the queues to ensure there is no congregation or anti-social behaviour in the vicinity of the takeaways

Condition 22 to remain for both on and include off sales - Alcohol shall only be consumed by those persons that are consuming food.

From: [REDACTED]
Sent: 28 March 2021 11:31
To: Licensing Com
Subject: licensing application no 184209

I would like to object to the granting of the above license at the Noisy Lobster Avon Beach, Mudeford.

My objection is on the following grounds.

1. Alcohol fuelled bad behaviour will occur in an area used by families and in particular children.
2. Will result in increased congestion in what is already an overcrowded area.
3. The environmental issues that will be caused by additional litter, in particular from plastic glasses ! Last summer saw an increase in the amount of waste food and packaging left on the floor. Fish and chip papers, cardboard and drinks cartons left the area looking disgraceful and unhygienic
4. The installation of 52 wooden benches on the beach by the Noisy Lobster caused many social issues last summer, add an alcohol delivery to this area will encourage heavy drinking groups to assemble. This is a beach family area where anti social behaviour will flourish, noise and bad behaviour will increase.
5. An evening license will certainly attract an unhealthy social element to the area causing disruption and anti social behaviour to occur.

--
[REDACTED]

From: [REDACTED]
Sent: 29 March 2021 17:58
To: Licensing Com
Subject: Noisy lobster licensing objection

DEAR BCP,
NOT A GOOD IDEA HAVING TAKE AWAY.

1. MESSY WITH PLASTIC GLASSES

2. PEOPLE GETTING DRUNK.

3. BROKEN BOTTLES ON BEACH, NOT GOOD.

4. NEXT THING THEY WILL APPLY FOR IS A BAR LICENSE.

THE NOISY LOBSTER IS NEVER SATISFIED WITH WHAT THEY HAVE, ALWAYS
WANTING BIGGER THINGS .

THE RESTAURANT AND FOOD TAKE AWAY IS QUITE ENOUGH THE BEACH IS A
FAMILY CONCERN NOT COMMERCIAL.

PEOPLE BRINGING THERE OWN ACHOHOL FOR THE BEACH FINE AS THERE IS
MORE CONTROL.

SO I OBJECT TO THE LICENSING PROPOSAL

FROM [REDACTED]

Get Outlook for Android

From: [REDACTED]
Sent: 31 March 2021 12:51
To: Licensing Com
Subject: The Noisy Lobster

Dear Sir or Madam,

I would like to object to The Noisy Lobster No 184209 applying for a license to serve drinks from a kiosk. People already queue up on both sides of the prom for fish & chips, ice cream and coffee which causes congestion. In the busy period the public can hardly get through the amount of people that are queuing to walk along the promenade. It would be asking for trouble with Covid still around. Also the area is for children to enjoy the beach not to watch people outside drinking irresponsibly.

[REDACTED]

Sent from my iPad

From: [REDACTED]
Sent: 05 April 2021 12:10
To: Licensing Com
Subject: Licensing objection

I am concerned about the request from The Noisy Lobster cafe/restaurant at Avon Beach to be given a license to serve takeaway alcohol.

I am hoping there will be some sort of stipulation that the cafe provide adequate litter bins and staff to clear up any rubbish left? Otherwise I can see it becoming an eye sore - although locals are saying it already has!

[REDACTED]

Sent from my iPad

Licensing Act 2003 – Representation Form

Personal/Business Details	
Name: Cllr Paul Hilliard	
Address: 4 Westfield Gardens	
Town: Christchurch	
Post Code: BH234SF	
Email: paul.hilliard@bcpcouncil.gov.uk	
Contact Telephone Numbers:	01425271322

Premises Details <i>(Please give as much information as possible)</i>
Application Ref: 184209
Name of Premises: Noisy Lobster
Address of Premises: Avon Beach, Christchurch

<p>Reasons for Representation. Please, give information under the relevant Licensing Objective. <i>(Please note you are not required to complete all the boxes unless you feel it is relevant.)</i></p>
<p>The Prevention of Crime and Disorder: The premises are located on the open part of a public beach. Encouraging all day drinking on and off premises, combined with the open space of the beach could lead to increased crime and disorder</p>
<p>The Prevention of Public Nuisance: The premises are located on the open part of a public beach. Encouraging all day drinking on and off premises, combined with the open space of the beach could lead to increased public nuisance to other beach users and also nearby residents.</p>
<p>Public Safety: The premises are located on the open part of a public beach. Encouraging all day drinking on and off premises, combined with the open space of the beach could lead to increased risk of accidents from either dis-guarded drinks containers and /or people drinking excessively in the sun</p>
<p>The Protection of Children from Harm: The premises are located on the open part of a public beach. Encouraging all day drinking on and off premises, combined with the open space of the beach could lead to increased risk of harm to children playing with dis-guarded drinks containers</p>
<p>I do not wish my details to be include in the Public Documents for the following reasons:</p>

I declare that the information I have provided is true and correct.

Signedpaul hilliard

Dated9/4/21.....

From: [REDACTED]
Sent: 08 April 2021 17:23
To: Licensing Com
Subject: The Noisy Lobster - 184209 - OBJECTION

The Noisy Lobster
Reference: 184209
Application Date: 18 March 2021
Applicant Name: Avon Beach Ltd
Premises Address: The Noisy Lobster Avon Beach Mudeford Christchurch BH23 4AN
Application Type: LA03 App to Vary Premises Licence
Proposed licensable activities to be carried at the premises / Brief description of proposed variation
Variation is to add take away outlet to the current Premises Licence.
Supply of Alcohol for kiosk - Monday to Sunday 11:00 to 21:00 hours

Dear Sir/Madam

I wish to OBJECT most strongly to the proposed application for the sale of Take-away alcoholic drink on the following grounds covering:

Breach of BCP tenancy agreement with the Noisy Lobster
Health & Safety
Public Nuisance
Protection of children
Litter

1. The lease on the Noisy Lobster premises expressly prohibits the sale of alcohol for sale off the premises.
2. The on-licence for the restaurant only approves the sale of alcohol with the sale and consumption of food.
3. Avon Beach is used predominately by families with small children – and to be surrounded by youths and adults consuming alcohol would be inappropriate.
4. There is unlikely to be insufficient supervision as to who is actually consuming the alcohol which could lead to under-age drinking.
5. There is a health and safety risk from broken glass in an area where many young children run around barefooted.
6. The consumption of alcohol would be unregulated leading to anti-social behaviour.
7. The sale of alcohol would inevitably lead to unacceptable levels of litter and detritus on the beach and surrounding area.
8. The premises are located in a residential area which is likely to be disturbed by noise and activity in the late evening when the sale of alcohol ceases.
9. The premises are not served by adequate public transport meaning that those leaving the area are likely to be driving – and possibly doing so under the influence of too much alcohol.
10. Previous experience of temporary licences for off-sale has led to drunkenness and behaviour dangerous to public health and safety (particularly related to toilets).
11. There are no premises along BCP coastline and beach area that are licensed to sell alcohol for take-away purposes. To approve this application would be out of line with general BCP licencing practice and would set a dangerous precedent which could then be exploited across the BCP Borough.

Yours sincerely

[REDACTED]

From: [REDACTED]
Sent: 09 April 2021 11:58
To: Licensing Com
Subject: OBJECTION TO APPLICATION FOR LICENSE BY PETER HAYWARD AVON BEACH LTD. RE THE NOISY LOBSTER

OBJECTION TO APPLICATION FOR LICENSE BY PETER HAYWARD AVON BEACH LTD. RE THE NOISY LOBSTER

I wish to object most strongly to the application for a license by Peter Hayward, Avon Beach Ltd. re the Noisy Lobster premises that he leases.

I understand some Residents have written separately to the Council querying how they could possibly consider to allow the premises they own to receive a license that is contrary to the terms of the lease of their Tenant. The site is in the Mudeford Quay Conservation area.

My reasons for objecting are as follows:

1. The premises are owned by BCP Council and this application is contrary to the Lease for the Noisy Lobster which expressly prohibits the sale of alcohol for consumption off the premises.
2. The terms of the lease state that the sale of alcohol is only to be with the sale and consumption of food.
3. When a pop up bar was allowed a few years ago the amount of customers prohibited Residents and Visitors from accessing and walking along the beachfront promenade at peak times.
- 4 The premises are in a quiet residential area close to houses (90 metres) and consumption of alcohol may result in loud, noisy and disruptive behaviour.
5. The change of use would much alter the 'feel of the place' as Avon Beach is used mostly by parents with young families in the season.
6. Residents have seen an escalation of anti-social behaviour which the Council is doing its best to manage and the sale of alcohol is likely to increase such disruptive behaviour.
7. The public toilets in the area are not sufficient to cope at peak times and people using bushes and the back of beach huts have been witnessed and this is likely to increase if permission is given to the sale of alcohol for consumption off the premises.
8. The high level of litter is very much against this wonderful unique coastal setting and sale of alcohol will increase this.
9. The Tenant re-opens the Avon Beach Car Park after it should be closed after 22.00 hours and there has been unacceptable high levels of noise late at night which would likely to increase even if the sale of alcohol has closed.
10. Parking in the area is being considered by BCP and parking is currently allowed in the surrounding roads at night expansion of selling alcohol from the premises could result in more activity, noise and anti-social behaviour.
11. The premises have already been much expanded and the Planning Officers made strong statements about respecting the sensitive nature of this unique coastal setting which is seen as a 'jewel in the crown'.

12. The Council has already stepped up the enforcement in the beach areas which is appreciated but allowing individual sale of alcohol on such premises is not the norm and would be impossible to regulate day and night.

Thank you



From: [REDACTED]
Sent: 12 April 2021 20:37
To: Licensing Com
Subject: Licensing Act – Variation Application Noisy Lobster Avon Beach

Licensing Act – Variation Application
Noisy Lobster Avon Beach

I would like to strongly object to this application.

The lease of the Noisy Lobster does not allow the sale of alcohol off premises and the consumption of alcohol is only allowed in the restaurant and terrace area in connection with the consumption of food. To extend this beyond the premises of the Noisy Lobster would lead to anti-social behaviour, an increase in littering and there would be no controllable supervision who consumes the alcohol and to what extent.

Avon Beach, with its lifeguard service in the summer, is a family beach and particular for families with small children. There would be a high risk of injury from broken glass or discarded cans when walking barefoot on the beach.

The Noisy Lobster is also in close proximity to residential houses, disturbance and noise would be likely to increase from late night drinkers and the question is how these would make their way home as there is no public transport serving this area.

There are no premises along the BCP coastline where alcohol can be sold as a take away option and it would be very inappropriate to allow this in this case and against BCPs practise. It would set a dangerous precedent.

[REDACTED]

From: [REDACTED]
Sent: 12 April 2021 17:08
To: Licensing Com
Subject: 184209 The Noisy Lobster

Dear Sirs

We wish to object to the above application.

We cannot think of anything positive that will come from selling alcohol from this location but we can think of many negatives.

The area around the Noisy Lobster is already very busy with people even during lockdown due to the kiosk etc. being open it seems to be a bottle neck of people congregating in that area (we as locals tend to avoid that part of the beach path). We feel it will encourage much more anti social behavior if the license was granted to the local area, lots more rubbish being left on the beach. Also lots of noisy and disruption for the people living in the local area in the evening.

Yours sincerely

[REDACTED]

From: [REDACTED]
Sent: 12 April 2021 15:21
To: Licensing Com
Subject: Notice of Application: The Noisy Lobster Ref 184209

To Whom it May Concern

I would like to register my strong objection to this application to add a take away outlet to the current Premises Licence to supply alcohol Monday to Sunday 11.00 - 21.00 hours.

My concern is that this would change the nature of Avon Beach and Mudeford Quay from a family and child friendly area to a drinking area strewn with yet more litter and plastic waste. There is already a pub a few hundred yards away, The Noisy Lobster cafe and restaurant sells alcohol and people can and do bring their own to the beach which at least limits it to what they can carry.

I think that such a licence will reduce the appeal of the area for all those families and children who flock here for crabbing and playing on the sands.

Yours faithfully

[REDACTED]

From: [REDACTED]
Sent: 12 April 2021 11:06
To: Licensing Com
Subject: Licensing Act 2003 - Application to vary a premises Licence - The Noisy Lobster

Dear Sirs,

It is disappointing to see that the notice advertising an application to vary the Premises Licence at The Noisy Lobster was in place just over a week ago although the application was dated 18 March. Most local people have avoided the congested area during the at peak times such as Easter weekend, and the actual time to respond is just over a week. Speaking to a number of local people, all those spoken to have not seen the notice, let alone had sufficient time to respond.

We wish to put on record that we strongly OBJECT to this application for the following reasons:

- * This beachside restaurant and ancillary buildings are an unsuitable location for the sale of alcohol for take away
- * The current licence only allows alcohol to be sold with the sale and consumption of food. To allow this application will effectively alter this site from a restaurant plus chip shop to a restaurant, chip shop and all day drinking venue
- * Customers currently carry their fish and chips to the 50 + outside tables provided by the restaurant (providing about 300 covers) or onto the beach - they are often seen of Friars Cliff Beach and on Gundimore Beach, some distance to the East and West of the restaurant. This means there would be the opportunity effectively for 300+ drinkers at tables as well as alcohol being carried a long distance from the premises. The nature of the whole area, beaches and promenade will change.
- * The consumption of alcohol will lead to anti-social behaviour
- * Two years ago the applicant set up a pop-up bar on one of the terraces and this resulted in large crowds of people gathering on the promenade and beach - creating a not inconsiderable disturbance to people walking on the promenade and out to enjoy the tranquility of the seaside location.
- * The sale of alcohol for take away will inevitably lead to litter, bottles, discarded barbecues and broken glass on a public beach and promenade
- * This is a residential area where residents will have unnecessary disturbance from crowds attracted to the area solely because of the ability to buy alcohol - and subsequently when they leave the area
- * I am not aware of any other restaurants alongside the beach where the sale of alcohol for take away is allowed on a permanent basis
- * The toilet facilities managed by the applicant are very small and barely adequate for current levels of activity. Local residents already report men urinating in public; this is likely to increase without additional toilets being provided
- * This is an application submitted for commercial benefit and without any consideration, or benefit, for the people who live in the area or for the many visitors who like to come to the Christchurch beaches because they offer a tranquil and child friendly destination. If the Licensing Committee approves this application it will set a precedent for all restaurants and kiosks from Highcliffe to Sandbanks.
- * Incidentally, the landlord of these premises (BCP Council) has not been advised by its tenant that this application has been made. I hope that the Licensing

Committee consults with, and takes on board, the views of the landlord.
We hope that you refuse this application.

Yours faithfully

[Redacted signature]

[Redacted signature]

From: [REDACTED]
Sent: 12 April 2021 12:01
To: Licensing Com
Subject: The Noisy Lobster, Avon Beach LA03 App to Vary Premises Licence

I would like to strongly object to this application. Allowing alcohol to be served from a kiosk all day, every day and until 9pm at night will change the very nature of the family-friendly Avon Beach. The Noisy Lobster has multiple tables on the beach that are currently there for the use of the coffee/snacks kiosk. These would become the gathering place for a completely different demographic if alcohol was served.

As someone who enjoys spending time every day at this beach, at all times of the year, I would hate to see the relaxed, family-focused atmosphere ruined by people who head there in groups to spend the day drinking and the subsequent problems this could create.

I very much hope the council will reject this application.

Yours faithfully

[REDACTED]

From: [REDACTED]
Sent: 12 April 2021 10:54
To: Licensing Com
Subject: The Noisy Lobster, Avon Beach - Sale of Alcohol Licence Application

To: The Licensing Team, BCP Council
Ref: The Noisy Lobster, Avon Beach - Sale of Alcohol Licence Application

Dear Sir/Madam

As a resident of Friars Cliff I am concerned, like many of our community, about long running local issues with anti-social behaviour, vandalism and littering along the beach area. Many of us have contacted local councillors and the police about this but the problem continues. We regularly have to clean up the aftermath of beach parties, barbeques and visiting drinkers.

Against this background I am horrified to see that the Noisy Lobster are proposing to sell alcohol from a kiosk. This, if allowed, will greatly exacerbate the existing problem and I therefore hope this licence application will be refused.

Yours faithfully

[REDACTED]

From: [REDACTED]
Sent: 12 April 2021 10:29
To: Licensing Com
Subject: Objection to Notice application 184209

I strongly object to the Supply of take away meal alcohol license being given to the Noisy Lobster and its Hatch (fish and chip) Kiosk/Shop take away outlets. This is not a good place to sell alcohol from as it will create a permanent large outside pub on the beach with the associated probable issues of congestion for leisure users, additional litter and increased anti social behaviour. Avon and Friars Cliff are family beaches and this request is completely out of character and inappropriate for this area. Although I will support the Noisy Lobster Management in its food and retail shop activities which enhance and are valued by this community I cannot accept this further badly thought through request to use the beach as a giant outdoor pub and request this be refused by the Licensing Committee.

Thank you.

[REDACTED]

From: [REDACTED]
Sent: 12 April 2021 09:37
To: Licensing Com
Subject: Noisy Lobster alcohol application

With regards to the application to sell alcohol with take away meals by the Noisy Lobster at Avon Beach, I wish to object to this application.

This area is already heavily congested with people queuing for coffee and fish and chips and people will linger there longer with a bottle of wine and this will increase this summer with staycation holidays. Presumably there would be no limit on the number of bottles of wine or beer that could be ordered with a burger, leading to possible anti social behaviour in a family beach area.

Then there is the issue with additional litter being left on the beach, bottles being broken, and feet cut and related injuries.

It seems that Mr Hayward is squeezing every ounce out of this unique area without regard to the environment.

Regards

[REDACTED]

From: [REDACTED]
Sent: 11 April 2021 19:39
To: Licensing Com
Subject: Application by the Noisy Lobster to sell alcohol from the Lobster Hatch for take away

I understand that the tenancy agreement that the Noisy Lobster has with the Council as Landlord prevents the sale of alcohol for takeaway and so I strongly object to this application for the sale of take away alcohol on Avon Beach. This proposal is likely to lead to additional noise and rubbish on the beach and in the worst case, unruly behaviour by some due to the ready availability of alcohol this summer. The sale of alcohol by the Noisy Lobster should be limited to the restaurant where it can be controlled.

Regards

[REDACTED]

From: [REDACTED]
Sent: 11 April 2021 17:47
To: Licensing Com
Subject: Licensing Act 2003 - Application to vary a premises Licence - The Noisy
Lobster

Dear Sirs,

I am greatly disappointed that the notice advertising an application to vary the Premises Licence at The Noisy Lobster was erected only just over a week ago despite the application being dated 18 March. Many local people avoid the congested area at peak times (last week was Easter weekend) and therefore the actual time to make representations is, in effect, just over a week. I think many people will not have seen the notice or had sufficient time to respond.

Regardless of this, I wish to object most strongly to this application for the following reasons:

- * This beachside restaurant and ancillary buildings are an unsuitable location for the sale of alcohol for take away
- * The current licence only allows alcohol to be sold with the sale and consumption of food. To allow this application will effectively alter this site from a restaurant plus chip shop to a restaurant, chip shop and all day drinking venue
- * Customers currently carry their fish and chips to the 50 + outside tables provided by the restaurant (providing about 300 covers) or onto the beach - they are often seen of Friars Cliff Beach and on Gundimore Beach, some distance to the East and West of the restaurant. This means there would be the opportunity effectively for 300+ drinkers at tables as well as alcohol being carried a long distance from the premises. The nature of the whole area, beaches and promenade will change.
- * The consumption of alcohol will lead to anti-social behaviour
- * Two years ago the applicant set up a pop-up bar on one of the terraces and this resulted in large crowds of people gathering on the promenade and beach - creating a not inconsiderable disturbance to people walking on the promenade and out to enjoy the tranquility of the seaside location.
- * The sale of alcohol for take away will inevitably lead to litter, bottles, discarded barbecues and broken glass on a public beach and promenade
- * This is a residential area where residents will have unnecessary disturbance from crowds attracted to the area solely because of the ability to buy alcohol - and subsequently when they leave the area
- * I am not aware of any other restaurants alongside the beach where the sale of alcohol for take away is allowed on a permanent basis
- * The toilet facilities managed by the applicant are very small and barely adequate for current levels of activity. Local residents already report men urinating in public; this is likely to increase without additional toilets being provided
- * This is an application submitted for commercial benefit and without any consideration, or benefit, for the people who live in the area or for the many visitors who like to come to the Christchurch beaches because they offer a tranquil and child friendly destination. If the Licensing Committee approves this application it will set a precedent for all restaurants and kiosks from Highcliffe to Sandbanks.
- * Incidentally, the landlord of these premises (BCP Council) has not been advised by its tenant that this application has been made. I hope that the Licensing Committee consults with, and takes on board, the views of the landlord.

In conclusion therefore, I urge you to refuse this application. If you are minded to approve it, then I would suggest that any decision is deferred until the temporary Covid -19 provisions have expired on 30

September. Should the applicant take advantage of these temporary provisions, the licensing officers can monitor the effect.

Yours sincerely

A solid black rectangular box used to redact a signature.

From: [REDACTED]
Sent: 12 April 2021 21:11
To: Licensing Com
Cc: Councillor Paul Hilliard; Councillor Lesley Dedman
Subject: Objection to: License application for sale of take away alcohol - Noisy Lobster - Avon Beach, Christchurch
Attachments: Noisy Lobster Bins mess 1 - 12-4-21.jpg; Noisy Lobster Beach rubbish 7 - 12-4-21.jpg; Noisy Lobster car park rubbish 6 - 12-4-21.jpg; Noisy Lobster Beach rubbish 5 - 12-4-21.jpg; Noisy Lobster Beach rubbish 4 - 12-4-21.jpg; Noisy Lobster Beach rubbish 3 - 12-4-21.jpg; Noisy Lobster Beach rubbish 2 - 12-4-21.jpg

Dear Sir/Madam,

OBJECTION TO THE APPLICATION BELOW:

- * The Noisy Lobster (Avon Beach Ltd)
- * Reference: 184209
- * Application Date: 18 March 2021
- * Applicant Name: Avon Beach Ltd
- * Premises Address: The Noisy Lobster Avon Beach Mudeford Christchurch BH23 4AN
- * Application Type: LA03 App to Vary Premises Licence
- * Proposed licensable activities to be carried at the premises / Brief description of proposed variation
- * Variation is to add take away outlet to the current Premises Licence.
- * Supply of Alcohol for kiosk - Monday to Sunday 11:00 to 21:00 hours

I wish to OBJECT to the proposed application for the sale of Take-away alcoholic drink to the Noisy Lobster Café, on the following grounds:

1. Avon Beach is a family beach:
This is predominately used by families with small children – therefore it is inappropriate for this area to become a “an extended pub garden”, with people becoming drunk and loud. Avon beach is very different to Bournemouth beach in this respect.
2. Health & Safety: There is a high risk from broken glass in an area where many young children play and beach goers walk barefooted in the sand.
3. Protection of children: High risk that under-age drinking will occur, as this is not a regulated pub area, and the beach area is already used welcomingly by young teenagers. Mixing alcohol sales on a beach where teenagers hang-out is a recipe for danger, especially close to the water !
4. Anti-social behaviour: The consumption of alcohol would be unregulated leading to anti-social behaviour.
5. Public Nuisance: The premises are located in a residential area which is likely to be disturbed by noise and activity in the late evening when the sale of alcohol ceases.
6. Alcohol & sea swimming: Previous experience of temporary licences for off-sale has led to drunkenness and behaviour dangerous to public health and safety, especially close to the sea. People drinking alcohol will be more likely to enter the cold water, as their inhibitions are lowered as more alcohol is consumed, which will exactly increase the risk of drownings.

7. Public toilets: The public toilets are controlled by the Noisy Lobster, which close when the restaurant close.

Therefore people remaining on the beach will urinate on the beach and hind beach huts, etc.

8. Litter: The sale of alcohol would inevitably lead to unacceptable levels of litter and detritus on the beach and surrounding area. The Noisy Lobster are already unable to limit and control their current waste.

Please see attached photos as supporting evidence.

9. Breach of BCP tenancy agreement with the Noisy Lobster: The lease on the Noisy Lobster premises expressly prohibits the sale of alcohol for sale off the premises. The current on-licence for the restaurant only approves the sale of alcohol with the sale and consumption of food. There is good reason for this, and that is to protect the beach area.

Your Sincerely

A solid black rectangular box used to redact the signature of the sender.



140













From: [REDACTED]
Sent: 13 April 2021 21:16
To: Licensing Com
Subject: Objection to: License application for sale of take away alcohol - Noisy Lobster - Avon Beach, Christchurch

Dear BCP Council Licence application objection:

To further support my objection below, please add the following 3 photographs taken today on the beach.

1. Shows alcohol being left by bins, close to where children are playing on the beach. This is a beach not a pub !
2. Shows new menu already advertising alcohol for sale outside of the restaurant. Dated 14th April 2021.
3. Shows close up of the range of alcohol drinks for sale. No mention of age restriction. No mention that food may be purchased. Irresponsible behaviour in public beach (not a pub).

Please can this be added to my objection letter/email.

Yours sincerely

[REDACTED]

Curry Sauce, Tartare, Sriracha Marie Rose, Melted Cheese, BBQ

DRINKS

Prosecco (125ml).....	£6.80
Glass (175ml)	
Sauvignon Blanc.....	£6.00
Muscadet.....	£24.00
Sauvignon Blanc NZ.....	£26.00
Albarino.....	£8.30
Chablis.....	£9.60
Provence Rosé.....	£7.30
Whispering Angel.....	£30.00
Malbec.....	£6.80
	£28.00

(All wine bottles will be decanted into take away plastics)

PLEASE INFORM YOUR SERVER IF YOU SUFFER FROM
ANY ALLERGIES

GF - Gluten Free Ingredients, Gluten Traces in Environment

Soft Drinks.....	£2.20/£2.40
Water.....	£1.50
Capri Sun.....	£1.60
Monster Energy.....	£2.80
Estrella Galicia Half/Pint.....	£2.80/£5.50
Aspall Cider Half/Pint.....	£2.60/£5.20
Brewdog Punk IPA Can (330ml).....	£4.00
Aperol Spritz.....	£7.50
Frozen Raspberry Daiquiri / Pina Colada.....	£9.00
Nordes Atlantic Gin & Tonic.....	£6.80
Nordes Gin, Albarino & Tonic Cocktail.....	£8.00
Havana Rum & Coke.....	£6.50



BRIOCHE BAGUETTES

Lobster.....	£17.00
Baby Gem, Cherry Tomato, Onion, Sriracha Marie Rose	
Cajun Crispy Tiger Prawns.....	£9.50
Baby Gem, Sriracha Marie Rose Sauce, Pink Onions	
Fish Finger.....	£7.50
Baby Gem, Tartare	

SHARERS AND SNACKS

Cajun Crispy Tiger Prawns.....	£7.00
Small/Large Chips (GF) (V+)	£3.00/£4.30
Calamari.....	£6.00
Whitebait.....	£6.20
Nachos (V) Spicy Tomato Salsa, Melted Cheese Sauce.....	£5.00

MAINS

Whole Lobster Dressed & Chilled, Warm Garlic Butter (GF)	£34.00	Chicken Nuggets and Chips.....	£7.00
Haddock and Chips.....	£8.60	Sausage and Chips.....	£5.40
Just Haddock.....	£6.70	Just Sausage (20p Charge For Battered)	£3.10
Half Haddock and Chips.....	£6.00	Vegan Sausages and Chips (V+) (GF)	£5.50
Just Half Haddock.....	£4.20	Scampi and Chips.....	£8.30
Haddock Goujons x3.....	£4.60	Vegan 'Fish' and Chips (V+) (GF)	£7.80

HOMEMADE PIZZAS FROM OUR BAKERY

Margherita (V).....	£11.00	Vegetarian (V) (Vegan Option Available).....	£13.00
Tomato Base, Mozzarella, Sun Blushed Tomatoes		Tomato Base, Goats Cheese, Caramelised Onion, Spinach, Walnut	
Pepperoni.....	£13.00	Lobster.....	£20.00
Tomato Base, Mozzarella, Sun Blushed Tomatoes		Thermidor Base, Sun Blushed Tomatoes, Onions, Parmesan	
Sriracha & Honey Chicken.....	£13.50	Cajun & Lime Prawn.....	£15.50
Tomato Base, Mozzarella, Chilli, Onion		Coriander Base, Mozzarella, Sun Blushed Tomatoes, Onions, Chilli	
Smoked Salmon.....	£14.00	Garlic (V).....	£8.00
White Sauce, Sun Blushed Tomatoes, Spinach, Capers		Garlic Butter, Mozzarella	
Triple Chocolate & Banana (V).....	£13.00		

SAUCES AND SIDES

Ketchup & Mayo Sachets (V).....	£0.30	Mushy Peas (V).....	£1.40
Pickled Egg/Onion/Gherkin (V).....	£1.00	Premium Sauces (V).....	£0.80
		Curry Sauce, Tartare, Sriracha Marie Rose, Melted Cheese, BBQ	

DRINKS

Prosecco (125ml).....	£6.80	Soft Drinks.....	
		Water.....	£2.20/£2.40
Sauvignon Blanc.....	Glass (175ml)	Capri Sun.....	£1.50
Muscadet.....	Bottle	Monster Energy.....	£1.60
Sauvignon Blanc NZ.....	£24.00		£2.80
Albarino.....	£26.00	Estrella Galicia Half/Pint.....	
Chablis.....	£29.00	Aspall Cider Half/Pint.....	£2.80/£5.50
Provence Rosé.....	£35.00	Brewdog Punk IPA Can (330ml)	£2.60/£5.20
Whispering Angel.....	£38.00	Aperol Spritz.....	£4.00
Malbec.....	£30.00	Frozen Raspberry Daiquiri / Pina Colada.....	£7.50
	£47.00	Nordes Atlantic Gin & Tonic.....	£9.00
	£28.00	Nordes Gin, Albarino & Tonic Cocktail.....	£6.80
		Havana Rum & Coke.....	£8.00
			£6.50

(All wine bottles will be decanted into take away plastics)

PLEASE INFORM YOUR SERVER IF YOU SUFFER FROM
ANY ALLERGIES

GF - Gluten Free Ingredients, Gluten Traces in Environment



From: [REDACTED]
Sent: 12 April 2021 22:26
To: Licensing Com
Subject: Reference: 184209

Dear Sirs

I am writing in respect of the above-mentioned application by the Noisy Lobster, Avon Beach.

I would like to register my objection to the application for the following reasons:

- 1/ It will, inevitably, lead to an increase in antisocial behaviour at a time when greater care and consideration is required.
- 2/ It will lead to an increase in litter pollution along the beach and the surrounding areas.
- 3/ It will lead to gatherings of people in the nearby car parks causing disturbances during the summer evenings.

Kind regards
[REDACTED]

From: [REDACTED]
Sent: 13 April 2021 09:32
To: Licensing Com
Subject: Noisy Lobster Application for Take Away Alcohol License

We would like to register our total opposition to the abovementioned proposal.

Our reasons for our objection are as follows:-

1. This is a popular area for families with young children and the drinking of alcohol is totally inappropriate and dangerous.
2. In the evenings this will definitely encourage vandalism and drunken behaviour both on and near the beach.
3. Our Police Services are very stretched at present and this will only add to their work load.

[REDACTED]

From: [REDACTED]
Sent: 13 April 2021 14:38
To: Licensing Com
Subject: Noisy Lobster Licence Application

Dear Sir

We understand that the Noisy Lobster has applied to vary its licence to sell take away alcohol in future. As Residents in the locality we wish to object most strongly on the following grounds;

- * This beachside restaurant and ancillary buildings are an unsuitable location for the sale of alcohol for take away
- * The current licence only allows alcohol to be sold with the sale and consumption of food. To allow this application will effectively alter this site from a restaurant plus chip shop to a restaurant, chip shop and all day drinking venue
- * Customers currently carry their fish and chips to the 50 + outside tables provided by the restaurant (providing about 300 covers) or onto the beach - they are often seen of Friars Cliff Beach and on Gundimore Beach, some distance to the East and West of the restaurant. This means there would be the opportunity effectively for 300+ drinkers at tables as well as alcohol being carried a long distance from the premises. The nature of the whole area, beaches and promenade will change.
- * The consumption of alcohol will lead to anti-social behaviour
- * Two years ago the applicant set up a pop-up bar on one of the terraces and this resulted in large crowds of people gathering on the promenade and beach - creating a not inconsiderable disturbance to people walking on the promenade and out to enjoy the tranquility of the seaside location.
- * The sale of alcohol for take away will inevitably lead to litter, bottles, discarded barbecues and broken glass on a public beach and promenade
- * This is a residential area where residents will have unnecessary disturbance from crowds attracted to the area solely because of the ability to buy alcohol - and subsequently when they leave the area
- * We are not aware of any other restaurants alongside the beach where the sale of alcohol for take away is allowed on a permanent basis
- * The toilet facilities managed by the applicant are very small and barely adequate for current levels of activity. Local residents already report men urinating in public; this is likely to increase without additional toilets being provided
- * This is an application submitted for commercial benefit and without any consideration, or benefit, for the people who live in the area or for the many visitors who like to come to the Christchurch beaches because they offer a tranquil and child friendly destination. If the Licensing Committee approves this application it will set a precedent for all restaurants and kiosks from Highcliffe to Sandbanks.
- * Incidentally, the landlord of these premises (BCP Council) has not been advised by its tenant that this application has been made. I hope that the Licensing Committee consults with, and takes on board, the views of the landlord.

We are most perturbed that we have so little notice of this and trust that the above views will be taken into consideration. Please acknowledge receipt of this email. Thank you.

Yours sincerely

[REDACTED]

From: [REDACTED]
Sent: 13 April 2021 15:32
To: Licensing Com
Subject: FW: Noisy Lobster Licence Application
Dear Sir

We understand that the Noisy Lobster has applied to vary its licence to sell take away alcohol in future. As Residents in the locality we wish to object most strongly on the following grounds;

- * This beachside restaurant and ancillary buildings are an unsuitable location for the sale of alcohol for take away

- * The current licence only allows alcohol to be sold with the sale and consumption of food. To allow this application will effectively alter this site from a restaurant plus chip shop to a restaurant, chip shop and all day drinking venue

- * Customers currently carry their fish and chips to the 50 + outside tables provided by the restaurant (providing about 300 covers) or onto the beach

- they are often seen of Friars Cliff Beach and on Gundimore Beach, some distance to the East and West of the restaurant. This means there would be the opportunity effectively for 300+ drinkers at tables as well as alcohol being carried a long distance from the premises. The nature of the whole area, beaches and promenade will change.

- * The consumption of alcohol will lead to anti-social behaviour

- * Two years ago the applicant set up a pop-up bar on one of the terraces and this resulted in large crowds of people gathering on the promenade and beach - creating a not inconsiderable disturbance to people walking on the promenade and out to enjoy the tranquility of the seaside location.

- * The sale of alcohol for take away will inevitably lead to litter, bottles, discarded barbecues and broken glass on a public beach and promenade

- * This is a residential area where residents will have unnecessary disturbance from crowds attracted to the area solely because of the ability to buy alcohol - and subsequently when they leave the area

- * We are not aware of any other restaurants alongside the beach where the sale of alcohol for take away is allowed on a permanent basis

- * The toilet facilities managed by the applicant are very small and barely adequate for current levels of activity. Local residents already report men urinating in public; this is likely to increase without additional toilets being provided

- * This is an application submitted for commercial benefit and without any consideration, or benefit, for the people who live in the area or for the many visitors who like to come to the Christchurch beaches because they offer a tranquil and child friendly destination. If the Licensing Committee approves this application it will set a precedent for all restaurants and kiosks from Highcliffe to Sandbanks.

- * Incidentally, the landlord of these premises (BCP Council) has not been advised by its tenant that this application has been made. I hope that the Licensing Committee consults with, and takes on board, the views of the landlord.

We are most perturbed that we have so little notice of this and trust that the above views will be taken into consideration. Please acknowledge receipt of this email. Thank you. Yours sincerely



From: [REDACTED]
Sent: 13 April 2021 16:19
To: Licensing Com
Subject: Noisy Lobster Licence Application

Dear Sir

We understand that the Noisy Lobster has applied to vary its licence to sell take away alcohol in future. As Residents in the locality we wish to object most strongly on the following grounds;

- * This beachside restaurant and ancillary buildings are an unsuitable location for the sale of alcohol for take away

- * The current licence only allows alcohol to be sold with the sale and consumption of food. To allow this application will effectively alter this site from a restaurant plus chip shop to a restaurant, chip shop and all day drinking venue

- * Customers currently carry their fish and chips to the 50 + outside tables provided by the restaurant (providing about 300 covers) or onto the beach - they are often seen on Friars Cliff Beach and on Gundimore Beach, some distance to the East and West of the restaurant. This means there would be the opportunity effectively for 300+ drinkers at tables as well as alcohol being carried a long distance from the premises. The nature of the whole area, beaches and promenade will change.

- * The consumption of alcohol will lead to anti-social behaviour

- * Two years ago the applicant set up a pop-up bar on one of the terraces and this resulted in large crowds of people gathering on the promenade and beach - creating a not inconsiderable disturbance to people walking on the promenade and out to enjoy the tranquility of the seaside location.

- * The sale of alcohol for take away will inevitably lead to litter, bottles, discarded barbecues and broken glass on a public beach and promenade

- * This is a residential area where residents will have unnecessary disturbance from crowds attracted to the area solely because of the ability to buy alcohol - and subsequently when they leave the area

- * We are not aware of any other restaurants alongside the beach where the sale of alcohol for take away is allowed on a permanent basis

- * The toilet facilities managed by the applicant are very small and barely adequate for current levels of activity. Local residents already report men urinating in public; this is likely to increase without additional toilets being provided

- * This is an application submitted for commercial benefit and without any consideration, or benefit, for the people who live in the area or for the many visitors who like to come to the Christchurch beaches because they offer a tranquil and child friendly destination. If the Licensing Committee approves this application it will set a precedent for all restaurants and kiosks from Highcliffe to Sandbanks.

* Incidentally, the landlord of these premises (BCP Council) has not been advised by its tenant that this application has been made. I hope that the Licensing Committee consults with, and takes on board, the views of the landlord. We are most perturbed that we have so little notice of this and trust that the above views will be taken into consideration. Please acknowledge receipt of this email. Thank you.

Yours sincerely

[Redacted signature]

From: [REDACTED]
Sent: 13 April 2021 15:57
To: Licensing Com
Subject: Noisy Lobster cafe.

I wish to object to the application for a license to sell takeaway alcohol on the beach at Friars Cliff.
This will add to the problem of noise,litter,anti-social behaviour etc. in the area and total disregard of
the residents who have to tolerate this behaviour.
[REDACTED]

From: [REDACTED]
Sent: 13 April 2021 18:08
To: Licensing Com
Subject: Noisy lobster.

Regarding App type LA03
Ref 184209

Noisy Lobster to have a liquor license for the Kiosk.

We would strongly object to this. Considering the banning of drinking on the beach and in public open spaces at this time, Granting this license would obviously encourage behaviour that would cause many problems of unsociable behaviour for families and people visiting the area. We have enough problems with litter etc without the addition of alcohol induced problems.

[REDACTED]

Sent from my iPad

Sent from my iPad

From: [REDACTED]
Sent: 13 April 2021 17:39
To: Licensing Com
Subject: Noisy Lobster Licence Application

Dear Sir

We understand that the Noisy Lobster has applied to vary its licence to sell take away alcohol in future. As Residents in the locality we wish to object most strongly on the following grounds;

- * This beachside restaurant and ancillary buildings are an unsuitable location for the sale of alcohol for take away
- * The current licence only allows alcohol to be sold with the sale and consumption of food. To allow this application will effectively alter this site from a restaurant plus chip shop to a restaurant, chip shop and all day drinking venue
- * Customers currently carry their fish and chips to the 50 + outside tables provided by the restaurant (providing about 300 covers) or onto the beach - they are often seen of Friars Cliff Beach and on Gundimore Beach, some distance to the East and West of the restaurant. This means there would be the opportunity effectively for 300+ drinkers at tables as well as alcohol being carried a long distance from the premises. The nature of the whole area, beaches and promenade will change.
- * The consumption of alcohol will lead to anti-social behaviour
- * Two years ago the applicant set up a pop-up bar on one of the terraces and this resulted in large crowds of people gathering on the promenade and beach - creating a not inconsiderable disturbance to people walking on the promenade and out to enjoy the tranquility of the seaside location.
- * The sale of alcohol for take away will inevitably lead to litter, bottles, discarded barbecues and broken glass on a public beach and promenade
- * This is a residential area where residents will have unnecessary disturbance from crowds attracted to the area solely because of the ability to buy alcohol - and subsequently when they leave the area
- * We are not aware of any other restaurants alongside the beach where the sale of alcohol for take away is allowed on a permanent basis
- * The toilet facilities managed by the applicant are very small and barely adequate for current levels of activity. Local residents already report men urinating in public; this is likely to increase without additional toilets being provided
- * This is an application submitted for commercial benefit and without any consideration, or benefit, for the people who live in the area or for the many visitors who like to come to the Christchurch beaches because they offer a tranquil and child friendly destination. If the Licensing Committee approves this application it will set a precedent for all restaurants and kiosks from Highcliffe to Sandbanks.
- * Incidentally, the landlord of these premises (BCP Council) has not been advised by its tenant that this application has been made. I hope that the Licensing Committee consults with, and takes on board, the views of the landlord.

We are most perturbed that we have so little notice of this and trust that the above views will be taken into consideration. Please acknowledge receipt of this email. Thank you.

Yours sincerely



From: [REDACTED]
Sent: 13 April 2021 19:08
To: Licensing Com
Subject: Noisy Lobster License Application

Dear Sir

We understand that the Noisy Lobster has applied to vary its licence to sell take away alcohol in future. As Residents in the locality we wish to object most strongly on the following grounds;

- * This beachside restaurant and ancillary buildings are an unsuitable location for the sale of alcohol for take away
- * The current licence only allows alcohol to be sold with the sale and consumption of food. To allow this application will effectively alter this site from a restaurant plus chip shop to a restaurant, chip shop and all day drinking venue
- * Customers currently carry their fish and chips to the 50 + outside tables provided by the restaurant (providing about 300 covers) or onto the beach - they are often seen of Friars Cliff Beach and on Gundimore Beach, some distance to the East and West of the restaurant. This means there would be the opportunity effectively for 300+ drinkers at tables as well as alcohol being carried a long distance from the premises. The nature of the whole area, beaches and promenade will change.
- * The consumption of alcohol will lead to anti-social behaviour
- * Two years ago the applicant set up a pop-up bar on one of the terraces and this resulted in large crowds of people gathering on the promenade and beach - creating a not inconsiderable disturbance to people walking on the promenade and out to enjoy the tranquility of the seaside location.
- * The sale of alcohol for take away will inevitably lead to litter, bottles, discarded barbecues and broken glass on a public beach and promenade
- * This is a residential area where residents will have unnecessary disturbance from crowds attracted to the area solely because of the ability to buy alcohol - and subsequently when they leave the area
- * We are not aware of any other restaurants alongside the beach where the sale of alcohol for take away is allowed on a permanent basis
- * The toilet facilities managed by the applicant are very small and barely adequate for current levels of activity. Local residents already report men urinating in public; this is likely to increase without additional toilets being provided
- * This is an application submitted for commercial benefit and without any consideration, or benefit, for the people who live in the area or for the many visitors who like to come to the Christchurch beaches because they offer a tranquil and child friendly destination. If the Licensing Committee approves this application it will set a precedent for all restaurants and kiosks from Highcliffe to Sandbanks.
- * Incidentally, the landlord of these premises (BCP Council) has not been advised by its tenant that this application has been made. I hope that the Licensing Committee consults with, and takes on board, the views of the landlord.

We are most perturbed that we have so little notice of this and trust that the above views will be taken into consideration. Please acknowledge receipt of this email. Thank you.

Yours sincerely
[REDACTED]

From: [REDACTED]
Sent: 13 April 2021 19:42
To: Licensing Com
Subject: Noisy Lobster Reference 184209 Applicant: Avon Beach Ltd

C
13 April 2021

Dear Sirs

We understand that the Noisy Lobster has applied to vary its licence to sell take away alcohol in future. As residents living nearby we wish to object most strongly on the following grounds;

- * This beachside restaurant and ancillary buildings are an unsuitable location for the sale of alcohol for take away

- * The current licence only allows alcohol to be sold with the sale and consumption of food. To allow this application will effectively alter this site from a restaurant plus chip shop to a restaurant, chip shop and all day drinking venue

- * Customers currently carry their fish and chips to the 50 + outside tables provided by the restaurant (providing about 300 covers) or onto the beach - they are often seen on Friars Cliff Beach and on Gundimore Beach, some distance to the East and West of the restaurant. This means there would be the opportunity effectively for 300+ drinkers at tables as well as alcohol being carried a long distance from the premises. The nature of the whole area, beaches and promenade will change.

- * The consumption of alcohol will lead to anti-social behaviour

- * Two years ago the applicant set up a pop-up bar on one of the terraces and this resulted in large crowds of people gathering on the promenade and beach - creating a not inconsiderable disturbance to people walking on the promenade and out to enjoy the tranquility of the seaside location.

- * The sale of alcohol for take away will inevitably lead to litter, bottles, discarded barbecues and broken glass on a public beach and promenade

- * This is a residential area where residents will have unnecessary disturbance from crowds attracted to the area solely because of the ability to buy alcohol - and subsequently when they leave the area

- * We are not aware of any other restaurants alongside the beach where the sale of alcohol for take away is allowed on a permanent basis

- * The toilet facilities managed by the applicant are very small and barely adequate for current levels of activity. Local residents already report men urinating in public; this is likely to increase without additional toilets being provided

- * This is an application submitted for commercial benefit and without any consideration, or benefit, for the people who live in the area or for the many visitors who like to come to the Christchurch beaches because they offer a tranquil and child friendly destination. If the Licensing Committee approves this application it will set a precedent for all restaurants and kiosks from Highcliffe to Sandbanks.

- * Incidentally, the landlord of these premises (BCP Council) has not been advised by its tenant that this application has been made. I hope that the Licensing Committee consults with, and takes on board, the views of the landlord.

We are most perturbed that we have so little notice of this and trust that the above views will be taken into consideration. Please acknowledge receipt of this email. Thank you.

Yours faithfully

[REDACTED]



From: [REDACTED]
Sent: 13 April 2021 21:16
To: Licensing Com
Subject: Noisy Lobster

The Noisy Lobster's knows no bounds. Sale of alcohol to take away will create even more noise in a residential area., especially after hours , from visitors ,a lot of whom have no consideration for others . This application should not be approved.

Yours faithfully [REDACTED]

From: [REDACTED]
Sent: 13 April 2021 21:33
To: Licensing Com
Subject: Noisy Lobster licence.

Dear Sirs

We understand that the Noisy Lobster has applied to vary its licence to sell take away alcohol in future. As residents living nearby we wish to object most strongly on the following grounds;

- * This beachside restaurant and ancillary buildings are an unsuitable location for the sale of alcohol for take away

- * The current licence only allows alcohol to be sold with the sale and consumption of food. To allow this application will effectively alter this site from a restaurant plus chip shop to a restaurant, chip shop and all day drinking venue

- * Customers currently carry their fish and chips to the 50 + outside tables provided by the restaurant (providing about 300 covers) or onto the beach - they are often seen of Friars Cliff Beach and on Gundimore Beach, some distance to the East and West of the restaurant. This means there would be the opportunity effectively for 300+ drinkers at tables as well as alcohol being carried a long distance from the premises. The nature of the whole area, beaches and promenade will change.

- * The consumption of alcohol will lead to anti-social behaviour

- * Two years ago the applicant set up a pop-up bar on one of the terraces and this resulted in large crowds of people gathering on the promenade and beach - creating a not inconsiderable disturbance to people walking on the promenade and out to enjoy the tranquility of the seaside location.

- * The sale of alcohol for take away will inevitably lead to litter, bottles, discarded barbecues and broken glass on a public beach and promenade

- * This is a residential area where residents will have unnecessary disturbance from crowds attracted to the area solely because of the ability to buy alcohol - and subsequently when they leave the area

- * We are not aware of any other restaurants alongside the beach where the sale of alcohol for take away is allowed on a permanent basis

- * The toilet facilities managed by the applicant are very small and barely adequate for current levels of activity. Local residents already report men urinating in public; this is likely to increase without additional toilets being provided

- * This is an application submitted for commercial benefit and without any consideration, or benefit, for the people who live in the area or for the many visitors who like to come to the Christchurch beaches because they offer a tranquil and child friendly destination. If the Licensing Committee approves this application it will set a precedent for all restaurants and kiosks from Highcliffe to Sandbanks.

- * Incidentally, the landlord of these premises (BCP Council) has not been advised by its tenant that this application has been made. I hope that the Licensing Committee consults with, and takes on board, the views of the landlord.

We are most perturbed that we have so little notice of this and trust that the above views will be taken into consideration. Please acknowledge receipt of this email. Thank you.

Yours faithfully

[REDACTED]

From: s [REDACTED]
Sent: 14 April 2021 09:49
To: Licensing Com
Subject: Noisy Lobster Application OBJECTION

14th April 2021

Dears Sirs

I wish to object to the application by the Noisy Lobster to have an all day drinking license on the following grounds

1. This has always been a beautiful, peaceful seaside location enjoyed by many families over the years. This application if granted would change the character of the area considerably
2. This will inevitably lead to an increase in anti social behaviour in the area and a need for extra police presence
3. There will undoubtedly be an increase in litter and debris left in the area. The summer of 2020 saw a massive increase in the number of visitors to the area and I have not seen so much litter left behind by people who had such little respect for their surroundings
4. All day drinking will encourage large groups of people to congregate on the promenade and block the path making it almost impossible for disabled people to walk on the hard surface and enjoy the area
5. There are insufficient toilets in the area and men are already seen urinating in the local area
6. It is totally unnecessary to change the character of the area for the personal gain of one business, there is the Haven Pub a short walk away for those who wish to drink

ALSO

Car parking in this area is woefully inadequate and any increase in the facilities in this area will make the problem considerably worse. There were times in the summer of 2020 when the roads were completely gridlocked making it impossible for the emergency services to reach residents or visitors to the area requiring lifesaving help whether its ambulances, police cars, coastguards or the fire brigade they must be given easy access! The parking fines are not enough to deter people from parking where they like for as long as like. The cul de sac layout leads to cars looking for spaces and queueing to get in and blocking those trying to get out.

Your faithfully

[REDACTED]

From: [REDACTED]
Sent: 14 April 2021 09:03
To: Licensing Com
Subject: Fwd: Objection to License for Noisy Lobster by Avon Beach Ltd.

I wish to object to the recent application by Mr Peter Hayward, Avon Beach Ltd. for a license at the Noisy Lobster on the following grounds:

Prevention of crime and disorder

The application is against the terms of the lease which expressly prohibits the sale of alcohol for consumption off the premises and this would contravene this legal agreement

The application is against the terms of the lease that state the sale of alcohol must only be with the sale and consumption of food and this would contravene this legal agreement.

Residents have seen an increase in antisocial behaviour and disorder since the premises have been expanded including noise and disruption, illegal parking, late night disturbance, using bushes and behind the beach huts as toilets and increased sometimes dangerous litter e.g. glass, barbeques. If this license was agreed all this would increase significantly.

Public safety

An open bar license was granted a few years ago and this escalated the amount of people trying to access the promenade resulting in real public safety issues for those trying to enjoy the promenade especially those with young children and mobility scooters. The site is in the Mudeford Conservation Area.

The area is already over congested and sale of alcohol for consumption off the premises and without food would only lead to more traffic including heavy delivery vans that cause real concern in terms of public safety in the car park.

Parking is a real problem already at peak times and BCP Council is looking as to how to address this as there is much illegal parking which would increase with more customers seeking to buy alcohol.

Prevention of public nuisance

The premises are in a unique coastal setting and are in a quiet residential area with houses only 90 metres away. With the consumption of alcohol on its own public nuisance and disruptive behaviour is likely to increase.

In the last few years as the business has expanded antisocial behaviour has been witnessed at peak times.

The Tenant opens up Avon Beach Car Park after it has been closed by BCP at 10.00 p.m, as stated in the lease, to allow customers to leave later and there has been many instances of disruptive behaviour including joy riding late at night - this is likely to increase with the sale of alcohol.

The Council has increased the level of enforcement due to the high levels of people visiting the area and allowing the sale of alcohol on its own in such an area of natural beauty is not the

normal custom and could not be regulated.

Protection of children from harm

The beach area currently is primarily enjoyed by young families and Residents have been concerned already about children witnessing people going to the toilet in public spaces as the toilets are not sufficient to cope.

The litter on the beach is already a concern and with the trade of alcohol on its own this would increase substantially. Local Residents go out early morning litter picking to help prevent injury to small children as already an issue.

My understanding is that local Councillors from Friars Cliff and Highcliffe are against the License being agreed.

Thank you.

[REDACTED]

[REDACTED]
Sent: 13 April 2021 22:04
To: Licensing Com
Subject: Application 184209, the Noisy Lobster - objection

As local residents, we wish to strongly object to the request by Avon Beach ltd to obtain a license to serve alcohol without purchasing food at the Noisy Lobster on Avon Beach.

This area is already very busy with queues for take away food and the coffee kiosk almost making the promenade impassable, certainly no social distancing possible. This is a public right of way along the promenade and it will be difficult to avoid the alcoholic frenzy in this pinch point. Tensions may rise between the drinkers and the general public just trying to walk along the promenade as the drinkers will no doubt congregate near the kiosk blocking the way. The promenade is for all of us and is not 'owned' by Avon Beach.

When a bar was erected on the wooden terrace a few years ago there was chaos down there with a lot of drunken rowdy people.

The loos aren't always open and people are often seen ducking between the beach huts to relieve themselves.

This is a family friendly beach and children are all around. There should not be a kiosk/ pub beside the beach which will subject children to levels of alcoholic behaviour.

Yours sincerely,

[REDACTED]

[REDACTED]
[REDACTED]
Sent: 14 April 2021 10:43
To: Licensing Com
Subject: Noisy Lobster - Takeaway alcohol licence

14th April 2021

Dear Sirs

I understand that the Noisy Lobster has applied to vary its licence to sell take away alcohol in future. As residents living nearby we wish to object most strongly on the following grounds;

- * This beachside restaurant and ancillary buildings are an unsuitable location for the sale of alcohol for take away.

- * The current licence only allows alcohol to be sold with the sale and consumption of food. To allow this application will effectively alter this site from a restaurant plus chip shop to a restaurant, chip shop and all day drinking venue

- * Customers currently carry their fish and chips to the 50 + outside tables provided by the restaurant (providing about 300 covers) or onto the beach - they are often seen of Friars Cliff Beach and on Gundimore Beach, some distance to the East and West of the restaurant. This means there would be the opportunity effectively for 300+ drinkers at tables as well as alcohol being carried a long distance from the premises. The nature of the whole area, beaches and promenade will change.

- * The consumption of alcohol will lead to anti-social behaviour

- * Two years ago the applicant set up a pop-up bar on one of the terraces and this resulted in large crowds of people gathering on the promenade and beach - creating a not inconsiderable disturbance to people walking on the promenade and out to enjoy the tranquility of the seaside location.

- * The sale of alcohol for take away will inevitably lead to litter, bottles, discarded barbecues and broken glass on a public beach and promenade

- * This is a residential area where residents will have unnecessary disturbance from crowds attracted to the area solely because of the ability to buy alcohol - and subsequently when they leave the area

- * We are not aware of any other restaurants alongside the beach where the sale of alcohol for take away is allowed on a permanent basis

- * The toilet facilities managed by the applicant are very small and barely adequate for current levels of activity. Local residents already report men urinating in public; this is likely to increase without additional toilets being provided

- * This is an application submitted for commercial benefit and without any consideration, or benefit, for the people who live in the area or for the many visitors who like to come to the Christchurch beaches because they offer a tranquil and child friendly destination. If the Licensing Committee approves this application it will set a precedent for all restaurants and kiosks from Highcliffe to Sandbanks.

- * Incidentally, the landlord of these premises (BCP Council) has not been advised by its tenant that this application has been made. I hope that the Licensing Committee consults with, and takes on board, the views of the landlord.

I am most perturbed that we have so little notice of this and trust that the above views will be taken into consideration. Please acknowledge receipt of this email. Thank you.

Yours faithfully,

[REDACTED]

[REDACTED]

14th April 2021

TO: licensing@bcpcouncil.gov.uk
SUBJECT Licensing Act 2003 - Application to vary a premises Licence
at The Lobster Hatch, Noisy Lobster

Dear Sirs,

I am registering my objection to the Application to vary the premises Licence at the Lobster Hatch, Noisy Lobster for many reasons including:

1. Local Residents will suffer from the variation to the Licence.
2. It will encourage a culture of 'All Day' drinking.
3. The area is overcrowded with 50+ outside tables = 300+ people.
4. Toilet and Waste Bin facilities are inadequate encouraging more people will make the situation worse.
5. The area around the Noisy Lobster has become a dirty, filthy, smelly disgrace and we should all be ashamed that we have allowed this to happen. Granting this Application will make a bad situation even worse.

Please reject this application.

Yours faithfully

[REDACTED]

[REDACTED]

13th April 2021

TO: licensing@bcpcouncil.gov.uk
SUBJECT Licensing Act 2003 - Application to vary a premises Licence
at The Lobster Hatch, Noisy Lobster

Dear Sirs,

First, let me apologise for my delay in responding to the Application dated 18th March. I only noticed the Application last week.

I strongly object to the Application to vary the premises Licence at the Lobster Hatch, Noisy Lobster for many reasons including:

1. The local Community will suffer from the variation to the Licence.
2. It will encourage a culture of 'All Day' drinking.
3. The area is overcrowded with 50+ outside tables = 300+ people.
4. Toilet and Waste Bin facilities are inadequate encouraging more people will make the situation worse.
5. The area around the Noisy Lobster has become a dirty, filthy, smelly disgrace and we should all be ashamed that we have allowed this to happen. Granting this Application will make a bad situation even worse.

BCP Council's 'Summer readiness' programme expresses pride in our local beaches. I would like BCP to recognise the difference between Avon and Bournemouth. The Beaches and Promenades at Bournemouth are vast with ample space for boisterous seaside activities. Avon Beach is tiny and the area around the Noisy Lobster is already overwhelmed with people and, regrettably, the filth and rubbish which is associated with take-away food and beverages. I would like BCP Council to take pride in the areas around Avon Beach and ensure they are kept clean, safe, tidy and tranquil to complement the more boisterous activities available on the huge expanse of the Beaches and Promenades at Bournemouth.

Please reject this application.

Yours faithfully

[REDACTED]

From: [REDACTED]
Sent: 15 April 2021 09:12
To: Licensing Com
Subject: Objection to: License application for sale of take away alcohol - Noisy Lobster
- Avon Beach, Christchurch

Good morning

Although I am all for improvement of Avon beach, I think the sale of alcohol with take away food is going to attract even more anti social behaviour and litter.

I was appalled last year at the amount of litter left on the beach and , like other local residents, helped to pick up after others that left the beach in a dreadful state. I am sure if a licence is granted for take away as well this will only get worse.

The council must consider this and if it is approved how anti social behaviour and the environmental impact is going to be managed and by whom.

Best regards

[REDACTED]





BRIOCHE BAGUETTES

Lobster.....	£17.00
Baby Gem, Cherry Tomato, Onion, Sriracha Marie Rose	
Cajun Crispy Tiger Prawns.....	£9.50
Baby Gem, Sriracha Marie Rose Sauce, Pink Onions	
Fish Finger.....	£7.50
Baby Gem, Tartare	

SHARERS AND SNACKS

Cajun Crispy Tiger Prawns.....	£7.00
Small/Large Chips (GF) (V+).....	£3.00/£4.30
Calamari.....	£6.00
Whitebait.....	£6.20
Nachos (V) Spicy Tomato Salsa, Melted Cheese Sauce.....	£5.00

MAINS

Whole Lobster Dressed & Chilled, Warm Garlic Butter (GF)	£34.00
Haddock and Chips.....	£8.60
Just Haddock.....	£6.70
Half Haddock and Chips.....	£6.00
Just Half Haddock.....	£4.20
Haddock Goujons x3.....	£4.60

Chicken Nuggets and Chips.....	£7.00
Sausage and Chips.....	£5.40
Just Sausage (20p Charge For Battered).....	£3.10
Vegan Sausages and Chips (V+) (GF).....	£5.50
Scampi and Chips.....	£8.30
Vegan 'Fish' and Chips (V+) (GF).....	£7.80

HOMEMADE PIZZAS FROM OUR BAKERY

Margherita (V).....	£11.00
Tomato Base, Mozzarella, Sun Blushed Tomatoes	
Pepperoni	£13.00
Tomato Base, Mozzarella, Sun Blushed Tomatoes	
Sriracha & Honey Chicken	£13.50
Tomato Base, Mozzarella, Chilli, Onion	
Smoked Salmon.....	£14.00
White Sauce, Sun Blushed Tomatoes, Spinach, Capers	

Triple Chocolate & Banana (V).....	£13.00
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Vegetarian (V) (Vegan Option Available).....	£13.00
Tomato Base, Goats Cheese, Caramelised Onion, Spinach, Walnut	
Lobster.....	£20.00
Thermidor Base, Sun Blushed Tomatoes, Onions, Parmesan	
Cajun & Lime Prawn.....	£15.50
Coriander Base, Mozzarella, Sun Blushed Tomatoes, Onions, Chilli	
Garlic (V).....	£8.00
Garlic Butter, Mozzarella	

SAUCES AND SIDES

Ketchup & Mayo Sachets (V).....	£0.30
Pickled Egg/Onion/Gherkin (V).....	£1.00

Mushy Peas (V).....	£1.40
Premium Sauces (V).....	£0.80
Curry Sauce, Tartare, Sriracha Marie Rose, Melted Cheese, BBQ	

DRINKS

Prosecco (125ml).....	£6.80
Glass (175ml)	
Sauvignon Blanc.....	£6.00
Muscadet.....	£24.00
Sauvignon Blanc NZ.....	£26.00
Albarino	£8.30
Chablis.....	£9.60
Provence Rosé.....	£7.30
Whispering Angel.....	£30.00
Malbec.....	£6.80
	£28.00

(All wine bottles will be decanted into take away plastics)

PLEASE INFORM YOUR SERVER IF YOU SUFFER FROM
ANY ALLERGIES

GF - Gluten Free Ingredients, Gluten Traces in Environment

Soft Drinks.....	
Water.....	£2.20/£2.40
Capri Sun.....	£1.50
Monster Energy.....	£1.60
	£2.80
Estrella Galicia Half/Pint.....	
Aspall Cider Half/Pint.....	£2.80/£5.50
Brewdog Punk IPA Can (330ml).....	£2.60/£5.20
Aperol Spritz	£4.00
Frozen Raspberry Daiquiri / Pina Colada.....	£7.50
Nordes Atlantic Gin & Tonic.....	£9.00
Nordes Gin, Albarino & Tonic Cocktail.....	£6.80
Havana Rum & Coke.....	£8.00
	£6.50

From: [REDACTED]
Sent: 14 April 2021 10:16
To: Licensing Com
Subject: Objection to license application for sale of take-away alcohol - Noisy Lobster, Avon Beach, Christchurch
Attachments: IMG_1970.JPG; IMG_1974.JPG

Dear Sir/Madam,

I am writing to object to the application by the Noisy Lobster (Avon Beach Ltd)

- * Reference: 184209 Application Date 18th March 2021
- * Application Name: Avon Beach Ltd
- * Premises Address: The Noisy Lobster, Avon Beach, Mudeford, Christchurch BH23 4AN
- * Application Type: LAO3 Appl to vary Premises Licence
- * Proposed Licensable activities to be carried at the premises/Brief description of proposed variation,
- * Variation to add take-away outlet to the current Premises Licence
- * Supply of Alcohol for kiosk - Monday to Sunday 11.00 to 21.00 hours

Health & Safety; This is a beach area and would risk injuring both children and adults who walk barefoot both on the beach and on the promenade either from broken glass or plastic. Young Lifeguards constantly walk and with necessity, run along both beach and promenade to get to injured or life threatened children and adults, endangering them too. The granting of this licence would also encourage many more people to have BBQ's, likely disposable, with the added risk of hot coals and metal left on and in the sand, increasing the risk of harm/injury.

Protection of Children : Making this Family Beach Area into an open air bar would undoubtedly encourage young, under age people to consume alcohol.

Avon Beach is a family beach area with many young children, some in buggies, enjoying the beach, water, ice creams etc and to turn it into an open air bar from 11.am in the morning till 9.pm at night would be totally inappropriate. Likely resulting in many families no longer wishing to come to the area.

Public Nuisance: All day till 9pm alcohol at the beach in a residential area with the likely resulting loud rowdy behaviour would definitely affect local residents. The area by the Kiosks and shop are already so packed with people queuing it is hard to walk through and with a large number of people standing drinking alcohol this would be greatly exacerbated.

Public Toilets & Rubbish : it is unlikely the existing toilets would cope with any increase in numbers and once again in a family area the toilets are likely to become extremely unpleasant with people who have consumed a lot of alcohol using them. Plus once they are closed and alcohol sales cease the surrounding beach, bushes and behind the beach huts will be used instead! The existing bins are regularly overflowing and once again this would only get worse.

Breach of BCP tenancy agreement: the Noisy Lobster's agreement prohibits the sale of alcohol for sale off the restaurant premises.

I am very concerned to see that the sale of alcohol from the Fish and Chip kiosk is already happening and with the new sign clearly itemising a variety of alcohol for sale with NO mention of it only being sold with food. Please see attached pictures taken by myself yesterday 13th April 2021.

Yours Faithfully,

[Redacted]

[Redacted]

From: [REDACTED]
Sent: 14 April 2021 12:10
To: Licensing Com
Subject: Re. Noisy lobster application

[REDACTED]

We understand that the Noisy Lobster has applied to vary its license to sell takeaway alcohol in future.

As residents for over thirty years ,who live nearby and use the beach frequently, we wish to reiterate most strongly, the submission of Mr and Mrs Burrow - Jones of 1 Island View Avenue, of which we totally agree with all the points raised by them.

A few of their points are listed below. ;

The sale of alcohol for takeaway will inevitably lead to litter, bottles, discarded BBQ's and broken glass on a public beach and the promenade

This is a quiet residential area where residents will have unnecessary trouble from crowds attracted to the area solely for the ability to buy alcohol . There are enough problems when crowds arrive and ask the residents if they can park in their driveways , let alone if they are drinking as well!!

We are not aware of any other restaurants along the beach area where the sale of takeaway alcohol is permitted on a permanent basis. I know that alcohol is banned on Bournemouth beach for several years , so why on a quiet residential beach would you find in your wisdom to allow it here ????

The toilet facilities are very small and not adequate for summer visitors at all. We have seen people urinating on the wall in Bure Lane at the corner of Bure Haven Drive as they couldn't be bothered to go to the facilities as their cars were parked down that road !!!

This is for pure commercial gains only and nothing else . No thought or consideration for local people who just want ,rightly, a quiet time on the beach area with their families .
What will happen if children get badly cut by broken glass ? Are you prepared to face law suits for neglect of your duty to protect the public ?

We cannot understand why we have only been informed of this ,on the last day of this abhorrent application, which will lead to a further lowering of standards of what is a beautiful, quiet residential neighbourhood.

Please acknowledge receipt of this email

[REDACTED]

Sent from my iPad

From: [REDACTED]
Sent: 14 April 2021 15:09
To: licensing@bcpcouncil.gov.uk <licensing@bcpcouncil.gov.uk>
Subject: OBJECTION re application 184209

I wish to object, as strongly as possible to the application by 'The noisy Lobster' on Avon beach, Christchurch to sell take away alcohol.

Over the last few years repeated applications by the Noisy Lobster have resulted in its transformation from a small beach cafe to a huge, sprawling commercial enterprise.

Avon beach is a family beach where small children play. Broken glass is a huge risk for the children playing there.

Agreeing to the application will increase the underage, drunkenness and aggravated behaviour that is already a feature of the area and will encourage young people swimming whilst intoxicated

There is already too much noise, litter and rubbish from the NOISY Loster's existing takeaways on the site to even think about adding take away booze

Thank you

[REDACTED]

From: [REDACTED]
Sent: 14 April 2021 16:46
To: Licensing Com
Subject: Noisy Lobster Licence Permit

licensing@bcpCouncil.gov.uk

14th April 2021.

Dear Sirs

We understand that the Noisy Lobster at Avon Beach has applied to vary its Licence to sell take away alcohol in future. As residents living nearby we wish to strongly object on the following grounds:

- A. This beachside restaurant and ancillary buildings are an unsuitable location for the sale of alcohol for take away.
- B. The current Licence only allows alcohol to be sold with the sale and consumption of food on the premises. To allow this application will effectively alter this site from a restaurant plus chip shop to a restaurant, chip shop to a restaurant, chip shop and all day drinking venue.
- C. Customers currently carry their fish and chips to the 50 + outside tables provided by the restaurant (providing over 300 covers) or onto the beach - they are often seen on Friars Cliff Beach and on Gundimore BEach, some distance to the East and West of the restaurant. This means there would be the opportunity effectively for 300+ drinkers at tables as well as alcohol being carried a long distance from the premises causing the nature of the whole area, beaches and promenade to change.
- D. The consumption of alcohol will lead to anti-social behaviour.
- E. 2 years ago the applicant set up a pop-up bar on one of the terraces and this resulted in large crowds of people gathering on the promenade and beach - creating considerable disturbance to people walking on the promenade and out to enjoy the tranquility of the seaside location.
- F. The sale of alcohol for take away will inevitably lead to litter, bottles, discarded barbecues and broken glass on a public beach and promenade.
- G. This is a residential area where residents will suffer unnecessary disturbance from crowds attracted to the area solely because of the ability to buy alcohol and subsequently when leaving the area.
- H. We are not aware of any other restaurants alongside the beach where the sale of alcohol for take away is allowed on a permanent basis.
- I. The toilet facilities managed by the applicant are very small and barely adequate for current levels of activity. Local residents already report men urinating in public and this would likely increase if such Licence was granted.
- J. This is an application submitted for commercial gain and without consideration or benefit for the people who live in the area or for the many people who like to come to Christchurch beaches because they offer a tranquil and child friendly destination. If the Licensing Committee approves this Application it will set a precedent for all restaurants and kiosks from Highcliffe to Sandbanks.
- K. Incidentally the Landlord of these premises - BCP Council - has not been advised by its tenant that this application has been made. We consider the Licensing Authority should consult with the BCP Council and take on board the view of the landlord.

It should also be pointed out that we have had very little notice of this Application and trust that these views are taken into consideration. Please acknowledge receipt of this email. Thank you.

Yours faithfully,

[Redacted signature]

From: [REDACTED]
Sent: 14 April 2021 17:26
To: Licensing Com
Subject: application to extend sales of alcohol at The Noisy Lobster Avon Beach

Avon Beach and Friars Cliff beach are child-friendly places where children have the opportunity to enjoy the seaside and play in a safe environment.

They have the right to be protected from the scenes of broken glass, litter and the behaviour of those adults who do not drink sensibly as can be seen at Bournemouth and Boscombe. Families deserve to have safe spaces and not have to endure what will become a crowded and noisy area.

There are other places in the area where people can go to drink. Commercial interest should not threaten our local children or those who travel with their families to our beautiful, friendly beach.

Please put the welfare of our children and the preservation of our environment above the sale of alcohol.

[REDACTED]

From: [REDACTED]
Sent: 14 April 2021 20:19
To: Licensing Com
Subject: Alcohol Licence - Noisy Lobster

OBJECTION

With regard to the application by The Noisy Lobster to sell alcohol on the beach, this would be a disaster if granted and we register our objection to this application.

My wife and I overlook the Friars Cliff open space and witness daily the abuse of the facilities and amenities provided by BCP.

With the greatest of respect, you are unaware of the extent of these abuses, which are alcohol-consumption driven. It is the locals, and in particular the early morning dog walkers, that clean up the cans, bottles, wrappers and rubbish, often from deep in the bushes where they have been thrown. This is voluntary of course and the overstretched local authority resources is recognised. Consequently, providing an easy source of alcohol to these (mostly) underaged youths would be to exacerbate the existing task and would feel like a complete slap in the face to those volunteers. These are the same locals that keep the beach and promenade clear of excessive and harmful waste and they do this quietly, efficiently and without reward, save that they help to preserve the beautiful environment that we live in.

So please, think very carefully when considering further commercialisation of our beaches and surroundings. Allowing an alcohol licence would surely aggravate the current situation.

[REDACTED]

Sent from my iPhone

From: [REDACTED]
Sent: 15 April 2021 12:46
To: Licensing Com
Subject: FW: NOISY LOBSTER AVON BEACH VARIATION OF APPLICATION

From: [REDACTED]
Date: Wednesday, 14 April 2021 at 10:01
To: <licensing@bcpcouncil.co.uk>
Subject: NOISY LOBSTER AVON BEACH VARIATION OF APPLICATION

I strongly object to this variation of application as the Lease does not allow for this. Should you consider allowing this to slip through maybe the Echo would be pleased to write an article on why this would be allowed when other areas are not.

PREVENTION OF CRIME AND DISORDER

This area is considered as Conservation Area which the councils are not appreciating. It is a known fact that too much alcohol leads to crime and disorder. This is a beach used by the public and should they wish to have alcohol they currently have to book into the Noisy Lobster for a table and meal and order this in the restaurant which is quite acceptable. Currently, we do not have police patrolling the beach as there is no need for this but should you consider altering this lease to allow for alcohol this would be to the detriment of the general public and more policing would be required. You would find more rubbish left with larger parties congregating on the beach, glass bottles being left which is unsuitable play area for the children. The Council would need to consider more toilets and more frequent cleaning of the toilets.

PUBLIC SAFETY

This beach is used by families to enjoy and we even have the Life Guard station on this particular area. Currently the car park on the beach SHOULD be locked from 10 pm but this rarely happens but should be enforced. The 2 car parks are rammed in the summer and parking along the side roads are used and should you consider this application there will be more traffic to this area which is already over populated due to parking. The Council has been sent on SEVERAL occasions photographs of cars driving on the pavement to pass traffic. I have seen an Ambulance trying to get through and also a resident recently sent in a further photo of her granddaughter on the path with a car approaching. This is unacceptable and by allowing this application you would actually be putting the public at risk! Are you considering having police breathalysing the public before they drive away!

PREVENTION OF PUBLIC NUISANCE

As a family beach it is not suitable for children to be aware of the effects of alcohol especially with large parties.

PREVENTION OF CHILDREN FROM HARM

By allowing this variation of the lease you are actually exposing children to the effects of alcohol and the possibility of harm.

All these considerations should be addressed. The tax payers already pay for services which are

stretched as funds are low but more funds would be required to clean this area (beach, toilets) and policing would be required as you would be attracting large groups. What happened to the local policeman now Highcliffe and Christchurch Stations have been closed. We pay for a Crime Commisioner but I've never even heard his name mentioned. Bring back more local police by cutting out a Crime Commisioner! I will be contacting the Local Councillors to discuss these matters.

[REDACTED]

From: [REDACTED]
Sent: 15 April 2021 15:23
To: Licensing Com
Subject: Objection to Application no. 184209 sale of take away alcohol Noisy Lobster
Avon Beach Christchurch

Dear Sir or Madam,

I wish to object very strongly to the granting of a licence to sell take away alcohol to the Noisy Lobster at Avon Beach, Christchurch.

This is a very busy area of the beach, already blighted by large quantities of litter which will only increase if alcohol is readily available.

Due to Covid restrictions on travel it is likely that crowds will be greater than ever this Summer. Many families enjoy this beach and the disruptive behaviour of those who have over-indulged in alcohol would spoil the pleasure of many.

There are well documented dangers in mixing inebriation & swimming / water-sports, not least the danger to others sharing the space.

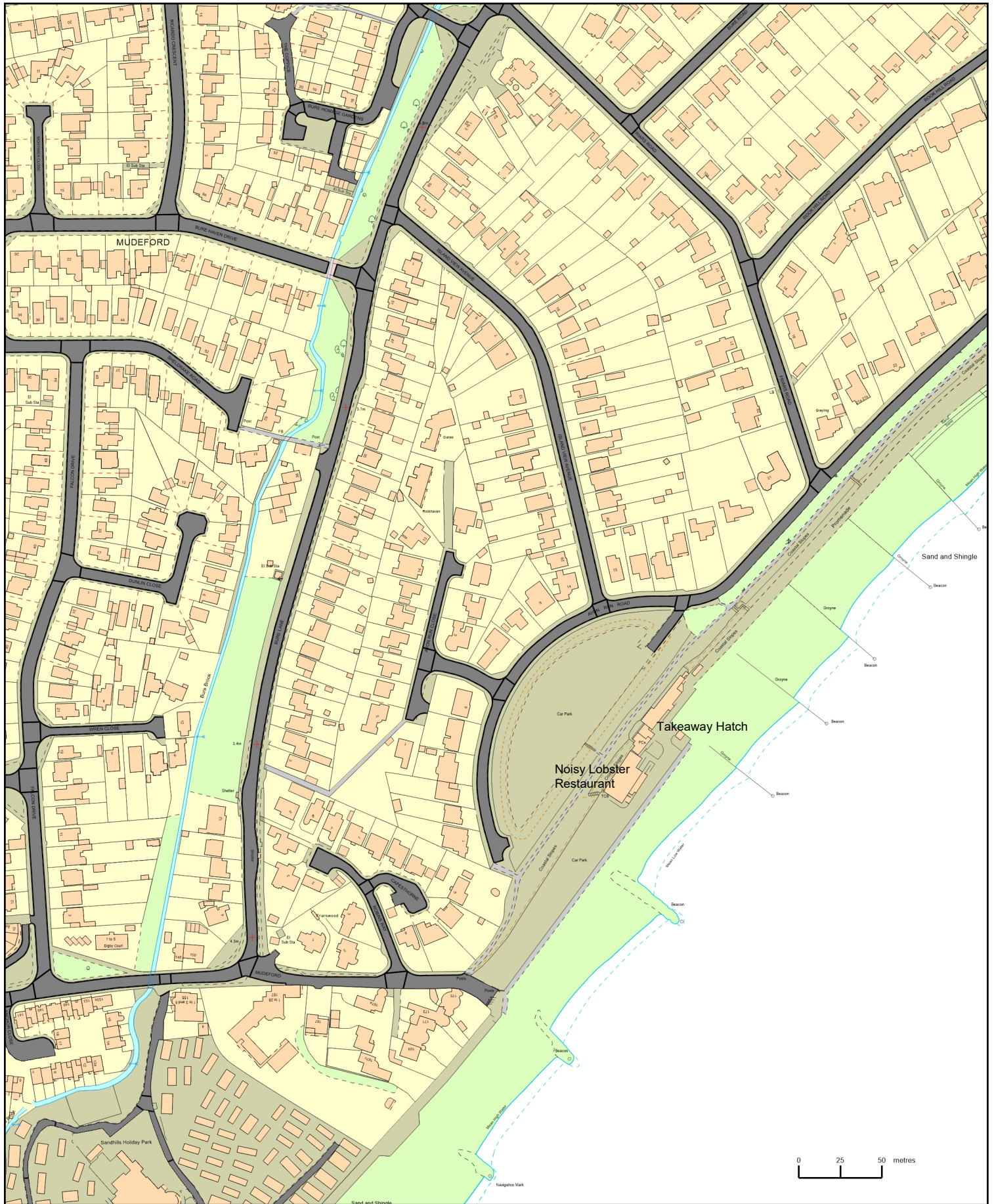
The dis-inhibition implicit in drunken behaviour means there will be an increase in the number of people urinating & defecating around the beach huts.

Easily available take away alcohol would increase rowdy, late-evening gatherings to the detriment of local (rate paying) residents.

I am quite sure that there are many other local residents who feel that the Noisy Lobster has spread its business far enough across this area, and who will join me in objecting most strongly to this latest unwelcome application.

I hope you will take careful note of these objections and turn the application down.

[REDACTED]



Noisy Lobster
Avon Beach
 Licensing Sub-Committee
 12 May 2021



Scale: 1:3000 @ A4
 Date: 29 April 2021
 Creator: USER NAME



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