

Notice of Licensing Sub-Committee

Date: Thursday, 28 October 2021 at 10.00 am

Venue: Virtual Meeting



Membership:

Cllr J J Butt

Cllr A Hadley

Cllr T Johnson

Reserves:

Cllr L Williams (1)

Cllr D Kelsey (2)

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?MIId=4736>

If you would like any further information on the items to be considered at the meeting please contact: Jill Holyoake, Democratic Services on 01202 096660 or email democratic.services@bcpCouncil.gov.uk

Press enquiries should be directed to the Press Office: Tel: 01202 118686 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

20 October 2021



Available online and
on the Modern.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 directly 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 must leave
the room
during the
debate unless
you hold a
dispensation

Other Registerable
Interest

Yes

Declare the
nature of the
interest

You may speak
on the matter
ONLY if
members of the
public are also
allowed to
speak at the
meeting

Otherwise, do
NOT speak or
vote on the
matter and
leave the room
during the
debate unless
you hold a
dispensation

No

Does the matter **directly** relate to your
financial interest or well-being or those
of a relative or close associate?

Yes

You must disclose the interest.

Does the matter affect your financial
interest or well-being:
(a) to a greater extent than it affects the
financial interests of the majority of
inhabitants of the ward affected by
the decision and;
(b) a reasonable member of the public
knowing all the facts would believe
that it would affect your view of the
wider public interest

Yes

You may speak on the matter ONLY
if members of the public are also
allowed to speak at the meeting

Otherwise, do NOT speak or vote on
the matter and leave the room during
the debate unless you hold a
dispensation

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 Chair

To elect a Chair 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

A revised protocol for public representation at formal virtual meetings of the Licensing Sub Committee when it is considering Licensing Act 2003 business is included with the agenda sheet for this meeting.

5. Review of Premises Licence - Southbourne Sports Club, 8 Dean's Road, Bournemouth, BH5 2DA

9 - 68

To consider an application by Dorset Police to review the premises licence relating to concerns that the premises management are unable to uphold the licensing objectives relating to the prevention of crime and disorder, prevention of public nuisance and public safety licensing objectives.

The review is supported by Environmental Health as a Responsible Authority and 9 other persons, who are local residents.

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

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LICENSING 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@bcpccouncil.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	Southbourne Sports Club, 8 Dean's Road, Bournemouth, BH5 2DA
Meeting date	28 October 2021
Status	Public Report
Executive summary	<p>To consider an application by Dorset Police to review the premises licence relating to concerns that the premises management are unable to uphold the licensing objectives relating to the prevention of crime and disorder, prevention of public nuisance and public safety licensing objectives.</p> <p>The review is supported by Environmental Health as a Responsible Authority and 9 other persons, who are local residents.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members consider the following options:-</p> <p>(a) Modify the conditions of the licence; and/or</p> <p>(b) Exclude a licensable activity from the scope of the licence; and/or</p> <p>(c) Remove the Designated Premises Supervisor; and/or</p> <p>(d) Suspend the licence for a period not exceeding three months; or</p> <p>(e) Revoke the licence; or</p> <p>(f) Leave the licence in its current state.</p> <p>Members 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>Where a review application by a responsible authority, or any other person, has been received the scheme of delegation set out in the Council's Constitution states that these applications should be dealt with by the Sub-Committee.</p> <p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the application.</p>

Portfolio Holder(s):	Councillor May Haines
Corporate Director	Kate Ryan
Report Authors	Sarah Rogers – Senior Licensing Officer
Wards	Boscombe East & Pokesdown
Classification	For Decision

Background

1. An application for review of the premises licence, under Section 51 of the Licensing Act 2003, was made by Dorset Police on 14 September 2021 as they state that the licence holder is not exercising the levels of control over the premises necessary to ensure that the licensing objectives are being upheld.
2. Dorset Police have attempted to assist the licence holder and their representative to ensure compliance and improvement but there continues to be breaches and non-compliance. A copy of the review application is attached at Appendix 1.
3. A copy of the application was served on all responsible authorities and the licence holder on that day.
4. At a hearing on 15 April 2021 the Licensing Sub-Committee granted the current premises licence after taking into consideration 8 representations from other persons who expressed concern that, should the application be granted, it would undermine the licensing objectives. A copy of the decision following this hearing is attached at Appendix 2.
5. A copy of the current premises licence and plan showing the location of the premises is attached at Appendix 3.
6. On 15 September 2021 Sarah Rogers of the Licensing Authority attended the premises and erected a site notice for display. A further notice was placed in the main public noticeboard of the council offices in Bourne Avenue and a notice was also published on the council's website.
7. A representation from Environmental Health has been submitted in support of the review application
8. A further 9 representations have also been submitted in support of the review from other persons.
9. A copy of the representations is attached at Appendix 4.
10. No other representations were received from any of the other responsible authorities.

Options Appraisal

11. Before making a decision, Members are asked to consider the following matters:
 - The representations made by Dorset Police.

- The representations made by Environmental Health and 9 other persons in support of the review application.
- The submissions made by or made on behalf of the applicant.
- The relevant licensing objectives, namely the prevention of crime and disorder, prevention of public nuisance and public safety.
- The Licensing Act 2003, Regulations, Guidance and the Council's Statement of Licensing Policy.

Summary of financial implications

12. An appeal may be made against the decision of Members by the applicant or the holder of the premises licence to the Magistrates' Court which could have a financial impact on the Council.

Summary of legal implications

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

Summary of human resources implications

14. N/A

Summary of sustainability impact

15. N/A

Summary of public health implications

16. N/A

Summary of equality implications

17. N/A

Summary of risk assessment

18. N/A

Background papers

BCP Council – Statement of Licensing Policy

<https://www.bcpCouncil.gov.uk/Business/Licences-andpermits/Documents/Gambling/final-version-solp-2020.pdf>

Hearing Regulations

<https://www.legislation.gov.uk/ukSI/2005/44/made>

Revised Guidance issued under Section 182 of the Licensing Act 2003 (April 2018)

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 – Copy application
- 2 – Copy decision notice following hearing on 15 April 2021
- 3 – Copy current premises licence and location plan
- 4 – Copy representations received

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

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Sergeant Gareth Gosling on behalf of the Chief Officer of Dorset Police

(Insert name of applicant)

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

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Southbourne Sports Club 8 Deans Road	
Post town Bournemouth	Post code (if known) BH5 2DA

Name of premises licence holder or club holding club premises certificate (if known) Huseyin KOCABAY
--

Number of premises licence or club premises certificate (if known) BH183391

Part 2 - Applicant details

I am

Please tick ✓ yes

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

☐

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

☒

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

☐

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

Please tick ✓ yes

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

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

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

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Drug & Alcohol Harm Reduction Team Bournemouth Police Station 5 Madeira Road Bournemouth Dorset BH1 1QQ
Telephone number (if any) 01202 227824
E-mail address (optional) licensing@dorset.pnn.police.uk

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

- | | |
|---|-------------------------------------|
| | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

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

The Prevention of Crime and Disorder. Specifically, that the premises management consistently fail to meet the conditions of the licence intended to promote this licensing objective despite considerable support and engagement. Dorset Police no longer have confidence in the Premises Licence Holder.

Public Safety. Dorset Police have concerns regarding the ability and willingness of the Premises Licence Holder to protect the public through adhering to the conditions of the licence.

Public Nuisance. Dorset Police are in receipt of several complaints from residents relating to the licence holder failing to promote the licensing objective of preventing or reducing public nuisance.

The Premises Licence Holder is not exercising the levels of control necessary over the premises to ensure that the Licensing Objectives are being upheld.

Dorset Police and our partners have attempted to engage with the Premises Licence Holder and their representative to achieve improvement, however, the licence holder appear to be unwilling to meet their existing Premises Licence conditions.

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

This application for a Review of the Premises Licence for *Southbourne Sports Club, 8 Deans Road, Bournemouth*, is being submitted by Dorset Police on the grounds of the licensing objectives of the *Prevention of Crime & Disorder, Public Nuisance* and *Public Safety*.

It is and always has been the intention of *Dorset Police Drug & Alcohol Harm Reduction Team* (DAHRT) to engage and support licensees throughout Dorset to promote the four licensing objectives of Preventing Crime & Disorder, Preventing Public Nuisance, Promoting Public Safety and Protecting Children from Harm.

It is our expectation that all licensees will endeavour to meet these objectives and fulfil their duty as licensees with responsibilities to uphold these objectives and meet the conditions of their premises licence.

In this instance, however, Dorset Police have received several reports of incidents and intelligence that suggest that the operators at *Southbourne Sports Club* are failing to meet these objectives, giving rise to failing to meet existing conditions attached to their recently granted Premises Licence.

In advance of providing details of the incidents and concerns that have led to this Application to Review the Premises Licence, I will explain how Dorset Police structure our engagement towards attempting to achieve improvements to licensed premises in a collaborative approach to achieve timely improvements to avoid bringing matters before the Licensing Sub-Committee where possible.

Dorset Police are generally advised of an incident or intelligence linked to a specific premise. In the first instance, isolated incidents or intelligence may not be corroborated or may be unreliable and we would therefore consider a premise at this stage to be of *Interest* to us. This might necessitate a letter to be sent to the DPS or indeed a visit from the local Policing Team or a Police Licensing Officer.

If our concerns are heightened in any way, either through corroborating the initial report/intelligence or we receive further reports from Police Officers or the public, then the status of the premises will then be escalated to be of *Concern* to us. At this stage Licensing Officers and the Licensing Sergeant will discuss how it is most appropriate to manage the risk with the DPS and Premises Licence Holder during an arranged meeting. It is made clear at this time to the DPS/Premises Licence Holder that the premises are of Concern.

If the premises continue to underperform or is failing to act on the concerns of Dorset Police, then the Licensing Officer will engage the support of the Licensing Authority and other agencies to determine a collaborative approach towards persuading the DPS/Premises Licence Holder to make improvements to their working practices. Whilst it remains the responsibility of the DPS/Premises Licence Holder to make improvements, suggestions are generally made by Dorset Police Licensing Officers and our partners as to the areas of concern to encourage improvement during this phase which we refer to as the *Multi-Agency Intervention* stage.

Having received significant engagement and having been offered advice by Dorset Police and our partners, where appropriate, if the premises continue to underperform or continues to raise concerns then we will seek to escalate the premises to a phase we refer to as *Target*. This is overseen by the Drug & Alcohol Harm Reduction Team Inspector and is communicated to our partners and will include a period of collating evidence towards a *Review*. We will also meet with the DPS/Premises Licence Holder to ensure that they fully understand the position and that Dorset Police consider that their premises are not upholding the Licensing Objectives.

It is important to note that during any of the phases detailed above, Dorset Police seek to engage the support and co-operation of the DPS/Premises Licence Holder to avoid a Licensing Sub-Committee Hearing. If this is not possible, then the premises will escalate to the final phase, referred to as *Review*, at which point the application is made to seek a Review of the Premises Licence.

There are occasions when the risk or nature of the concern does not allow all phases to be explored. This will generally be in serious cases where the Licensing Act 2003 supports an immediate escalation

to a latter phase or where the nature of the incident casts immediate doubt over the ability of the premises to operate safely and lawfully. On these occasions, the evidence produced in support of the Review will generally be relatively current.

Due to the engagement that we undertake, where each or most of the phases of engagement have been explored in advance of the Review being submitted, it may be that some of the evidence being produced is up to 12 months (or in some cases longer) old. This should serve only to confirm that the premises have been underperforming over a sustained period despite structured engagement. We will endeavour to highlight the above phases of engagement chronologically throughout the document.

The licence for this premises was granted on the 23rd June 2021 following an application by Mr Kocabay to change the premises from having a Club Licence to a Premises Licence, which would enable him to broaden the customer base for the premises.

The licence was granted with some input from Dorset Police and it was our expectation that Mr Kocabay will have understood and listened to the concerns raised by local residents in order to ensure that in delivering a successful business he would also uphold the licensing objectives and ensure that the conditions of his licence were met. Despite our engagement and support, we have illustrated below the breaches and failings witnessed by Dorset Police and our partners which evidences that the licence holder has consistently failed to uphold the licensing objectives.

On the 12th July 2021 Dorset Police received the first complaints regarding the premises. In the first instance, given that the licence had been granted only 20 days prior to us receiving the complaints, we contacted his Licensing Consultant, David Ramsay, to advise of the complaints. The following day, on the 13th July 2021, Police Licensing Officer Louise Busfield spoke with Mr Kocabay and advised him to ensure that he was promoting the licensing objectives and meeting the conditions of his premises licence.

Mr Kocabay advised that he was being harassed by residents, however, we established that it was residents complaining that he was not meeting the conditions of his licence that were resulting in complaints being made to him. Licensing Officer Louise Busfield advised him that due to the number of complaints being received, his premise was of *Interest* to the Licensing Team and requested a list of customers that had been present at the premises over the preceeding 7 days. Mr Kocabay maintained that the complaints were unfounded but agreed to provide a list of customers over the past 7 days.

Dorset Police did receive further communication on the 17th July 2021 from Karen Wigington on behalf of Mr Kocabay with details of the customers. She advised, on behalf of Kocabay, that it had proven difficult to control the number of customers gathering at the entrance to his premises and reiterated that Mr Kocabay felt that the neighbours had been making false reports regarding his premises. Ms Wigington also suggested that there had been racial comments made between neighbours which had become known to Mr Kocabay and this caused me concern as I did not wish for the situation between the business and the residents to deteriorate further.

At the earliest opportunity, having received further reports of complaints from neighbours, I escalated the premises to be of *Concern*, however, due to the fact that the premises licence had only recently been granted and that many of the issues being reported appeared to be anti-social behaviour and complaints of noise nuisance, I decided it appropriate to invite both Sarah Rogers of BCP Licensing Department and Matthew Taylor of BCP Environmental Health to a meeting with Mr Kocabay to determine the most appropriate route forward to manage the concerns of the neighbours to the business and seek early improvement in the operating practices, if appropriate, before poor practices or misunderstandings could become established in the working practices of the premises.

This meeting occurred on the 20th July 2021 whereby breaches of the licence conditions were witnessed and evidenced. There was CCTV footage of gatherings of more than 4 outside the premises, the incident book for the premises had been inadequately completed, there was no refusals register and no training records for the only other member of staff at the premises. Additionally, there had been no Risk Assessment for SIA Door Supervisors completed prior to the showing of the Euro 2020 football events and it could not be determined during the meeting whether the premises had indeed submitted membership to the local PubWatch scheme.

Dorset Police had also received information and evidence to suggest that public urination was occurring outside the premises.

It was clear that Mr Kocabay had failed to meet several conditions required by his licence and in doing is likely to have been causing a nuisance to neighbouring premises. Mr Kocabay was provided with a written record of the concerns raised in order that he could make improvements. Matthew Taylor, Sarah Rogers and I collectively agreed at the conclusion of the meeting that the premises would benefit from additional support and guidance through being further escalated to the *Multi-Agency Intervention* stage of the engagement matrix. Significant advice was provided during the meeting which made clear the improvements that were necessary to ensure compliance with the premises licence. The premises would be closely monitored for further complaints and further intervention would be discussed and delivered by all partner agencies.

On the 31st July 2021 further contact was received from Licensing Consultant David Ramsay. Because of our visit of the 20th July 2021, he had been instructed by the licence holder, Mr Kocabay to conduct a detailed survey of the premises and its operation to identify and rectify and shortcomings in relation to the 4 licensing objectives. Mr Ramsay advised that he planned to attend the premises on Tuesday 3rd August 2021 to complete the survey, the results of which would be published to Mr Kocabay and ourselves the following week.

On the 4th August 2021, Licensing Officers Louise Busfield, Matthew Taylor and I visited the premises. Further breaches were again identified during a brief visit, which had only been intended to clarify any issues raised by Mr Ramsay the previous day. Mr Kocabay was advised that evidence had been received which clearly suggested that drugs were being taken inside the toilets at the premises. Mr Kocabay denied that this was taking place, however, pledged to deal with any such activity if he was to be made aware in the future. Mr Kocabay was advised to also ensure that a copy of his Premises Licence was on display at all times. CCTV footage at 8.16pm on 30th July 2021 showed a male leaving the premises with a bottle of beer that had been served to him a short time prior to him leaving. Mr Kocabay stated that he had not seen the male leave with the alcoholic drink as he was playing Pool at the time. CCTV captured three further occasions where there had been mismanagement of the outside space where the numbers either exceeded those permitted or customers were consuming their drinks outside. Mr Kocabay, in response, stated that it was a 'lot of pressure' to manage the premises.

A letter was sent to Mr Kocabay on 6th August 2021 confirming the breaches that were identified, though we anticipated that these would also have been identified by Mr Ramsay in his report that would soon follow.

The report following the survey completed by Mr Ramsay was received on 11th August 2021. Mr Ramsay confirmed that he would be meeting with Mr Kocabay to discuss the findings in detail and to suggest a way forward to achieve necessary improvements. It was also proposed that Mr Kocabay invite concerned local residents to a meeting at the premises to discuss proposed improvements and provide feedback in the near future.

The report prepared by Mr Ramsay broadly supported the findings of Dorset Police and listed several areas of concern that should be immediately addressed by Mr Kocabay.

On the 19th August 2021 a meeting occurred at the premises with invited residents and a member of the Neighbourhood Policing Team who attended impartially as an observer and to receive any feedback that would be useful for the purposes of supporting all involved to achieve improvements.

Further reports continued to be received by Dorset Police from local residents regarding incidents of anti-social behaviour emanating from the premises. On the 7th September 2021 I completed a further visit along with Licensing Officer Louise Busfield to understand the improvements that had been implemented following the previous visits and the report provided independently on instruction from Mr Kocabay.

I will now summarise the shortfalls identified which included several breaches of the licence that continue to occur at the premises.

On viewing the Incident Book all entries except one relate to contact with the local residents. The one

relevant entry, written, we were told, by a customer of the premises, related to a customer who had failed to pay for a drink and had therefore been excluded from the premises. The note read, "He naughty boy". When asked about the time of the incident, Mr Kocabay was unable to provide any further details which prevented the incident being corroborated by CCTV. Mr Kocabay confirmed that he had no formal Banning/Exclusion Policy in place, something which had been suggested as necessary by Mr Ramsay.

Despite Condition 2.5 requiring that the Refusals Book be 'checked and signed by one of the management staff on a weekly basis', there were only two signatures in the book which started on 21st July 2021 and were apparently signed by one of the bar staff, Vicky.

Once we had established that Vicky was not a member of management at the premises, Mr Kocabay was unable to provide details of the staff training in respect of Vicky, instead stating words to the effect, "she worked in hotels", which we explained did not adequately meet condition 2.3 of the premises licence.

During the visit Mr Kocabay was once again made aware of a covering over a Fire Alarm which appeared to be a plastic carrier bag. On a previous visit Mr Kocabay had removed a latex glove from the same Fire Alarm when his attention was drawn to the hazard.

Upon attempting to review the CCTV it became apparent that Mr Kocabay had not been reviewing the function of the CCTV on a weekly basis (required by Condition 2.16) as he was unable to immediately operate the system, instead needing to speak with an engineer who provided him with remote support. There was no documentary evidence demonstrating that weekly checks had been completed (Condition 2.16) and the date 'stamp' on the CCTV was incorrect by 1 hour.

Mr Kocabay was reminded of the requirement to record any discrepancies with the timings of the CCTV for future reference.

Despite Mr Kocabay being advised during a prior visit that the CCTV had failed to record footage beyond 19 days prior to the visit (20th August 2021 being earliest day of footage available), a further check identified that this issue had not been rectified and continued to record for the preceding 19 days and not 31 days as required by condition 2.12.3.

Once we had accessed the CCTV system with the support of the engineer, a review of CCTV footage for 4th September 2021 we identified a small number of customers entering the premises at 12.10am, beyond the time that the premises are permitted to remain open to the public. The customers were served alcohol at 12.11am by a member of staff whilst Mr Kocabay was sat some 2 metres away talking with a friend at the Bar.

Mr Kocabay informed us that he had simply 'lost track of time' whilst talking to his friend, which demonstrated that he was not effectively managing the premises. These customers were seen to leave the premises at approximately 12.40am, despite Mr Kocabay being adamant that he consistently leaves the premises at midnight each night.

On the 7th September, the day in which the visit was completed, Mr Kocabay had advised that he had closed at midnight the previous evening. Mr Kocabay was challenged as to why customers had been leaving the premises at 4.13am. A review of the CCTV confirmed that there had been a small group of males predominantly using the poker room, which is not covered by CCTV. Mr Kocabay became defensive and stated that he had been playing games with some friends and that no alcohol had been served during this time.

Mr Kocabay was advised that whilst it was difficult to prove that licensable activity had taken place, the adverse effects of individuals leaving the premises at such a late hour would undoubtedly serve only to fuel the ongoing issues between him and his neighbours. In order to demonstrate the adverse effects that the licence is attempting to avoid, Licensing Officer Louise Busfield identified from the CCTV footage that Mr Kocabay was seen to deposit a waste bag in the wheeled bin outside the premises, which would potentially cause a disturbance and is prevented by condition 2.19 which does not permit waste to be deposited outside after 10pm each evening as to avoid public nuisance from being caused.

Mr Kocabay once again became defensive when I attempted to summarise the concerns that remain regarding his apparent inability to meet some of the most basic conditions of his licence. Mr Kocabay maintained that he had been making every possible effort to meet the conditions, which does cause me concern as I would expect these conditions to be met regardless of the experience of the licence holder.

The Home Office Revised Guidance issued under section 182 of the Licensing Act 2003 states at 11.24 that in cases such as this the Licensing Authority should '*ensure the promotion of the crime prevention objective*'.

In doing this, Section 182 Guidance states at 11.26 that it is the Licensing Authority's role to solely '*determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective*'.

Consideration should also be given to circumstances where activity has taken place '*despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence*'. We have illustrated above that it is indeed the Premises Licence Holder that is in daily control of the business with oversight over all aspects of the business. There is also concern that it is indeed the Premises Licence Holder that is encouraging the breaches to the conditions and failing to uphold the licensing objectives.

There can be no excuse for licensees failing to act to meet their licence conditions and promote the licensing objectives within their premises. When considering the relevance of the review and the potential sanctions, if any, that the Sub-Committee may choose, it should be emphasised that Dorset Police and other partner agencies are working tirelessly to engage positively and improve standards within our licensed community and consider that the operating standards at *Southbourne Sports Club* are falling far short of the level expected.

I accept that there have been no significant incidents of violence at the premises. The breaches to the licence, whilst some may appear trivial, have all contributed to a clear indication of mismanagement. The premises clearly do not enjoy a large customer base, however, despite the apparent lack of large numbers of customers, Dorset Police continue to receive a significant number of complaints regarding this premises, which is entirely disproportionate when compared to other similar sized premises. Dorset Police will continue to act impartially when investigating reports of apparent breaches, however, on this occasion I have demonstrated that despite our support, the support of our partners and the support of an independent Licensing Consultant, Mr Kocabay seems unable to make the necessary improvements to become compliant.

Dorset Police invite the Sub-Committee to consider all the options available to them under the Licensing Act 2003 with consideration to be given to revocation of the Premises Licence as we do not consider at this time that the other options available to the Sub-Committee would sufficiently meet the concerns that we have regarding this premises.

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

☐

If yes please state the date of that application

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

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

Please tick ✓

yes

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

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

Part 3 – Signatures (please read guidance note 4)

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

Signature Sgt Gareth Gosling

.....

Date **14th September 2021**

.....

Capacity **Police Sergeant**

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

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

Notes for Guidance

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

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Licensing Act 2003 – Notice of Decision

Southbourne Sports Club 8 Dean's Road Bournemouth BH5 2DA

The Licensing Board sat on 15 April 2021 to consider the application for a premises licence in respect of Southbourne Sports Club, 8 Dean's Road, Bournemouth, BH5 2DA. I can confirm that Bournemouth Borough Council has reached the following decision:

Decision

That the application for a new premises licence for the premises known as Southbourne Snooker Bar, 8 Deans Road, Southbourne, Bournemouth, BH5 2DA, for the provision of Indoor Sporting Events on Monday to Sunday from 10:00 to 00:00hrs, and for the sale of alcohol on the premises on Monday to Sunday from 10:00 to 00:00hrs* (terminal hours as amended below) be GRANTED, subject to the conditions offered by the applicant to promote the licensing objectives as detailed in Section 18 of the application form, and the following additional conditions:

Additional conditions agreed with the applicant by Dorset Police:

- *The terminal hour for the sale of alcohol on Monday to Saturday will be 23:30hrs and on Sunday 22:30hrs.
- If it is intended to show any major sporting event on a television within the premises (other than Snooker or Pool tournaments, golf, motor racing events, athletics competitions or tennis or cricket matches), or to hold any function, the Premises will conduct a written risk assessment to determine whether it is appropriate to deploy door supervisors for a period of time before the event is scheduled to start, during the event and for a period of time after the event is scheduled to end and will deploy door supervisors in accordance with the outcome of the risk assessment. Such risk assessments will also be conducted at the request of the police in respect of any other event scheduled to take place at the premises. Copies of all risk assessments shall be retained on the premises for a minimum period of 6 months and shall be made available for inspection by police and other authorised officers on request.

Additional conditions offered by the applicant in response to representations received:

- At least 75% of the floor space shall be taken up by 3 snooker tables at all times. This limits the numbers of customers who can be on the premises at any one time.
- Any provision of poker will be restricted to 'low level' as defined by the Gambling Commission guidance.
- A double door policy so that one inner door is closed when the outer door is open will be retained to limit noise emanating from the entrance.
- A contact Mobile Phone number for the person in charge of the premises shall be provided to the residents of Deans Road and Parkwood Road for the purposes of reporting concerns or complaints.

Any personal information you provide us with, will be held and used in accordance with the law and the Data Protection Act 2018. If you would like to find out more information about how we use your information, please see our Privacy Notice here: bcpCouncil.gov.uk/privacy

- No more than 4 persons at any one time will be permitted outside the premises for smoking. This area will be monitored by staff when in use.

In addition, at the hearing the applicant's representative confirmed a typographical error in the application form: where the date of 2 January is referred to as part of the non-standard timings, this should read 1 January.

Reasons for the Decision

The Sub Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the report for Agenda Item 5 and the Supplement, in particular the eight written representations made by 'other persons' living in the locality, along with the verbal submissions made at the hearing by the Licensing Manager, the applicant's representative and the applicant and the Ward Councillor representing himself and one 'other person'. The Sub Committee also considered the responses given to questions asked at the hearing.

While the Sub Committee acknowledged the concerns expressed in each of the representations, including those around the potential increase in noise, disturbance and anti-social behaviour, these concerns appeared to be based on a fear of what may happen should the licence be granted and although understandable, did not provide any substantial evidence of public nuisance or crime and disorder that could be taken into account when determining the application. The Sub Committee was mindful of the spirit of the Licensing Act 2003 and the case of *Thwaites PLC v Wirral Borough Magistrates' Court* 2008. The Sub-Committee noted that there were no representations made by any of the Responsible Authorities, in particular Dorset Police and Environmental Health, who the Licensing Committee looked to as a key source of information regarding issues of crime and disorder and public nuisance in an area.

Some issues raised such as parking problems and the playing of poker on the premises were outside of the scope of the licensing objectives. The Sub Committee was grateful to the applicant's representative for his clarification on the operation of 'low level' poker in accordance with Gambling Commission requirements.

The Sub Committee noted that the premises was used primarily for the playing of snooker and had a maximum capacity of 45 customers. It had operated for many years with a Club Premises Certificate with no previous issues reported. The applicant's representative had explained that switching to a Premises Licence would enable the premises to respond to changing customer demands to allow for more occasional use rather than the commitment of a club membership fee. A premises licence also provided greater controls to promote the licensing objectives by way of conditions attached to the licence.

In addition to the conditions included in Section 18 of the application form, the Sub Committee considered that the additional conditions agreed with Dorset Police and the additional conditions offered by the applicant in response to the written representations would mitigate the concerns raised by local residents, particularly those in relation to control and monitoring of the external area of the premises.

The Sub Committee was satisfied that the premises should not undermine the licensing objectives if operated in accordance with the conditions offered by the applicant and agreed with Dorset Police. It was noted that a review of the premises licence could be applied for at any time by the Responsible Authorities or any other person should any problems associated with the licensing objectives in relation to the premises occur once the licence was granted.

Right of Appeal

You do have a right of appeal against this decision. Any appeal must be commenced by way of complaint laid by the appellant to the Designated Officer, Dorset Magistrates' Court, Deansleigh Road, Bournemouth, BH7 7DS within the period of 21 days beginning with the date of this Notice.

cc. Any Persons making a relevant representation

Premises Licence Part A

Premises licence number: BH183391

Postal address of premises, or if none, ordnance survey map reference or description:
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Southbourne Sports Club 8 Dean's Road

Post town: Bournemouth	Post Code: BH5 2DA
-------------------------------	---------------------------

Telephone number: 01202 427524

Licensable activities authorised by the licence:

Indoor Sporting Events

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:
--

Indoor Sporting Events

Monday - 10:00 to 00:00

Tuesday -10:00 to 00:00

Wednesday -10:00 to 00:00

Thursday -10:00 to 00:00

Friday -10:00 to 00:00

Saturday -10:00 to 00:00

Sunday -10:00 to 00:00

<u>Non-standard timings for indoor sporting events</u>
--

At New Year the times are from the start of permitted hours on the 31st December to the end of permitted house on the 1st January a continuous period.
--

Supply of Alcohol

Monday - 10:00 to 23:30

Tuesday -10:00 to 23:30

Wednesday -10:00 to 23:30

Thursday -10:00 to 23:30

Friday -10:00 to 23:30

Saturday -10:00 to 23:30

Sunday -10:00 to 23:30

<u>Non-standard timings for the supply of alcohol.</u>
--

At New Year the times are from the start of permitted hours on the 31st December to the end of permitted house on the 1st January a continuous period.
--

The opening hours of the premises:

Monday -10:00 to 00:00

Tuesday -10:00 to 00:00

Wednesday -10:00 to 00:00

Thursday -10:00 to 00:00

Friday -10:00 to 00:00

Saturday -10:00 to 00:00

Sunday -10:00 to 00:00

<u>Non-standard timings.</u>

At New Year the times are from the start of permitted hours on the 31st December to the end of permitted house on the 1st January a continuous period.
--

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:
--

Alcohol will be consumed on the premises.

Part 2

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

Mr Huseyin Kocabay

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:
--

Mr Huseyin Kocabay

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

BH0139477

BCP Council

Annex 1 – Mandatory conditions

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

- 1.1. There shall be no sale or supply of alcohol when there is no designated premises supervisor in respect of this premises licence or at a time when the said premises supervisor does not hold a personal licence or when his/her licence is suspended.
- 1.2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 1.3. Any person used to carry out a security activity as required under condition 2.18 below must be licensed by the Security Industry Authority.

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

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

2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

1.7. The responsible person must ensure that -

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

The Licensing Act 2003 (Mandatory Conditions) Order 2014

1.8.

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

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

Where –

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

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

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

Annex 2 – Conditions consistent with the operating schedule

General

- 2.1 The function room shall seat a maximum of 12 persons for a function.
- 2.2 The premises licence holder shall ensure that all staff at the premises are experienced and have been trained accordingly.

Prevention of Crime & Disorder.

- 2.3 All front of house staff shall be trained to a competent level including licensing law, drug awareness and shall be trained to Level 2 Award in Conflict Management.
- 2.4 There shall always be a personal licence holder on the premises when used for licensable activities.
- 2.5 A refusals book shall be maintained and shall be checked and signed by one of the management staff on a weekly basis.
- 2.6 The refusals book shall be kept on the premises and made available for inspection by Licensing, Police and other authorised officers.
- 2.7 The premises shall adopt the 'Challenge 25' proof of age policy with regards to the requirement for the production of acceptable photographic identification.
- 2.8 All areas including the outside entrance shall be regularly monitored by staff and CCTV. The tables shall be cleared at regular intervals.
- 2.9 Any provision of poker at the premises shall be restricted to 'low level' as defined by the Gambling Commission guidance.
- 2.10 When the function room is used for 'low level' poker games the Designated Premises Supervisor shall be the responsible person and shall be conversant with and comply with the Gambling

Commission's code of practice for equal chance gaming in clubs and premises with an alcohol licence.

- 2.10.1 No persons under 18 years of age shall be allowed in the function room when it is being used for poker games.
- 2.11 The premises shall actively participate in any local Town Watch initiative.
- 2.12 A CCTV system, shall be installed to cover all entry and exit points enabling frontal identification of every person entering in any light condition.
 - 2.12.1 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.
 - 2.12.2 CCTV shall operate during all times when customers remain on the premises.
 - 2.12.3 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.
 - 2.12.4 The CCTV system shall be updated and maintained according to Police recommendations.
- 2.13 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.
- 2.14 CCTV shall be downloaded on request of the Police or authorised officer of the Council.
- 2.15 Appropriate signage advising customers of CCTV being in operation, shall be prominently displayed in the premises.
- 2.16 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.
- 2.17 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.
 - 2.17.1 Refresher training shall be provided at least once every 6 months.
- 2.18 If it is intended to show any major sporting event on a television within the premises (other than Snooker or Pool tournaments, golf, motor racing events, athletics competitions or tennis or cricket matches), or to hold any function, the Premises shall conduct a written risk assessment to determine whether it is appropriate to deploy door supervisors for a period of time before the event is scheduled to start, during the event and for a period of time after the event is scheduled to end and will deploy door supervisors in accordance with the outcome of the risk assessment. Such risk assessments will also be conducted at the request of the Police in respect of any other event scheduled to take place at the premises. Copies of all risk assessments shall be retained on the premises for a minimum period of 6 months and shall be made available for inspection by Police and other authorised officers on request.

Prevention of Public Nuisance

- 2.19 No waste shall be removed from the premises during the hours of 2200hrs - 0800hrs.
- 2.20 No deliveries other than that of newspapers shall take place between the hours of 2200hrs - 0800hrs.

- 2.21 Staff shall encourage customers to leave the premises quietly and to have regard for residents.
- 2.22 The outside of the premises shall be regularly monitored by staff and CCTV to ensure that the licensing objectives are being upheld and no customers are loitering outside premises.
- 2.23 Signs shall be displayed at the exit requesting customers to leave the area quietly, having regard for local residents.
- 2.24 The interior doors at the entrance shall be kept closed at all times except when customers are entering or leaving the premises.
- 2.25 At least 75% of the floor space shall be taken up by 3 snooker tables at all times.
- 2.26 A double door policy shall be in place whereby the inner door is closed when the outer door is open to limit noise emanating from the entrance.
- 2.27 A contact mobile phone number for the person in charge of the premises shall be provided to the residents of Deans Road and Parkwood Road for the purposes of reporting concerns or complaints.
- 2.28 No more than 4 persons at any one time shall be permitted outside the premises for smoking. This area shall be monitored by staff when in use.

Protection of Children from Harm

- 2.29 Staff shall be trained in accordance with any guidance given by TSSW in relation to all age restricted goods.
- 2.30 A “No Proof of Age – No Sale” policy shall be adopted and records kept of that training at the premises. Such records will be kept and made available to Licensing, Police or other authorised officers.
- 2.31 ‘Challenge 25’ signage shall be displayed prominently on the premises.
- 2.32 Written records of training and subsequent refresher training shall be kept for all staff involved in the sale of alcoholic beverages.
- 2.33 The only acceptable proof of age documents acceptable shall be a UK photo driving licence, valid passport and identity cards bearing the PASS LOGO.
- 2.34 During home deliveries including alcohol no supply of alcohol will be made unless the acceptable proof of age is shown at time of delivery, examined and accepted.

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

N/A

Premises Licence Part B

Premises licence number: BH183391

Postal address of premises, or if none, ordnance survey map reference or description:	
Southbourne Sports Club 8 Dean's Road	
Post town: Bournemouth	Post Code: BH5 2DA
Telephone number: 01202 427524	

Licensable activities authorised by the licence:
Indoor Sporting Events, Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:
Indoor Sporting Events: Monday to Sunday -10:00 to 00:00 Supply of Alcohol: Monday to Saturday -10:00 to 23:30, Sunday -10:00 to 22:30 <u>Non-standard timings for licensable activities.</u> At New Year the times are from the start of permitted hours on the 31st December to the end of permitted house on the 1st January a continuous period.

The opening hours of the premises:
Monday to Sunday -10:00 to 00:00 Non-standard timings. At New Year the times are from the start of permitted hours on the 31st December to the end of permitted house on the 1st January a continuous period.

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

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

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

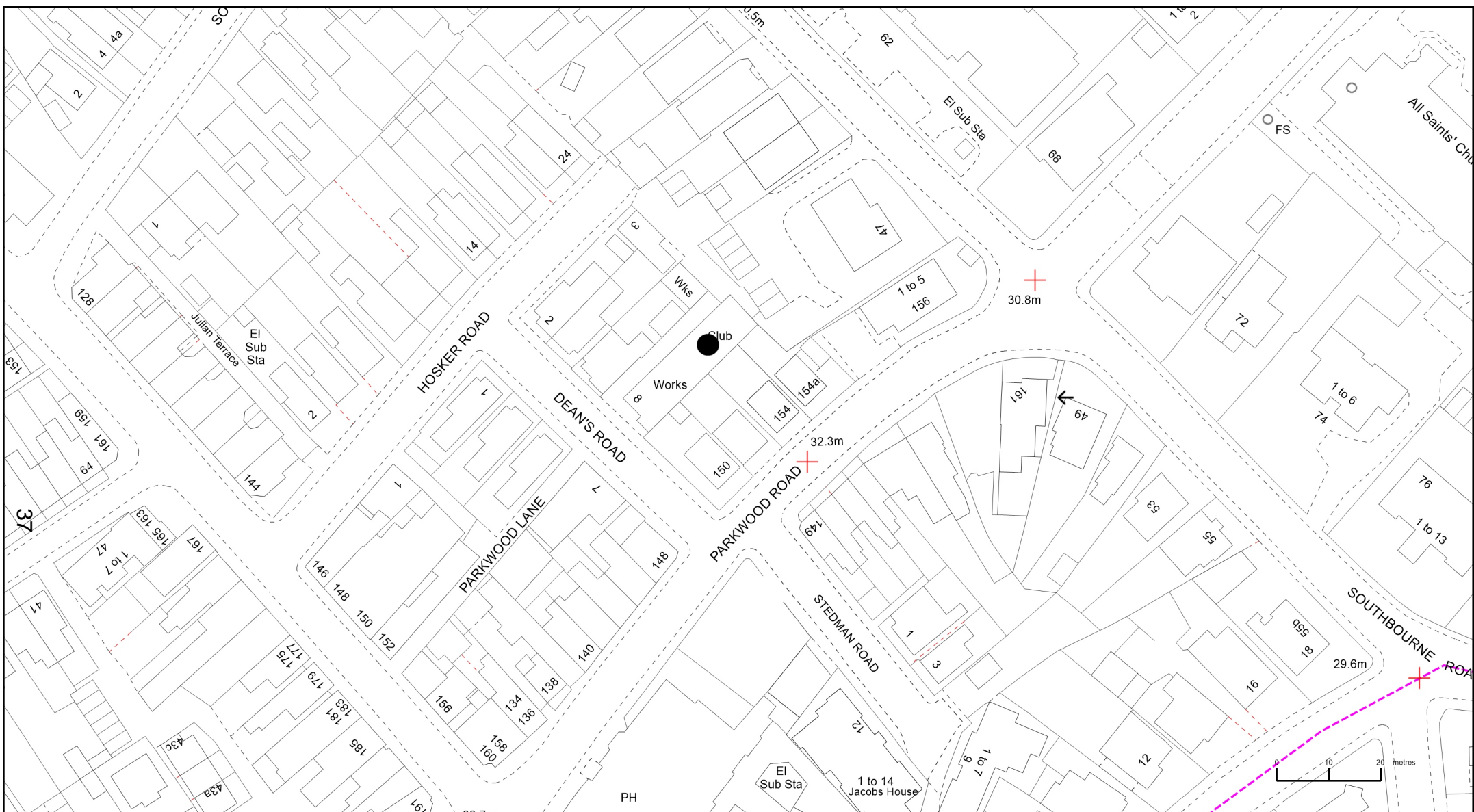
Name of designated premises supervisor where the premises licence authorises the supply of alcohol:
Mr Huseyin Kocabay

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

Issued: 23 June 2021


Mrs Nananka Randle
Licensing Manager

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Southbourne Sports Club, 8 Dean's Road, Bournemouth

Review of Premises Licence by Dorset Police



Scale: 1:1000 @ A4

Date: 14 October 2021

Creator: Sarah Rogers - Senior Licensing Officer

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REPRESENTATIONS RECEIVED IN SUPPORT OF REVIEW OF PREMISES LICENCE
SOUTHBOURNE SPORTS CLUB 8 DEAN'S ROAD BOURNEMOUTH

Representation Number	Name
1	Matthew Taylor – Environmental Health
2	Mr Fitzsimmons
3	Mrs Fitzsimmons
4	Anon
5 and 6	Mr and Mrs Evans
7	I Lasbury
8	Mr Jarman
9	Mr and Mrs Marlow
10	Anon

Representation 1

Dear Sarah,

I would like to make my action regarding the above Premises known.

My colleague Andrew Hill dealt with the premises licence application and organised a set of conditions for this business.

My first dealings with this business was during the COVID Pandemic. I received information that the business had opened following the reduction in COVID restrictions.

We were completing advise visits at this time I therefore visited on the 28th May 2021 to provide advice and guidance on the current requirements, I provided verbal advise, I noticed a member of the public sitting at the bar at time of my visit and informed Mr Kocabay this was not allowed and that it must be table service only.

I carried out a further visit following receipt of a complaint on the 23rd June 2021, I found people sitting at the bar and once again informed Mr Kocaby that this must stop.

I was copied into a complaint received by the licensing department which made comment about noise, after further investigation and telephone calls it was clear the noise concerned was regarding people noise externally and not noise generated internally coming out of the building.

Due to the complaint received I carried out a visit on 20th July 2021 with Gareth Gosling and Sarah Rogers. We were on site for a very long time and we noted a number of breaches of the Polices conditions, we did not get the opportunity to look at the Prevention of Public Nuisance Conditions but we had a long conversation regarding monitoring and ensuring only 4 people externally. The Police provided written documentation of the improvements required.

On 4th August 2021 a visit was carried out with Gareth Gosling and Louise Busfield, we had a long conversation with Mr Kocaby and viewed CCTV video. Much of the conversation was around 4 people maximum outside. CCTV shows people outside while Mr Kocaby is playing snooker inside. Again a list of the improvements were required.

I was unfortunately unable to attend the revisit completed by the Police.

I have not been receiving complaints throughout this time, complaints have correctly been directed to the Police because they were regarding anti social behaviour.

I hope the above information is a useful insight into the work that has been completed by the Environmental Health Department regarding this business and shows that although various agencies have provided a number of hours of advice and guidance, the management have been unable to make the desired improvements.

Kind Regards



Matthew Taylor
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Communities
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Representation 2

Name: Laurance Fitzsimmons	
Address:	
Town: Bournemouth	
Post Code: BH5 2DA	
Email:	
Contact Telephone Numbers:	Mobile: Daytime:

Premises Details <i>(Please give as much information as possible)</i>
Application Ref:
Name of Premises: Southbourne Snooker Bar
Address of Premises: 8 Deans road, Southbourne, BH52DA

Reasons for Representation: The Prevention of Public Nuisance and The Prevention of Crime and Disorder

Customers being allowed to remain on / enter premises / past closing time: 00.00

I have lived at ... Deans Rd for 23 years and raised **only one concern** for consideration during the **Premises Licence Decision** process, and that was, that the hours of business mirrored that of the previous Club Licence that had operated with no concerns for many years. My wife is a nurse and is required to be on duty, regularly, at 7am, she also is required to work 12 hours shifts which means she would arrive home at approximately 19.30. Sleep is obviously very important to everyone, but I would say more so for anyone working in highly stressful environments dealing with human trauma. **Please note;** The distance from our property to the Snooker Bar is less than 10ft. It is also generally accepted that continued sleep disturbance can have a negative affect on a person's mental health and wellbeing.

15 April 2021 **The Licensing Board** decided that the bar's closing time would be 00.00. My understanding is that Mr Kocabay had originally applied to sell alcohol till 00.00 allowing the bar to close at 00.30 at the earliest.

Since opening, Mr Kocabay has decided to ignore the Licencing Board's decision and regularly allows customers to remain in the bar past closing time. Customers can leave anytime between **00.10 and 06.50** causing and promoting unnecessary anti-social disturbance, noise, urination, littering and light pollution.

Mr Kocabay has also permitted customers to enter the bar after 00.00, on one occasion 2 customers were permitted to enter the bar at **03.10** after arriving in a taxi that parked and

idled in the street for several minutes. On separate occasion a customer left the bar at **00.44**, only to loiter for several minutes and then urinate at the entrance of the bar. Shortly after this incident another person arrived at the entrance of the bar, **00.58**, he also loitered and urinated on a neighbour's wall.

Examples of customers not leaving the bar at 00.00 and entering the bar after 00.00

- 24.09.2021: **00.08** a visibly intoxicated customer is escorted to a waiting taxi - **00.12** customers leave bar – **00.18** 2 customers escorted to a waiting taxi – **02.42** customer leaves premises and creating noise disturbance
- 23.09.2021: **00.10** customers leave creating noise disturbance; **00.16** pizza is delivered to the premises – Lights and extractor fan remain on till **06.48** when remaining customers leave and the premises closes, *bar left unsecure
- 21.09.2021: **00.09** customers leaving premises creating noise disturbance – light and noise disturbance till **04.19** when the remaining customers leave and the premises closes, *bar left unsecure
- 17.09.2021: Customers leave at **02.32** and at **04.33** – **04.35am** premises closes. Shortly after **04.35** the premises internal fire alarm activated and sounded for approximately 30 minutes, *bar left unsecure
- 04.09.2021:**00.09** Customers permitted to enter the bar
- 28.08.202: **00.52am** ~ several customers leave bar nosily
- 28.08.2021:**00.44am** 1 customer leaves bar and **urinates in public**
- 28.08.2021:**00.58am** 1 male arrives at the entrance of the bar and loiters for several minutes then **urinates in public**
- 28.08.2021:**02.29am** remining customers leave and bar closes, *bar left unsecure
- 25.08.2021: **00.42am** 4 customers, that appear drunk, leave the bar
- 24.08.2021: **00.18am** 2 customers leave bar with 2 small children
- 05.08.2021: **03.10am** 2 customers arrive in a taxi and are permitted to **enter premises**
- 05.08.202: **03.20am** 3 customers leave, one drinking alcohol

Because of the proximity of the bar to my property (10FT) I have suffered continuous sleep disturbances due to; the comings and goings of customers, taxis, bar lights and extractor fans, whilst the bar remains occupied past 00.00. This has had a negative affect on my general

wellbeing, I have found it harder to concentrate and feel generally tired and flat in mood. I work in healthcare and am utilising 1-2-1 supervision to tackle these feelings.

The bar also advertises its opening time as 11.00am, however the bar opens when it opens, this can be anytime between 12.30 and 14.00, the upshot of this that customers often wait outside the bar for anywhere up to 10 to 45 minutes before giving up and wandering off. The bar has attracted street drinkers due, in part, to low pricing. On one occasion one of these individuals walked into our home and into our living room asking for the snooker bar, this individual was visibly intoxicated, my wife was very shaken by this incident.

I mention this to demonstrate that the bar operates without any time management structure which I believe creates a dysfunctional dynamic which I believe customers pick up on. Customers of this bar have enjoyed the lack of control normally expected in a licenced premises and I believe this has had a negative impact on behaviour. For example, customers are permitted to smoke inside the entrance lobby of the bar, which has been against the law since the implementation of the smoking ban in 2007, and means anyone entering the bar would need to walk through second-hand cigarette smoke to do so.

Due to '**recommendations**' surrounding COVID, licence conditions 2.24 and 2.26 have not yet been implemented by the bar; allowing fresh air to travel from the entrance, up the stairs and into the bar (This may help prevent the spread of COVID) obviously, this would also carry second-hand smoke from the lobby area into the bar.

Customers were also permitted to enter the bar and walk around in the bar without wearing masks during restrictions. When I spoke to Mr Kocabay about this he told me " It's hard, my customers think COVID is a hoax" Notably, Mr Kocabay also chose not to wear a mask during this time but have a supply of masks on the bar.

As I have said previously, my only concern before the bar was granted its licence was that the opening times remained the same, I was happy that the bar was granted a licence and looked forward to seeing it open. When I received decision notice from the chief licencing officer Becky Barker I replied "Excellent decision "

However, soon after the bar opened, I began to see evidence of what I would describe as drug dealing and drug use - I have over 10 years experience in drug and alcohol rehabilitation facilitation and was a member of the Federation of Drug and Alcohol

Vehicles would stop outside the bar and customers would be seen leaving the bar and leaning into the cars briefly. Customers would then return to the bar and the car would leave. This happened on a regular basis, it was apparent that mobile phones were being used to alert those inside the bar that there was a vehicle approaching the street and as the vehicle arrived customers would suddenly appear from the entrance.

15.07.2021 at 21.09 Mr Kocabay was stood at the entrance of the bar with 5 customers, one of whom was drinking a bottle of lager he had walked out of the bar with. 4 males were using offensive language and then 1 male left briefly on an electric scooter to meet with a vehicle that had parked at the end of the road, Mr Kocabay walked forward to be able to see more

clearly and then walked back to the entrance. Shortly after the male returned and handed a small package to another male who immediately placed the package in his pocket and then fist bumped the first male. What I witnessed was also caught on CCTV. In my experience in drug and alcohol rehabilitation I believe that I witnessed the characteristics of a drug deal.

16.07.2021 at 22.40 My wife and I were in bed trying to sleep when we began to both hear what I would describe as an argument regarding the ownership of some cocaine, the argument was between a male and a female, the female stated clearly that she had paid half the money to buy it. This conversation was loud and at first, I thought that these people were in our house. My wife and I got out of bed and began to investigate the source. We found that 3 individuals were in the toilet opposite our bedroom window snorting what they believed to be cocaine which I then decided to video. I then text Mr Kocabay and told him that customers were in his toilets taking drugs.

After this incident I went to speak to Mr Kocabay about my growing concerns regarding drug use which I believed was now connected to his bar, I was also aware at this point that Mr Kocabay was not controlling his customers or employing trained staff to do so and so saw this issue escalating. Mr Kocabay told me that he had “ No experience of drugs” and so wouldn’t know what would and what would not look suspicious in relation to drug dealing and drug use, and shrugged his shoulders.

At the residents meeting chaired by Mr David Ramsey, Mr Ramsey remarked that drug use in licenced premises was a common problem, and I agree, drug dealing and drug use is a big problem but this is problem can only be compounded by the lack of awareness, experience and formal training. 2.2 / 2.3 licencing objectives

I have attempted to help Mr Kocabay on several occasions and have also acted as an intermediary between Mr Kocabay, the owner of 8 deans road and the residents of Deans Road. Mr Kocabay always attested that it was the residents that were the problem, and at one point, blamed racism for the complaints. Mr Kocabay has always denied that he has rowdy customers and which became a sticking point.

At one point I printed out and handed Mr Kocabay a copy of the Additional conditions *offered by the applicant in response to representations received*. Notably: 2.28

- No more than 4 persons at any one time will be permitted outside the premises for smoking. This area will be monitored by staff when in use.

My understanding of this condition was that the smoking area would require a physical presence of trained and experienced staff when used by **up to 4 customers**. Meaning that one customer smoking would require staff monitoring to negate any anti social behaviour such as, littering, public urination, and the use of vulgar and distressing language, trained staff would also help deter any possible drug use and also prevent customers walking out of the bar drinking alcohol.

It was also apparent that staff monitoring the smoking area via CCTV from the bar area were unable to hear or see customers that moved out of the narrow parameters of the camera’s

coverage, and because of this the number of complaints grew. On the limited occasions when staff were present, they had no affect on decreasing anti-social behaviour, staff experience and training do not comply with 2.3 licencing objectives.- All front of house staff shall be trained to a competent level including licensing law, drug awareness and shall be trained to Level 2 Award in Conflict Management.

- 10.10.2021: **19.33** 2 customers leave the bar and loiter whilst smoking outside a neighbour's house for several minutes, discarding a lit cigarette on the floor before returning to the bar – no staff monitoring – 2.22
- 07.10.2021: **22.16** 1 customer that appeared either unwell or intoxicated spends several minutes leant on a display vehicle – no staff monitoring – 2.22
- 29.09.2021: **09.56** 3 customers loiter outside a neighbours house smoking for several minutes with no staff monitoring - - 2.22 [Agreed Actions – no more than 2 customers]

Mr Kocabay has created an **us and them** dynamic between his customers and a number of residents that have raised genuine concerns. Below are two recent incidents that can be attributed to Mr Kocabay's assertion that he is being harassed by his neighbours.

- 14.09.202: **21.46** a customer leaving the bar uses a snooker cue case to simulate a firearm which he first points at my motorcycle and then at my home
- 26.08.202: **22.52** Two customers stood at the entrance smoking suddenly position themselves shoulder to shoulder and face our house, both shout "FUCK YOU" and raise their arms and middle fingers. One then shouts "Dicks"

I cannot think of any other reason as to why customers would act in this way towards us.

At a recent residents meeting (19.08.2021) Mr David Ramsey, Mr Kocabay's Licencing Consultant, stated that he found our CCTV cameras "Oppressive" I feel that this statement may have gone some way in validating Mr Kocabay's fixed belief that he is being harassed by neighbours unduly and as a result may still believe that he is operating his premises licence correctly.

At the same meeting Mr Ramsey told residents that accompanied children are legally allowed to remain in a licenced premises until 00.00 however, Mr Kocabay's told the meeting that his own policy requires accompanied children to leave the bar by 19.00. Despite this statement, accompanied children have been seen leaving the bar after 00.00 and most recently 07.10.2021 at **21.00** in direct conflict with his own local policy.

* At the same meeting I explained that Mr Kocabay leaves the bar unsecured when leaving the premises each morning. The bar's windows had been open for several weeks 24/7 which would not comply to a fire risk assessment. It also left alcohol stored in the premises vulnerable to theft and or abuse. Mr Ramsey and a Police officer who had attended the meeting both agreed that Mr Kocabay should secure the bar by closing all windows when the bar was closed. Both

spoke directly to Mr Kocabay, this later became an Agreed Action in the letter sent to residents dated 24.08.2021 however, Mr Kocabay continued to leave the windows open when eventually locking up the bar, again, in direct conflict to agreed actions, and fire regulations

My understanding is that Mr Kocabay permits customers who remain in the bar after 00.00 to smoke in the function room, which was originally designated for low level poker games but is not protected by CCTV, therefore, leaving the windows open could help remove second-hand smoke residue and allow the room to air. This may explain why Mr Kocabay resists securing his bar when leaving the premises.

- 17.09.2021: Customers leave at **02.32** and at **04.33 – 04.35am** premises closes. Shortly after **04.35** the premises internal fire alarm activated and sounded for approximately 30 minutes, *bar left unsecure

This may also account for the fire alarm in the premises being found to have been tampered with on two separate occasions.

In short Mr Kocabay has repeatedly proven unwilling to carry out the most basic responsibilities of his licence and therefore I fully support the review request submitted by Dorset Police for the revocation of this premises licence.

Please see below for my opinion of the options open to the Licensing sub committee.

The Prevention of Crime and Disorder: **See above**

The Prevention of Public Nuisance: **See above**

Public Safety:

The Protection of Children from Harm:

I am aware of the different decisions that a licensing review committee can make and would like to give my opinion on the use of them in this case.

1. **Decide that no action is necessary to promote the licensing objectives** –There is so much objection to the way the premises is currently being run as well as evidence that the DPS is breaching licensing laws that I do not feel ‘no action’ is an option
2. **Modify or add conditions to the licence** – I would like to ask that the presence of qualified door staff is made a condition of the licence. I believe that almost all of the situations that have caused me so much distress over the last 6 months would have been avoided had door staff been present to monitor customers. Having looked at the time of the incidents I have listed, I feel it would be reasonable for door staff to be required 7 days a week from 7.00pm to when the last customers leave. This

includes the times when customers are leaving at 3,4 and 6.50 am – even if these customers are participating in non licensable activities, they are still causing a disturbance when they leave which needs to be managed. The current set up of monitoring customers outside from a silent CCTV inside has proven to be unworkable and unsafe.

I would also like to ask that the licencing hours are changed in order to reduce the impact on residents. I would ask that Monday to Thursday it closes at 10pm, Friday and Saturday 11pm and Sunday 10pm.

3. **Exclude a licensable activity from the licence** – I believe that the only activity the DPS has on his licence is serving alcohol, there are no other activities to remove that would improve the situation
4. **Remove the designated premises supervisor** – we would need to know who the new DPS was – is he still working for the current DPS and therefore would have little control over changing things or have the same way of thinking? What happens if a new DPS is put in place and then leaves – does it revert back to the current DPS? I do not feel that a new DPS is a viable solution in this case, it seems to be more applicable to a big company with a number of premises.
5. **Revoke the licence** –I no longer have any faith in Mr Kocabay's ability to run Southbourne Snooker club in a professional manner and adhere to the licence conditions. I believe he has had enough opportunity to show that he can stick to the conditions but he is not able to. He has even proposed conditions himself following the residents meeting but not been able to stick to them.

With the current set up - i.e. insufficiently trained staff (Mr Kocabay included), no door staff and therefore no monitoring of the door, no consistent adherence to conditions and a blatant contempt towards the licensing/opening hours - I do not see how the snooker club can continue to hold a premises licence.

HOWEVER, if the conditions I have requested above can be fully accommodated then I would feel more confident in the club being able to continue and the impact on residents being reduced. Whilst Mr Kocabay's incompetence in running his premises has greatly affected my life in a negative way, I do not wish to takeaway his livelihood if there is an achievable alternative.

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

Representation 3

The Southbourne Snooker Club, 8 Deans Road

Representations under the Licensing objectives of;

Prevention of public nuisance and the Prevention of Crime and Disorder

To give some context, I have lived with my family at ... Deans Road for over 23 years. Over the years there has been occasional noise nuisance from people coming off the main road somewhat intoxicated, sometimes there are house parties or DIY noise but generally it is a quiet road. There has been little criminal or anti social behaviour as you would not come into the road unless you lived here or were visiting the garage.

Having since endured months of anti social behaviour from club patrons and minimal adherence to licencing conditions from the licence holder, I now wish to add my representations to Dorset Police's request that the premises licence is reviewed.

I have even considered moving away but have tried very hard to not let it dominate my life as it easily could have done. I do not wish to be driven out of the place I have lived happily for 23 years because of someone else's inability to manage a licensed premises. When we moved into our home we knew the original snooker club was in existence and it did not put us off as it was properly run, the people attending respected us as residents and it worked well. When the licence application went in for the current snooker club I naively thought it would run in a similar sort of way.

I was more than prepared to give the new snooker club a chance when the licence was granted, despite my heart sinking at the rule allowing 4 people to congregate outside when smoking – the only thing I had asked for was that no more than two people could congregate outside. I had to hope that close monitoring would keep noise to a minimum.

All of our observations are backed up with video evidence – I would also like to make it clear that we have only installed a security camera since the snooker club opened; we have never felt the need for one before in all the years we have lived here. However when people started using our drive to urinate and it was clear that the anti social behaviour was not going to be short lived it we felt that we needed the extra level of security to protect ourselves and our property. The camera is clearly visible. If there is no longer a club/issues at the premises we will remove the camera again.

The following is a catalogue of incidents that we have witnessed and also forwarded to the Police. For a club with such a small customer base compared to other nearby establishments, there appears to be an inordinate amount of issues.

The first incident was shortly after the Snooker club was opened – several aggressive males were outside the club and were talking in a way that led us to believe that someone was going to be stabbed – this resulted in 999 being called by us (and other residents) and the Police attending

29th May 2021 – large crowd outside till 12.15 am , I opened my bedroom window and asked them to be quiet, a male shouted '**Fuck you**', noise continued until **1am**

30th May 23:35 people outside the club, more than 4, no staff until a female member of staff came out and told them loudly to be quiet and to come in as all the drinks are half price. Club closes at 12.10am and a large group of males come out, appear to be **intoxicated**, go up the drive opposite and **urinate** up a neighbours fence and then break the fence.

12th June – **large noisy** gathering of customers outside the premises using **offensive language**, **more than 4** of them, no staff monitoring

15th June Club is open **to 2am** , customers smoking outside with no staff monitoring, **lots of noise**

25th June - 2 customers smoking outside, **talking loudly, using homophobic language**. One male **urinates** outside our kitchen window. I challenged him and he told me to **'fuck off'**

29th June – 1pm. Customer **so intoxicated** that he fell backwards into the 2 motorbikes used for display by Southbourne motor centre, both bikes fell over and one was damaged.

1st July - 11pm – small group of males leave the club and **harass and then physically attack** a group of my daughter's friends causing **actual bodily harm** – this was reported to the Police

2nd July – **large noisy groups** outside the club on a number of occasions during the evening

3rd July – **9pm – woman with small child** was involved in a fracas outside where a customer was thrown to the ground.

On the same night a large group of customers was outside **talking offensively** with no staff presence.

4th July – 12.15am – **10 customers** outside **talking offensively (sexually explicit language)** with no staff presence.

7th July – 22:19 pm - large group of males and one female outside **shouting and swearing**, later on **13 people outside**. This was the night of the England match but there were no door staff unlike other pubs. I understood a **risk assessment** should have been done but it does not appear to have been

8th July – 00:03 – group of 2 males and 2 females outside **talking loudly and swearing – 'fucking arsehole' 'fucking bitch'** . At the end of the conversation one male returns into the club which should be shut at midnight.

8th July – 12:15am - A group are heard talking with **malice towards Mr & Mrs Evans** – whose garden the male points at after gesturing to the security camera and microphone attached to my house. The individual could be clearly heard **referring to the Evans as That fat cow and fat f**k** – . This appears to be in response to the DPS telling his customers that Mr and Mrs Evan's are racist and that is why they do not like him. There is absolutely no basis to these accusations.

9th July 12:17am – large group of customers outside **talking offensively (sexually explicit language)** with no staff presence.

15th July - A group of men attended the Snooker club from around 7pm, the group used **vulgar and threatening language** throughout the evening - at one point, loudly, describing in graphic detail **physical assaults; eye gouging, pouring a kettle of boiling water mixed with sugar over someone, conversations about stabbings**. Customers from the club **urinated** on Mr and Mrs Evans garden gates. Throughout the evening the group constantly entered the club and returned outside to smoke and continue with their behaviour. At one point the DPS also comes out and can be seen standing along side them while they continue with their antisocial behaviour, members of the group also brought alcohol in bottles out of the club to drink while smoking – **in full view of the DPS – his presence appeared to make no difference to their behaviour**.

16th July 2021 – **7/8 males outside** the club at closing time, **loud and offensive**, no staff to move them on. Female repeatedly asking males not to touch her. No staff monitoring the situation.

At around 10pm we could hear a clear conversation about **Cocaine** – this was coming from the club toilet which is opposite our house (about 10ft away across our drive), our window was open and so was theirs. 3 people could be seen **snorting what was likely to be cocaine** off the bathroom windowsill and talking loudly about various things including his suicide attempts.

18th July - 4 customers arrive just after 11pm – 2 females enter the club whilst a male and a female stand outside talking. One of the females that entered the club returns and comes out shortly afterwards saying it is 'dead' The female then proceeds to **urinate** outside the club rather than use the toilet inside the club and then goes back into the club until **00:15hrs** – I believe this antisocial behaviour is alcohol induced and once again demonstrates that Southbourne Snooker club attracts heavy drinkers that are problematic in terms of crime and antisocial behaviours

23rd July – 3 males outside who woke me up from a deep sleep (I had Covid) - -the first thing I heard was one of them saying loudly “ **When I get home I’m going to wank like a fucking animal** “. I found this very offensive and upsetting and I do not consider myself easily offended, It was a boiling hot evening, my windows were open but I had to shut them. I was later informed by another resident that a male from the same group had walked over to the flat’s opposite and urinated in the entrance porch.

28th July – 9pm – 2 males leave the club and one walks straight across the road to **urinate** on the wall of the flats opposite

29th July – 22:04 – **5 customers outside** without any staff monitoring. A resident from the flats opposite asked the group to 'keep it down please' - the group initially say 'sorry' but when she goes back into the building a male shouts loudly 'I'm sorry' in what appears to be a sarcastic manner and everyone laughs, the noise does not quieten down as requested.

29th July – 23:34 - Noise from customers can be heard but they are not outside (it was raining). Cigarettes can be seen being thrown out onto the area outside of the club, strongly suggesting that customers are **smoking inside the building** – no staff monitoring

1st August – customers of the snooker club **shouting abuse** at the Evans family property which is directly next to the club - calling them '**racists**' and '**fucking twats**'. They later had people **urinate and vomit** on their fence.

4th August – the club stays open until **3.20am**. Noise disturbance from customers slamming car doors and running a car until **3.37am**. **This is the first of numerous nights where the club is open until the early hours.**

11th August – **23:48 – female leaving the premises with a small child** who looks to be about 6. Whilst I understood that this is not illegal, it is against the **DPS's own policy of not having children in the bar after 7pm**. I was **woken up 3 times** from sleeping at **10.30, 11.50 and 00:20** by noise from the club, I then slept on and off as the last people did not leave the club until **4.45am**. I had to get up for **work at 6am**

19th AUGUST – RESIDENTS MEETING ORGANISED BY LICENSING CONSULTANT DAVE RAMSAY. AT THIS MEETING THE DPS AGREED TO FURTHER CONDITIONS WHICH WERE THEN BREACHED WITHIN DAYS.

21st August – male outside club who appears agitated, hand down the front of his short for a long time, walking around continuously, **spitting repeatedly** onto the forecourt and onto the road

23rd August – 00:06 – customer arrives at the club and enters, **still smoking his cigarette and after closing time**. Prior to that, 3 customers had come out on separate occasions to have loud conversations on their phones , 2 of them underneath our open window. Premises left

24th August – the club closes late with **noise disturbance**. At 12:18 two adults and **two children** leave the bar. At 00.21 a customer leaves the bar **whilst smoking**, 00.41 four customers leave the bar, one of them **shouts** and is **visibly incapacitated** through drink or drugs, 00.43 two more customers leave the bar .

At 00.53 Mr Kocabay and a member of staff leave the bar, Mr Kocabay deposits a bag of rubbish in the bin which is against the condition of his licence – he cannot dispose of rubbish after 10pm as the bins are right outside in the street.

26th August - 2 unsupervised customers were directing **loud and offensive language and hand gestures** towards my husband and myself. **Children** were going into the club **after 7pm**.

27th August – single male outside smoking, no monitoring as this male is repeatedly **spitting** on the forecourt

28th August – people leaving the club at **00:52**, car engine running, loud talking, I could not sleep.

Club eventually closes at **02:29**

29th August 00:04 hours - 2 males, one appears drunk, being allowed to loiter outside the bar both using **loud and offensive language. The DPS is also outside.** Both males walk along the road and loiter outside Mr and Mrs Evans home and continue to use **loud and offensive language.** 00:08 Both males then re-enter the bar. At 00:16, a large group of males come out of the club, **shouting and swearing loudly,** there was no effort to move them on. The last group left at around **00:20.**

30th August **02:34** (early hours of Monday morning) a group leave the club, car arrives, doors slamming. More customers and the DPS leave at **02:49**

1st September – club has customers leaving at **01:33** and closed at **03:24am**

3rd September – **Customer enters the club at 11.44** and leaves one hour later, more **customers arrive at 00:10** on the same night/morning.

4th September – afternoon, a male is repeatedly in and out of the club, talking loudly on his phone about being **fighting and going to prison.** As the afternoon went on he got more **agitated, swearing** loudly. I had been out on the balcony at the front of the house but I came in when I started to feel **intimidated** by his behaviour.

5th September – **03:45 club closes** and customers leave.

7th September - **The bar closed at 04.13am .** The DPS disposed of rubbish at 04:13 against condition 2.19 of his licence)

12th September – **bar closes at 04:34**

13th September – customers **leaving at 01:50,** one appears to be **smoking a cigarette** as he walks out of the club.

14th September – **3 customers** smoking and talking outside when the DPS has agreed to limit it to 2. The club is **very noisy** tonight, closes at 00:17 and has disturbed our sleep

16th September - The bar **closed at 04.35** this morning, customers had also left earlier at **02:32** causing disturbance. Shortly after the bar closed the premises internal **fire alarm** activated and sounded for approximately 30 minutes. We logged this with the Fire service.

21st September - **00.09** customers leaving premises creating noise disturbance – light and noise disturbance till **04.19** when the remaining customers leave and the premises closes.

23rd September – 00:10 some customers leave creating noise. At 00:16 takeaway food is delivered to the premises. **I leave the house to go to work at 06:40 hours and there are still people in the club,** they leave around 10 minutes later.

24th September – last customers leave the premises at **02:42** – **noise disturbance** has been going on since 00:08 when other customers started leaving

29th September 9:59pm – Customers were allowed to smoke outside a neighbours property while **leaning on the neighbours car** – this happens quite often

30th September – 00:08 male comes out of the club and **urinates** on the neighbours fence, 00:14 – group of males leave premises and do not move on, instead they are stood **talking loudly** for some time – **the DPS is also stood with them** making no attempt to get them to disperse

2nd October – customers arrive at around 2pm and park opposite the club, **blocking the garage and the access driveway** for a number of residents. No attempt is made by club staff to get them to move it, these customers later leave the club and return to collect the car in the morning having caused the local residents a lot of inconvenience. Also on 2nd October 2 males leave the club, one **urinates** on the Evan's fence and the other **urinates** on the lamppost at the front of their house.

7th October – **9pm – child leaving the club**, the DPS has stated that no children are allowed after 7pm. 10:15 pm, **highly intoxicated person** sitting on the display car belonging to the garage under the club, this person was then allowed back into the club. Later on **loud and offensive language** outside the club by 3 people leaving and waiting for a taxi – no staff monitoring

As you can see from this catalogue of events, the level of disturbance, anti social behaviour and consequent distress I have experienced since the Snooker club opened has been unacceptable. Customers having been urinating in our driveway, outside the club, in the neighbours porch and against the fences – then they go back in the club where there are toilets. They have shouted personal abuse at our neighbours and even attacked my daughter's friends. I can see people detouring across the road when customers are outside the club and neighbours have said they find them intimidating. In addition to the behaviour there is the constant littering of cigarette ends by customers outside despite there being a metal cigarette bin right by the club door.

When the club first opened and the trouble started, my husband approached the DPS on a number of occasions to try and reach some compromise about numbers outside, noise, could he close a bit earlier? None of this was taken on board. I would like to say that we have known the DPS as a local business owner for some years, we have never found him to be rude or aggressive in our dealings with him but we do find him wholly ineffective in managing the customer base he has at his premises, very willing to agree to things and then do nothing whatsoever to enforce what he has agreed to.

I understand he has also had support from the licencing team and his licensing consultant. However, none of this support appears to have had any positive impact. Every time I think that things may be settling down there is an incident with a Customer outside or another late night/early morning opening, even after he has been told that his licence is under review.

For me, the most difficult part has been the level of offensive language I can hear when I am in bed and the disturbance to my sleep. I work 12 hour shifts and often have to be awake for 6am. Since

the club opened, a night's sleep without disturbance has been rare. There are nights when I have still been awake at 4am and have to be up for work at 6am – this has had a very negative impact on my life.

Despite the closing time being advertised at midnight, the club often turns out later which wakes me up if I am asleep. At the weekends if I am not working I do not bother going to bed before midnight as there is no point. Apart from alcohol making most people talk louder than normal, the majority of the customers, who stand outside the club to smoke, swear every other word and some of their language makes me sick to my stomach it is so foul. If I ever saw that kind of thing on the TV I would turn it off, unfortunately I cannot do that with the club. The only way to not hear it is to stay indoors and keep the windows closed.

To make things worse, there have been numerous nights when the club has stayed open to gone 3 or 4am. Most recently it was open to just before 7am. One of the problems with this is that the lights in the whole building remain on, the fan is running as well which is directly opposite our bedroom window – it is like having the moon in the room the whole time as well as a constant droning noise. We used to be able to hear the sea from our room, now we can just hear a fan. When I thought it was going off at a set time it was not too bad, however the closing times are so erratic I never know when it is going to stop and I find that really difficult. The Brewhouse and Kitchen pub nearby can be quite noisy with outside customers but I know that at 10pm they will all be inside and I can no longer hear them – like clockwork that happens every night because that is in their conditions and the premises is very well managed. That in turn makes it very easy for me to manage any anxiety I may have about noise levels coming from that pub.

We have always had our windows open in the summer for air – this summer we have not been able to do that until the club has closed in order to minimise the disturbance. I really don't feel I should have to do that every night just to accommodate a badly run premises.

This is a small residential street, there are no other lights on late at night, we are not an industrial or retail area. The noise from the club closing up, car doors, taxis etc is a further disturbance in the early hours. To me it demonstrates the DPS' disregard for the licensing conditions he agreed to and also shows complete disrespect for the feelings of his neighbours

I am aware of the different decisions that a licensing review committee can make and would like to give my opinion on the use of them in this case.

1. **Decide that no action is necessary to promote the licensing objectives** –There is so much objection to the way the premises is currently being run as well as evidence that the DPS is breaching licensing laws that I do not feel 'no action' is an option
2. **Modify or add conditions to the licence** – I would like to ask that the presence of qualified door staff is made a condition of the licence. I believe that almost all of the situations that have caused me so much distress over the last 6 months would have been avoided had door staff been present to monitor customers. Having looked at the time of the incidents I have listed, I feel it would be reasonable for door staff to be required 7 days a week from 7.00pm to when the last customers leave. This includes the times when customers are leaving at 3,4 and 6.50 am – even if these customers are participating in non licensable activities, they are still causing a disturbance when they leave which needs to be managed. The current set up of

monitoring customers outside from a silent CCTV inside has proven to be unworkable and unsafe.

I would also like to ask that the licencing hours are changed in order to reduce the impact on residents. I would ask that Monday to Thursday it closes at 10pm, Friday and Saturday 11pm and Sunday 10pm.

3. **Exclude a licensable activity from the licence** – I believe that the only activity the DPS has on his licence is serving alcohol, there are no other activities to remove that would improve the situation
4. **Remove the designated premises supervisor** – we would need to know who the new DPS was – is he still working for the current DPS and therefore would have little control over changing things or have the same way of thinking? What happens if a new DPS is put in place and then leaves – does it revert back to the current DPS? I do not feel that a new DPS is a viable solution in this case, it seems to be more applicable to a big company with a number of premises.
5. **Revoke the licence** – I no longer have any faith in Mr Kocabay's ability to run Southbourne Snooker club in a professional manner and adhere to the licence conditions. I believe he has had enough opportunity to show that he can stick to the conditions but he is not able to. He has even proposed conditions himself following the residents meeting but not been able to stick to them.

With the current set up - i.e. insufficiently trained staff (Mr Kocabay included), no door staff and therefore no monitoring of the door, no consistent adherence to conditions and a blatant contempt towards the licensing/opening hours - I do not see how the snooker club can continue to hold a premises licence.

HOWEVER, if the conditions I have requested above can be fully accommodated then I would feel more confident in the club being able to continue and the impact on residents being reduced. Whilst Mr Kocabay's incompetence in running his premises has greatly affected my life in a negative way, I do not wish to takeaway his livelihood if there is an achievable alternative.

Anna Fitzsimmons

Representation 4

12 October 2021

Hi Sarah,

I am sure you have already received many complaints about the noise and bad language coming from the people who step outside of the club to smoke and chat and, to urinate in my building's doorway!

Please find below information about the current situation.

- Recently I had to take a couple of hours off work recently (I work from home) to scrub and sterilise our porch and throw away the front door mat at the tip because customers from the club come outside to smoke and then casually cross the road to urinate against our building, in our porch, the lane beside our building and the alley where our rubbish bins are kept.
- I regularly get out of bed, dress, and then go downstairs to the street and ask club goers outside of the club to please be quiet. They may say sorry but as soon as I leave, they mock me and then go back to talking loudly.
- Late at night cars often park on our white NO PARKING line, dropped curb and 'no parking signs' and block our garages. As soon as someone asks them to leave, they take off very quickly... very dodgy behaviour indeed.
- Club clients urinating on our property walls and in our porch, such disgusting and unhealthy behaviour.
- Cars pull up and block our garage doors just so they can chat to the club's customers in the street. I've been told they are dealing drugs from the cars, but I do not know that for fact.
- Anyone who asks the club's customers to please be quiet are bombarded with verbal abuse. There is a sixteen-year-old girl living in our building and she is nervous about walking along our street on her way home in the evenings because of the verbally aggressive people who linger outside our building.
- A young man in a black BMW NG57 GWU (have photos if needed) casually or drunkenly parked his car across Parkwood Lane and the garage door of my building blocking all residents to the lane and some of my buildings residents from getting their cars in and out of their private parking spaces. The man was caught on CCTV, and he was seen crossing the road and entering the club. When the neighbours were looking for the driver, the club owner told us there was nobody in the club. Maybe he'd left by then, but he returned the following day, Sunday, around 11am. The car was parked there for almost 24 hours blocking many people from accessing their homes. The police and council

were called, and nothing was done about this car. Nobody wanted to accept responsibility and move the car!

- The man who owns the building the club is in, Paul, has some responsibility to whom he rents the space to. Southbourne has become a very popular destination as you can see by a visit to the high street. Everyone in the area seems to be trying to do their best to make the area better, except for the garage owner. Our residential street and other roads nearby are used by the garage (Paul) as parking spaces for the cars he works on. Garage customers constantly block our doors, more than the club clients do. It is because of the behaviour of the garage and its clients, and the clubs' clients that I have come to the decision to sell my home. I no longer want to feel stressed and upset by constantly asking people to move and being verbally abused because I want to get into my home... they want to go into the garage to see Paul and just leave their cars and the residents of my building on the street.
- I am pleased to move because Deans Road is a mess, and it is no longer a nice or safe environment to be in. At least I can hopefully help to make Deans Road a safer place by helping with this representation and for my buildings residents and the person who will buy my flat.

Reasons for Representation.

Please, give information under the relevant Licensing Objective.

(Please note you are not required to complete all the boxes unless you feel it is relevant.)

The Prevention of Crime and Disorder: Cars pulling up late at night and looks like selling something to club goers. Parking over our garage doors and the the lane is a regular occurrence and nobody seems to care that there is a dropped curb, white line, at least 6 No Parking notices. People block us in or out of our garage all the time. Cars are sometimes left for long periods of time, such as a week ago when a car was left for almost 24 hours, blocking all the residence of Parkwood Lane from entering their parking area. Neither the Police or the council wanted to take responsibility for dealing with the car and so it sat there blocking homes and access to our garage. The man who parked was seen on CCTV going into the club.

The Prevention of Public Nuisance: At night the club clients descend to the street to smoke and chat, laughing loudly and not caring about anybody who might be trying to sleep. If you ask them to please speak quietly, you receive verbal abuse. My building has 5 flats, 10 residents of which 7 are women & we feel intimidated by the presence of drunk men standing watching our building as we come and go.

Public Safety: Clients of the club stand outside to smoke & chat. They prefer to use our porch & building walls to urinate, instead of using the club facilities. Our porch is deep & I would hate to think the 16-year-old young woman in our building should come home to find a drunk man urinating in the entrance of her home. There are 5 flats in my building & we are 'creeped out' by the men standing watching when we come and go, always looking into our garage. We have had to buy & install a motion light as a deterrent in case someone should enter the porch.

The Protection of Children from Harm:

Representations 5 and 6

We have lived in our home for 17 years bring up our young family. We bought our home knowing it backed on to a well-established gentleman's snooker club. This was members only club, so you get to know and become friendly with the manager, president and vice president and a some of the members. There were never any problems as there was an underline level of respect for the residents and their business. The club members did use the space outside the front door but never spoke loudly, rudely or inappropriately to the point where they woke, scared or annoyed any of the residents.

The 'smoking area' is where most of the anti-social behaviour takes place, this regrettably is literally is at the back of our garden, so we get to hear everything said. It is not meant to be a pub garden but a smoking area. Unfortunately, the new customers can misuse this area with no respect or concern for the licensee or his local neighbours.

When this new licensee was applied for, we did but in concerns mainly against the opening times (no other licensed business in the area opens this late) and level of management of the customers as it would be open to the public and not members anymore and unfortunately our concerns where right and justified. We have been living in absolute hell since this club reopened to the point where we don't want to live in our home anymore. We don't feel safe, comfortable, it effects our metal health, our sleep is constantly broken, our youngest refuses to sleep in their own bed due to the sounds and aggressive noises they hear. We are not able to live our lives and bring up our children in the way we want and wished for.

We have had fights outside our property (police attended). We have at least one person a week urinate or vomit up against our gates (constantly having to wash down and disinfect), heard vile and abusive conversations (so disgusting, you would never want to repeat), heard talk of drugs and my sons have witnessed suspicious behaviour of 'sharing' outside their windows, we are unable to let are youngest child play in the garden due to all the anti-social behaviour. We even put off throwing her a birthday party this summer as we were uneasy as to what other families may witness or hear from our garden.

After one fight witnessed by all my children as they were woken by it, we invited the licensee into our home to voice our concerns and talk to him from one family man to another. He advised us, his customers do not listen to him. We said they probably aren't the best customers to have, and he agreed. We hoped that he would then work with his neighbours to make the situation better. Unfortunately, he (we were approached and warned by one of his own customers and our neighbours) now states were racist and do not like him. Since that point we have been harassed, intimidated, had abuse shouted at us walking down our local high street and over our gates. In this day and age, we find this false statement very disturbing. And the fact that he is actively approaching his customer to say it and encourage anti-social behaviour towards us knowing there are children here and is aware of the ages of these children is completely disgusting and worrying. This has strongly impacted my (Mrs Evans) metal health and added increase of worry for me (Mr Evans) while I am at work.

We did approach the licensee about this which he denied. All we simple asked is that he worked with the residents and we will work with him.

We felt we needed to protect ourselves and installed cameras around our property, this is something we never ever saw ourselves doing or in fact ever needed before this club opened under the new licensee management, but we felt there was no other option.

23/5 0.02am several customers who were talking and swearing loudly in the smoking area about drugs and fighting and hiding from the police. A neighbour asked them to talk a less loudly and they responded with 'fuck you'.

7/6 8.32pm fight police attended

7/7 9.59 pm loud anti-social behaviour talking about it kicking off, use of table and chairs been used and constant swearing

15/7 8.31pm more conversation between and number of young men in relation to fighting and stabbing.

17/7 23.12pm lady urinates outside entrance to garage after it was pointed out there where toilet upstairs by her friends.

20/7 6.44pm 3 men talking about gang bang while our children in the garden.

9.11pm more foul language from customers hanging around in the smoking area. This conversation carry's on for over 10 mins No management

9.34pm intoxicated man throws a cigarette butt towards our vehicle.

10.44pm intoxicated man leaves while shouting.

10.46 with licensee comes to smoking area and intoxicated man come back shouting. No management.

11.07pm more foul language from customers

23/07 9.52 pm customer leaning against our vehicle

23.16pm more loud foul language. Talking about fighting.

25/07 6pm aggressive conversation using swearing.

26/07 11.07pm loud conversation and swearing

11.13pm two men leave talking loudly.

27/07 10pm customer from club seen punching neighbours fence while shouting abusive.

00.26am two men leave

00.29am more customers leave

28/07 9.21pm more aggressive anti-social conversations

9.30pm conversation discussing fighting and bottling.

29/07 11.28pm loud conversation by intoxicated customers. Completely inappropriate.

30/07 8.36 pm more loud unappreciated language

31/07 00.03am customer leave, enter taxi talking loudly

00.11 am more customers leave via car which has been parked over neighbours' garage, blocking access.

01/08 21.08pm abuse shouted towards our home in a threatening manner, calling us racist, and fucking twats.

21.55pm lady customer is sick by our gates

22.25pm man urinates against our gates

4/8 21.34pm smoking area abused again no management.

5/8 3.12 am my son woken up scared as people leaving the club late.

6/8 6.44 pm more aggressive foul conversations

12/08 3.49am car pulls up, man gets out and enters club. One man comes out of club goes over to driver hands something over and re-enters the club.

4.50am licensee leaves

14/8 3.15 pm disgusting rude conversation.

19/8 7pm attended meeting requested by licensee and consultant.

25/8 0.21am customer leaves

00.41am 2 customers leave

00.43am 2 customers leave

00.53am licensee and staff leave

28/8 00.57am man leaves club and urinates against our wall.

29/08 00.15am a number of customers leave loudly.

1/9 00.02 am customer enters premises

1.32 am 1 customer leaves

3.24am customer and licensee leave

5/9 more than 2 people outside going against what the licensee agreed to at residents meeting he requested.

8/9 15.45pm intoxicated man seen entering premises after a member of the public asked him to pull his trousers up. He could hardly stand.

10/09 9.39pm customer doing suspicious 'sharing' outside our home.

11/9 00.04am licensee leaves.

13/09 1.50am licensee and customers leave.

2/10 2.14pm customers park car over garages and alley blocking access. When licensee asked was told nothing to do with him. Parking warden attended at 7.04 pm and was heckled by several customers in the smoking area.

2/10 7.22 pm two men leave the club. One-man urinated against our gates, the other against the lamppost facing the road at the front of our property.

4/10 8.19pm man parks his car over our front driveway to visit the club. Blocking access.

7/10 10.27pm number of customers leave loudly.

5/10 11.21pm customers leaving loudly, shouting down the street.

8/10 10.58pm more than 2 customers outside. no management

9/10 00.31am customer shouting.

10/10 11.29pm customers leaving loudly.

We have evidence to support any of the points raised.

As you can see from the points above this is not the way we expected to live like or never did when we purchased our home 17 years ago. We have tried to work with licensee and attend a meeting to help him make his business a success and bring the community back together. This club could be an asset to the area and somewhere we could use but unfortunately with the mismanagement under the current licensee, we are living in hell. We have had no problems with the well-established and well managed Brewhouse and kitchen pub which is opposite our house on Parkwood road or The Way Outback microbrewery located on Hosker Rd. They understand that they are in a residential area, for example the brewhouse and kitchen make sure all noise in the pub garden is off by 10 pm. If for any reason they leave they music on or some customers are being too loud, once they have been made aware, the mange and resolve it within minutes and apologise for any distress.

Going forward we still don't want to see the licensee out of business, but something does need to drastically change.

- We would like to see the closing times changed to 9.30pm.
- We feel the impact of professionally qualified, trained door staff from early evening to closing time (including the late nights) would improve the anti-social behaviours of his customers and hopefully stop customers vomiting and urinating up our property and in public.
- Proper management of the smoking area
- Keeping and adhering to opening and closing hours – this to be monitored.
- Respect the residents and neighbourhood.

We would like to support the police with their review of this license, due to the circumstances we find ourselves in. We have always enjoyed living in this area and have developed great friendships, with our neighbours over the years. We are normally sociable people and would normally have at least one garden neighbourhood party but due to the manner of inappropriate behaviour at the bottom of our garden we have become withdrawn from socialising.

Many Thanks
KJ and JB Evans

Representation 7

Name: Iskandar Lasbury	
Address:	
Town: Bournemouth	
Post Code: BH5 2DA	
Email:	
Contact Telephone Numbers:	Mobile: Daytime:

Premises Details <i>(Please give as much information as possible)</i>
Application Ref:
Name of Premises: Southbourne Sports Club
Address of Premises: 8 Deans Road, Bournemouth, BH5 2DA

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>
The Prevention of Crime and Disorder: Patrons of the club have violently assaulted at least one individual and racially abused another whilst loitering outside of the club doors. The patrons have also used the surrounding area as a toilet when coming/going/smoking outside.
The Prevention of Public Nuisance: Noise pollution, at first coming from the patrons smoking outside of the club, then subsequently from the club's refusal to shut the entry doors since the mediation meeting with their licensing representative. Failure to regulate the amount of people outside of the doors causing noise. Failure to regulate the noise outside.
Public Safety: I have visited the club in order to complain at 11am on several days, at which point there were several very intoxicated individuals sitting at the bar – I don't believe that the licence holder is taking any duty of care for the patrons within, or that they have trained the staff to handle such matters.
The Protection of Children from Harm: Noise pollution from the venue includes very strong swearing and has previous gone on past 12am and my children had sleeping difficulties over the summer as a result. I would not take children past there in the dark because of the potential for violence or racially motivated assault.
I do not wish my details to be include in the Public Documents for the following reasons:

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

Representation 8

The Licensing Team
Communities
BCP Council
Town Hall Annex
St Stephens Road
Bournemouth
BH2 6EA

By Email

licensing@bcpcouncil.gov.uk

Once the statutory consultation period has ended and acceptance of your representation, a Notice of Hearing will be sent detailing the time, date and location of the hearing to determine the matter. If you would like somebody to represent you at this hearing (e.g. Ward Councillor, Solicitor or friend) you must provide details on this form.

Licensing Act 2003 – Representation Form

Personal/Business Details	
Name:	Mr. [redacted]
Address:	[redacted]
Town:	Bournemouth
Post Code:	BH15 2DA
Email:	[redacted]
Contact Telephone Numbers:	Mobile: [redacted] Daytime: [redacted]

Premises Details (Please give as much information as possible)	
Application Ref:	
Name of Premises: Southbourne Sports Club	
Address of Premises: 8 DEANS ROAD Bournemouth BH15 2DA	

Reasons for Representation. Please, give information under the relevant Licensing Objective.
(Please note you are not required to complete all the boxes unless you feel it is relevant.)

The Prevention of Crime and Disorder:

All evidence has been collected by Dorset police from CCTV footage.

The Prevention of Public Nuisance:

The issue for myself and my household is that of a anti-social problem. This is as the Dorset police report.

Public Safety: I feel that the Southbourne Sports Club is

household is that of a anti-social problem. This is AS the Dorset police report.

Public Safety: I feel that the Southbourne Sports Club is a SAFE CAUTION issue. This has been raised with the owner including at meetings held by him.

The Protection of Children from Harm:

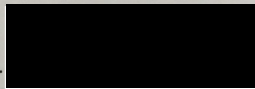
The protection from users of the said Club towards people in the community

I do not wish my details to be include in the Public Documents for the following reasons:

Because I look after a vulnerable adult and confidentiality.

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

Signed ..



Dated

12/10/2021

Representation 9

Personal/Business Details	
Name: Nicola & Curt Marlow	
Address:	
Town: Bournemouth	
Post Code: BH5 2BW	
Email:	
Contact Telephone Numbers:	Mobile: Daytime:

Premises Details <i>(Please give as much information as possible)</i>
Application Ref:
Name of Premises: Southbourne Snooker Bar
Address of Premises: 8 Deans Road Southbourne Bournemouth

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>The Prevention of Crime and Disorder:</p> <p>Since the opening of the club, we've noticed an increase in violence and intimidating behaviour from the patrons along our road. A specific example of this is the fact my husband no longer likes me walking to any of the shops at the end of our road after a certain time due to the behaviour/fights we've witnessed.</p> <p>Thankfully we're not quite as affected as some of our other neighbours we've absolutely seen a rise in violence/intimidation/anti-social behaviour along our street in the short time that the venue has been open.</p> <p>These reasons can be placed under all of the following headings, including "the protection of children from harm" as we have a young child, whose safety we're concerned about.</p>
<p>The Prevention of Public Nuisance:</p> <p>Please see above</p>

<p>Public Safety:</p> <p>Please see above</p>
<p>The Protection of Children from Harm:</p> <p>Please see above</p>
<p>I do not wish my details to be include in the Public Documents for the following reasons:</p> <p>We know other neighbours have been targeted for making complaints about the club and we don't want our house or family to be targeted in the same way.</p>

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

Signed ...N.Marlow..... Dated ...12/10/21.....

Representation 10

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>
The Prevention of Crime and Disorder: I recently witnessed some men pulling up in a taxi early on a Saturday evening where they were being loud and rowdy and abusive to a traffic warden who was trying to do his job. They went into the snooker hall
The Prevention of Public Nuisance: I witnesses three men leaning over the bin smoking, when it was agreed no more than 2 people should smoke outside
Public Safety: I still have concerns that if the customers are rowdy , that nothing is in place to ensure neighbours feel safe
The Protection of Children from Harm: I highlighted prior to the club being open the impact it would have on the street, and am aware the effect it has had to neighbours Children sleeping. They should feel safe in their home.
I do not wish my details to be include in the Public Documents for the following reasons: I work with high risk victims of domestic abuse for police so do not want my name and address to be open

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

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