

# Notice of Licensing Sub-Committee

Date: Wednesday, 21 December 2022 at 10.00 am

Venue: Virtual Teams Meeting



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## Membership:

Cllr S C Anderson

Cllr J Bagwell

Cllr J J Butt

## Reserves:

Cllr D Kelsey (1)

Cllr K Wilson (2)

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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=4766>

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

Press enquiries should be directed to the Press Office: Tel: 01202 118686 or email [press.office@bcpcouncil.gov.uk](mailto:press.office@bcpcouncil.gov.uk)

This notice and all the papers mentioned within it are available at [democracy.bcpCouncil.gov.uk](https://democracy.bcpCouncil.gov.uk)

GRAHAM FARRANT  
**CHIEF EXECUTIVE**

13 December 2022



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



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](mailto: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 Speaking at Virtual Meetings**

5 - 8

A revised protocol for public speaking 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. Ratio Bar (formerly known as Xchange) 4 The Triangle Bournemouth**

9 - 30

An application for a new premises licence has been received for the premises known as Ratio Bar (formerly known as Xchange), 4 The Triangle, Bournemouth.

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

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

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## **LICENSING COMMITTEE AND SUB COMMITTEE - PROTOCOL FOR PUBLIC REPRESENTATION AT VIRTUAL MEETINGS**

### **1. Introduction**

- 1.1. The existing protocol for public speaking has been adapted to apply in respect of virtual hearings under the Licensing Act 2003 and the Gambling Act 2005.
- 1.2. This includes applications relating to the licensing of alcohol, regulated entertainment, late night refreshment and gambling establishments, which are the responsibility of the Licensing Committee/Sub Committee to determine as set out in Part 3(A)-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 virtual 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.

## **2. 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, representation or notice (as applicable) can be submitted before the hearing. It may only be submitted at the hearing with the consent of all parties. The Licensing Act 2003 (Hearings) Regulations 2005 shall apply. Whereever possible the Licensing Authority encourages parties to submit information at the earliest opportunity to allow sufficient time for this to be considered before the hearing and avoid the need for adjournment.
  - If a party has informed the Authority that they do not intend to participate, or be represented at the hearing, or has failed to advise whether they intend to participate or not, the hearing may proceed in their absence
- 2.2. For other matters in Part 3(A)-3 of the Council's Constitution which are the responsibility of the Licensing Committee and not included in this protocol or the protocol for in person hearings, the procedures set out in Part 4D of the

Council's Constitution in relation to public questions, statements and petitions shall apply.

- 2.3. 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.
- 2.4. The Council's Constitution can be accessed using the following link:  
<https://democracy.bcpccouncil.gov.uk/ieListMeetings.aspx?CommitteeID=151&Info=1&bcr=1>
- 2.5. For further information please contact [democraticservices@bcpccouncil.gov.uk](mailto: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.



## LICENSING SUB-COMMITTEE



Report subject	<b>Ratio Bar (formerly known as Xchange) 4 The Triangle Bournemouth</b>
Meeting date	21 December 2022
Status	Public Report
Executive summary	<p>Ratio Bars Limited has applied for a premises licence to permit regulated entertainment and the supply of alcohol between the hours of 21:00 and 05:00 each day of the week.</p> <p>Dorset Police and Environmental Health have made representations against the application on the grounds that to grant would undermine the prevention of crime and disorder and the prevention of public nuisance licensing objectives.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <p><b>Members are asked to decide whether to:-</b></p> <ul style="list-style-type: none"> <li><b>a) Grant the application for a premises licence as made;</b></li> <li><b>b) Refuse the application for a premises licence;</b></li> <li><b>c) Grant the premises licence subject to additional conditions.</b></li> </ul> <p><b>Members of the Licensing Sub-Committee are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.</b></p>
Reason for recommendations	<p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the representations.</p> <p>Where representations have been received from a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Scheme of Delegation set out in the Council's Constitution states that these applications should be dealt with by the Licensing Sub-Committee.</p>

Portfolio Holder(s):	Councillor Bobbie Dove – Community Safety and Regulatory Services
Corporate Director	Jess Gibbons – Chief of Operations
Report Authors	Sarah Rogers – Senior Licensing Officer
Wards	Bournemouth Central
Classification	For Decision

## Background

1. An application for a premises licence, under Section 17 of the Licensing Act 2003, was made on the 28 October 2022. A copy of the application is attached at Appendix 1. A copy of a layout plan is attached at Appendix 2.

## Consultation

2. The application was served on all responsible authorities and the applicant confirmed that the statutory notices were displayed on site and published in the local newspaper.
3. The Licensing Authority are in receipt of 2 representations from responsible authorities, namely Dorset Police and Environmental Health. Copies of the representations are attached at Appendix 3.
4. The premises were previously reviewed in 2017 by Environmental Health following numerous noise complaints. Revised specific conditions were imposed on the licence following the hearing.
5. The review referred to in the Police's representation was made in 2020 and, as a result, the previous premises licence was revoked, and the premises have remained closed since.
6. No representations were received from any of the other responsible authorities or any other person.

## Options Appraisal

7. Before making a decision, Members are asked to consider the following matters:
  - The submissions made by or on behalf of the applicant.
  - The representations received from or made on behalf of Dorset Police and Environmental Health.
  - The relevant licensing objectives namely the prevention of crime and disorder and the prevention of public nuisance.
  - The Licensing Act 2003, appropriate Regulations, Statutory Revised Guidance issued under Section 182 of the Licensing Act 2003 – April 2018 and the Council's Statement of Licensing Policy.

### **Summary of financial implications**

8. N/A

### **Summary of legal implications**

9. If Members decide to refuse the application or attach conditions to the licence which the applicant does not agree to, the applicant may appeal to the Magistrates' Court within a period of 21 days beginning with the day that the applicant is notified, in writing, of the decision.
10. Dorset Police and/or Environmental Health may also appeal to the Magistrates' Court within the 21 day period if aggrieved by the decision made.

### **Summary of human resources implications**

11. N/A

### **Summary of sustainability impact**

12. N/A

### **Summary of public health implications**

13. N/A

### **Summary of equality implications**

14. N/A

### **Summary of risk assessment**

15. N/A

### **Background papers**

#### **BCP Council – Statement of Licensing Policy –**

[https://www.bcpCouncil.gov.uk/Business/Licencesandpermits/Documents/Licensing/solp\\_2\\_020.pdf](https://www.bcpCouncil.gov.uk/Business/Licencesandpermits/Documents/Licensing/solp_2_020.pdf)

#### **Hearing Regulations –**

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

#### **Revised Guidance issued under Section 182 of the Licensing Act 2003 –**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/705588/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_April\\_2018\\_.pdf](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 – Layout Plan
- 3 – Representations Received

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## APPENDIX 1

### Application for a premises licence to be granted under the Licensing Act 2003

#### Please read the following instructions first

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

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

We Ratio Bars Limited

*(Insert name(s) of applicant)*

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

#### Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description <b>4 The Triangle</b>			
<b>Post town</b>	Bournemouth	<b>Postcode</b>	BH2 5RY

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£23,100</b>

#### Part 2 - Applicant details

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

a)	an individual or individuals *			please complete section (A)
b)	a person other than an individual *			
	i	as a limited company/limited liability partnership	X	please complete section (B)
	ii	as a partnership (other than limited liability)		please complete section (B)

	iii	as an unincorporated association or		please complete section (B)
	iv	other (for example a statutory corporation)		please complete section (B)
c)		a recognised club		please complete section (B)
d)		a charity		please complete section (B)
e)		the proprietor of an educational establishment		please complete section (B)
f)		a health service body		please complete section (B)
g)		a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)		a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)		the chief officer of police of a police force in England and Wales		please complete section (B)

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

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

**(A) individual applicants** (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over		Please tick yes	
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					

<b>E-mail address (optional)</b>	
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)	

**Second individual applicant** (if applicable)

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

**(B) Other applicants**

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

Name Ratio Bars Limited
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Address Flat 10 Leighton Lodge, 15 Branksome Wood Road, Bournemouth. BH2 6BX
Registered number (where applicable) 14367771
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?

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

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

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

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

The proposed premises is a night club set over the ground floor. The toilets and storage are located on the first floor.  
 The premises will be fully refurbished with a bar, seating area and dancefloor on the ground floor.

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

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

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

Provision of regulated entertainment (please read guidance note 2)	Please tick all that apply
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a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	
c)	indoor sporting events (if ticking yes, fill in box C)	
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	x
f)	recorded music (if ticking yes, fill in box F)	x
g)	performances of dance (if ticking yes, fill in box G)	x
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

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

**In all cases complete boxes K, L and M**

# E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	x
				Outdoors	
				Both	
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	21:00	05:00			
Tue	21:00	05:00			
Wed	21:00	05:00			
Thur	21:00	05:00	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)  The provision of live music will be extended by one hour on the eve/day of British summer time when the clocks go forward by one hour		
Fri	21:00	05:00	<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	21:00	05:00			
Sun	21:00	05:00			

# F

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	x
				Outdoors	
				Both	
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	21:00	05:00			
Tue	21:00	05:00			
Wed	21:00	05:00			
Thur	21:00	05:00	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5) The provision of recorded music will be extended by one hour on the eve/day of British summer time when the clocks go forward by one hour		
Fri	21:00	05:00			
Sat	21:00	05:00	<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sun	21:00	05:00			

# G

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	x
				Outdoors	
				Both	
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	21:00	05:00			
Tue	21:00	05:00			
Wed	21:00	05:00	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5) The performance of dance will be extended by one hour on the eve/day of British summer time when the clocks go forward by one hour		
Thur	21:00	05:00			
Fri	21:00	05:00			
Sat	21:00	05:00	<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sun	21:00	05:00			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	x
				Off the premises	
Day	Start	Finish		Both	
Mon	21:00	05:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5) The supply of alcohol will be extended by one hour on the eve/day of British summer time when the clocks go forward by one hour		
Tue	21:00	05:00			
Wed	21:00	05:00			
Thur	21:00	05:00	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Fri	21:00	05:00			
Sat	21:00	05:00			
Sun	21:00	05:00			

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

<b>Name</b> Mr William Mouhana	
<b>Date of birth</b>	
<b>Address</b>	
<b>Postcode</b>	
<b>Personal licence number (if known)</b> BH 158586	
<b>Issuing licensing authority (if known)</b> Bournemouth Borough Council	

## K

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

N/A

## L

**Hours premises are open to the public**

Standard days and timings (please read guidance note 7)

Day	Start	Finish
Mon	21:00	05:30
Tue	21:00	05:30
Wed	21:00	05:30
Thur	21:00	05:30
Fri	21:00	05:30
Sat	21:00	05:30
Sun	21:00	05:30

**State any seasonal variations** (please read guidance note 5)

The opening hours will be extended by one hour on the eve/day of British summer time when the clocks go forward by one hour

**Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list** (please read guidance note 6)



## M

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

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

SIA staff engaged, metal detector arch, staff training, refusals and incident recording, CCTV, Challenge 25, Polycarbonate drinking vessels except champagne flutes, restricted delivery times, monitoring the outside area, policies and procedures

**b) The prevention of crime and disorder**

1. The premises shall install and thereafter maintain in good working order a digital CCTV system. The system shall be in operation at all times the premises are open for business.
2. Images shall be stored for a minimum period of 31 days and shall record the time and date.
3. Facilities will be made available to allow police and other authorised officers (as defined by the Licensing Act 2003) to view recordings on request and to be provided with copies of recordings in playable format on request, provided in each case that the request is compliant with Data Protection legislation.
4. Whenever the premises are open, there will be at least one member of staff on duty or otherwise available at short notice capable of and authorised to access the CCTV system and trained to view playback and make recordings.
5. If the CCTV system suffers any malfunction, the same shall be notified to the licensing authority as soon as reasonably practicable and rectified as soon as reasonably practicable.
6. A refusals and incident register shall be maintained at the premises and used to record all occasions where a person is challenged to provide proof of age and either fails to do so or the proof shows that he/she is under age.
7. The incident register will record all incidents of violence, anti-social behaviour or disorder both inside and immediately outside the premises. The incident register will be reviewed by the DPS daily with action taken to minimise future incidents of a like kind.
8. A note shall be made of the date and time of the incident, a brief description of the person concerned (and his or her name if given).
9. The register shall be checked and signed at least weekly by the DPS or his/her deputy and shall be made available for inspection by any authorised officer (as defined by the Licensing Act 2003) at any time the premises are open to the public.
10. All staff shall receive training with regard to prohibited sales (age and to persons who are drunk), the conditions attached to the licence and on spotting and preventing proxy sales. Refresher training will be provided at least once annually.
11. A record shall be made of all such training, signed by the person receiving the training and the record shall be made available for inspection by authorised persons (as defined by the Licensing Act).
12. The premises licence holder shall install and maintain a metal detector arch at the entrance to the premises. All customers and staff must enter via the arch. When customers or staff activate the detector alarm a search of the individual and their

belongings will be requested. Where customers refuse this request access to the premises will be denied.

13. SIA staff will be engaged when the premises is open to the public and for 30 minutes after close to ensure customers leave the vicinity of the premises.

14. Polycarbonate drinking vessels shall be used throughout the premises. However, where the alcohol is provided in plastic bottles the drink may be served in the bottle. The only exception may be the service of Champagne which may be served by the bottle with glass champagne flutes.

15. A member of staff will be engaged to collect all drinking receptacles.

16. No drinking receptacles are permitted in the smoking area.

### **c) Public safety**

### **d) The prevention of public nuisance**

1. No deliveries shall be made to the premises before 07:00 any morning, or after 21:00 hours any evening.

2. No rubbish shall be taken out of the premises for disposal between 23:00 and 07:00 daily.

3. SIA staff will remain outside the premises for 30 minutes after close to encourage customers leave the area quietly.

4. Signage will be displayed at the exit asking customers to leave quietly and to respect the residents in the vicinity.

5. The premises licence holder shall maintain overall control of the sound system. The level of sound shall be set so as not cause a nuisance to nearby residents.

6. Doors will remain closed except for access and egress.

7. Management will actively monitor any queue in order to keep noise to a minimum.

8. Management will actively monitor the smoking area, which will be designated and enclosed by a temporary barrier, to the front of the premises. In order to reduce noise in this area only 6 customers will be permitted at any one time.

9. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

**e) The protection of children from harm**

1. A "Challenge 25" scheme shall be adopted.
2. Notices advertising the "Challenge 25" policy shall be displayed behind the sales counter.
3. All staff engaged in the sale of alcohol shall receive training in underage sales.
4. The only forms of ID acceptable shall be a Passport, Photographic Driving Licence or a card carrying the PASS hologram.

**Checklist:**

**Please tick to indicate agreement**

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

It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

**Part 4 – Signatures** (please read guidance note 11)

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

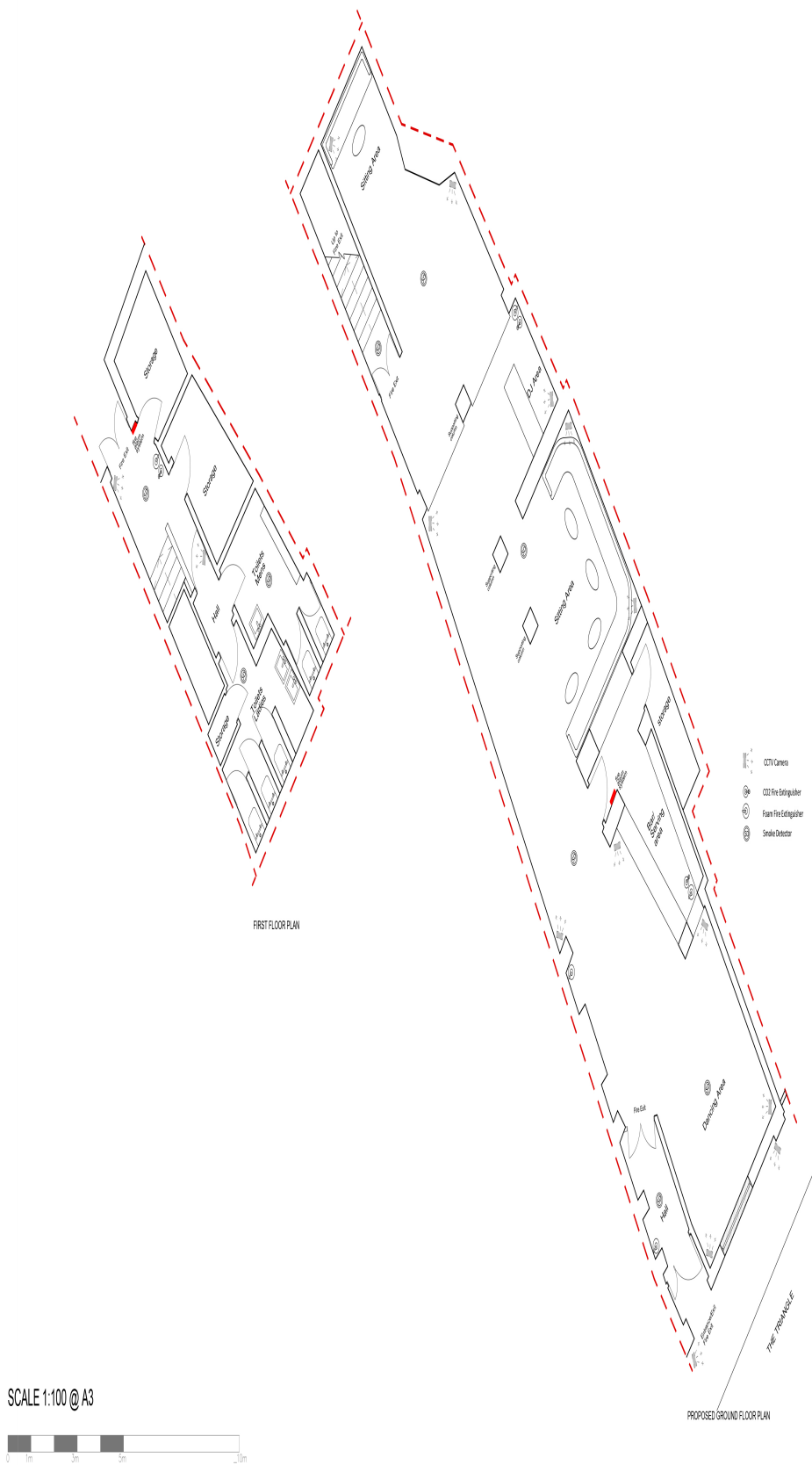
<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am</li> </ul>
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	<p>subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	S.G.WRIGHT
Date	28 October 2022
Capacity	Agent

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

Signature	
Date	
Capacity	

<p>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)</p> <p>Steven Wright, Director, APPL Solutions Limited</p>			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			



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**Ratio Bar 4 The Triangle**  
**Representations Received**

**Dorset Police**

I write further to the application for a Premises Licence at 4 The Triangle, Bournemouth. The premises is proposed to be called 'Ratio Bar' and was formerly called 'Xchange'.

On behalf of the Chief Officer of Dorset Police I object to this application on the grounds that to grant the licence would likely undermine the Licensing Objective to Prevent Crime and Disorder.

Dorset Police Licensing Officers have mediated with the applicant extensively throughout the consultation process, however, concerns remain that the premises will likely add to the levels of crime and disorder in this area. Whilst we are pleased that the applicant have understood that having adequate numbers of Door Supervisors is key to delivering successful alcohol provision, concerns remain in particular regarding the operating hours proposed and also the connection that remains between staff previously associated with Xchange and the current operators.

The building was previously operated as Xchange bar and was subject to an Application for Review brought by Dorset Police on the grounds that, over a sustained period of time, significant crime and disorder had taken place at the premises, resulting in serious injuries being sustained and significant levels of risk associated with drug use and sexual assaults being associated with the premises. Whilst we accept that there is a new business associated with the building, the connections that remain between Xchange and the new business continue to cause us concern that we will experience levels of crime and disorder previously associated with the building.

Dorset Police will provide a detailed report in due course and reserve the right to produce additional evidence as it becomes available to us. I would be grateful if this correspondence could be shared with the applicant and their representative at the earliest opportunity. I look forward to receiving details of the Sub-Committee hearing in due course.

Many Thanks,

Gareth



**DORSET  
POLICE**

**Gareth Gosling 2551**

Police Sergeant

**Drug & Alcohol Harm Reduction Team**

Bournemouth Divisional Headquarters, 5 Madeira Road, Bournemouth, Dorset, BH1 1QQ



## **Environmental Health**

I refer to the application for a premises licence which you have submitted on behalf of your client Ratio Bars Ltd for the above premises.

This venue has been subject to a number of interventions over the years from the Environmental Health Team particularly in relation to noise complaints from residents above the venue and in close proximity to the venue being adversely affected by noise when this venue operated as Xchange Bar.

Therefore I cannot support this application for the business to operate as a night club. I would require evidence of significant works having being undertaken to the structure of the building to control the passage of noise to the properties above to be satisfied that residents will not once again be affected by this business.

I am not in agreement with the conditions offered as I do not believe these can be achieved without significant improvement in the fabric of the building to control the passage of sound to the properties above.

Therefore I wish to raise an objection to this premises license as I believe that this premises if allowed to operate will undermine the 'Prevention of Nuisance' objective.

I would therefore suggest that in the first instance, your client commission the services of an acoustic consultant to provide a report on the fabric of the building, undertake a noise transmission test and act upon the findings of the report.

It is suggested that discussions be held with Mrs Rogers to perhaps withdraw the application until such time as the required works are carried out and deemed satisfactory by this department.

Kind Regards



**Andrew Hill**  
**Senior Environmental Health Officer**  
**Communities**