

Notice of Licensing Sub-Committee

Date: Wednesday, 15 February 2023 at 10.00 am

Venue: Virtual Teams meeting



Membership:

Cllr S C Anderson

Cllr J J Butt

Cllr D Kelsey

Reserves:

Cllr T Johnson (1))

Cllr L Williams (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=4770>

If you would like any further information on the items to be considered at the meeting please contact: Michelle Cutler michelle.cutler@bcpCouncil.gov.uk 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

7 February 2023



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)

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. Application for Premises Licence - Ratio Bar (formerly known as Xchange), 4 The Triangle, Bournemouth

9 - 136

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.

Note: The hearing for this application was adjourned by the Sub Committee during its meeting on 21 December 2022 to be reconvened on 15 February 2023. The report, associated appendices and supplements which were published for the 21 December meeting and the draft minutes of the meeting are included with the agenda for this meeting for ease of reference.

6. Review of Premises Licence - Havana Wine Bar, 61 Charminster Road, Bournemouth, BH8 8UE

137 - 170

Dorset Police has made an application to review the premises licence for Havana Wine Bar, 61 Charminster Road, Bournemouth, BH8 8UE, in relation to concerns that the premises is not upholding the prevention of crime and disorder licensing objective.

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

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	Ratio Bar (formerly known as Xchange) 4 The Triangle Bournemouth
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>It is RECOMMENDED that:</p> <p>Members are asked to decide whether to:-</p> <ul style="list-style-type: none"> a) Grant the application for a premises licence as made; b) Refuse the application for a premises licence; c) Grant the premises licence subject to additional conditions. <p>Members of the Licensing Sub-Committee are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.</p>
Reason for recommendations	<p>The Licensing Authority 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

Hearing Regulations –

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

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

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

Appendices

- 1 – 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 4 The Triangle			
Post town	Bournemouth	Postcode	BH2 5RY

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

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)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					

E-mail address (optional)	
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the '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)	
Surname			First names		
Date of birth or over		I am 18 years old		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the '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

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)	

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

In all cases complete boxes K, L and M

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	x
				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details here</u> (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	<u>State any seasonal variations for the performance of live music</u> (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	<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> (please read guidance note 6)		
Sat	21:00	05:00			
Sun	21:00	05:00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	x
				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details here</u> (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	<u>State any seasonal variations for the playing of recorded music</u> (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	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun	21:00	05:00			

G

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	x
				Off the premises	
Day	Start	Finish		Both	
Mon	21:00	05:00	State any seasonal variations for the supply of alcohol (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	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 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):

Name Mr William Mouhana	
Date of birth	
Address	
Postcode	
Personal licence number (if known) BH 158586	
Issuing licensing authority (if known) 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)			<u>State any seasonal variations</u> (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
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
Mon	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	

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. Please call agent, details below	
•	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. Electronically served	
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. To be hand delivered when signed	
•	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.**

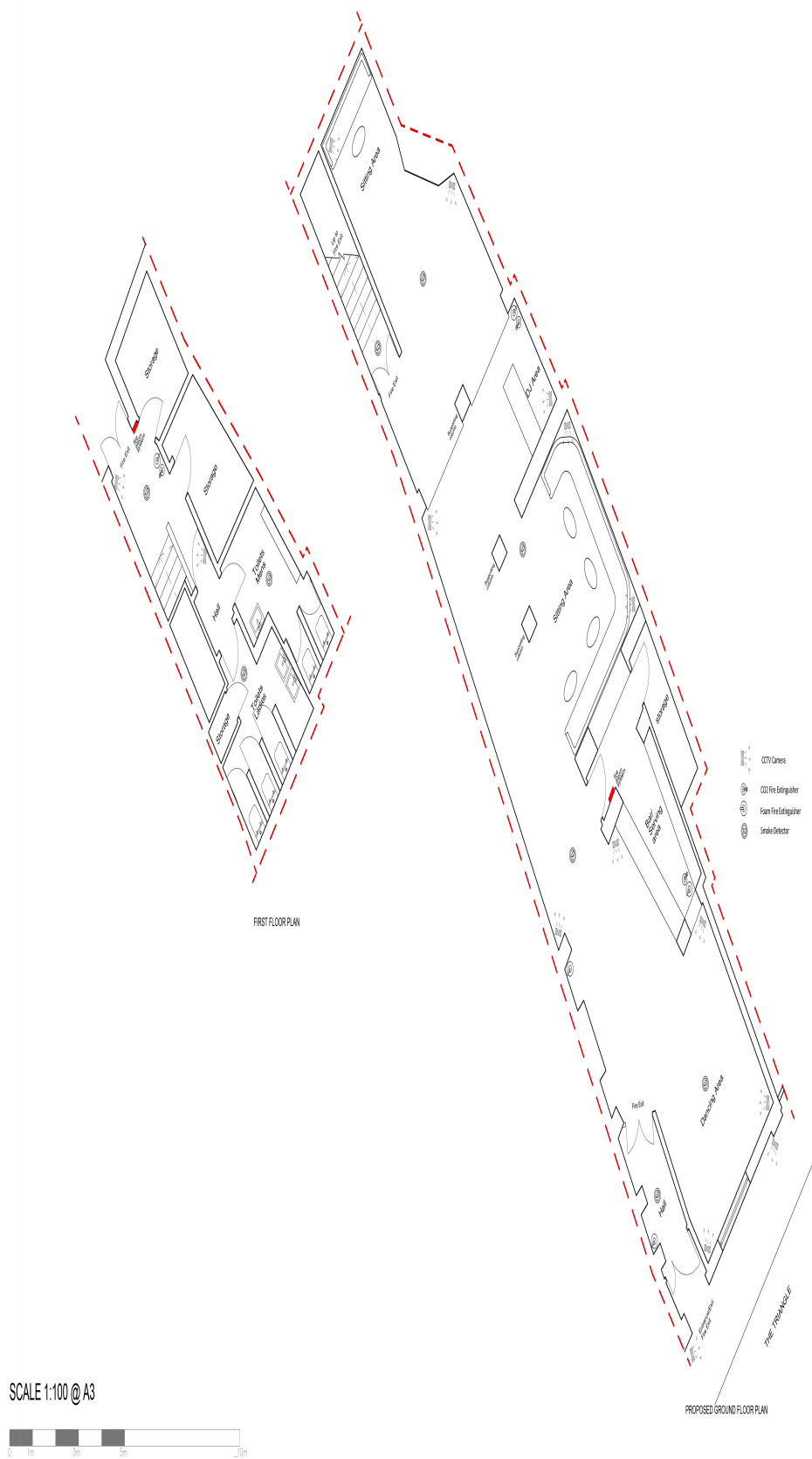
Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am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

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

Signature	
Date	
Capacity	

<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

Supplementary Papers for Licensing Sub-Committee

Date: Wednesday, 21 December 2022



5. Ratio Bar (formerly known as Xchange), 4 The Triangle, Bournemouth Supplementary evidence from Dorset Police is enclosed.	3 - 10
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Published: 19 December 2022

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Application for Premises Licence– Supplementary Information in Support of Representation

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Xchange Bar / Ratio Bar, 4 The Triangle, Bournemouth

This report is to be considered alongside the formal representation submitted in respect of an Application for a Premises Licence submitted to the Licensing Authority. It is the intention of Dorset Police to avoid any repeat of information previously submitted and to provide both the applicant (or their representative) and members of the Licensing Sub-Committee with additional information, context and evidence in support of the representation. This report is being completed and submitted as soon as practicable for the benefit of all parties. Whilst all details are correct at the time of completion, Dorset Police reserve the right to amend / introduce additional information and evidence in advance of the hearing.

Background

This premises, which we understand is intended to be renamed 'Ratio Bar', is currently vacant but was once a licensed premise known as Xchange. The premise is located at 4 The Triangle, an area largely known as a diverse and vibrant area with a variety of commercial premises encompassing hospitality, retail, and office environments, alongside a variety of relatively high-density residential properties. The area's proximity to the Town Centre and nearby beaches leads to high levels of footfall, both with people passing through the area and people travelling to the Triangle as their destination.

The Ground Floor of 4 The Triangle is used as the licensed premises with the 1st and Second Floors used as accommodation for staff. Previously, the First Floor also accommodated the CCTV room and the staff office. The applicant has advised that the First and Second floor accommodation will no longer be utilised.

This premises had previously operated as Xchange for many years until 27th November 2019 when Dorset Police, following a sustained period of crime and welfare concerns for patrons and staff, applied to the BCP Council Licensing Sub-Committee for a Review of the premises. To provide background and to avoid duplication, we attach a copy of the Application for Review for the information and draw the attention of the Sub-Committee to the concerns that led to the Revocation of that Premises Licence.

The Licensing Sub-Committee accepted the concerns of Dorset Police that the operators of this premises had failed in their duty to uphold the Licensing Objectives and had not incorporated changes, at the advice of Dorset Police and our partners, to enhance the safety of guests and staff. This led to significant levels of crime, including sexual offences and drug offences, also associated with staff at the premises.

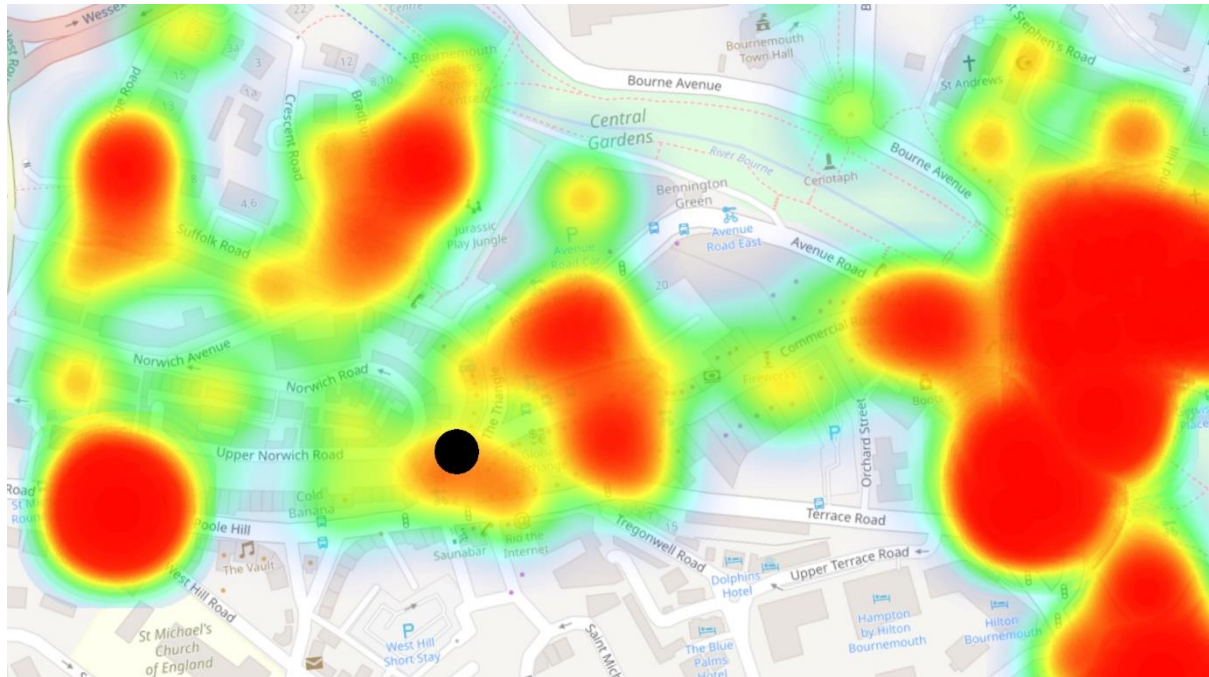
Concerns

As briefly highlighted above, this area is a diverse community with several licensed premises within close proximity to 4 The Triangle; many of which operate extended hours. Our experience is that the late hours of operation does lead to levels of crime and disorder which cause a significant amount of demand on public services, including the Police.

We accept that the applicant has offered proposals within their application to partially mitigate the risk of crime and disorder and improve the safety of the customers and staff at the premises, including the provision of 6 x SIA Door Supervisors at all times that the premises is open for business. For a premise

of this size, this is both welcome but also unusual. I am concerned that the applicant will seek to reduce this level of SIA cover within a short period of opening the premises.

In respect of the challenges faced by the premises in this area, please see below graphic illustrating the levels of crime and disorder which occur in this area over a 12 month period, 1st December 2021 – 1st December 2022.



We have indicated the location of the proposed premises with a Black circle.

Much of the demand is environmental and the area of Poole Hill is busy street with late-night off-sales alcohol provision and significant issues of anti-social behaviour.

In respect of the application submitted by the applicant, please find below details of concerns that remain in respect of the application -

➤ Terminal Hours for Alcohol Provision and Opening Times

The applicant has proposed to reduce the terminal hour for alcohol provision from 0500hrs Sunday – Thursday to 0300hrs, however, propose to retain 0500hrs as the terminal hour for alcohol Friday & Saturday night.

The applicant has chosen not to offer any condition relating to last entry times for customers, which will likely lead to this premises being used by customers leaving other premises during the early hours of the morning who may otherwise have dispersed and left the area.

Dorset Police consider that, given our concerns and current demand in this area, this is excessive and will likely increase the levels of crime and disorder experienced in The Triangle, particularly during periods of dispersal.

In the event that the Sub-Committee were inclined to grant this Premises Licence, Dorset Police propose a terminal hour of **0300hrs 7 days a week**, with all customers and staff to have vacated the ground floor of the premises by 0330hrs. Previous concerns regarding staff hosting 'private' events as residents of the First Floor of the building support this proposal.

Dorset Police are aware that there are no immediate plans for staff to be accommodated within the building. Dorset Police would welcome a condition which would require all persons to be vacant from building outside of the licensed hours.

➤ CCTV Condition – coverage and availability of staff

There is insufficient information contained within the Licence application confirming what areas of the building will be covered by CCTV. If the Sub-Committee were to grant the Premises Licence, Dorset Police encourage conditions requiring the Licence Holder to operate CCTV 24 hours a day which covers all public areas of the building (excluding the Toilet areas), with particular attention given to the Bars, Entry/Exit points and ensuring that a clear image is captured of all persons entering and leaving the premises.

➤ Training – Every 6 months

It would be expected by Dorset Police, if the Sub-Committee grant the Premises Licence, that staff should undertake training every 6 months and not annually as has been proposed. Training should be provided by an Accredited organisation.

➤ Use of Glass for Champagne

The applicant has failed to fully appreciate the risks presented by glass in busy, densely populated environments. Dorset Police encourage the Sub-Committee, if they are inclined to grant the Premises, to introduce a condition removing all glass receptacles from use at the premises.

The risks of glass being used as weapons are overshadowed by the risk posed through breakages, which are difficult to detect in busy, dark environments. Slips and trips are known to occur, and any residual glass can significantly add to risk of injury.

➤ Drug Policy missing

There are no conditions relating to the detection and management of drugs contained within the Premises Licence. This is a significant omission given the previous association of the premises with drugs which Dorset Police consider should be addressed in the event that the Sub-Committee grant the Premises Licence.

➤ Pubwatch / Town Watch

To promote collaborative working between local Licensed Premises and the Public Authorities, including Dorset Police, we recommend that the Premises Licence, if granted, include a condition requiring the operators of the premises to be active members of any Town Watch / Pubwatch scheme that is place for that area. This should include membership of any Town Watch Radio schemes that exist.

Dorset Police rely on the sharing of information both between premises and the authorities and also between premises to tackle crime and disorder within premises to achieve our aim of reducing levels of alcohol-related crime and disorder in our communities. Town Watch / Pubwatch schemes are imperative to achieving these aims.

This proposed condition is also supported by the Licensing Act 2003 Section 182 Guidance which promotes the use of radio links for premises operating within Town Centre environments.

➤ Radio connectivity between SIA and staff

Our experience is that strong communication between staff within a premise leads to early detection and management of problematic customers, reducing the demand on public services, including the Police.

Unfortunately, where some operators have elected to make cost savings by reducing the number of handheld radios in their premises, this has, on occasion, reduced the effectiveness of the management and SIA staff, leading to injury and escalation of problems which may have been avoided if handled more effectively.

➤ Drinks Promotions

Dorset Police are delighted that the applicant proposes not to offer any drinks promotions. Dorset Police would encourage the applicant to include this undertaking in their schedule of conditions offered.

➤ Welfare / First Aid provision

Whilst Dorset Police accept that the premise is relatively small in capacity, the operator must introduce proportionate measures to manage the welfare and safety of customers at their premises.

Demand on Police and Ambulance services are unprecedented. The applicant is proposing to offer alcohol provision up to 0500hrs. Periods up to and beyond 0300hrs are of particularly high demand on all public services and the operator must ensure that they can manage a proportionate level of the care and wellbeing of their customers during their operating hours.

If the Sub-Committee grant the Premises Licence, Dorset Police welcome conditions which help to support particularly vulnerable customers/staff or those requiring basic medical attention.

This proposed condition is supported by Paragraph 2.8 of the Licensing Act 2003 Section 182 Guidance issued by the Home Office.

➤ Personal Licence Holder Requirement

Premises operating during high-risk and high-demand periods often perform to a notably higher standard if there is a Personal Licence Holder at the premises during licensable hours.

Introducing a condition requiring a Personal Licence Holder to be present during licensable hours will ensure that the premises can be managed by someone who is qualified and has the required knowledge to promote the licensing objectives.

➤ Dispersal Policy

Dorset Police welcome the proposed condition to include SIA condition for 30 minutes beyond the terminal opening hour for the premises. If the Sub-Committee grant a Premises Licence, it would be reassuring for a condition to be included which requires a Dispersal Policy to be implemented and regularly reviewed.

'Dispersal' of customers is often construed to simply be the removal of customers from the vicinity of the premises, however, it is at 'closing time' that Dorset Police receive the highest number of calls to a premise. Dorset Police welcome requirements for a policy which will require the operator to consider (amongst other factors) the welfare of customers leaving the premises, effective minimisation of conflict that occurs within the vicinity of the premises and the reduction of noise emanating from customers leaving the premises.

This proposed condition is supported by Paragraphs 2.8 and 2.10 of the Licensing Act 2003 Section 182 Guidance issued by the Home Office.

The above proposed conditions, in the view of Dorset Police, meet all *General Principles* as required by Paragraph 1.16 of the Licensing Act 2003 Section 182 Guidance. We would be willing to assist with the wording of these conditions if required.

The section of this submission that follows is included as exempt Appendix 1 and is restricted by virtue of paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972

Exempt information – Categories 1 (information relating to any individual) and 2 (information which is likely to reveal the identity of an individual).

Available Outcomes to the Sub-Committee

To assist the members of the Sub-Committee, Dorset Police make the following submissions in relation to the available outcome options in respect of this Application for a Premises Licence –

Grant the Premises Licence as applied for

Dorset Police are of the view that to grant the application as proposed would likely result in a significant increase in demand for Police and other public services' support during peak periods.

Dorset Police do not, therefore, consider this to be an appropriate outcome as this would risk undermining the licensing objectives to prevent crime and disorder and maintain public safety.

The Sub-Committee are reminded that Paragraph 2.1 of the Licensing Act 2003 Section 182 Guidance produced by the Home Office states that, "*Licensing authorities should look to the police as the main source of advice on crime and disorder*". We believe that we have provided an evidence-based summary of our concerns above, as required by Paragraph 9.43 of the Section 182 Guidance, in support of our submission.

Modification of the Conditions of the Premises Licence it considers appropriate for the promotion of the licensing objectives

If the Sub-Committee grant a Premises Licence to the applicant, Dorset Police request that consideration be given to the proposed conditions detailed above.

Paragraph 9.12 of the Section 182 Guidance specifies, "*Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions.*" We have drawn on our extensive experience of this premise and the surrounding community, coupled with the information and intelligence gathered in relation to the applicant and their staff in putting forward the proposed conditions and we assure the Sub-Committee that no 'standard' conditions have been proposed.

Exclusion of a licensable activity from the scope of the Premises Licence

This licence applies for the following –

- Supply of Alcohol for consumption ON the premises Monday – Sunday 2200 – 0500
- Live Music Monday – Sunday 2100 – 0500
- Recorded Music – Monday – Sunday 2100 – 0500
- Performances of Dance – Monday – Sunday 2100 – 0500
- Hours Open to the Public – Monday – Sunday 2100 – 0530

Dorset Police have been advised that the applicant would be willing to reduce their times for the Provision of Alcohol Sunday – Thursday to 2100 – 0300hrs and opening hours to terminate at 0330hrs on the same days, however, this was during mediation and to our knowledge has not been formally amended to the application.

Dorset Police draw the attention of the Sub-Committee to the above concerns regarding the provision of alcohol and the operating hours.

Refuse to specify a person in the licence as the Designated Premises Supervisor

No concerns have been raised regarding the DPS proposed to justify any objection on these grounds.

Refuse the Application for a Premises Licence

Dorset Police support the view that this option should always be a last resort for the Sub-Committee. Whilst fiscal issues are outside of the considerations of the Sub-Committee, Dorset Police consistently adopt a proportionate approach, wherever possible, to remain sensitive to commercial viability of businesses.

Dorset Police acknowledge the value that licensed premises add to communities as places of social and economic value, however, where the presence of a licensed premise is foreseen as being detrimental to a community, it is necessary to draw the attention of members of the Sub-Committee to this fact for their consideration.

Whilst Dorset Police are keen to support responsible and appropriate licensable activities, we remain of the view that this application, given its location and the challenges faced in the area, should be granted cautiously and only where the Sub-Committee can be satisfied that the Premises Licence Holder can uphold the Licensing Objectives. Dorset Police are concerned that this premise, under the conditions proposed by the applicant, will lead to additional demand on Police resources and undermine the Licensing Objectives.

Conclusion

Paragraph 1.17 of the Licensing Act 2003 Section 182 Guidance requires that each premises application be assessed according to its own merits and in accordance with the Licensing Authority's Statement of Licensing Policy.

Dorset Police have clearly listed and described the concerns that we have in respect of this application. In order to assist the Sub-Committee in the event that they were inclined to grant the Premises Licence, we have drawn on our knowledge and expertise to assist the Sub-Committee in imposing conditions which are likely to promote the licensing objectives to prevent crime and disorder and public safety.

These conditions are not unnecessarily burdensome or disproportionate for the reasons explained above and are solely intended to support the Licence Holder if a Premises Licence is granted.

Dorset Police do not intend to elaborate a great deal on the above during the Sub-Committee hearing, however, as the Licensing Authority's main source of advice on matters relating to crime and disorder, we will be happy to answer any further questions that you may have during the hearing.

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

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Supplementary Papers for Licensing Sub-Committee

Date: Wednesday, 21 December 2022



5. Ratio Bar (formerly known as Xchange) 4 The Triangle Bournemouth	3 - 92
a) Supplementary evidence on behalf of the applicant is enclosed (pages 3 to 51)	
b) Supplementary evidence from Environmental Health is enclosed (pages 53 to 92)	

Published: 20 December 2022

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RATIO BARS LIMITED

POLICIES AND PROCEDURES.

TRAINING INFORMATION.

REPORT FORMS.

DRINKS AND DRUNKENNESS

Ratio Bars Limited (RBL) accept responsibility for their customers. They expect all staff to accept that they have a responsibility to our customers.

The prevention of drunkenness is important to us and must be important to our staff.

The Licensing Act 2003 places a responsibility on all persons who sell or supply alcohol. The Designated Premises Supervisor must be in day-to-day control of the business. This is achieved through its policies, procedures and training. All employees will receive suitable training in order to minimise the sale of alcohol to customers who are drunk or appear to be drunk.

It is important that any refusal is done in a polite and non-aggressive manner.

Where employees consider a person to be drunk they must refuse service. Should the customer disagree with the employee's decision then confirmation from the Designated Premises Supervisor or senior member of staff must be sought.

It is an offence to serve alcohol to a person who is drunk. The service of alcohol to a person who is drunk will be considered Gross Misconduct and may lead to instant dismissal.

All employees will receive training in the signs of drunkenness.

- If a member of staff at the premises requests a drunk or disorderly person to leave the premises, that person commits an offence if they fail to do so. The Police may be requested to assist in the removal of such individuals. Level 1 Fine £200.00.
- RBL will employ Security Industry Authority (SIA) licensed staff for all opening hour's and up to 30 minutes after close to ensure persons leave the venue and area in a safe, secure manner. Notices will be displayed asking customers to respect our neighbours by leaving the vicinity of the premises quietly. Customers will also be asked to respect our neighbours by leaving the area quietly by staff at the venue and in particular by SIA staff.
- It is imperative that all staff have confidence to refuse service and rely upon the support of the Designated Premises Supervisor, management, SIA staff and if required, the Police. It is important to refer the matter to the DPS/Manager should a customer disagree with the decision of any employee. The DPS or Manager will support the decision of staff, except in exceptional circumstances!!

What is drunkenness?

- The alcohol in a drink makes it intoxicating. However, there is no legal definition of the terms “drunk” or “drunkenness”.
- Alcohol is classed as a drug. This is because it alters the physical, mental and emotional state of the consumer.
- Moderate drinking can be part of a healthy lifestyle, and can contribute to sociability and relaxation. However, when its use is abused, it can have serious and long term effects on one’s health and well-being. A reaction to alcohol and medication can also result in aggression, poor behaviour or exacerbate medical issues.
- A drink is considered intoxicating for the purposes of licensing law if it contains more than 0.5% alcohol by volume.
- Recommended safe limits of alcohol consumption published by the Medical Officer who advises Government and other organisations are as follows:

- 1. The Chief Medical Officer recommends no more than 14 units per week spread evenly over 3 days or more with alcohol free days.**

ALCOHOL

It is important that all staff are aware of the products we sell and the amount of alcohol they contain. This is ALCOHOL BY VOLUME, more commonly known as ABV.

- Most spirits are around 40% abv (but beware some imported spirits and liqueurs can be higher)
- Wines vary between 8% and 16% abv (but most are 12%-14%)
- Beers can range from 3% to 9% (most are between 3% and 6%)
Ciders range from 3% to 8.5%
- To be classified “alcohol free”, a drink must contain no more than 0.05% abv
- To be classified “low alcohol” a drink must contain no more than 1.2% abv
- In either case the product must be labelled clearly
- Packaged drinks with an abv of more than 1.2% must be labelled with their exact abv
- It is very important licensees and their staff do not “pass off” a low alcohol product as alcohol free
- Everyone involved in the sale of alcohol should have a good knowledge of the abv of the various products they sell
- Units of alcohol have been defined to help consumers estimate their alcohol intake. Similarly, they will help staff to determine the consumption of an individual they consider to be drunk

As a guide

- ½ pt of beer of 3.6% abv = 1 unit
- A 25ml measure of a 40% abv spirit = 1 unit
- When consumed, alcohol is absorbed into the bloodstream and reaches all parts of the body.
- Its effect depends on how much alcohol is in the bloodstream at any given time.
- This is known as the blood alcohol concentration (BAC).
- BAC is measured in mg (milligrams) of alcohol in ml (millilitres) of blood.

- In this country it is an offence to drive with a level above 80mg of alcohol per 100ml of blood.
- There is an equivalent measurement for use with a breathalyser of 35mg of alcohol per 100ml of breath.
- The amount of alcohol that enters the bloodstream, and the speed at which it does it, depends on a number of factors.

Factors which affect BAC:

- 1. Quantity – how many drinks, and what strength.**
 - 2. Size of the Person – a larger person has more blood than a smaller person.**
 - 3. Sex – the same drinks will lead to a higher BAC in women than men.**
 - 4. Food eaten – the presence of food in the stomach slows down the absorption of alcohol into the bloodstream.**
- RBL expect all staff to be able to recognise the signs of increasing intoxication in order to make judgements on continuing to serve customers: e.g. high spirits, slurred speech, aggression, over-sentimentality.
 - We also have a duty to run responsible promotions and advertising, in order to ensure public safety and limit public nuisance.
 - In addition we have a duty to work in partnership with the licensing authorities, the Police and other regulatory bodies. In order to meet our obligation we will not promote irresponsible offers which encourage our customers to consume excessive amounts of alcohol. We do not encourage drinking games or mixing alcohol other than the cocktails sold by our trained staff.
 - It is an offence for a personal licence holder, or any person authorised to sell alcohol, to knowingly sell alcohol to a person who is drunk or appears to be drunk. This offence now carries an Unlimited Fine.
 - It is an offence to serve alcohol to the *companion* of a person who is drunk for consumption by a person you consider to be the drunk.
 - It is an offence to allow alcohol to be sold to a person who is drunk.
 - It is also an offence to obtain alcohol for a person who is drunk. Yes, the customer can commit an offence for buying alcohol for a friend!

SIGNS OF DRUNKENNESS!!

- Difficulty moving around objects
- Bumping into or knocking over furniture
- Falling down
- Swaying
- Dozing while sitting at a bar or table
- Clumsy or uncoordinated movements
- Crude behaviour
- Spilling drinks or the inability to find their mouth with a glass
- Inappropriate sexual advances
- Annoying other customers or staff
- Letting a cigarette burn in an ashtray without smoking it
- Inability to pick up change from a bar or table

- Rambling conversation, no 'train of thought'
- Altered speech pattern such as slurring
- Making irrational statements
- Glassy eyes, lack of focus, loss of eye contact
- Becoming careless with money, buying rounds for strangers
- Becoming loud and boisterous and making comment about others
- Aggression and belligerence
- Becoming agitated or argumentative
- Inability to light a cigarette

SECURITY

SIA staff are engaged to control the entrance with a minimum of two staff on duty at the front door during opening hours. Alternatively, one SIA member of staff and a member of the management team will be engaged at the entrance.

ANY customer who appears to be drunk, or aggressive while in the queue or at the entrance **WILL NOT BE PERMITTED ENTRANCE TO THE VENUE.**

Security staff are expected to walk the queue and remove any drunk or aggressive person, prior to presentation at the main entrance. This process will prevent a disagreement at the entrance following a potential 20-30 minute wait. A record of this action will be recorded by security staff.

A sign will be clearly displayed to inform customers of the need to succumb to a search and/or a scan for weapons prior to entry. Random searches of handbags, rucksacks and coats will be undertaken by security staff together with a compulsory scan for weapons. Where the customer refuses to be searched or scanned for metal objects **THEY WILL BE REFUSED ENTRY.**

- 1. All searches will be recorded on CCTV**
- 2. All refusals will be recorded**
- 3. Security staff will report any incident of weapons to the Police.**
- 4. Where drugs are found - these will be seized and placed in the drug safe. The drug seizure form will be completed and retained.**

SIA staff on duty will attend a security debrief with the DPS and/or manager at the end of each evening. These meeting will be recorded with records retained. The DPS/Manager will carry out a full review of all records once a month. Any significant findings which lead to a change in policy will be relayed to all security staff.

Where contract security staff are used the Head of Security (HOS) will ensure the following;

1. Prior to engagement the HOS will acquire a copy of the contractor's policies and procedures.
2. The HOS will maintain contact with the contractor company by providing a copy of the evenings debrief, discuss with the company their policies and criteria.
3. Obtain the name of the individual, their place of birth, record sight of their UK Passport AND RECORD THE PASSPORT NUMBER, or permission to work in the UK and their SIA number.
4. The HOS will then check their details by checking the SIA website prior to opening. The person **MUST HAVE** the right to work and **CORRECT DETAILS.** The contractor will be informed **IMMEDIATELY**, where details are incorrect.

5. Report any incidents of excessive force to the contractor. Dismissal is required where evidence proves excessive force was used by the contractor's employee. (or, in-house security).

IRRESPONSIBLE PROMOTIONS

Ratio Bars Limited DO NOT carry out promotions!

It is a breach of licence to run irresponsible promotions.

- A responsible approach needs to be taken with drinks promotions to ensure that as a result the licensing objectives of crime and disorder, public nuisance, public safety and the protection of children are not undermined.
- In general, promotions should not:
 - 1. Encourage consumption of large quantities of alcohol in a short period, especially at a fast rate or for reward.**
 - 2. Encourage anti-social behaviour.**
 - 3. Offend common standards of taste and decency.**
- Premises which fail to effectively manage promotional activity, may be subject to a review of their premises licence. If relevant representations are made to the Licensing Authority, suggesting the licensing objectives, as a result of the promotion activity, are being undermined.
- As a result of the review, it is possible for conditions to be attached to the licence which will restrict promotion activities in the future.

It is also a requirement to provide the option of smaller measures e.g.

- Beer, Lager and Cider – Half Pint
- Spirits Gin, Rum, Vodka, Whisky etc 25ml
- Wine by the glass – 125ml

Information will be displayed on the bar, which clearly indicates the ABV of lager, beer and cider. Also the ABV for a range of other drinks. Should a customer ask for a drink without specifying the size, for example 'a glass of wine', they should be made aware of the measures available, small 125ml, medium 175ml or large 250ml.

PROTECTION OF CHILDREN FROM HARM AND CHALLENGE 25

IMPORTANT!!

ALL STAFF ARE INSTRUCTED TO REQUEST ID WHERE THEY ARE OF THE OPINION THAT THE PERSON IS UNDER 25 YEARS OF AGE. THIS WILL BE AN ADDITIONAL CHECK TO THOSE CARRIED OUT BY SECURITY PRIOR TO ENTRY.

REMEMBER! THE SELLER OF THE ALCOHOL WILL COMMIT AN OFFENCE NOT THE SECURITY STAFF WHO MAY HAVE CHECKED THE ID ON ENTRY AND YOU WILL RECEIVE A FIXED PENALTY NOTICE. PLUS, DISMISSAL FOR GROSS MISCONDUCT MAY FOLLOW!!

IF IN DOUBT SEEK ADVICE FROM THE DPS/MANAGER/PREMISES LICENCE HOLDER.

DO NOT GIVE THE BENEFIT OF THE DOUBT!!!

RBL operate a CHALLENGE 25 policy.

This policy provides staff with the information required to assess a customer's age as follows.

Where a customer appears to be under the age of 25 years they MUST be asked for identification.

The only form of identification we accept is –

A current PASSPORT

A current Photo DRIVING LICENCE, and

A card which carries the PASS LOGO See a copy of the poster which carries the PASS LOGO. All staff must be familiar with this logo.

All staff should follow this guidance when viewing identification. It is known as the FLAG system

Have the person remove the ID from their wallet or plastic holder.

FEEL

- Feel for information has it been cut out or pasted on.

LOOK

- **Look** for the PASS hologram.
- **Look** at the photograph. Hairstyles, eye makeup, and eye colour can be altered, so focus your attention on nose and chin. These features do not change. When encountering people with beards or facial hair, cover the facial hair part of the photograph and concentrate on the nose and ears.
- **Look** at the date of birth and do the math's! The till has a prompt which will highlight the acceptable date of birth you are looking for!

- Compare the age on the ID with the persons apparent age. For example, if the ID says the person is 24 but he or she only looks 17, do not accept the ID no matter how genuine it looks.
- **Look** for the expiration date, if it has expired do not accept it.
- **Look at** the hologram on a driving licence does a face or date of birth appear, does it match the photograph and date of birth on the front? Is it empty, then it is likely to be a fake.

ASK

- **Ask** questions of the customer, such as middle name, zodiac sign, post code, and birth month. Any hesitation IS CAUSE FOR CONCERN
- If the customer is with a companion, **Ask** the companion to quickly tell you their companions name. Any hesitation IS CAUSE FOR CONCERN.
- Ask the customer to sign his or her name to compare signatures with the ID presented.

GIVING

- **Giving** the benefit of the doubt **THIS IS NOT AN OPTION!!**

RBL will treat any breach of their underage and challenge 25 policy as gross misconduct and any breach may lead to instant dismissal.

We all have a responsibility to PROTECT CHILDREN FROM HARM!

Sale and Supply of Alcohol to Young People

- The sale and consumption of alcohol is rigorously controlled by law in the case of young persons under the age of 18.
- The risks associated with excessive consumption of alcohol by the young are serious, and include damage to their health and under achievement.
- It is the positive duty of licence holders and everyone who works in licensed premises, to ensure alcohol is never sold to persons under 18.
- It is a criminal offence for any person to sell alcohol to a young person who is under 18 anywhere, without exception.

Consumption of Alcohol by Young People

- Persons under the age of 18 generally cannot consume alcohol on licensed premises.
- The one exception is that a 16 or 17 year old is allowed to drink beer, wine or cider in accompaniment with a table meal (not bar snacks), provided that an adult, also having a table meal with them, purchases the drink. A suitable credible form of ID will be required where the young adult or child claims to be 16 or 17. **RBL do not sell food so this exemption does not apply, everyone must be 18 or over!**

Children on Licensed Premises

- The law contains no general prohibition on the admission of children, except those below. (Legal Restrictions)

○ **RBL do not permit children.**

- If young adults and children are to be admitted RBL will inform staff of the times, whether they must be accompanied by an adult and the area of the premises they may be admitted.

Legal Restrictions on the Admission of Children

- Children under the age of 16, who are not accompanied by an adult, may not be on premises used exclusively or primarily for the sale of alcohol for consumption on the premises, during opening hours.
- Furthermore, children under the age of 16, not accompanied by an adult, may not be on any premises that are licensed for the sale of alcohol for consumption on the premises, between midnight and 5.00am, if open to the public.

Offences Relating to the Sale of Alcohol to Children

- As already stated it is an offence to sell alcohol to someone aged under 18 years under any circumstances, regardless of where the alcohol is sold.
- In licensed premises, it is an offence knowingly to allow the sale of alcohol to someone under 18. This offence can be committed by anyone who works at the premises in a capacity that would have allowed them to prevent the sale.
- It is an offence for anyone under the age of 18 to purchase or attempt to purchase alcohol, or for someone over the age of 18 to purchase or attempt to purchase alcohol on behalf of someone under 18 (except 16 or 17 year olds with a meal as detailed above).

The evidence required for a prosecution for an under-age sale is that the sale did take place and that the young person was indeed under 18. So all staff have a duty to actively prevent the sale of alcohol to a person under 18 years.

Offences relating to the consumption of alcohol by children

- It is an offence for a person under 18 to consume alcohol on licensed premises (except 16 or 17 year olds with a meal as detailed above).
- It is an offence for a member of staff at the premises knowingly to allow children to consume alcohol. This applies to you and if you are suspicious your colleagues are selling to someone under 18 year's.

Enforcement of Age-Related Sales Provisions

- All staff must be aware that "Test purchasing" age restricted items WILL TAKE PLACE. What is a Test Purchase? This is carried out by the Police and/or Trading Standards Officers, who are empowered to send young persons under 18 years into licensed premises to attempt to buy alcohol.
- Neither the actions of the officers, nor the young people involved are recognised as offences under the Act.
- **Test purchases can happen at any time by the authorities! Or by a company engaged by RBL.**

Fixed Penalty Notices

○ Police are empowered to issue fixed penalties for the following offences:

1. Obtaining alcohol for a person under 18.
2. Sale of alcohol to a person under 18.
3. Consumption of alcohol by an under 18.
4. Allowing consumption of alcohol by an under 18.
5. Delivery of alcohol to an under 18.
6. Allowing delivery of alcohol to an under 18.

All staff must be aware that the fixed penalty will be issued to the person who contravenes the law. So your actions can lead to a fine for you and may lead to a review of our premises licence, if offences of this nature take place on the premises RBL may also lose their licence!

Defences

Why do we as a company provide information to all staff and carry out such stringent checks? A person may be charged with selling alcohol to someone under 18, but it is a defence to show that:

1. We believed the person was 18 or over, and
 2. We have either taken all reasonable steps to establish the person's age, or nobody could possibly have suspected the person was under 18 from their appearance. "All reasonable steps" means that proof of age was requested, and the evidence shown would have convinced any reasonable person.
- The same defence is available to persons charged with an offence of allowing a child under 16 onto a licensed premises unaccompanied.

IT IS ESSENTIAL THAT ALL STAFF REQUEST ID WHERE THEY HAVE ANY DOUBT ABOUT THE PERSONS AGE, THIS INCLUDES A PERSON WHO APPEARS UNDER 25 YEARS OF AGE.

- ALL STAFF MUST RECORD THE FACT THAT THEY HAVE REQUESTED ID
- ALL STAFF MUST RECORD THE FACT THAT THEY HAVE WITNESSED ID
- ALL STAFF MUST RECORD ANY REFUSAL TO SERVICE WHERE THE LACK OF SUITABLE ID IS PRODUCED

As previously stated - WE DO NOT PERMIT YOUNG ADULTS OR CHILDREN TO ENTER THE PREMISES. HOWEVER, ALL BAR STAFF ARE RESPONSIBLE FOR THEIR ACTIONS **AT THE POINT OF SALE!!!**

THE LICENSING ACT 2003

A power point presentation is used to train staff in the provisions of the licensing legislation. The training will be delivered in person to all staff with a short examination to follow. All staff must attend the training and pass the in-house examination before they are permitted to serve alcohol related products. Non front of house staff will be expected to attend the training, but they are not required to sit the examination, unless they choose to do so.

Licensing Authorities

- The responsibility for all forms of alcohol and entertainment licensing in England and Wales, lies with the local Licensing Authority e.g. District or County Councils.
- A licensing committee of 10-15 members will be elected by each authority – each member must be an elected member of the council. It will be responsible for dealing with both personal and premises licence applications
- Sub-committees of 3 members may be set up to hear applications.
- An appointed officer, employed by the Council, may also be appointed to carry out some functions.

Secretary of State has issued Guidance to provide more detailed interpretation of the Act, and a working framework. All staff are encouraged to read this document, which is available at

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

It is also important to note – The Licensing Authority also produce a policy. This is normally found on the local council's website. Again, all staff are encouraged to read this document at [SOLP 2020-2025 \(bcpccouncil.gov.uk\)](https://www.bcpccouncil.gov.uk/SOLP-2020-2025)

Licensing Objectives

These are the governing principles of the Act. All employees must be aware of the licensing objectives. All staff, but in particular all personal licence holders, must have a full understanding of all four of them, which rank equally in importance:

- **The prevention of crime and disorder**
- **Public safety**
- **The prevention of public nuisance**
- **The protection of children from harm**

All licensed premises must be run with a view to promoting these licensing objectives.

Applicants for premises licences must include in operating schedules how they will achieve this.

The licence application includes the following conditions. However, additional conditions may be requested by the Responsible Authorities or imposed by the Licensing Committee or Sub-Committee. All staff will be familiar with the terms and conditions of licence, which will be included in the training provided.

PROPOSED Licence Conditions:

Prevention of Crime & 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 playbacks 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.

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.

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.

RBL actively encourage all employees to obtain a personal licence. It is this licence that allows a person to **sell** alcohol, or **authorise** the sale of alcohol. RBL will offer guidance and assistance in appropriate cases.

Following training all staff aged 18 or over will be authorised to sell alcohol.

Licensing Activities

A licence is required if a business wishes to carry out any of the following activities:

- ☐ Sale of alcohol by retail
- ☐ Supply of alcohol in club premises
- ☐ Provision of regulated entertainment
- ☐ Late night refreshment

The Premises Licence may include the sale of alcohol and/or regulated entertainment and/or late night refreshment.

The sale of alcohol is self-explanatory. However, regulated entertainment is defined as the following or entertainment of a similar description.

- ☐ Performance of a play
- ☐ Exhibition of a film
- ☐ Indoor sporting event (no licence is required for up to 1000 customers and staff between 08:00 – 23:00)
- ☐ Boxing, wrestling or Cage Fighting (no licence is required for up to 1000 customers and staff between 08:00 – 23:00)
- ☐ Performance of live music (no licence is required for up to 500 customers and staff between 08:00 – 23:00)
- ☐ Playing of recorded music (excluding live TV or radio) (no licence is required for up to 500 customers and staff between 08:00 – 23:00)
- ☐ Performance of dance (no licence is required for up to 500 customers and staff 08:00 – 23:00)

WHO IS AUTHORISED TO SELL ALCOHOL?

The Premises Licence may also permit Late Night Refreshment. This consent is required where the sale of hot food takes place between 23:00 hours and 05:00 hours. RBL did not seek consent to supply hot food and drink between 23:00 and 05:00.

Where a Premises Licence is granted the Licensing Authority do so with conditions and approve a plan of the premises. A copy of the approved plan is kept with Part A of the licence. The Premise Licence, PART A including the plan, must be available for inspection by an authorised officer of the council or Police Officer. All employees must be aware of its location and produce the licence, and plan upon request.

Part B, "Summary of Licence", must be displayed in a location where it can be read. All staff will be aware of it's location. The Designated Premises Supervisor and Manager are responsible for its display and position.

Interim Authority

It is essential that all staff are aware of the requirement to apply for an INTERIM AUTHORITY!! This application will prevent the loss of the companies' licence/asset due to insolvency, bankruptcy or incapacity. This application must be lodged with the local licensing authority within 21 days (28 days is allowed by legislation).

SHOULD RBL BECOME INSOLVENT OR BANKRUPT CONTACT WITH APPL SOLUTIONS LIMITED 01202 [REDACTED] or [REDACTED] WILL BE DONE IMMEDIATELY.

SHOULD THE OWNERS RBL BECOME INCAPABLE OF OPERATING THE BUSINESS THEN A MEMBER OF THE MANAGEMENT TEAM MUST CONTACT APPL SOLUTIONS LIMITED 01202 [REDACTED] or [REDACTED] IMMEDIATELY.

APPL Solutions Limited will then apply for the Interim Authority or a Transfer of the Premises Licence!!

Duration of the Licence

The premises licence will last for the life of the business. However, where incapacity, insolvency or bankruptcy occur the licence will cease to exist unless the interim authority is secured.

The licence may be removed following a review or expedited review. Why? This is due to the lack of control of the premises, a breach of licence, disorder, crime, noise etc. It is essential that all premises are operated to the highest standard. RBL must be informed should issues occur which may jeopardise the premises licence. The attached reporting form must be completed and shown to the owners and manager at the first available opportunity.

Annual Fee

A fee is due prior to the anniversary of the Premises Licence. Where the annual fee is not paid the Licensing Authority may suspend the licence. This will have serious implications for the business.

The Designated Premises Supervisor must ensure that the annual fee is received by BCP Council at least 7 days PRIOR TO THE ANNIVERSARY OF THE LICENCE.

WHEN WAS THE LICENCE GRANTED, SO WHAT IS THE ANNIVERSARY OF THE LICENCE?

A reminder is normally received from the Licensing Authority. However, reliance should not be placed on the reminder. It is the responsibility of RBL, DPS or manager allocated this task by RBL.

What are the consequences of non-payment? SUSPENSION OF THE LICENSABLE ACTIVITIES!!

STATEMENT OF POLICY ON DRUGS

RBL accept that drugs are widely available and may enter our premises. We have a duty to prevent access to persons who may consume or sell illegal substances.

It is a fact that illegal drugs are everywhere in society, and licensed premises are a natural target for dealers and users.

It is important that we adopt a zero tolerance policy in relation to illegal drug activity.

All staff must be vigilant. Training for all staff will be provided on the identification, use and effects of drug use.

The Designated Premises Supervisor will seek advice from the Police on the methods to prevent drugs from entering the premises or as soon as they suspect their premises is being used for any kind of illegal drug activity.

All illegal substances will be secured in the drug safe or drug bags provided. A comprehensive record of the quantity, type of substance if known, or a general description e.g white powder, tablet etc, date and time of seizure, name of person who seized the substance, name of the person completing the record and the date and time the Police are called.

A date and time for the collection of the substances should be recorded, if known. When the substances are handed over to the Police a record of the date and time, the member of staff handing over the substances and the name, collar number and signature of the Police officer(s) receiving the substance.

Our policy on drugs is based on three core messages:

Prevention, Drug dealers and abusers, Welfare and treatment

PREVENTION

RBL do not condone the dealing in or use of illegal substances on our premises.

Regular toilet checks will be carried out and recorded on the record sheet provided. Such records will be retained for a minimum of 3 months. The records will be made available to the Police and Licensing Authority upon request.

Toilet attendants are employed and as part of their duties they are required to report potential drug use or drug dealing.

Customers may be subject to a search with all illegal substances confiscated. Such persons will be refused entry and banned from the premises for life.

A record of any seizure will be kept in the DRUG SEIZURE BOOK which is kept in the Managers Office.

If a customer is found to have large amounts of illegal substances they will be detained and reported to the Police. The illegal substance will be handed to the Police when they attend to deal with the detained person.

Methods will be used to highlight the possibility of spiking. 'You have been SPIKED'

RBL will supply suitable advertising material such as Beer Mats, Posters and NHS services.

DRUG DEALERS AND ABUSERS

RBL will take an active role monitoring for drug dealing and will work in full co-operation with the Police.

When there is a strong suspicion of drug dealing, the Designated Premises Supervisor will inform and assist the Police in every way possible.

WELFARE AND TREATMENT

The premises will ensure that anyone suffering the effects of illegal substances will receive care and attention while on our premises.

The premises will ensure they have access to a room or quiet area where any care or treatment may occur.

All staff must be aware that the treatment must be restricted to ensuring the comfort of our customer prior to the attendance of medical assistance.

LEGAL HIGHS POLICY

- Legal highs are NOT accepted and may NOT enter the premises, this includes nitrous oxide. Anyone caught in possession of such substances will be refused entry or ejected.
- When there is a strong suspicion of drug dealing, the person will be detained, the substance confiscated and reported to the Police.

The Designated Premises Supervisor will inform and assist the Police in every way possible.

VIOLENCE, DISORDER POLICY

RBL will not tolerate violence, aggression or disorder on premises associated with the company.

RBL employ SIA staff in order to prevent and if necessary deal with violent and aggressive customers. However, all staff will be trained in the effective control measures employed by the company.

As a general rule bar staff are not expected or encouraged to engage with violent or aggressive customers. However, the Designated Premises Supervisor or a member of the security team are expected to identify, prevent and deal with any customer who is aggressive, or likely to be associated or involved in violence.

In order to prevent access to known individuals RBL will be a member of and regularly attend Town/Pub Watch where such individuals are named. This information will be shared with members of the management team and security company engaged at the premises.

The Designated Premises Supervisor or Head of Security (HOS) will maintain a close working relationship with the security staff.

The security staff will be expected to:

- **Monitor the entrance and strategic locations throughout the premises;**
- **A plan of the premises will be maintain that clearly indicate specific locations which require static security staff; 3 on ground floor, 2 on the main entrance, 1 supervising the queue or, one SIA and management at the entrance.**
- **At least one member of the Security team, and a manager, will actively roam the premises in order to identify customers who may be associated with disorder. Or, potentially be associated with disorder;**

- Security staff will assess the premises when they arrive at the premises and prior to leaving the premises following closure. Records of these checks will be recorded by the HOS and shared with the Designated Premises Supervisor;
- All records will be reviewed at the beginning and during their shift. Also, prior to closure. A record of any debrief will be kept and made available for inspection by any authorised officer;
- The Designated Premises Supervisor or HOS will organise meetings with the Security team. The purpose of these meetings is to review any incidents, to further develop policies and procedures, to aid best practice and to ensure that all staff employed and deployed, are aware of any amendments to the policy and procedures.
- The HOS will ensure that all security staff are licensed by the Security Industry Authority (SIA) in accordance with the mandatory condition on the premises licence. Regular checks will be carried out on those regularly deployed;
- The HOS will ensure that all new security staff are licensed prior to their deployment by carrying out a search of the SIA website. Where the search is inconclusive the member of staff will be NOT be granted permission to work and the security company informed with a request for a SIA member of staff.

RECORD OF SECURITY MEETINGS

DATE

TIME

NAME OF ATTENDEES

1.

2.

3.

4.

Agenda

- 1. Apologies**
- 2. Minutes of last meeting**
- 3. Resolution of outstanding matters**
- 4. Current Issues and Incidents**
- 5. Barred Persons**
- 6. Recommended Improvements – E.G. Policies, Procedures, Staff, Building, CCTV, Fire Safety etc**
- 7. Timescale for Recommended Improvements**
- 8. Any Other Business**
- 9. Time and Date of Next Meeting**

MINUTES

TIME

DATE

TAKER OF MINUTES

Signed DPS.....

Security Director.....

Date.....

PREVENTION OF THEFT POLICY

RBL are aware of the possibility of theft from our customers. In order to prevent or minimise theft we provide a cloakroom where we recommend all valuables are deposited.

While we encourage use of the cloakroom we realise that customers wish to retain some personal possessions.

All staff will be trained to recognise vulnerable customers, possessions left unattended, the need to recommend the use of our cloakroom, collection and storage of any items of lost property.

Suitable posters will be strategically positioned which warn customers of the need to keep their valuable safe at all times.

RECORDING OF LOST OR FOUND ITEMS

The Designated Premises Supervisor will maintain the company recording system.

All lost and/or stolen items reported by our customers will be recorded using the attached form.

All items found on the premises will be recorded using the attached form.

All items will be securely stored.

A member of staff shall actively attempt to return the item by identifying the owner by searching the mobile phone, handbag, wallet or purse etc.

Prior to collection the customer must satisfy the member of staff of their right to ownership.

Where items are not repatriated they will be delivered to the local Police Station where the member of staff will request a receipt for the goods deposited.

Where a customer wishes to claim an item of lost property they must first satisfy the member of staff of their right of ownership.

REPORT OF LOST OR STOLEN ITEM

DATE.....

TIME.....

PERSON REPORTING THE LOST OR STOLEN ITEM.....

ADDRESS OF THE PERSON REPORTING THE LOST OR STOLEN ITEM.....

.....

CONTACT TELEPHONE NUMBER HOME.....

MOBILE No.....

MEMBER OF STAFF..... POSITION.....

DESCRIPTION OF LOST OR STOLEN ITEM.....

.....

.....

.....

AREA OF PREMISES WHERE ITEM LOST OR STOLEN

BAR.....TOILET.....TABLE.....DANCEFLOOR.....SMOKING AREA.....

OTHER.....

TIME LOST.....

SEARCH OF PREMISES CARRIED OUT? YES.....NO..... BY WHOM.....

OTHER RELEVANT

INFORMATION.....

.....
.....
.....
.....
.....

SIGNED MEMBER OF STAFF.....PRINT.....

SIGNED BY CUSTOMER.....PRINT.....

REPORT OF ITEMS FOUND

DATE.....

TIME.....

PERSON FINDING THE ITEM.....

REPORTED TO.....

MEMBER OF STAFF..... POSITION.....

DESCRIPTION OF ITEM.....

.....
.....
.....

AREA OF PREMISES WHERE FOUND

BAR.....TOILET.....TABLE.....DANCEFLOOR.....SMOKING AREA.....

OTHER.....

TIME FOUND.....

ITEM SECURED. YES.....NO.....WHERE.....

OTHER RELEVANT

INFORMATION.....

.....
.....

SIGNED BY MEMBER OF STAFF RECEIVING THE ITEM.....

SIGNED BY PERSON FINDING THE ITEM.....PRINT.....

SIGNED BY THE PERSON RECORDING THE ITEM.....

RETURNED ITEMS

DATE.....

TIME.....

PERSON RETURNING THE ITEM.....

IDENTIFICATION METHOD.....

.....

CONTACT TELEPHONE NUMBER HOME.....

MOBILE No.....

MEMBER OF STAFF..... POSITION.....

DESCRIPTION OF ITEM(S) RETURNED.....

.....

.....

.....

RETURNED TO.....

OTHER RELEVANT

INFORMATION.....

.....

.....

.....

.....

.....

SIGNED MEMBER OF STAFF.....PRINT.....

SIGNED BY RECIPIENT OF ITEM(S)

SIGNED.....

PRINT.....

RANK.....

COLLAR NUMBER.....

RECEIPT RECEIVED. YES.....NO.....

DUTY OF CARE POLICY

RBL has a duty of care for all employees and customers and must ensure that they do not suffer any unreasonable harm or loss. This responsibility is found in the Health and Safety at Work etc Act 1974 and the company Health and Safety Policy.

The company also undertake Health and Safety Risk Assessments. Where issues are identified the company has a duty to make reasonable adjustments.

All employees and customers also have a duty of care for themselves and others. We must all contribute to a safe environment and workplace. The company expect all employees to raise any issues they consider breach this general duty of care.

The company ensure our premises are safe with regard to the structure, fire safety including means of access and egress, emergency lighting, fire appliances and fire alarm system. Safety of the working environment and areas used by our customers must also be safe and secure. To this end we carry out building and contents checks and where issues are identified take reasonable steps to ensure all issues are addressed.

The company endeavor to provide a safe environment in which our customers can enjoy an evening of entertainment, with this in mind the policies are designed to maintain their own safety and the threat to their safety from other customers and employees.

Where a member of staff is concerned for a customer or for themselves they must report their concerns to the DPS or Manager.

Where concerns are raised these must be recorded in the company Accident Book.

Fixed Penalty Notices

Police are empowered to issue fixed penalties for the following offences:

1. Obtaining alcohol for a person under 18.
2. Sale of alcohol to a person under 18.
3. Consumption of alcohol by an under 18.
4. Allowing consumption of alcohol by an under 18.
5. Delivery of alcohol to an under 18.
6. Allowing delivery of alcohol to an under 18.

Offences committed by persons under 18 can attract fines up to £1k, but others attract fines up to £5k.
The premises licence holder can anticipate an application to review the premises licence, if offences of this nature take place on the premises.

Selling alcohol to a drunk or allowing it to be sold; obtaining or attempting to obtain alcohol for a drunkLevel 3

RBL do not sell alcohol to a customer who is, or appears drunk!

Where a customer is drunk, or appears drunk, staff will refuse to sell alcohol. However, the customer should not be asked to leave where they appear vulnerable. The customer must be offered assistance. This may be the offer of-

Water, Food, coffee;

To call their family or a friend to accompany them;

Walk the customer to a food outlet and wait while they purchase and consume their food;

Call a Private Hire vehicle to collect them;

Walk the customer to the nearest Taxi Rank and place them in a Taxi home.

FREE DRINKING WATER IS AVAILABLE



CRIME SCENE PRESERVATION

The Designated Premises Supervisor, Duty Manager and Security Staff, if available, will make an initial assessment of the scene to confirm that a crime has actually taken place. This has often already been established by the first member of staff attending the scene, or by a member of staff or security who will have taken information from the complainant in order to assess the nature of the allegations and crime. The Designated Premises Supervisor or Duty Manager will then carefully walk through the scene. They will need to:

- Reassess the initial action taken by the first member of staff
- Review the extent of the scene by questioning the victim/witness and visual examination
- Establish scene boundaries where did the crime take place
- Establish the points of entry and egress
- Assess: the potential evidence at the scene - weapon (glass, knife other object, blood
- Assess: any specialist equipment/support needed - camera, gloves, evidence bag
- Identify any items that may have been left at the scene by suspect – Identification, wallet, clothing
- Consider health and safety risks

Assessing the risks to staff health and safety when he or she begins to process the scene in which hazardous substances or other dangers may be present is vital. Those dangers could include loose flooring, or sharp objects such as broken glass, or even the presence of the perpetrator of the crime who might be in hiding, or simply remaining in the area to "see" whether their actions have been discovered! The member of staff must take all necessary steps to minimise harm by complying with the relevant legislation. Details about the Health and Safety Regulations can be found in the company Health and Safety Policy. Only when the member of staff is satisfied that they have all the information they need to safely process the scene will they begin to do so.

Securing the Crime Scene

The crime scene may already have been secured by the first member of staff on the scene, but if not, the Head of Security, Designated Premises Supervisor or Duty Manager will cordon off the scene to ensure that no person is able to access the scene after it has been secured. When the scene has been secured, it may be necessary to call the police. The scene should be preserved until the police arrive. It is then said to **be owned** by the police, and it will not be returned to the company until it has been thoroughly examined, and all necessary physical evidence has been recovered. In very serious crimes such as a murder, or

suspicious death, an inner and outer cordon may need to be established, with the inner cordon surrounding the core of the scene (where the body is lying) and an outer cordon surrounding a much wider area in which evidence might reasonably be expected to be found.

There are several reasons for securing the scene. First and foremost is the need to prevent contamination of the scene and any evidence in the scene. The scene can be contaminated by people (including all those who "officially" attend the scene, as well as the curious customers). It is also important too to protect the scene from the weather where the crime takes place in the immediate vicinity outside of the premises.

The Designated Premises Supervisor or Duty Manager will almost certainly need to wear personal protective clothing (PPE) such as gloves in order to protect themselves from potentially hazardous substances or sharp objects.

Recording Actions at the Crime Scene:

A full record of the scene and its contents should be recorded so that these details are available to the police for all crimes, but particularly serious crimes. These details will help the police to "reconstruct" the events, which they may need if they are to successfully prosecute any offender. The full record can include a sketch of the scene as well as photographs, video or the CCTV. A sketch is often preferred because it can leave out clutter (which is often present in photographs) and should always include measurements. No matter what form of visual evidence is collected it must always take accurate notes in the form of a scene of crime report. These notes will record a description of the scene itself, and possible modus operandi of the perpetrator of the crime.

A Note about Photographing the Scene:

A photographic record of the scene will ideally include images of the scene from various locations, such as from the four corners of a room looking towards the middle of the room. Of course, it is not often possible to do this until after the room has been cleared and the scene has been examined systematically. Further photographic records will then be made of smaller parts of the scene, capturing the relative positions of items of evidence that will later be collected. Finally, close-up images of individual items of evidence will be recorded, in many cases with and without a scale rule.

Recovering Evidence at the Crime Scene:

By now, the Head of Security and/or Designated Premises Supervisor and/or the Duty Manager will have searched the scene and identified and marked-up physical evidence that will need to be collected. If the evidence has not already been photographed, photographs will be taken just before recovery and packaging takes place.

The Head of Security, Designated Premises Supervisor, Duty Manager will recover each different type of evidence using a method that prevents the items from becoming contaminated or damaged.

Packaging and labelling the Evidence

Once an item of physical evidence has been removed from the location at which it was found, it must be packaged in such a way that it cannot become contaminated or damaged. It is equally important that the item is unable to escape from its packaging for two reasons. First, to preserve the item from contamination in an unprotected environment. Secondly, to prevent the item contaminating other packaged evidence. For example, imagine the consequences of a suspected drug in the form of a powder escaping from its package. This could end up (and no doubt will end up) on the outside of another package so that when this is handled, that drug becomes transferred to the person who opens the package and then on to other items for examination!

- A knife would be placed into a weapons tube (a hard plastic shell) to prevent the sharp edges from penetrating the tube. If blood is present on the knife, the tube would be sealed with bio-hazard tape.
- A cluster of hairs found in the clutches of a victim's hand could be placed into a small stoppered plastic bottle (called a polypot) and this then placed into a clear polythene evidence bag.
- A garment soaked with bodily fluid or as a means of identifying a suspect would be placed into a plastic bag.
- A shoe would be placed into a strong paper bag (unless it was covered with wet substances like fresh blood).

So, the Designated Premises Supervisor, Duty Manager should have a wide range of different types of packaging material and know exactly which is best for the items of evidence being collected. Each package must be sealed to prevent anything getting into the package, and anything getting out of it. And each package must be labelled with information that

- 1) uniquely identifies it,
- 2) says exactly where it was recovered,
- 3) says exactly when it was recovered,
- 4) shows the name of the person who recovered it, and

5) provides details of exactly who has handled the item after it has been recovered and packaged.

AFTER CRIME SCENE EXAMINATION

If the crime scene is owned by the police they will release the premises. This will only take place after all physical evidence has been recovered, packaged and labelled, the crime scene report form has been completed, and all materials have been removed from the scene.

Other police personnel may have further involvement with the complainant or victim, but so far as the Designated Premises Supervisor, Duty Manager is concerned, their involvement at the scene of crime is over. Items of evidence will be taken into custody by the police for storage pending their investigation, which may include obtaining statements from all members of staff and witnesses.

EMERGENCY PROCEDURES

SEE THE FIRE SAFETY RISK ASSESSMENT and FIRE LOG BOOK

GLASS MANAGEMENT POLICY

A glass management policy. Spillage procedure.

All Glass is stored in the Bar areas.

All waste glass is stored in a secure location to the rear of the premises and not in public areas. This area is monitored by staff and security.

RBL employ a glass collector with the sole responsibility of circulating the premises, both inside and outside to collect glass receptacles.

RBL will hold a waste management contract with for the collection and disposal of waste glass.

Staff and members of the security team monitor both inside and outside areas.

Security and staff will actively prevent customers from leaving the premises with glass.

Glass is collected from the surrounding area.

Customers found drinking in the queue are asked to leave the queue and refused entry. Security staff, Designated Premises Supervisor and Duty manager will collect any glass discarded by our customers.

Polycarbonate vessels are used for beers/lager and mixer drinks. Bottle beer is decanted in to polycarbonate. However, Champagne is provided by the bottle with glass champagne flutes provided. The collection of empty champagne bottles and flutes will be carried out as soon as practicable.

SPILLAGE POLICY

A member of staff will be deployed to clear any liquid where a spillage is reported by an employee or a member of the public.

A member of staff will remain with the spillage until another member of the team returns with signage and cleaning equipment.

The broken glass is safely removed with the area swept and dried before removal of the signage.

Only when the area is deemed safe will access be restored.

TRANSPORT

RBL do not provide a Taxi booking service. However, the telephone numbers of some private hire companies are available, which will be supplied upon request.

We will escort customers to the Taxi rank if we are concerned about their well-being e.g. lone vulnerable females and males.

Customers who have booked a taxi may wait inside the venue until their vehicle arrives.

The manager will make contact with a relative where a customer appears vulnerable e.g. alone, lack of funds to cover their taxi fare. A request to collect the vulnerable person will be made or to arrange payment at their destination.

The following numbers are made available to customers-

Bournemouth – 01202 484848

Christchurch – 01202 556677

Poole – 01202 666333

NOISE MANAGEMENT POLICY

RBL acknowledge the impact of noise on the community from licensed premises.

The number of residents who live within the immediate location is low. However, we are conscious of the impact that noise can have on the few residents who do live in the immediate vicinity.

The premises licence includes a condition which demands the closure of windows and doors. In order to comply with this condition and to maintain control of noise outbreak the Designated Premises Supervisor, Duty Manager and Security staff ensure all windows and doors are kept closed, except for access and egress.

A noise limiter is installed to control the volume of sound.

We deploy security to monitor and control the patio area. Their duties include monitoring for noise, maintain order, monitor the outbreak of noise and prevent noise from customers.

The premises is fitted with double glazed units, which act as a barrier.

All deliveries and services will be carried out between 08:00 and 18:00 hours only. In the unlikely event that deliveries are delayed and arrive outside of these hours every available resource will be engaged to avoid noise and disturbance to residents.

Customers in the queue will be reminded of the need to keep noise to a minimum. Notices will be displayed to remind customers of the need to keep noise to a minimum. Where customers fail to adhere to any reasonable request they will be asked to leave the queue and if necessary the area.

Health and Safety - Risk to Staff from noise.

A Noise Risk Assessment is carried out by a competent company. The findings of the risk assessment are carried out with information provided to all staff, including the security company engaged.

Where ear plugs are required they will be supplied. Staff must wear the ear protection supplied.

DISPERSAL POLICY

RBL has adopted a soft close procedure. This system encourages customers to disperse over a period of one hour prior to closure.

The type of the music is changed and the volume reduced.

The glass collectors are deployed to collect empty drinking vessels and bottles.

Security staff will encourage customers to drink their remaining drink and vacate the premises. However, in order to reduce consumption within a short period of time the drink will be removed where closure is imminent.

Closing procedure –

The DJ will remind customers that we are about to close and thank them for their custom.

Security staff circulate to encourage customers to vacate the premises. While security are firm they must remain polite.

A member of the Security and management team will be present at the main exit, again to thank customers, to encourage their return, engage with customers who remain in high spirits.

A member of the security team will further encourage customers to leave the area where they linger in the immediate vicinity.

When all customers have vacated the premises all employees clear the premises. However, waste, including glass bottles remain within the premises until the morning. This is designed to reduce the noise from emptying glass into the recycling bins.

The security staff complete their closing down checks and complete their paperwork before handing the premises over to the duty manager.

The duty manager and security staff debrief the evening with completion of any incident report and proposed action resulting from the incident report.

OPENING UP AND CLOSING DOWN PROCEDURE

The Head of Security (HOS) is responsible for ensuring the premises is safe prior to opening.

The HOS will carry out a check of the premises with completion of the opening up form. This form **MUST BE COMPLETED AND SIGNED OFF PRIOR TO OPENING**. A COPY OF THIS RECORD WILL BE RETAINED AND MADE AVAILABLE FOR INSPECTION UPON REQUEST.

The HOS is responsible for ensuring the closing down procedure is complete. The form will be completed and signed off. A copy of this form will be retained and made available upon request.

RATIO BAR LIMITED

OPENING UP PROCEDURE

The Head of Security (HOS) is responsible, or other such person instructed, for compliance with this policy.

The HOS is also responsible for recording his findings and providing information to the Premises Licence Holder and DPS.

Failure to adhere to this procedure will be consider gross misconduct with instant dismissal.

Prior to opening the Head of Security will -

1. Remove any security devices, including chains and bolts and ensure all doors are unlocked in order to ensure safe egress.
2. The chains and bolts will be positioned in a secure place.
3. The Fire Extinguishers will be in place, the indicator dial checked and the correct fire appliance is in the correct location.
4. The floor space is clear with no slip or trip hazards. The stairs are lit with no slip or trip hazards. The emergency exits are opened with the area immediate outside clear.
5. The toilets are fully operational, lit, stocked and clean.
6. The Emergency lighting (E/L) is checked to ensure the green charging light is lit. All repairs will be carried out immediately where the E/L appears to be faulty.
7. The Fire Log will be checked for any reported issues, with a check to ensure corrective action was taken.

8. The incident book will be available in the office. The incident log will be checked to ensure that all relevant information is available e.g. photograph of barred individuals where electronic/mobile devices are not available.
9. A means of keeping a head count is available, with a spare device immediately available.
10. Security staff are registered each evening with their details checked, including their right to work and SIA status.
11. Matters raised following debrief are relayed to all staff.
12. All checks are signed off by the HOS and DPS/Manager prior to opening.
13. Check the CCTV system to ensure the date and time is correct, all cameras are working correctly and in the correct position.
14. Check the Town Watch Radio and login with control.
15. Position the queue barrier control.
16. Ensure the signage to the external areas is correctly displayed. Maximum SMOKING AREA 4.
17. Signage reminding customers to respect our neighbours
18. Signage - Searches in operation, No Drugs-No excuse

CHECK LIST Number

This check list MUST BE COMPLETED AND SIGNED OFF PRIOR TO OPENING

Security Devices	Removed <input type="text"/>	Placed in DJ BOOTH <input type="text" value="x"/>	Signed Off by					
Fire Extinguishers	Checked <input type="text" value="x"/>	Location correct <input type="text"/>	Signed Off by					
Floor space	Checked <input type="text"/>	Location <table border="1"><tr><td>G</td><td>L</td><td>T</td></tr></table>	G	L	T	Signed off by		
G	L	T						
Exits - Ground, Basement, Walled Garden, Toilet , Front	Checked <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr></table>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Operational YES No Route Clear Yes No	Signed off by
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>				

Toilets FEMALE	Checked Clean <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td></tr></table>	<input type="text"/>	<input type="text"/>	Stocked Operational <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td></tr></table>	<input type="text"/>	<input type="text"/>	Signed off by
<input type="text"/>	<input type="text"/>						
<input type="text"/>	<input type="text"/>						
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<input type="text"/>	<input type="text"/>						
<input type="text"/>	<input type="text"/>						
Emergency Lighting	Checked <input type="text"/>	Operational <input type="text"/>	Signed off by				
Fire Log Checked	Checked <input type="text"/>	Issues No Issues <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td></tr></table>	<input type="text"/>	<input type="text"/>	Signed off / actioned by		
<input type="text"/>	<input type="text"/>						
Incident Log available	Checked <input type="text"/>	In place <input type="text"/>	Signed off by				
Clickers	Available <input type="text"/>	Checked <input type="text"/>	Signed off by				
Security staff	Details Checked <input type="text"/>	SIA WEBSITE CHECK <input type="text"/>	Signed off by				
Information about Barred Individuals	Available to all Security <input type="text"/>	Non Available <input type="text"/>	Signed off by				

Details of security briefing	Available <input type="text"/>	Nothing to report <input type="text"/>	Signed off by
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CCTV	Checked Operational <input type="text"/>	Date/Time Correct <input type="text"/>	Signed off by
Town Watch Radio	Operational <input type="text"/>	Logged in <input type="text"/>	Signed off by
Queue control installed	Yes <input type="text"/>	Not required <input type="text"/>	Signed off by
External Signage in place	Balcony <input type="text"/>	Walled Garden <input type="text"/>	Signed off by
Searches in operation	Drugs <input type="text"/>	Weapons <input type="text"/>	Signed off by

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Fire Extinguishers	Checked <input type="text" value="x"/>	Location correct <input type="text"/>	Signed Off by
Floor space	Checked <input type="text"/>	Location <input type="text" value="G"/> <input type="text" value="L"/> <input type="text" value="T"/>	Signed off by
Exits - Ground, Basement, Walled Garden, Toilet , Front	Checked <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	Operational YES No Route Clear Yes No	Signed off by

Toilets FEMALE	Checked Clean <input type="text"/> <input type="text"/>	Stocked Operational <input type="text"/> <input type="text"/>	Signed off by
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Toilets FEMALE	Checked Clean <input type="text"/> <input type="text"/>	Stocked Operational <input type="text"/> <input type="text"/>	Signed off by
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Security staff	Details Checked <input type="text"/>	SIA WEBSITE CHECK <input type="text"/>	Signed off by
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Searches in operation	Drugs <input type="text"/>	Weapons <input type="text"/>	Signed off by

SEARCHES IN OPERATION



NO EXCUSE!

REFUSAL = NO ENTRY

RATIO BARS LIMITED

CLOSING DOWN PROCEDURE

The Head of Security (HOS) is responsible, or other such person instructed, for compliance with this policy.

The HOS is also responsible for recording his findings and providing information to the Premises Licence Holder and DPS.

Failure to adhere to this procedure will be considered gross misconduct with instant dismissal.

The closing down procedure is as follows. The Head of Security will -

19. The Head of Security will replace all security devices, including chains and bolts and ensure all doors are locked with the exception of the front door.
20. Remove the queue barrier control.
21. A search of all areas will be carried out to ensure all customers have vacated the premises.
22. The Head of Security will ensure staff are safe while cashing up. Cashing up must not be carried out while customers remain on site.
23. The floor areas will be checked for any trip/slip hazards. The Head of Security will ensure any spillage is cleared and where identified any trip hazard or damaged areas caused during the evening are reported to management for immediate remedial action.
24. The toilets will be cleaned and checked to ensure they are fully operational, lit, stocked and clean. IMPORTANT - A check for any sharps throughout the premises is required, in particular the toilets. Where sharps are found they must be discarded in the SHARPS box. A record of the number and type of paraphernalia will be recorded.
25. The Emergency lighting (E/L) is checked to ensure the green charging light is lit. Any faults will be reported to management. Repairs will be carried out immediately where the E/L appears to be faulty or a contractor engaged with repairs carried out prior to opening.
26. The Fire Log will be checked for any reported issues, with a check to ensure corrective action was taken.
27. The Head of Security will debrief the evening with reference to any incidents, occupancy, inspections. The incident book will be available. The incident log will be checked to ensure that all relevant information is available e.g. photograph of barred individuals where electronic/mobile devices are not available. Where further action is required e.g. a statement, report, contact customers, police incidents.

28. A means of keeping a head count is available, with a spare device immediately available.
All clickers returned and checked.
29. Matters raised following debrief are relayed to all staff.
30. All checks are signed off by the HOS and DPS/Manager prior to closing.
31. Check the CCTV system to ensure the date and time is correct, all cameras are working correctly and in the correct position.
32. Check the Town Watch Radio and log off with control.
33. Ensure all signage in the external areas is collected. Report any missing signage to management for replacement prior to opening the next evening.
34. A final walk around the premises will be carried out to ensure the premises is empty and all security devices are secure. The Fire Alarm will be set prior to locking the front door.

CHECK LIST Number

This check list MUST BE COMPLETED AND SIGNED OFF PRIOR TO CLOSING

Security Replaced	Replaced <input type="text" value="YES"/>	All devices removed from the DJ BOOTH <input type="text" value="YES"/>	Signed Off by
Fire Extinguishers	Checked <input type="text" value="YES"/>	Location correct <input type="text" value="YES"/>	Signed Off by
Floor space	Checked <input type="text" value="YES"/>	Location G L T	Signed off by
Exits - Ground, Basement, Walled Garden, Toilet , Front	Checked <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	Operational YES No Route Clear YES No	Signed off by

Toilets FEMALE	Checked Clean <input type="text"/> <input type="text"/>	Stocked Operational <input type="text"/> <input type="text"/>	Signed off by
Toilets MALE	Checked Clean <input type="text"/> <input type="text"/>	Stocked Operational <input type="text"/> <input type="text"/>	Signed off by
Emergency Lighting	Checked <input type="text"/>	Operational <input type="text"/>	Signed off by
Fire Log Checked	Checked <input type="text"/>	Issues No Issues <input type="text"/> <input type="text"/>	Signed off / actioned by
Incident Log available for debrief ALL STAFF!!	Checked <input type="text" value="YES"/>	Debrief <input type="text" value="YES"/>	Signed off by
Clickers	Available <input type="text"/>	Checked <input type="text"/>	Signed off by
All Security staff to attend debrief!!	All in attendance <input type="text" value="YES"/> <input type="text" value="NO"/>	Reported reason for absence <input type="text" value="YES"/> <input type="text" value="NO"/>	Signed off / Action required
Fire Alarm Set	<input type="text" value="YES"/>	FAULT <input type="text" value="YES"/> <input type="text" value="NO"/>	Signed off by

Notes taken about issues raised at debrief	Issues Recorded <input type="text"/>	Reported to management <input type="text"/>	Signed off by
CCTV	Checked Operational	Date/Time Correct	Signed off by

Sign off with Town Watch Radio	Signed off <input type="text"/>	<input type="text"/>	Signed off by
Queue control installed	Removed <input type="text"/>	Good condition <input type="text"/> YES <input type="text"/> NO	Signed off by
External Signage in place	Balcony <input type="text"/>	Walled Garden <input type="text"/>	Signed off by
Sharps and Drug Safe secure. Weapons secure All recorded	Drugs seized <input type="text"/> YES <input type="text"/> NO	Weapons seized <input type="text"/> YES <input type="text"/> NO	All recorded - Signed off by
Security Debrief carried out	YES <input type="text"/> NO <input type="text"/>	Matters arising YES / NO	Statements Required YES / NO
Security Debrief recorded	YES <input type="text"/> NO <input type="text"/>	ISSUES RAISED YES / NO	Action required YES / NO

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SOUND INSULATION TEST REPORT

Sound Insulation testing in accordance with Test
Standard ISO 140-4

Report Reference Number: 06/12/2022

Abstract

Sound Insulation Testing is the process of measuring how much noise a building element, normally a wall or a floor, stops from travelling through to a neighbouring property.

This report describes the process taken and the results obtained from the sound insulation testing at 4 The Triangle, Bournemouth, BH2 5RY.

Competent Tester

Testing was conducted by John Chilvers who is a member of the SITMA Sound Insulation Testing Registered Testers Scheme, Registration Number: 7205

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The SITMA Registered Testers' Scheme

This report was conducted by a tester that is registered with the SITMA Registered Testers Scheme for Sound Insulation Testers. More information on the scheme, its lodgement system, quality control and auditing are discussed below.

Scheme Member Conducting this test

The tester that conducted your testing was:	John Chilvers
Linked to:	JTEC Environmental Ltd, Tansley Cottage, Shave Lane, Todber, Sturminster Newton, DT10 1JA.

Entry Requirements

In order to enter the SITMA Registered Testers Scheme, testers are required to either:

- Have completed the Institute of Acoustics Certificate of Competence in Building Acoustics Measurements (CCBAM)
- Have been assessed by SITMA to hold suitable, demonstrable evidence of competence in sound insulation testing

Audit Requirements

Each tester is audited at least twice a year, completely unannounced. This is achieved by the tester logging their job onto the SITMA portal **in advance of testing taking place**.

Audits are carried out by independent SITMA employees who have been trained in accordance with ISO 19011:2018 and have extensive background in Sound Insulation Testing.

Each tester will be able to issue you with their SITMA audit documentation from their last audit alongside this report, if requested.

SITMA Portal

The SITMA Portal, besides logging every job for every tester, is used to generate reports, just like this one. The portal does not take pre-calculated information, it takes the raw data from 12 different sound level meters and calculates each individual test itself, before producing this report. This ensures that no test data has been amended by any tester prior to the information being uploaded.

SITMA Accreditation

SITMA will shortly have achieved ISO 17024 accreditation from UKAS (Application number 10579). SITMA has completed the Initial Audit and is awaiting final confirmation.

Calibration Requirements

SITMA holds some of the strictest calibration requirements in the world for sound insulation testing, with each sound level meter and tapping machine requiring UKAS calibration every 2 years and the microphone calibrator requiring calibration each 12 months. If the tester does not hold correctly calibrated equipment, the SITMA portal will not let them produce this report.

Complaints

You should speak directly with the tester if you wish to make a complaint. If your complaint is not handled to your satisfaction, you are then welcome to make a complaint directly to the SITMA registered testers scheme in line with our complaints process PUS013.

TO CHECK THIS REPORT IS VALID

1. Head to this site: <https://sitma.bcta.group/>
2. Use these credentials:
 - a. Report Reference Number:
 - i. 26311
 - b. Job Postcode:
 - i. BH2 5RY

Simplified Test Results

Certificate Number	Plot & Source Room	Plot & Receive Room	Target $D_{nT,w}+C_{tr}$	Result $D_{nT,w}+C_{tr}$	Pass / Fail
104374	Flat 1 Living Room	Unit 1 Other	43	45	PASS
104375	Unit 2 Other	Unit 1 Other	43	51	PASS
104376	Unit 3 Other	Unit 1 Other	43	57	PASS

Testing Methodology

Airborne Sound Insulation Tests

Measurements of standardised level difference (D_{nT}) were carried out in accordance with BS EN ISO 140-4:1998.

Level measurements in the Source & Receive Rooms (L_1 & L_2)

The noise was generated in the source room by placing an active loudspeaker, which produces a steady spectrum of pink noise, in an external corner of the room but at least 0.5m away from any reflective surface.

The noise level was measured in both the source room and receive room, sampling as much of the room as possible. The sound level meter was always kept 0.7m away from any reflective surface as to not artificially increase or decrease noise levels into the microphone.

The measurements were taken at one-third octave band intervals from 100 to 3150 Hertz using an average time of 30 seconds. The speaker was then moved to a corner junction on two internal walls and the measurements were repeated. The measurements in each room were arithmetically averaged. For separating walls the speaker should be in a corner opposite the test wall.

Background Measurements in Receive Room (L_b)

Where noise levels were measured in the receive room, the background noise level was also measured with the source room speaker turned off to ensure the background noise level did not influence the result. The background noise level is measured over a time period that accurately reflects the background noise measurement at the time of the test. This is normally between 6 & 30 seconds and can vary between the first and second background measurements.

Reverberation Time Measurements (T_2 , T_{20})

A minimum of 6 reverberation time measurements were also taken in the receive room to accurately define the level of influence the diffuse field has on the microphone, ensuring that an increase in soft or hard surfaces does not impact the overall test result.

A minimum of 6 reverberation times were measured in each room using a minimum of 3 microphone positions at each of 2 loudspeaker positions in accordance with BS EN ISO 354:2003 (also complies with BS EN 20354:1993)

Calculation Methodology

Airborne Sound Insulation Tests

Background Noise Correction ('Corrected L_2 ')

Any receive room noise measurements that are within 6dB of the background measurements are corrected by logarithmically averaging the difference to correct the receive room measurement. The correction is applied up to 10dB, where a maximum correction of 1.6dB is applied. Any background noise level greater than 10dB over the L_2 measurement will appear to reduce the sound insulation at that frequency.

Level Difference (' D ')

The difference between the source and 'corrected' receive room measurement is calculated for each speaker position and 2 differences averaged to obtain ' D ' for each frequency measured. These are calculated separately for Speaker Position 1 and Speaker Position 2

Standardised Level Difference (' D_{nT} ')

The result is standardised by adding 10 times the logarithm of half the reverberation time at each frequency to give the standardized level difference (D_{nT}) at each frequency. These are calculated separately for Speaker Position 1 and Speaker Position 2 and are arithmetically averaged to produce final $D_{nT,s}$.

Weighted Standardized Level Difference (' $D_{nT,w}$ ')

The $D_{nT,s}$ are then compared to the standard reference curve as defined in BS EN ISO 717-1:1997 to give a single figure result of $D_{nT,w}$.

Weighted Standardized Level Difference with Spectrum Adaption (' $D_{nT,w} + C; C_{tr}$ ')

The spectrum adaptation terms ($C; C_{tr}$) are then calculated in accordance with BS EN ISO 717-1:1997.

Precision

All measurements are taken to 0.1dB precision, except reverberation times which are taken to 0.01 seconds precision.

Impact Sound Insulation Tests

Background Noise Correction ('Corrected L_2 ')

Any receive room noise measurements that are within 6dB of the background measurements are corrected by logarithmically averaging the difference to correct the receive room measurement. The correction is applied up to 10dB, where a maximum correction of 1.6dB is applied. Any background noise level greater than 10dB over the L_2 measurement will appear to reduce the sound insulation at that frequency.

Normalized Impact Sound Pressure Level (' L'_{nT} ')

The result is normalized by adding 10 times the logarithm of half the reverberation time at each frequency to the 'corrected' L_2 to give the Standardized Impact Sound Pressure Level (L'_{nT}) at each frequency.

Weighted Standardized Impact Sound Pressure Level (' $L'_{nT,w}$ ')

The $L'_{nT,w}$ are then compared to the standard reference curve as defined in BS EN ISO 717-2:1997 to give a single figure result.

Precision

All measurements are taken to 0.1dB precision, except reverberation times which are taken to 0.01 seconds precision.

Sampling Regime

Testing was conducted using a sampling regime in accordance with Approved Document E 2003 [as amended] (ADE), ensuring each construction type was tested on the project, not necessarily each plot.

It is assumed that each construction type is constructed consistently. If this is not the case, and deviations of the construction type occur, further testing will be required to comply with the requirements of Approved Document E 2003 [as amended] to the Building Regulations.

ADE requires that sets of tests are carried out on one in ten of each construction type or sub-group. Each set of tests on houses is made up of two airborne sound insulation tests (Two Tests). Each set of tests on flats is made up of two airborne tests on walls and two airborne and two impact tests on floors (Six Tests).

The location of the sets of tests are selected at random by the tester except where specifically requested the Approved Inspector or specialist input from Robust Details.

Rooms were tested unfurnished unless testing is specifically requested in a furnished room. Testing is conducted using the larger room as the source room, with a tolerance of 10% of volume being acceptable either way. Doors, windows and trickle vents must be closed and kitchen units, cupboard doors, wardrobes etc shall be open for the duration of the test when they have been installed against the separating wall under test.

For impact testing, the tests are always conducted on the separating floor that has received Building Control Approval.

It is only ever acceptable to test on a soft floor covering where that covering is an integral part of a Type 1 concrete floor as defined by ADE and cannot physically be lifted by the testers own hands.

Occasionally, rooms may have an awkward layout, such as a stagger, be significant in length (>10m) or contain internal barriers. These requirements are defined in EN ISO 140-14:2004 which all testers hold a copy of as a mandatory entry requirement into the SITMA scheme. Where a test has an awkward layout, the testing method from BS EN ISO 140-14:2004 will be defined in the report and sketches held internally.

Deviations

Background Noise Levels

Background noise levels are often an unavoidable part of testing as testing must take place on a live building site. Though a correction is applied within the calculation, high background noise levels may result in the wall/floor under test not achieving its full potential. Situations can occur where background noise levels are not high but the sound insulation performance of the separating floor or wall is so good that the measured levels are close to the prevailing background levels. The equipment used cannot distinguish between background noise levels and the noise from the speaker.

Deviations Related to the test

If any deviation from the testing method was necessary, details of the deviation are indicated on each individual test certificate (appended to this report). Where deviations were avoidable, or tests have been conducted on a 'trial' basis, these will be highlighted at the bottom of each certificate.

Calibration

Calibration

The calibration certificates are appended to this report under Appendix B. The summary of calibrated equipment used is shown below:

Item	Calibration from	Calibration expiry	Certificate Number
SLM	17 Aug 2022	17 Aug 2024	U41719
Calibrator	26 Oct 2022	26 Oct 2023	182088

Tester Site Notes:

The site being assessed is no.4 The Triangle, Bournemouth. The exercise carried out was to establish the existing level of sound attenuation through the floor of the room above and also the walls to the shop units either side.

There is currently no requirement for a proven compliance with ADE 2003 as there are no dwellings adjacent to the ground floor unit at no.4. The room above is to be used as a stockroom and there are commercial units either side, one currently being a nailbar and the other a restaurant. The protocol for the tests followed the requirements followed ADE 2003.

Sound insulation measures are to be implemented and further sound tests carried out after the measures have been implemented.

Test Results

Airborne Wall Tests – Material Change of Use by John Chilvers

Certificate Number	Plot & Source Room	Source Room Volume	Plot & Receive Room	Receive Room Volume	Target $D_{nT,w}+C_{tr}$	Result $D_{nT,w}+C_{tr}$	Pass / Fail
104375	Unit 2 Other	150.0m ³	Unit 1 Other	400.0m ³	≥ 43 dB	≥ 51 dB	Pass
Construction: Generic Masonary Block: WB0001** : Generic Masonary BlockWT0001** : Generic Timber Frame							
Deviations: Receive Room furnished							
104376	Unit 3 Other	200.0m ³	Unit 1 Other	400.0m ³	≥ 43 dB	≥ 57 dB	Pass
Construction: Generic Masonary Block: WB0001** : Generic Masonary BlockExisting brick wall							
Deviations: Source Room furnished, Receive Room furnished							

Airborne floor Tests – Material Change of Use by John Chilvers

Certificate Number	Plot & Source Room	Source Room Volume	Plot & Receive Room	Receive Room Volume	Target $D_{nT,w}+C_{tr}$	Result $D_{nT,w}+C_{tr}$	Pass / Fail
104374	Flat 1 Living Room	75.0m ³	Unit 1 Other	400.0m ³	≥ 43 dB	≥ 45 dB	Pass
Construction: Generic Timber Joist: FT0001** : Generic Timber JoistFloorboards, timber joist currently exposed when viewed from the ground floor unit							
Deviations: Source Room furnished							

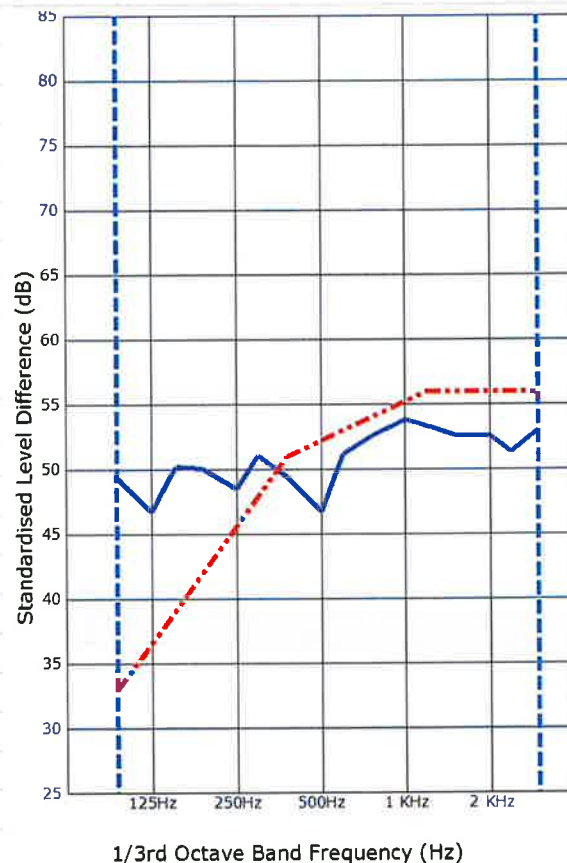
Appendix A – Individual Certificates

Test Type	Source Room	Partition	Receiver Room
Airborne sound insulation	Unit 2 Other	WB0001**	Unit 1 Other
Airborne sound insulation	Unit 3 Other	WB0001**	Unit 1 Other
Airborne sound insulation	Flat 1 Living Room	FT0001**	Unit 1 Other

Registered Sound Insulation Test Certificate

Test No:	104375	Test Job Ref:	26311	Test Org Name:	JTEC Environmental Ltd
Customer:	Bassem	Test Type:	Airborne (Wall)	Test Date:	06/12/2022
Address:	4a The Triangle, Bournemouth	Job Address:	4 The Triangle, Bournemouth	Tester:	John Chilvers
Postcode:	BH2 5RY	Postcode:	BH2 5RY	Site type:	Material Change of Use
				Site Build:	Rooms for Residential Use
Description:	Source Room: Unit 2 Other	Partition:	WB0001**	Receiver Room:	Unit 1 Other
Volume / Area	150.00m ³		40.00m ²		400.00m ³

Frequency (Hz)	D_{nT} 1/3 Octave (dB)	BGnd Correction
50 Hz*	0	
63 Hz*	0	
80 Hz*	0	
100 Hz	49.4	
125 Hz	46.8	
160 Hz	50.2	
200 Hz	50.1	
250 Hz	48.5	
315 Hz	51.1	
400 Hz	49.4	
500 Hz	46.8	
630 Hz	51.2	
800 Hz	52.6	
1 KHz	53.8	
1.25 KHz	53.3	
1.6 KHz	52.6	
2 KHz	52.6	
2.5 KHz	51.3	
3.15 KHz	53	
4 KHz*	0	
5 KHz*	0	



Evaluation based on field measurement using results obtained by an engineering method
*Outside scope of accreditation

$D_{nT,w}$ (C; C_{tr}) [dB]: 52 (0, -1) dB
 $D_{nT,w} + C_{tr}$ [dB]: 51 dB
Minimum Pass Level [dB]: 43 dB

Above graph shows frequency range according to the curve of reference values within BS EN ISO 717-1

PASS

Adverse Aggregated Deviations [dB]: 28.4

Partition Detail: WB0001** : Generic Masonry Block WT0001** : Generic Timber Frame

Test Exceptions (if any): Receive Room furnished

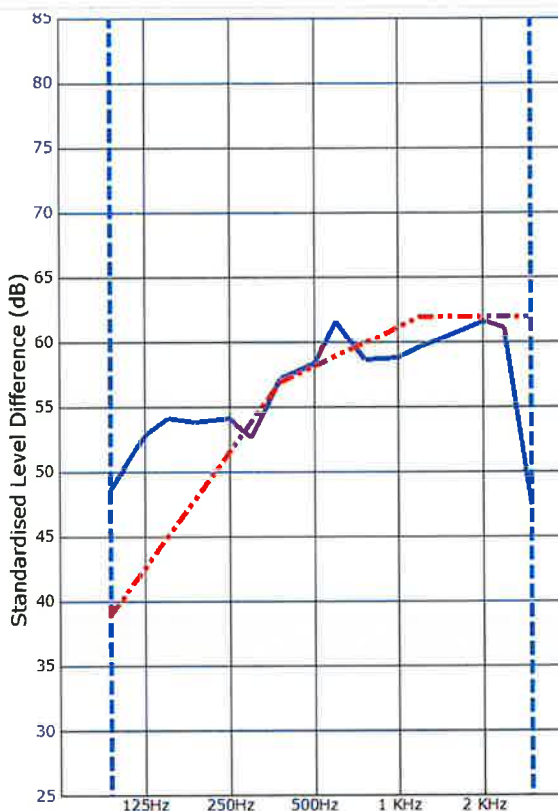
AIRBORNE SOUND INSULATION TEST: Approved Document E (2003) including 2004, 2010, 2013, and 2015 Amendments
BS EN ISO 140 - Part 4:1998: Acoustics - measurement of sound in buildings and of building elements
BS EN ISO 717 - Part 1:1997: Acoustics - rating of sound in buildings and of building elements

Registered Sound Insulation Test Certificate

Test No:	104376	Test Job Ref:	26311	Test Org Name:	JTEC Environmental Ltd
Customer:	Bassem	Test Type:	Airborne (Wall)	Test Date:	06/12/2022
Address:	4a The Triangle, Bournemouth	Job Address:	4 The Triangle, Bournemouth	Tester:	John Chilvers
		Site type:	Material Change of Use		
Postcode:	BH2 5RY	Postcode:	BH2 5RY	Site Build:	Dwelling-House/Flat
Description:	Source Room: Unit 3 Other	Partition:	WB0001**	Receiver Room:	Unit 1 Other
Volume / Area	200.00m ³		60.00m ²		400.00m ³

Frequency (Hz)	D_{nT} 1/3 Octave (dB)	BGnd Correction
50 Hz*	0	
63 Hz*	0	
80 Hz*	0	
100 Hz	48.6	
125 Hz	52.8	
160 Hz	54.1	
200 Hz	53.8	
250 Hz	54.1	
315 Hz	52.7	
400 Hz	57.2	X
500 Hz	58.4	X
630 Hz	61.6	
800 Hz	58.7	
1 KHz	58.8	X
1.25 KHz	59.6	X
1.6 KHz	60.6	X
2 KHz	61.6	X
2.5 KHz	61.1	X
3.15 KHz	47.4	
4 KHz*	0	
5 KHz*	0	

Evaluation based on field measurement using results obtained by an engineering method



1/3rd Octave Band Frequency (Hz)

*Outside scope of accreditation

Above graph shows frequency range according to the curve of reference values within BS EN ISO 717-1

$D_{nT,w}$ (C; C_{tr}) [dB]: 58 (-3, -1) dB

$D_{nT,w} + C_{tr}$ [dB]: 57 dB

Minimum Pass Level [dB]: 43 dB

PASS

Adverse Aggregated Deviations [dB]: 24.5

Partition Detail:WB0001** : Generic Masonary BlockExisting brick wall

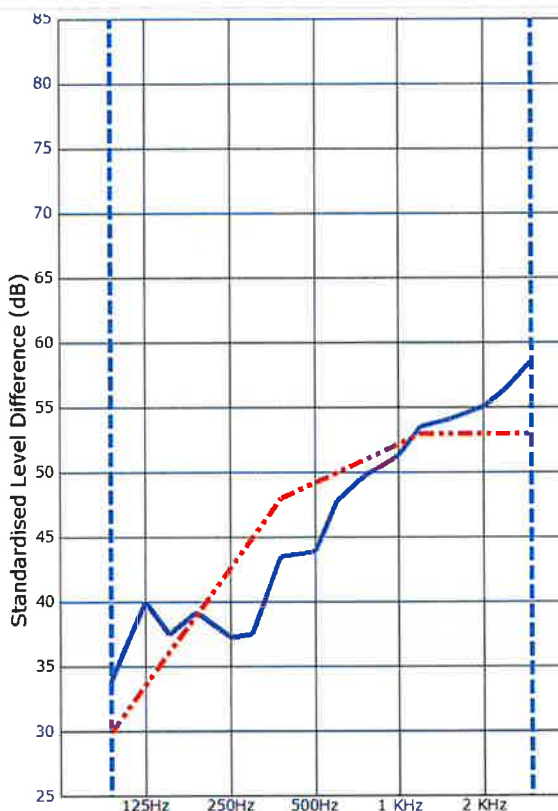
Test Exceptions (if any): Source Room furnished, Receive Room furnished

AIRBORNE SOUND INSULATION TEST: Approved Document E (2003) including 2004, 2010, 2013, and 2015 Amendments
BS EN ISO 140 - Part 4:1998: Acoustics - measurement of sound in buildings and of building elements
BS EN ISO 717 - Part 1:1997: Acoustics - rating of sound in buildings and of building elements

Registered Sound Insulation Test Certificate

Test No:	104374	Test Job Ref:	26311	Test Org Name:	JTEC Environmental Ltd
Customer:	Bassem	Test Type:	Airborne (Floor)	Test Date:	06/12/2022
Address:	4a The Triangle, Bournemouth	Job Address:	4 The Triangle, Bournemouth	Tester:	John Chilvers
Postcode:	BH2 5RY	Postcode:	BH2 5RY	Site type:	Material Change of Use
				Site Build:	Dwelling-House/Flat
Description:	Source Room: Flat 1 Living Room	Partition:	FT0001**	Receiver Room:	Unit 1 Other
Volume / Area	75.00m ³		60.00m ²		400.00m ³

Frequency (Hz)	D_{nT} 1/3 Octave (dB)	BGnd Correction
50 Hz*	0	
63 Hz*	0	
80 Hz*	0	
100 Hz	33.9	
125 Hz	40	
160 Hz	37.5	
200 Hz	39.2	
250 Hz	37.3	
315 Hz	37.6	
400 Hz	43.5	
500 Hz	43.9	
630 Hz	47.8	
800 Hz	49.8	
1 KHz	51.3	
1.25 KHz	53.5	
1.6 KHz	54.1	
2 KHz	55.1	
2.5 KHz	56.3	
3.15 KHz	58.5	
4 KHz*	0	
5 KHz*	0	



Evaluation based on field measurement using results obtained by an engineering method

*Outside scope of accreditation

$D_{nT,w}$ (C ; C_{tr}) [dB]: 49 (-1, -4) dB

$D_{nT,w} + C_{tr}$ [dB]: 45 dB

Minimum Pass Level [dB]: 43 dB

1/3rd Octave Band Frequency (Hz)

Above graph shows frequency range according to the curve of reference values within BS EN ISO 717-1

PASS

Adverse Aggregated Deviations [dB]: 25.8

Partition Detail: FT0001** : Generic Timber Joist/Floorboards, timber joist currently exposed when viewed from the ground floor unit

Test Exceptions (if any): Source Room furnished

AIRBORNE SOUND INSULATION TEST: Approved Document E (2003) including 2004, 2010, 2013, and 2015 Amendments
BS EN ISO 140 - Part 4:1998: Acoustics - measurement of sound in buildings and of building elements
BS EN ISO 717 - Part 1:1997: Acoustics - rating of sound in buildings and of building elements

Appendix B – UKAS Calibration Certificates

Laboratory Location:
Campbell Associates Ltd
5b Chelmsford Road Industrial Estate
GREAT DUNMOW, Essex, CM6 1HD
www.campbell-associates.co.uk
Phone 01371 871030 Facsimile 01371879106



CALIBRATION



0789

Certificate of Calibration

Certificate number:

U41719

Test object : Sound Level Meter, Reverberation Time Measurement

Manufacturer: Norsonic
Type : 118
Serial no: 31508

Customer: JTEC Environmental Ltd
Address: Tansley Cottage, Shave Lane, Todber, Sturminster Newton,
Dorset, DT10 1JA
Contact Person: John Chilvers

Method

Calibration has been performed as set out in CA Technical Procedure TP-06. The reverberation functions of the following items have been verified against reference time decay signals with the results given in tables one and two overleaf. This verification is intended to determine if the meter is capable of making reverberation measurements following the procedures set out in BS EN ISO 3382 Parts 1:2000, 1:2009, 2:2008 & 3:2012. The sound level meter had its sensitivity checked using the microphone and calibrator listed below in accordance with the manufacturer's instructions. The instrument was set to its reference range and the microphone was then replaced with a dummy microphone having a capacitance that was within $\pm 20\%$ of the nominal capacitance of the associated microphone and the self noise measured to confirm that there was sufficient dynamic range to make the reverberation measurements. The electrical test signals were then introduced via a line input adaptor having the same capacitance as the dummy microphone and the reverberation time in each of the $\frac{1}{3}$ octave bands determined for each of the test decays.

	Producer:	Type:	Serial No:	Certificate number
Microphone	Norsonic	1225	55004	41717
Calibrator*	Norsonic	1251	31313	U40631
Preamplifier	Norsonic	1206	30550	Included

Environmental conditions:	Pressure :	Temperature :	Relative humidity :
Reference conditions:	101.325 kPa	23.0 °C	50.0 %RH
Measurement conditions :	100.547 kPa	22.3 °C	39.9 %RH

Self-noise 15.6 dB(Z) Dynamic range > 45 dB

Date received **04/08/2022** Date of calibration **17/08/2022** Date of issue **17/08/2022**

Technicians: (Electronic certificate)

Calibrated by *David Egan*

Reviewed by: *Darren Batten TechIVA*

This certificate is issued in accordance with the laboratory accreditation requirements of the United Kingdom Accreditation Service. It provides traceability of measurement to the SI system of units and/or to units of measurement realised at the National Physical Laboratory or other recognised national metrology institutes. This certificate may not be reproduced other than in full, except with the prior written approval of the issuing laboratory.

* The calibrator was complete with any required coupler for the microphone specified

CERTIFICATE OF CALIBRATION

ISSUED BY **Cirrus Research plc**

DATE OF ISSUE **26 October 2022** CERTIFICATE NUMBER **182088**



10148



Cirrus Research plc
Acoustic House
Bridlington Road
Hunmanby
North Yorkshire
YO14 0PH
United Kingdom

Page 1 of 2

Approved signatory

T. Goodrich

Electronically signed:

Sound Calibrator : IEC 60942:2003

Customer information

Name: **JTEC Environmental Ltd** Address: **Tansley Cottage Shave Lane**
Todber
Sturminster Newton
Dorset

Postcode: **DT10 1JA**

Country: **UK**

Instrument information

Manufacturer: **Cirrus Research plc**

Model: **CR:511E**

Serial number: **035171**

Class: **1**

Pattern approval: **No**

Source of pattern approval: **-**

Notes:

Test summary

Date of receipt: **26 October 2022**

Date of calibration: **26 October 2022**

The sound calibrator has been shown to conform to the Class 1 requirements for periodic testing, described in Annex B of IEC 60942:2003 for the sound pressure level(s) and frequency(ies) stated, for the environmental conditions under which the tests were performed.

However, as public evidence was not available, from a testing organisation responsible for pattern approval, to demonstrate that the model of sound calibrator conformed to the requirements for pattern evaluation described in Annex A of IEC 60942:2003, no general statement or conclusion can be made about conformance of the sound calibrator to the requirements of IEC 60942:2003.

Notes

This certificate is issued in accordance with the laboratory accreditation requirements of the United Kingdom Accreditation Service. UKAS is one of the signatories to the Multilateral Agreement of the European co-operation for Accreditation (EA) for the mutual recognition of calibration certificates issued by accredited laboratories. The United Kingdom Accreditation Service (UKAS) is one of the signatories to the International Laboratory Accreditation Co-operation (ILAC) Arrangement for the mutual recognition of calibration certificates. It provides traceability of measurement to the SI system of units and/or to units of measurement realised at the National Physical Laboratory or other recognised national metrology institutes. This certificate may not be reproduced other than in full, except with the prior written approval of the issuing laboratory. The results within this certificate relate only to the items calibrated. The reported expanded uncertainty is based on a standard uncertainty multiplied by a coverage factor $k=2$, providing a coverage probability of approximately 95%. The uncertainty evaluation has been carried out in accordance with UKAS requirements.

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Preliminary Noise Survey Report



JTEC ENVIRONMENTAL LTD

4 The Triangle,
Bournemouth
Dorset
BH2 5RY

Preliminary Noise Survey Report

Location:

**4 The Triangle,
Bournemouth
Dorset
BH2 5RY**

Commissioned by:

Bassem
c/o 4a The Triangle
Bournemouth
Dorset
BH2 5RY

Survey Date: 5th December 2022

Surveyor: J D Chilvers I.Eng. B.Sc. Grad IOSH, MIET, AMIOA, LCG

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Executive Summary

JTEC Environmental Ltd were instructed to carry out a noise impact assessment for a planning application to reopen a former nightclub at 4 The Triangle, Bournemouth.

There is a long list of noise and other complaints associated with the former operators of this venue. This report is only concerned with the issues regarding noise complaints.

This report is the first phase of several in providing an assessment of the current acoustic properties of the building. From these results, an acoustic specification will be determined to prevent the recorded and live music planned from affecting neighbouring properties and residents nearby. Further actions to achieve this are to engage the services of specialist companies who deal with nightclub noise in order to specify and install suitable sound reducing materials based upon the results obtained from the sound tests.

The site is located near to the town centre with retail shopping outlets nearby. The preliminary noise survey was carried out in order to establish whether the adjacent premises and rooms above would be affected by noise from music from the proposed nightclub.

The ground floor is currently empty and retail shop space is either side – both occupied. The upper floors are office accommodation and are not planned to be used for living accommodation.

Sound insulation testing was carried out on the floor above and the party walls either side in accordance with the requirements of Approved Document E – Resistance to the passage of sound 2003 with 2004 amendments.

Purpose of the Noise Survey

JTEC Environmental Ltd were instructed to carry out a noise impact assessment for a planning application to reopen a former nightclub at 4 The Triangle, Bournemouth.

There is a long list of noise and other complaints associated with the former operators of this venue. The complaints came from nearby residents living nearby. This report is only concerned with the issues regarding noise complaints and is the first part of several assessments to achieve a satisfactory outcome.

The ground floor is currently empty and retail shop space is either side – both occupied. A nailbar is to the left of the proposed nightclub and a restaurant to the right. The nailbar operates until around 17:00 each working day and the restaurant currently closes at 22:00. The upper floors are office accommodation and are not planned to be used for living accommodation.

The site is located near to the town centre with retail shopping outlets nearby. The preliminary noise survey was carried out in order to establish whether the adjacent premises and rooms above would be affected by noise from music from the proposed nightclub.

Sound insulation testing was carried out on the floor above and the party wall either side in accordance with the requirements of Approved Document E – Resistance to the passage of sound 2003 with 2004 amendments.

The Environmental Health Officer indicated that in accordance with national guidance under the NPPF, a noise survey was required to assess the likely impact of the breakout noise from the nightclub and to suggest any remedial measures that might be required.

Description of the Areas Assessed

Airborne sound measurements were taken between the office floor above the nightclub and the party walls either side of the nightclub.

The nightclub area has been stripped out and the internal areas are shown in the photographs below. The ceiling below the office is lath and plaster with timber floorboards above.

The party walls either side of the nightclub are masonry estimated to be 9" brickwork with lining panels internally in each of the neighbouring units. The lining panels cannot be relied upon for sound insulation in the longer term as the occupants may change and so the nightclub area must provide for any attenuation.

Existing
ceiling
structure
below
office
above



<p>New flat roof structure</p>	
<p>Duct at rear of building to be removed</p>	

A UKAS calibrated Class 1 integrating sound level meter was used for the sound insulation testing (details on appended sound test report).

The building is of masonry construction with timber floors. The ground floor is occupied by retail shops either side and the first floor is office accommodation (currently vacant).

Assessment Methodology

National Planning Policy Framework

In March 2012 PPG24 was replaced by the 'National Planning Policy Framework' (NPPF), and is the current planning policy guidance within England. Paragraph 123 of the NPPF states:

'Planning policies and decisions should aim to:

- Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from new development, including through the use of conditions;
- Recognise that development will often create some noise and existing business wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and
- Identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.'

In terms of 'adverse effects' the NPPF refers to the 'National Policy Statement for England' (NPSE), which defines three categories, as follows:

'NOEL – No Observed Effect Level

This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise.

LOAEL – Lowest Observed Adverse Effect Level

This is the level above which adverse effects on the health and quality of life can be detected.

SOAEL – Significant Observed Adverse Effect Level

This is the level above which significant adverse effects on health and quality of life occur.'

Although the above terms are provided in NPSE, paragraph 2.22 acknowledges that these terms require further research in order to establish what is meant in terms of 'adverse impact'.

'2.22 It is not possible to have a single objective noise based measure that defines SOAEL that is applicable to all sources of noise in all situations. Consequently, the SOAEL is likely to be different for different noise sources, for different receptors and at different times. It is acknowledged that further research is required to increase our understanding of what may constitute a significant adverse impact on health and quality of life from noise. However, not having specific SOAEL values in the NPSE provides the necessary policy flexibility until further evidence and suitable guidance is available.'

The noise policy refers to the World Health Organisation recommendations when discussing health and quality of life. Therefore, the standards set out in the WHO guidance document have been used for setting appropriate noise limits.

World Health Organisation Guidelines for Community Noise

In accordance with the requirements of WHO 1999 the following internal daytime and night-time noise limits, for noise from external sources, will need to be met within sensitive rooms of the residential dwellings:

- 35dB L_{Aeq} (16 Hour) during the daytime in noise sensitive rooms other than bedrooms.
- 30dB L_{Aeq} (8 Hour) during the night-time in bedroom areas.
- 45dB L_{AMAX} (fast) should not be exceeded during the night-time in bedroom areas.

WHO 1999 also identifies that the attenuation provided by a window open for ventilation purposes is up to 15 dB. Relating this information to the above internal noise levels equates to allowable external noise levels of 50dB L_{Aeq} (16 hour) during the daytime and 45dB L_{Aeq} (8 Hour) at night, with maximum noise levels of 60dB L_{AMAX} (fast)

These levels are equivalent to the upper limits of Noise Exposure Category A, as per discontinued guidance PPG24 where no mitigation measures would be required in order to meet suitable internal noise levels. Should these levels be exceeded, then mitigation measures would be required.

WHO also proposes an external noise limit of 55 dB L_{Aeq} (16 Hour) during the daytime in outdoor living areas.

Guidance on suitable internal noise levels can also be found in BS8233:2014.

This standard was updated in 2014, guidance in respect of indoor ambient noise levels is contained within the standard and tabulated below.

Typical situations Design Range $L_{Aeq,T}$ dB

	Good	Reasonable
Living rooms	30	35
Bedrooms _a	30	35

Discussion of Noise Measurements

The airborne sound insulation tests carried out all passed the criteria specified in ADE 2003.

However, this relates to domestic accommodation and not to the noise output from a nightclub and live music venue. The noise levels are likely to be up to 100 dB(A) with lower frequencies likely to prevail.

Conclusions

An initial noise survey has been undertaken to assess the likely noise impact of recorded and live music upon the internal areas of neighbouring properties.

It is therefore reasonable to conclude that the noise from the proposed operation will cause an unfavourable noise impact (SOAEL – Significant Observed Adverse Effect Level) and consequently the building will require significant sound transmission reduction measures.

Advice is currently being sought from specialist companies who deal with nightclub noise problems in order to obtain a specification to reduce the transmitted noise levels to acceptable levels within neighbouring premises. This is expected to include acoustic insulation applied to the ceiling areas of the proposed nightclub, to the party walls and access / egress points. A programme of sealing up any holes in the ceilings will be required and any loudspeakers etc will be to be fixed to anti-vibration mountings.

The specification will be submitted to Environmental Health for approval before any works commence.

Glossary

A Weighting	A standard weighting of the audible frequencies designed to reflect the response of the human ear to noise.
C Weighting	A standard weighting of the audible frequencies used for the measurement of Peak Sound Pressure Level.
dB(A)	Decibels A weighted
dB(C)	Decibels C weighted
Decibel (dB)	The units of sound level and noise exposure measurement.
$L_{EP,d}$	Daily personal noise exposure
L_{10}	The A weighted level of noise exceeded for 10% of the specified measurement period (T). It is an indication of the upper limit of fluctuating noise.
L_{90}	The A weighted level of noise exceeded for 90% of the specified measurement period (T). In BS4142-1997 it is used to define background noise level.
$L_{Aeq,T}$	Equivalent sound pressure level. A measure of the average sound pressure level during a period of time, t, in dB.
L_{AE}	Sound Exposure Level (SEL) with 'A' frequency weighting.
L_{ASmax}	The maximum sound level with 'A' Frequency weighting and Slow Time weighting.
Peak	The maximum value reached by the sound pressure at any instant during a measurement period (in dB usually with a C frequency weighting).
Octave Band	A division of the frequency range into bands, the upper frequency limit of each band being twice the lower frequency limit. The width of the octave band increases at higher frequencies.
NEC	Noise Exposure Category
SEL	Sound Exposure Level
SRI	Sound Reduction Index

Equipment List

Cirrus CR511E Calibrator (ser no. 035171)
Norsonic 118 Class 1 Sound Level Analyser

References

Approved Document E – Resistance to the passage of sound 2003 (as amended 2004)
National Planning Policy Framework (NPPF) March 2012.
PPG24
Control of Road Traffic Noise - HMSO
BS4142:2014
BS8233:2014
BS7445
Control of Noise at Work Regulations 2005
L108 – Controlling Noise At Work (Guidance on the Control of Noise at work Regulations 2005)
Health & Safety at Work Act 1974
Environmental Health Criteria 12 - Noise. World Health Organisation,

From: [Andrew Hill](#)
To: [Tania Jardim](#)
Subject: FW: 4 the triangle Bournemouth
Date: 19 December 2022 12:10:14
Attachments: [4 The Triangle - exploratory sound test results = test no 26311.pdf](#)
[4 The Triangle - Phase 1 Report 2022.pdf](#)
[image002.png](#)

Hi Tania

Report to be added to the bundle for the hearing please.

I think Steve may request this but I wish to refer to it in my submission

Cheers



Andrew Hill
Senior Environmental Health Officer
Communities



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-
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From: JTEC Environmental Ltd [REDACTED]
Sent: 19 December 2022 08:59
To: Andrew Hill [REDACTED]; 'STEVE WRIGHT'
[REDACTED]
Cc: william.mouhana [REDACTED] Sarah Rogers - Licensing [REDACTED]
Subject: RE: 4 the triangle Bournemouth

Dear Steve and Andrew,
Herewith the first phase sound report. As stated, I am now consulting with specialist companies who provide nightclub sound attenuation materials in order to find an acceptable solution to the problem.
Kind regards,
John

From: Andrew Hill [REDACTED]

Sent: 05 December 2022 15:21

To: STEVE WRIGHT

Cc: Jtec Environnental Ltd; [william.mouhane](#); Sarah Rogers - Licensing

Subject: RE: 4 the triangle Bournemouth

Hi Steve

Happy to work with you on this one, glad that the report will be with me hopefully before the hearing on the 21st.

Will the works be carried out prior to opening ? if so we may consider a condition in line with your suggestion however with the caveat that works be undertaken prior to opening.

Will wait for the report, In the mean time can you forward me your suggested conditions so we can start the mediation process prior to the hearing.

Thanks



Andrew Hill

Senior Environmental Health Officer

Communities



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From: STEVE WRIGHT

Sent: 05 December 2022 15:16

To: Andrew Hill

Cc: Jtec Environnental Ltd; [william.mouhane](#)

Subject: RE: 4 the triangle Bournemouth

Good afternoon, Andrew,

I trust you are well?

I understand that things are progressing with Jtec and I hope the report will be to your specification and satisfaction.

Should you be happy to agree conditions, based on the report and schedule of works, then I will happily consider them. One solution may be the following - The premises must receive a sound consultant's report. The works recommended in the report shall be carried out to the satisfaction of Environmental Health?

Kindest regards

Steve

----- Original Message -----

From: "Andrew Hill" [REDACTED]

To: "Jtec Environmental Ltd" [REDACTED]

Sent: Tuesday, 29 Nov, 22 At 12:24

Subject: RE: 4 the triangle Bournemouth

Thank you John

Please feel free to contact me if you would like any advice

Kind regards

Andrew Hill

Senior Environmental Health Officer

Communities

[REDACTED]

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-----Original Message-----

From: Jtec Environmental Ltd [REDACTED]

Sent: 29 November 2022 09:30

To: Andrew Hill [REDACTED]
Subject: 4 the triangle Bournemouth

Dear Mr Hill

This is to confirm that we have been appointed to carry out the noise survey at the above premises.

We will commence on 5 th December and will follow the requirements set out in your letter to the applicant.

We propose to start with attenuation sound tests between the adjoining properties and the room above. We shall also station a sound meter on the rear flat roof to run concurrently with the sound tests.

From the results obtained, we propose to engage a specialist company who deal with nightclub sound problems to recommend a satisfactory solution.

Finally, a second set of sound tests will take place to prove that the system works.

If you should have any questions or further requirements please do not hesitate to contact me.

Yours sincerely

John Chilvers

JTEC environmental

Sent from my iPhone

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From: Andrew Hill

Sent: 22 November 2022 07:42

To: STEVE WRIGHT [REDACTED]

Cc: Sarah Rogers - Licensing [REDACTED]

Subject: RE: New Premises License Application Xchange Bar

Hi Steve

Thanks for the update. The acoustic consultant will need to organise access to the properties which are structurally connected to the venue to do the sound transmission testing. I will not accept a report which solely outlines the noise transmission to the property above as there were a number of properties affected.

I would also require confirmation of the works being undertaken and post installation testing to demonstrate that the required attenuation has been achieved, prior to supporting the application.

Please pass my contact details over to the consultant should they wish to discuss the requirements of the report.

I am sure you are aware that the venue will be considered the 'Agent of Change' in this instance and therefore the residents will be entitled to a higher level of protection of noise. I will not accept the argument that they are aware that they live above a nightclub and therefore a certain amount of noise will be expected.

This venue in its current condition is unsuitable as a nightclub, this was evidenced by the number of complaints we received from residents living in close proximity to the premises. Significant works will need to be undertaken to ensure that residents are not affected by noise.

Kind Regards



Andrew Hill

Senior Environmental Health Officer

Communities

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From: STEVE WRIGHT [REDACTED]

Sent: 21 November 2022 18:39

To: Andrew Hill [REDACTED]; Sarah Rogers - Licensing [REDACTED]

Subject: Re: New Premises License Application Xchange Bar

Hi Andrew

Further to my last update.

A noise consultant has been engaged and carried out his internal assessment, however, the weather has prevented the external assessment, but this will be completed as soon as possible. The consultant is aware of the time constraints.

I will supply a copy of the entire report as soon as I receive it.

kindest regards Stev

----- Original Message -----

On Monday, 31 Oct, 22 At 11:18, Andrew Hill [REDACTED] > wrote:

Hi Steve

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

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I am currently working from home so please contact me via email in the first instance

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From: Andrew Hill [REDACTED]
Sent: 31 October 2022 10:51
To: Andrew Hill [REDACTED]
Subject: FW: New Premises Licence Application

From: STEVE WRIGHT [REDACTED]
Sent: 27 October 2022 15:26
To: Licensing Com [REDACTED]
Cc: Sarah Rogers - Licensing [REDACTED]
Subject: New Premises Licence Application

Dear Sir/Madam,

Please find attached the application for 4 The Triangle Bournemouth. The applicant has not decided on a name for the premises at this stage.

Also attached is a plan of the layout, a copy of the company policies and a copy of the premises notice.

I will hand deliver the signed DPS consent form tomorrow, Friday 28 October, which is the day upon which I would ask that you accept the application. I will also erect the Premises Notice from midnight on Friday 28 October 2022 until 25 November 2022.

Please call [REDACTED] when I will be happy to pay the application fee.

Kind regards

Steven Wright

Director

APPL Solutions Limited

Licensing Consultants

[REDACTED]

[REDACTED]

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 21 December 2022 at 10.00 am

Present:-

Cllr J J Butt – Chair

Present: Cllr S C Anderson and Cllr D Kelsey

96. Election of Chair

RESOLVED that Councillor Judes Butt be elected Chair of the Sub-Committee for the duration of the meeting.

Voting: Unanimous

97. Apologies

Apologies were received from Cllr J Bagwell. As first reserve, Cllr D Kelsey stepped up to replace Cllr Bagwell as a member of the sub committee.

The Chair thanked Cllr K Wilson for attending as second reserve in case he had been required.

98. Declarations of Interests

There were none.

99. Ratio Bar (formerly known as Xchange) 4 The Triangle Bournemouth

Present:

From BCP Council:

Tania Jardim – Licensing Officer

Linda Cole – Legal Advisor to the Sub-Committee

Jill Holyoake – Clerk to the Sub-Committee

The Chair made introductions and explained the procedure for the hearing which was agreed by all parties.

The Licensing Officer presented a report, a copy of which had been circulated and a copy of which appears as Appendix A to these minutes in the Minute Book.

The Sub Committee was asked to consider an application for a new premises licence for Ratio Bar (formerly known as Xchange), 4 The Triangle, Bournemouth, submitted by Ratio Bars Limited, to permit

regulated entertainment and the supply of alcohol between the hours of 21:00 and 05:00 each day of the week.

In response to the application Dorset Police and Environmental Health had made representations against the application on the grounds that granting the licence would undermine the prevention of crime and disorder and the prevention of public nuisance licensing objectives. No other representations had been received.

Following the publication of the Licensing Officer's report, the following evidence was received and published in two supplements, copies of which appear as Appendix B to these minutes in the Minute Book:

- Supporting information from Dorset Police
- Supporting information from the applicant which had been provided at the time of application but omitted in error from the report
- Supporting information from the Environmental Health Officer, including copies of two sound reports provided on behalf of the applicant.

The following persons attended the hearing and addressed the Sub-Committee to expand on the points made in written submissions:

- Mr Steve Wright, Licensing Consultant on behalf of Ratio Bars Limited
- Mr William Mouhana – Designated Premises Supervisor
- Sergeant Gareth Gosling and Ms Vanessa Rosales, Dorset Police Licensing, objector
- Mr Andrew Hill, BCP Council Environmental Health, objector

The Sub Committee asked various questions of all parties present and were grateful for the responses received. All parties had the opportunity to ask questions.

During the hearing, Mr Wright offered the following additional/amended conditions on behalf of the applicant with a view to addressing concerns raised by Dorset Police, Environmental Health and Sub Committee Members:

- The Premises Licence Holder shall be a member of Pub Watch and shall attend meetings regularly.
- An additional CCTV camera shall be fitted inside the lobby facing the front entrance.
- Amendment to proposed condition 14 under the prevention of crime and disorder, to replace “glass champagne flutes” with “polycarbonate champagne flutes”.
- A fully developed Drugs Policy shall be included as part of the operating schedule.
- A Personal Licence Holder shall be present on the premises at all times during trading hours.

- A suitable and sufficient sound engineer's report shall be submitted to the Council for approval by Environmental Health.
- A suitable and sufficient schedule of works shall be submitted to the Council for approval by Environmental Health.
- All works shall be completed in accordance with the documents submitted to the Council and approved by Environmental Health, prior to the opening of the premises.
- All staff on the premises including SIA staff shall be issued with hand held radio communicators.
- The accommodation above the premises shall only be used for staff employees.
- The hours applied for on the licence to be amended to be from 22:00 to 03:00 on Monday, Tuesday, Thursday and Sunday (excluding Bank Holiday Sundays) and 22:00 to 05:00 on Wednesday, Friday and Saturday.*

* With regard to the amended hours, Mr Wright sought assurance from Dorset Police that they would be happy with the application should the terminal hour be 03:00 7 days a week and the premises promote the licensing objectives. Dorset Police advised that this would be subject to other issues raised in their representation and at the hearing being addressed, not only by an assurance but through conditions, including but not exclusively the use of the upstairs accommodation, the responsibility of the premises to the wider community and safety concerns.

Mr Wright confirmed that the premises would not carry out promotions. It was noted that some of the wording in the applicant's supporting information needed revising as it seemed to contradict this approach. Other matters raised included the number of SIA staff required on the premises each day and arrangements for the delivery of training.

During the submission from Environmental Health it became apparent that the applicant's acoustic consultant had only submitted a sound insulation test report and preliminary noise survey report to the Council and his client on 19 December 2022 and that the acoustic consultant would now need to consult with specialist companies in relation to nightclub specific sound attenuation provision to resolve the issues raised.

In view of the need for further acoustic information to be submitted and the need to address other issues raised during the hearing, the Chair proposed with the agreement of the Sub Committee to adjourn the hearing until a later date to allow sufficient time for these matters to be given proper consideration.

RESOLVED that the hearing be adjourned until 10.00am on Wednesday 15 February 2023.

Voting: Unanimous

The meeting ended at 12.12 pm

CHAIR

LICENSING SUB-COMMITTEE



Report subject	Havana Wine Bar, 61 Charminster Road, Bournemouth, BH8 8UE
Meeting date	15 February 2023
Status	Public Report
Executive summary	<p>To consider an application by Dorset Police for review of the premises licence as a result of significant levels of disorder occurring in and around the area of the premises. Despite Dorset Police's efforts to seek improvements and a reduction in this disorder, the premises have failed to take reasonable steps to reduce the levels of disorder associated with the premises.</p> <p>The review relates to concerns that the premises are not upholding the prevention of crime and disorder licensing objective.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members consider the following options: -</p> <ul style="list-style-type: none"> (a) Modify the conditions of the licence; and/or (b) Exclude a licensable activity from the scope of the licence; and/or (c) Remove the Designated Premises Supervisor; and/or (d) Suspend the licence for a period not exceeding three months; or (e) Revoke the licence; or (f) Leave the licence in its current state. <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 Bobbie Dove – Community Safety and Regulatory Services
Corporate Director	Jess Gibbons – Chief of Operations
Report Authors	Tania Jardim – Licensing Officer
Wards	Talbot & Branksome Woods
Classification	For Decision

Background

1. An application for review of the premises licence, under Section 51 of the Licensing Act 2003, by Dorset Police was received by the Licensing Authority on the 22nd of December 2022. The application relates to the prevention of crime and disorder licensing objective.
2. A copy of the review application is attached at Appendix 1.
3. The premises were granted a premises licence on 24th of November 2005 following an application for a new licence when the Licensing Act 2003 came into force. A copy of the current licence is attached at Appendix 2.
4. A plan showing the location of the premises is attached at Appendix 3.

Consultation

5. A copy of the application was served on all responsible authorities and the licence holder on the 22nd of December 2022.
6. The Licensing Officer attended the premises on the 22nd of December 2022 and erected two site notices on the premises. Two further notices were placed in the main public noticeboards of the council offices in Bourne Avenue and St Stephen's Road. A notice was also published on the council's website.
7. No other representations have been received from any of the other responsible authorities or any other persons.
8. As a result of mediation between the premises licence holder and Dorset Police and to try and demonstrate the premises licence holder's commitment to address the concerns raised by Dorset Police, Mr Philip Day of Lacey's Solicitors, submitted a Minor Variation application on behalf of the premises licence holder on 29 January 2023.

As part of the Minor Variation application, the applicant has offered some reduction of activities and hours, offered some conditions as proposed by Dorset Police since the Review application, with some amendments, and amended some of the existing conditions on the licence. The main changes to the hours are as follows: -

- Terminal Hour for Recorded Music and Supply of Alcohol on Friday and Saturday changing from 05:00 to 04:45 hours, this is to allow for drinking up time and dispersal.

- Opening hours on Saturday changing from 05:30 to 05:00 hours.
- Customers shall not be admitted or re-admitted to the premises after 03:30 hours on Friday and Saturday.

All modifications proposed on the application are to take immediate effect following the end of the consultation period of 10 working days from the day after the submission of the Minor Variation application, being the 10 February 2023. A copy of the Minor Variation application is attached at Appendix 4, which includes all of the modifications and conditions offered by the premises licence holder.

9. It is understood that amendments proposed to the Premises Licence by the Minor Variation are not considered sufficient by Dorset Police to address all the concerns raised on the review application.

Options Appraisal

10. Before making a decision, Members are asked to consider the following matters: -
 - The representations made by Dorset Police.
 - The submissions made by or made on behalf of the applicant.
 - The relevant licensing objective, namely the prevention of crime and disorder.
 - The Licensing Act 2003, Regulations, Guidance and the Council's Statement of Licensing Policy.

Summary of financial implications

11. 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

12. If Members decide on an option available to them 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

13. N/A

Summary of sustainability impact

14. N/A

Summary of public health implications

15. N/A

Summary of equality implications

16. N/A

Summary of risk assessment

17. N/A

Background papers

BCP Council – Statement of Licensing Policy

<https://www.bcpCouncil.gov.uk/Business/Licencesandpermits/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 (December 2022)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1125660/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_December_2022.pdf

Appendices

- 1 – Copy of Review Application
- 2 – Copy of Current Premises Licence
- 3 – Location Plan
- 4 – Copy Minor Variation Application.

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BCP Council**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	
Havana Wine Bar 61 Charminster Road	
Post town Bournemouth	Post code (if known) BH8 8UE

Name of premises licence holder or club holding club premises certificate (if known)
Mr Tarek Halabi

Number of premises licence or club premises certificate (if known)
BH084518

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) [REDACTED]
E-mail address (optional) [REDACTED]

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

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

Please tick one or more boxes ✓

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

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

The Prevention of Crime and Disorder

Specifically, that this premises is associated with significant levels of disorder occurring in and around the area of the premise and that, despite our efforts to seek improvements and a reduction in this disorder, the Premises Licence holder has failed to take reasonable steps to reduce the levels of disorder associated with the premises.

Dorset Police can evidence that the Premises Licence Holder is no longer promoting the Licensing Objective to Prevent Crime and Disorder.

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 Havana Wine Bar, Charminster Road, Bournemouth, is being submitted by Dorset Police as we can evidence that this premises has regularly undermined the licensing objective to Prevent Crime & Disorder.

It is and always has been the intention of Dorset Police Drug & Alcohol Harm Reduction Team 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.

Dorset Police have identified that this premises have been associated with several incidents of disorder, some of which have involved up to 20 persons, occurring within the vicinity of Havana Wine Bar and involving customers and other persons associated with this premises. Staff employed by Havana can be evidenced as having failed to intervene to prevent the disorder from occurring or escalating, leading to Police attendance and injuries being sustained.

Dorset Police can evidence a gradual deterioration in the performance of the premises over the past 12 months, leading to incidents occurring over the past 4-6 weeks which have led to this Application for Review of a Premises Licence being submitted.

Throughout the past 12 months there has been regular interaction, both formally and informally, between Mr Halabi and Dorset Police. We have taken every opportunity to encourage and support Mr Halabi to enhance his operating schedule to improve the performance of the premises and reduce the levels of crime associated with his premises.

Dorset Police have offered proportionate recommendations to Mr Halabi to support him to reduce the levels of crime and disorder, including voluntarily reducing his operating hours for a trial period, introducing a *meaningful* 'last entry' time and providing Body Worn Video devices for his SIA Door Supervisors, amongst other measures, in an effort to improve the performance and compliance of the premise and to enable them to consistently promote the licensing objectives.

Despite some assurances being offered by Mr Halabi, he has not introduced any of the measures proposed and the incidents of crime and disorder continue.

As the members will be aware, the accurate number of incidents occurring at a premise is usually unknown due to the number of unreported incidents to Police and other partners. The number of incidents that have been recorded, either through reporting of incidents/intelligence by the public or through Officers discovering incidents whilst on patrol over the past 12 months associated with Havana Wine Bar are as follows –

Assaults – 10

Disturbances (more than two individuals known to be involved in an altercation) – 9

Uncorroborated Intelligence Reports – 6

Welfare / Mental Health concerns – 2

There is concern that 30% of the assaults, 50% of the intelligence reports and 1/3 of the disturbances have occurred within the past 2 months, increasing the concerns that we have for the premises and the continued ability of the staff and the Premises Licence Holder to safely operate the premises. At least one incident has involved the use of glass as weapons.

We continue to closely monitor this premises and whilst we do not consider that the threshold has

currently been met for an Application for a Summary Review to be submitted, we can assure the Licensing Sub-Committee that an Application will be submitted for a Summary Review if we can evidence further deterioration in performance or where the grounds exist.

In order to put some context to these concerns, please note examples of incidents below that have occurred over the past 2 months and are associated with Havana Wine Bar –

19th November 2022

Large disturbance takes place at approximately 0500hrs involving approximately 20 persons using glasses and bottles. This disturbance escalated and prevented any vehicular movements along Charminster Road. Police were called and attended, dispersing the two large groups involved, none of which wished to make a complaint of any crime. Persons associated with the disturbance known to have emerged from Havana Wine Bar.

Due to the fight gradually moving away from Havana Wine Bar, SIA Door Supervisors do not intervene to prevent the disturbance.

10th December 2022

Large Fight in Charminster Road. Police were called to a large fight outside Havana Wine Bar on Charminster Road, Bournemouth at approximately 0225hrs. Town Centre camera operators utilised their cameras and captured up to six persons fighting in the middle of the road. Town Centre camera operators identified that all persons had emerged from the direction of Havana Wine Bar.

During the incident, numerous persons involved are observed to be punching and kicking one another. One male is knocked to the floor and another male seen to kick him at least twice in the face / head. One person is rendered unconscious whilst others continue to fight. A female assaults the unconscious male as he lay on the ground before leaving the area.

Three of the group leave the area together and soon after the male who was unconscious is then seen to get up and chase after the group.

Upon Police arrival soon afterwards, officers spoke with Mr Halabi to establish the events of the disturbance witnessed by the Town Centre cameras to have occurred nearby to Havana Wine Bar. Mr Halabi denied any knowledge of the incident, advising that he had been outside Havana Wine Bar all night and stated that no such incidents had occurred.

Officers from the North Bournemouth Neighbourhood Policing Team accompanied Police Licensing Officer Louise Busfield to a meeting with Mr Halabi on the 19th December 2022. Mr Halabi insisted that there had been no customers of Havana Wine Bar involved in the altercation, however, the SIA Door Supervisor could be seen to observe the incident developing and watched as a female left Havana Wine Bar to join the altercation.

18th December 2022

Altercation outside of Havana Wine Bar at approximately 0300hrs. A male is seen by a Town Centre CCTV operator to be pushed across the street from the venue by an individual wearing a high-visibility jacket (possibly door staff). The person in the jacket then walks away from male. This is presumed to have been the conclusion of an ejection from the premises.

The male then returns to Havana Wine Bar and begins to engage in a further altercation with the person wearing the High-visibility jacket.

Three other individuals emerge from the premise and begin to attack the male, who falls to the ground as he is pushed back across the road. One unidentified individual begins to kick the male

as he lays on the ground.

Throughout this altercation, vehicular traffic is seen trying to manoeuvre around the ‘obstruction’, caused by the people in the road and there is no interjection from any staff from Havana Wine Bar. Male does eventually get to his feet and starts to leave the area. A female associated with this male then collapses to the ground near to Havana Wine Bar.

Male then begins to walk on the road and initially moves away from the area, before returning and causing a further disturbance with a group of customers assisting the collapsed female associated with the male.

On Police arrival, two members of the public informed Officers that the male causing the disturbances had been seen to assault the collapsed female. The SIA Door Supervisors confirmed that their CCTV had captured the male throwing the female into nearby railings. The male was arrested and later discovered to be in possession of Class A drugs.

During the meeting with Police on the 19th December 2022, Mr Halabi initially attributed the cause of the disturbance to neighbouring premises who fail to manage and exclude banned persons effectively, resulting in those individuals loitering in the vicinity of Havana Wine Bar, attempting to eliminate Havana Wine Bar of any responsibility for the altercation.

An examination of the CCTV at Havana Wine Bar identified that the male involved had been a customer at Havana Wine Bar, and that during the altercation Mr Halabi could be seen stood immediately inside the entrance to Havana Wine Bar preventing other customers from leaving the premise. He had been fully aware of the incident and the risks posed to those involved and Dorset Police are concerned that he had also discouraged his staff from intervening to safeguard those involved.

It was noted that the time stamps on the CCTV were not accurate, Mr Halabi continued to employ SIA Door Supervisors directly without a Non-Frontline SIA Accreditation permitting him to do so (despite earlier conversations advising him of this requirement) and had also not obtained the Body Worn Cameras for his staff that he had agreed to obtain following an early meeting with Police.

Late Temporary Event Notice

During this visit, it was noted that there were promotional materials advertising a ‘New Year’s Eve’ event until 6am. Mr Halabi had not discussed this event with Dorset Police during our interactions with him. Any intention to extend the operating hours of Havana Wine Bar at a time when disorder is known to be associated with the premise is irresponsible and indicates that Mr Halabi has either failed to understand the gravity of the problems that have been discussed with him or he considers it appropriate to continue with the existing operating schedule, whilst further extending the alcohol provision, and the risk to the public, on New Year’s Eve. Dorset Police objected to the Late Temporary Event Notice received and a Counter-Notice was served by BCP Council Licensing Authority to prevent the further extension of this premise’s operating hours.

Dorset Police invite the Sub-Committee to consider all options available to them under the Licensing Act 2003 with consideration to be given to revocation of the Premises Licence if the members are unable to satisfy themselves that the Premises Licence Holder can sustainably promote the licensing objectives.

Dorset Police will mediate and engage further with the Premises Licence Holder during the Statutory Consultation period that follows this Application for a Review of a Premises Licence to attempt to identify and agree improvements to the existing operating schedule that will mitigate the existing risks and concerns associated with this premise.

Dorset Police will provide the members of the Sub-Committee and the Premises Licence Holder

with a complete Supplementary Evidence Report in advance of the Sub-Committee hearing which will include comprehensive details of all of our concerns, details of any mediation and agreements that have taken place during the consultation period and an assessment by Dorset Police of the likely impact of the outcomes that can be determined by the members of the Sub-Committee on conclusion of the hearing.

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



Date **22nd December 2022**

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.

Licensing Team
 Town Hall Annex
 St Stephen's Road
 Bournemouth BH2 6EA



Premises Licence Part A

Premises licence number: BH084518

Postal address of premises, or if none, ordnance survey map reference or description:

61 Charminster Road

Post town: Bournemouth	Post Code: BH8 8UE
------------------------	--------------------

Telephone number: 01202 789777

Licensable activities authorised by the licence:
--

Live Music

Recorded Music

Facility for Dancing

Late Night Refreshment

Supply of Alcohol

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

Live Music

Monday - 12:00 to 03:00

Tuesday - 12:00 to 03:00

Wednesday - 12:00 to 03:00

Thursday - 12:00 to 03:00

Friday - 12:00 to 03:00

Saturday - 12:00 to 03:00

Sunday - 12:00 to 03:00

Performance of live music will take place indoors.
--

Recorded Music

Monday - 12:00 to 03:00

Tuesday - 12:00 to 03:00

Wednesday - 12:00 to 03:00

Thursday - 12:00 to 03:00

Friday - 12:00 to 05:00

Saturday - 12:00 to 05:00

Sunday - 12:00 to 03:00

Playing of recorded music will take place indoors.
--

Late Night Refreshment

Monday - 23:00 to 03:00

Tuesday - 23:00 to 03:00

Wednesday - 23:00 to 03:00

Thursday - 23:00 to 03:00

Friday - 23:00 to 05:00

Saturday - 23:00 to 05:00

Sunday - 23:00 to 03:00

Provision of late night refreshments will take place indoors.

Supply of Alcohol

Monday - 12:00 to 03:00

Tuesday - 12:00 to 03:00

Wednesday - 12:00 to 03:00

Thursday - 12:00 to 03:00

Friday - 12:00 to 05:00

Saturday - 12:00 to 05:00

Sunday - 12:00 to 03:00

The opening hours of the premises:

Monday - 12:00 to 03:00
 Tuesday - 12:00 to 03:00
 Wednesday - 12:00 to 03:00
 Thursday - 12:00 to 03:00
 Friday - 12:00 to 05:00
 Saturday - 12:00 to 05:00
 Sunday - 12:00 to 03:00

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:**

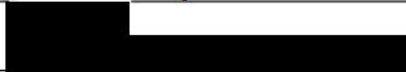
Mr Tarek Halabi

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

N/A

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

Mr Tarek Halabi

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

Annex 1 – Mandatory conditions

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

- 1.1. There shall be no sale or supply of alcohol when there is no designated premises supervisor in respect of this premises licence or at a time when the said premises supervisor does not hold a personal licence or when his/her licence is suspended.
- 1.2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 1.3. Any person used to carry out a security activity as required under conditions 2.3, 3.5 and 3.6 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

Prevention of Crime and Disorder

- 2.1 A full CCTV system shall be installed at the premises to the satisfaction of Dorset Police. CCTV shall be maintained in good working order and continually record when licensable activities take place at the premises. Images from the CCTV system will be retained for a period of at least 28 days.
- 2.2 There shall be at least one member of staff on duty whenever the premises is open for licensable activities who is trained in the procedure to view and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a Police Officer.
- 2.3 SIA licensed doorstaff shall be employed from Sunday to Thursday inclusive, save for Bank Holidays when doorstaff shall be employed on the Thursday and Sunday preceding Bank Holiday in addition to doorstaff being employed on any day that a Bank Holiday may fall.
 - 2.3.1 The DPS shall risk assess the need for door supervision and shall be provided in such numbers, between such times and on such dates as required by the risk assessment.
 - 2.3.2 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, special event or live music, 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.
 - 2.3.3 Such risk assessment shall be conducted at the request of the Police in respect of any other event scheduled to take place at the premises.
 - 2.3.4 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 in request.

Public Safety

- 2.4 All public health safety and fire precaution requirements shall be complied with.
- 2.5 The Fire alarm shall be constantly maintained, and all exits signposted.

Prevention of Public Nuisance

- 2.6 There shall be no drinking outside the premises and customers shall not be allowed to take drinks purchased on the premises out of the premises.
- 2.7 The folding front doors of the premises shall be closed no later than 23:00 hours and not reopened until the following day.
- 2.8 Staff shall advise customers when they leave to leave quietly.
- 2.9 Signs shall be placed on the premises advising customers to respect the neighbours and leave quietly.
- 2.10 Live music provided on the ground floor of the premises shall cease at 22:00 hours on Monday – Saturday (inclusive).
- 2.11 Live music provided on the ground floor of the premises shall cease at 21:30 hours on Sundays.
- 2.12 There shall be no more than one live music performance in a week on the ground floor of the premises.
- 2.13 There shall be no more than two performers at any one time (when playing on the ground floor of the premises).

Protection of Children from Harm

- 2.14 Children shall not be permitted to the premises except for private, pre-arranged functions.

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

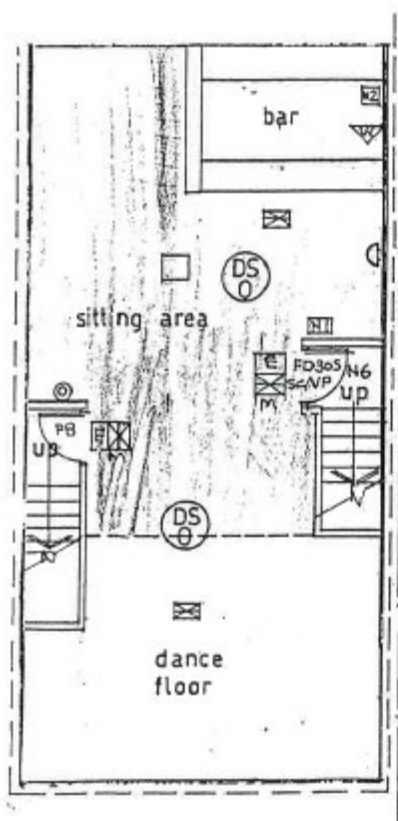
- 3.1 A sign will be displayed near the exit asking patrons to leave the premises quietly.
- 3.2 Only recorded music shall be played on the ground floor of the premises.
- 3.3 When regulated entertainment takes place all windows and doors – including the door to the basement area – shall remain shut at all times, except for entry and exit of customers.
- 3.4 Noise from the premises shall not be audible at nearby residential properties between the hours of 23:00 and 07:00 hours.
- 3.5 Door staff shall ensure customers disperse from the premises in a quiet manner and do not loiter outside.
- 3.6 Door staff shall supervise those customers who smoke outside the front of the premises at all times to ensure that noise levels do not disturb occupants of nearby residential properties.

Annex 4 – Plans

This licence is issued in accordance with the plan submitted with the application, dated 31 December 2013 numbered M137539, as attached.

HAVANA WINE BAR
61 CHARMINSTER ROAD
BOURNEMOUTH
BH8 8UE

SCALE: 1-100



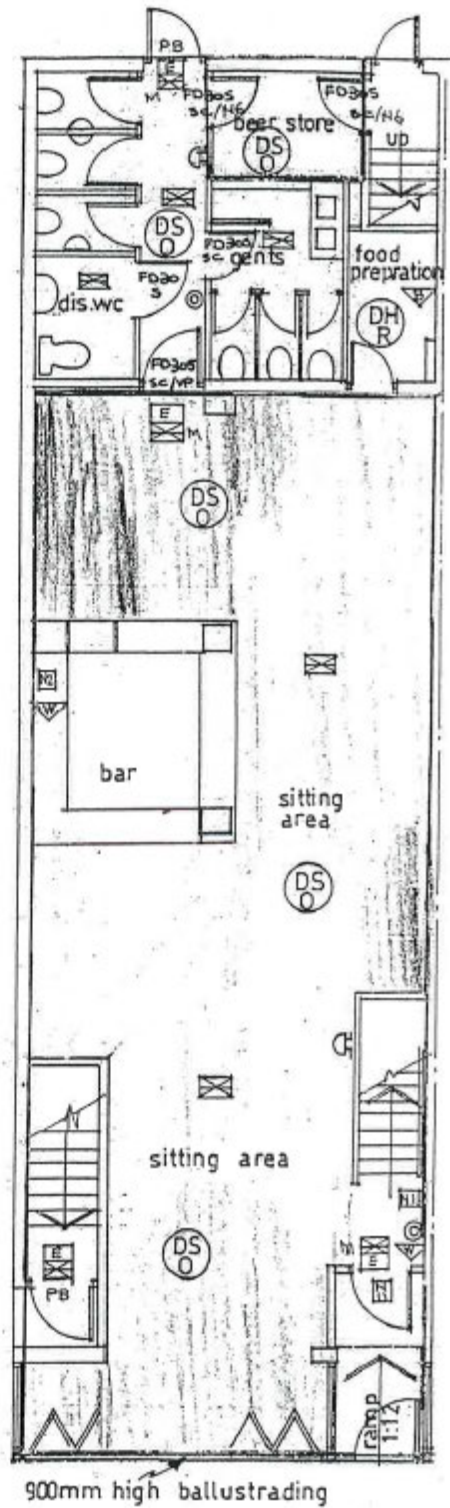
BASEMENT

BOURNEMOUTH BOROUGH COUNCIL
LICENSING SECTION

31 DEC 2013

APPROVED

REF. No. M 137539



PROPOSED GROUND FLOOR LAYOUT

Premises Licence Part B

Premises licence number: BH084518

Postal address of premises, or if none, ordnance survey map reference or description:	
61 Charminster Road	
Post town: Bournemouth	Post Code: BH8 8UE
Telephone number: 01202 789777	

Licensable activities authorised by the licence:
Live Music, Recorded Music, Late Night Refreshment and Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:
Live Music (Indoors): Monday to Sunday - 12:00 to 03:00 Recorded Music (Indoors): Sunday to Thursday - 12:00 to 03:00 Friday and Saturday - 12:00 to 05:00 Late-Night Refreshment (Indoors): Sunday to Thursday - 23:00 to 03:00 Friday and Saturday - 23:00 to 05:00 Supply of Alcohol: Sunday to Thursday - 12:00 to 03:00 Friday and Saturday - 12:00 to 05:00

The opening hours of the premises:
Sunday to Thursday - 12:00 to 03:00 Friday and Saturday - 12:00 to 05:00

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 Tarek Halabi [REDACTED]

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

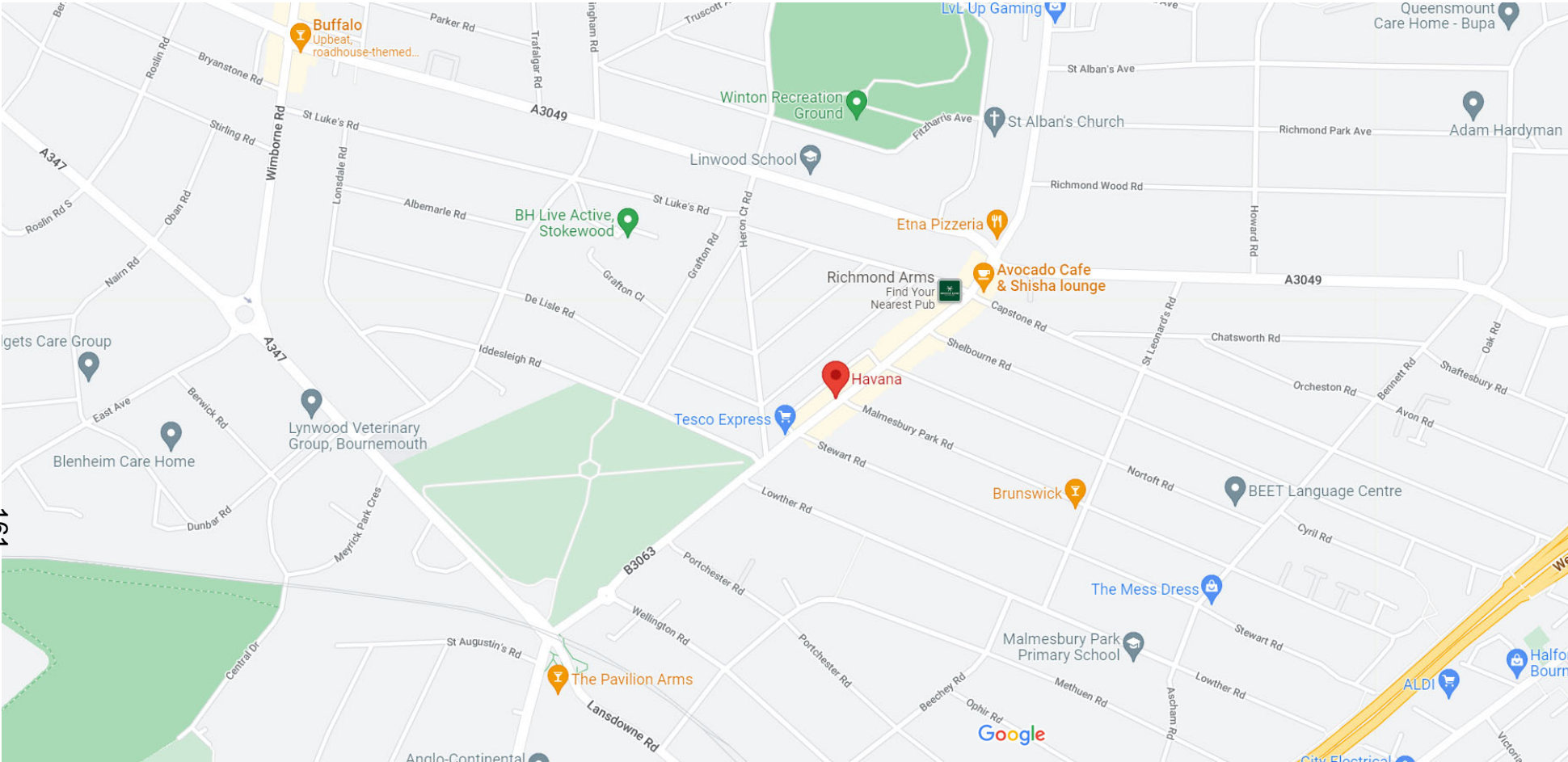
Name of designated premises supervisor where the premises licence authorises the supply of alcohol:
Mr Tarek Halabi

State whether access to the premises by children is restricted or prohibited:
Condition 2.14



Issued: 24 November 2005
Revised: 8 September 2021 (Minor Variation)

Mrs Nananka Randle
Licensing Manager



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BCP COUNCIL

Application for a minor variation to 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, especially Note 1.

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 in black ink. Use additional sheets if necessary.

Once completed please send your application to the relevant licensing authority. You may wish to keep a copy of the completed form for your records.

Tarek Halabi

(Insert name(s) of applicant)

being the premises licence holder(s)/club holding a club premises certificate, apply to vary a premises licence under section 41A/club premises certificate under section 86A of the Licensing Act 2003 for the premises described in Part 1 below.

Part 1 – Premises details

Postal address of premises (or, if none, ordnance survey map reference, or description) 61 Charminster Road (but known as “Havana”)	
Post town Bournemouth	Postcode BH8 8UE

Telephone number at premises (if any)

01202 789777

Premises licence number/club premises certificate number

BH084518

Brief description of premises (Please see Guidance Note 2)

Bar/Restaurant and Late night venue

Part 2 – Applicant Details

We are the premises licence holder/~~club premises certificate holder~~. (Please delete as appropriate)

Contact phone number in working hours (if any)

Applicant Postal address IF DIFFERENT FROM PREMISES ADDRESS Not applicable	
Post town	Postcode
Please provide email address if you would prefer us to contact you by email (optional) [REDACTED]	

Part 3 – Proposed variation(s)

Please tick

Do you want the proposed variation to have effect as soon as possible? ☒ Yes ☐ No
DDMMYYYY

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see Guidance Note 3) ☐ Yes ☒ No

Please describe the proposed variation(s) in detail in the box below and explain why you consider that they could not have an adverse effect on the promotion of any of the licensing objectives (See Guidance Note 1). This should include whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent):

Details of proposed variation(s) (Please see Guidance Note 4)
Please see the attached document at appendix 1

Part 4 – Operating Schedule

Please tick those parts of the Operating Schedule which would be subject to change if this application to vary were successful.

Provision of regulated entertainment (please read guidance note 5)

Please tick all that apply

- a. plays
- b. films
- c. indoor sporting events
- d. boxing or wrestling entertainment
- e. live music
- f. recorded music
- g. performances of dance
- h. anything of a similar description to that falling within (e), (f) or (g)

☐
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Provision of late night refreshment
Supply of alcohol

(Note that this can only relate to reducing licensed hours, or moving them without any overall increase between 7am and 11pm)

Please tick to indicate you have enclosed the following:

I have enclosed the premises licence/club premises certificate

☒

I have enclosed the relevant part of the premises licence/
club premises certificate

☐

I have included a copy of the plan

(this is necessary if the proposed variation will affect the layout)

☒

If you have not ticked one of the previous three boxes, please explain why in the box below.

Reasons why you have not enclosed the premises licence/club premises certificate or relevant parts.

Not applicable

Any further information to support your application. (See Guidance Note 6)

The premises are currently the subject of an application by the Police to review the Licence.

The police have made proposals to mediate and this is in effect the response. The intention is to demonstrate that the holder of the licence is prepared to agree modifications to the licence with immediate effect (following the end of the consultation period) rather than 21 days after the review hearing (and not then subject to any appeal).

Please note that the police do not accept that the amended conditions proposed in this application are sufficient to answer their concerns. It will be a matter for the Licensing sub-committee to resolve the issue as to whether further or amended conditions are appropriate when it comes to the review hearing and it is acknowledged that should the police not object to this application, their position regarding the review hearing is preserved.

CHECKLIST:

Please tick to indicate agreement

- I have made or enclose payment of the fee. ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have enclosed the plan, if appropriate, of the premises in scale [1mm to 100mm], unless otherwise agreed with the licensing authority. ☒
- I have enclosed the premises licence/club premises certificate or relevant part of it or provided an explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

I understand that I must now advertise my application for a continuous period beginning on the first working day after the day on which the application was given to the relevant licensing authority and ending at the expiry of the ninth consecutive working day after that day.

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

Part 5 – Signatures and Contact Details (See Guidance Note 7)

Premises Licence: Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (see Guidance Note 8). If signing on behalf of the applicant, please state your name and in what capacity you are authorised to sign:

Signature	Philip J Day for Laceys Solicitors LLP
Date	29 th January 2023
Capacity	Solicitors for the Applicant

Contact name (where not previously given) and address for correspondence associated with this application. (See Guidance Note 10)

Mr Philip Day
Laceys Solicitors LLP
9 Poole Road

Post town Bournemouth	Postcode BH2 5QR
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Telephone number (if any) [REDACTED]	If you would prefer us to correspond with you by email your email address (optional) [REDACTED]
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Notes for Guidance -

The Guidance notes do not form part of the application form itself and have been removed in the interest of saving paper and sustainability generally.

APPENDIX 1

Havana – Details of Amended Conditions etc for Minor Variation application

(Explanatory notes in brackets not intended to be included in the amended conditions)

Permitted activities and hours

Reduce the terminal hour for Recorded Music and Supply of Alcohol on Friday and Saturday nights from 05:00 to 04:45 hours - *to allow for drinking up time and dispersal.*

Reduce the opening hours on a Saturday to 05:00 – *The licence records this as “053:00” but it should be 05:30.*

Conditions

Mandatory conditions to remain.

Add the following conditions:

Under the Prevention of Crime and Disorder

Customers shall not be admitted or re-admitted to the premises after 03:30 hours on any Friday or Saturday night, save for customers who have temporarily left the premises to smoke, make a telephone call or for some other legitimate reason. – *Note that the licence does not include later opening times on any Bank Holiday Sunday, New Year’s Eve etc – historically, the holder of the licence has given TEN’s for such occasions.*

An incident log and refusals register shall be maintained at the premises, either as written or computer records and either combined or separately

The incident log shall include the date and time of the incident and the name(s) of the member(s) of staff who involve and shall record the following:

- (a) any incidents of crime and/or disorder occurring in or immediately outside the premises (the latter only when the premises are open) and any crime reported to the premises.
- (b) any ejections from the premises
- (c) any seizure of drugs, weapons or other prohibited items.
- (d) any faults in the CCTV system and/or any equipment used at the premises for the purpose of searching or scanning.
- (e) all visits by authorised officers

The refusals register shall record any refusal of the supply of alcohol.

The incident log and refusals register is to be checked on a weekly basis by the DPS of the premises or their deputy and will be made available for inspection on request by a police or other authorised officer.

The premises shall maintain membership of the local Pubwatch scheme (or any successor scheme); a senior member of staff shall attend all Pubwatch meetings unless an emergency arises preventing such attendance and the premises will support Pubwatch initiatives.

A drug safe shall be available on the premises to deposit any illegal substances found. The holder of the licence will notify the police of the seizure of any significant quantity of drugs (i.e. more than might be reasonably be regarded as for personal use) as soon as is reasonably practicable and will also notify the police when the drugs safe needs to be emptied. Any drugs will either be handed to the police or disposed of in a manner recommended by the police.

There shall be a clear visible notice displayed on the premises advising those attending that the Police shall be informed if anyone is found in possession of controlled substances or weapons.

Toilet checks will be conducted at least once every hour from 22:00 hrs until all customers have left the premises and the time and signature or initials of the person conducting these checks to be documented and retained for 6 months.

Under Public Safety

All staff involved in the sale of alcohol will also be instructed as to steps to be taken in the event that a customer appears to be unwell as a result of consuming drugs or too much alcohol. This to include ensuring that the person concerned is:

- Given appropriate First Aid if necessary by a suitably qualified member of staff; and

- Accompanied by a responsible person or member of staff until either arrangements are made for the customer to safely leave the premises or appears to have recovered.

Staff will also be trained regarding the “Ask Angela” scheme whereby a person concerned about their own welfare may discretely ask for assistance.

Under Protection of Children from Harm

The premises shall operate a “Challenge 25” policy whereby any person who appears to be under the age of 25 shall be required to produce photographic proof of age in the form of a driving licence, passport, residence permit, military ID or a holographically marked “PASS” scheme identification card. Appropriate signage advertising the policy shall be prominently displayed in the premises.

All staff working at the premises concerned with the sale of alcohol shall be trained on the law relating to prohibited sales, the age verification policy adopted by the premises in accordance with the Local Authority Trading Standards package of training No Proof of Age No Sale - (NPOANS) – or other recognised training scheme and also trained in the conditions attaching to the premises licence (including in particular conditions relating to the welfare of customers and the dispersal policy).

Refresher training shall be provided at least once every 6 months. A written 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.

Regarding existing conditions

Conditions 2.1 and 2.2 to be replaced with the following:

A CCTV system shall be installed and thereafter maintained in good working order to cover all entry and exit points enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record and cover areas where alcohol is kept for selection and purchase by the public, whilst the premises is open for licensable activities. It shall operate during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with correct date and time stamping. Facilities to view recordings shall be made available immediately upon the request of Police or an authorised officer of the council throughout the preceding 31 day period and copies of recordings shall be provided in playable format as soon as reasonably practicable provided that the requests are compliant with data protection legislation and that the person or organisation requesting copies of the recording(s) agree to return any USB or other storage device used for this purpose within 6 months of the same being given to them.

To facilitate compliance with this condition, a staff member from the premises who is conversant with the operation of the CCTV system shall be always on the premises when the premises are open to the public.

Appropriate signage advising customers of CCTV being in operation shall be prominently displayed in the premises. – *This is actually a requirement under legislation relating to CCTV but we are content for it to be included.*

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 and any fault recorded

Condition 2.3 (including 2.3.1, 2.3.2, 2.3.3 and 2.3.4) to be replaced with the following:

A minimum of 1 SIA registered doorstaff shall be deployed on Friday and Saturday nights (and any Sunday falling on a Bank Holiday weekend) from 22:00 hours, 2 such doorstaff from 23:00 hours and 3 from midnight until the premises close and all customers have departed the immediate area.

All doorstaff stationed at the entrance to the premises will be provided with Body Worn Video (BWV).

Door staff will be instructed to:

- Randomly search customers for drugs and weapons, to confiscate any such items found and to report the same to the police;

- Monitor persons smoking outside the premises, limit their numbers to no more than 12 at any one time, encourage passers-by who might stop to talk to smokers to move on and to ensure that noise caused by persons outside the premises is kept to a minimum.

- Comply with the conditions relating to dispersal.

The Incident book shall be used to record the full name, date of birth and 16 digit badge number of any SIA doorstaff who are deployed on the premises. Door staff

will be instructed to document any incident occurring at the premises before going off duty and to record the number of customers in the premises on an hourly basis after 22:00

The DPS will risk assess the need for door supervision for other times and dates. Door supervisors will be provided in such numbers, between such times and on such dates as determined by the outcome of the risk assessments.

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, special event or live music, 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.

Condition 2.4 to be deleted – *This duplicates other legislation.*

Condition 2.5 to be deleted – *All matters relating to Fire Safety now come under the Regulatory Reform (Fire Safety) Order 2005 and the condition is not therefore of any effect.*

Condition 2.6 to remain *although it should be noted that the external area is not included within the licensed area and the licence authorises the supply of alcohol for consumption on the premises only so arguably, this condition is superfluous.*

Condition 2.7 to be amended to read as follows (additional words highlighted):
The folding front door of the premises shall be closed no later than 23:00 hours and not reopened (save for normal access, egress and in the event of an emergency) until the following day.

Conditions 2.8, 2.9 and 3.1 to be replaced with the following

The premises will operate a dispersal policy whereby:

On Friday, Saturday and any other night that the premises are open after 03:00 hours:

The lights will be turned up no later than 15 minutes before closing, the sale/supply of alcohol shall cease and the volume of music will be reduced to no more than background levels.

On all nights the premises are open, a senior member of staff will station themselves at the front door of the premises at least 15 minutes before the scheduled closing time to ensure that customers are asked to leave quietly and to encourage them to disperse from the immediate area as quickly as possible. Whenever door staff are deployed, they will also be instructed to ask customers to leave quietly and to encourage them to disperse from the immediate area as quickly as possible.

A notice shall be prominently displayed on or near the exit from the premises requesting that Customers respect neighbours and leave the premises quickly and quietly.

Conditions 2.10 to 2.13 inclusive and 3.2 to be deleted and replaced with the following:

There shall be no performances by live musicians or bands at any time (but for the avoidance of doubt, this will not prevent records being played by Disc Jockeys in the premises).

Condition 2.14 to remain.

Conditions 3.3 and 3.4 to remain

Conditions 3.5 and 3.6 to be deleted – *These have been subsumed into the new conditions detailed above.*

Philip Day
Partner, Laceys Solicitors LLP
9 Poole Road
Bournemouth BH2 5QR

[REDACTED]

29th January 2023