

Notice of Licensing Sub-Committee

Date: Thursday, 13 May 2021 at 10.00 am

Venue: Virtual Meeting



Membership:

Cllr D Brown

Cllr J Butt

Cllr L Williams

Reserve 1: Cllr G Farquhar

Reserve 2: Cllr R Burton

All Members of the Licensing Sub-Committee are summoned to attend this meeting to consider the items of business set out on the agenda below.

The press and public are welcome to view the live stream of this meeting at the following link:

<https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?CId=289&MId=5119&Ver=4>

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

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

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

GRAHAM FARRANT
CHIEF EXECUTIVE

5 May 2021



Available online and
on the Mod.gov app



Maintaining and promoting high standards of conduct

Declaring interests at meetings

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

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

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

Disclosable Pecuniary Interest

Yes

Declare the nature of the interest

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

You are advised to leave the room during the debate

Local Interest

Yes

Declare the nature of the interest

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

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

No

Do you have a personal interest in the matter?

Yes

Consider the bias and pre-determination tests

You may need to refrain from speaking & voting

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

No

You can take part in the meeting speak and vote

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

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

Bias Test

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

Predetermination Test

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

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

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

Selflessness

Councillors should act solely in terms of the public interest

Integrity

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

Objectivity

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

Accountability

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

Openness

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

Honesty & Integrity

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

Leadership

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

AGENDA

Items to be considered while the meeting is open to the public

1. Election of Chairman

To elect a Chairman of this meeting of the Licensing Sub-Committee.

2. Apologies

To receive any apologies for absence from Members.

3. Declarations of Interests

Councillors are requested to declare any interests on items included in this agenda. Please refer to the workflow on the preceding page for guidance.

Declarations received will be reported at the meeting.

4. Protocol for Public Representation at Virtual Meetings

5 - 8

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

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

5. Application for a New Premises Licence, Chunkzz Fried Chicken & Pizza, 683 Christchurch Road, Bournemouth

To open and adjourn consideration of the above application until the Sub-Committee meeting on 9 June 2021 in order to comply with the timescales of the Hearing Regulations.

6. Application for a new Premises Licence, BH1 Stop Mini Market, 222 Old Christchurch Road

9 - 38

An application has been received for a New Premises Licence for the premises known as 'BH1 Stop Mini Market, Old Christchurch Road, Bournemouth'.

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

7. Application for a New Premises Licence - One Escapism Ltd, 102 Commercial Road, Bournemouth, BH2 5LR

39 - 60

An application has been received for a New Premises Licence for the premises known as 'One Escapism Ltd', 102 Commercial Road, Bournemouth, BH2 5LR.

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

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



LICENSING COMMITTEE AND SUB COMMITTEE

PROTOCOL FOR PUBLIC REPRESENTATION AT VIRTUAL MEETINGS

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

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

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

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

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

General points

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

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

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

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

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

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

Proposed procedure and order of speaking for virtual hearings

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

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LICENSING SUB-COMMITTEE



Report subject	Application for a new Premises Licence, BH1 Stop Mini Market, 222 Old Christchurch Road
Meeting date	13 May 2021
Status	Public Report
Executive summary	<p>Mrs Elina Kadir has made an application for a premises licence for an off licence with convenience store at BH1 Stop, 222 Old Christchurch Road, Bournemouth, BH1 1PE for the following licensable activities and times:</p> <p>Sale of alcohol off the premises</p> <p>Monday to Sunday 08:00 to 03:00hrs.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members consider the following options</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 has received one representation from an other person on the grounds that if this application were granted it would undermine all four of the licensing objectives.</p> <p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the representation.</p> <p>Where representations have been received in relation to an application by a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Scheme of Delegation set out in the Council's Constitution states that these applications should be dealt with by the Licensing Sub-Committee.</p>

Portfolio Holder(s):	Councillor May Haines – Community Safety
Corporate Director	Kate Ryan – Corporate Director for Environment & Community
Report Authors	Mrs Lesley Johnson Consumer Protection Officer
Wards	Bournemouth Central
Classification	For Decision

1. An application for a new licence under the Licensing Act 2003 was made on the 3rd March 2021. See Appendix 1.
2. A plan is attached as Appendix 2 showing the location of the premises.

Consultation

3. The application has been served on all responsible authorities and the applicant confirmed that the statutory notices were displayed on site and published in the local newspaper.
4. The application prompted 1 representation from an other person who believe that the grant of the licence will undermine all four licensing objectives. A copy of the representation is attached at Appendix 3.
5. In response to the application Dorset Police have mediated with the applicant and the applicant has agreed 5 additional conditions as set out in Appendix 4.
6. No representations were received from any of the other responsible authorities.

Options

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

Summary of financial implications

8. N/A

Summary of legal implications

9. If Members decide to refuse the application or attach conditions to the licence which the applicant does not agree to, the applicant may appeal to the Magistrates' Court within a

period of 21 days beginning with the day that the applicant is notified, in writing, of the decision.

Summary of human resources implications

10. N/A

Summary of environmental impact

11. N/A

Summary of public health implications

12. N/A

Summary of equality implications

13. N/A

Summary of risk assessment

14. N/A

Background papers

BCP Council's Statement of Licensing Policy:

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

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

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment%20data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018

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

Appendices

Appendix 1 – Copy of Application

Appendix 2 – Location Map

Appendix 3 – Copy of Representation by other person

Appendix 4 – Copy of conditions agreed with Dorset Police

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

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Mrs Elina Kadir

(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 BH1 Stop 222 Old Christchurch Road Bournemouth Dorset BH1 1PE			
Post town	Bournemouth	Postcode	BH1 1PE

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£Unknown

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

Appendix 1

- 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)

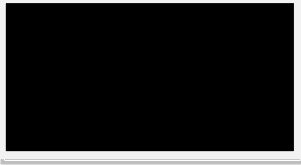
* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

I am making the application pursuant to a
 statutory function or ☐
 a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input checked="" type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Kadir			First names Elina		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town	Edmonton			Postcode	N9 7NH
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.) 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
0	10	3 2 0 2 1

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

DD	MM	YYYY

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

Off license and convenience shop

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

N/A

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

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

Provision of regulated entertainment

Please tick any that apply

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

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

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



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<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 5)		
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<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 5)		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<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 5)		
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					


I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5) Takeaway food offering only following 23:00hrs where stated		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Mon	08:00	03:00			
Tue	08:00	03:00			
Wed	08:00	03:00			
Thur	08:00	03:00			
Fri	08:00	03:00			
Sat	08:00	03:00			
Sun	08:00	03:00	<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name Elina Kadir	
	
Postcode	Bn9 7NH
Personal licence number (if known) LN/201800773	
Issuing licensing authority (if known) Enfield 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 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	03:00	
Tue	08:00	03:00	
Wed	08:00	03:00	
Thur	08:00	03:00	
Fri	08:00	03:00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Sat	08:00	03:00	
Sun	08:00	03:00	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

BH1 Stop will meet all 4 Licensing Objectives as shown below, in particularly through ensuring comprehensive staff training, good neighbour practices, Challenge 25

All staff working at the premises concerned with the sale of alcohol shall be trained in accordance with the SWERCOTS scheme or such other scheme as may be approved by Trading Standards or the Licensing Authority from time to time and shall receive refresher training at least every 6 months. A record of all staff training shall be maintained and kept on the premises and made available on request to an authorised officer of the Council or the Police.

The premises shall not stock, sell or supply bottles of any cider, beer or lager that has a strength of over 5.3% in a size greater than 1 litre. Further, the premises shall not sell single bottles or cans of any beer, cider or lager that has a strength of over 5.3%

A further notice reading “We do not sell single cans or bottles of beers, ciders or lagers that are stronger than 5.3%” will be displayed at or near the beer display area.

All spirits shall be displayed only behind the counter area.

Alcohol shall only be displayed in areas visible from the sales counter or covered by CCTV.
No sale of alcohol shall knowingly be permitted to anyone under the influence of illegal drugs.

Appropriate signage advising customers of the Policy shall be prominently displayed throughout the premises.

b) The prevention of crime and disorder

Whole service area is visible to Management and staff who will be trained and supervised by a DPS and their authorised staff

CCTV is installed to cover all trading and immediate access and exit routes

Posters will be visible from the window to deter customers from congregating by the main door and to remind them to be considerate of neighbours and residents

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

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

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

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

There must be a member of staff on duty at all times that the premises are trading under this licence who is able to access the CCTV and produce images to the Police on request

The CCTV system shall continually record and cover areas where alcohol is kept for selection and purchase by the public, whilst the premises is open for licensable activities. It shall operate during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with correct date and time stamping. Recordings shall be made available immediately upon the request of Police or an authorised officer of the council throughout the preceding 31 day period. The CCTV system shall be updated and maintained according to police recommendations.

c) Public safety

The measures outlined above

Challenge 25 Age Verification policy to be adopted and advertised with posters

Adequate rubbish bins provided close to the building

The holder of the licence shall undertake a risk assessment regard to the deployment of SIA door supervisors on any occasion when the premises are open beyond 23:00 hours. A copy of any such risk assessment shall be kept up the premises and made available for inspection by police or other authorised officers.

d) The prevention of public nuisance

The measures detailed above

Particularly ensuring that customers do not congregate in or near the doorways after leaving

Adequate provision of rubbish bins

e) The protection of children from harm

Staff will adopt and stringently enforce a Challenge 25 Policy

Deliveries including alcohol will require appropriate ID at point of transfer

Any staff employed under the age of 18 will be constantly supervised

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐

- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☐
- I understand that I must now advertise my application. ☐
- I understand that if I do not comply with the above requirements my application will be rejected. ☐

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	Tom Hollington
Date	20/02/2021
Capacity	Agent

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

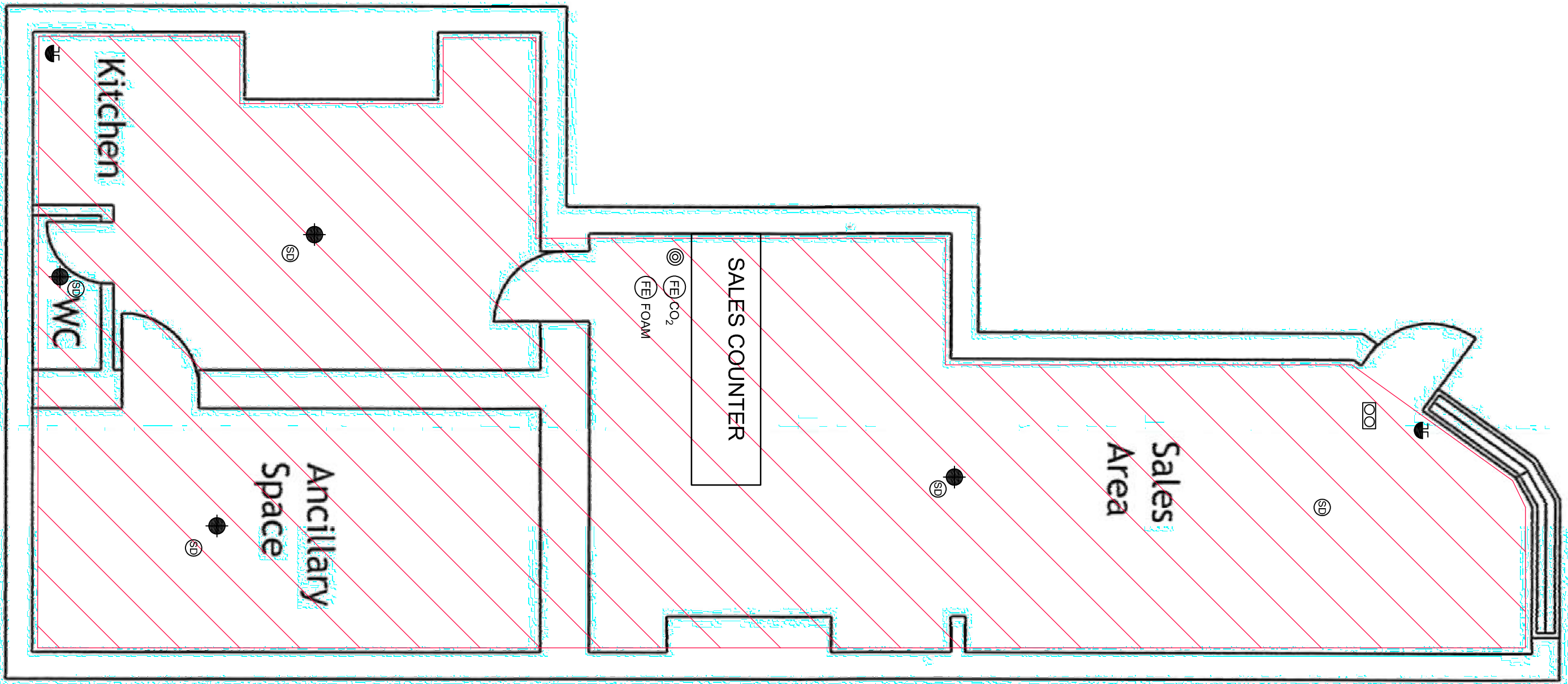
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NOTE:

The Contractor is to check and verify all building and structural details and levels at connection points before work starts. This drawing must be read with and checked against any structural or other specialist drawings provided.

The Contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings. This drawing is not intended to show details of foundation or ground conditions. Each area of ground relied upon to support the structure of the proposed building shall be checked by the Contractor and suitable methods of foundation be provided.

Appendix 2



PROPOSED GROUND FLOOR PLAN



Location Plan Scale 1:12500

DENOTES AREA TO BE LICENSED

EMERGENCY LIGHTING.

- EMERGENCY LIGHT FITTING, NONMAINTAINED WITH THREE HOUR BATTERY BACK-UP (ALL TO BS 5266 Pt 1 1989) (SUPPLY AND FIX)
- MAINTAINED EMERGENCY SIGN WITH FIRE EXIT & RUNWAYS MAN PROGRESSWAY TO EC DIRECTIVE 92/98 (SUPPLY AND FIX)
- EMERGENCY LIGHT TEST KEY (ELECTRICAL CONTRACTOR TO AGREE LOCATION)

DOORS

- NEW EXIST FIRE DOOR WITH COLD SMOKE SEAL, INTUMESCENT STRIPS & SELF CLOSING DEVICE (SEALS & STRIPS TO BE SUPPLIED BY OTHERS, REFER TO DOOR SCHEDULE FOR DOOR SPEC.)

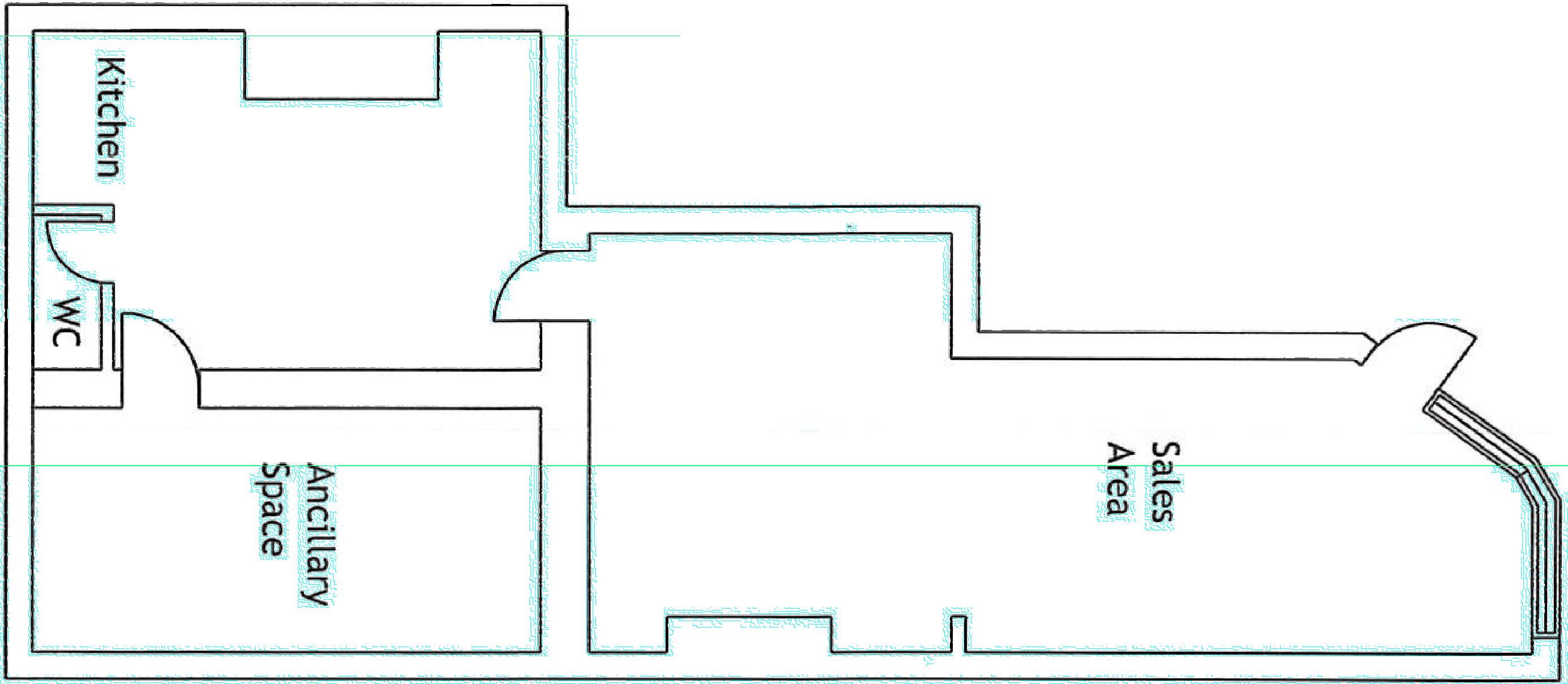
FIRE SAFETY KEY

- DENOTES PROPOSED FITTING
- HEAT DETECTOR CONNECTED TO FIRE ALARM
- SOUND DETECTOR CONNECTED TO FIRE ALARM TO BE IDENTIFICATION TYPE IN ROOMS AND OPTICAL TYPE IN CIRCULATION AREAS
- FIRE ALARM PANEL
- FIRE ALARM SOUNDER
- BREAK GLASS CALL POINT

SPECIALIST SUPPLIER

- FE CO₂ Min. 2.5kg Carbon dioxide fire extinguisher
- FE FOAM Min. 9 litre foam fire extinguisher
- FE WATER Min. 9 litre water fire extinguisher
- FE POWDER Min. 2.5kg dry powder fire extinguisher

DENOTES AREA OF LICENSED ACTIVITY



EXISTING GROUND FLOOR PLAN

SET

2

SQUARE
STUDIO
DESIGN & BUILD UNITED

Unit 7
23 Stokwood Road
Bournemouth BH3 7NA

Telephone Mobile 0771909023
Telephone 01202 979909
Email info@squarestudio.co.uk
Website squarestudio.co.uk

Site

PROPOSED RETAIL UNIT

222B OLD CHRISTCHURCH RD

Title

PLANNING
DRAWING

Project Manager/ Checked	Drawn By TH	Scale 1:100@A3	Date 08/19
Accl/Dbs	Drawing Number	Rev.	

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From: veli bulbul
Date: 12 April 2021 at 17:28:16 BST
To: licensing@bcpcouncil.gov.uk
Subject: Challenging BH1 Stop Licensing Application

RE: BH1 Stop Mini Market [222 Old Christchurch Road Bournemouth BH1 1PE](#)
Ref:180673

Dear All,

We wish to make a representation against the application for the grant of a new Premises Licence for the above premises.

In the application, BH1 Stop Mini Market asserts “The company has a “good neighbour” policy.

By making this application, BH1 Stop Mini Market is hardly adopting a “good neighbour” policy and if granted, the likelihood is that we will be significantly affected, they will be able to sell much cheaper alcohol due to having considerably less outgoings i.e. rent and rates, and therefore do not need to set the margins that we set.

We would be unable to compete and would likely fail. Were that to happen, any argument about giving local people greater choice would fail.

Furthermore there are already over 5 off licences situated on Old Christchurch Road, another off-licence is the last thing the neighbourhood needs.

Whilst this might not be directly relevant to any of the licensing objectives, it serves to demonstrate the attitude of BH1 Stop Mini Market towards the community and the neighbours.

There are however other, more relevant issues.

Over the past several months before the lockdown, DNA nightclub, who is next door to BH1 Stop Mini Market, have had a number of incidents of anti-social behaviour from people queuing up to get into the club or coming out from the club, I am afraid it is obvious that these people will be drawn to buying alcohol from BH1 Stop Mini Market while trying to get into the club or on the way home; which will lead to more drunk people on the streets. This is a major concern as more consumption of alcohol will only increase anti-social behaviour and cause public nuisance very late in the evening.

Although more competition between the off-licensed premises will undoubtedly result in something of a “price-war”. Whilst this might at first sight seem to benefit consumers, it will simply increase the availability of cheap alcohol thereby also increasing the prospect of anti-social behaviour and crime in the locality, not to mention increased littering and the nuisance that causes.

The hours sought are excessive – BH1 Stop Mini Market propose to sell alcohol [from 8a.m. until 3am](#) every day. That in turn will also no doubt lead to customers who are not local to the area and the parade, to travel there at anti-social times of day in order to buy alcohol, again causing nuisance to local residents. It should be noted that BH1 Stop Mini Market is generally open [from 8 a.m. until 9 p.m.](#) at the moment; my premises is open [from 8 a.m. until](#)

[10:30 p.m.](#) every day. The conditions proposed by BH1 Stop Mini Market in its application are woefully inadequate – this application appears to have no idea of local circumstances and issues).

For example, the application says very limited about how BH1 Stop Mini Market will do any of the following:

Ensure that alcohol bought at its premises is not drunk in the parade – there are a number of known alcoholics and drug-users in Bournemouth who would no doubt welcome the opening of such an outlet where they could buy cheap and high strength alcohol (in that regard, there is nothing to prevent the sale of for example, 2 “super-strength” cider cans) – this is relevant to the issues of crime and disorder (anti-social behaviour), public nuisance and the safety of the public making use of the parade;

Ensure that “proxy sales” (where someone over 18 buys alcohol for someone under-age) do not take place;

It is of course not for any objector to re-write an application to make it fit for purpose.

The Licensing sub-committee is therefore urged to refuse this application on the grounds that to grant it would undermine the licensing objectives of:

Preventing Crime and Disorder;
Preventing Public Nuisance;
Public Safety; and
Protecting Children from Harm.

Best Regards
Veli Bulbul
Family Shopper Bournemouth
[189-193 Old Christchurch Road](#)
[Bournemouth](#)
[BH1 1JU](#)

Please see below conditions mediated and agreed between Police and the applicant to be included on the application.

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

Deliveries shall only be made to an address and handed to the purchaser who is inside that address and no deliveries made to outside areas or open spaces. ID to be provided that matches the name on the card used to order the delivery. the only acceptable forms of identification are (recognised photographic identification cards, such as a driving licence or passport I Holographically marked PASS scheme identification cards).

All persons making deliveries shall be instructed to report to the holder of the licence or the DPS any and all occasions when a delivery is refused and the reason for that refusal and a record of all such refusals shall be maintained at the premises. The record shall be checked by the DPS at least once a week and shall be signed to that effect.

The holder of the licence shall undertake a risk assessment with regard to the deployment of SIA Door Supervisors at different times of the day and on different days of the week to determine whether it is appropriate to deploy door staff on those days and/or at any other time(s) and to then implement the outcome of the risk assessment. A copy of the risk assessment should be made available to an authorised officer of the Licensing Authority or Dorset Police upon request and for a period of up to 6 months.

Posters will be visible from the window to deter customers from congregating by the main door and to remind them to be considerate of neighbours and residents

Kind regards,

Licensing Officer

Drug and Alcohol Harm Reduction Team

Prevention Department Bournemouth Police Station Dorset Police



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LICENSING SUB-COMMITTEE



Report subject	New Application for a Premises Licence at 102 Commercial Road Bournemouth
Meeting date	13 May 2021
Status	Public Report
Executive summary	Mr Philip Day of Lacey's Solicitors on behalf of One Escapism Ltd has made an application for a new premises licence for an upmarket cocktail bar. The application is for regulated entertainment and late-night refreshment from 11:00 to 02:00 hours and supply of alcohol on the premises from 11:00 to 01:40 hours from Monday to Sunday.
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 has received representations from Pollution Control and three other persons in respect of this application under the prevention of public nuisance.</p> <p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the representation.</p> <p>Where representations have been received in relation to an application by a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Scheme of Delegation set out in the Council's Constitution states that these applications should be dealt with by the Licensing Sub-Committee.</p>

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

Background

1. An application for a new licence under the Licensing Act 2003 was made on the 23 April 2021. See Appendix 1.
2. A plan is attached as Appendix 2 showing the location of the premises.

Consultation

3. The application has been served on all responsible authorities and the applicant confirmed that the statutory notices were displayed on site and published in the local newspaper.
4. The application prompted representations from Pollution Control and three other persons under the prevention of public nuisance licensing objective. A copy of the representations are attached at Appendix 3.

Options Appraisal

5. Before making a decision, Members are asked to consider the following matters:
 - The representations made by Pollution Control and three other persons.
 - The submissions made by or made on behalf of the applicant.
 - The relevant licensing objective, namely the prevention of public nuisance.
 - The Licensing Act 2003, Regulations, Guidance and the Council's Statement of Licensing Policy.

Summary of financial implications

6. N/A

Summary of legal implications

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

Summary of human resources implications

8. N/A

Summary of sustainability impact

9. N/A

Summary of public health implications

10. N/A

Summary of equality implications

11. N/A

Summary of risk assessment

12. N/A

Background papers

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

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

Revised Guidance issued under Section 182 of the Licensing Act 2003 –
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Appendices

- 1 – Copy of the Application
- 2 – Location Plan
- 3 – The representations

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We One Escapism Ltd

(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			
Maplins Unit 1 102 Commercial Road			
Post town	Bournemouth	Postcode	BH2 5LR

Telephone number at premises (if any)	None at present
Non-domestic rateable value of premises	£48,000

Part 2 - Applicant details

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

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

(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 One Escapism Ltd
Address Registered office – 21 Church Road, Poole, Dorset BH14 8UF Correspondence – This Workspace, 18 Albert Road, Bournemouth BH1 1BZ
Registered number (where applicable) 08403341
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any) 07738 766912
E-mail address (optional) cm@phenomenalbargroup.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start? DD MM YYYY

AS SOON AS POSSIBLE

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

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>The premises are the former Maplins store.</p> <p>The applicant proposes to convert the same into an up-market cocktail bar providing limited entertainment.</p>
--

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

Not applicable

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

In all cases complete boxes K, L and M

PLEASE NOTE THAT BOXES A TO D INCLUSIVE, G AND H ARE BLANK AND HAVE NOT BEEN REPRODUCED IN THE INTEREST OF SAVING PAPER AND SUSTAINABILITY GENERALLY

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	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	11:00	02:00	Most performances would be provided under the Live Music Act (i.e. before 11 p.m.). References to 02:00 are to the day following.		
Tue	11:00	02:00			
Wed	11:00	02:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	11:00	02:00	None.		
Fri	11:00	02:00	<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	11:00	02:00			
Sun	11:00	02:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	11:00	02:00			
Tue	11:00	02:00	Most performances would be provided under the Live Music Act (i.e. before 11 p.m.). References to 02:00 are to the day following.		
Wed	11:00	02:00			
Thur	11:00	02:00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Fri	11:00	02:00			
Sat	11:00	02:00	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 (please read guidance note 6)		
Sun	11:00	02:00			
			None		

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	23:00	02:00			
Tue	23:00	02:00	Hot drinks (such as tea and coffee) may be available at all times the premises are open.		
Wed	23:00	02:00			
Thur	23:00	02:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Fri	23:00	02:00			
Sat	23:00	02:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sun	23:00	02:00			
			None.		

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) None. References to 01:40 are to the day following.		
Mon	11:00	01:40			
Tue	11:00	01:40			
Wed	11:00	01:40	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) None.		
Thur	11:00	01:40			
Fri	11:00	01:40			
Sat	11:00	01:40			
Sun	11:00	01:40			

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 Felicia Margareta Pfeil Nentis	
Date of birth	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) BCP Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).
No adult entertainment, services activities etc will be provided.

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) None.
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) None
Mon	11:00	02:00	
Tue	11:00	02:00	
Wed	11:00	02:00	
Thur	11:00	02:00	
Fri	11:00	02:00	
Sat	11:00	02:00	
Sun	11:00	02:00	

M

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

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

The relevant mandatory conditions shall apply to the licence.

The premises shall operate principally as a cocktail bar and shall not be marketed or advertised as anything other than a cocktail bar.

At least 60% of the available floor space shall be laid out with tables and chairs.

A waiter/waitress service shall be available at all times the premises are open to the public.

No dance floor shall be provided for the use of customers.

b) The prevention of crime and disorder

A digital CCTV system shall be installed and thereafter maintained in good working order to cover all public parts of the premises (excluding the lavatories) and the area immediately outside the entrance to the premises.

Recordings shall be accurately date and time stamped and retained for a minimum period of 30 days.

Facilities shall be made available to enable Police and other authorised officer to immediately view recordings on request and to be provided with copies in playable format

as soon as possible on request, provided that all such requests comply with data protection regulations.

A member of staff authorised to access the CCTV system and authorised to do so shall be on duty at all times the premises are open.

The CCTV system shall be checked at least once a week; a written record of such checks shall be maintained, any defect noted and rectified as soon as possible. The record shall be made available for inspection by police and other authorised officers on request.

The premises shall maintain an Incident Book/Refusals Register (as separate documents if appropriate) and use the same to record:

Any refusal of the sale or supply of alcohol and/or the refusal of a delivery of alcohol;

Any occasion when a customer is asked to leave the premises (other than at closing time);

Any incident occurring in the premises or immediately outside that involves the commission of any offence or suspected offence or any instance of anti-social behaviour;

Any visit by an authorised officer acting in an official capacity.

The Incident Book shall be checked and signed by the DPS or senior manager at least weekly and be made available for inspection by Police and other authorised officers on request.

The premises will participate in the Town Centre Radio scheme and shall be active members of any Town Centre pub watch scheme and participate in its activities and promotions.

There shall be no external drinking area.

The premises shall implement a drugs policy to include a policy with regard to the searching of customers.

A minimum of two SIA registered door staff shall be deployed at the premises from 20:00 hours until 30 minutes after close or all patrons have dispersed from the immediate area (whichever is earlier) on every Friday and Saturday night, Sundays immediately preceding a Bank Holiday Monday and on New Year's Eve.

In addition, the premises shall undertake a risk assessment to determine whether, to what extent and at what times it may be appropriate to deploy door supervisors. The risk assessment shall take into account all relevant matters, including but not limited to:

Whether any form of music or other entertainment is being provided;

Monitoring and controlling queuing outside the premises;

Supervision of any external area used by smokers;

Occasions of significant local or national celebration or events.

Door supervisors shall then be deployed in accordance with the outcome of the risk assessment. A copy of the risk assessment shall be provided to the police and the risk assessment shall be reviewed at least once every six months and/or at the request of the police.

At least one Personal Licence Holder shall be present at the premises at all times the premises are open and trading.

c) Public safety

Note for information – no issues of public safety arise with regard to these premises that are not adequately regulated by other legislation such as the Regulatory Reform (Fire Safety) Order 2005.

d) The prevention of public nuisance

No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20:00 hours and 08:00 hours on the following day.

No collections of waste or recycling materials (including bottles) from the premises shall take place between 20:00 and 08:00 on the following day.

No deliveries to the premises shall take place between 20:00 and 08:00 on the following day.

e) The protection of children from harm

The premises shall operate a Challenge 25 scheme whereby any person appearing to be under the age of 25 shall be required to produce photographic proof of age in one or other of the forms specified by the mandatory conditions before being served or supplied with alcohol.

All staff concerned with the sale or supply of alcohol shall be trained in restricted sales (to persons who are under 18 or who are drunk) and with regard to the terms and conditions of the licence, including but not limited to the recording of refused sales or supplies of alcohol.

Refresher training shall be given at least once every six months.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- [Applicable to all individual applicants, including those in a partnership which is not 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)

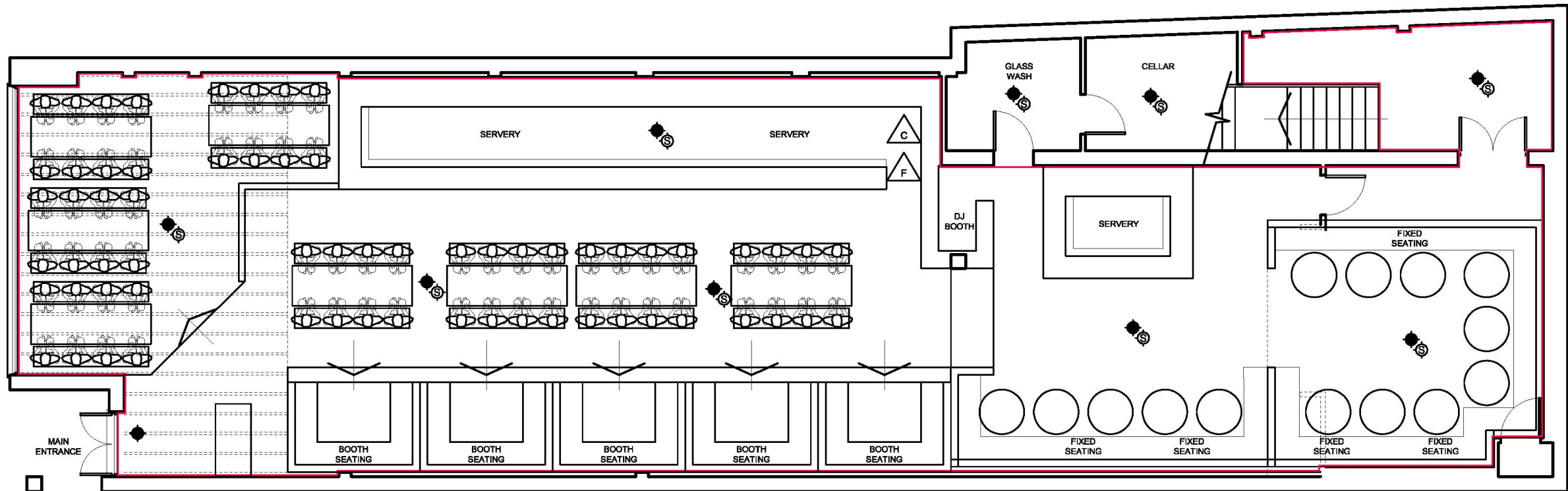
Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

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 subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	Philip J Day for Laceys Solicitors LLP
Date	23 rd March 2021
Capacity	Solicitors for the Applicant

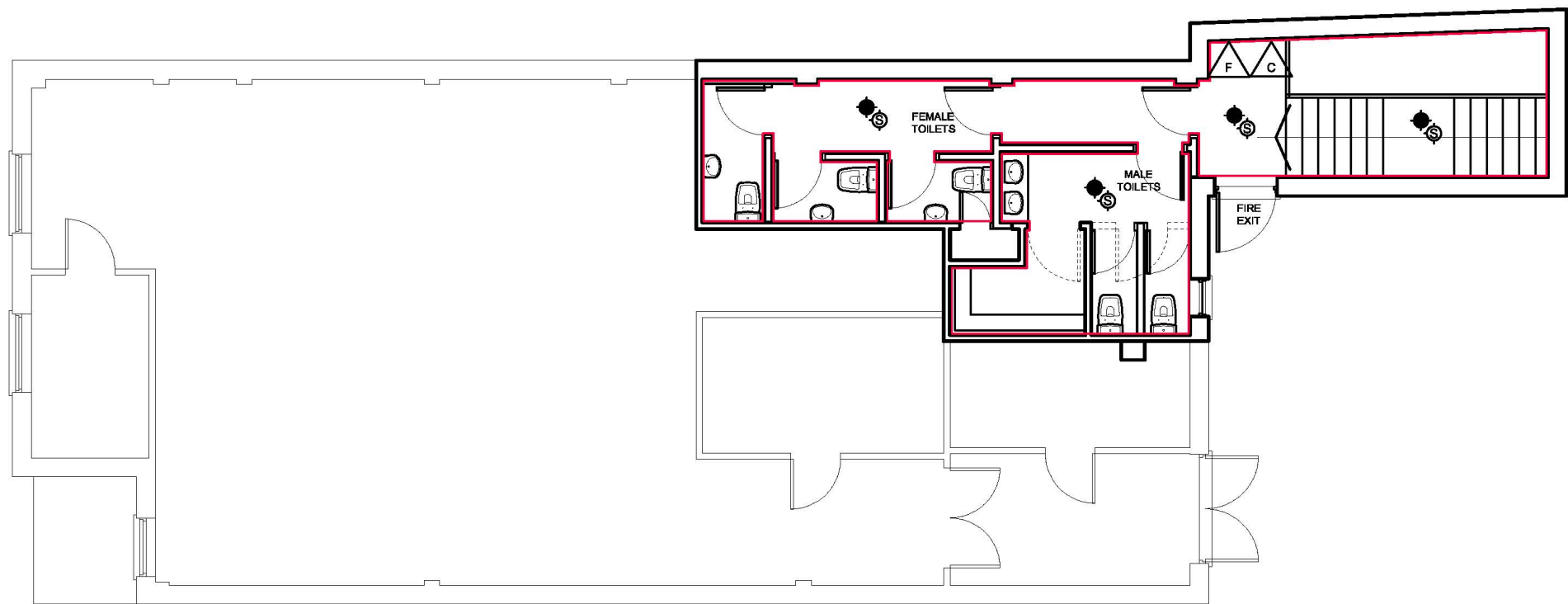
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Philip Day Laceys Solicitors LLP 9 Poole Road			
Post town	Bournemouth	Postcode	BH2 5QR
Telephone number (if any)	01202 755216		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) p.day@laceyssolicitors.co.uk			

Notes for Guidance

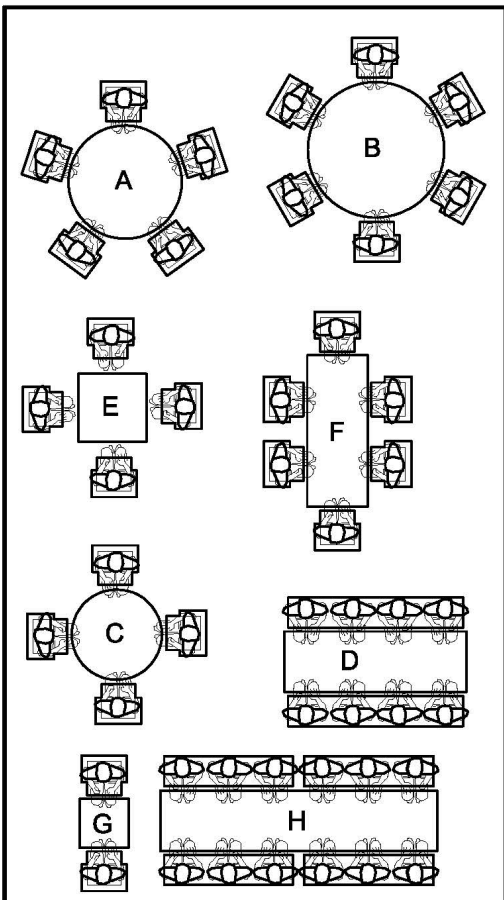
The Notes do not form part of the application form and have not been reproduced in the interest of sustainability.



GROUND FLOOR PLAN



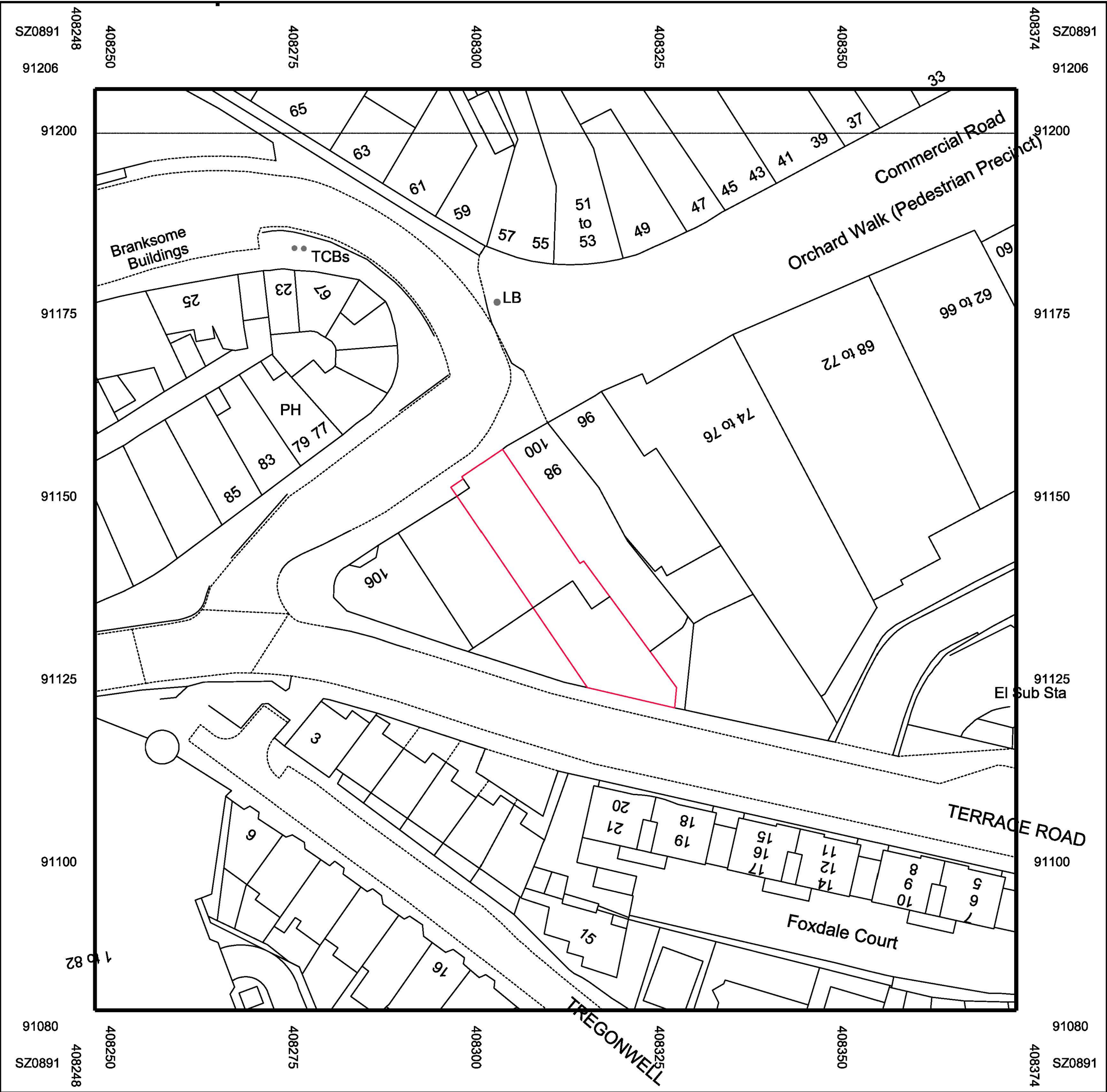
FIRST FLOOR PLAN



FURNITURE KEY

FIRE STRATEGY KEY			
	SMOKE DETECTOR HEAT RISE	FD30S	FIRE DOOR 30 MINUTES FITTED WITH SELF CLOSE & SMOKE SEALS
	SMOKE DETECTOR OPTICAL	SCA	DOORS FITTED WITH MAGNETIC DEVICE TO RELEASE DOOR ON ALARM ACTIVATION
	SMOKE DETECTOR IONISATION	PB	DOORS FITTED WITH PANIC BAR AND INSTRUCTIONS ON USE
	FIRE ALARM CALL POINT (BREAK GLASS)	VP	DOOR FITTED WITH GLAZED VISION PANEL
	FIRE WARNING BELL	NR	NOTICE TO BOTH SIDES OF FD30S - "FIRE DOOR KEEP SHUT"
	FIRE EXTINGUISHER WATER 1L	NB	NOTICE "FIRE EXIT KEEP CLEAR"
	FIRE EXTINGUISHER DRY POWDER 2.5K	NS	NOTICE "KEEP LOCKED SHUT WHEN NOT IN USE"
	FIRE EXTINGUISHER CARBON DIOXIDE	N2	NOTICE "STAFF"
	FIRE EXTINGUISHER FOAM	IP	FIRE ALARM INDICATOR PANEL
	FIRE BLANKET 1200X1200MM MINIMUM	E	SIGN WITH WORDS OR SYMBOL TO FIRE EXIT LETTERS 100MM HIGH MIN.
			FIRE EXIT SIGN INTERNALLY ILLUMINATED MAINTAINED FITTING
			FIRE EXIT SIGN INTERNALLY ILLUMINATED MAINTAINED WITH A DIRECTIONAL ARROW
			EMERGENCY LIGHT FITTING NON MAINTAINED

LEGEND:	
WINDOWS	=
TOILETS	= AS LABELLED
URINALS	=
WASH HAND BASINS	=
EMERGENCY LIGHTS	=
DISTRIBUTION BOARD - WITH ELECTRICS BOARD	
STEPS	=
SINK UNIT	= AS LABELLED
MACHINE POINT	=
BAR FLAP	= AS LABELLED
ELECTRICS BOARD	= AS LABELLED
TRADE AREAS:	
SUPPLY OF ALCOHOL	= *
REGULATED ENTERTAINMENT	=
CONSUMPTION OF ALCOHOL	=



SITE PLAN - SCALE 1:500

NOTE:

The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts. This drawing must be read with and checked against any structural or other specialist drawings provided.

The Contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings. This drawing is not intended to show details of foundation or ground conditions. Each area of ground relied upon to support the structure depicted must be investigated by the Contractor and suitable methods of foundation be provided.

Site

102 COMMERCIAL ROAD

Bournemouth

Title

LICENSING DRAWING

General Arrangement

Project Manager/Checked	Drawn By	Scale	Date
	TH	1:100	02/21
Arch./Des.	Drawing Number	05/20	Rev.



102 Commercial Road

Licensing Sub-Committee



Scale: 1:2000 @ A4
 Date: 30 April 2021
 Creator:

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 OS 100000019829 BCP Council



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From: Matthew Taylor
Sent: 16 April 2021 12:50
To: P.Day@laceyssolicitors.co.uk; Trudi Barlow; Licensing Com
Subject: Premises Licence - 102 Commercial Road, Bournemouth

Categories: Jenny

Good Afternoon,

I have been viewing your premises license application for 102, Commercial Road, Bournemouth.

You have specified that the business will possibly be providing Live Music and/or Recorded Music between the hours of 23:00 and 02:00 and that the intended opening hours are 11:00 – 02:00.

Intended use of the site is an:
up-market cocktail bar providing limited entertainment.

I note that you have provided the following conditions:

No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20:00 hours and 08:00 hours on the following day.

No collections of waste or recycling materials (including bottles) from the premises shall take place between 20:00 and 08:00 on the following day.

No deliveries to the premises shall take place between 20:00 and 08:00 on the following day.

I am happy with the above conditions, however I recommend adding the below conditions as well, I recommend the following wording:

- * Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
- * The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance.
- * A noise limiter must be fitted to the in house musical amplification system and set so as to ensure that the noise levels from the premises are kept at such levels as to be barely audible at the façade of any residential property. The operational panel of the noise limiter shall then be secured by key or password and access shall only be by persons authorised by the Premises Licence Holder. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
- * All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.


I hope you are happy with the above wording, if you are not please feel free to let me know, I am happy to amend the wording if the amended wording offers the same protection for local residents.

I am currently objecting to your application so that we can organise the conditions for this premises licence. Once we have organised the final set of conditions I will remove my objection.

Kind Regards

Matthew Taylor
Senior Environmental Health Officer
Communities
matthew.taylor@bcpcouncil.gov.uk
bcpcouncil.gov.uk
01202 128511

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[BCP Council Privacy Statement During COVID-19](#)



Licensing Team
Town Hall Annex
St Stephens Road
Bournemouth
BH2 6DY

To the relevant BCP Licensing Officer,

RE: Representation re Licensing Application ref: 184291 for address Unit 1, 102 Commercial Road, Bournemouth BH2 5LR.

I wish to register my objections to the above application. I object both to the nature of the proposed licensable activities (Live Music, Recorded Music, Late Night Refreshment and Supply of Alcohol) and timings, i.e. Monday to Sunday 11:00 to 02:00.

I have lived in the Nova Building since 2009. When first I moved in there was only one drinking establishment in the immediate area (*The Bakers Arms* – now *The Four Horsemen*) i.e. from the corner of St Michael's Road and Commercial Road to the start of the pedestrianised area in Commercial Road. There are now 4 licensed premises in this area (as well as *The Four Horsemen* there are *Smoking Aces*, *Lola's* and *Ojo Rojo*). In addition there is currently a proposed social gym on the site of what was previously *Ponti's* (that formerly held a licence).

It should be noted that because of potential noise disturbance issues, there is already in place a requirement for *The Four Horsemen* to close their front windows when they have live music. I have in the past had to approach the venue to ensure that this condition was maintained.

From my experience none of the existing venues open until 2am (although I am unaware of their exact licencing conditions).

My objection is based on late night noise issues – the built environment is such (high buildings with no vegetation to absorb any sound) that even small groups of people around a venue creates a disturbance. It is a regular occurrence that people (many of whom have been drinking and are less inclined to moderate their voices) gather to smoke and chat on the pavements or else leave premises unaware that they are in a residential area. The Nova

Building alone includes 60 flats. There are also flats up Tregonwell Road, Terrace Road and above shops in Commercial Road – all of which are affected. Of a summer evening the noise is such that it is impossible to sleep with an open window. It only takes one loud individual to disturb the peace – either singing or calling after a friend up the road – as the sound echoes around the buildings.

At a minimum I ask that the music licence be restricted to midnight (in line with the 'midnight noise curfew' that seems to be maintained by the existing premises).

I also request that the closing time is brought back to an earlier hour to prevent a possible extension to the existing disturbances.

Yours sincerely,

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

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Trudi Barlow
Licensing Team
Town Hall Annex
St Stephens Road
Bournemouth
BH2 6DY

trudi.barlow@bcpcouncil.gov.uk

To Trudi Barlow (BCP Licensing Officer),

RE: Representation in relation to Licensing Application (Ref: 184291) for Unit 1, 102 Commercial Road, Bournemouth BH2 5LR.

I hereby register my objection to the above application on grounds of the proposed licensable activities (Live Music, Recorded Music, Late Night Refreshment and Supply of Alcohol) and timings (Monday to Sunday 11:00 to 02:00.)

The area is of mixed use: licensed premises alongside retail and residential. Reflecting this, whatever their official closing times, existing venues do not have music after 24.00 or at the latest 1.00. Some venues has specific noise reduction requirements within their licence conditions.

I live in [REDACTED] The Nova Building and have experienced previous disturbances from the existing venues. I therefore object to this new venue being allowed in any way to extend the present opening hours or music playing times within the area.

Yours sincerely,

[REDACTED]

From: [REDACTED]
Sent: 19 April 2021 17:02
To: Trudi Barlow
Subject: Music

[REDACTED]

Trudi Barlow
Licensing Team
Town Hall Annex
St Stephens Road
Bournemouth
BH2 6DY
trudi.barlow@bcpcouncil.gov.uk
To Trudi Barlow (BCP Licensing Officer),

RE: Representation in relation to Licensing Application (Ref: 184291) for Unit 1, 102
Commercial Road, Bournemouth BH2 5LR.

I hereby register my objection to the above application on grounds of the proposed licensable activities (Live Music, Recorded Music, Late Night Refreshment and Supply of Alcohol) and timings (Monday to Sunday 11:00 to 02:00.)

The area is of mixed use: licensed premises alongside retail and residential. Reflecting this, whatever their official closing times, existing venues do not have music after 24.00 or at the latest 1.00. Some venues has specific noise reduction requirements within their licence conditions.

I live in [REDACTED] The Nova Building and have experienced previous disturbances from the existing venues. I therefore object to this new venue being allowed in any way to extend the present opening hours or music playing times within the area.

[Add any other thoughts here or delete this sentence]

Yours sincerely,

[REDACTED]

[REDACTED]