

Notice of Licensing Sub-Committee

Date: Wednesday, 11 December 2024 at 10.15 am

Venue: HMS Phoebe, BCP Civic Centre, Bournemouth BH2 6DY



Membership:

Cllr C Matthews

Cllr J Richardson

Cllr L Williams

Reserves:

Cllr D Flagg (1)

Cllr A Chapmanlaw (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?MId=5857>

If you would like any further information on the items to be considered at the meeting please contact: Democratic Services sinead.o'callaghan@bcpCouncil.gov.uk 01202 128814 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

3 December 2024

**DEBATE
NOT HATE**



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



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
(janie.berry@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 Licensing Hearings

5 - 10

The protocol for public speaking at Licensing Sub Committee hearings is included with the agenda sheet for noting.

5. Palm Lounge, 23 Poole Hill, Bournemouth, BH2 5PW

11 - 32

The Licensing Authority has received an application for a new premises licence for the premises known as Palm Lounge, 23 Poole Hill, Bournemouth, to permit late night refreshment between the hours of 23:00 to 02:00 each day of the week.

This matter is brought before the Sub Committee for determination.

No other items of business can be considered unless the Chair 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 SPEAKING

1. Introduction

- 1.1 This protocol for public speaking applies to Licensing Committee and Sub Committee hearings in relation to matters including the licensing of alcohol, regulated entertainment, late night refreshment, gambling, sex establishments and hackney carriage and private hire drivers, vehicles and operators, as set out in Part 3.3 of the Council's Constitution.
- 1.2 These matters are considered in accordance with relevant legislation and associated regulations including the Licensing Act 2003 (as amended by the Police Reform and Social Responsibility Act 2011), the Gambling Act 2005, Part II and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by Section 27 of the Policing and Crime Act 2009) and the Local Government (Miscellaneous Provisions) Act 1976.

2. Conduct of Hearings

- 2.1 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, etc.
- 2.2 Chair asks everyone present to introduce themselves and state their role.
- 2.3 Chair checks that all persons who have given notice of their intention to speak and any person who wishes to withdraw a representation or wishes not to speak have been identified.
- 2.4 Chair explains proposed procedure and order of speaking for hearing as set out in Appendix A or B of this protocol as appropriate. All parties confirm agreement or make representations on procedure proposed.
- 2.5 Licensing Officer's report is presented.
- 2.6 Parties speak in the order agreed.
- 2.7 With the exception of hackney carriage and private hire hearings, 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 additional 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.

- 2.8 Members of the Licensing Committee or Sub Committee may ask questions after each party has spoken and once all parties have spoken. Parties will be allowed to ask questions through the Chair.
- 2.9 Once all parties have been heard, the parties will be given the opportunity to sum up. Party who spoke first to go last. The hearing will then conclude.
- 2.10 Members will deliberate in private with the clerk and legal representative as appropriate present.
- 2.11 The decision will be taken by the Committee and notification of the decision will be given as follows:
 - 2.11.1 For Licensing Act 2003 and Gambling Act 2005 hearings, determination must be 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 relevant Regulations, unless otherwise specified (for example, the issuing of a counter notice following objection to a TEN, in which case the determination must be at the conclusion of the hearing).
 - 2.11.2 For Sex Establishment and other hearings, where possible determination will be within the period of five working days beginning with the day or the last day on which the hearing was held.
 - 2.11.3 For Hackney Carriage and Private Hire hearings, notification of the decision will be given at the conclusion of the hearing, followed by a written decision letter where possible within the period of five working days beginning with the day or the last day on which the hearing was held.
- 2.12 Notification of the decision will include information for all parties of any right of appeal as appropriate.

3 General points

- 3.1 Hearings convened under the Licensing Act 2003 and the Gambling Act 2005 and associated regulations may be held remotely as required, if the Chairman agrees it is expedient to do so in the circumstances.
- 3.2 The hearing may be adjourned at any time at the discretion of the Members.
- 3.3 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.
- 3.4 The Sub Committee may decide to conduct all or part of a hearing in non-public session in accordance with the relevant Regulations and/or where exempt information is likely to be disclosed.

- 3.5 The Chair may exclude any person from a hearing for being disruptive.
- 3.6 Meetings of the Licensing Committee in public session are recorded by the Council for live and subsequent broadcast on its website.
- 3.7 The hearing will take the form of a discussion.
- 3.8 Only persons (or their representatives) who have made an application, are subject to an application or have submitted a written representation or objection to the Licensing Authority under the relevant Act are permitted to speak at the hearing.
- 3.9 Any further information to support an application, representation, objection or notice (as applicable) can be submitted before the hearing. It may only be submitted at the hearing with the consent of all parties in accordance with any relevant Regulations. Wherever 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.
- 3.10 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.
- 3.11 For other matters which are the responsibility of the Licensing Committee and not included in this protocol, the Meeting Procedure Rules in Part 4D of the Council's Constitution in relation to public questions, statements and petitions shall apply. This includes such matters as making recommendations on relevant licensing policies, approving the level of fees charged by the Council, and making decisions on tariffs charged by the Public Carriage Trade.
- 3.12 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 democratic.services@bcpcouncil.gov.uk

Appendix A

Proposed procedure and order of speaking for hearings (other than hackney carriage and private hire hearings)

1. The Licensing Officer presents report.
2. Questions of the Licensing Officer on their report. Members of the Sub-Committee to go first, then the applicant/licence holder.
3. Applicant will make their Application.
4. Questions of the Applicant by all parties, Members of the Committee/Sub-Committee to go first.
5. Responsible Authorities and Other Persons will make their representations.
6. Questions of the Responsible Authorities and Other Persons. Members of the Committee/Sub-Committee to go first.
7. All parties will be given an opportunity to sum up (with the party who spoke last to go first). The hearing will then conclude.
8. 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).
9. Notification of the Sub Committee's decision will be given in accordance with the requirements of the Licensing Act and Gambling Act regulations. For other hearings, where possible determination will be within the period of five working days beginning with the day or the last day on which the hearing was held.
10. The notification of decision will include information about the right of appeal as appropriate.

Appendix B

Proposed procedure and order of speaking for Hackney Carriage and Private Hire hearings

1. The Licensing Officer presents their report.
2. Questions of the Licensing Officer on their report. Members of the Sub-Committee to go first, then the applicant/licence holder.
3. Applicant/licence holder presents their case.
4. Questions of the applicant/licence holder by all parties, Members of the Committee/Sub-Committee to go first.
5. All parties will be given an opportunity to sum up (with the party who spoke last to go first). The Hearing will then conclude.
6. Sub-Committee will deliberate in private with Legal Adviser and Clerk present. (Councillors new to Licensing may observe deliberations but will not take part in the decision making).
7. Notification of the decision will be given following deliberations at the conclusion of the hearing, to be followed by a written decision letter where possible within the period of five working days beginning with the day or the last day on which the hearing was held.
8. The Legal Adviser will advise parties of any right of appeal as appropriate at the conclusion of the Hearing. Information about the right of appeal as appropriate will also be included in the written decision letter.

Adopted by the Licensing Committee on 7.12.23

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LICENSING SUB-COMMITTEE



Report subject	Palm Lounge, 23 Poole Hill, Bournemouth, BH2 5PW
Meeting date	11 December 2024
Status	Public Report
Executive summary	<p>CL9 Limited have made an application for a premises licence at 23 Poole Hill, Bournemouth.</p> <p>The application is to permit Late Night Refreshment between the hours of 23:00 to 02:00 every day of the week.</p>
Recommendations	<p>It is RECOMMENDED that:</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 a representation from BCP Council's Planning Enforcement on the grounds that granting the licence to operate beyond 23:00 hours would undermine the prevention of public nuisance licensing objective.</p> <p>The Licensing Authority may only consider aspects relevant to the application that have been raised in 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):	Cllr Kieron Wilson – Portfolio Holder for Housing, and Regulatory Services.
Corporate Director	Jillian Kay – Corporate Director for Wellbeing
Report Authors	Tania Jardim – Licensing Officer
Wards	Westbourne & West Cliff;
Classification	For Decision

Background

1. An application for a premises licence under Section 17 of the Licensing Act 2003 was received on the 24 October 2024.
2. The application is for a bar/café specialising in Mediterranean food and providing cold and hot drinks. The applicants are seeking the provision of late night refreshment Monday to Sunday 23:00 to 02:00. A copy of the application including layout plan is attached at Appendix 1.
3. The premises previously benefitted from a premises licence that permitted the supply of alcohol 11:00 to 23:00 Monday to Sunday. The premises licence lapsed in May 2024 when the Limited Company who held the premises licence was dissolved, and the licence was not transferred to the current operator. A plan showing the location of the premises is attached at Appendix 2.
4. Following a visit to the premises during an evening of action with Dorset Police, advice was given to the applicant in order for them to comply with smoking legislation. Licensing officers also explained the requirements under the Licensing Act and provided advice on applying for a premises licence to permit late night refreshment.

Consultation

5. The application was served on all responsible authorities and the applicant confirmed that the statutory notices were displayed on site and published in the local newspaper.
6. BCP Council's Planning Enforcement Department made representation under the prevention of public nuisance licensing objective. The planning authority advised that when granting planning permission, the opening hours of the venue were limited based on the location and potential adverse impact on nearby residents from potential noise nuisance. In order to uphold the licensing objective of the prevention of public nuisance the planning authority consider that the terminal hour for the purposes of the premises licence should reflect the agreed planning hours and should not exceed the terminal hour of 23:00.
7. Mediation took place between the applicant and Dorset Police, and the following conditions were agreed which will form part of the licence, should it be granted: -
 - *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 visit by a relevant authority or emergency service

(e) all crimes reported to the venue

- *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. 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.*
- *A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.*
- *CCTV shall be downloaded on request of the Police or authorised officer of the council. Appropriate signage advising customers of CCTV being in operation, shall be prominently displayed in the premises.*
- *A documented check of the CCTV shall be completed weekly to ensure all cameras remain operational and the 31 days storage for recordings is being maintained.*
- *On Friday and Saturday and any other day immediately preceding a Bank Holiday, 2 SIA registered door supervisors to be employed on the premises from 22:00 until close, or the last customer has left the immediate area.*

A copy of the email mediation is attached at Appendix 4.

8. There were no other representations from any other responsible authorities or other persons.

Options Appraisal

9. Before making a decision, Members are asked to consider the following matters: -
 - The representations made by BCP Council's Planning Authority.
 - The submissions made by or made on behalf of the applicant.
 - The relevant licensing objectives, namely the prevention of public nuisance.
 - The Licensing Act 2003 and Regulations.

- Section 14.65 – 14.67 of Section 182 Licensing Guidance ([Revised Guidance issued under section 182 of the Licensing Act 2003](#)).
- Section 11.4-11.9 of BCP Council's Statement of Licensing Policy ([SOLP-2020-2025](#)).

Summary of financial implications

10. An appeal may be made against the decision of the Sub-Committee, by the applicant or any party making representation, to the Magistrates' Court which could have a financial impact on the Council.

Summary of legal implications

11. If Members decide to refuse the application or attach conditions to the licence which the applicant, or the responsible authority who made a representation do not agree to, the applicant or such responsible authority 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

12. There are no human resources implications.

Summary of sustainability impact

13. There are no sustainability impact implications.

Summary of public health implications

14. There are no public health implications.

Summary of equality implications

15. There are no equality implications.

Summary of risk assessment

16. There are no risk assessment requirements.

BCP Council – Statement of Licensing Policy

<https://democracy.bcpCouncil.gov.uk/documents/s21122/Statement%20of%20Licensing%20Policy.pdf>

Hearing Regulations

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

Revised Guidance issued under Section 182 of the Licensing Act 2003 (December 2023)

https://assets.publishing.service.gov.uk/media/6579dec8095987000d95e063/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_-_December_2023.pdf

Appendices

- 1 – Copy Application

2 – Copy Location Plan

3 – Representations from Planning Authority.

4 – Email mediation with Dorset Police.

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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.

I/We CL9 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			
PALM LOUNGE POOLE HILL BOURNEMOUTH BH2 5PW			
Post town	BOURNEMOUTH	Postcode	BH2 5PW
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 12,500	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name	CLA LIMITED
Address	24 BATH HILL COURT BATH ROAD BOURNEMOUTH BH1 2HP
Registered number (where applicable)	14913693
Description of applicant (for example, partnership, company, unincorporated association etc.)	WE ARE APPLYING AS A LIMITED COMPANY. THE APPLICATION IS FOR OUR RESTAURANT/CAFE TRADING UNDER THE NAME PALM LOUNGE

Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
15	10	2024

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)

WE ARE A RESTAURANT/CAFE THAT SPECIALISE IN MEDITERRANEAN FOOD, MILKSHAKES, SMOOTHIES AND HOT DRINKS. THE PREMISES IS AN ISLAND SITE WITH INDOOR SEATING AND A FRONT/REAR OUTDOOR SEATING AREA. WE DO NOT SERVE ALCOHOL.

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

- 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) ☐

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	11:00AM	02:00AM	Please give further details here (please read guidance note 4) WE WOULD LIKE TO SERVE HOT FOOD AND HOT DRINKS IN OUR WOOD SEATING AREA, OUTDOOR SEATING AREA AND TO TAKE- AWAY. WE WOULD LIKE TO SERVE THIS TO 2AM.		
Tue	11:00AM	02:00AM			
Wed	11:00AM	02:00AM	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	11:00AM	02:00AM			
Fri	11:00AM	02:00AM	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)		
Sat	11:00AM	02:00AM			
Sun	11:00AM	02:00AM			

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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)

WE ENSURE THAT AT ALL TIMES THERE WILL BE SUFFICIENTLY TRAINED STAFF ON DUTY TO FULFILL ALL FOUR LICENSING OBJECTIVES

b) The prevention of crime and disorder

- WE HAVE 12 CAMERAS RUNNING THROUGHOUT THE PREMISES
- FOOTAGE STORED FOR 5 WEEKS
- SIGNAGE SHOWING THAT CCTV IS IN OPERATION

c) Public safety

- ALL APPROPRIATE FIRE SAFETY PROCEDURES FOLLOWED
- FIRE EXTINGUISHERS
- FIRE BLANKET
- CLEAR FIRE EXIT SIGNS
- EMERGENCY EXIT FREE FROM OBSTRUCTION
- REGULAR INSPECTION OF ALL APPLIANCES

d) The prevention of public nuisance

- NO MUSIC PLAYING THAT IS LOUD
- NO BACKGROUND MUSIC AFTER 10PM
- STAFF TRAINING
- CUSTOMERS WILL BE TOLD TO LEAVE QUIETLY
- STAFF WILL TELL CUSTOMERS TO KEEP NOISE LEVEL DOWN.

e) The protection of children from harm

- STAFF TRAINED FOR CHILD SAFETY
- ID CHECKS
- REGISTER OF REFUSED SALE KEPT

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).

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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.

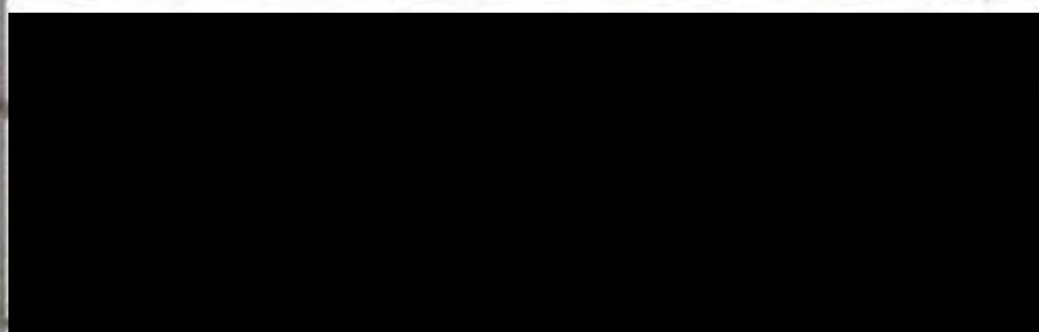
Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am 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
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	proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	20/10/2024
Capacity	DIRECTOR

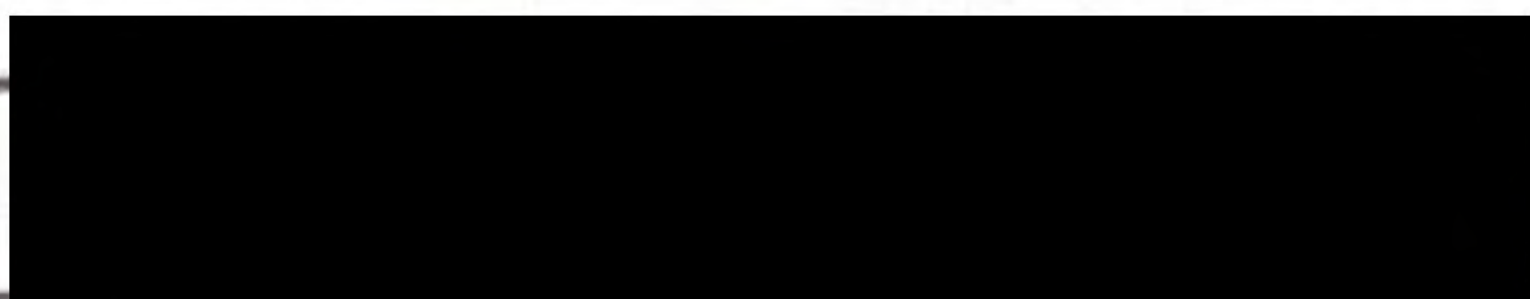
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

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

	proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	16/10/2024
Capacity	

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	16/10/2024
Capacity	

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

Formation of pedestrian access

Raised planter

Existing dwarf wall to be retained

Extent of retractable canopy

Extent of retractable canopy

Fire Exit
Poole Hill

Low level gate to match height of hedge

Existing disabled access retained

Existing dwarf wall retained

Water feature

Raised decking

Low level hedge to site boundary



Commercial Road

Retractable Roof

PROPOSED SITE PLAN

SCALE 1:100 @ A3

SCALE 1:500 @ A1

0 1m 2m 3m 4m 5m



PROPOSED SITE PLAN

Poole Hill Terrace

Drawn By

Scale

JW

As shown

Revision Notes

Date

849.100a

dot
architecture

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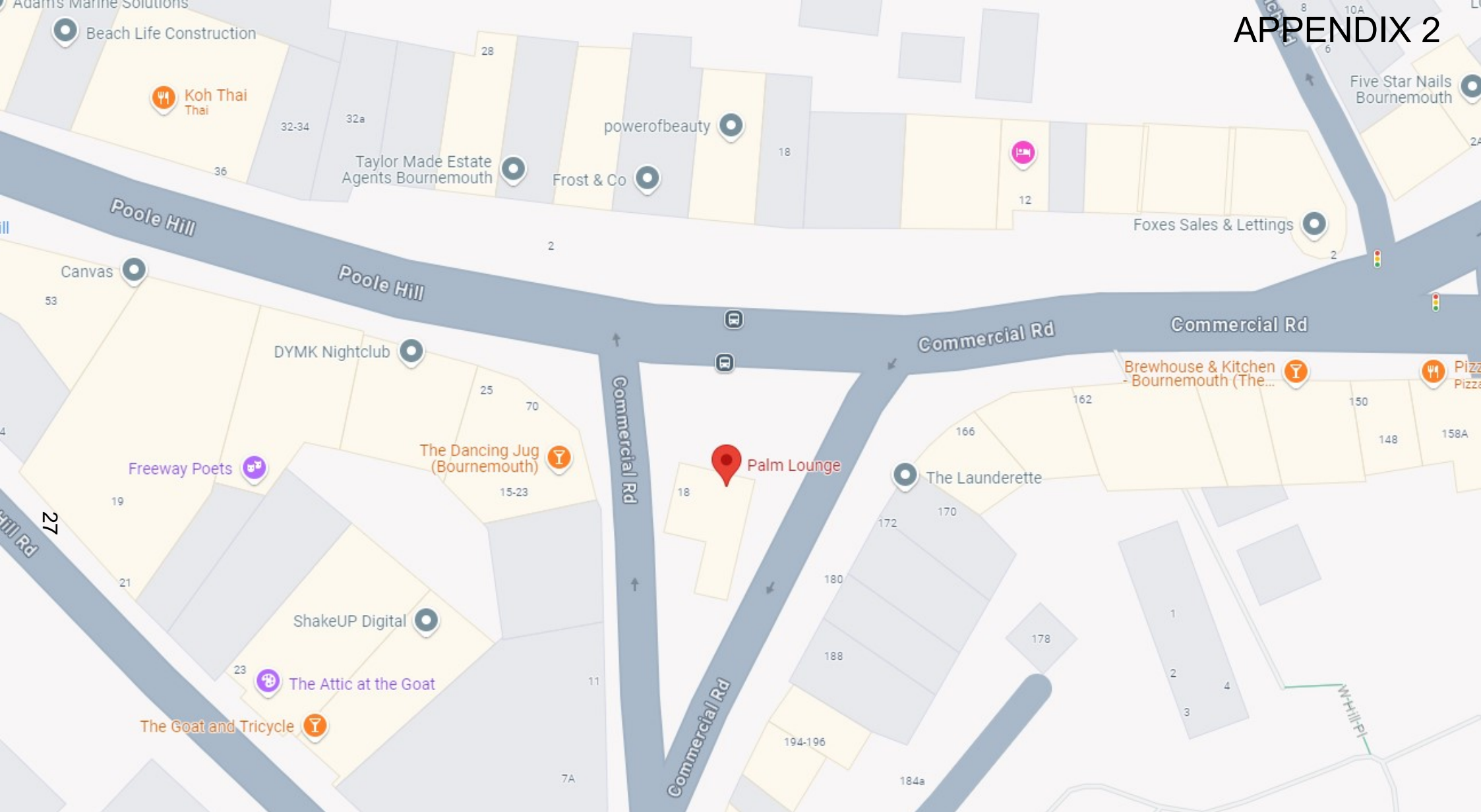
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APPENDIX 2



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From: [Pip Williams](#)
To: [Planning Enforcement BCP](#); [Tania Jardim](#)
Cc: [Sean Whitney](#)
Subject: Re: Palm Lounge, 23 Poole Hill, Bournemouth, BH2 5PW (M222331)
Date: 15 November 2024 12:26:33
Attachments: [image005.png](#)

Sorry - a correction in the text below, the premises should close at 23:00 hrs so It has a condition from 07:00 until 23:00 hrs 7 days a week.

So termination is at 23:00 hours and not midnight. Apologies for the error.

Kind regards



Pip Williams (she/her) MA TP, NAPE.
Planning Enforcement Manager
Planning & Transport
T.
bcpcouncil.gov.uk

From: Planning Enforcement BCP
Sent: Thursday, November 14, 2024 4:31 PM
To: Tania Jardim
Cc: Sean Whitney
Subject: RE: Palm Lounge, 23 Poole Hill, Bournemouth, BH2 5PW (M222331)

Dear Licencing Team

On behalf of the planning authority in our role as a responsible authority I wish to object to the current application as it exceeds the current planning openable hours.

The premises are subject to planning permission **7-2014-3617-D** for *Alterations to elevations and change of use from public convenience to Class A1, A2, A3, D1 & D2 under Class E of Part 3 of Schedule 2 to the General Permitted Development Order 1995 (flexible consent)*. Use Classes were described at this time as:

A1 - Retail shop;

A2 - Bank, Building Society, Insurance Office, solicitors, accountants, architects, estate agents, 'mailbox' services (incl printing, copying, desktop design, courier services etc.);

A3 - Restaurant or cafe for on-premises consumption only; D1 - Doctor, dentist, complementary medical practices, vet, alternative health centre, educational user, art gallery/museum;

D2 - Dance studio, yoga studio, other specialised studio/gymnasium uses that can be accommodated in 600 sq. ft.

There was a condition imposed on the planning permission which read: *3. Prior to the commencement of any use, the hours of opening shall be agreed in writing with the Local Planning Authority.*

Reason: To safeguard the amenities of occupiers of adjoining and nearby properties and in accordance with Policies CS38 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

The condition details were submitted as required and agreed as 07:00 to 23:00 seven days a

week.

Whilst we appreciate that the licensing regime is separate from planning, we have limited the opening hours of the venue based on the location and potential adverse impact on nearby residents in order to address potential noise nuisance. To uphold the licensing objective of the prevention of public health we consider that the terminal hour for the purposes of the premises licence should reflect the agreed planning hours and should not exceed the terminal hour of midnight.

The team are currently investigating allegations of the premises operating beyond these times and causing disturbance to residents when no licence is in force this situation will only get worse should a licence be issued with a differing terminal hour.

I am unable to attend any committee but hope members would give this objection due consideration.

Kind regards



Pip Williams (she/her) MA TP, NAPE.
Planning Enforcement Manager
Planning & Transport
T.
bcpcouncil.gov.uk

APPENDIX 4

From: [Omar Al-Magribi](#)
To: [Busfield, Louise](#)
Subject: Re: Palm Lounge, 23 Poole Hill, Bournemouth, BH2 5PW (M222331)
Date: 07 November 2024 20:05:36
Attachments: [image003.png](#)
[image005.png](#)

Hi Louise,

That's fine. If it is a requirement, then we will comply and get door supervisors for the weekend.

Kind Regards
Omar

From: BUSFIELD Louise 8952 [REDACTED]
Sent: Thursday, November 7, 2024 9:37 AM
To: 'Omar Al-Magribi' [REDACTED]
Subject: RE: Palm Lounge, 23 Poole Hill, Bournemouth, BH2 5PW (M222331)

Good morning Omar

Thank you for your email, and whilst I appreciate that you will not be selling alcohol you will still be operating in the Night Time economy and therefore expose yourself, customers and staff to the potential of customers coming from other premises who may be intoxicated, volatile or even unwell through drink or drugs.

There are numerous late night premises that do not sell alcohol but whose licences are still conditioned for security and I would ask you to reconsider your position, especially given the geographic location of your premises in a busy and vibrant part of town.

As an operator you are responsible for the protection of your premises, staff and customers alike and the provision of SIA would offer these safeguards.

Kind regards



Louise Busfield 8952
Licensing Officer
Mobile: [REDACTED]

Drug & Alcohol Harm Reduction Team
Bournemouth Divisional Headquarters
5 Madeira Road
Bournemouth
Dorset Police
BH1 1QQ

From: Omar Al-Magribi [REDACTED]
Sent: Wednesday, November 6, 2024 1:52 PM
To: BUSFIELD Louise 8952 [REDACTED]
Cc: yousif Almagribi [REDACTED]
Subject: Re: Palm Lounge, 23 Poole Hill, Bournemouth, BH2 5PW (M222331)

Good afternoon Louise,

Hope you are well.

Yes that's all fine we have no problem with any of the conditions that you have stated. We already have a CCTV system in place that monitors all of the entry/exit points. This CCTV system also covers a vast majority of the rest of the restaurant.

But with regards to the 2 SIA registered door supervisors, I don't believe that will be necessary considering the type of license we are applying for. We are a restaurant/cafe and not a bar or nightclub. We don't serve

alcohol and are not planning to in the future. The application for a premises license is only for a 'late night refreshment license' and not a license to serve alcohol. Upon there visit to us, the council stated that we can continue to remain open till 2 am as long as we don't serve hot food/drinks. So the only thing that will vary when we get the license is the fact that we are serving hot food after 11pm.

Please let me know what you think.

Kind Regards

Omar

From: BUSFIELD Louise 8952 [REDACTED]
Sent: Tuesday, November 5, 2024 3:12 PM
To: [omar_almagrib](#) [REDACTED]
Subject: Palm Lounge, 23 Poole Hill, Bournemouth, BH2 5PW (M222331)

Good afternoon

Further to your application for a Premises licence, I set out below conditions which I believe to be appropriate and proportionate to your operation.

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:

- any complaints received
- any incidents of disorder
- any faults in the CCTV system / or searching equipment / or scanning equipment
- any visit by a relevant authority or emergency service
- all crimes reported to the venue

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. 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.

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.

CCTV shall be downloaded on request of the Police or authorised officer of the council. Appropriate signage advising customers of CCTV being in operation, shall be prominently displayed in the premises.

A documented check of the CCTV shall be completed weekly to ensure all cameras remain operational and the 31 days storage for recordings is being maintained.

On Friday and Saturday and any other day immediately preceding a Bank Holiday , 2 SIA registered door supervisors to be employed on the premises from 22:00 until close, or the last customer has left the immediate area.

Please do come back to me with your comments.

Kind regards



Louise Busfield 8952

Licensing Officer

Mobile: [REDACTED]

Drug & Alcohol Harm Reduction Team
Bournemouth Divisional Headquarters
5 Madeira Road
Bournemouth
Dorset Police
BH1 1QQ