

Mr. G Isherwood

Flat 6 Bay View

West Cliff Gardens

BH2 5HL

12 November 2019

Dear Licencing Officer,

LICENSING ACT 2003 – APPLICATION REFERENCE 174055 WHITLEY COURT HOTEL

I am writing to register my strong objection to the premises licence application under the Licensing Act 2003 by Bar Beyond Ltd for Whitley Court Hotel, West Cliff Gardens, Bournemouth - Application reference 174055

My grounds for objection are as follows: -

1. Cumulative Impact Area (CIA)

The property lies within the western fringes of the Councils CIA and some distance away from the Town Centre and the nucleus of clubs and licenced premise. Any licence enabling the premises to supply alcohol would be contrary to the objectives of the Councils Licensing Policy especially when having proper regard to the character of the area and the proximity of residential properties. The area within which the application premises is located is a reasonably quiet neighbourhood of hotels and residential properties. The application premises are also of a residential use, being registered as a House in Multiple Occupation.

The Councils Licensing Policy states:

“that where representations are received in respect of applications in the stress area for new premises licence or club premises certificates or variations for premises currently licensed, the following will apply “: -

- A presumption will be made that the Licensing Authority will **refuse such applications** if a relevant representation is received in regard to any licensing objective

2) Crime and Disorder

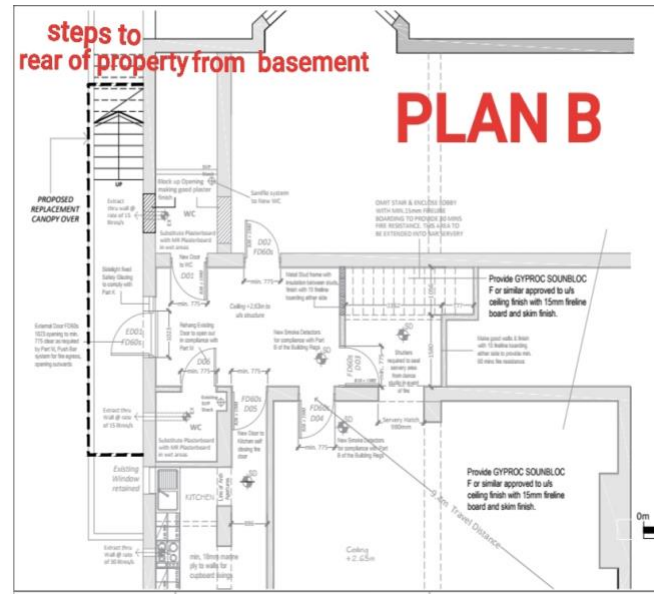
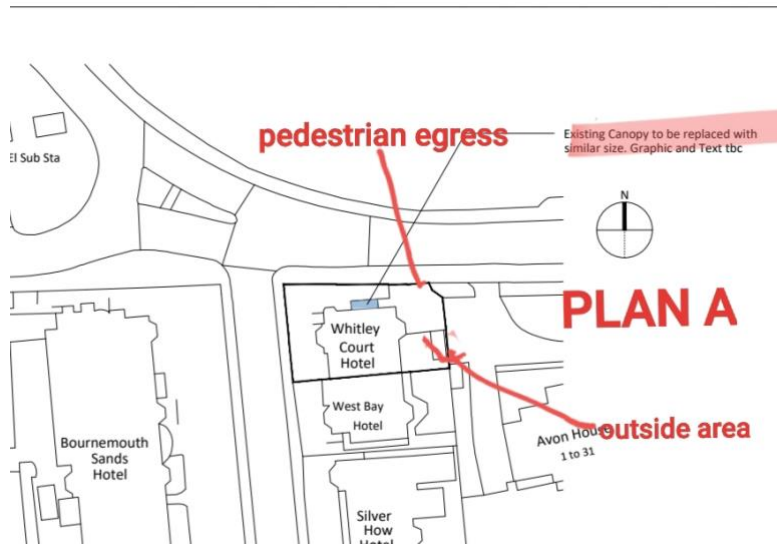
- The application premises are sited within a quiet Conservation Area made up of hotels and residential properties and is in close proximity to and with easy pedestrian access to the open space area of West Cliff Green. The Green is known as an area which is often used for drug use and dealing. A case in point, is that of a dealer, caught last, year selling heroin and cocaine on the Green and sentenced to four years in prison. It is a recognised and unfortunate fact that licenced premises, such as proposed here, would further attract the dealing and use of drugs. Such activities and consequences of use would, from a crime and disorder perspective, clearly be detrimental to the character and amenity of this area.
- Another unfortunate fact is that alcohol excess, common with such venues, can result in drunkenness and often violent and aggressive behaviours leading to affray's, harassment, vandalism and other anti social behaviour. Such disorderly behaviour would clearly have a detrimental crime and disorder impact on the tourist and residential amenity of this area.

3) Public Safety

- The licencing activities of the application will take place within the basement area of the property. Access and egress to the basement is via steps under a replacement canopy as proposed in a recently refused planning application, reference:7-2019-23085-E (which is likely to be the subject of a future appeal) The steps lead to an open area to the rear of the property, which has vehicular and pedestrian access directly to the busy West Cliff Road in close proximity to the Durley Roundabout Junction.

Please see **Plan A** showing the location of the premises, the pedestrian access and outside area to the rear and

Plan B showing the stair access from the basement to the rear of the premises.



- The Councils Licencing Policy states – “The Council is committed to ensuring that the safety of any person visiting or working in licenced premises is **not** compromised “

Late night revellers, many likely suffering from loss of coordination and balance through excessive alcohol intake, will be exiting en- mass onto the narrow footway of the busy West Cliff Road creating potentially high public safety risks through pedestrian/ pedestrian and pedestrian/ vehicle conflicts at or near this location contrary to the Public Safety Objective.

4) Public Nuisance

- Licenced premises, particularly those operating beyond 2300 hours and into the early hours, can adversely effect people living or staying in the vicinity of the premises. The premises are located within a reasonably quiet area of hotels and residential properties. The application site is also of residential use being registered as a House in Multiple Occupation.
- The application includes the supply of alcohol, five days per week, between 1000hrs and 2300hrs, with the sale of refreshments up to 2330hrs, the premises, therefore, is likely to remain active beyond 2330hrs.
- The application includes an external area which will inevitably have lighting and seating. Although, no alcohol is to be sold in this area, and no glasses allowed, clearly alcohol will be consumed in this area by revellers coming from the basement. The control of glasses in this area, given alcohol sales will only be in the basement, will clearly be difficult if not impossible. Easy access to and use of this outdoor space to the rear of the premises, will undoubtedly cause unfettered noise and disturbance to nearby properties.
- Likewise, general disturbance, noise, drunkenness and rowdiness created by late night revellers leaving the premises will adversely affect people living and visiting the neighbourhood and nearby premises, including the residents of the application premises.

This application, if allowed, will, through the combination of noise, disturbance and general rowdiness generated by revellers using the outside space and on leaving the premises during anti-social hours will result in the creation of a public nuisance situation detrimental to the character and amenity of the area.

On a general note, the previous application, since withdrawn, included live and recorded music, which the current application omits. I find this a little confusing have regard to the type of functions and services being offered by this establishment. Also, a building control application was registered and accepted on 28/ 05/ 2019 for a conversion to form a Dance Studio within the basement. Works now having been completed, albeit, it seems, without the benefit of planning permission for a material change of use. The point here, is surely music live, or, recorded is a fundamental prerequisite to the use of a dance studio?

I also note the proposed use of CCTV recording everyone entering the premises, surely exiting is also just as important?

Following a recent visit to the premises by Planning Enforcement Officers, I understand a planning application is to be submitted to address the use of the basement and change the use of the ground floor of the established HMO to hotel type rooms. Given the number of planning and associated issues, I do wonder if this licenced premises application is in fact premature.

On consideration of the above-mentioned comments and objections, which, I believe, are relevant to the Licencing Objectives as set out in The Licencing Act 2003, I request the Licencing Authority **refuse** the application.

Yours Faithfully,

G Isherwood

