



Premises Licence  
Part A

Premises licence number: BH083711

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

Bistro on the Beach Solent Promenade Southbourne

Post town: Bournemouth

Post Code: BH6 4BE

Telephone number: 01202 431473

Licensable activities authorised by the licence:

Live Music, Recorded Music, Performances of Dance, Activity like Music/Dance, Late Night Refreshment, Supply of Alcohol

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

**Live Music:** (Indoors)

Monday - Saturday - 15:00 to 00:00

Sunday - 15:00 to 23:30

**Recorded Music:** (Indoors)

Monday - Saturday - 15:00 to 00:00

Sunday - 15:00 to 23:30

**Performances of Dance:** (Indoors)

Monday - Saturday - 15:00 to 00:00

Sunday - 15:00 to 23:30

**Activity like Music / Dance:** (Indoors)

Monday - Friday - 15:00 to 00:00

Sunday - 15:00 to 23:30

Non standard timings for all Licensable Activities listed above

New Year's Eve - From start of permitted hours 31st December to end permitted hours 1st January

**Late Night Refreshment:** (Indoors)

Monday - Saturday - 23:00 to 00:30

Sunday - 23:00 to 00:00

Non standard timings for provision of late night refreshments

Good Friday - 23:00 to 00:00

Christmas Day - 23:00 to 00:00

New Year's Eve - From start of permitted hours 31st December to end permitted hours 1st January

**Supply of Alcohol:**

Monday - Saturday - 10:00 to 00:00

Sunday - 12:00 to 23:30

Non standard timings for the supply of alcohol

Good Friday - 12:00 to 23:30

Christmas Day - 12:00 to 15:00 & 19:00 to 23:30

New Year's Eve - From start of permitted hours 31st December to end permitted hours 1st January

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:

Alcohol will be consumed on the premises

## Part 2

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:</b>
Mr Peter John Bruton

<b>Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:</b>
Mr Peter John Bruton

<b>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:</b>
2005/00412/025SPEC Southampton City Council

## Annex 1 - Mandatory conditions

### Mandatory Conditions (Sections 19,20,21 LA2003)

- 1.1 There shall be no sale or supply of alcohol when there is no designated premises supervisor in respect of this premises licence or at a time when the said premises supervisor does not hold a personal licence or when his/her licence is suspended.
- 1.2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

### The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014

- 1.3 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 1.4 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 1.5 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.  
  
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.  
  
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
  - (a) a holographic mark, or
  - (b) an ultraviolet feature

1.6 The responsible person must ensure that-

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
  - (i) beer or cider: 1/2 pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

The Licensing Act 2003 (Mandatory Conditions) Order 2014

- 1.7
- 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
  - 2. For the purposes of the condition set out in paragraph 1 -
    - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
    - (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
  - 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Mandatory Conditions - (Embedded Restrictions) - Attached as part of Conversion Application under Transitional Grandfather Rights Restaurants/Hotels

- 1.8 The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the supply to, or consumption by, any person of alcohol in any premises where they are residing.
- 1.9 The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the sale of alcohol to a trader or club for the purposes of the trade or club.
- 1.10 The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of persons so supplied.
- 1.11 The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the supply of alcohol for consumption on premises to persons employed there for the purposes of the businesses carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
- 1.12 The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.
- 1.13 No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
  - 1.13.1 He is the child of the holder of the premises licence;
  - 1.13.2 He resides in the premises, but is not employed there;
  - 1.13.3 He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
  - 1.13.4 The bar is in premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary;
- 1.14 The licensee shall have regard and comply with any relevant provisions of the following enactments during any licensable activities taking place on the premises:
  - 1.14.1 Children and Young Persons Act 1933
  - 1.14.2 Cinematograph (Safety) Regulations 1955
  - 1.14.3 Sporting Events (Control of Alcohol Etc) Act 1985
- 1.15 Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.

Conditions on Public Entertainment Licence - Attached as Part of Conversion Application under Transitional Grandfather Rights

- 1.16 Noise from within the premises shall not be audible at noise sensitive properties between the hours of 23:00 and 07:00 the following day. It shall not increase the ambient noise levels in the locality and there shall be no dominant frequencies.

- 1.17 There shall be compliance with the recommendations contained within Dorset Police Crime Prevention Officers report, dated 2<sup>nd</sup> December 2003, at all times.
- 1.18 The STANDARD TERMS AND CONDITIONS prescribed by the Council under paragraph 11 of Schedule 1, Local Government (Miscellaneous Provisions) Act 1982

## **Annex 2 - Conditions consistent with the operating schedule**

### General

- 2.1 Maximum number of persons to be on the premises including staff shall be limited to 84.

### The Prevention of Crime and Disorder

- 2.2 Save for private or corporate events and when the ordinary public are admitted the applicant shall:
- 2.2.1 Ensure that no customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public
- 2.2.2 Apply a policy requiring sight of evidence of age from any person appearing to those selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol
- 2.2.3 Display at the premises notices:
- (i) that members of the public should be aware of pickpocket or bag snatchers, and to guard their property
  - (ii) giving the name of a contact for customers if they wish to report concerns
  - (iii) the normal hours under the terms of the premises licence at which licensable activities are permitted to take place to be displayed on or immediately outside the premises.

### Public Safety

- 2.3 As to exits, when disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency.
- 2.3.1 Disabled people on the premises are made aware of those arrangements.
- 2.3.2 All emergency exits doors are easily open able, without the use of a key, card, code or similar means.
- 2.3.3 Doors at such exits are regularly checked to ensure that they function satisfactorily and a record of the check kept.
- 2.3.4 Any removable security fastenings are removed whenever the premises are open to the public or occupied by staff.
- 2.3.5 All fire doors are maintained effectively self-closing and shall not be held open other than by approved devices (for example electromagnetic releases operated by smoke detectors) fire resisting doors to ducts, service shafts, and cupboards shall be kept locked shut.
- 2.4 Any capacity limits for licensed premises shall be observed.
- 2.5 Ensure that adequate and appropriate supply of first aid equipment and materials is available on the premises.
- 2.5.1 If necessary, at least one suitably trained first aider shall be on duty when the public are present; and if more than one suitably trained first aider that their respective duties are defined.

2.6 In the absence of adequate daylight, the lighting in any area accessible to the public, members or guests shall be in operation when they are present.

- (i) fire safety signs adequately illuminated
- (ii) emergency lighting is not altered
- (iii) emergency lighting batteries are fully charged before the admission of the public, members or guests; and in the event of the failure of normal lighting, where the emergency lighting battery has a capacity of one hour, arrangements are in place to ensure that the public, members or guests leave the premises within 20 minutes unless within the time normal lighting has been restored and the battery is being re-charged; and, if the emergency lighting battery has a capacity of three hours, the appropriate period by the end of which the public should have left the premises is one hour.

#### Prevention of Public Nuisance

- 2.7 Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- 2.8 The placing of refuse, such as bottles, into receptacles outside the premises takes place at times that shall minimise disturbance to nearby properties.
- 2.9 Noxious smells from licensed premises are not permitted so as to cause a nuisance to nearby properties and the premises are properly vented.
- 2.10 Flashing or particularly bright lights on or outside licensed premises do not cause a nuisance to nearby properties.

#### Protection of Children from Harm

- 2.11 A requirement for the production of proof of age cards before any sale of alcohol is made.

#### **Annex 3 - Conditions attached after a hearing by the licensing authority**

N/A

#### **Annex 4 - Plans**

This licence is issued in accordance with the plan 07- T556/020, as attached.



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Part B**

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**Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:**

Alcohol will be consumed on the premises

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Mr Peter John Bruton,

**Name of designated premises supervisor where the premises licence authorises the supply of alcohol:**

Mr Peter John Bruton

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

See condition 1.13

**Issued: 24 November 2005**

**Revised: 26 April 2016 [Transfer & Vary DPS]**

**Mrs Nananka Randle**  
**Licensing Manager**



