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Sent: 24 May 2021 16:24

To: Lesley Johnson <lesley.johnson@bcpcouncil.gov.uk>

Cc: Nick.Smith@Salterns.co.uk; Lucy.Etches@Salterns.co.uk; norman@junipertreecatering.com; norman_gomes@hotmail.com

Subject: Salterns Pop-Up Bar application (SA271/24)

Dear All

Introduction

I am the solicitor who submitted the licensing application for the “Pop-Up Bar” and I write in the hope that we can mediate regarding the objections that you and others have lodged and avoid the costs and time that having a hearing will entail.

To comply with data protection regulations, this email has been blind copied to:

Dr David and Mrs Zin Matthews;
Mr Peter Donnelly; and
Mr Patrick Mulligan.

I appear to be unable to send to Ms Judy Ciminds who has also made a representation as I am advised that her gogglemail.com email address is no longer valid – **perhaps it could be forwarded to a valid email address?**

It is also being sent to Mrs Lesley Johnson, the Licensing Officer dealing with the application and copied to those instructing me. I am also requesting that should this matter go to a hearing, this email and the fourth attachment (courtesy of Google Earth) be included in the agenda papers.

The mediation proposal

I attach a copy of the full application for your information as it contains a number of proposed conditions that address some of the concerns raised. I also attach a revised site layout plan showing the location and layout of the proposed bar (see further below) and a schematic diagram of the proposed bar.

The proposal is that the application be treated as amended so that the permitted hours are varied so that the sale of alcohol will be permitted:

From 8 a.m. until 10 p.m. on Sundays to Thursdays and from 8 a.m. until 11 p.m. on Fridays, Saturdays, days that are Bank Holidays and on Sundays immediately preceding a Bank Holiday Sunday.

That said, I propose below to try and address the concerns that you have raised between you and apologise if there is anything that I have not expressly addressed.

The site history

As you may be aware, the recently demolished hotel once served as a departure terminal for the Sunderland Flying Boats that operated here – it was indeed the original “AirPort”!

In recent times, the 20 bedroom hotel had a bar, restaurant and function rooms that had the capacity to accommodate some 400 seated persons. It was run by Mr Gomes for

some 20 years and his company is the applicant for the licence. The hotel hosted a variety of functions, including on average at least two weddings a week.

Whilst it is intended in time to build a new hotel, the concern in the meantime is to provide some sort of facility principally for the owners of boats and yachts docked in the marina and for local resident living in the near vicinity – a place where they can meet and socialise, enjoy a drink and some food.

Some questions answered and comments on issues raised

Why off sales?

The area to be licensed is shown on the plan. It is possible that some customers may want to take their drinks back to their boats hence the inclusion of “off-sales”. Please note that those using the marina are strongly advised not to consume their own food/drink other than on their boats or in their homes. Incidentally, the plan shows a “Brabus office” and “Brabus Boat”. As you may be aware, Brabus is a division of Sunseeker Yachts. They have asked to be allowed to position one of their boats within the site on a temporary basis and to have what would be a sales/information office. No alcohol would be sold from this structure.

Noise

The application does not include any form of “regulated entertainment” including live or recorded music.

Whereas the (now demolished hotel) catered for functions such as weddings, no such events will take place under the auspices of this licence. There is no reason to suppose that the issues referred to in some of the objections that clearly arose as a result of such functions will be repeated.

Please also refer to the Site Layout plan attached. As will become evident very soon, a “storage compound” with a 2.4 metre high hoarding around it will be created. The proposed “pop-up” will be situated behind this compound and some distance away from the closest flats.

Security

The entire Marina complex is covered by CCTV and the “Pop-Up” bar will have its own CCTV. There is also 24 hour security.

Juniper Catering

Mr Gomes (who is the “face” of Juniper Catering) will be running the premises. As mentioned above, he has over 20 years of experience on this site and is fully insured and compliant with all relevant regulations.

Parking

No additional parking will be provided. The intention is NOT to attract patrons who are not either users of the marina itself or (very) local residents. Parking will be limited to the existing provision.

Control of numbers

As mentioned above – the intention is to provide a facility only for boat owners and local residents. My clients do not expect tourists or people from outside the immediate area to make use of the facility. Pricing will be at a premium (£6 for a pint of beer for example). Realistically, the thousands of people who flocked to Bournemouth beaches last summer will not find their way to Salterns' Marina!

Drunken customers

Ultimately, this application is intended to provide a temporary facility to benefit those who berth at the marina, until such time as a new hotel is constructed. Although the applicant is Juniper Catering, the development is being funded by Salterns Marina Limited whose principal concern is (to put in bluntly) to look after their clients who pay substantial sums to berth there – indeed it is believed that Salterns is the most expensive and exclusive marina in the country. Any behaviour that is unacceptable will simply not be tolerated.

Food

The facility will have a pizza oven and whilst it will not be providing gourmet cooking, pizzas, fish and chips and burgers will be available.

Site Notices

The regulations specify not only the colour of paper but also the size of typeface and paper and the number of notices to be displayed. In fact, the number of notices far exceeded the minimum requirement and the requirement to also advertise the application in the Public Notices section of a local newspaper (the Echo) was complied with, as has been confirmed by Mrs Johnson.

Opening Hours – start time

The application seeks a start time of 8 a.m.

It is unlikely that many people would want to drink at that time of the morning. However, on occasions, boats/yachts berthed at the marina are chartered for “special occasions” and it is possible that those joining such a charter might want to meet and (for example) enjoy a glass of “bubbly” before setting off.

Opening hours – end time

Please refer to the proposed mediated outcome – we are prepared to reduce the requested hours.

Toilet provision

Please refer to the attached site plan. There will be three female and 2 male cubicles and a male urinal placed behind the cabin. In addition (and as you will no doubt be aware), slightly outside the site there are further facilities including a disabled lavatory (accessed by a “radar” key), showers and further male and gents lavatories.

Licence duration

The application is for a permanent licence and not a temporary or “time limited” licence. That said,, we have retained the licence for what was the hotel and in due course, an application will be made for the replacement building. Assuming that licence is granted, both the “old licence” for the hotel and this licence (if granted) will be surrendered.

“Making money”

The investment in this particular aspect is in the region of £100k. There is no expectation (or even hope) that the “Pop-Up” will itself produce a return on that investment. The entire purpose is to provide a facility for those berthing at the marina to replace that which has been lost by the demolition of the hotel – without it, there is a risk that they might chose to berth elsewhere. Equally, it is important that both owners of boats/yachts and local residents are not adversely affected in any way, not least because if issues arise, that prejudice any future licence application.

Conclusion

We do appreciate and understand your concerns – hence this email which I hope has addressed those matters.

You are more than welcome to contact Mr Nick Smith (07711620080) from Salterns Marina if you would like more information or to ring/email me

I am also happy to arrange a conference call (on Zoom) if there is anything else that you would like to discuss. In that case, please let me know when you might be available?

Ultimately, I would ask that you withdraw your representation but on the basis that if, once a licence is granted, you and all other local residents can at any time request that the Licensing Authority review the licence.

I look forward to hearing from you.

Regards

Philip
Philip Day | Partner
Please note my new direct dial number – **01202 377867**.

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