

LICENSING SUB COMMITTEE



Report subject	An application for a Premises Licence for the premises known as: The Kitchen, Poole Park, Poole BH15 2SF
Meeting date	Tuesday 23 rd July 2019
Report author	Kelly Ansell Director of Communities
Contributors	Frank Wenzel Licensing Manager
Wards	Poole Town
Status	Public Report
Classification	For Decision
Executive summary	An application has been received for the granting of a Premises Licence for the premises known as The Kitchen. Following receipt of representations this matter is brought before the Licensing Committee for determination.
Recommendations	It is recommended that: The Committee have notice of the representations made and determine whether or not the Premises Licence should be refused, granted or granted with prescribed terms or conditions.
Reason for recommendations	As required under the Licensing Act 2003

Background

1. The Licensing Act 2003 enables the Licensing Committee to consider the granting of licences where representations are received from responsible authorities or interested parties.
2. The Licensing Act 2003 gives the Licensing Committee the power to grant the application, refuse the application, or prescribe terms, conditions and restrictions to the premises licence. These conditions must relate to the four objectives of the Licensing Act 2003;

- prevention of crime and disorder
 - public safety
 - the prevention of public nuisance; and
 - the protection of children from harm
3. The Kitchen is situated in Poole Park. A location map is attached as Appendix A.
 4. The applicant already benefits from a Premises Licence for the ground floor and external areas, which is attached as Appendix B.
 5. A new application was received to licence the entire building, including the first floor. The application is attached as Appendix C.
 6. Consultation has been carried out in accordance with the Licensing Act 2003. The application has been advertised in the form of a premises notice and a newspaper advertisement and the relevant responsible authorities have been consulted with.
 7. 16 letters of representation have been received, 2 of which contain a number of signatures, from interested parties. The letters relate to the prevention of public nuisance. The representations are attached as Appendix D.
 8. No representations have been received from responsible authorities.

Summary of financial implications

9. None

Summary of legal implications

10. Following the outcome of the committee hearing, all parties to the application have the right to appeal to the magistrate's court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

Summary of human resources implications

11. None

Summary of environmental impact

12. Concerns that the noise from the premises will affect residential properties.

Summary of public health implications

13. None

Summary of equality implications

14. None

Summary of risk assessment

15. Not applicable

Background papers

Licensing Act 2003

Appendices

Appendix A - Location map

Appendix B - Existing Premises Licence

Appendix C - Application

Appendix D - Representations

Appendix A

Google Maps



Appendix B



Borough of Poole
PREMISES LICENCE SUMMARY ISSUED
 UNDER THE LICENSING ACT 2003

Premises licence Number:	BOP_M005192
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Premises Details

Postal Address of premises, or if none, ordnance survey map reference or description <p style="text-align: right;">Address</p> <p style="text-align: right;">Post town</p> <p style="text-align: right;">Post code</p> <p style="text-align: right;">Telephone number</p>	The Kitchen Poole Park POOLE BH15 2SF
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Where the Licence is time limited the dates	N/A
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Licensable activities authorised by the licence	Performance of Live Music, Playing of Recorded Music, Performance of Dance & Anything similar to the above description. Provision of Late Night Refreshment & Supply of Alcohol.
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The times the Licence authorises the carrying out of licensable activities

Licensable Activity		A	B	C	D	E	F	G	H	I	J
Mon	Start					10:00	10:00	10:00	10:00	23:00	10:00
	Finish					23:00	23:00	23:00	23:00	00:00	23:00
Tue	Start					10:00	10:00	10:00	10:00	23:00	10:00
	Finish					23:00	23:00	23:00	23:00	00:00	23:00
Wed	Start					10:00	10:00	10:00	10:00	23:00	10:00
	Finish					23:00	23:00	23:00	23:00	00:00	23:00
Thur	Start					10:00	10:00	10:00	10:00	23:00	10:00
	Finish					23:00	23:00	23:00	23:00	00:00	23:00
Fri	Start					10:00	10:00	10:00	10:00	23:00	10:00
	Finish					23:00	23:00	23:00	23:00	00:00	23:00
Sat	Start					10:00	10:00	10:00	10:00	23:00	10:00
	Finish					23:00	23:00	23:00	23:00	00:00	23:00
Sun	Start					10:00	10:00	10:00	10:00	23:00	10:00
	Finish					23:00	23:00	23:00	23:00	00:00	23:00

Non-standard timings:


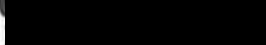

Activities E, F, G, H, I, J, are allowed from the start of the permitted hours on 31st December to the start of the permitted hours on 1st January, a continuous period, and the premises shall remain open.

Key to Licensable Activities:

- A. Performance of Play
- B. Exhibition of Film
- C. Indoor Sporting Events
- D. Boxing or Wrestling
- E. Performance of live music
- F. Playing of recorded music
- G. Performance of dance
- H. Anything similar to (e) (f) or (g)
- I. Late night refreshment – indoors & outdoors
- J. Supply of Alcohol – on & off the premises

The opening hours of the Premises	Day	Time of opening	Time of closing
	Monday	10:00	00:00
	Tuesday	10:00	00:00
	Wednesday	10:00	00:00
	Thursday	10:00	00:00
	Friday	10:00	00:00
	Saturday	10:00	00:00
	Sunday	10:00	00:00

Where the licence authorises supplies of alcohol whether these are on and/or off supplies	On and Off the Premises
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Name, (registered) address of holder of premises licence	Mr Nick Davis
Address	
Post town	
Post code	

Registered number of holder, for example company number, charity number (where applicable)	
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Name of Designated Premises Supervisor where the premises licence authorises for the supply of alcohol	Susan Mary Coughlan
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State whether access to the premises by children is restricted or prohibited	N/A
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This licence is granted subject to the statutory provisions and regulations.

Date Issued: 26th February 2007



F. Wenzel
Licensing Manager



Borough of Poole

PREMISES LICENCE ISSUED UNDER THE LICENSING ACT 2003

Premises licence Number:	BOP_M005192
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Part 1 – Premises Details	
Postal Address of premises, or if none, ordnance survey map reference or description Address Post town Post code Telephone number	The Kitchen Poole Park POOLE BH15 2SF

Where the Licence is time limited the dates	N/A
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Licensable activities authorised by the licence	Performance of Live Music, Playing of Recorded Music, Performance of Dance & Anything similar to the above description. Provision of Late Night Refreshment & Supply of Alcohol.
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The times the Licence authorises the carrying out of licensable activities

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	Finish					23:00	23:00	23:00	23:00	00:00	23:00
Wed	Start					10:00	10:00	10:00	10:00	23:00	10:00
	Finish					23:00	23:00	23:00	23:00	00:00	23:00
Thur	Start					10:00	10:00	10:00	10:00	23:00	10:00
	Finish					23:00	23:00	23:00	23:00	00:00	23:00
Fri	Start					10:00	10:00	10:00	10:00	23:00	10:00
	Finish					23:00	23:00	23:00	23:00	00:00	23:00
Sat	Start					10:00	10:00	10:00	10:00	23:00	10:00
	Finish					23:00	23:00	23:00	23:00	00:00	23:00
Sun	Start					10:00	10:00	10:00	10:00	23:00	10:00
	Finish					23:00	23:00	23:00	23:00	00:00	23:00

Non-standard timings:


Activities E, F, G, H, I, J, are allowed from the start of the permitted hours on 31st December to the start of the permitted hours on 1st January, a continuous period, and the premises shall remain open.

Key to Licensable Activities:


- A. Performance of Play
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- C. Indoor Sporting Events
- D. Boxing or Wrestling
- E. Performance of live music
- F. Playing of recorded music
- G. Performance of dance
- H. Anything similar to (e) (f) or (g)
- I. Late night refreshment – indoors & outdoors
- J. Supply of Alcohol – on & off the premises

The opening hours of the Premises	Day	Time of opening	Time of closing
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	Wednesday	10:00	00:00
	Thursday	10:00	00:00
	Friday	10:00	00:00
	Saturday	10:00	00:00
	Sunday	10:00	00:00

Where the licence authorises supplies of alcohol whether these are on and/or off supplies	On and Off the Premises
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Part 2	
Name, (registered) address, telephone number and email (where relevant) of holder of premises licence	Mr Nick Davis
Address	
Post town	
Post code	
Telephone number	
email	

Registered number of holder, for example company number, charity number (where applicable)	
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Name, address and telephone number of Designated Premises Supervisor where the premises licence authorises the supply of alcohol	Susan Mary Coughlan
Address	
Post town	
Post code	
Telephone number	

Personal licence number and issuing authority of personal licence held by Designated Premises Supervisor where the premises licence authorises for the supply of alcohol	20664 Bournemouth Borough Council
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This licence is granted subject to the statutory provisions and regulations.

Date Issued: 26th February 2007



F. Wenzel
Licensing Manager

Annex 1 – Mandatory conditions

1. Supply of alcohol:

- (1) No supply of alcohol may be made under the premises licence –
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

2.

- (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 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 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 a disability).
3. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

4. 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.

(1) 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.

(2) 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

5. 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: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(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.

6.

(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 rate 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) "valued 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.

Annex 2 – Conditions consistent with the operating Schedule

1. The Licence holder shall install a CCTV system to the reasonable standard acceptable to the Dorset Police Crime Prevention Officer.
2. The Licence holder shall retain recordings for 14 days, which will be delivered to the Police on request, subject to the Data Protection Act 1998.
3. Substantial refreshments and non-alcohol beverages will be made available until an hour before the terminal hour for the sale of alcohol.
4. Staff shall be told that they must ask for identification as proof of age from any persons wishing to obtain alcohol and whom they suspect to be under 18 years of age. Acceptable forms of identification as proof of age are limited to: approved PASS card, photo driving licence or passport.
5. Notices will be prominently displayed advising customers that failure to demonstrate proof of age will result in refusal to supply them with alcohol.
6. The maximum number of customers to be accommodated at the premises shall not exceed 200 at any given time. The Licence holder shall seek express permission from the Fire Officer before exceeding this number.
7. Arrangements will be made to ensure the capacity limit set for the Premises can be properly monitored. Information regarding the capacity is to be given to an authorised officer on request.
8. Notices will be prominently displayed at entrances to external areas advising customers that only plastic glasses made from non-shattering materials may be taken onto the grassed areas.
9. Persons leaving the premises will be advised to leave the premises and area quietly and without causing disturbance in the neighbourhood.
10. Children will be required to be supervised by a responsible adult whilst on the premises.

Annex 3 – Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 – Plans

See attached

Appendix C



Poole
Application for a premises licence
Licensing Act 2003

For help contact
environment@poole.gov.uk
Telephone: 01202 261700

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes

No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

South Coast Caterers Limited

* Family name

South Coast Caterers Limited

* E-mail

[Redacted]

Main telephone number

[Redacted]

Include country code.

Other telephone number

[Redacted]

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applying as an individual

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes

No

Note: completing the Applicant Business section is optional in this form.

Registration number

00386136

Business name

South Coast Caterers Limited

If the applicant's business is registered, use its registered name.

VAT number

-

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Manager

Home country

United Kingdom

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

8

Street

Poole Hill

District

City or town

Bournemouth

County or administrative area

Dorset

Postcode

BH2 5PS

Country

United Kingdom

Agent Details

* First name

Laceys Solicitors LLP

* Family name

Laceys Solicitors LLP

* E-mail

p.day@laceyssolicitors.co.uk

Main telephone number

[Redacted]

Include country code.

Other telephone number

[Redacted]

Indicate here if you would prefer not to be contacted by telephone

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

Agent Business

Is your business registered in the UK with Companies House?

Yes

No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

Laceys Solicitors LLP

If your business is registered, use its registered name.

VAT number

-

Put "none" if you are not registered for VAT.

Legal status

Limited Liability Partnership

Continued from previous page...

Your position in the business Partner

Home country United Kingdom

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name Laceys Solicitors LLP

Street 9 Poole Road

District

City or town Bournemouth

County or administrative area

Postcode BH2 5QR

Country United Kingdom

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name The Kitchen

Street Poole Park

District

City or town Poole

County or administrative area Dorset

Postcode BH15 2SF

Country United Kingdom

Further Details

Telephone number

Non-domestic rateable value of premises (£) 68,000

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth

* Nationality Documents that demonstrate entitlement to work in the UK

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /

dd mm yyyy

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

dd mm yyyy

Provide a general description of 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.

The premises is a licensed cafe/restaurant overlooking the lake at Poole Park. The ground floor (and external areas) have the benefit of a premises licence BOP_M005192. It is understood that this originally included the first floor of the building itself but at some point in the past, the first floor was removed from the ambit of the licence. The purpose of this application is to licence the entire building but on the same terms and conditions as the existing licence which will be surrendered before the licence, the subject of this application, comes into force.

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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.

Continued from previous page...

WEDNESDAY

Start 10:00

End 23:00

Start

End

THURSDAY

Start 10:00

End 23:00

Start

End

FRIDAY

Start 10:00

End 23:00

Start

End

SATURDAY

Start 10:00

End 23:00

Start

End

SUNDAY

Start 10:00

End 23:00

Start

End

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

As at present - there will be occasional performances in conjunction with events taking place at the premises.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

Continued from previous page...

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State 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.

As at present - there will be occasional performances in conjunction with events taking place at the premises.

Continued from previous page...

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

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.

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of dance take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

As at present - there will be occasional performances in conjunction with events taking place at the premises.

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start 10:00

End 23:00

Start

End

WEDNESDAY

Start 10:00

End 23:00

Start

End

THURSDAY

Start 10:00

End 23:00

Start

End

FRIDAY

Start 10:00

End 23:00

Start

End

SATURDAY

Start 10:00

End 23:00

Start

End

SUNDAY

Start 10:00

End 23:00

Start

End

Give a description of the type of entertainment that will be provided

As at present - there will be occasional performances in conjunction with events taking place at the premises.

Will this entertainment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

As at present - there will be occasional performances in conjunction with events taking place at the premises.

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Continued from previous page...

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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.

Continued from previous page...

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

Hot food and drink will be available at all times the premises are open

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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.

Continued from previous page...

WEDNESDAY

Start 10:00

End 23:00

Start

End

THURSDAY

Start 10:00

End 23:00

Start

End

FRIDAY

Start 10:00

End 23:00

Start

End

SATURDAY

Start 10:00

End 23:00

Start

End

SUNDAY

Start 10:00

End 23:00

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

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

Continued from previous page...

Name

First name

Family name

Date of birth

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

No adult entertainment etc will be provided at these premises.

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None.

Continued from previous page...

Section 18 of 21

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Note for information purposes only. the following conditions are the same as those on the existing licence that is to be surrendered, amended only to take into account the mandatory conditions.

This licence is to be of no effect unless and until Premises Licence number BOP_M005192 is surrendered

The mandatory licensing conditions will apply to the licence.

The licence holder shall install a CCTV system to the reasonable standard acceptable to the Dorset Police Crime Prevention Officer.

The licence holder shall retain recordings for 14 days which will be delivered to the Police on request subject to data protection legislation.

Substantial refreshments and non-alcoholic beverages have been made available until now for the terminal hour for the sale of alcohol.

Staff shall be told that they must ask for identification as proof of age from any persons wishing to obtain alcohol and whom they suspect to be under 18 years of age. Acceptable forms of identification as proof of age are limited to those specified in the mandatory conditions.

Notices will be prominently displayed advising customers that failure to demonstrate proof of age will result in refusal to supply them with alcohol.

b) The prevention of crime and disorder

Please refer to section (a) above.

c) Public safety

The maximum number of customers to be accommodated in the premises shall not exceed 200 at any given time. The licence holder shall seek express permission from the fire officer before exceeding this number. Arrangements will be made to ensure that capacity limits set for the premises can be properly monitored. Information regarding the capacity needs to be given an authorised officer on request.

d) The prevention of public nuisance

Notices will be prominently displayed at entrances to external areas advising customers that only plastic glasses made from non-shattering materials may be taken onto the grassed areas. Persons leaving the premises will be advised to leave the premises and area quietly and without causing disturbance in the neighbourhood.

e) The protection of children from harm

Children will be required to be supervised by a responsible adult whilst on the premises.

Continued from previous page...

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Refer to Borough of Poole web pages: <http://www.poole.gov.uk/business/licences-and-street-trading/licensing-act-2003/fees-for-licensing-act-2003/> Or search on: www.poole.gov.uk/business/licences

* Fee amount (£)

315.00

DECLARATION

- * I understand 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.
- * I understand that I must now advertise my application.
- * I understand that if I do not comply with the requirements my application will be rejected.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

Philip James Day for Lacey Solicitors LLP

* Capacity

Solicitor for the Applicant

* Date

29 / 05 / 2019
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/poole/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

Continued from previous page...

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

Consent of individual to being specified as premises supervisor

I SUSAN MARY COUGHLAN-DAVIS

of [REDACTED]

Hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for a Grant of a new Licence

By SOUTH COAST CATERERS LIMITED

relating to a premises licence

For The Kitchen, Poole Park, Poole

and any premises licence to be granted or varied in respect of this application made by

SOUTH COAST CATERERS LIMITED

concerning the supply of alcohol at The Kitchen, Poole Park, Poole

I also confirm that I am entitled to work in the United Kingdom and currently hold a personal licence, details of which I set out below.

Personal Licence number

BOP_M005193

Personal licence issuing authority

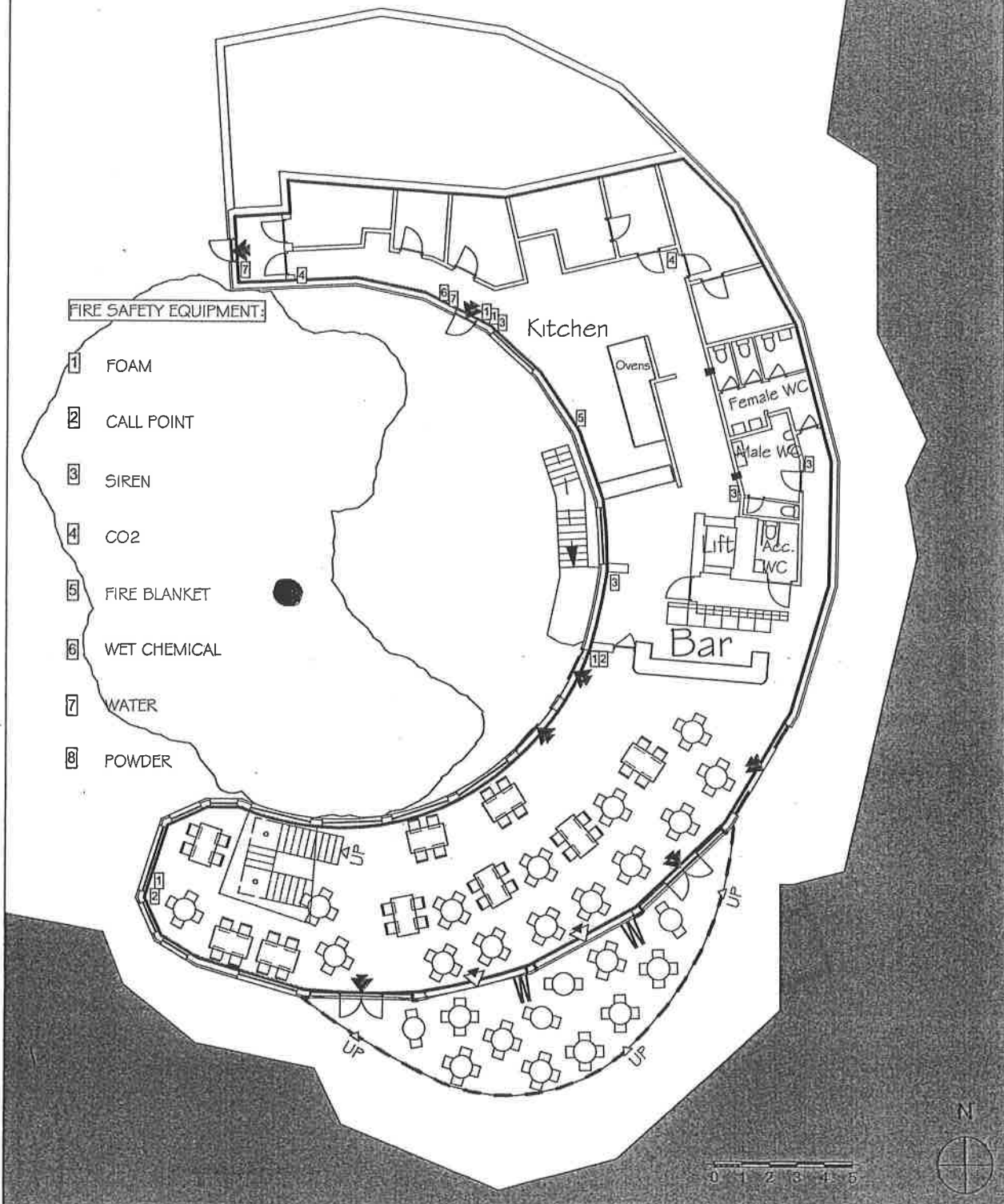
Borough of Poole

Signed [REDACTED]

Name (please print) [REDACTED]

Date 08/05/2019

▲ EXIT ▲ OCCASIONAL EXIT --- PREMISES BOUNDARY — BUILDING BOUNDARY



0. GF-Ground Floor
1:200

info@nabneyplans.co.uk 01202056399 	Premises Licence Plan		Drawing Number: L101
	Address: The Kitchen Poole Park Poole BH15 2SF		
	Client: South Coast Caterers Ltd		
	Date: 28/05/2019	Scale: 1:200 @A4	



EXIT



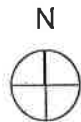
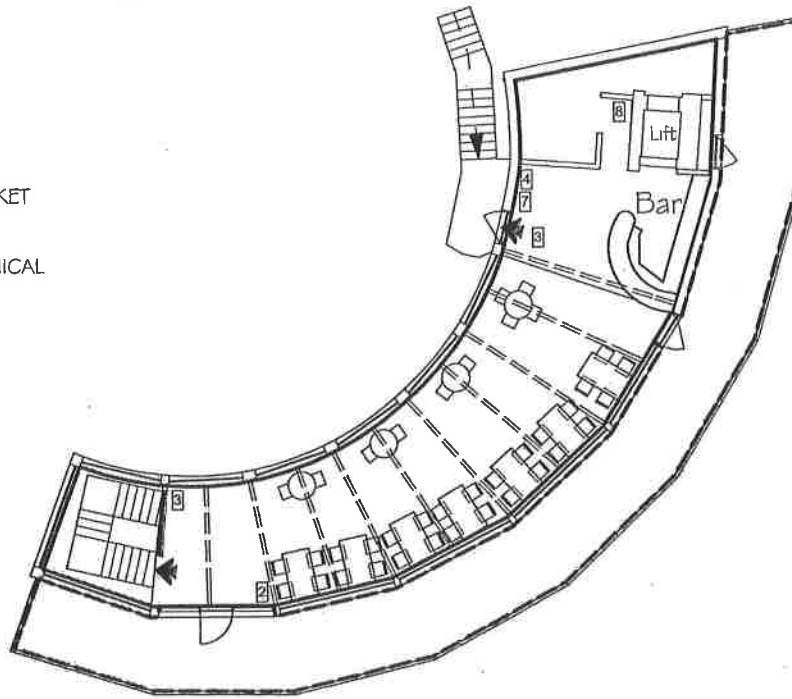
OCCASIONAL EXIT

PREMISES BOUNDARY

BUILDING BOUNDARY

FIRE SAFETY EQUIPMENT:

- 1 FOAM
- 2 CALL POINT
- 3 SIREN
- 4 CO2
- 5 FIRE BLANKET
- 6 WET CHEMICAL
- 7 WATER
- 8 POWDER



1. FF-First Floor

1:200

info@nabneyplans.co.uk
01202056399



Premises Licence Plan

Address: The Kitchen Poole Park Poole BH15 2SF

Client: South Coast Caterers Ltd

Date: 28/05/2019

Scale: 1:200 @A4

Drawing Number:
L102

Appendix D

ENVIRONMENTAL & CONSUMER
PROTECTION SERVICES

24 JUN 2019

RECEIVED

The Licencing Dept
BCP Council
c/o Unit 1, Newfields Business Park
Poole, BH17 0NF

23 June 2019

Dear Sirs

Re: Notice of Application for a Premises Licence for The Kitchen (both ground and first floor), Poole Park, Poole, BH15 2SF

I strongly object to the granting of such a licence on the following grounds:

a) It would encourage drinking in the park. There is already a problem for locals, and park workers, clearing up after alcoholics, and youths drinking and discarding empty cans and sitting about in groups in the rose garden and near the Bowling Green.

b) If, as implied, the company's licence already gives them leave to open for alcoholic drinks until 11 pm and food until midnight this has never, or hardly ever been implemented, and certainly not anywhere near each day as this application is suggesting. The venue is generally closed by six or seven pm, and sometimes much earlier. It would therefore be a huge increase in the type of usual daily use, for food, entertainment (presumably music), and alcohol to be sold until midnight every day!

c) The application is for the upper and ground floors to be used for alcohol and entertainment as well as food. The upper floor has an outside balcony and any musical entertainment heard on the balcony or even outside on the lower floor, would be heard all around, especially in the evening across the whole park and most particularly the flats along Parkstone Road if their windows were open in the spring or summer months.

It is well known by such residents, due to other events that have been held in the park in the past, that sounds in the park travel a long way in the still of the evening, being amplified by the otherwise stillness of the park and a rebound from the water in the lake.

d) The opening of a venue offering drinks, entertainment and food until 11pm every evening and not closing until 12 midnight, would bring a tremendous amount of extra vehicles into the park in the summer evenings, when families with children and fitness runners, as well as visitors to the area out for a quiet evening stroll, want to enjoy a peaceful environment.

e) This licence would open the way for a totally different type of venue in the middle of Poole Park which, I would point out, has just recently been awarded a very large heritage package on the basis of returning it to its original purpose of providing a place of quiet enjoyment for the recreation of its residents, and wildlife.

It is inconceivable, surely, that the Council would wish to totally change the atmosphere of a dearly loved peaceful park, with its vistas and wildlife and Victorian values, (all of which have featured so strongly in the heritage grant), by allowing what could become a noisy, chattering, music blaring, traffic congested area in its midst.

It sounds like a Pub in the Park, by the back-door to me.

Yours sincerely

Mrs B Hale

PS. I saw this application today for the first time, (only A4 size), stuck in the window of the above premises late this evening whilst walking my dog. I had to go onto the premises to read the small notice. I have not seen any other notice regarding this during my frequent walks in the park or been made aware of it in any other way. Surely notifications to nearby residents should have been distributed? It's late in the day for objections to be lodged if its only just been advertised in this insignificant way.

From: sally ross [REDACTED]
Sent: 24 June 2019 14:31
To: Richard Devereux; Environmental Services; sally ross
Subject: Licence Application, The Kitchen, Poole Park

I wish to register my objection to this application as public nuisance due to the following reasons:

1. Noise disturbance late at night adjacent to a residential area.
2. Additional traffic noise.
3. Increased bad driving in the park at night.
4. Increased potential for rowdy behaviour due to alcohol consumption.
5. Most pubs and similar establishments close at 11pm except on exceptional circumstances. There is therefore no reason why this should be allowed after 11pm at the Kitchen.
6. This has the potential to increase the bad rowdy behaviour that already takes place in the park late at night.

Regards
Sally Ross
Richard Devereux



Mr B.C. Kirby

ENVIRONMENTAL & CONSUMER
PROTECTION SERVICES

24 JUN 2019

RECEIVED

24 June 2019

Objection to license application on grounds of prevention
of public nuisance

I.a.w. the Licensing Act 2003. I object to the
current application for the Kitchen, Poole Park,
Poole BH15 2SF.

The Kitchen is in close proximity to ~~five~~ eight
residential homes for old people. Hardly any
of the some 300 residents have been made aware
of the application.

I wish to be present for any Council Hearing

Yours Faithfully
[Redacted Signature]

25 JUN 2019

RECEIVED

The Licencing Dept
BCP Council
c/o Unit 1, Newfields Business Park
Poole, BH17 0NF

23 June 2019

Dear Sirs

Re: Notice of Application for a Premises Licence for The Kitchen (both ground and first floor), Poole Park, Poole, BH15 2SF

I strongly object to the granting of such a licence on the following grounds:

a) It would encourage drinking in the park. There is already a problem for locals, and park workers, clearing up after alcoholics, and youths drinking and discarding empty cans and sitting about in groups in the rose garden and near the Bowling Green.

b) If, as implied, the company's licence already gives them leave to open for alcoholic drinks until 11 pm and food until midnight this has never, or hardly ever been implemented, and certainly not anywhere near each day as this application is suggesting. The venue is generally closed by six or seven pm, and sometimes much earlier. It would therefore be a huge increase in the type of usual daily use, for food, entertainment (presumably music), and alcohol to be sold until midnight every day!

c) The application is for the upper and ground floors to be used for alcohol and entertainment as well as food. The upper floor has an outside balcony and any musical entertainment heard on the balcony or even outside on the lower floor, would be heard all around, especially in the evening across the whole park and most particularly the flats along Parkstone Road if their windows were open in the spring or summer months.

It is well known by such residents, due to other events that have been held in the park in the past, that sounds in the park travel a long way in the still of the evening, being amplified by the otherwise stillness of the park and a rebound from the water in the lake.

d) The opening of a venue offering drinks, entertainment and food until 11pm every evening and not closing until 12 midnight, would bring a tremendous amount of extra vehicles into the park in the summer evenings, when families with children and fitness runners, as well as visitors to the area out for a quiet evening stroll, want to enjoy a peaceful environment.

e) This licence would open the way for a totally different type of venue in the middle of Poole Park which, I would point out, has just recently been awarded a very large heritage package on the basis of returning it to its original purpose of providing a place of quiet enjoyment for the recreation of its residents, and wildlife.

It is inconceivable, surely, that the Council would wish to totally change the atmosphere of a dearly loved peaceful park, with its vistas and wildlife and Victorian values, (all of which have featured so strongly in the heritage grant), by allowing what could become a noisy, chattering, music blaring, traffic congested area in its midst.



ENVIRONMENTAL & CONSUMER
PROTECTION SERVICES

25 JUN 2019

RECEIVED

The Licencing Dept
BCP Council
c/o Unit 1, Newfields Business Park
Poole, BH17 0NF

HORIZONS APARTMENTS

23 June 2019

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WE THE UNDERSIGNED OBJECT TO THIS LICENCE BEING GRANTED
AS STATED ABOVE :-

ENVIRONMENTAL & CONSUMER
PROTECTION SERVICES

25 JUN 2019

RECEIVED

The Licencing Dept
BCP Council
c/o Unit 1, Newfields Business Park
Poole, BH17 0NF

23 June 2019

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We the undersigned object to this licence being granted as stated above: ←



25th June, 2019.

Re: Licence Application

We wish to register our objection to the granting of a Licence to "The Kitchen", Poole Park, Poole. BH15 2SF for the Provision of live music, recorded music, performances of dance, entertainment of a similar description, Sale of Alcohol.

The criteria of the Licencing Act 2003 sets our four core condition requirements as far as we are aware, namely:-

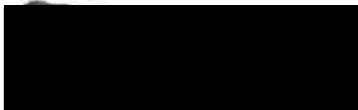
1. The Prevention of crime and disorder. Recent local reports of behaviour in public places (Bus Station, Hospital A & E) suggest the café staying open longer will encourage more alcohol drinking in the park if such a licence is granted;
2. Public Safety. The present provision of licenced premises in Poole is surely adequate without adding further demands on the Police/Hospital authorities.
3. The Protection of Children from harm. The park is essentially, in our opinion, for families without being upset by those who may have consumed too much alcohol.
4. The prevention of public nuisance. Adjoining the park are blocks of flats housing elderly persons who would find all day/evening music most disturbing, particularly in the summer.

We would submit that the requirements of the Licencing Act 2003 would not be met by the granting of the licence being applied for and await the date of the Hearing.

C. O. S. EALES

and

E. J. EALES



The Kitchen, Poole Park

24 June 2019

In the event of the licence be granted then

(9) Will the police provide the additional late evening/night time resources to monitor and control the results of expected heavy drinking and unruly/unruly behaviour in what is currently a relatively quiet residential part of town?

(10) Will the council tax for properties in the affected area be reduced due to noise pollution and the result of late night activity.

The upshot result in the reduced desirability of properties in the affected area will inevitably drop the resale value of properties in the Parkstone Rd?

Hence a reduction in council tax will be expected/demanded by residents of affected properties should the licence be granted.

Ive and Bang Lance

ENVIRONMENTAL & CONSUMER
PROTECTION SERVICES

25 JUN 2019

RECEIVED



24 June 2019



BCP Services Poole
Environment Services
Unit 1
Newfield Business Park
2 Stanford Road
Poole
BH17 DNF

Dear Sirs

Application for a Licence - The Kitchen

I refer to the above application and wish to register my objection on the following grounds:

The provision of music, performance of dance, entertainment and sale of alcohol from 10 am to 11 pm with refreshments until 12.0 am would create a serious disturbance to neighbouring properties. The Kitchen is approximately 150 paces from our retirement establishment for the over 70's and a similar distance from the Nurses' Home adjacent to Poole Hospital. When festivities occur in the park near the location of The Kitchen, the music is very invasive but we find this acceptable as it is only occasional. If The Kitchen were to be granted a licence as described in its application, the continuous noise would be intolerable.

To provide this level of noisy activity, combined with the sale of alcohol would change the nature of the restaurant into that of a public house. Poole Park is a beautiful nature reserve and was donated to the people of Poole i.e. families and their children, for their quiet enjoyment. An establishment with activities such as that proposed by The Kitchen would destroy the character of the park and possibly create a risky environment for the public in general.

Car parking in Poole Park is already much in demand and the through traffic fairly disruptive for walkers and wild-life alike. An increase in the volume of traffic would be seriously detrimental to both.

Whilst one understands the contractor's desire to generate income for The Kitchen, it should not be at the expense of the general public. If quality food and quality service were provided, sadly not the case at present, the business would be more profitable.

Yours faithfully



Judith M Vegh

ENVIRONMENTAL & CONSUMER
PROTECTION SERVICES

25 JUN 2019

RECEIVED

Paula and Geoff Collier

email: [REDACTED]

Environmental services,
Unit 1, Newfields business park,
2 Stinford Rd,
Poole. BH17 ONF.

24th June 2019.

Dear Sir,

Application from The Kitchen for Music etc 11am to 12pm
each day Mon to Sunday in Poole Park.

I note that this application is for a complete change in the use of this heritage funded park and we therefore object to it in the strongest terms.

This block of flats from which I write is built for retired older people who have to be over 70 yrs to live here. Giving permission for music every night until 11pm is therefore quite alien to this area, since any music relayed in the park can easily be heard from inside the flats and on the balconies in this block.

When planning permission was given for this development, I am sure that music until 11pm every night was not envisaged, and we cannot accept this proposal which would be a real nuisance for all the residents here.

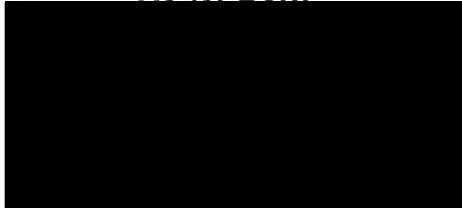
I trust you will be able to reject this application.

Yours faithfully,

[REDACTED]
Geoff Collier.

[REDACTED]
Paula Collier.

Roger Born



Wednesday, 26 June 2019

BCP Council
Environmental Services
Unit 1
Newfields Business Park
2 Stinsford Road
Poole
BH17 0NF

Dear Sir/Madam

The Kitchen, Poole Park, Poole BH15 2SF

Licence application for the Provision of live music, recorded music, performances of dance, entertainment of a similar description, sale of alcohol

This letter is a representation regarding the above application which I viewed at your offices on 25th June 2019.

I am The Kitchen's nearest neighbour, living between, say, 200 and 300 metres away.

The Human Rights Act 1998, Part II, The First Protocol, Article 1, which is partially quoted in your Licencing Policy, states

“Protection of property

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.”

I am writing this letter from the perspective of my own “peaceful enjoyment” of my property.

I fully understand that the Local Authority has to balance the “peaceful enjoyment” needs of different parties when making decisions.

I, also, understand that I may make representation under the following headings

- the prevention of crime and disorder
- public safety
- the protection of children from harm
- the prevention of public nuisance

I have no representations to make regarding the first three headings. Having lived near to The Kitchen for five years, I have never had any concerns regarding these three headings.

I am, therefore, only making a representation regarding “the prevention of public nuisance”. Your Licencing Policy encourages applicants to consider eleven points. I am concerned with the first two, which are,

1. The steps required to prevent noise and vibration escaping from the premises including music, ventilation equipment and human voices, such as limiting volume of amplification, whether by electronic means or otherwise.
2. To prevent noise or vibration escaping from the premises by installation of soundproofing and/or air conditioning.

In the application, no comment is made at all, in the appropriate box, regarding these points.

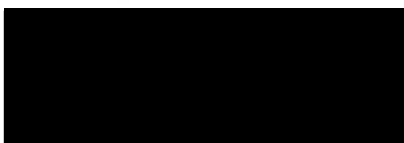
Under the previous ownership, when called Sevens Boatshed, loud music was heard at times which was both late and intrusive. This has not happened under the present ownership. However, they are only open during the day and not during the evening, as far as I am aware. I do not know whether the present owner of the premises has taken steps to address any noise issues under the two points referred to above. Also, The Kitchen has outdoor areas which would make points 1 and 2 difficult to apply but could lead to intrusive loud music if outdoor areas are to be used for this. What thought has been given to this possibility?

The most popular time for people to go to bed in this country is between 10 and 11 pm (www.sleepcouncil.org.uk). This is the time that my wife and I go to bed and we really don't want loud, intrusive music stopping us from getting to sleep. If this is not going to be a problem, by following point 1 and 2 above or by an alteration to timings, or by other means then I would not have a problem.

I am sorry to have taken so long to get to this point but I felt that I needed to address current law and local policies to make the point.

To summarise, I would have no objections at all if the certainty existed for me to be able go to sleep at a not unreasonable time of my choice for my “peaceful enjoyment” of my property.

Yours faithfully

A solid black rectangular box redacting the signature of Roger Born.

Roger Born

Cassie Schofield

Subject: FW: The Kitchen, Poole Park Licence Application

From: Susan Gittins [REDACTED]
Sent: 25 June 2019 12:01
To: Lesley Johnson
Subject: The Kitchen, Poole Park Licence Application

Dear Ms Johnson

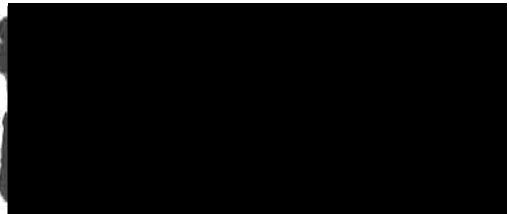
I am writing as an interested party, living in the vicinity of the Kitchen, Poole Park to make representations which I hope you will take into account in your licence deliberations. My understanding is that the owners wish to stay open until midnight on every single day and offer live music/entertainment until 11pm on every single day on both the ground and upper floors of this restaurant. This seems to me to be more a proposal for a night club than for a restaurant and gives rise to concerns over potential public nuisance (acts which interfere with the lives and comfort of others) and disorder (disturbance of the peace fuelled by alcohol). These are both issues which occur occasionally in the Park, as all nearby residents know, but the likelihood is that there will be an increase.

I think it would be reasonable for the licence to be amended as follows:

- live music/entertainment only on Friday, Saturday and Sunday
- closure at 10pm or 10.30pm, Mon-Thurs
- no consumption of alcohol in the outdoor area (patio overlooking the lake, garden to the rear and upstairs balconies) after 9pm on any day

I believe the above is more in line with other restaurants in Poole and will minimise resident complaints down the line. Surely prevention at this stage is better than trying to cure the issue later.

Regards
Susan and Bryn Gittins



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***** This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom

From: Margaret Grundy [REDACTED]
Sent: 25 June 2019 10:17
To: Lesley Johnson
Subject: Licence application

Dear M/s Johnson,

I only learned this morning regarding the Licence application for The Kitchen in Poole park.

I live in the Spinnakers in Mount Pleasant Road which overlooks the park. There are many activities in the park at week ends which is good and I understand that they must finish at 10pm. It is quite right that the park should benefit all. However to have live music, recorded music, performances of dance, entertainment of a similar nature PLUS the sale of alcohol every day from 10am - 11pm would be completely unreasonable. There would also be the added noise of cars leaving the event at midnight. I strongly oppose this application as the noise to local residents would be intolerable.

Yours sincerely,
Margaret Grundy (Dr)

[REDACTED]

Cassie Schofield

Subject: FW: The Kitchen, Poole Park Licence Application

From: David Spinnakers [REDACTED]
Sent: 25 June 2019 17:13
To: Lesley Johnson
Cc: 'amanda brown'; 'Bryn'
Subject: The Kitchen, Poole Park Licence Application

Dear Ms Johnson.

We were very concerned to learn of the above application for effectively a change of use from a restaurant / café, causing no problems, to a noisy and inappropriate use, spoiling the peace of Poole Park.

We like many people overlook the Park and the Kitchen and would be badly affected by the noise should this go through. Most of the premises surrounding the Park are occupied by retired people, who have chosen to live close to our lovely and peaceful Park, as it has been for many years now, this application would destroy this essential, Peace from 10am to 11 pm every day and evening.

IT is disappointing that we only learned of this from a third party today, and we wonder how many of other resident surrounding Poole Park are not aware of this application, and what effecting this will have on the outcome of this application.

We trust you reject this application.

Yours sincerely

[REDACTED]

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Cassie Schofield

Subject: FW: The Kitchen, Poole Park Licence Application

-----Original Message-----

From: [REDACTED]
Sent: 25 June 2019 18:11
To: Lesley Johnson
Subject: Re: The Kitchen, Poole Park Licence Application

Dear Ms. Johnson,

I am a resident of [REDACTED] overlooking Poole Park.

I am aware of the email my neighbour from [REDACTED] sent to you regarding the above application & wish to confirm that I am in total agreement with both the comments & suggestions raised.

Will you therefore please take my comments into account and add this mail to other representations received regarding this application.

Regards

Elena Ballesteros

[REDACTED]

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Cassie Schofield

Subject: FW: Proposed license at the Kitchen in Poole Park

-----Original Message-----

From: Peter Aspden [REDACTED]
Sent: 25 June 2019 19:21
To: Lesley Johnson
Subject: Proposed license at the Kitchen in Poole Park

Dear Ms Johnson

We have seen the e mail written to you by Susan Gittins and we are in complete agreement with the content. The noise level is a key issue as the road through the park has restricted hours for the benefit of residents. Noise has always been an issue for the residents Yours Peter and Sue Aspden

[REDACTED]

Sent from my iPhone

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