

APPENDIX 5

Dear Councillors

I represent Cerise, the applicant for a new licence at the above address. Cerise already owns a licensed premises, Camerons in Christchurch, and is thus not only a very experienced licensee but is used to running a late night venue in a mixed development area.

You are unlikely to be aware but my client has agreed conditions with the Police and Environmental Health, as a result of which, neither has raised concerns about the grant of the licence. Indeed no other responsible authority has made a representation against the application and neither has any local resident. One resident did write in but refused to provide their information and subsequently withdraw that representation. I set out below the conditions agreed so that you have a clear understanding of how heavily the regulated the licence will be to ensure those concerns you have set out in your representation are met.

TRAINING

All staff working at the premises concerned with the sale of alcohol shall be trained on the law relating to prohibited sales, the age verification policy adopted by the premises and the conditions attaching to the premises licence. The training provided by the Trading Standards Team of the Licensing Authority shall be used, unless otherwise agreed by Dorset Police. Refresher training shall be provided at least once every 6 months. A record shall be maintained of all staff training and that record shall be signed by the person receiving the training and the trainer. The records shall be kept for a minimum of 12 months and made available for inspection by police, licensing or other authorised officers.

RECORDING

An incident log shall be kept at the premises. The log shall include the date and time of the incident and the name of the member of staff who has been involved. and made available on request to an authorised officer of the Council or the Police, which shall record the following:

- (a) any complaints received
- (b) any incidents of disorder
- (c) any faults in the CCTV system/or searching equipment / or scanning equipment
- (d) any refusal of the sale of alcohol
- (e) any visit by a relevant authority or emergency service
- (f) all crimes reported to the venue
- (g) all ejections of patrons
- (h) all seizures of drugs or offensive weapons

This log to be checked on a weekly basis by the DPS of the premises.

AGE VERIFICATION

Challenge 25, shall be operated at the premises where the only acceptable forms of identification are (recognised photographic identification cards, such as a driving licence or passport / Holographically marked PASS scheme identification cards). Appropriate signage advising customers of the policy shall prominently displayed in the premises.

CCTV

A CCTV system, shall be installed to cover all entry and exit points enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record and cover areas where alcohol is kept for selection and purchase by the public, whilst the premises is open for licensable activities. It shall operate during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with correct date and time stamping. Recordings shall be made available immediately upon the request of Police or an authorised officer

of the council throughout the preceding 31 day period. The CCTV system shall be updated and maintained according to police recommendations.

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

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

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

TOWNWATCH / PUBWATCH

The premises shall maintain membership of the Townwatch scheme (or any successor scheme) unless the premises is banned for any reason from such membership; a senior member of staff shall attend all Townwatch meetings unless an emergency arises preventing such attendance and the premises will support Townwatch initiatives.

SIA

On Fridays, Saturdays, Sundays falling on Bank Holiday weekends, Christmas Eve and New Year's Eve, there shall be a minimum of 2 SIA door supervisors employed from 2230 hours until the premises close or the last customer has been dispersed from the immediate area, whichever is earlier. Whenever the capacity exceeds 150 customers on the aforementioned days additional SIA door supervisors shall be employed at a ratio of 1:75 customers.

If it is intended to show any major sporting event on a television within the premises (other than Snooker or Pool tournaments, golf, motor racing events, athletics competitions or tennis or cricket matches), or to hold any function, private hire, special event or live music, the Premises will conduct a written risk assessment to determine whether it is appropriate to deploy additional door supervisors for a period of time before the event is scheduled to start, during the event and for a period of time after the event is scheduled to end and will deploy door supervisors in accordance with the outcome of the risk assessment.

Such risk assessments will also be conducted at the request of the police in respect of any other event scheduled to take place at the premises.

Copies of all risk assessments shall be retained on the premises for a minimum period of 6 months and shall be made available for inspection by police and other authorised officers on request.

TOILET CHECKS

Toilet checks to be conducted at least every 30 minutes after 23:00 hrs

DISPERSAL POLICY / WELFARE PROCEDURE

There shall be written dispersal and welfare policies which shall be made available to the Police or the Local Authority upon request.

DRUGS POLICY

There shall be a written drugs policy detailing the actions to be undertaken to minimize the opportunity to use or supply illegal substances with the premises. Training of staff in relation to this policy shall be recorded and available for inspection by an authorised officer at all reasonable times. Records shall be retained for at least 12 months. A drug safe shall be available on the premises to deposit any illegal

substances found. The policy shall include agreed procedures for handling and the retention of any article seized.

Public Nuisance

- Waste disposal and recycling bins shall be located in areas that cannot be accessed by the public.
- The emptying of any refuse including bottle bins shall not take place between 23:00 hours and 07:00 hours.
- The premises licence holder shall ensure that the level of amplification of any music provided by way of regulated entertainment is such as not to cause a public nuisance to the occupiers of residential properties.
- A notice shall be prominently displayed at the main exit from the premises requesting that customers leave quietly.
- Whenever door supervisors are deployed at the premises, they shall be instructed to encourage customers to leave quietly and to quickly disperse away from the area.
- There shall be no regulated entertainment outside the premises.
- A lobbied entrance (that is two sets of doors that are set so that one is closed when the other one is open) shall be installed at the premises.
- After 22:00 Patrons will only be permitted to use the outside area for temporary purposes e.g. to smoke.
- A noise limiter shall be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

As you are no doubt well aware the Licensing sub-committee are obliged by the guidance issued by the Secretary of State under s182 of the Act to look to the police as their principle source of advice on crime and disorder and likewise to the Environmental Health Officer regarding public nuisance. Significant weight must therefore be given to the above conditions and their views.

My client is intending for the premises to operate as Thai Tapas Restaurant. They are not intending it to operate as a "club" unlike one or two other premises in Charminster Road. I would also like to point out that the premises immediately opposite this premises is licensed to sell alcohol until 2am and is not regulated by such conditions. There are a number of other premises nearby which open into the early hours of the morning. I am sure you are aware that the Licensing Act provides the protection against poorly run premises which adversely impact on the local community by way of a review application, which can be before a licensing sub-committee within 6 weeks of it being issued. This safeguard was one of the fundamental principles underpinning the Act allowing Local Authorities to apply a "soft touch" to license applications and promote local businesses given the importance they have to the local economy, particularly in providing local employment.

With a noise limiter and lobbied entrance there can be no possibility of noise nuisance from music. It is not intended in any event to have DJ's or bands, just music to provide an atmosphere played on the premises own internal system. The outside area will not be used after 10pm and thus avoid the possibility of "people" noise disrobing local residents and the good management of the dispersal of customers will ensure there is no disruption at closing time. There is no credible evidence which would

suggest this premises, nor it's management by my client, is going to have an adverse impact on any one of the four licensing objectives; on the contrary all the evidence supports the grant of this application.

In light of all the above comments and given yours are the only 2 representations against this licence I would ask you to reconsider your position and withdraw your representation so that a hearing before the sub-Committee can be avoided. I would ask you to reply to both myself and Sarah so that we are both clear on your position. Naturally if there were any questions arising from my email I would only be too happy to answer them for you. I look forward to hearing from you.

Kind Regards,

Jon

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