Licensing Team Town Hall Annex St Stephen's Road Bournemouth BH2 6EA



Bournemouth Christchurch and Poole Council Seafront Office Undercliff Drive Bournemouth BH2 5AA Date: 2 March 2022 Our Ref: LEAPv8: Misc. Act.: 083711: KAP04200 Contact: Mrs Karen Pitts Email: karen.pitts@bcpcouncil.gov.uk Tel: 01202 123789

Sent via email to: nick.maguire@bcpcouncil.gov.uk

Dear Mr Maguire

#### LICENSING ACT 2003 – PREMISES LICENCE & SUMMARY Bistro on the Beach Bistro on the Beach Solent Promenade Southbourne BH6 4BE

Further to your recent application to transfer the premises licence and vary the designated premises supervisor for the above premises licence, please find enclosed the updated premises licence & summary.

You are reminded that the licence summary, or a certified copy, must be prominently displayed at the premises.

Please note that if there are any changes to the layout of the premises or style of operation/business then it may be necessary to make an application to vary the licence.

If you have any queries, please do not hesitate to contact me as detailed above.

## **Data Matching**

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, see <u>www.bournemouth.gov.uk/nfi</u>

Yours faithfully

## Mrs Karen Pitts

**Regulation Technical Support Officer** 

Cc: Dorset Police

Any personal information you provide us with, will be held and used in accordance with the law and the Data Protection Act 2018. If you would like to find out more information about how we use your information, please see our Privacy Notice here: bcpcouncil.gov.uk/privacy



# Premises Licence Part A

Premises licence number: BH083711

Bistro on the Beach Bistro on the Beach Solent Promenade

Post town: SouthbournePost Code: BH6 4BE

Telephone number: 01202 431473

Licensable activities authorised by the licence:
Live Music
Recorded Music
Performances of Dance

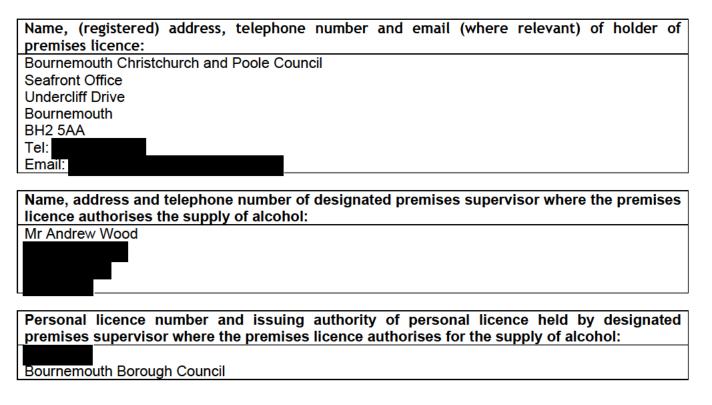
Performances of Dance Activity like Music / Dance Late Night Refreshment Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:		
Live Music		
Monday - 15:00 to 00:00		
Tuesday - 15:00 to 00:00		
Wednesday - 15:00 to 00:00		
Thursday - 15:00 to 00:00		
Friday - 15:00 to 00:00		
Saturday - 15:00 to 00:00		
Sunday - 15:00 to 23:30		
Performance of live music will take place indoors.		
Non-standard timings for the performance of live music.		
New Year's Eve - From start of permitted hours 31st December to end permitted hours 1st January		
Recorded Music		
Monday - 15:00 to 00:00		
Tuesday - 15:00 to 00:00		
Wednesday - 15:00 to 00:00		
Thursday - 15:00 to 00:00		
Friday - 15:00 to 00:00		
Saturday - 15:00 to 00:00		
Sunday - 15:00 to 23:30		
Playing of recorded music will take place indoors.		
Non-standard timings for the playing of recorded music.		
New Year's Eve - From start of permitted hours 31st December to end permitted hours 1st January		
Performances of Dance		
Monday - 15:00 to 00:00		
Tuesday - 15:00 to 00:00		
Wednesday - 15:00 to 00:00		
Thursday - 15:00 to 00:00		
Friday - 15:00 to 00:00		
Saturday - 15:00 to 00:00		
Sunday - 15:00 to 23:30		
Performance of dance will take place indoors.		
Non-standard timings for the performance of dance.		
New Year's Eve - From start of permitted hours 31st December to end permitted hours 1st January		

Activity like Music / Dance Monday - 15:00 to 00:00 Tuesday - 15:00 to 00:00 Wednesday - 15:00 to 00:00 Thursday - 15:00 to 00:00 Friday - 15:00 to 00:00 Saturday - 15:00 to 00:00 Sunday - 15:00 to 23:30 Entertainment will take place indoors Non-standard timings for entertainment New Year's Eve - From start of permitted hours 31st December to end permitted hours 1st January Late Night Refreshment Monday - 23:00 to 00:30 Tuesday - 23:00 to 00:30 Wednesday - 23:00 to 00:30 Thursday - 23:00 to 00:30 Friday - 23:00 to 00:30 Saturday - 23:00 to 00:30 Sunday - 23:00 to 00:00 Provision of late night refreshments will take place indoors. Non-standard timings for provision of late night refreshments. Good Friday - 23:00 to 00:00, Christmas Day - 23:00 to 00:00, New Year's Eve - From start of permitted hours 31st December to end permitted hours 1st January Supply of Alcohol Monday - 10:00 to 00:00 Tuesday - 10:00 to 00:00 Wednesday - 10:00 to 00:00 Thursday - 10:00 to 00:00 Friday - 10:00 to 00:00 Saturday - 10:00 to 00:00 Sunday - 12:00 to 23:30 Non-standard timings for the supply of alcohol. Good Friday - 12:00 to 23:30, Christmas Day - 12:00 to 15:00 & 19:00 to 23:30, New Year's Eve -From start of permitted hours 31st December to end permitted hours 1st January

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies: Alcohol will be consumed on and off the premises

## Part 2



## Annex 1 – Mandatory conditions

## Mandatory Conditions (Sections 19,20,21 LA 2003)

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

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

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

## 1.5.

- 1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- 2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

- 3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either
- (a) a holographic mark, or
- (b) an ultraviolet feature.
- 1.6. The responsible person must ensure that -
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
  - (i) beer or cider:  $\frac{1}{2}$  pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

1.7.

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

$$\mathsf{P} = \mathsf{D} + (\mathsf{D} \times \mathsf{V})$$

Where –

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or

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

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

## Annex 2 – Conditions consistent with the operating schedule

#### General

2.1. Management shall ensure staff observe areas where alcohol is consumed.

The Prevention of Crime and Disorder

2.2. 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 are 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 31days with correct date and time stamping.

2.2.1 Cameras for the system shall be positioned in at least the locations identified on the approved plan.

2.2.2 A staff member from the premises who is conversant with the operation of the CCTV system shall always be on the premises when the premises are open to the public. Subject to the tests provided for in the Data Protection Act being met, 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.

2.2.3 Subject to the tests provided for in the Data Protection Act being met, 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.

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

2.3. 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
- 2.3.1 This log to be checked on a weekly basis by the licence holder or a responsible person that is nominated in writing.

#### Public Safety

- 2.4. Only Plastic/Polycarbonate glass wear shall only be used in the outside area.
- 2.5. Staff shall be employed to maintain cleanliness of the outside area

#### Prevention of Public Nuisance

- 2.6. Noise from amplified music and associated sources either generated within the premises or the external licensed area shall not be audible in noise sensitive premises at any time.
- 2.7. The premises license holder will take all reasonable steps to ensure that patrons using any outside areas do so in a quiet and orderly fashion
- 2.8. Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of residents and to leave the premises and the area quietly.
- 2.9. The placing of refuse, such as bottles, into receptacles outside the premises take place at times that will minimise disturbance to nearby properties.
- 2.10. Noxious smells from licensed premises are not permitted so as to cause a nuisance to nearby properties and the premises are properly vented.
- 2.11. Flashing or particularly bright lights on or outside licensed premises do not cause a nuisance to nearby properties.

#### Protection of Children from Harm

2.12. All staff involved in the sale of alcohol shall receive training on the law relating to prohibited sales, the age verification policy adopted by the premises and the conditions attaching to the premises licence.

2.12.1 Refresher training shall be provided at least once every 6 months.

2.12.2 A record shall be maintained of all staff training and that records shall be signed by the person receiving the training and the trainer.

2.12.3 The records shall be kept for a minimum of 12 months and made available for inspection by Police, Licensing or other authorised officers.

- 2.13. A Challenge 25 scheme shall be adopted in compliance with the age verification condition. Customers who appear to be under 25 years of age shall be required to prove their age when purchasing alcohol.
  - 2.13.1 Suitable forms of identification shall be a Passport, holographic PASS scheme card or other identification recognised by the Licensing Authority in its Statement if Licensing Policy.
- 2.14. Challenge 25 posters shall be displayed at the premises.

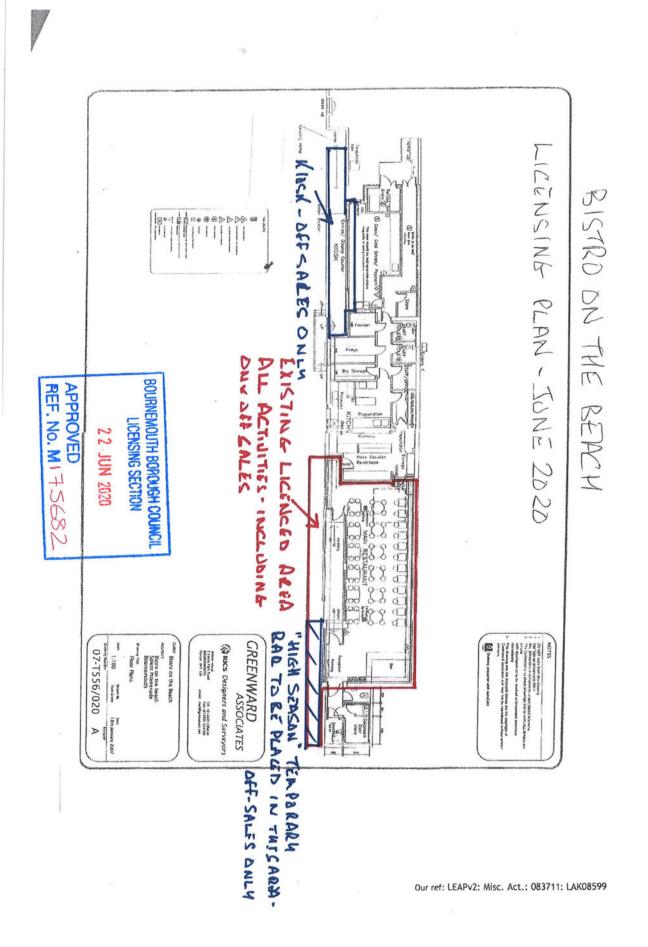
## Annex 3 – Conditions attached after a hearing by the licensing authority

#### Concernt Order June 2020.

3.1. Sales of alcohol for consumption off the premises shall only be permitted between 10:00 hours and 19:00 hours on Mondays to Saturdays inclusive, between 12:00 hours and 19:00 hours on Sundays and on Good Friday and from 12:00 hours and 15:00 hours on Christmas Day.

#### Annex 4 – Plans

This licence is issued in accordance with the plan M175682, dated 22nd June 2020, as attached.





## Premises Licence Part B

Premises licence number: BH083711

Postal address of premises, or if none, ordnance survey map reference or description:	
Bistro on the Beach Bistro on the Beach Solent Promenade	
Post town: Southbourne	Post Code: BH6 4BE
Telephone number: 01202 431473	

#### Licensable activities authorised by the licence:

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

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

Live Music: (Indoors) Monday - Saturday - 15:00 to 00:00, Sunday - 15:00 to 23:30 Recorded Music: (Indoors) Monday - Saturday - 15:00 to 00:00, Sunday - 15:00 to 23:30 Performances of Dance: (Indoors) Monday - Saturday - 15:00 to 00:00, Sunday - 15:00 to 23:30 Activity like Music / Dance: (Indoors) Monday - Friday - 15:00 to 00:00, Sunday - 15:00 to 23:30 Non-standard timings for all Lisensable Activities listed above

New Year's Eve - From start of permitted hours to end permitted hours 1st January Late Night Refreshment: (Indoors) Monday - Saturday - 23:00 to 00:30, Sunday - 23:00 to 00:00 <u>Non-standard timings for provision of late night refreshments</u> Good Friday - 23:00 to 00:00, Christmas Day - 23:00 to 00:00 New Year's Eve - From start of permitted hours to end permitted hours 1st January Supply of Alcohol: Monday - Saturday - 10:00 to 00:00, Sunday - 12:00 to 23:30 <u>Non-standard timings for the supply of alcohol</u> Good Friday - 12:00 to 23:30, Christmas Day - 12:00 to 15:00 & 19:00 to 23:30 New Year's Eve - From start of permitted hours to end permitted hours 1st January

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies: Alcohol will be consumed on and off the premises.

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

Bournemouth Christchurch and Poole Council, , Seafront Office, Undercliff Drive, Bournemouth, BH2 5AA. Tel: \_\_\_\_\_\_, Email: \_\_\_\_\_\_

Name of designated premises supervisor where the premises licence authorises the supply of alcohol: Mr Andrew Wood

State whether access to the premises by children is restricted or prohibited: None

Issued:24 November 2005Revised:23 February 2022 [Transfer and Vary DPS]

Mrs Nananka Randle Licensing Manager