

From: bsoper [REDACTED]
To: Tania Jardim; Licensing Com
Cc: Councillor John Challinor; Jon Bishop; [REDACTED] "Philip Day"; [REDACTED]
Subject: Fw: Lazyjacks Hearing
Date: 19 January 2026 13:13:00
Attachments: [image002.png](#)
[Licensing Objection Appendices.pdf](#)
Importance: High

Tania

In order that the applicant does not have the objection removed or redacted, I have amended the objection below and wish it to be substituted for the one previously provided. It has the exact same content, which is already being worked upon to provide responses by those involved.

Kind regards

Bill

From: bsoper [REDACTED]
Sent: Sunday, January 18, 2026 8:45:38 PM
To: 'Tania Jardim' <taniam.jardim@bcpcouncil.gov.uk>; licensing@bcpcouncil.gov.uk <licensing@bcpcouncil.gov.uk>
Cc: 'Councillor John Challinor' <John.challinor@bcpcouncil.gov.uk>; 'Jon Bishop' <Jon.Bishop@bcpcouncil.gov.uk>; [REDACTED]
[REDACTED]
p.day@laceyssolicitors.co.uk <p.day@laceyssolicitors.co.uk>
Subject: RE: Lazyjacks Hearing

Tania

Thanks you for your e mail and as my previous e mail made clear I do wish to make further comments as outlined below. As you are currently away, I have also addressed this to the Licensing team for their immediate attention and the applicants solicitors.

Could you please respond to the initial six points and then request the applicant explain the following false and inaccurate information in advance of the meeting, all of which is outlined in points 1-11 which also reference the attached appendices. It should be noted that all these drawings are available to the operators and in the owners possession and are publicly available.

- We have provided an OS based plan Appendix A, in lieu of Appendix 2 of your report, showing the true location of the premises within the site shown red. We have also shown the true extent of their proposed first floor extension in Appendix B. Both are illustrated in the context of the surrounding residential properties tinted green. **Can both these drawings be made available to all members in advance of the meeting along with the appendices.**
- **Can you please provide dated photographs evidencing the signs were erected in accordance with the regulations requirements for frequency and spacing, including the one on the gate of the premises.**
- The Rateable Value of the premises is £30,300 as outlined on VOA's website. BCP's fee regulations state that the this falls within Band C (above £30,001) when Band C is described as

premises under construction. See Appendix C. The plans show walls required for safe means of escape, new toilets and a bar all requiring Building Regulations approval and hence requiring construction.

- How was the previous incorrect Licensing Application approved on the basis that it was gym space and still is, and how can it continue to be represented as some form of justification when it's still a gym and not in use as a members lounge? The applicants might care to comment upon this as well.
- How did the council originally assess this extension of hours in a residential area, especially as it was advertised during the third COVID lockdown restrictions?
- How can you believe the applicants story about their removing the site notices because of the plastic ties allegedly obscuring the signs, or that they missed the first floor rateable value area in its entirety and that the gym was Licensed Premises? Do you not visit site to review such applications where their accuracy is questioned? This should also be considered in the context of their further false statements noted below.

For the applicant to address,

1. The current licensed Gymnasium space is part of the overall 240 sqm gym as verified by the VOA website, therefore indisputable. It is not lounge or Licensed Premises.
2. The licensed Gym area has limited external windows and is within the body of the Boatyard facility rather than intensifying the licensed premises by well over double. It has very limited exposure to the surrounding residential unlike this proposal. See views toward Swatchways and no 28 Panorama Road from inside the current storage area, Appendix D.
3. How can the Gymnasium space be a Licensed Bar given that it has been a Gymnasium for over 8 years, and the VOA website confirms this. SYC gym members use this space and have been doing so for over 8 years. It is not a Members Lounge or Bar area.
4. The existing working Cafe, Restaurant and Bar area is currently only 93 sq. m internally, whatever the applicants solicitors suggest. If you include the internal facilities, which importantly are also used by SYC and Gym members, it amounts to 137 sqm. External terraces of 38 sqm excluded. See Appendix E. This is shown as fact on the owners drawings submitted with refused application 19/00818. Attached appendix F.
5. Why are the Alcohol storage areas not shown on the existing or proposed Licensing Plans. This is a legal requirement. Some of the barrels are stored externally, which can be noisy when moved at night. Also bottles are deposited into the outside refuse bins late at night, often after closing which is immediately alongside no 28.
6. The extent of other facilities shared with the boat and gym club members are incorrect on the drawings as shown by the owners own drawing extract, attached as Appendix F.
7. The applicants claims and the VOA area for the first floor are wrong, the first floor is actually 242 sq. m, as is shown on the attached Appendix G which was submitted by the owner with their refused planning application 19/00818.
8. The operator and owner have only been paying rates on 147 sq. m not the 242 sq. m, so there is

95 sq. m of unrated space now being proposed for use. This error is either due to it being hoarded off, the area being falsely declared or assessed and not being inspected and measured. Appendix H photographs of November 2022 shows the previous hoarding separation.

9. This would have been clear to the operators as well as the owner as they currently use the office area and there would be a lease between them to define the occupied premises.

10. The additional first floor area whilst outside the redline will have to be part of the licensed premises, which they themselves now admit in their rebuttal. It needs to be included in the license, as it relies on the premises for access and egress and means of escape. Why is it not included, as the front office is already used for the Cafe and Restaurant operator. Despite their suggestion no kitchen is shown on their drawings at first floor level.

11. The applicants advisors were incorrect in their rebuttal responses to our comments. For example, page 1 falsely states that the 147 sqm is the entire first floor, it is not, as demonstrated by appendix G. Despite what they state, the first floor bar area will be substantially larger than the ground floor restaurant area, as they included the 38 sqm external terraces in their figures instead of just the 137 internal sqm area. Please refer to appendices A & B for a comparison. Also they mention the details of the latest public nuisance but not the August 2023 event. This is not surprising as it went on beyond 1.00am, as Appendix H shows.

It seems very clear that this application is both inaccurate, misleading and incorrect, leading to numerous false statements from the applicant whether knowingly or otherwise. The application forms remain misleading and inadequate for a Licensing Application. As you outlined in your report, the regulations require the applicant to make their case, including an accurate statement of the facts, which they have failed to do.

Kind regards

Bill

Bill Soper

Bill Soper

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] [REDACTED]

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APPENDIX A

Actual Existing Ground Floor Premises Location



Key

Red shows the current operation Ancillary SYC Boatyard Café/ Restaurant know as Lazyjacks

Green shows the extent and position of surrounding Residential Premises

APPENDIX B

Proposed First-Floor Extended Bar Area



Key

Red shows the first-floor extended bar operation over and above the retained ground floor area of the ancillary SYC Boatyard Café/ Restaurant

Green shows the extent and position of surrounding Residential Premise

NB There are no lifts proposed to provide food to this level

APPENDIX C

BCP Licensing Fee Assessment Extract

band according to the NDRV, which will determine the fee payable. All licence fees are set by regulations and do not include VAT

bcpCouncil.gov.uk

[Licensing Act responsible authorities](#)

[Show 4 more](#)

The Non-Domestic Rateable Values (NDRVs) are:

- Band A: £0 - £4,300 (including property with no NDRV)
- Band B: £4,301 - £33,000
- Band C: £30,001 - £87,000
- Band D: £87,001 - £125,000
- Band E: £125,001 and over

Application fees for premises licence, club premises certificates and variations

Fees payable for a new licence or for variation of an existing licence, by fee band, are:

- Band A: £100
- Band B: £190
- Band C: £315
- Band D: £450
- Band D where premises are primarily or exclusively used for the consumption of alcohol on the premises: £900
- Band E: £635
- Band E where premises are primarily or exclusively used for the consumption of alcohol on the premises: £1905

Premises without a Rateable Value fall within Band A.

Where a premises is in the course of construction the premises shall fall within Band C.

- for premises exclusively or primarily used for the carrying on, on the premises, of the supply of alcohol for consumption on the premises and who fall within band D, the fee shall be twice the amount.



APPENDIX D

**Photographs (Nov 2022) towards 28 Panorama Road, New House & Garden and
26. NB 28 (RHS) Is now a new, three storey house with extensive rear windows**



View towards Swatchway Flats and 11 & 12 The Horseshoe



APPENDIX E

VOA Rateable Value Valuation Detail Breakdown

The VOA gathers information about rents paid for comparable business properties. It analyses the information and works out a price per square metre. It also considers local conditions and property characteristics such as outside seating, unusual layouts and air conditioning.

Zoning or an 'overall' method is used to apply the price per square metre to the property and get the rateable value.

This property is part of [valuation scheme 709374](#) which groups comparable properties together.

[More about how business properties are valued](#)

Cafe floor areas

Description	Area m ² /unit	£ per m ² /unit	Value ?
Ground floor restaurant	93	£180.00	£16,740
Ground floor internal storage	5.44	£90.00	£490
Ground floor production area	10.88	£90.00	£979
Ground floor public toilets	25.53	£90.00	£2,298
Ground floor outdoor display/seating area	38	£22.50	£855
Total	172.85		£21,362

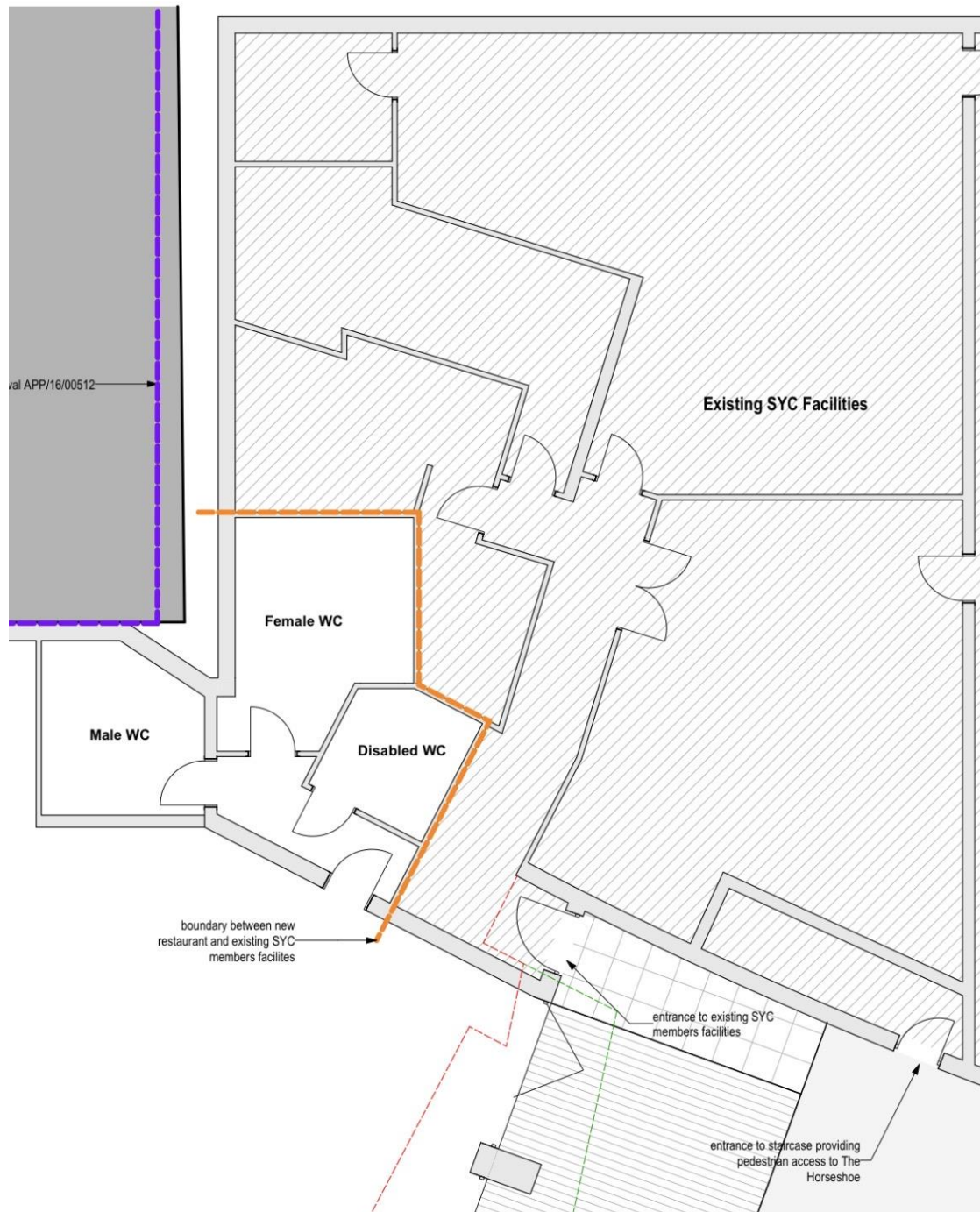
Valuation

Total value	£21,362
Rateable value (rounded down)	£21,250

APPENDIX F

Current Café Extent and Toilets with Gym (Hatched) Alongside

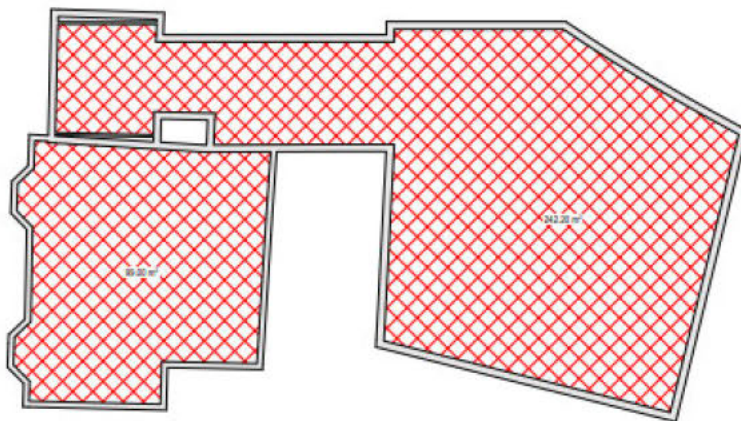
The hatched area is and has been a Gymnasium since 2017 at least according to VOA records and the Owner's own drawings submitted with refused application 19/00818.



APPENDIX G

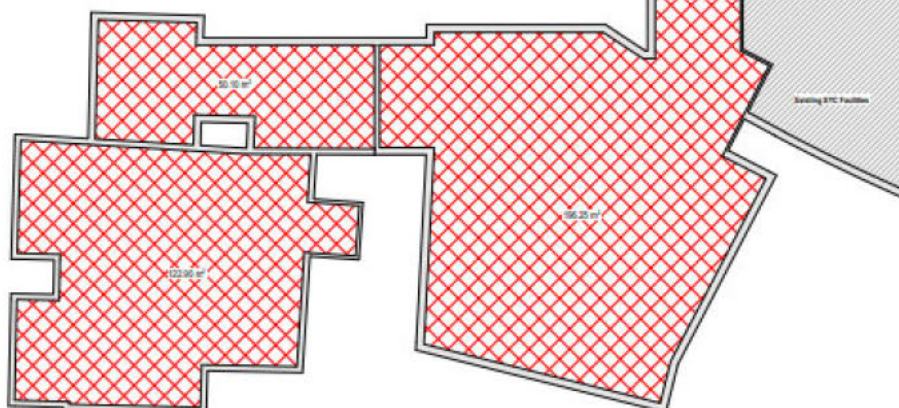
Drawing by Symmetry Architects Supporting Refused Application 19/00818

This is an existing area drawing extract from the owners architect, Symmetry, for the refused Planning Application ref 19/00818. clearly stating that, a) the first floor area is 242 sq m and, and b) the lounge area is wholly used as a Gym .



First Floor

Please note that the First floor indicates 242 sqm. For clarity, the Ground floor measurement includes the SYC offices of some 23 sq m, which together with 173 sq m amounts to 196 sq m shown below: refer to Appendix



Ground Floor

APPENDIX H

Photographs Showing Excluded Rateable Area Hoarded

2Photo looking across (southward) at hoarded unrated area in corner

NB The black never utilised lift shaft opening left of hoarded off area.



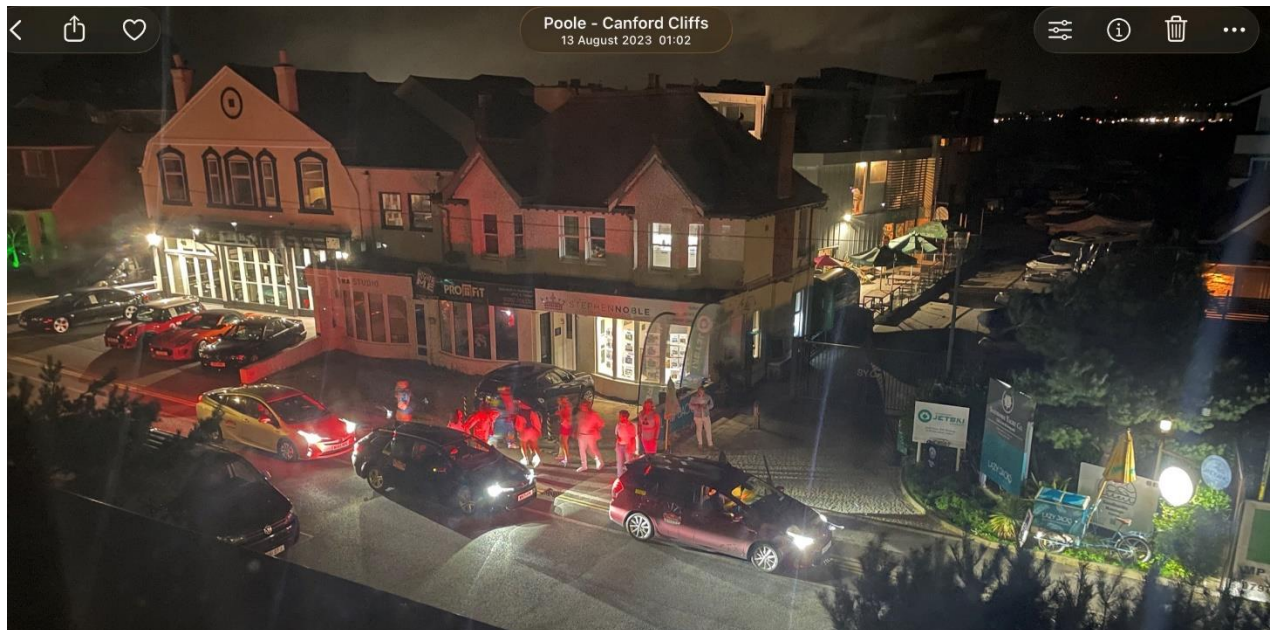
Photo of same corner (Westward) again evidencing hoarded off area



APPENDIX J

Photo of 12/13th August 2023 @1.03am Incident under Current Management Regime

This is one of a sequence of photos (date and time stamped) taken after calls to the Police and Environmental Health- which they did nothing about and then refuted.



Blown up detail of Taxis waiting obstructing the road, Noisy Partygoers exiting the Premises. Other photos show others and and more taxis. Staff are pre-occupied clearing up inside, not monitoring and then noisily dumping the bottles in the refuse bins just behind the rectangular Lazyjacks sign.



From: Philip Day
To: bsoper [REDACTED]; Tania Jardim; Licensing.Com
Cc: Councillor John Challinor; Jon [REDACTED] Merle Crampton; Lacey's Solicitors Licensing
Subject: RE: Lazyjacks Hearing (BO1262/1)
Date: 19 January 2026 16:16:45
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Dear all

I have Mr Soper's email below.

I hesitate to add further to the workload of Members and Officers but sadly consider it necessary and appropriate to respond.

Although not relevant but for information, I personally acted when the original licence was granted some 12 years ago. I continued to act when the (unopposed) application was made to include the external areas and to extend the terminal hour to 11 p.m. and then again in January 2024 when the Premises Licence was transferred to the present operator.

Regarding the remainder:

1. The site notices were properly displayed.
2. The matters raised regarding the relevant planning consents, rateable values and the like are not relevant but if the sub-committee wishes to explore those aspects, I and my clients can assist. Without prejudice to that assertion, the Sandbanks Neighbourhood Plan see (<https://www.bcpccouncil.gov.uk/documents/planning-and-building-control/SPNP-Made-version.pdf>) asserts in "Theme 3" (on page 34) that the aims are *"Make Sandbanks a more self-sufficient community by preserving and **enhancing existing shops, services and businesses** and introducing new businesses which are appropriate in type and scale to the location and avoid exacerbating congestion" and **"Preserve and enhance hotels, yacht clubs, cafes and restaurants** which are important to the character of Sandbanks, support tourism and provide a valuable local amenity and employment opportunities".* (My emphasis)
3. Regardless of its current use, the plan included in the report attached to a copy of the current licence shows the extent of the licensed area.
4. The regulations relating to plans do not require "alcohol storage areas" to be shown – merely that those parts of the premises intended to be used for licensable activities and the consumption of alcohol are identified. The plans submitted with the application are compliant and any plans that may have been submitted with past planning applications are of no relevance.
5. Equally of no relevance is the consideration the Licensing Authority gave to previous licensing applications
6. The commercial arrangements between my client and the freehold owner are commercially confidential and irrelevant in the context of a licensing application.
7. The incident in August 2023 predates the current applicant's occupation of the premises which is why I did not specifically address it but if the sub-committee consider it of any relevance, I can deal with that matter at the hearing as I was acting for the holder of the licence at the time, subject of course to my duty of client confidentiality. I would add that the identity of the complainant was (quite properly) not disclosed to me at the time

although I now know that it was Mr Soper.

Members of the sub-committee will be well aware that in the absence of any cumulative impact policy, there is a presumption in favour of granting an application subject only to the restrictions and conditions proposed by the applicant. It is incumbent on objectors to evidentially establish that one or more of the Licensing Objectives will be undermined should the application be granted as applied for. This, with respect, they have manifestly failed to do but have obfuscated the real issues by raising numerous irrelevant matters and making unwarranted allegations regarding both my integrity and that of my client.

I do not propose to make any further representations in advance of the hearing.

Regards

Philip Day Consultant Solicitor

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From: bsoper [REDACTED]
To: "Philip Day"; Tania Jardim; [Licensing Com](#)
Cc: [Councillor John Challinor](#); [Jon Bishop](#); [REDACTED] "Merle Crampton";
["Laceys Solicitors Licensing"](#)
Subject: RE: Lazyjacks Hearing (BO1262/1)
Date: 20 January 2026 09:25:09
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image008.png](#)
Importance: High

Dear All

I refer to Mr Day's e mail which fails to answer all but one of the eleven important items raised. They remain unanswered and as he does not refute my statements, they are clearly correct, in that they highlight errors, discrepancies or misstatements. A lawful decision cannot be taken by this committee on incorrect and inadequate information and false and misleading statements.

We did not object to the original 2013 licensed area and hours nor do we for the existing ancillary bar /restaurant operations of the current size.

Mr Day now admits that he has been acting on this site for the same owner from the outset so there are no excuses for the errors or mistakes that have been made. His admission of the 2021 Licensing of the external terraces and hours extension being unopposed during the national COVID lockdown is hardly surprising. The addition of the terrace area then was understandable, but the current circumstances and the size now proposed are quite different.

I am still awaiting photographic evidence that the notices were erected and not removed despite residents witnessing them being taken down by the operator, until they were challenged. I am told they are available so why are they not provided. Date stamped photographs of the signs showing their location and context are in no way confidential. In any event, the application form was incorrect and misrepresents the proposal, which is an offence and will lead to legal challenge in the Magistrates Court. The reason for drawing this to the committee's attention is to avoid such an occurrence.

Why is it that they cannot simply state or agree on the size of the premises that they are seeking a license for, which incidentally Mr Day misstated on the application form by a significant margin: the entire additional first floor. A property he has acted on for over 12 years.

No restaurant or bar of this size would be granted in a residential area. It is in contravention of the Poole Local Plan policy PP22. They are seeking a bar/restaurant of some 379 sq. m total or 421 sq. m including the external terraces. The former number alone is 2.8 times the existing size which will lead to a significant increase in Public Nuisance, Crime and Disorder.

This has never been a freestanding restaurant but a Yacht Club/ boatyard with cafe/ restaurant, which is and remains ancillary to the Boatyard use. It is important to understand that the 352 sq. m restaurant proposed on this site with application 19/00818 was rightly refused in January 2025 due to non-compliance with Poole Local Plan Policy PP22 among other reasons.

I draw this to your attention as Mr Day raised the Planning issue, by selectively paraphrasing and then emphasising the Sandbanks Peninsula Neighbourhood Plan text but not the actual policies, which do not support his erroneous contention. The relevant policy is PP22. It's a Yacht/ Boatyard, not a Bar/ Restaurant in its own right, an important distinction, and he is incorrectly conflating the two.

Importantly, your Statement Of Licensing 2026-2030 (SOL) gives guidance in sections 22.1 and 22.2 which have not been followed. 22.1 says in following the SOS guidance,

"Where the Licensing Authority receives relevant representations that a licensing proposal is contrary to a planning consent and that to grant a licence for such activity would be likely to affect the licensing objectives then a refusal, or the attaching of conditions to prevent such a use until the position has been regularised may be

appropriate. In appropriate situations a hearing could be deferred until planning consent has been granted."

Also, why was the Sandbanks Neighbourhood Forum (SNF) not notified in accord with paragraph 17.2 of the SOL? The SNF also objects to this License application.

The applicant has not considered nor addressed the requirements of section 16, in particular 16.2-16.8. There is insufficient and inadequate submitted material to accord with 16.4 and this is another reason that it should not be before you.

Aside from the fact that this application should not be here, I would outline the reasons why this application is not appropriate.

Public Nuisance

This building is in the middle of a residential neighbourhood, not a Town, District or Local Centre. The building entrance is remote from the road and final exit gate of the premises, meaning intoxicated patrons cannot be monitored. CCTV's only purpose is to monitor what has gone on in the premises after it has occurred as it is not manned. No staff can monitor what goes on immediately outside on Panorama Road as they have no direct line of sight and as CCTV coverage is prevented by law. An example of this, which the applicant's solicitor now confirms that he was aware of, was the August 2023 event. I went out to ask them to politely keep the noise down and was threatened by them and intimidated. I then had to walk into the premises and ask management to intervene. The staff cannot nor could not see what was happening from the premises. That could well have led to public disorder and violence. Remember that this is now promoting 2.8 times increase in people numbers. As evidenced by the photograph, taken at 01.00am. The council environmental health claimed there was an extension license which was confirmed by Tania in Licensing to be false. Tania did subsequently advise that the operator's solicitors (presumably Mr Day) apologised.

Noise

The premises has no specific restriction on noise, and the premises has no air conditioning. The external terraces can be used until 23.00 in close proximity, right alongside and adjacent to residential properties.

After closing staff often remove bottles and empty them in the refuse containers which are alongside no 28's side wall and directly opposite nos. 15 to 21 Panorama Road, who have also objected. The sound of beer and wine bottles glass breaking reverberates from and within the refuse containers, post 23.00 and is a noise nuisance.

Taxis and Cars arrive after closing hour and park up on the one-way road causing congestion, noise and disturbance. This leads to horns sounding when one car wants to get past and loud arguments between those as to whose taxi is who's, as well as some disputes between individuals, all past 23.00. See photographs attached.

There is no restriction on music which will be unmanageable with so many more additional patrons, especially in the summer months with windows and doors open. No acoustic reports have been provided.

Public Disorder

When complaints have been made, the Police re-directed us to Environmental Health who did not come out as they are too busy in the adjacent Town Centres, suggesting we contact Licensing the next working day. This process achieves nothing and residents believe it to be a waste of time and see no purpose in complaining, hence other transgressions go unreported. Increasing this restaurant to a Town Centre size in a residential area will increase the likelihood and volume of noise and public disorder, with no help from the police or local authorities.

These are the problems that a residential neighbourhood should not have to endure.

This is a Yacht Club/ Boatyard with an ancillary Bar/ Restaurant and Planning has been refused when the owner has suggested an increase in size of this function because it's in a residential area and residential amenity needs to be protected. This is why your councils' policies, rules and regulations exist. It's clear that the owner, who Mr Day has represented for over 12 years on this site, is still trying to justify an inappropriate and excessively sized freestanding Bar/ Restaurant in this residential area by

another means, having been refused by the council in all their previous planning attempts.

Regards

Bill Soper