

Licensing

Subject: FW: Representation for 8 East St, DT11 7DR email 1/5

From: [REDACTED]
Sent: Thursday, December 7, 2023 12:16 PM
To: Licensing [REDACTED]
Subject: Representation for 8 East St, DT11 7DR email 1/5

[REDACTED]
[REDACTED]
Blandford
[REDACTED]

To whom it may concern,

Representation regarding Premises Licence application for 8 East Street

I am writing to express my concerns regarding the proposed Premises Licence for 8 East Street, Blandford Forum. I have put as much detail as possible below; however, please do contact me if you would like more details.

1. Location: being at the start of East Street in the more residential section (See PIC 1.0)
 - This location, being in a mostly residential section of the street, increases noise, incidents of public nuisance (such as smoking) outside and to either side of the premises, which is directly below, to the side, front and rear of several private residential properties (See PIC 1.1)
 - If you look at pictures 1.2/3 VID 1.1, you will see, particularly at the rear, the proximity of the bar to the neighbouring properties. There is a loss of privacy, particularly at the rear window of the bar, with no attempt to mitigate this with such measures as secondary glazing/curtains/blinds. The 2 rear windows (kitchen/washing area and toilet), which are single glazed in any case, are open at all times during the bar's operating hours. There is no door separating the rear area from the main bar area, this allows operating and customer noise to travel into rear court yards and residents' front doors and windows. Since the bar has been open, an increase in noise level can be heard in the residential properties. This will only increase as the bar's clientele increases, and especially in the summer months, when residents may reasonably wish to enjoy their outside space in peace and quiet. Please see the videos provided. To be clear, the videos are not meant to represent the volume levels but merely the clarity of noise and transference to the outside space from the windows being open.

- There are 2 front doors to the bar, one of which is left open permanently during operating hours, and the other opened by customers and often left ajar, increasing the noise level to the front, side and opposite residential properties. With the proposed closing time of 9.30pm, in practice this would mean the bar closing at 10/10.30pm after patrons have finished their drinks and exited the premises, and all noise has ceased. Should you decide to grant this licence, an earlier closing time would be beneficial to the local community in minimising the public nuisance caused by the business. This would also fit in with the applicant's public nuisance statement of "being a daytime demographic".

The front of the property does border a commercial premises (BetFred), but noise levels from this business are non-existent, and trade levels very low in the later hours of the day.

- With this being a new premises/venture, any and all noise/disturbance will be noticed keenly by the local residents. This is not one of the many drinking establishments that has been in operation in the town centre for decades.
- There is a contrast to be noted between the proposed business at 8 East Street, and the opening of the Ginger Viking bar further up the street, in that those premises are bordered by a funeral home and a derelict house (see PIC 1.4) , and there is a large distance from the rear of the property to its nearest residential neighbours. This is very different from the situation at 8 East Street, which as previously mentioned has residential properties to the side, rear and above.
- I would also like to reference Louise Joyner of the Environmental Health Department and her statement surrounding noise levels and impact on neighbouring properties. (see PIC 1.5)
- **I believe this falls under the Licencing objective "prevention of public nuisance"**

2. Increase in 'antisocial behaviour':

Since the bar has opened, there has been an increase in various undesirable activities outside the residential properties and the bar. I work full time, and despite this I have regrettably noticed an increase in activities that negatively impact the local community. Some examples of this are:

-
- Smoking outside the premises - although the landlord states in his application that customers are 'strictly forbidden' from smoking directly outside the bar, what this has meant in practice is that customers are instead smoking outside the neighbouring residential properties' windows and front doors. It would almost have been preferable for patrons to smoke directly outside the bar, as this

would restrict the disturbance and could be monitored by the applicant. Included in this are examples of patrons approaching the bar smoking, and throwing their cigarette butts into the gutter before entering. I have personally witnessed both these issues first hand.

- Parking - patrons have been parking on the double yellow lines outside the bar, and going in for an extended period of time. This is both illegal, and dangerous, as it is a busy and narrow one way road. Since recent redevelopment works on the road, there have been increased problems with delivery drivers and others parking on this stretch of double yellow lines, and the opening of this bar will only add to this problem. (see PIC 2.1-3)
- Patrons have also been parking their bikes outside the front of the bar, and against the 'A Board' placed outside the bar front. (see PIC 2.4-7) These bikes have remained in situ for extended periods of time, and have not been asked to be moved by the applicant. Under the council's own non-negotiable regulations, 'A Boards must allow a minimum of 1.8m free passage', which is not the case in this location. Having bikes parked against the 'A Board' reduces this passage space further and could force the public to enter the roadway. I also note that businesses must have a minimum of £5 million public liability insurance to erect an 'A Board'. Would the applicant be able to provide a copy of this dated from 21st October 2023 to confirm this insurance is in place.
- On 11th November 2023, a group of heritage steam vehicles were present outside the bar. Although I do not know the exact reason for their presence, they were parked directly outside the bar on the double yellow lines, including double parking into the highway (see PIC 2.8-12). Various pictures taken with the bar's advertising/signage on prominent display, and advertised on their social media page, suggest that this was at least condoned and accepted by the applicant, and certainly utilised to promote his business. The applicant's stated 'zero tolerance and no second chances' policy (as stated under the heading of 'prevention of crime and disorder' on his licencing application) whilst commendable, does not appear to be applied in practice, which raises concerns about the veracity of the other statements and assurances on the licencing application.

Individually these might be considered to be only small incidences; they have however all occurred in the 26 days the bar has been in operation, and the limited amount of time I have been around to witness and document them. This raises concerns about the applicant's commitment to upholding the 4 key licencing objectives moving forward.

- **I believe these incidences fall under the licencing objectives 'Prevention of Crime and Disorder', 'Prevention of public nuisance' and 'Public Safety' 'Protection of children from harm'.**

3. Suitability of the premises for a bar of the requested capacity:

- The proposed capacity of 15 seated and 5 standing in a 10 square metre room, leaves only ½ a square metre per person. This does not take into account tables, chairs etc which further lessen the available space. If you have not seen the room in person, it is a very small room and I would be interested to hear the relevant authorities'

assessment of the space to hold 20 people safely, with the premises only having one door, and rear windows that do not open sufficiently to allow egress.

-
- I also note that the applicant originally stated on social media that there would be a capacity of 12, then 17, and now states 20 on his application. I do understand businesses can change as they learn about their space and what they can accommodate, but it seems that the proposed capacity has nearly doubled. This is concerning on public safety grounds should any incidents occur in or outside the bar.
- The premises attracts a significant number of patrons with dogs, including doggy prams, reducing space further and introducing a potential extra complication to any emergency situation. (see PIC 3.1-3)
- An informative document by Leicester Fire Service (see DOC 1.1) on occupancy rates and calculations give figures of 0.3m² for open standing bar areas, 1m² for seating areas in bars and bench seats divided by 450mm per person. Going by these numbers, a capacity of 10 or under would be more fitting for the space available. (Although I appreciate we are not in Leicester, these are based on national rules/guidelines. I was unable to locate similar documents on the Dorset & Wiltshire Fire Service website). There is no floor plan attached online with the application to look more closely at the number of seats/benches etc.
- Dorset & Wiltshire Fire Service do comment on the use of powder fire extinguishers (provided in 8 East Street) and potential risk from reduced visibility and respiratory issues to people in enclosed spaces.
- Living in a listed building area I do understand considerations are made with older buildings that struggle to comply with modern safety requirements, but this is often for long established businesses. Surely new ventures such as this should be held to the most modern standards of safety.
- **I believe these incidences could warrant looking at further, and fall under the licencing objective 'Public Safety'.**

4. Breach of TEN licencing regulations

The premises' last approved TEN licence was for the days of the 16th-19th of November. The previous TEN ended 12th November. However on the 14th and 15th of November I observed the bar open and selling alcohol (see PIC 4.1-4 + 2.7. Time and date stamps are embedded in

the photos). I reported this to the licencing team who queried this with the applicant, who stated he was closed for business on both the dates in question. This is concerning, as it demonstrates two separate incidences of trading without a licence; not just minor breaches (opening/closing 30 mins earlier or later than permitted for example) but being open for the full trading day in the knowledge that he did not have a licence, and then not being truthful to the licencing authority when this was queried.

This goes further to raise concerns about the willingness of the applicant to adhere to the licencing conditions moving forwards, and indeed the reliability and truthfulness of any statements or assurances he makes.

I believe this point falls under all 4 licencing objectives 'Prevention of Crime and Disorder', 'Prevention of public nuisance', 'Public Safety' and 'Protection of children from harm'.

5. Miscellaneous:

This final point, although not falling directly under the licencing objective 'Protection of children from harm', I believe is nonetheless worthy of mention. In the application, under section M (e), it is stated as part of the 'protection of children from harm' section, that ' no meals are served', and therefore this will help protect children from harm'. As seen on social media, the bar has started serving food (see pic 5.1-2) Whilst not an issue in and of itself, this does illustrate that within a week of this application being made, this statement was no longer accurate. Also in Section M (c) it states that "there are no heat producing appliances in the building", which appears not to be the case if food is being served hot. This again raises concerns around the future plans for the bar, and the veracity and transparency of the application, limiting the ability of the relevant authorities to assess the application accurately.

In conclusion, I feel that the issues I have raised above illustrate concerns about the bar being granted its licence under the current conditions or at all and fall clearly under the 4 key licencing objectives.

Yours faithfully,

██████████