



Licensing Sub-Committee

Date: Friday, 14 January 2022
Time: 10.00 am
Venue: A link to the meeting can be found on the front page of the agenda.

Members (Quorum)

Brian Heatley, Emma Parker and Kate Wheller

Chief Executive: Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services Meeting Contact 01305 224202 elaine.tibble@dorsetcouncil.gov.uk

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Agenda

Item		Pages
1.	ELECTION OF CHAIRMAN AND STATEMENT FOR THE PROCEDURE OF THE MEETING	3 - 6
	To elect a Chairman for the meeting and the Chairman to present and explain the procedure for the meeting.	
2.	APOLOGIES	
	To receive any apologies for absence.	
3.	DECLARATIONS OF INTEREST	

To disclose any pecuniary, other registrable or non-registrable interests as set out in the adopted Code of Conduct. In making their disclosure councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration. If required, further advice should be sought from the Monitoring Officer in advance of the meeting.

4. URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.

5. APPLICATION TO VARY THE PREMISES LICENCE FOR SWANAGE BAY CARAVAN PARK

7 - 38

An application has been made to vary the premises licence for the Swanage Bay View Holiday Park. The application has been out to public consultation and has attracted relevant representations. A Licensing Sub-Committee must consider the application and representations at a public hearing.

6. EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph x of schedule 12 A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the item of business is considered.



THE LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005

Rights of a Party

1. A party has the right to attend the hearing and may be represented by any person.
2. A party is entitled to give further information where the authority has asked for clarification.
3. A party can question another party, and/or address the authority, with consent of the authority.

Failure to Attend

4. If the authority is informed a party does not wish to attend, the hearing may proceed in their absence.
5. If a party has not indicated their attendance and fails to attend the hearing may be adjourned if considered in the public interest, or hold the hearing ensuring the party's representation is considered.
6. Where the authority adjourns the hearing it shall notify the parties of the date, time and place.

Procedural Information

7. At the start of the hearing, the authority shall explain the procedure which it proposes to follow and shall consider any request for permission for another person to appear at the hearing.
8. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that it is required.
9. The authority will allow the parties an equal maximum period of time in which to speak.
10. The authority may require any person behaving disruptively to leave, and may refuse that person to return, but such a person may, before the end of the hearing, submit in writing information they would have been entitled to give orally had they not been required to leave.

FOOTNOTE:

In relation to all other matters governed by the Licensing Act 2003 (Hearings) Regulations 2005 any party or their representative may contact the Licensing Services at Dorset Council and they will be provided with a full copy of the regulations on request.

LICENSING SUB-COMMITTEE PROCEDURE

1. At the start of the meeting the Chairman will introduce:
 - the members of the sub-committee
 - the council officers present
 - the parties and their representatives
2. The Chairman will then deal with any appropriate agenda items.
3. The Licensing Officer will be asked to outline the details of the application, including details of any withdrawn representations.
4. The applicant or their representative is then invited to present their case.
5. Committee members will be invited to ask questions.
6. Where appropriate the Responsible Bodies e.g. representatives of Police, Fire Services, Environmental Services or Trading Standards will be invited to address the sub-committee on any relevant representations they may have.
7. The Chairman may then allow an opportunity for questions.
8. The Chairman will ask any person who has made representations, who have already expressed a wish to do so, to address the sub-committee. The sub-committee will have read all the papers before them, including any letters of representation. Members of the public are asked to keep their comments concise and to the point.
9. All parties will be given the opportunity to “sum up” their case.
10. The Chairman will ask the Legal Advisor if all relevant points have been addressed before advising all parties present that the sub-committee will withdraw from the meeting to consider its decision in private. The sub-committee will be accompanied by the Democratic Services Officer and the Legal Advisor can be called upon to offer legal guidance.
11. On returning the Chairman will:
 - Notify all those present of the sub-committee’s decision (or indicate when it will be made)

- Give brief details of any conditions attached to the licence approval;
- Or
- Outline the reasons for the refusal
 - Inform that detailed reasons will follow in writing (unless given on the day)
 - Inform those present of their right to appeal to the Magistrates' Court

NOTE

The Chairman may vary this procedure, as circumstances require but will have regard to the rules of natural justice and the Licensing Act 2003 (Hearings) Regulations 2005.

The meeting will take place in public. However, the public can be excluded from all or part of the meeting where the sub-committee considers that the public interest in so doing outweighs the public interest in the meeting or that part of the meeting, taking place in public.

Under no circumstances must the parties or their witnesses offer the sub-committee information in the absence of the other parties.

The Chairman and the Sub-Committee have discretion whether to allow new information or documents to be submitted and read at the meeting.

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Licensing Sub-Committee 19 January 2022 Application to Vary the Premises Licence for Swanage Bay Caravan Park

For Decision

Portfolio Holder: Cllr L Miller, Customer and Community Services

Local Councillor(s): Cllrs G Suttle and B Trite

Executive Director: J Sellgren, Executive Director of Place

Report Author: Aileen Powell
Title: Licensing Team Leader
Tel: 01258 484022
Email: aileen.powell@dorsetcouncil.gov.uk

Report Status: Public

Recommendation: The Sub-Committee determines the application in the light of written and oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of;

- a) The prevention of crime and disorder
- b) The prevention of public nuisance
- c) Public safety
- d) The protection of children from harm

Reason for Recommendation: The Sub-Committee must consider the oral representation and information given at the hearing before reaching a decision.

1. Executive Summary

An application has been made to vary the premises licence for the Swanage Bay View Holiday Park. The application has been out to public consultation and has attracted relevant representations. A Licensing Sub-Committee must consider the application and representations at a public hearing.

2. Financial Implications

Any decision of the Sub-Committee could lead to an appeal by any of the parties involved that could incur costs.

3. Well-being and Health Implications

None

4. Climate implications

None

5. Other Implications

None

6. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

7. Equalities Impact Assessment

Not Applicable

8. Appendices

Appendix 1 – Application

Appendix 2 – Licence

Appendix 3 – Representations

9. Background Papers

[Licensing Act](#)

[Section 182 Guidance](#)

[Dorset Council Licensing Policy](#)

10. Details

- 10.1. An application was received from AG Swanage Ltd to vary the Premises Licence for Swanage Bay View Holiday Park, Panorama Road, Swanage, BH19 2QT. The application is attached at Appendix 1.
- 10.2. The application is to remove the conditions currently in Annex 3 on the Premises Licence and replace them with the conditions detailed within the application form. The current licence is attached at Appendix 2.
- 10.3. The conditions the applicant is seeking to remove were attached following a hearing in 2006.
- 10.4. Representations have been received from Environmental Protection and Swanage Town Council. The representations are attached at Appendix 3.
- 10.5. The current conditions and proposed conditions are attached at Appendix 4 for ease of reference.

11. Considerations

- 10.1. Paragraphs 9.42 to 9.44 of the Section 182 Guidance sets how the Authority should decide what actions are appropriate.

“9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder

(such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.”

12. Recommendation

12.1. The Sub-Committee determines the application in the light of written and oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of; -

- a) the prevention of crime and disorder
- b) the prevention of public nuisance
- c) public safety
- d) the protection of children from harm.

12.2. The steps that the Sub-Committee may take are to; -

- a) modify the conditions of the licence, or
- b) reject the whole or part of the variation.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We **AG Swanage Ltd**

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PL(A)0030

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Swanage Bay View Holiday Park Panorama Road			
Post town	Swanage	Postcode	BH19 2QT

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£143,100.00

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation

The premises are a well-established holiday park that has had a licence for a considerable time. The conditions on this licence are not fit for purpose and this application is to remove all conditions at Annex 3 and apply more up dated versions.

The address of the premises licence holder is also to be updated to:

AG Swanage Ltd, 23 Savile Row, London, United Kingdom, W1S 2ET

All timings to remain the same.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-----------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sun					

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p>
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L

Hours premises are open to the public Standard days and timings (please read guidance note 8)		
Day	Start	Finish
Tue		
Wed		
Thur		
Fri		
Sat		
Sun		

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

All conditions at Annex 3

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

Staff will be trained before making sales of alcohol in their responsibilities under the Licensing Act 2003. Refresher training will take place at 6 monthly intervals. All training will be documented and made available to the authorities on reasonable request.

b) The prevention of crime and disorder

A CCTV system will be in operation at the premises and recorded images shall be retained for a period of 31 days. CCTV images will be provided to the police and other responsible authorities as soon as practicable and in any case within 48 hours of a request for such images, subject of the provisions of the DPA.

c) Public safety

An incident register will be maintained at the premises and made available to the authorities on request.

d) The prevention of public nuisance

All staff at the store will be trained in how to manage any person who they suspect may create a public nuisance in the area of the premises. Such people will be asked to leave the area quietly (if safe to do so) an entry will be made in the incident register.

Bottle skips and bins shall not be emptied outside between 23:00 & 08:00.

A register of refusals of alcohol will be maintained at the premises. The register will be made available for inspection by the Police and other responsible authority on request.

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e) The protection of children from harm

<p>The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25, they will be asked for proof of their age, to prove that they are 18 years or older.</p> <p>Posters will be on display advising customers of the 'Challenge 25' policy.</p> <p>The only forms of identification that will be accepted at the premises are a passport, UK photo-card driving licences, military ID & cards bearing the 'PASS' hologram.</p>
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Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	16.11.21
Capacity	Authorised agent

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Licensing Matters Ltd			
Post town	Clitheroe	Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Licensing Act 2003
Premises Licence

Premises licence number: PL0030

Part 1 – Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

Swanage Bay View Holiday Park

Swanage Bay View Holiday Park
Panorama Road
Swanage
Dorset
BH19 2QT

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not Applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Performance of a Play: (Indoors)
Performance of Live Music: (Indoors)
Playing of Recorded Music: (Indoors)
Performance of Dance: (Indoors)
Provision of Late Night Refreshment: (Indoors and Outdoors)
Sale or Supply of Alcohol: (For consumption on and off the premises)

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Performance of a Play: (Indoors)

	From	To
Monday	1200	0000
Tuesday	1200	0000
Wednesday	1200	0000
Thursday	1200	0000
Friday	1200	0000
Saturday	1200	0000
Sunday	1200	0000
Further Details		
Non Standard Times		
	New Years Day	0000 - 0000

Seasonal Variations



Performance of Live Music: (Indoors)		
	From	To
Monday	1900	0000
Tuesday	1900	0000
Wednesday	1900	0000
Thursday	1900	0000
Friday	1900	0000
Saturday	1900	0000
Sunday	1900	0000
Further Details		
Non Standard Times		
Seasonal Variations	New Years Day	0000 - 0000

Playing of Recorded Music: (Indoors)		
	From	To
Monday	0800	0000
Tuesday	0800	0000
Wednesday	0800	0000
Thursday	0800	0000
Friday	0800	0100
Saturday	0800	0100
Sunday	0800	0000
Further Details		
Non Standard Times		
Seasonal Variations	New Years Day	0000 - 0000

Performances of Dance:(Indoors)		
	From	To
Monday	1200	0000
Tuesday	1200	0000
Wednesday	1200	0000
Thursday	1200	0000
Friday	1200	0000
Saturday	1200	0000
Sunday	1200	0000
Further Details		
Non Standard Times		
Seasonal Variations	New Years Day	0000 - 0000

Late Night Refreshment: (Indoors and Outdoors)		
	From	To
Monday	2300	0000
Tuesday	2300	0000
Wednesday	2300	0000
Thursday	2300	0000
Friday	2300	0100
Saturday	2300	0100
Sunday	2300	0000
Further Details		
Non Standard Times		
Seasonal Variations	New Years Day	2300 - 0500

Alcohol times: (For consumption on and off the premises)		
	From	To
Monday	1000	0000
Tuesday	1000	0000
Wednesday	1000	0000
Thursday	1000	0000
Friday	1000	0100
Saturday	1000	0100
Sunday	1000	0000
Non Standard Times		
Seasonal Variations	New Years Day	0000 - 0000



THE OPENING HOURS OF THE PREMISES

	From	To
Monday	0800	0130
Tuesday	0800	0130
Wednesday	0800	0130
Thursday	0800	0130
Friday	0800	0130
Saturday	0800	0130
Sunday	0800	0130
Non Standard Times		
Seasonal Variations	New Years Day 0000 - 0000	

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES

For consumption on and off the premises

Part 2**NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE**

AG Swanage Ltd (c/o Aria Resorts)
18 Christchurch Road, Bournemouth, Dorset, BH1 3NE

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

6999471

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Neil Christian Heaven

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Licence Number: PLHBC 0277
Issuing authority: Halton Borough Council



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.
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).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
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.
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: ½ 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.”
7. 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.

Contd/.....



8. For the purposes of the condition set out in paragraph 7 –
- 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 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.
9. Where the permitted price given by Paragraph (b) of paragraph 8 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.
10. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 8 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.
11. Any person used to carry out a security activity must be licensed by the Security Industry Authority.

ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

None



ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

Exterior doors leading directly from restaurant/bar area on north and east sides must be closed at 2200, but closed at all times when live entertainment, live or recorded music is being played, other than background music.

Thick curtains with blackout lining must be fitted for use by 31 July 2006 on north and east facing windows, and to be drawn by 2200 during British Summer Time and by 2000 at all other times, plus at all times during the hours of darkness when light-shows connected to entertainment events take place.

No strobe lighting to be used at any time.

Lighting used in connection with any entertainment must not be directed outwards from the premises.

When entertainment is taking place, all doors and windows must remain closed.

Management at the premises must be in overall control of sound levels during any musical entertainment. Before 2300 to prevent entertainment being intrusive, noise emanating from the premises shall not be clearly audible above other background noise from the boundary of the nearest residential property.

After 2300 noise emanating from the premises shall not be clearly distinguishable above other noise from the boundary of the nearest residential property. Bottle skips and bins shall not be emptied outside between the hours of 2300 and 0800 the next day.

A last entry time for patrons of 2330 shall apply.

On Fridays, Saturdays, Sundays preceding Bank Holidays and on Bank Holidays, in addition to any other time that special entertainment is taking place, qualified Door Supervisors must be on duty.

A senior member of staff shall assess the impact of noise from the premises on neighbouring residential premises, at the start of any entertainment and periodically throughout, and supervise dispersal of patrons outside the premises.

No off sales of alcohol or take-away food shall take place after 2300 hours.

Management to become a member of the local Pub watch scheme by December 2006. Signage to be provided and maintained at exits to remind patrons of the residential area and to leave quietly.

The Challenge 21 proof of age philosophy to be adopted.

CCTV currently installed to be upgraded as necessary, in liaison with the police, to cover both inside and outside the premises, and to be maintained.

ANNEX 4 - PLANS

Submitted March 2005



Environmental Health

I write regarding the above application and would like to make a formal representation concerning the request to remove all the conditions in Annex 3.

My concerns are predominantly regarding possible nuisance caused by noise. Whilst I am happy at some of the conditions being removed I would like the following to remain.

Management at the premises must be in overall control of sound levels during any musical entertainment. Before 2300 to prevent entertainment being intrusive, noise emanating from the premises shall not be clearly audible above other background noise from the boundary of the nearest residential property.

After 2300 noise emanating from the premises shall not be clearly distinguishable above other noise from the boundary of the nearest residential property.

A senior member of staff shall assess the impact of noise from the premises on neighbouring residential premises, at the start of any entertainment and periodically throughout, and supervise dispersal of patrons outside the premises.

Vanessa Gibbard
Environmental Health Officer

Swanage Town Council

I have tried to give you a call today regarding the above licensing application which has now been discussed by the Town Council's Planning and Consultation Committee.

Karen very kindly forwarded the list of existing conditions to me so that Councillors had details of these at the meeting.

Major concerns have been raised regarding the application which states 'The conditions on this licence are not fit for purpose and this application is to remove all conditions at Annex 3 and apply more updated versions.'

Members have also commented on the number of objections received from local residents in the surrounding area, and further afield, regarding previous licensing applications, in particular regarding light and sound nuisance.

Members feel that the existing conditions remain relevant, and that if all of the conditions are removed, and not replaced with similar, then the Town Council objects to this application, under licensing objective 'The prevention of public nuisance'.

Would you be able to provide the Council with a copy of the new conditions to be applied, as it is felt that more information is required before it would be willing to withdraw the objection.

*Niki Clark
Administration and Communications Manager
Swanage Town Council*

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Appendix 4 - Conditions

Current Conditions

Exterior doors leading directly from restaurant/bar area on north and east sides must be closed at 2200, but closed at all times when live entertainment, live or recorded music is being played, other than background music.

Thick curtains with blackout lining must be fitted for use by 31 July 2006 on north and east facing windows, and to be drawn by 2200 during British Summer Time and by 2000 at all other times, plus at all times during the hours of darkness when light-shows connected to entertainment events take place.

No strobe lighting to be used at any time.

Lighting used in connection with any entertainment must not be directed outwards from the premises.

When entertainment is taking place, all doors and windows must remain closed.

Management at the premises must be in overall control of sound levels during any musical entertainment. Before 2300 to prevent entertainment being intrusive, noise emanating from the premises shall not be clearly audible above other background noise from the boundary of the nearest residential property.

After 2300 noise emanating from the premises shall not be clearly distinguishable above other noise from the boundary of the nearest residential property. Bottle skips and bins shall not be emptied outside between the hours of 2300 and 0800 the next day.
A last entry time for patrons of 2330 shall apply.

On Fridays, Saturdays, Sundays preceding Bank Holidays and on Bank Holidays, in addition to any other time that special entertainment is taking place, qualified Door Supervisors must be on duty.

A senior member of staff shall assess the impact of noise from the premises on neighbouring residential premises, at the start of any entertainment and periodically throughout, and supervise dispersal of patrons outside the premises.

No off sales of alcohol or take-away food shall take place after 2300 hours.

Management to become a member of the local Pub watch scheme by December 2006.
Signage to be provided and maintained at exits to remind patrons of the residential area and to leave quietly.

The Challenge 21 proof of age philosophy to be adopted.

CCTV currently installed to be upgraded as necessary, in liaison with the police, to cover both inside and outside the premises, and to be maintained.

Replacement Conditions

Staff will be trained before making sales of alcohol in their responsibilities under the Licensing Act 2003. Refresher training will take place at monthly intervals. All training will be documents and made available to the authorities on reasonable request.

A CCTV system will be in operation at the premises and recorded images shall be retained for a period of 31 days. CCTV images will be provided to the police and other responsible authorities as soon as practicable and in any case within 48 hours of a request for such images, subject of the provisions of the DPA.

An incident register will be maintained at the premises and made available to the authorities on request.

All staff at the store will be trained in how to manage any person who they suspect may create a public nuisance in the area of the premises. Such people will be asked to leave the area quietly (if safe to do so) an entry will be made in the incident register.

Bottle skips and bins shall not be emptied outside between 23:00 & 08:00.

A register of refusals of alcohol will be maintained at the premises. The register will be made available for inspection by the Police and other responsible authority on request.