

**BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**  
**LICENSING SUB-COMMITTEE**

Minutes of the Meeting held on 21 January 2020 at 10.00 am

Present:-

Cllr D A Flagg – Chairman

Present: Cllr D Kelsey and Cllr P Parrish; Cllr D Butler (reserve – observing)

85. Election of Chairman

**RESOLVED that Councillor D Flagg be elected Chairman of the Sub-Committee for the duration of the meeting.**

Voting: Unanimous

86. Apologies

There were no apologies for absence on this occasion.

87. Declarations of Interests

There were no declarations of interest made on this occasion.

88. New Premises Licence Application - Whittles, 3 Station Approach, Poole, BH18 3AX

Attendance:

From BCP Council:

Sarah Rogers – Senior Licensing Officer  
Frank Wenzel – Licensing Team Manager  
Johanne McNamara – Senior Solicitor  
Sarah Culwick – Democratic Services

On behalf of the Premises Owner:

Martyn Banyard

Other persons:

Councillor Vikki Slade  
Dorothy Tricksey  
Joyce Jones

Press:1

The Chairman opened the hearing, made introductions and explained the procedure for the hearing, to which all parties agreed. Further introductions were made for those who had submitted representations and had requested to speak during the hearing.

The Licensing Team Manager presented the report which summarised the details of the application as set out in Agenda Item 4, a copy of which had been circulated to each Member of the Sub-Committee and a copy of which appears as Appendix 'A' to the Minutes in the Minute Book.

The Sub-Committee were asked to consider an application for a new premises licence at Whittles, 3 Station Approach, Poole. Members heard that the application was for the supply of alcohol on the premises from Monday to Sunday and that following mediation with Dorset Police the original application had been amended to reduce times for selling alcohol and reduce the opening hours plus remove any live music requirement which was outside the remit of the Live Music Act.

The applicant gave an overview of the application and the nature of the business which was intended to be a high end café restaurant and bar. In addition the applicant explained the type of activities and events that would take place on the premises.

In addition the applicant explained that he had met with those objecting to the application in order to help allay their concerns.

The Chairman introduced the Other Persons who each gave verbal representations. The verbal statements covered the licensing objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

Members of the Sub-Committee asked various questions of all parties present at the hearing. All parties were given the opportunity to ask questions of one another. All parties were then able to sum up before the Sub-Committee retired to make its decision.

**It was RESOLVED that:-**

**Having heard from the applicant and representations from the Ward Councillor and local residents, both in person and in writing and having regards to the statement of licensing policy and the statutory guidance having also noted successful mediation between the applicants and local residents and noting that there are no objections from Dorset Police.**

**The Sub-Committee was minded to grant the licence with the following additional conditions:**

**Under Crime and Disorder**

- **This staff member shall be able to show relevant authorities data or footage with the absolute minimum of delay where requested.**

**Under the prevention of public nuisance**

- **the outside area shall not to be used after 2300 hours**

Reasons for decision:

In making its decision the Sub-Committee considered the representations made by the other persons, the submissions made by the applicant, the relevant licensing objectives, the Licensing Act 2003, and Statement of Licensing Policy. The Sub-Committee were satisfied that the premises if operated as outlined in the application and with the additional conditions as set out above should not undermine the Licensing Objectives.

Right of Appeal:

The Legal Advisor reported that all parties to the application have the right to Appeal to the Magistrates Court within the period of 21 days beginning with the day on which the applicant is notified by the Licensing Authority of the decision in writing.

89. Review of Premises Licence - D & A Mini Market, 733 Christchurch Road, Bournemouth

The Chairman introduced the item and informed the Sub-Committee that they were being asked to formally open and adjourn consideration of the above application until 28 January 2020 in order to comply with requirement of the Hearing Regulations.

**RESOLVED that the hearing to consider the application for a new premises licence in respect of D & A Mini Market, 733 Christchurch Road, Bournemouth, be opened and adjourned until 28 January 2020.**

Voting: Unanimous

90. Exclusion of Press and Public

**RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.**

91. Application for Review of Premises Licence - Queens Stores, 17 Queens Road, Bournemouth, BH2 6BA

Attendance:

From BCP Council:

Sarah Rogers – Senior Licensing Officer  
Frank Wenzel – Licensing Team Manager  
Johanne McNamara – Senior Solicitor  
Sarah Culwick – Democratic Services

On behalf of Dorset Police:

Sergeant Gareth Gosling – Drug and Alcohol Harm Reduction Team

On behalf of the licence holder:

Philip Day – Solicitor representing the Licence Holder  
Ibrahim Oztuk – Premises Licence Holder  
Husseyin Ekinici – Premises Licence Holder  
Gamze Ekinici – Proposed DPS

The Chairman opened the meeting, made introductions and explained the procedure for the hearing, to which all parties agreed.

The Senior Licensing Officer presented the report a copy of which had been circulated to each Member of the Sub-Committee and a copy of which appears as Appendix 'B' to the Minutes in the Minute Book.

In presenting the report the Senior Licensing Officer explained that the Licensing Act 2003 enables the Sub-Committee to consider applications from responsible authorities for the review of Premises Licenses.

The Sub-Committee were asked to consider an application to review the premises licence for 'Queens Stores, 17 Queens Road' made by Dorset Police relating to the prevention of crime and disorder licensing objective. Members were advised that since the application had been lodged by Dorset Police there had been mediation between the premises, their agent and Dorset Police, to which the Licensing Authority had been informed. On the 17 January 2020 an email was received advising of an agreement that had been reached between the premises and Dorset Police to:

- Remove the Designated Premises Supervisor and;
- Suspend the Premises Licence for a period of 2 months.

All parties received this information and hard copies were circulated to the Sub-Committee Members at the start of the hearing. Dorset Police advised the Sub-Committee that they would be satisfied if the measures above were adopted as a way forward.

**RESOLVED that:-**

**After consideration of all aspects of the review and taking account of the mediation between all parties the Sub-Committee decided on the removal of the current Dedicated Premises Supervisor and suspension of the licence for 2 months, with such suspension to take place from the 26 February 2020.**

Reasons for decision:

Due to the agreement reached between the licence holders and Dorset Police and particularly Dorset Police commenting that they are supportive of these moves the Sub-Committee were satisfied that Licensing Objectives would not be undermined.

Right of Appeal:

The Legal Advisor reported that all parties to the application have the right to Appeal to the Magistrates Court within the period of 21 days beginning with the day on which the applicant is notified by the Licensing Authority of the decision in writing.

The meeting ended at 11.36 am

CHAIRMAN