

Notice of Licensing Sub-Committee

Date: Wednesday, 19 August 2020 at 10.00 am

Venue: Virtual Skype Meeting



Membership:

Cllr R Burton

Cllr B Dion

Cllr G Farquhar

All Members of the Licensing Sub-Committee are summoned to attend this meeting to consider the items of business set out on the agenda below.

The press and public are welcome to view the live stream of this meeting at the following link:

<https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?CId=289&MId=4371&Ver=4>

If you would like any further information on the items to be considered at the meeting please contact: Democratic Services or email democratic.services@bcpCouncil.gov.uk

Press enquiries should be directed to the Press Office: Tel: 01202 454668 or email press.office@bcpCouncil.gov.uk

This notice and all the papers mentioned within it are available at democracy.bcpCouncil.gov.uk

GRAHAM FARRANT
CHIEF EXECUTIVE

11 August 2020



Available online and
on the Mod.gov app



Maintaining and promoting high standards of conduct

Declaring interests at meetings

Familiarise yourself with the Councillor Code of Conduct which can be found in Part 6 of the Council's Constitution.

Before the meeting, read the agenda and reports to see if the matters to be discussed at the meeting concern your interests

Do any matters being discussed at the meeting relate to your registered interests?

Disclosable Pecuniary Interest

Yes

Declare the nature of the interest

Do NOT participate in the item at the meeting. Do NOT speak or vote on the item EXCEPT where you hold a dispensation

You are advised to leave the room during the debate

Local Interest

Yes

Declare the nature of the interest

Applying the bias and pre-determination tests means you may need to refrain from speaking and voting

You may also need to leave the meeting. Please seek advice from the Monitoring Officer

No

Do you have a personal interest in the matter?

Yes

Consider the bias and pre-determination tests

You may need to refrain from speaking & voting

You may also need to leave the meeting. Please seek advice

No

You can take part in the meeting speak and vote

What are the principles of bias and pre-determination and how do they affect my participation in the meeting?

Bias and predetermination are common law concepts. If they affect you, your participation in the meeting may call into question the decision arrived at on the item.

Bias Test

In all the circumstances, would it lead a fair minded and informed observer to conclude that there was a real possibility or a real danger that the decision maker was biased?

Predetermination Test

At the time of making the decision, did the decision maker have a closed mind?

If a councillor appears to be biased or to have predetermined their decision, they must NOT participate in the meeting.

For more information or advice please contact the Monitoring Officer
(anne.brown@bcpcouncil.gov.uk)

Selflessness

Councillors should act solely in terms of the public interest

Integrity

Councillors must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships

Objectivity

Councillors must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias

Accountability

Councillors are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this

Openness

Councillors should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing

Honesty & Integrity

Councillors should act with honesty and integrity and should not place themselves in situations where their honesty and integrity may be questioned

Leadership

Councillors should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs

AGENDA

Items to be considered while the meeting is open to the public

1. Election of Chairman

To elect a Chairman of this meeting of the Licensing Sub-Committee.

2. Apologies

To receive any apologies for absence from Members.

3. Declarations of Interests

Councillors are requested to declare any interests on items included in this agenda. Please refer to the workflow on the preceding page for guidance.

Declarations received will be reported at the meeting.

4. Protocol for Public Representation at Virtual Meetings

5 - 8

In response to the Government's guidance to limit the spread of Coronavirus and restrictions around the gathering of more than two people, the following items of business will be conducted as virtual hearings in accordance with Government Regulations and Article 16 of the Council's Constitution. This approach has been taken to ensure the Council is compliant with the current restrictions and is not putting participants and members of the public at risk.

A revised protocol for public representation at formal virtual meetings of the Licensing Sub Committee is included with the agenda sheet for this meeting.

5. Full Variation of Premises Licence - The Topsy Cow, 37 Charminster Road, Bournemouth BH8 8UE - Adjourned item

9 - 64

An application has been received for a full variation of a Premises Licence for the premises known as The Topsy Cow, 37 Charminster Road, Bournemouth BH8 8UE. The matter was adjourned by the Sub Committee on 12 August 2020 and is now brought before the Sub Committee for consideration.

6. Exclusion of Press and Public

In relation to the items of business appearing below, the Committee is asked to consider the following resolution: -

Regulation 14 (2) of the Licensing Act 2003 (Hearings) Regulations 2005, which states that the licensing authority may exclude the public from all or part of a hearing where it considers that the public interest in so doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in public.

'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, 2 and 7 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.'

7. Application for a Review of a Premises Licence Chicken Express, 144 Old Christchurch Road. Bournemouth

65 - 86

An application has been made by Dorset Police to review the Premises Licence relating to the premises known as 'Chicken Express', 144 Old Christchurch Road, Bournemouth, relating to the licensing objective the prevention of crime and disorder. This matter is brought before the Sub-Committee for determination.

No other items of business can be considered unless the Chairman decides the matter is urgent for reasons that must be specified and recorded in the Minutes.