

Notice of Licensing Sub-Committee

Date: Wednesday, 13 October 2021 at 10.00 am

Venue: Virtual Meeting



Membership:

Cllr J J Butt

Cllr D Farr

Cllr D A Flagg

Reserve 1: Cllr T Johnson

Reserve 2: Cllr A Hadley

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?Cld=289&Mld=4735&Ver=4>

If you would like any further information on the items to be considered at the meeting please contact: Michelle Cutler at michelle.cutler@bcpCouncil.gov.uk Democratic Services on 01202 096660 or email democratic.services@bcpCouncil.gov.uk

Press enquiries should be directed to the Press Office: Tel: 01202 118686 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

5 October 2021



Available online and
on the Modern.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 directly 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 must leave
the room
during the
debate unless
you hold a
dispensation

Other Registerable
Interest

Yes

Declare the
nature of the
interest

You may speak
on the matter
ONLY if
members of the
public are also
allowed to
speak at the
meeting

Otherwise, do
NOT speak or
vote on the
matter and
leave the room
during the
debate unless
you hold a
dispensation

No

Does the matter **directly** relate to your
financial interest or well-being or those
of a relative or close associate?

Yes

You must disclose the interest.

Does the matter affect your financial
interest or well-being:
(a) to a greater extent than it affects the
financial interests of the majority of
inhabitants of the ward affected by
the decision and;
(b) a reasonable member of the public
knowing all the facts would believe
that it would affect your view of the
wider public interest

Yes

You may speak on the matter ONLY
if members of the public are also
allowed to speak at the meeting

Otherwise, do NOT speak or vote on
the matter and leave the room during
the debate unless you hold a
dispensation

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
(susan.zeiss@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. Aldi, 257-263 Holdenhurst Road, Bournemouth, BH8 8NT

9 - 36

An application has been received for a variation of the Premises Licence of the Premises known as 'Aldi Stores', 257-263 Holdenhurst Road, Bournemouth, BH8 8NT.

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.

This page is intentionally left blank



LICENSING COMMITTEE AND SUB COMMITTEE

PROTOCOL FOR PUBLIC REPRESENTATION AT VIRTUAL MEETINGS

The existing protocol for public speaking has been adapted to apply in respect of virtual hearings under the Licensing Act 2003, the Gambling Act 2005, and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by the Policing and Crime Act 2009).

It has been amended in accordance with Article 16 of the Council's Constitution: Covid-19 Interim Decision Making Arrangements, and the requirements of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

This includes applications relating to the licensing of alcohol, regulated entertainment, late night refreshment, gambling, and sex establishments, Hackney Carriage and Private Hire vehicles, which are the responsibility of the Licensing Committee/Sub Committee to determine as set out in Part 3.3 of the Council's Constitution.

1. The Chair welcomes everyone, matters of general housekeeping are dealt with, notification that the hearing may be recorded for live and subsequent broadcast on the Council's website, reminder to switch mobile phones to silent, principles for managing formal skype meetings.
2. The Chair identifies all parties present and makes introductions.
3. Matters of general housekeeping are dealt with, notification that the hearing may be recorded for live and subsequent broadcast on the Council's website, reminder to switch mobile phones to silent.
4. All persons who have given notice of their intention to speak are identified.
5. Identify if any person who wishes to withdraw a representation or wishes not to speak
6. Chair explains proposed procedure and order of speaking for hearing as set out in Appendix A. All parties confirm agreement or make representations on procedure proposed.
7. Licensing Officer's report is presented.
8. Parties present their representations in the order agreed.
9. Parties who are speaking should not repeat the information which they have already given in writing in their representation. They will be able to expand on the written information given, provided the information remains relevant. Any addition information should be limited to the grounds of their representation(s). For example, if they are objecting on the grounds of Public Nuisance, then they should confine their comments to matters relating to Public Nuisance.
10. Members of the Licensing Committee or Sub Committee may ask questions after each representation and at the end of all representations. Parties, will be allowed to ask questions through the Chair.

11. Following representations, the parties will be given the opportunity to sum up. Party who spoke first to go last. The hearing will then conclude.
12. Members will deliberate in private with the clerk and legal representative as appropriate present.
13. The decision will be taken by the Committee and notification of the decision will be given within the period of five working days beginning with the day or the last day on which the hearing was held in accordance with the regulations. The notification of decision will include information about the right of appeal as appropriate.
14. The Legal Advisor will advise the parties of any right of appeal as appropriate at the conclusion of the hearing.

General points

- The hearing may be adjourned at any time at the discretion of the Members
- Members may amend the procedure at any time if they consider it to be in the public interest or in the interest of a fair hearing
- The Sub Committee may decide to conduct all or part of a hearing in non public session where it considers the public interest in doing so, outweighs the public interest in the hearing.
- The Chair may exclude any person from a hearing for being disruptive.
- Meetings of the Licensing Committee in public session are recorded by the Council for live and subsequent broadcast on its website.
- The hearing will take the form of a discussion.
- Only persons (or their representatives) who have made an application, are subject to an application or have submitted a written representation to the Licensing Authority under the relevant Act are permitted to speak at the hearing.
- Any further information to support an application or a representation must be submitted at least 5 working days prior to the Hearing. Any submissions submitted less than 24 hours before the hearing must be agreed by all parties at the Hearing, before it can be considered
- If a party has informed the Authority that he does not intend to participate, or be represented at the hearing, or has failed to advise whether he intends to participate or not, the hearing may proceed in his absence

For other matters in Part 3.3 of the Council's Constitution which are the responsibility of the Licensing Committee, the procedures set out in Appendix 6 of the Council's Constitution in relation to public questions, statements and petitions as amended by Article 16: Covid-19 Interim Decision Making Arrangements and the provisions in The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 shall apply.

This includes such matters as making recommendations on relevant policies, approving the level of fees charged by the Council, and making decisions on tariffs charged by the Public Carriage Trade.

The Council's Constitution can be accessed using the following link:

<https://democracy.bcpccouncil.gov.uk/ieListMeetings.aspx?CommitteeID=151&Info=1&bcr=1>

For further information please contact democraticservices@bcpccouncil.gov.uk

Proposed procedure and order of speaking for virtual hearings

- The Licensing Officer/Other Council Officer presents report
- Applicant will make their Application
- Questions of the Applicant by all parties, Members of the Committee/Sub-Committee to go first
- Responsible Authorities and Other Persons will make their representations.
- Questions of the Responsible Authorities and Other Persons. Members of the Committee/Sub-Committee to go first.
- All parties will be given an opportunity to sum up (with the party who spoke last to go first). The hearing will then conclude.
- Sub-Committee will deliberate in private with Legal Adviser and Clerk present. (Councillors new to Licensing may observe but will not take part in the decision making).
- Notification of the Sub Committee's decision will be given within the period of five working days beginning with the day or the last day on which the hearing was held in accordance with the regulations. The notification of decision will include information about the right of appeal as appropriate.
- The Legal Adviser will advise parties of any right of appeal as appropriate at the conclusion of the hearing.

This page is intentionally left blank

LICENSING SUB-COMMITTEE



Report subject	Aldi, 257-263 Holdenhurst Road, Bournemouth, BH8 8NT
Meeting date	13 October 2021
Status	Public Report
Executive summary	<p>Aldi Stores Limited have made an application for variation to their current premises licence.</p> <p>The current licence permits off sales of alcohol only between the hours of 08:00 to 23:00 Monday to Saturday, 08:00 to 22:30 on Sundays, 12:00 to 15:00 and 19:00 to 22:30 on Christmas Day and 08:00 to 22:30 on Good Friday.</p> <p>Variation is made to extend the permitted hours of opening and for the supply of alcohol off the premises Monday to Sunday 06:00 to 00:00 hours.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members are asked to decide whether to:-</p> <ul style="list-style-type: none"> a) Grant the application for variation as made; b) Refuse the application, or part of, for variation to the premises licence; c) Grant the application, or part of, subject to additional conditions. <p>Members of the Licensing Sub-Committee are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.</p>
Reason for recommendations	<p>The Licensing Authority has received a representation from one other person on the grounds that to grant the application, would undermine the prevention of crime and disorder licensing objective.</p> <p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the representation. Where representations have been received from a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Scheme of Delegation, set out in the Council's Constitution states that the application</p>

	should be dealt with by the Licensing Sub-Committee.
--	--

Portfolio Holder(s):	Councillor May Haines – Committee Safety
Corporate Director	Kate Ryan – Chief of Operations
Report Authors	Tania Jardim – Licensing Officer
Wards	East Cliff & Springbourne;
Classification	For Decision

Background

1. An application to vary premises licence BH082464, under Section 34 of the Licensing Act, was made by Ms Lisa Gilligan of Freeths on behalf of Aldi Stores Limited on 23rd August 2021. A copy of the application is attached at Appendix 1.
2. A copy of the current licence and approved plan is attached at Appendix 2.

Consultation

3. The application was served on all responsible authorities and the applicant confirmed that the statutory notices were displayed on site and published in the local newspaper.
4. The application prompted a representation by one other person under the prevention of crime and disorder licensing objective. A copy of the representation is attached at Appendix 3.
5. Mediation took place with Dorset Police and conditions were agreed, these are attached at Appendix 4.

Options Appraisal

6. Before making a decision, Members are asked to consider the following matters: -
 - The representation made by one other person.
 - The relevant licensing objectives, namely the prevention of crime and disorder.
 - The Licensing Act 2003, appropriate Regulations, Statutory Revised Guidance issued under Section 182 of the Licensing Act 2003 (April 2018) and the Council's Statement of Licensing Policy.

Summary of financial implications

7. N/A

Summary of legal implications

8. If Members decide to refuse the application or attach condition to the licence, which the applicant does not agree to, the applicant may appeal to the Magistrate's Court within a period of 21 days beginning with the day that the applicant is notified in writing, of the decision.

Summary of human resources implications

9. N/A

Summary of sustainability impact

10. N/A

Summary of public health implications

11. N/A

Summary of equality implications

12. N/A

Summary of risk assessment

13. N/A

Background papers

BCP Council – Statement of Licensing Policy

<https://democracy.bcpCouncil.gov.uk/documents/s21122/Statement%20of%20Licensing%20Policy.pdf>

Hearing Regulations

<https://www.legislation.gov.uk/ukSI/2005/44/made>

Revised Guidance issued under Section 182 of the Licensing Act 2003 (April 2018)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Appendices

- 1 – Copy of application
- 2 – Copy of current premises licence and approved plan
- 3 – Representation by one other person
- 4 – Conditions agreed with Dorset Police



Bournemouth, Christchurch and Poole
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@bcpcouncil.gov.uk
Telephone: 01202 123789

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text"/>	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
Are you an agent acting on behalf of the applicant?		Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
<input checked="" type="radio"/> Yes <input type="radio"/> No		

Applicant Details

* First name	<input type="text" value="Aldi Stores Limited"/>	
* Family name	<input type="text" value="Aldi Stores Limited"/>	
* E-mail	<input type="text" value="lisa.gilligan@freeths.co.uk"/>	
Main telephone number	<input type="text" value="0116 2481145"/>	Include country code.
Other telephone number	<input type="text"/>	
<input type="checkbox"/> Indicate here if the applicant would prefer not to be contacted by telephone		

Is the applicant:

- ☒ Applying as a business or organisation, including as a sole trader
☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Note: completing the Applicant Business section is optional in this form.
Registration number	<input type="text" value="2321869"/>	
Business name	<input type="text" value="Aldi Stores Limited"/>	If the applicant's business is registered, use its registered name.
VAT number	<input type="text" value="-"/> <input type="text"/>	Put "none" if the applicant is not registered for VAT.
Legal status	<input type="text" value="Private Limited Company"/>	

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

- ☒ An agent that is a business or organisation, including a sole trader
- ☐ A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

232,000

Section 3 of 18

VARIATION

Do you want the proposed
variation to have effect as
soon as possible?

☒

Yes

☐

No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

☐

Yes

☒

No

You do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

The proposed variation is to amend the hours for sale of alcohol and opening hours to 06:00 to 00:00 every day of the week

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to
vary is successful?

☐

Yes

☒

No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to
vary is successful?

☐

Yes

☒

No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption?

☐ On the premises ☒ Off the premises ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 14 of 18

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

☒ I have enclosed the premises licence

Continued from previous page...

☐ I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

None are required.

b) The prevention of crime and disorder

None are required.

c) Public safety

None are required.

d) The prevention of public nuisance

None are required.

e) The protection of children from harm

None are required.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Refer to Borough of Poole website: <https://www.poole.gov.uk/business-and-consumers/licences-and-street-trading/licensing-act-2003/fees-for-licensing-act-2003/> Or search on: www.poole.gov.uk/business/licences

* Fee amount (£)

635.00

DECLARATION

* I understand it is an offence, liable on summary conviction to a fine not exceeding level 5 on the standard scale, under section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application.

* I understand that I must now advertise my application.

* I understand that if I do not comply with the requirements my application will be rejected.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

Lisa Gilligan, Freeths LLP

* Capacity

Solicitors for the Applicant

* Date

23 / 08 / 2021
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/bournemouth-christchurch-poole/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

Continued from previous page...

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.

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

Licensing Team
 Town Hall Annex
 St Stephen's Road
 Bournemouth BH2 6EA



Premises Licence Part A

Premises licence number: BH082464

Postal address of premises, or if none, ordnance survey map reference or description:	
Aldi Stores Limited 257-263 Holdenhurst Road	
Post town: Bournemouth	Post Code: BH8 8BZ
Telephone number: 01827 710800	

Licensable activities authorised by the licence:
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:
Supply of Alcohol Monday - 08:00 to 23:00 Tuesday - 08:00 to 23:00 Wednesday - 08:00 to 23:00 Thursday - 08:00 to 23:00 Friday - 08:00 to 23:00 Saturday - 08:00 to 23:00 Sunday - 10:00 to 22:30 <u>Non-standard timings for the supply of alcohol.</u> Christmas day – 12:00 to 15:00 and 19:00 to 22:30 Good Friday - 08:00 to 22:30

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:
Alcohol will be consumed off the premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Aldi Stores Limited
 Holly Lane
 Atherstone
 Warwickshire
 CV9 2SQ
 Tel: 01793 836202
 Email: invoices.swi@aldi.co.uk

Registered number of holder, for example company number, charity number (where applicable):

2321869

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Ms Hannah Sarnowski-Chirek

■■■■■■■■■■
 ■■■■
 ■■■■■■

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

■■■■
 ■■■■■■■■■■

Annex 1 – Mandatory conditions

Mandatory Conditions (Sections 19,20,21 LA 2003)

- 1.1. There shall be no sale or supply of alcohol when there is no designated premises supervisor in respect of this premises licence or at a time when the said premises supervisor does not hold a personal licence or when his/her licence is suspended.
- 1.2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014

1.3.

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.

The Licensing Act 2003 (Mandatory Conditions) Order 2014

1.4.

1. 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.
2. For the purposes of the condition set out in paragraph 1 -
 - (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.
3. Where the permitted price given by Paragraph (b) of paragraph 2 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.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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.

Mandatory Conditions – (Embedded Restrictions) – Attached as part of Conversion Application under Transitional Grandfather Rights Off Licences

- 1.5 Alcohol shall not be sold in an open container or be consumed in the licensed premises.
- 1.6 The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the sale of alcohol to a trader or club for the purposes of the trade or club.
- 1.7 The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered.
- 1.8 The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty’s naval, military or air forces.
- 1.9 The licensee shall have regard and comply with any relevant provisions of the following enactments during any licensable activities taking place on the premises :-
 - 1.9.1 Children and Young Persons Act 1933
 - 1.9.2 Cinematograph (Safety) Regulations 1955
 - 1.9.3 Sporting Events (Control of Alcohol Etc) Act 1985

Annex 2 – Conditions consistent with the operating schedule

N/A

Annex 3 – Conditions attached after a hearing by the licensing authority

N/A

Annex 4 – Plans

This licence is issued in accordance with the plan M164485, dated 27 July 2018, as attached.



Premises Licence Part B

Premises licence number: BH082464

Postal address of premises, or if none, ordnance survey map reference or description:
--

Aldi Stores Limited 257-263 Holdenhurst Road
--

Post town: Bournemouth

Post Code: BH8 8BZ

Telephone number: 01827 710800

Licensable activities authorised by the licence:

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:
--

Supply of Alcohol: Monday to Saturday - 08:00 to 23:00, Sunday - 10:00 to 22:30
--

<u>Non-standard timings for the supply of alcohol.</u>
--

Christmas day - 12:00 to 15:00 and 19:00 to 22:30

Good Friday - 08:00 to 22:30

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:
--

Alcohol will be consumed off the premises.
--

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Aldi Stores Limited, Holly Lane, Atherstone, Warwickshire, CV9 2SQ, Tel: 01793 836202,
--

Email: invoices.swi@aldi.co.uk

Registered number of holder, for example company number, charity number (where applicable):
--

2321869

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:
--

Ms Hannah Sarnowski-Chirek

State whether access to the premises by children is restricted or prohibited:
--

N/A

Issued: 24 November 2005
Revised: 30 May 2020 [Vary DPS]


Mrs Nananka Randle
Licensing Manager

This page is intentionally left blank

- 6 SEP 2021

VALE LODGE,
4-6 VALE RD,
BOURNEMOUTH
BH1 3SY.

2ND SEPTEMBER 2021.

DEAR SIR/MADAM,

I WISH TO OBJECT MOST STRONGLY TO THE APPLICATION BY ALDI SUPERMARKETS TO HAVE THEIR OPENING HOURS AND SALE OF ALCOHOL EXTENDED UP TO 6-00 - 00-00 (MIDNIGHT) 7 DAYS PER WEEK. AS YOU AND THE LAW ENFORCEMENT AUTHORITIES ARE PROBABLY AWARE THE SPRINGBOURNE AREA IS A HIVE OF ANTI-SOCIAL ACTIVITY AND ALCOHOLISM. TESCO EXPRESS AND THE SMALLER SHOPS WHICH SELL ALCOHOL HAVE A SERIOUS ANTI-SOCIAL AND BEGGING PROBLEM. MANY TIMES I HAVE BEEN ASKED FOR MONEY BY PEOPLE YOUNG AND OLD MALE AND FEMALE WHEN I REFUSED THE TYPICAL ANSWER WAS "WHY DO YOU GO INTO A SHOP WHEN YOU DO NOT HAVE MONEY." THEY SEEM TO THINK THAT THEY HAVE AN AUTOMATIC RIGHT TO BE GIVEN MONEY. OFTEN I HAVE BEEN SWORN AT AND THREATENED. I KNOW PEOPLE WHO WILL NOT GO TO THE CASH MACHINE ALONE. ENCOURAGING LONGER DRINKING HOURS MAKES THE SITUATION WORSE. I HAVE WITNESSED SECURITY STAFF IN BOTH TESCO EXPRESS AND ALDI CHASING SHOPLIFTERS AFTER THEY HAVE STOLEN BOTTLES OF DRINK. THE SECURITY STAFF HAVE SURRENDERED IN THE WAR AGAINST BEGGING AND IT IS US LAW ABIDING MEMBERS OF SOCIETY WHO ARE THE VICTIMS. PLEASE REFUSE THIS EXTENSION.

YOURS SINCERELY

- 3 SEP 2021

MAIL ROOM
RECEIVED

- 6 SEP 2021

BOURNEMOUTH
TOWN HALL

- 6 SEP 2021

VALE LODGE,

4-6 VALE ROAD

BOURNEMOUTH,

BH1 3SY.

3RD SEPTEMBER 2021

DEAR SIR/MADAM,

WE ARE WRITING TO EXPRESS OUR OBJECTIONS TO THE APPLICATION BY ALDI SUPERMARKETS OF HOLDENHURST ROAD BOURNEMOUTH TO EXTEND THEIR OPENING HOURS FOR SELLING ALCOHOL TO 06.00 - 00.00 (MIDNIGHT) SEVEN DAYS PER WEEK.

THIS AREA HAS A CONSIDERABLE PROBLEM, AS THE COUNCIL AND POLICE ARE PROBABLY AWARE, WITH ANTI-SOCIAL BEHAVIOUR AND BEGGING A LOT OF IT TRIGGERED BY DRINK. EVERY DAY CUSTOMERS OF ALDI, TESCO EXPRESS AND OTHER LOCAL SHOPS SELLING ALCOHOL ARE HARASSED AND OFTEN SWORN AT AND THREATENED BY PEOPLE DEMANDING MONEY. SEVERAL TIMES WE HAVE WITNESSED SECURITY STAFF OF ALDI AND TESCO EXPRESS CHASING PEOPLE WHO HAVE BEEN LIGHT FINGERED WITH BOTTLES OF DRINK. PRESUMABLY ALDI'S PRICES WOULD BE LOW SO ATTRACTING EVEN MORE CRIMINAL ACTIVITY IN THE FORM OF ALCOHOLISM. EXTENDING OPENING HOURS MAKES IT EASIER TO OBTAIN DRINK. THEREFORE REQUEST THAT YOU REJECT THIS APPLICATION FOR THE SAKE OF RESIDENTS IN THIS AREA WHO ARE CONSTANTLY INTIMIDATED AND HARASSED SOME ^{AFRAID} EVEN TO GO TO THE CASH MACHINE BECAUSE PEOPLE ARE SITTING ON THE GROUND OR STANDING NEARBY. THE SECURITY STAFF ARE LOSING THE BATTLE THEY MUST NOT LOSE THE WAR.

YOURS SINCERELY,

Tania Jardim

From: Busfield, Louise <Louise.Busfield@dorset.pnn.police.uk>
Sent: 08 September 2021 08:29
To: Licensing Com
Cc: Dorset Police Licensing; lisa.gilligan@freeths.co.uk
Subject: FW: Proposed conditinos in respect of ALDI Full Variations
Attachments: M188346 Full Variation ALDI Holdenhurst Road.pdf; M188348 Full Variation ALDI Wallisdown Road.pdf; Proposed conditions for Full Variation applications ALDI.docx

Good morning Licensing

Please see below conditions as below that have been mediated, and agreed, for inclusion on the above three Full Variations for Aldi.

A CCTV system shall be installed and in operation at all times whilst the premises are open to the public for licensable activities

The recording system shall be able to capture image of evidential quality and such recordings shall be retained for as long as the system is able (whilst retaining the high-quality image) and in any event for a minimum of 31 days. The CCTV system must be kept in a secure environment under the control of the Manager or other responsible named individual. Store management shall be trained to view and download CCTV footage. For urgent matters, at all times officers shall be able to view CCTV footage to verify if a reported offence is covered and, whenever required, CCTV shall be downloaded and made available in a viewable format to the officer as soon as reasonably practicable. For non-urgent matters, CCTV shall be available to view and download at all times during normal office hours

All equipment shall have a constant and accurate time and date generation.

Refusals forms to be completed as standard procedure on the tills by the Store Assistant at the point of refusal.

The premises shall operate a Challenge 25 policy. Challenge 25 posters shall be displayed in prominent positions at the premises.

Members of staff shall be in respect of the sale of age restricted products and documented records shall be retained.

Refresher training shall be provided every six months as a minimum and records shall be kept of this.

All training records shall be kept and made available to the Licensing Authority or the Police as soon as possible and in any event within 7 days of request.

No bottled or canned super-strength beer, lager or cider of 6% ABV or above shall be sold in the core range at the premises other than speciality/ artisan beer, lager or cider.

Alcohol shall not be sold in open containers and the consumption of alcohol on the premises shall not be permitted.

No customers carrying open alcoholic drinks shall be permitted on the premises.

Kind regards,

Louise

Louise Busfield 8952

Licensing Officer

Drug and Alcohol Harm Reduction Team

Prevention Department Bournemouth Police Station Dorset Police

E: louise.busfield@dorset.pnn.police.uk T: 01202 222445 M: 07912 899315



Connect with Dorset Police: [Online](#) | [Facebook](#) | [Twitter](#) | [LinkedIn](#) | [Youtube](#)

From: Lisa Gilligan <Lisa.Gilligan@freeths.co.uk>

Sent: 06 September 2021 11:38

To: Busfield, Louise <Louise.Busfield@dorset.pnn.police.uk>

Subject: FW: Proposed conditinos in respect of ALDI Full Variations

Hi Louise,

As discussed please see attached my suggested amends to the proposed conditions.

I have made the amendments to reflect Aldi's standard procedures but I hope they still retain the spirit of what you are seeking to achieve.

Happy to discuss.

Kind regards

Lisa

Lisa Gilligan

Partner

T: 0845 272 5723

F: 0845 634 2596

M: 07810 812 019

FREETHS

Freeths LLP
One Colton Square
Leicester LE1 1QH



For a comprehensive range of guidance on Coronavirus and Brexit developments in a number of key areas, please visit our Coronavirus and Brexit Exchanges (www.freeths.co.uk/coronavirus and www.freeths.co.uk/brexit-exchange/)

Legal 500 Guide 2021: 'Top Tier' in 21 categories | 153 'Recommended' Lawyers | 33 'Leading Individuals'

Chambers UK Guide 2021: 'Ranked' in 37 categories | 71 Lawyers 'Leaders in the field'