

Notice of Licensing Sub-Committee

Date: Wednesday, 8 December 2021 at 10.00 am

Venue: Virtual Meeting



Membership:

Cllr D Brown

Cllr R Burton

Cllr J J Butt

Reserve 1: Cllr Dion

Reserve 2: Cllr Decent

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=4739&Ver=4>

If you would like any further information on the items to be considered at the meeting please contact: Michelle Cutler 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

30 November 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

A revised protocol for public representation at formal virtual meetings of the Licensing Sub Committee when it is considering Licensing Act 2003 business is included with the agenda sheet for this meeting.

5. Application for a New Premises Licence El Murrino 213 Ashley Road Poole BH14 9EG

9 - 32

An application has been received for a New Premises Licence for the premises known as 'El Murrino', 213 Ashley Road, Poole, BH14 9EG.

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.

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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.

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LICENSING SUB-COMMITTEE



Report subject	Application for a Premises Licence El Murrino 213 Ashley Road Poole BH14 9EG
Meeting date	8 December 2021
Status	Public Report
Executive summary	<p>El Murrino Limited have made an application for a premises licence to allow the provision of on and off sales of alcohol from 11:00 to 22:30 Monday to Thursday, 11:00 to 23:00 Friday to Saturday and 11:00 to 22:00 on Sunday.</p> <p>The Licensing Authority has received representations from 7 Other Persons on the grounds that to grant the application would undermine the prevention of crime and disorder, public safety and prevention of public nuisance licensing objectives.</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 a premises licence as made; b) Refuse the application for a premises licence; c) Grant the premises licence 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 may only consider aspects relevant to the application that have been raised in the representation.</p> <p>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 these applications should be dealt with by the Licensing Sub-Committee.</p>

Portfolio Holder(s):	Councillor Bobbie Dove – Community Safety and Regulatory Services
Corporate Director	Kelly Ansell – Interim Chief Operations Officer
Report Authors	Tania Jardim – Licensing Officer
Wards	Parkstone
Classification	For Decision

Background

1. An application for a premises licence under Section 17 of the Licensing Act 2003 was made on the 21st October 2021 for the supply of alcohol with a meal, either on the premises or for delivery. A copy of the application, including the plan of the premises, is attached at Appendix 1.
2. A location plan is attached at Appendix 2. The premises were previously a bank.

Consultation

3. The application was served on all responsible authorities and the licence application lists was emailed to all members on the 28th October 2021. The applicant confirmed that the statutory notices were displayed on site and published in the local newspaper.
4. The application prompted 7 representations from other persons under the prevention of crime and disorder, public safety and prevention of public nuisance licensing objectives. No Responsible Authority has made a representation. A copy of the representations made by 'other persons' are attached at Appendix 3.
5. For clarification, some of the representations referred to a petition that residents had submitted to BCP Council and was presented at a Council Meeting on the 14th September 2021 when it was resolved it be referred to the Cabinet for further consideration. This report will be presented to Cabinet on the 15 December 2021.

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, public safety and prevention of public nuisance.
 - 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 Application and plan
- 2 – Location Plan
- 3 – Representations

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Application for a premises licence to be granted 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 EL MURRINO LTD
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
213 ASHLEY ROAD			
Post town	POOLE	Postcode	BH14 9EG

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

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☐

I am making the application pursuant to a
 statutory function or ☐
 a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	EI MURRINO LTD.
Address	154 OLD CHRISTCHURCH ROAD BHI INL
Registered number (where applicable)	10140262
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY

Telephone number (if any)

01202 463333

E-mail address (optional)

CONTACT@ELMURRINO.COM

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	5	102021

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
2	5	102021

Please give a general description of the premises (please read guidance note 1)

TAKE AWAY AND DELIVERY SITE. BREAKFAST BAR TOP FOR APPROX 5 STOOLS FOR CUSTOMERS TO EAT INSIDE WITH THE OPTION OF ON SALES. DELIVERY OF ALCOHOL ONLY WHEN FOOD IS PURCHASED.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption <u>- please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11 AM	22:30			
Tue	11 AM	22:30			
Wed	11 AM	22:30			
Thur	11 AM	22:30			
Fri	11 AM	23:00			
Sat	11 AM	23:00			
Sun	11 AM	22:00			
			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 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name RONY EL MURR	
Date of birth	[REDACTED]
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) BOURNEMOUTH	

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

CCTV TO BE INSTALLED INSIDE + OUTSIDE OF THE PREMISES. THE CAMERAS WILL COVER ALL INTERNAL AREAS ACCESSIBLE TO THE PUBLIC + AREAS IMMEDIATELY OUTSIDE OF THE PREMISES.

ALCOHOL WILL ONLY BE SUPPLIED WITH A MEAL EITHER ON THE PREMISES OR BY DELIVERY. ALL DELIVERIES WILL BE RECORDED TO THE ADDRESS WHERE THE ORDER WAS PLACED.

REFUSAL BOOK + INCIDENT LOG HELD + MAINTAINED. STAFF TRAINING

b) The prevention of crime and disorder RECORDS HELD

CCTV WILL BE INSTALLED INSIDE + OUTSIDE OF THE PREMISES. - THE RECORDING WILL BE IN REAL TIME + ON HARD DRIVE WITH THE AVAILABILITY TO COPY DISKS.

INCIDENT BOOK TO BE KEPT UP TO DATE

STAFF TO BE AWARE OF THEIR RESPONSIBILITIES UNDER THE LICENSING ACT 2003 + RECOGNISE APPROPRIATE 'CUT OFF' POINTS FOR SERVING DRUNKEN CUSTOMERS, SO AS TO REDUCE

THE LIKELIHOOD OF FIGHTS + AGGRESSIVE BEHAVIOUR

c) Public safety

RISK ASSESSMENT CONSIDERING PUBLIC SAFETY IS CARRIED OUT AT THE PREMISES TO IDENTIFY POTENTIAL HAZARDS POSED TO STAFF AND CUSTOMERS.

FIRST AID BOX ON SITE / ACCIDENT BOOK.

POLICY BASED ON RA IN PLACE THAT INCLUDES EMERGENCY MANAGEMENT, EVACUATION PROCEDURES, FIRE, CONTINGENCY PLANNING, EVACUATION-ROUTES + EXITS DEFINED + EVACUATION PLANS EXERCISED

EQUIPMENT CHECKED + MAINTAINED REGULARLY. - RECORDED.

d) The prevention of public nuisance

STAFF TRAINING + AWARENESS ON RISKS + WORKING TO MINIMISE ANY DISTURBANCES FROM ASB TO KEEPING NOISE TO A MINIMUM, MANAGING ODOUR THROUGH GOOD EXTRACTION + HOUSEKEEPING. LITTER, + WASTE DISPOSED OF APPROPRIATELY.

e) The protection of children from harm

EL MURRINO STAFF WILL ASK FOR PHOTO ID OF ANY CUSTOMERS THAT THEY BELIEVE TO LOOK UNDER THE AGE OF 25. - DELIVERY DRIVERS TO DO THIS TOO.

CHALLENGE 25 POSTERS WILL BE DISPLAYED AT THE SERVING POINT

ALL STAFF WILL PARTICIPATE IN TRAINING THAT INCLUDES CHALLENGE 25, CONFLICT MANAGEMENT + SERVING

INTOXICATED CUSTOMERS.

Checklist:**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☐
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15). ☐

- forms to be sent over.


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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her
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	proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	10.10.2021
Capacity	PERSONAL LICENCE HOLDER

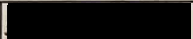
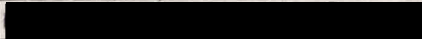
DIRECTOR OF ELMURRINO LTD

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

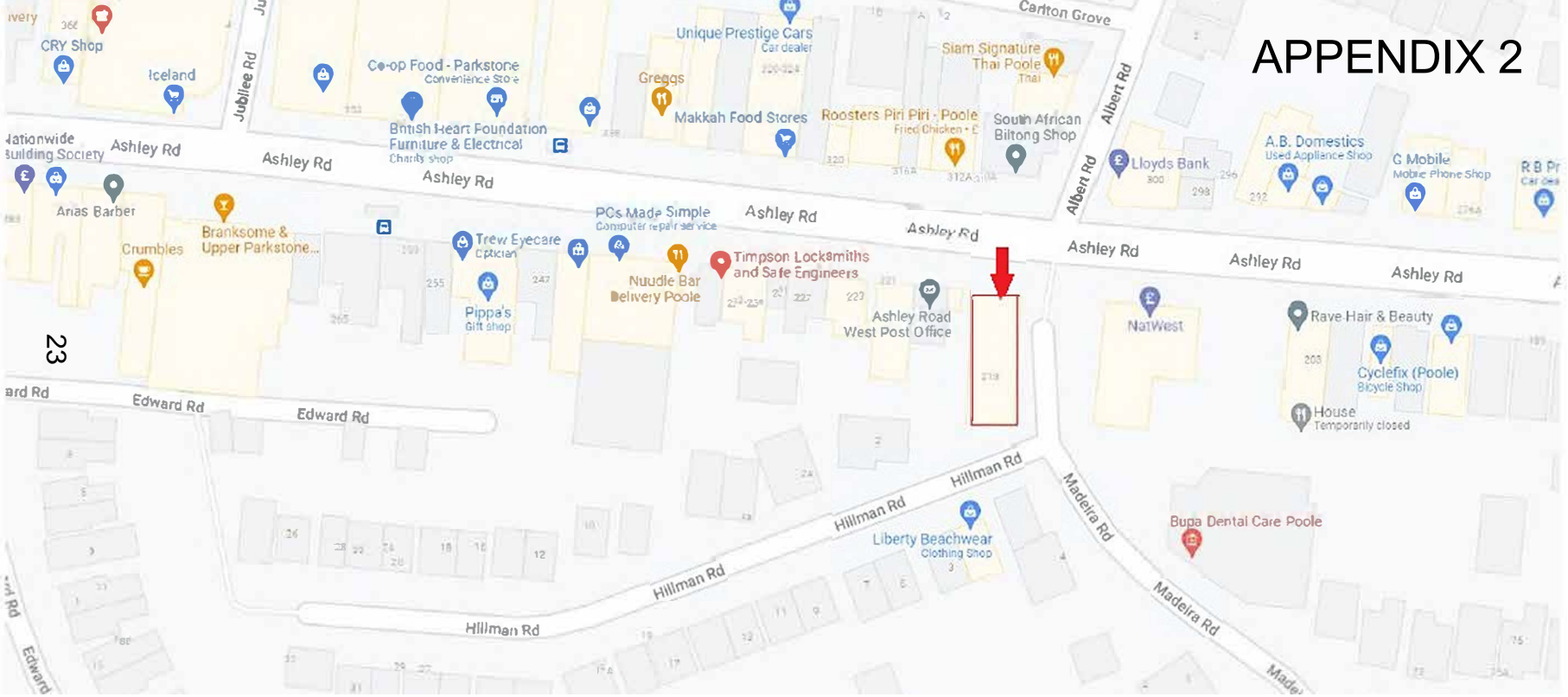
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)



Post town	BOURNEMOUTH	Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
CONTACT@ELMURRINO.COM			

APPENDIX 2



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Tania Jardim

From: Rowan Aylward [REDACTED]
Sent: 05 November 2021 11:53
To: Licensing Com
Subject: Objection EL Murrino

Categories: Linda, 3 - Complaint and Enquiries, 1 - URGENT

Hello,

I object to EL Murrino 213 ashley road selling alcohol.

There are enough issues with ASB and alcohol related issues along ashley road.

I live next door to this new shop, theres no toilet facilities and its take away only from the planning permission.

Street drinking on ashley road is not permitted. And i have enough trouble as it is with people urinating at my front door.

Are the council going to put up a new bin next door to this shop ? Im fed up on bin day when i come home to vodka bottles and special brew in my bin when i come home after its emptied

Rowan

Tania Jardim

From: Bil [REDACTED]
Sent: 05 November 2021 11:54
To: Licensing Com
Subject: Application to sell alcohol 213 Ashley Road BH14 9EG

Categories: Linda, 3 - Complaint and Enquiries, 1 - URGENT

I am writing to object to the premises El Murrino at 213 Ashley Road, Parkstone BH14 9EG being granted a licence to sell alcohol.

Residents already have a substantial problem in the area with alcohol abuse and related antisocial behaviour, as has been shown by the over 2000 signatures gathered recently to persuade the council to take effective action to curtail these activities. Vandalism, vomiting, fighting and other even more unhygienic activities will not be improved in this very key location with the addition of more access to alcohol. This is not a restaurant, only a take away. Supermarkets where people can purchase drinks to consume at home are available.

I urge you to refuse the licence.

Barbara Leonard
[REDACTED] Madeira Road
Poole
BH14 9ET

Tania Jardim

From: Serene Sounds for Life [REDACTED]
Sent: 05 November 2021 12:36
To: Licensing Com
Subject: Alcohol licence

Categories: Linda, 3 - Complaint and Enquiries, 1 - URGENT

I totally object to the giving of an alcohol licence to the premises known as El Murrino of 213 Ashley Road parkstone poole BH14 9EG.

I live directly behind the above business and can state without reservation that I am already sick to death of the disruption to my every day coming and goings.

The alcohol misuse on Ashley Road, Madeira Road and close streets is terrible whilst nothing is done about it. To offer another source of alcohol will only add fuel to the fire.

There is already a 2000 person petition against the antisocial behaviour in our area and therefore to offer more outlets selling alcohol will only make the already horrible and sometimes frightening situation so much worse.

There are inadequate bins or any toilet facilities as it is a take away so am presuming you expect people to use our drives and gardens as rubbish bins and urinals as they do st the moment.

To offer an alcohol licence to these premises would be totally irresponsible and make an already intolerable situation even worse.

Jacqueline Roberts
[REDACTED] Hillman Road
BH14 9EU

Tania Jardim

From: mandy.smale [REDACTED]
Sent: 05 November 2021 22:25
To: Licensing Com
Subject: El Murrino Ashley Road

Categories: 3 - Complaint and Enquiries, Linda, 1 - URGENT

Dear Sirs we live not far from Ashley Road and we understand El Murrino on Ashley Road have applied for an Alcohol License from 11am. Please do not grant this License we already have a lot of problems along Ashley Road with anti social behaviour and drugs, this will only make matters worse, thank you Mandy Smale

Sent from my Galaxy

Tania Jardim

From: Jayne Walters [REDACTED]
Sent: 05 November 2021 23:14
To: Licensing Com
Subject: Application for drinks licence El Murrino
Categories: 3 - Complaint and Enquiries, Linda, 1 - URGENT

I wish to object to the request for a license to sell alcohol at the soon to open El Murrino take away on Ashley Rd.

I live in Hillman Rd and we already have problems caused by people with drink and drug issues along the road and Ashley Road.

A petition has already been submitted to the Council re anti social behaviour along Ashley Road and I feel the granting of an alcohol licence will add to the problems being experienced in the area.

Is the licensing Committee aware of what another part of the Council are doing with regards to Ashley Road?

Do people buying a takeaway pizza or burger really need to buy alcohol at the same time?

Regards

Jayne Walters
[REDACTED] Hillman Road
Parkstone
BH14 9EU
Sent from my Huawei phone

Tania Jardim

From: [REDACTED]
Sent: 06 November 2021 02:48
To: Licensing Com
Subject: Objection to application for alcohol Licence
Categories: 3 - Complaint and Enquiries, Linda, 1 - URGENT

Dear Sir

I am writing to express my objection to El Murrino of 213 Ashley Road parkstone poole BH14 9EG being granted an alcohol licence.

I believe that this will result in an increase in anti social behaviour in the area, which already has a serious issue with this problem. Offering longer and easier access to even more alcohol will only exacerbate an already intolerable situation.

The local residents have already suffered enough, without adding more to this ongoing problem!

I refer you to the recent petition presented to council outlining the anti social behaviour issues associated with Ashley Road, Madeira Road and the surrounding areas, containing more than 2000 signatures, which is fuelled by alcohol misuse!

May I also point out that none of the take aways in close proximity to this take away have alcohol licences.

Since taking over the premises there has been nothing but disruption at the junction of Hillman Road with Madeira Road, with individuals parking in the allocated disabled bays, on the no loading double yellows and across the access points of neighbouring properties. The granting of an alcohol licence will only make this problem worse as customers try to acquire 'last orders'.

Please do not grant an alcohol licence to this premises/operator.

Yours Faithfully

[REDACTED]

[REDACTED] Hillman Road

BH14 9EU

Tania Jardim

From: Arabella Lewis-Smith [REDACTED]
Sent: 08 November 2021 13:39
To: Licensing Com
Subject: Objection: licensing application, El Murrino, 213 Ashley Road, Poole

Categories: 6 - Notices / Objections, Linda, 1 - URGENT

Dear Licensing Team,

I am writing to object to the application to sell alcohol by El Murrino of 213 Ashley Road, Parkstone, Poole BH14 9EG.

I live in Hillman Road, which is the road just to the rear of this property and have watched with great sadness how Ashley Road, Madeira Road and the surrounding area have been increasingly plagued by drunks and drugged-up down-and-outs in the last five years or so.

I moved here in 2006 and it was a pleasant area at that time: it felt much safer before. There is now a real and at times very frightening antisocial behaviour issue. There are often groups who congregate on Madeira Road, leaving their litter and debris for others to clean up. Twice I have called an ambulance for someone unconscious on the pavement.

I believe that granting another alcohol license on an already troubled road is counter to the needs of the community. El Murrino sells take away food which will either be delivered/collected for consumption at home, or, it will be sold to customers in the local vicinity to consume near by, quite possibly on the street. Adding alcohol to this will encourage even more antisocial behaviour and littering.

There are already ample retailers of alcohol in the area. We do not need another, and if one was granted, I believe it will add to the already highly concerning antisocial behaviour issues the area faces.

Thank you for considering my objection.

Yours sincerely,
Arabella Lewis-Smith

Arabella Lewis-Smith
[REDACTED]
[REDACTED] Hillman Road
Poole
BH14 9EU

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