

Notice of Licensing Committee



Date: Thursday, 7 March 2024 at 10.00 am

Venue: Committee Room, First Floor, BCP Civic Centre Annex, St Stephen's Rd, Bournemouth BH2 6LL

Membership:

Chair:

Cllr D A Flagg

Vice Chair:

Cllr S Moore

Cllr B Castle
Cllr A Chapmanlaw
Cllr M Dower
Cllr G Farquhar

Cllr A Filer
Cllr E Harman
Cllr P Hilliard
Cllr M Howell

Cllr A Keddie
Cllr C Matthews
Cllr J Richardson
Cllr L Williams

All Members of the Licensing 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?MIId=5454>

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

28 February 2024

**DEBATE
NOT HATE**



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



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
(janie.berry@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. **Apologies**

To receive any apologies for absence from Councillors.

2. **Substitute Members**

To receive information on any changes in the membership of the Committee.

Note – When a member of a Committee is unable to attend a meeting of a Committee or Sub-Committee, the relevant Political Group Leader (or their nominated representative) may, by notice to the Monitoring Officer (or their nominated representative) prior to the meeting, appoint a substitute member from within the same Political Group. The contact details on the front of this agenda should be used for notifications.

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. **Confirmation of Minutes**

To confirm and sign as a correct record the minutes of the Licensing Committee meeting held on 7 December 2023 and the Licensing Sub Committee meetings held on 14 and 23 November 2023, 6 and 12 December 2023, 3, 17, 22, 24 and 31 January 2024 and 14 February 2024.

The exempt section of the minutes where relevant are also appended as restricted documents.

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5. **Public Issues**

To receive any public questions, statements or petitions submitted in accordance with the Constitution, which is available to view at the following link:

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

The deadline for the submission of a public question is midday 3 clear working days before the meeting.

The deadline for the submission of a public statement is midday the working day before the meeting.

The deadline for the submission of a petition is 10 working days before the meeting.

6. **Review of Hackney Carriage Maximum Fares and Charges Tariff**

A request has been received by Mr David Lane on behalf of BCP taxi

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private hire association for a 4% increase in the current Hackney Carriage Tariff.

The Local Government (Miscellaneous Provisions) Act 1976 allows the council to fix the rates or fares within the district for time as well as distance.

Any change in the tariff will be reflected across all three current Hackney Carriage zones within the BCP Council conurbation.

7. Hackney Carriage and Private Hire Fees review

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The purpose of this report is for the committee to consider an increase to the fees charged by BCP Council for the administration of the Hackney Carriage and Private Hire licensing regime.

The Local Government (Miscellaneous Provisions) Act 1976, allows local authorities to set the fees charged to recover the costs associated with the administration and compliance of licensing drivers of Hackney Carriage and Private Hire vehicles.

Any change to the fees for vehicles and Private Hire Operators is subject to a 28-day minimum consultation period.

8. Review of Licensing fees

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The purpose of this report is to establish the licensing fees and charges that should apply from 1 April 2024 for the next three years for those licensing activities where the Council has discretion to do so.

The statutory principle in relation to the setting of fees is that they should be reasonable and should relate to the costs of performing the function, including staffing, administration, testing, inspections, hearings, regulation and appeals.

Inflationary increases to staff salaries mean that costs to provide the service have increased. A 4% uplift in fees has been applied to reflect these increased costs.

The fees under review are as follows:

Scrap Metal Dealers
Pleasure Boats
Sexual Establishments

The fees charged under the Licensing Act 2003 are set by statute so cannot be amended by Local Authorities. The level of these fees have not been amended since they were first introduced in 2005.

The fees charged under the Gambling Act 2005 are subject to a statutory maximum limit. Currently our fees are at this limit and cannot be increased any further.

9. Hackney Carriage and Private Hire Vehicle Policy - Minor Amendments

The Committee is asked to consider the following minor amendments proposed in respect of private hire vehicles in the current Hackney Carriage and Private Hire Vehicle Policy:

- Colour of Private Hire Vehicles - deadline to be provided to change any current white vehicles.

Current wording

23.1 No vehicle licensed as a Private Hire shall be coloured white. (this is to avoid confusion with Hackney Carriages.)

Proposed wording

23.1 No vehicle licensed as a Private Hire shall be coloured white. (this is to avoid confusion with Hackney Carriages.) Any existing private hire vehicles which are white must be resprayed another colour by 31 December 2024.

- Wheelchair Accessible Vehicles

The best practice guidance document was reissued in November 2023 and this now makes reference to the access to taxis and private hire vehicles for disabled users best practice guidance document which was published in 2022 [Access to taxis and private hire vehicles for disabled users - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/access-to-taxis-and-private-hire-vehicles-for-disabled-users)

This guidance includes a specification for a reference wheelchair which is slightly different from the one in the current policy.

Current wording

14.1 The Equality Act 2010 statutory guidance requires that local authorities must publish a list of wheelchair accessible vehicles that are capable of transporting a reference wheelchair as set out in Public Services Vehicles Accessibility Regulations 2000
<http://www.legislation.gov.uk/ukxi/2000/1970/schedule/1/made>

14.2 It is expected all vehicles presented to the council to be licenced as a wheelchair accessible vehicle will meet required space standards which are 1500mm high, 750mm wide and 1300mm length

Proposed wording

14.1 It is expected any vehicle presented to the council to be licenced as a wheelchair accessible vehicle must meet the following space standards which are 1350mm high, 700mm wide, 1200mm long as stated within the Statutory Guidance document access to taxis and private hire vehicles for disabled users. [Access to taxis and private hire vehicles for disabled users - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/access-to-taxis-and-private-hire-vehicles-for-disabled-users)

14.2 It is the licence holder's responsibility to ensure any vehicle meets this standard prior to purchase and presentation for licence.

10. Forward Plan

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To consider, amend as required and approve the Committee's forward plan of work.

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

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING COMMITTEE

Minutes of the Meeting held on 07 December 2023 at 10.00 am

Present:-

Cllr D A Flagg – Chair

Cllr S Moore – Vice-Chair

Present: Cllr B Castle, Cllr A Chapmanlaw, Cllr M Dower, Cllr G Farquhar,
Cllr E Harman, Cllr P Hilliard, Cllr M Howell, Cllr A Keddie and
Cllr L Williams

25. Apologies

Apologies were received from Cllr A Filer, Cllr C Matthews and Cllr J Richardson.

26. Substitute Members

There were no substitute members.

27. Declarations of Interests

There were no declarations of interest.

28. Confirmation of Minutes

RESOLVED that the minutes of the Licensing Committee on 14 September 2023 and the Licensing Sub Committees on 13 and 28 September and 11 and 26 October 2023 be signed by the Chair as an accurate record subject to the following corrections:

- **Licensing Committee, 14 September, minute number 24, Forward Plan: Review of Pricing Mechanism for Licensed Vehicles – It was noted that the item likely to be brought before the Committee was not this item, but an item on Fares.**
- **Licensing Sub Committee, 28 September: Delete Cllr D Flagg and insert Cllr L Williams in list of those present.**

29. Public Issues

There were no public questions, statements or petitions for this meeting.

30. Update on Provision and Positioning of Taxi Ranks

The Licensing Manager presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book. The report provided responses, where

available, to information previously requested by the Committee in March 2023 following an audit of all BCP taxi ranks. It was noted that the provision and maintenance of ranks was a matter for the Council's highways team and was not a licensing function.

The Committee was advised that the Traffic Team were visiting all the ranks identified and placing orders for maintenance where required. Although there was no specific schedule of works available, the traffic technician had now visited the Bournemouth zone ranks and scheduled the necessary works/maintenance. They were now in the process of visiting first Poole and then Christchurch ranks for the same purpose during the coming weeks. It was noted that the Traffic Team Leader had attended a taxi association meeting earlier in 2023 and would be happy to do so again in early 2024 to report on progress and discuss any issues.

The Committee had also asked for the number of Penalty Charge Notices (PCN) issued over the last year to people parking non-licensed vehicles on ranks. Parking services reported that for the year 31 October 2022 to 31 October 2023 there were 939 PCNs issued across all taxi bays/ranks within the BCP area. Members were assured by this level of enforcement and asked whether the money raised from these fines was ringfenced to invest in the taxi ranks, as this would send a positive message to the trade. It was agreed to contact the highways team to request this information and circulate it to members by email.

31. To agree a draft Pleasure Boat and Boatperson Policy for public consultation

The Licensing Manager presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book.

The Committee was advised that, in line with good practice, a draft Pleasure Boat and Boatperson Policy had been prepared, to set out the requirements for the licensing of pleasure boats and boatpersons by the Council as Licensing Authority, including how any such applications would be determined. Pleasure Boat licences applied to boats/vessels that operated within inland waters only, including Poole and Christchurch Harbours. The Council only issued such licences to Class B boats which were crewed by a bosun and took no more than 12 paying passengers and Class C boats which were 'self drive' vessels and hired out. The Council was responsible for ensuring these boats/vessels were safe for passengers and users. Boatperson licences were only issued once the Council was satisfied a person was competent and capable of operating the boat/vessel.

Although there had been no legacy policy on which to base the draft document, the Council had been working with the Harbour Master in Poole and Boat Inspectors in Christchurch where these licences had been previously issued to ensure the new policy was in accordance with their recommendations. The Committee was asked to consider the draft policy,

make any amendments as necessary and then agree to publish it for a six week public consultation in early 2024.

The Licensing Manager responded to questions and comments on the draft policy. Members felt that it would be helpful for the policy to include the minimum requirements/qualifications which must be met before a licence could be issued. The Committee was advised that there was nothing specified in legislation and that the Council relied on the knowledge and expertise of the Harbour Master and Boat Inspectors to endorse applications. Members agreed that as part of the consultation the Harbour Master and Boat Inspectors be asked to clarify the minimum requirements for them to be satisfied that a licence should be granted.

Members also felt that it would be helpful to add some text to the consultation page and to the introductory section of the policy to expand on and clarify which types of boats/vessels were included within the Council's remit to licence and which types of boats/vessels were not and to explain the role of the Maritime and Coastguard Agency (MCA). The Committee agreed to delegate authority to the Licensing Manager in consultation with the Chair and Vice Chair to agree the additional wording to include in the draft policy prior to the consultation, which was due to commence in February 2024.

The Licensing Manager was asked whether the mechanism and timescale for reviewing fees should be included as part of the policy. It was explained that these fees were reviewed on a more regular basis than the policy with no requirement to consult. The fees were next due to be considered by the Committee in March 2024 as part of a wider report on the review of non-statutory licensing fees.

RESOLVED that the draft Pleasure Boats and Boatperson Licensing Policy be agreed for a six week public consultation in 2024, subject to the inclusion of additional information in the introductory section to clarify what is in and out of scope with authority delegated to the Licensing Manager in consultation with the Chair and Vice Chair to agree the final wording.

Voting: Unanimous

32. Administrative Arrangements for Licensing Sub Committees

The Senior Democratic and Overview and Scrutiny Officer presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'C' to these Minutes in the Minute Book. The report set out three issues for consideration in relation to administrative arrangements for licensing sub committees.

The Committee was asked to formally agree the arrangements for attending meetings as set out in paragraph 5 of the report. These arrangements had recently been introduced in response to feedback from members. They included an expectation that sub committee members attend hearings in

person for Licensing Act and Gambling Act business, in recognition of the benefits gained from members meeting together in person even when the legislation and regulations permitted them to convene remotely.

The Committee was also asked to consider whether to make any changes to arrangements for chairing sub committees, these currently required either the Chair or Vice Chair of the Committee or in their absence an experienced member to chair sub committees. Options for amending these arrangements were set out in paragraph 8 of the report.

The Committee was advised that reviewing these procedures had presented an opportunity to update the existing remote and in person protocols for public speaking at licensing meetings, to reflect current arrangements and bring everything together into one composite document for ease of reference. A copy of the revised protocol was provided at appendix 1 of the report for members to consider, amend as required and agree.

The Chair explained that while the current arrangements for chairing sub committees had worked well, he would like other members to have the opportunity to chair if they were interested in doing so. It was noted that training would be made available to anyone expressing an interest. Chairs were also provided with comprehensive procedural notes to assist in the running of hearings.

In terms of the revised protocol the Committee was advised that very little had changed. There had been an opportunity to streamline the previous protocols into a single document which set out more clearly the differences in hearing procedures and decision notifications depending on the type of licensing business being considered.

Members expressed dissatisfaction with the current accommodation for meetings in the Committee Room and it was noted that this was now being progressed at senior political/corporate level.

RESOLVED that:

- (a) The Committee confirms arrangements for attendance at Licensing Sub Committees as set out in Paragraphs 4 to 6 of the report;**
- (b) The Committee agrees to amend the arrangements for chairing sub committees to enable those members interested in chairing to put themselves forward, either now or at a later date;**
- (c) The Committee agrees the revised Protocol for Public Speaking at Licensing Hearings attached at Appendix 1 of the report.**

Voting: Unanimous

33. Forward Plan

The Licensing Manager took members through the committee's forward plan, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'D' to these Minutes in the Minute Book.

Membership of the policy review working groups was noted as follows:

- Review of the statement of licensing policy – Cllr M Dower, Cllr E Harman, Cllr A Keddie, Cllr S Moore.
- Review of hackney carriage and private hire vehicle, driver and operator policies – Cllr A Chapmanlaw, Cllr G Farquhar, Cllr D Flagg.

The Committee agreed the following updates to the forward plan:

- Request from the trade to review hackney carriage fares – March 2024
- Review of hackney carriage and private hire and non statutory licensing fees – March 2024
- Review of Scrap Metal Policy – to commence in 2024.
- Correction of minor omission in hackney carriage and private hire vehicle policy regarding private hire livery compliance date.

The Committee discussed the process for formulating a sex establishment policy, should the Council decide to have one. Members noted that a briefing session on the night time economy was being arranged for the committee in early 2024. The aim of this session was to provide members with a more detailed understanding of the roles of the Council, the responsible authorities and other external agencies in the night time economy and an evidence base with which to inform policy development and review.

The meeting ended at 10.47 am

CHAIR

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 14 November 2023 at 10.00 am

Present: Cllr A Chapmanlaw, Cllr M Dower and Cllr D A Flagg

43. Election of Chair

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

Voting: Unanimous

44. Apologies

None were received

45. Declarations of Interests

There were no declarations of interest.

46. Parkstone Convenience, 408 Ashley Road, Poole

The Chair made introductions and explained the procedure for the hearing which was agreed by all parties.

The Licensing officer presented a report, a copy of which has been circulated and a copy of which appears as Appendix A to these minutes in the Minute book.

The Sub-Committee was asked to consider an application to grant a new premises license for the premises known as 'Parkstone Convenience', 408 Ashley Road, Parkstone to permit the supply of alcohol (off sales only) from Sunday to Thursday 07:00 to 23:00hrs and Friday and Saturday 07:00 to 02:00hrs.

The Licensing Authority had received a representation from Dorset Police under section 18 (9) (b) of the Licensing Act that the proposed Designated Premises Supervisor would undermine the Prevention of Crime and Disorder Licensing objective and also raised concerns about the applicant as a whole. Due to the content in the representation, It was noted that the Sub Committee would be asked to consider excluding the press and public when this representation was dealt with. The Licensing Authority had also received a representation from Councillor Earl on the grounds that granting the application would undermine the prevention of crime and disorder, public safety and prevention of public nuisance licensing objectives

The following persons attended the hearing and addressed the Sub-Committee to expand on the points made in written submissions:

Mr Tony Clarke- Licensing Agent, representing the applicant.

Mr Mohammad Akram- Applicant

Councillor Marion Le Poidevin- Made a representation on behalf of
Councillor Millie Earl.

John Bean- Dorset Police

During his submission, Mr Clarke offered to reduce the licensed hours on Friday and Sunday to terminate at 00:00hrs instead of 02:00hrs to address concerns raised.

The Sub-Committee asked various questions of all parties present and was grateful for the responses received. All parties had the opportunity to ask questions. Prior to the exclusion of the press and public, Councillor Le Poidevin was given the opportunity to sum up before she left the meeting (an amendment to the procedure which was agreed by all parties).

Exclusion of Press and Public

RESOLVED that under Section 14 (2) of the Licensing Act 2003 (Hearings) Regulations 2005 and 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.

Once the Police representation was dealt with, all remaining parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the hearing, the Legal Advisor advised all parties of the right of appeal.

RESOLVED that the application for a new premises licence at Parkstone Convenience, 408 Ashley Road, Parkstone, to permit the supply of alcohol (off sales only) from Sunday to Thursday 07:00 to 23:00hrs and Friday and Saturday 07:00 to 02:00hrs be refused.

Reasons for Decision

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the report for Agenda Item 6 and the verbal submissions made at the hearing by all parties.

With regard to the representation from Councillor Millie Earl as presented by Councillor Marion Le Poidevin the Sub-Committee notes the offer by the applicant's agent to reduce the licensed hours to 07.00hrs-23.00hrs Sunday to Thursday and 07.00hrs-00.00hrs Friday and Saturday would be

acceptable to Dorset Police. The Sub-Committee agreed that this amendment would address the concerns raised in that representation.

Regarding the representation from Dorset Police, the Sub-Committee was mindful that the Licensing Authority should look to Dorset Police as its main source of advice on crime and disorder. The Licensing Sub Committee noted that it needs to assess evidence and information provided to it on the balance of probabilities.

Having considered the representation from Dorset Police, the Sub-Committee was not satisfied that the premises would be able to operate without undermining the prevention of crime and disorder licensing objective and therefore, the Sub-Committee agreed to refuse the application.

In making this decision the Sub-Committee has had regard to the Bournemouth, Christchurch and Poole Council Licensing Policy and The Revised Guidance, as set out by the Secretary of State and the licensing objectives as set out in the Licensing Act 2003.

All parties to the application have the right to appeal to the Magistrate's Court within the period of twenty-one days beginning with the day on which the applicant is notified by the Licensing Authority of this decision in writing.

The meeting ended at 10.59 am

CHAIRMAN

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 23 November 2023 at 10.00 am

Present:-

Cllr D Flagg – Chair

Present: Cllr B Castle and Cllr L Williams

48. Election of Chair

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

49. Apologies

There were no apologies.

50. Declarations of Interests

There were no declarations of interest.

51. Protocol for Public Speaking at Meetings

The protocol was noted.

52. Simply Pleasure.com, 333 - 335 Holdenhurst Road, Bournemouth, BH8 8BT

Attendance:

BCP Council:

Sarah Rogers – Senior Licensing Officer

Nananka Randle – Licensing Manager

Mary Almeida – Legal Advisor to the Sub-Committee

Jill Holyoake – Clerk to the Sub-Committee

Rebekah Rhodes - Democratic and Overview and Scrutiny Officer
(observing for training purposes)

The Chair made introductions and explained the procedure for the hearing, which was agreed by all parties.

The Senior Licensing Officer presented the report, a copy of which had been circulated and a copy of which appears as Appendix A to these minutes in the Minute Book.

The Sub Committee was asked to consider an application for the renewal of the Sex Establishment Licence for the premises known as 'Simply Pleasure.com, 333 – 335 Holdenhurst Road, Bournemouth, BH8 8BT to permit the premises to trade as a sex shop for a further twelve-month period.

As a result of the consultation two objections had been received against the renewal of the licence. The applicant drafted a letter in response to objector 1. A further response to the applicant was provided by Objector 1 and circulated as a supplement after agenda publication, a copy of this appears as Appendix B to these minutes in the Minute Book.

It was confirmed that there had been no representations received from any of the responsible authorities.

The following persons attended the hearing and addressed the Sub-Committee to expand on the points made in written submissions:

- Mr Tom Clark – National Retail Manager, on behalf of the applicant, Mr Tim Hemming, CEO of ABS Holdings Ltd
- Mrs Susan Stockwell – Objector 1

The Sub Committee asked various questions of all parties present and were grateful for the responses received. All parties were invited to sum up before the Sub-Committee retired to make its decision.

RESOLVED that the application to renew the Sex Establishment Licence for the premises known as Simply Pleasure.Com, 333 – 335 Holdenhurst Road, Bournemouth BH8 8BT be GRANTED.

The Sub-Committee considered in detail all the information which had been submitted before the hearing, including the Licensing Officer's report, the written submissions of the two objectors, the written submission of the applicant Mr Timothy Hemming and the supplementary papers.

The Sub-Committee also considered the verbal submissions made by the Senior Licensing Officer, Mrs Susan Stockwell, one of the objectors and the verbal submissions of Mr Tom Clark who attended on behalf of the applicant.

The Sub Committee was grateful to all parties for their responses to questions raised at the hearing.

Reasons for Decision:

In making its decision the Sub-Committee had regard to the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 and the available grounds for refusing the application contained within paragraph 12 of that schedule.

During the hearing Mrs Stockwell referred to R. v Newcastle Upon Tyne City Council Ex p. The Christian Institute 2000, Mrs Stockwell was assured the Sub-Committee would consider these points with the Legal Advisor during its deliberations.

The Sub-Committee noted that the premises has traded as a sex shop for 20 years under the current ownership. The Senior Licensing Officer confirmed at the hearing that no complaints had been received by the Licensing Authority in connection with the premises. The Sub-Committee noted the points raised in the objections and the responses on behalf of the applicant in respect of the premises' location.

The Sub-Committee did not consider that there had been a material change in the locality since the licence was renewed last year or that there were sufficient grounds based on the character of the locality to refuse the application.

The Sub-Committee noted the points raised in objections regarding the window displays, the use of the word 'proowler' and the name of the website being above the shop.

The Sub-Committee was advised by the applicant that the window display featured dressed mannequins and did not include the photographs of products mentioned in one of the objector's submissions. The applicant explained that the use of the term 'proowler' was well known in the gay community and had no negative connotations. The Sub-Committee also noted that there was nothing to prevent the premises from displaying its website address if it chose to do so.

Objectors complained that girls were being harassed in the street in and around the premises however, no evidence was provided to support this or to connect such activity to the premises.

The Sub-Committee was mindful that Dorset Police had not made an objection to the application and was of the view that if the Police had concerns about the premises and its effect on crime and disorder in the vicinity, they would have voiced these concerns.

Public Sector Equality Duty

In considering the application, and in coming to its decision, the Sub-Committee had regard to the need to eliminate discrimination, foster good relations, and advance equality of opportunity between those with a protected characteristic, and those without. The Sub Committee was advised that the premises welcomed and was frequented by men and women and offered a safe space for the LGBTQ community.

The Sub-Committee determined that some of the points raised in the objections were not grounds on which the application can be refused, and some were inaccurate or without evidence.

After full consideration of the objections raised, the case of R. v Newcastle Upon Tyne City Council Ex p. The Christian Institute 2000, the grounds set out in paragraph 12 of schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 and the Equality Act 2010 the Sub Committee did not feel there was any basis to refuse the application and therefore resolved to grant it.

Right of Appeal

If the application for renewal is refused on relevant grounds the applicant may appeal the decision to the Magistrates' Court within 21 days of the date of this letter.

If however, the application was refused under Schedule 3, paragraph 12 (3) (c) or (d) of the Local Government (Miscellaneous Provisions) Act 1982, any challenge must be by way of Judicial Review.

If any objector to the application wants to challenge the decision they can do so by way of Judicial Review.

53. Exclusion of Press and Public

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

54. Consideration of the suitability of an individual to become a Hackney Carriage and/or Private Hire Driver

This item was restricted by virtue of paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972.

Exempt information – Categories 1 (information relating to any individual) and 2 (information which is likely to reveal the identity of an individual).

Attendance:

From BCP Council:

Nananka Randle – Licensing Manager

Mary Almeida – Legal Advisor to the Sub-Committee

Jill Holyoake – Clerk to the Sub-Committee

Rebekah Rhodes - Democratic and Overview and Scrutiny Officer (observing for training purposes)

The Applicant and their companion were also in attendance.

The Chair made introductions and explained the procedure to be followed in considering this item, which was agreed by all participating parties.

The Licensing Manager presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'C' to these Minutes in the Minute Book.

The Sub Committee was asked to consider whether the applicant was deemed to be a 'fit and proper' person to allow them to continue with the application process for a hackney carriage/private hire drivers licence.

The applicant and their companion addressed the Sub Committee to present their case.

The Sub-Committee asked various questions of all parties present and was grateful for the responses received.

All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the Hearing, the Council's Legal Advisor advised all parties of the right of appeal.

RESOLVED that the applicant is not considered to be a 'fit and proper' person to continue with the application process to become a licenced hackney carriage and/or private hire driver.

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the Licensing Officer's report for Agenda Item 7 and the verbal submissions made at the hearing by all parties and the responses to questions.

In considering the test of a 'fit and proper person', the Sub-Committee had regard to the BCP Council Hackney Carriage and Private Hire Driver Policy 2021 - 2025, the provisions of the Local Government (Miscellaneous Provisions) Act 1976, the Institute of Licensing (IOL) Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades (2018) and the guidance within the Department of Transport Statutory Taxi and Private Hire Vehicle Standards (updated November 2022).

Taking all relevant factors into consideration the Sub- Committee concluded that the applicant is not a 'fit and proper person' to continue with the application process to become a licensed Hackney Carriage/Private Hire driver.

Rights of Appeal.

If any party does not agree with the decision of the Licensing Sub-Committee they may appeal to the Magistrates' Court within a period of 21 days beginning with the day that they are notified, in writing, of the decision.

55. Consideration of the suitability of an individual to become a Hackney Carriage and/or Private Hire Driver

This item was restricted by virtue of paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972.

Exempt information – Categories 1 (information relating to any individual) and 2 (information which is likely to reveal the identity of an individual).

Attendance:

From BCP Council:

Nananka Randle – Licensing Manager

Mary Almeida – Legal Advisor to the Sub-Committee

Jill Holyoake – Clerk to the Sub-Committee

Rebekah Rhodes - Democratic and Overview and Scrutiny Officer (observing for training purposes)

The Applicant and their legal representative were also in attendance.

The Chair made introductions and explained the procedure to be followed in considering this item, which was agreed by all participating parties.

The Licensing Manager presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'D' to these Minutes in the Minute Book.

The Sub Committee was asked to consider whether the applicant was deemed to be a 'fit and proper' person to allow them to continue with the application process for a hackney carriage/private hire drivers licence.

The applicant and their legal representative addressed the Sub Committee to present their case.

The Sub-Committee and all parties were given the opportunity to ask questions.

All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the Hearing, the Council's Legal Advisor advised all parties of the right of appeal.

RESOLVED that the applicant is considered to be a 'fit and proper' person to continue with the application process to become a licenced hackney carriage and/or private hire driver.

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the Licensing Officer's report for Agenda Item 8 and the verbal submissions made at the hearing by all parties.

In considering the test of a 'fit and proper person', the Sub-Committee had regard to the BCP Council Hackney Carriage and Private Hire Driver Policy 2021 - 2025, the provisions of the Local Government (Miscellaneous Provisions) Act 1976, the Institute of Licensing (IOL) Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades (2018) and the guidance within the Department of Transport Statutory Taxi and Private Hire Vehicle Standards (updated November 2022).

Taking all relevant factors into consideration the Sub- Committee concluded that the applicant is a 'fit and proper person' and that it is appropriate to depart from the policy so that they can continue with the application process to become a licensed Hackney Carriage/Private Hire driver.

Rights of Appeal.

If any party does not agree with the decision of the Licensing Sub-Committee they may appeal to the Magistrates' Court within a period of 21 days beginning with the day that they are notified, in writing, of the decision.

The meeting ended at 1.05 pm

CHAIR

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 06 December 2023 at 10.00 am

Present:-

– Chairman

– Vice-Chairman

Present: Cllr A Chapmanlaw, Cllr M Dower and Cllr S Moore

56. Election of Chair

RESOLVED that Councillor Moore be elected Chairman of the Sub-Committee for the duration of the meeting.

Voting: Unanimous

57. Apologies

There were no apologies for absence.

58. Declarations of Interests

There were no declarations of interest.

59. Gaja, 360 Charminster Road, Bournemouth, BH8 9RX

Attendance:

From BCP Council:

Tania Jardim – Licensing Officer

Linda Cole – Legal Adviser to the Sub-Committee

Michelle Cutler – Clerk to the Sub-Committee

The Chair made introductions and explained the procedure for the Hearing, which was agreed by all parties.

The Licensing officer presented a report, a copy of which has been circulated and a copy of which appears as Appendix A to these minutes in the Minute book.

The Sub-Committee was asked to consider an application for a new premises licence, for the premises known as 'Gaja', 360 Charminster Road, Bournemouth, BH8 9RX to permit the Supply of alcohol (On & Off Sales) Monday to Sunday 12:00 to 22:30.

The Licensing Authority had received three representations on the grounds that to grant the application would undermine the prevention of crime and disorder and prevention of public nuisance licensing objectives.

The Sub-Committee noted that the application for regulated entertainment had been removed.

The following persons attended the Hearing and addressed the Sub-Committee to expand on the points made in their written submissions:

Ms Kasia Wozniak – Applicant

Mr Thavenasen Naidoo – Designated Premises Supervisor

Mr Nertil Bala - Objector

The Sub-Committee asked various questions of all parties present and was grateful for the responses received.

The Sub-Committee heard from Mr Bala, who had objected on the grounds of the prevention of public nuisance licensing objective, mainly regarding the premises original proposed closing time of 02:00. Given that the premises had offered to close at 23:00 hours each day, Mr Bala confirmed that he wished to withdraw his representation.

All parties had the opportunity to ask questions. All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the Hearing, the Legal Advisor advised all parties of the right of appeal.

RESOLVED that the application for a new premises licence for the premises known as 'Gaga', 360 Charminster Road, Bournemouth, BH8 9RX to permit the following activities be GRANTED.

Supply of alcohol (On & Off Sales)
Monday to Sunday 12:00 to 22:30

Subject to the following conditions agreed with Trading Standards being attached to the Licence:

- Challenge 25 shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport / Holographically marked PASS scheme identification cards.
- Appropriate signage advising customers of the policy shall be prominently displayed in the premises.
- All staff involved in the sale of alcohol shall receive training on the law relating to prohibited sales, the age verification policy adopted by the premises and the conditions attached to the premises licence. Refresher training shall be provided at least once every 6 months. A record shall be maintained of all staff training and that record shall be signed by the person receiving the training and the trainer. The records shall be kept for a minimum of 12 months and made

available for inspection by police, licensing, or other authorised officers.

And, subject to the following conditions agreed with Dorset Police being attached to the licence:

- Alcohol shall be accompanied by food prepared and served on the premises.
- A CCTV system shall be installed to cover all entry and exit points enabling frontal identification of every person entering in any light condition.
- Appropriate signage advising customers of CCTV being in operation shall be prominently displayed in the premises.
- The CCTV system shall continually record and cover areas where alcohol is kept for selection and purchase by the public, whilst the premises is open for licensable activities. It shall operate during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with correct date and time stamping. Recordings shall be made available /or downloaded upon the request of Police or any authorised officer of the council throughout the preceding 31-day period and in line with data protection regulations.
- The CCTV system shall be updated and maintained according to police recommendations.
- A documented check of the CCTV shall be completed weekly to ensure all cameras remain operational and the 31 days storage for recordings is being maintained.
- A staff member from the premises who is conversant with the operation of the CCTV system shall be always on the premises when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
- The premises shall maintain a written Refusals Register to record any occasion on which the sale of supply of alcohol is refused and the reason for the refusal. The record shall be made available for inspection by police and other authorised officers on request.
- The Refusals Register shall be checked by the DPS or his/her deputy at least once a week and signed to that effect.
- The premises will operate a "Challenge 25" policy and display signage to that effect.
- All staff involved in the sale of alcohol that do not themselves hold a personal licence will receive training on the terms and conditions of the licence and on restricted sales.
- A written record of all staff training shall be maintained on the premises and made available for inspection by authorised officers on request.

And subject to all additional conditions set out in section M of the application.

Reasons for Decision

The Sub-Committee considered all of the information which had been submitted before the Hearing and contained in the report for Agenda Item 6, and the verbal submissions made at the Hearing by all parties. The written submissions included letters and emails the applicant had sent to those who had made representations and the responses received.

The Sub-Committee noted that as a result of the mediation, the Applicant had agreed to close the premises at 23:00 hours Monday to Sunday and consequently reduced the hours for recorded music to 23:00 hours. The application for regulated entertainment had been removed altogether but it was noted that any entertainment in the form of live or recorded music before 23:00 is permitted by way of a deregulation provided by the Live Music Act 2012 at venues which are licensed for alcohol, during their licensable hours. The Applicant had also agreed after mediation with Dorset Police not to supply alcohol after 22:30 hours on all days.

The Sub-Committee heard from the Applicant that she had no intention of running the premises as a drinking establishment and that she was in the process of submitting a Planning Application to install an extractor fan. They plan to open a kitchen and operate as a fine dining restaurant and a condition agreed with Dorset Police is alcohol will only be served with food prepared and served on the premises. The Applicant also confirmed there was no intention to host live bands as the premises was not large enough to accommodate this, rather they planned to provide atmospheric background music for customers to enjoy while they were dining. Any live music provided would be in the form of a solo artist playing a guitar or saxophone or such like. The Applicant also advised there would be no outdoor seating.

The Sub-Committee was satisfied that both the Applicant and the DPS appeared confident in running the premises, having experience of operating licensed premises previously in London. They demonstrated by their response to the representations, amendments they were willing to make to the application and the conditions which had been agreed, that they were aware and had taken note of the concerns of the community and wanted to operate the premises responsibly without a negative effect on their neighbours.

The Sub-Committee heard from Mr Bala, who had objected on the grounds of the prevention of public nuisance licensing objective, mainly regarding the premises original proposed closing time of 02:00. Given that the premises had offered to close at 23:00 hours each day, Mr Bala confirmed that he wished to withdraw his representation.

The Sub-Committee was satisfied that if the premises operated in accordance with the conditions, as set out above, that the premises should not undermine the licensing objectives, particularly the prevention of crime and disorder and the prevention of public nuisance.

In making this decision the Sub-Committee has had regard to the Bournemouth, Christchurch and Poole Council Licensing Policy and the revised section 182 Guidance, published by the Secretary of State and the licensing objectives as set out in the Licensing Act 2003.

All parties to the application have the right to appeal to the Magistrate's Court within the period of twenty-one days beginning with the day on which the applicant is notified by the Licensing Authority of this decision in writing.

60. Protocol for Public Speaking at Meetings

The protocol was noted.

61. Exclusion of Press and Public

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

62. Consideration of the suitability of an individual to remain a Hackney Carriage and/or Private Hire Driver

This item was restricted by virtue of paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972.

Exempt information – Categories 1 (information relating to any individual) and 2 (information which is likely to reveal the identity of an individual).

Attendance:

From BCP Council:

Nananka Randle – Licensing Manager
Trudi Barlow – Licensing Officer
Linda Cole – Legal Advisor to the Sub-Committee
Michelle Cutler – Clerk to the Sub-Committee

The Applicant was present with a friend.

The Chair made introductions and explained the procedure to be followed in considering this item, which was agreed by all participating parties.

The Licensing Officer presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book, together with supplementary information provided by the applicant, a copy of which appears as Appendix 'C' to these Minutes in the Minute Book.

The Sub-Committee was asked to consider whether the Applicant was deemed to be a 'fit and proper' person to continue to hold a hackney carriage/private hire drivers licence in light of the issues raised in the report.

The Applicant addressed the Sub-Committee to present their case.

The Sub-Committee asked various questions of all parties present and was grateful for the responses received.

All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the Hearing, the Council's Legal Advisor advised all parties of the right of appeal.

RESOLVED that: the driver remains a 'fit and proper' person to continue to hold a Hackney Carriage/Private Hire Driver's Licence, however, it is the Sub-Committee's decision that the driver receives a written caution which will remain on his file.

Reasons for Decision:

The Sub-Committee considered all the information which had been submitted before the Hearing and contained in the Licensing Officer's report for Agenda Item 8, as well as the verbal submissions made at the Hearing by all parties.

In considering the test of a 'fit and proper person', the Sub-Committee had regard to the BCP Council's Hackney Carriage and Private Hire Driver Policy 2021 - 2025, the provisions of the Local Government (Miscellaneous Provisions) Act 1976, the Institute of Licensing (IOL) Guidance on determining the suitability of applicants and licensees in the Hackney and Private Hire Trades (2018) and the guidance within the Department of Transport Statutory Taxi and Private Hire Vehicle Standards (updated November 2022).

In considering the BCP Criminal Convictions Guidelines as set out in the Hackney Carriage and Private Hire Policy, the Sub-Committee noted that anyone having this type of conviction would normally be refused a Hackney Carriage and Private Hire Driver's licence until a period of 5 years have passed since the reinstatement of their DVLA driver's licence. They were mindful that their main consideration was public safety, and the Sub-Committee was confident that the driver would not be a risk to the travelling public if he retained his licence.

In view of this this the Sub-Committee determined he remained a 'fit and proper person' and was prepared to depart from the guidance set out in section 11 of Appendix C of BCP Council's Hackney Carriage and Private Hire Driver Policy.

63. Consideration of the suitability of an individual to remain a Hackney Carriage and/or Private Hire Driver

This item was restricted by virtue of paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972.

Exempt information – Categories 1 (information relating to any individual) and 2 (information which is likely to reveal the identity of an individual).

Attendance:

From BCP Council:

Nananka Randle – Licensing Manager
Trudi Barlow – Licensing Officer
Linda Cole – Legal Advisor to the Sub-Committee
Michelle Cutler – Clerk to the Sub-Committee

The Applicant was also present.

The Chair made introductions and explained the procedure to be followed in considering this item, which was agreed by all participating parties.

The Licensing Officer presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book, together with supplementary information provided by the Applicant, a copy of which appears as Appendix 'C' to these Minutes in the Minute Book.

The Sub-Committee was asked to consider whether the Applicant was deemed to be a 'fit and proper' person to continue to hold a hackney carriage/private hire drivers licence in light of the issues raised in the report.

The Applicant addressed the Sub-Committee to present their case.

The Sub-Committee asked various questions of all parties present and was grateful for the responses received.

All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the Hearing, the Council's Legal Advisor advised all parties of the right of appeal.

The Sub-Committee RESOLVED that: the driver was not a 'fit and proper person' and there is reasonable cause to revoke the drivers Public Carriage Driver's Licence with immediate effect in accordance with section 61(2B) Local Government (Miscellaneous Provisions) Act 1976 in the interests of public safety.

Reasons for Decision:

The Sub-Committee considered all of the information which had been submitted before the Hearing and contained in the Licensing Officer's report

for Agenda Item 9, as well as the verbal submissions made at the Hearing by the driver.

In considering the test of a ‘fit and proper person’, the Sub-Committee also had regard to the BCP Council’s Hackney Carriage and Private Hire Driver Policy 2021 - 2025, the provisions of Part II the Local Government (Miscellaneous Provisions) Act 1976, the Institute of Licensing (IOL) Guidance on determining the suitability of applicants and licensees in the Hackney and Private Hire Trades (2018) and the guidance within the Department of Transport Statutory Taxi and Private Hire Vehicle Standards (July 2020).

The Sub-Committee found no reason to depart from its own Hackney Carriage and Private Hire Driver Policy which sets out in section 11 of Appendix C of the Policy, that anyone having a drinking conviction would normally be refused a Hackney Carriage and Private Hire Driver’s licence until a period of 5 years have passed since the reinstatement of their DVLA driver’s licence.

In addition, they noted the Institute of Licensing guidance, at paragraph 4.40, states that with regard to drink driving ‘*Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence or driving ban imposed.*’

Having considered the circumstances of the case, the Sub-Committee concluded that the driver was no longer a ‘fit and proper person’ to hold a Hackney Carriage/Private Hire Driver’s Licence and his licence should be revoked immediately in the interests of public safety.

Anyone aggrieved by this decision has the right of appeal to the Magistrates’ Court within a period of 21 days beginning with the day that the applicant is notified, in writing, of the decision.

The meeting ended at 1.30 pm

CHAIRMAN

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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of the Local Government Act 1972.

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 12 December 2023 at 10.00 am

Present: Cllr A Chapmanlaw, Cllr D A Flagg and Cllr S Moore

64. Election of Chair

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

Voting: Unanimous

65. Apologies

There were no apologies for absence.

66. Declarations of Interests

There were no declarations of interest.

67. Protocol for Public Speaking at Meetings

The protocol for speaking at public meetings was noted.

68. Exclusion of Press and Public

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

69. Consideration of the suitability of an individual to become a Hackney Carriage and/or Private Hire Driver

This item was restricted by virtue of paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972.

Exempt information – Categories 1 (information relating to any individual) and 2 (information which is likely to reveal the identity of an individual).

Attendance:
BCP Council:

Michelle Fletcher – Licensing Officer
Linda Cole – Legal Advisor to the Sub-Committee
Michelle Cutler – Clerk to the Sub-Committee
Rebekah Rhodes - Democratic and Overview and Scrutiny Officer
(observing for training purposes)

The Applicant was also in attendance.

The Chair made introductions and explained the procedure to be followed in considering this item, which was agreed by all participating parties.

The Licensing Officer presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'D' to these Minutes in the Minute Book.

The Sub Committee was asked to consider whether the Applicant was deemed to be a 'fit and proper' person to allow them to continue with the application process for a Hackney Carriage/Private Hire Drivers Licence.

The Applicant addressed the Sub-Committee to present their case.

The Sub-Committee asked various questions of all parties present and was grateful for the responses received.

All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the Hearing, the Council's Legal Advisor advised all parties of the right of appeal.

RESOLVED that: the Sub-Committee has decided that the driver is a a 'fit and proper' person to continue with his application to hold a Hackney Carriage/Private Hire Driver's Licence.

Reasons for Decision:

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the Licensing Officer's report for Agenda Item 6, as well as the verbal submissions made at the Hearing by all parties.

The Sub-Committee noted that the driver's offence had occurred over 2 years ago and considered this to be an unintentional incident. The Sub-Committee did not feel that he would put the public at risk.

In considering the test of a 'fit and proper person', the Sub-Committee had regard to the BCP Council's Hackney Carriage and Private Hire Driver Policy 2021 - 2025, the provisions of the Local Government (Miscellaneous Provisions) Act 1976, the Institute of Licensing (IOL) Guidance on

determining the suitability of applicants and licensees in the Hackney and Private Hire Trades (2018) and the guidance within the Department of Transport Statutory Taxi and Private Hire Vehicle Standards (updated November 2022).

The meeting ended at 10.27 am

CHAIRMAN

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 03 January 2024 at 10.00 am

Present: Cllr D A Flagg, Cllr P Hilliard and Cllr M Howell

70. Election of Chair

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

Voting: Unanimous

71. Apologies

There were no apologies for absence.

72. Declarations of Interests

There were no declarations of interest.

73. Bournemouth Electric Club, Broadway Lane, Bournemouth, BH8 0AA

Attendance: BCP Council:

Nananka Randle - Licensing Manager

Johanne McNamara - Legal Advisor to the Sub-Committee

Sinead O'Callaghan - Clerk to the Sub-Committee

Neil Fraser - Deputy Head of Democratic Services (Democratic services Support)

The Chair made introductions and explained the procedure for the hearing, which was agreed by all parties.

The Licensing Manager presented the report, a copy of which had been circulated and a copy of which appears as Appendix A to these minutes in the Minute Book.

The Sub-Committee was asked to consider an application for a new premises licence, for the premises known as 'Bournemouth Electric Club', Broadway Lane, Bournemouth, BH8 0AA to permit regulated entertainment between the hours of 12:00 and 23:00 with late night refreshment and the sale of alcohol, both on and off the premises, between 10:00 and 00:00 Sunday to Thursday and 10:00 to 01:00 Friday and Saturday. For all licensable activities a New Year's Eve extension until 01:00 was requested.

The Licensing Authority received 8 representations on the grounds that to grant the application would undermine the prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm licensing objectives.

The following persons attended the Hearing and addressed the Sub-Committee to expand on the points made in their written submissions:

Cerise Tuvey – Applicant
Mr Jon Wallsgrove - Solicitor for the Applicant
Sergeant Gareth Gosling – Dorset Police
Andrew Wemyss - Environmental Health
Linda Wills – Objector
Dianne Williamson – Objector
Sekai Mujeyi – Objector
David Fung – Objector

The Sub-Committee asked various questions of all parties present and was grateful for the responses received.

All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the Hearing, the Legal Advisor advised all parties of the right of appeal.

RESOLVED that the application for a new premises licence at Bournemouth Electric Club, Broadway Lane, Bournemouth, BH8 0AA, GRANTED subject to the addition of the following conditions: Conditions set out the Application save where there are any changes as set out below.

Conditions agreed prior to the hearing on 3rd January 2024 or confirmed as accepted by the Applicant during the hearing on 3rd January 2024. This relates to both representations made by Dorset Police and Environmental Health.

- This licence shall only be valid provided that at all times a Members Club operates from the premises.
- The sale of alcohol shall be 1000hrs to 2300hrs on Sunday – Thursday and 1000hrs to midnight on Friday and Saturday and 1000hr to 0100 hours New Years Eve.
- The opening hours shall be 0600hrs until 23.30 hours Sunday to Thursday and 0600hrs to 0030 hours Friday and Saturday
- The CCTV footage to be retained for 31 days and that the footage will be available to Dorset Police and authorised officers without delay.
- The Consumption of alcohol to be contained within the area marked red on the plan attached to the Application.
- There shall be no external drinking after 21:00 in the designated seating area outside the Butler Suite.
- The premises licence holder shall take appropriate measures to ensure that patrons using any outside areas do so in a quiet and orderly fashion, including the smoking area at the front of the premises.

- All windows and external doors shall be kept closed after 21:00, except for the immediate access and egress of persons.
- All music in the Butler Suite shall be at background levels only
- There shall be no smoking at the front entrance to the venue and all smoking should take place at the designated smoking area to the side of the premises which is located away from the residents.
- A Sound Limiting device shall be installed in the main function room and set at a level so that music is not audible at the boundary of the site at the closest noise sensitive receptor. All external acts must play through the sound limiting device.

Conditions imposed by the Sub Committee as deemed appropriate to promote the Licensing Objectives, in particular securing public safety and preventing public nuisance.

- Risk Assessments should be conducted and recorded in advance of any function or event to ensure that there is a need for and/or correct level of SIA Door Supervision is deployed.
- A Risk Assessment is to be conducted and recorded as to consider whether a First Aid qualified person should be on-site during certain events.
- A Risk Assessment is to be conducted and recorded for private, member and promoted events.
- A Risk Assessment is to be conducted and recorded as to the requirement for accredited staff training for staff members on the premises when licensable activities are taking place.
- Risk assessments to be carried out and recorded to ascertain if a Personal Licence Holder should be present on the premises when any private, member and promoted event or function takes place.
- To be members of any local Pubwatch scheme.

Reasons for Decision:

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the report for Agenda Item 5 and the verbal submissions made at the hearing by all parties.

At the Hearing, Dorset Police explained that they were grateful for the mediation that had occurred with the representatives of the Applicant. The Sub-Committee noted the agreed amendments and heard representations from Dorset Police and the Applicant with regard to additional conditions Dorset Police wished the Sub-Committee to consider.

It was noted that during the hearing the Applicant offered an additional term relating to the Licence only being valid provided that at all times a Members Club operates from the premises.

With regard to the representation from Dorset Police, the Sub-Committee was mindful that the Licensing Authority should look to Dorset Police as its main source of advice on crime and disorder. The sub-committee

acknowledged the concerns raised by the police in their representation against the application on the grounds of preventing crime and disorder as well as ensuring public safety. The areas of concern highlighted in the representation were the events that have been previously held at the premises, which have caused anti-social behaviour leading to issues for nearby residents.

The Sub-Committee noted the representation from Environmental Health and the conditions that Environmental Health wished the Sub Committee to consider should a licence be granted. The Applicant confirmed that the conditions suggested by Environmental Health could be agreed.

The Sub Committee noted the representations made relating to the impact the venue holding events has had on local residents due to the location of the premises being in such close proximity to residential homes. The Licensing Manager, Nanaka Randle confirmed at the hearing that since the grant of the minor variation application and despite the additional conditions imposed on the club premises certificate, noise complaints have continued to be reported. The Sub-Committee noted the Applicant's response to the incident in December 2023.

The Sub-Committee noted the applicant's intention to offer a more community-focused premise with a variety of activities being hosted to benefit members of the community of all ages, abilities, and backgrounds. Including more family-orientated sports activities.

In conclusion, the Sub-Committee was satisfied that if the premises operated in accordance with these additional conditions the premises should not undermine the licensing objectives.

In making this decision the Sub-Committee have had regard to the Bournemouth, Christchurch and Poole Council Licensing Policy, the revised guidance, as set out by the Secretary of State and the licensing objectives, as set out in the Licensing Act 2003.

The Sub-Committee also noted the Applicant's assurance that should a Premises Licence be granted the Applicant will surrender the Club Premises Certificate.

All parties to the application have the right to appeal to the Magistrate's Court within the period of twenty-one days beginning with the day on which the applicant is notified by the Licensing Authority of this decision in writing.

74. Bargain Convenience Store, 495 Wimborne Road, Bournemouth

The Licensing Authority received an application to review the premises licence for the premises known as Bargain Convenience Store, 495 Wimborne Road, Bournemouth.

RESOLVED that the Sub Committee was asked to adjourn this hearing until 17 January 2023 in accordance with Regulation 12 of the

Licensing Act 2003 (Hearings) Regulations 2005, to enable the relevant parties to attend.

75. Nala Tapas and Cocktail Lounge, 134 - 137 West Hill Road, Bournemouth BH2 5EG

The Licensing Authority received an application to review the premises licence for the premises known as Nala Tapas and Cocktail Lounge, 134 – 137 West Hill Road, Bournemouth BH2 5EG.

RESOLVED that the Sub Committee was asked to adjourn this hearing until 17 January 2023 in accordance with Regulation 12 of the Licensing Act 2003 (Hearings) Regulations 2005, to enable the relevant parties to attend.

The meeting ended at 12.10 pm

CHAIRMAN

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 17 January 2024 at 10.00 am

Present: Cllr C Matthews, Cllr S Moore and Cllr J Richardson

76. Election of Chair

RESOLVED that Councillor Moore be elected Chairman of the Sub-Committee for the duration of the meeting.

Voting: Unanimous

77. Apologies

There were no apologies for absence.

78. Declarations of Interests

There were no declarations of interest.

79. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking was noted.

80. Swan Inn, Unit B & Unit C 29 Old Orchard, Poole BH15 1SD

The Sub-Committee received a request to adjourn this hearing until 22 January 2024 in accordance with regulation 12 of the Licensing Act 2003 (Hearings) Regulations 2005 as necessary for its consideration of any representations or notice made by a party.

RESOLVED that this hearing be adjourned until 22 January 2024

Decision: unanimous

81. Swan In Food and Wine Ltd, Unit A, 29 Old Orchard, Poole BH15 1SD

The Sub-Committee received a request to adjourn this hearing until 22 January 2024 in accordance with regulation 12 of the Licensing Act 2003 (Hearings) Regulations 2005 as necessary for its consideration of any representations or notice made by a party.

RESOLVED that this hearing be adjourned until 22 January 2024

Decision: unanimous

82. Highcliffe Sports and Social Club, 387 Lymington Road, Christchurch BH23 5EG

The Sub-Committee received a request to adjourn this hearing until 22 January 2024 in accordance with regulation 12 of the Licensing Act 2003 (Hearings) Regulations 2005 as necessary for its consideration of any representations or notice made by a party.

RESOLVED that this hearing be adjourned until 22 January 2024

Decision: unanimous

83. Application for Review of Premises Licence at Bargain Convenience Store, 495 Wimborne Road, Bournemouth, BH9 2AW

Attendance:

From BCP Council:

Tania Jardim – Licensing Officer
Linda Cole – Legal Adviser to the Sub-Committee
Michelle Cutler – Clerk to the Sub-Committee
Cllr Chapmanlaw (Observing remotely)

The Chair made introductions and explained the procedure for the Hearing, which was agreed by all parties.

The Licensing officer presented a report, a copy of which has been circulated and a copy of which appears as Appendix A to these minutes in the Minute book.

The Sub-Committee was asked to consider an application for a review of the premises licence for the premises known as 'Bargain Convenience Store', 459 Wimborne Road, Bournemouth, BH9 2AW. The application for review had been submitted by Dorset Police following two serious incidents which undermined the public safety and protection of children from harm licensing objectives. The review related to concerns that the premises were not upholding the licensing objectives of crime and disorder and protection of children from harm and that Dorset police no longer had confidence in the premises Licence holder/DPS.

The following persons attended the Hearing and addressed the Sub-Committee to expand on the points made in their written submissions:

Ms Louise Busfield – Dorset Police, the applicant
Sargeant Gareth Gosling, Dorset Police, the applicant
Mr Philip Day –Lacey's Solicitors, Solicitor representing the premises
Mr Warrenner – Lacey's Solicitors (observing)
Mr Alo Rashid Zmnako – Premises Licence Holder

Mr Karem – friend of Mr Zmnako

The Sub-Committee asked various questions of all parties present and was grateful for the responses received. All parties had the opportunity to ask questions. All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the Hearing, the Legal Advisor advised all parties of the right of appeal.

RESOLVED that having considered the application to review the premises licence for the Premises known as ‘Bargain Convenience Store’, 495 Wimborne Road Bournemouth the Sub-Committee has decided to suspend the licence for a period of 1 month and modify the conditions of the licence as follows:

- I. All staff working at the premises must undertake conflict management training.**
- II. A Personal Licence Holder must always be present on the premises at times that licensable activities are taking place.**

Reasons for Decision

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the report for Agenda Item 8, in particular the application for review made by Dorset Police, the email chain between Mr Philip Day, licensing representative for Mr Zmnako, the Premises Licence Holder and Sergeant Gosling and the verbal submissions made at the hearing by Ms Louise Busfield and Sergeant Gareth Gosling on behalf of Dorset Police and by Mr Philip Day, on behalf of Mr Zmnako, and the responses to questions given at the hearing by all parties.

In determining the review, the Sub-Committee considered the options available as set out in the recommendations of the report and the Licensing Act 2003 and acknowledged that it was only able to take into account matters directly relevant to the licensing objectives in respect of the operation of the premises licence.

The Sub-Committee acknowledged that extensive mediation had taken place between Mr Day and Dorset Police and that appropriate and proportionate conditions had been offered by Mr Day in the form of a one-month suspension of the licence and a condition that all staff working at the premises would undertake conflict management training. In addition, a Personal Licence Holder would always be present on the premises at times that licensable activities were taking place.

The Sub-Committee was assured by Dorset Police that they would continue to support and engage with Mr Zmnako to ensure compliance to uphold the licensing objectives and the Sub-Committee encouraged Dorset Police to continue to visit the premises particularly in the short term.

The Sub-Committee was satisfied that suspending the licence would allow Mr Zmnako time to address the concerns raised by Dorset Police and give him and any other staff time to undertake the conflict management training and ensure all staff had obtained Personal Licences as proposed.

The Sub-Committee also wished to draw Mr Zmnako's attention to the following conditions already attached to his licence:

2.10. All staff shall be trained regarding the terms and conditions of the premises licence, on sales to those who are intoxicated and on sales of age restricted goods using the TSSW 'No Proof of Age No Sale' training scheme or equivalent. This shall include any delivery drivers other than those employed by delivery companies who have themselves provided appropriate training.

2.10.1 Refresher training shall be provided at least every six months or when there is a change of legislation.

2.10.2 Full written training records shall be kept on the premises for each member of staff detailing the content and duration of any training. The training records shall be signed and dated by the employee, the Premises Licence Holder and the trainer as appropriate and shall be made available immediately on request to an authorised officer of the Licensing Authority or the Police

Although breaches of condition 2.10. had not formed part of the review, the Sub-Committee were of the view that staff working at the premises when the underage sales took place were not adequately trained and it is unfortunate that Mr Zmnako left such untrained staff alone to manage the premises in his absence. They were concerned that he was not managing this licensed premises responsibly and that there appeared to be no process in place where he as the premises licence holder be advised of any incidents occurring in his absence. The Sub-Committee hoped going forward, and having been the subject of two reviews, he will take his responsibility of being a Premises Licence holder seriously and manage the premises accordingly.

It was noted that a further review of the premises licence could be applied for at any time by a Responsible Authority or any other person should there be any issues associated with the premises that again undermine the licensing objectives. It is felt that if this premises does come before the Sub-Committee again on review the options available to the committee would be more limited and this determination should be taken by Mr Zmnako as both an opportunity and a final warning.

In making this decision the Sub-Committee have had regard to the Bournemouth, Christchurch and Poole Council Licensing Policy, the revised guidance, as set out by the Secretary of State and the licensing objectives, as set out in the Licensing Act 2003.

Right of appeal

An appeal against the review decision may be made to a Magistrates Court within 21 days of the appellant being notified of the Licensing Authority's determination on the review. An appeal may be made by the premises licence holder, the Chief Officer of Police and/or any interested person who made relevant representations.

84. Review of Nala Tapas & Cocktail Lounge, 135-137 West Hill Road, Bournemouth, BH2 5EG

The Sub-Committee received a request from Mr Philip Day, Lacey's Solicitor's, representing 'Nala Tapas & Cocktail Lounge' to adjourn this hearing until 24 January 2024.

Mr Day advised the Sub-Committee that mediation had taken place, which had resulted in an application being made for a new premises licence, which was being heard on 24 January 2024. If the new premises licence was granted, then the existing licence for 'Nala Tapas & Cocktail Lounge' would be surrendered and the application for review would become redundant.

The Licensing Sub-Committee agreed to Mr Day's request for an adjournment.

RESOLVED that this hearing be adjourned until 22 January 2024

Decision: unanimous

The meeting ended at 10.50 am

CHAIRMAN

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 22 January 2024 at 10.00 am

Present:-

Cllr S Moore – Chair

Present: Cllr A Chapmanlaw, Cllr M Dower

85. Election of Chair

RESOLVED that Cllr S Moore be elected Chair of the Sub-Committee for the duration of the meeting.

Voting: Unanimous

86. Apologies

There were none.

87. Declarations of Interests

There were none.

88. The Swan Inn, Unit B & Unit C, 29 Old Orchard, Poole, BH15 1SD

Attendance:

BCP Council:

Tania Jardim – Licensing Officer

Johanne McNamara – Legal Advisor to the Sub-Committee

Jill Holyoake – Clerk to the Sub-Committee

The Chair made introductions and explained the procedure for the hearing, which was agreed by all parties.

The Licensing Officer presented the report, a copy of which had been circulated and a copy of which appears as Appendix A to these minutes in the Minute Book. The Sub Committee was asked to consider an application for a new premises licence for the premises known as Swan Inn, Unit B and Unit C, 29 Old Orchard, Poole BH15 1SD, to permit the Indoor Sporting Events, Live Music, Recorded Music, Performances of Dance, Late Night Refreshment and the Supply of Alcohol (on and off sales) on Monday to Thursday 09:00hrs to 02:00hrs, Friday and Saturday 09:00hrs to 03:00hrs and Sunday 09:00hrs to 00:00hrs (with the exception of Indoor Sporting Events on Sunday, to be 09:00 to 01:00hrs)

The application had resulted in two representations from Responsible Authorities, Dorset Police and Environmental Heath, and fourteen representations from Other Persons on the grounds that the licence if

granted would undermine the prevention of crime and disorder, prevention of public nuisance, public safety and protection of children from harm licensing objectives.

Dorset Police contacted the applicant with a view to mediate conditions as proposed in Appendix 4 of the report. Environmental Health objected until such time as a noise impact assessment was submitted and agreed by Environmental Health. As no response was received from the applicant to the conditions suggested by either Responsible Authority, both representations still stood.

A supplementary pack of information from Dorset Police in support of its representation had been submitted after the report was published, a copy of which had been circulated and which appears as Appendix B to these minutes in the Minute Book.

The following persons attended the hearing and addressed the Sub Committee to expand on the points made in written submissions:

Applicant:

Mr Surendra Panchal – Applicant's representative

Ms Priti Dip Sukhadiya – Applicant (in attendance)

Responsible Authorities:

Mr John Bean and Inspector Nick Lee – Dorset Police

Mr Paul Barker – Environmental Health

Other Persons:

Mr Kelvin Woodward

Mr Richard Carr, Fortitudo Ltd

Mr Lee Elliot

Mrs Christine Bottin

Ms Michelle Long.

The Sub Committee asked various questions and were grateful for the responses received. All parties were given the opportunity to ask questions and were invited to sum up before the Sub-Committee retired to make its decision.

RESOLVED that the application for a new premises licence for the premises known as The Swan Inn, Unit B and Unit C, 29 Old Orchard, Poole BH15 1SD, to permit Indoor sporting events, Live Music, Recorded Music, Performances of Dance, Late Night Refreshment and Supply of Alcohol be GRANTED in accordance with the conditions to promote the licensing objectives set out in Section 18 of the application form AND subject to the following additional conditions:

- Live/recorded music to be permitted on Friday and Saturday only, to be limited to inside the premises and to end no later than 01:30hrs.
- Other licensable activities applied for to be permitted during the following hours: Monday to Thursday – 09:00hrs to 01:00hrs, Friday

and Saturday – 09:00hrs to 02:00hrs, Sunday – 09:00 to 00:00hrs, save that on Sunday Indoor Sporting Events be permitted from 09.00 – 01.00hrs.

- Prior to the use of any premises licence, a report will be commissioned by the applicant whereby sound transmission to the residential properties above and noise from the use of the premises licence will not have a detrimental effect on nearby residents. The report must include noise from any licensable activity and also any plant or machinery used in association with the use of the premises licence. For example but not exclusively, cellar cooling equipment, air conditioning units, any extracts used in connection with any food offer on site. All noise mitigation recommendations identified in the report must be implemented in full and post completion testing carried out to ensure that the mitigation scheme works as intended. The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS4142: 2014 "Method of rating industrial noise affecting mixed residential and industrial areas" and BS 8233: 2014 "Sound Insulation and Noise Insulation for Buildings - Code of Practice" Any noise limiter proposed as part of these recommendations or otherwise, to have levels approved and set by Environmental Health.
- The premises to be a member of the Poole Pub Watch scheme, as long as such scheme exists.
- On Fridays and Saturdays, at least 2 SIA registered door staff to be employed at the premises from 20.00hrs until the premises closes and all customers have left the vicinity.
- During the Summer Season, the Premises Licence Holder shall provide a written risk assessment for the need (or not) for the employment of SIA registered door staff at the premises.
- For specific events on the Quay (such as Bikers Nights, Fireworks and others as discussed with Dorset Police), at least 2 SIA registered door staff shall be employed at the premises from 17.00hrs until the premises closes and all customers have left the vicinity.
- The Premises Licence Holder shall produce a dispersals policy to ensure that nearby residents are not disturbed at the time the premises closes
- No deliveries including refuse collection between 20:00hrs and 08:00hrs the following day.
- Mobile phone numbers for the Designated Premises Supervisor and premises manager to be provided to local residents as a point of contact at all times when the premises licence is in operation.

Reason for decision:

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the report for Agenda Item 5 and the verbal submissions made at the hearing by Mr Surendra Panchal representing the applicant, Mr John Bean and Inspector

Lee representing Dorset Police, Mr Paul Barker representing Environmental Health and the following 'Other Persons' – Mr Kelvin Woodward, Richard Carr representing Fortitudo Ltd, Mr Lee Elliot, Mrs Christine Bottin and Ms Michelle Long. The Sub Committee also had regard to the points raised in the written representations made by those Other Persons who did not attend/speak at the hearing.

The Sub Committee was mindful that Dorset Police was its main source of advice on crime and disorder. Dorset Police and other representations had raised concerns about the potential impact of the premises on anti social behaviour in the local area. Having met with the applicant's representative, the Police had sought confirmation by email of additional conditions discussed. Although Mr Panchal explained that he had not been able to respond as he had been awaiting instructions from his client, the Police were disappointed at this lack of communication and remained concerned about the applicant's ability to translate words into tangible actions when it came to upholding the licensing objectives. The Sub Committee noted that the additional conditions as set out in Appendix 4 of the report were accepted by Mr Panchal on behalf of the applicant at the hearing.

The Sub Committee was mindful of concerns raised by Environmental Health and other representations about the potential for the premises to cause or add to public nuisance, particularly in view of its close proximity to a new residential development. Mr Panchal reported that a sound installation test had been carried out on behalf of the applicant but this had not been submitted to the Local Authority. The Sub Committee shared the concerns raised at the hearing about the adequacy of this test and any mitigation measures which may have been taken to date. Members agreed that a robust condition should be added to the licence to ensure that noise associated with the operation of a licensed premises would not have a detrimental impact on nearby residents. It was noted that there was no outside smoking area on the premises and that although the applicant intended staff to limit numbers leaving the premises to smoke, this could not form a condition. The Sub Committee wished to remind the applicant of the duty to uphold the prevention of public nuisance licensing objective at all times.

The Sub Committee was grateful to Mr Panchal for confirming the applicant's offer to reduce the hours on Monday to Thursday to 01.00hrs. The Sub Committee felt that reducing the hours to 02:00hrs on Friday and Saturday would match the latest terminal hour of another premises in the area and deter customers from moving from other premises to take advantage of later hours at this premises. Mr Panchal also confirmed that it was only intended to have live/recorded music on Friday and Saturday and the Sub Committee agreed to add this as a condition, to be limited to inside the premises and to end no later than 01:30hrs. Mr Panchal also confirmed that the applicant was willing to add conditions to limit delivery hours and provide mobile phone numbers for local residents to contact the premises with any issues.

The Sub Committee noted that a number of concerns raised in representations related to planning matters which could be followed up via the planning regime and were not relevant to the Licensing Objectives that the Sub Committee needed to consider.

The Sub-Committee was satisfied that if the premises operated in accordance with the above amended hours and conditions, that the premises should not undermine the licensing objectives and as such the application should be granted.

In making this decision the Sub-Committee have had regard to the Bournemouth, Christchurch and Poole Council Licensing Policy, the revised guidance, as set out by the Secretary of State and the licensing objectives, as set out in the Licensing Act 2003.

All parties to the application have the right to appeal to the Magistrate's Court within the period of twenty-one days beginning with the day on which the applicant is notified by the Licensing Authority of this decision in writing.

89. Swan In Food & Wine, Unit A, 29 Old Orchard, Poole, BH15 1SD

Attendance:

BCP Council:

Tania Jardim – Licensing Officer

Johanne McNamara – Legal Advisor to the Sub-Committee

Jill Holyoake – Clerk to the Sub-Committee

The Chair made introductions and explained the procedure for the hearing, which was agreed by all parties.

The Licensing Officer presented the report, a copy of which had been circulated and a copy of which appears as Appendix C to these minutes in the Minute Book. The Sub Committee was asked to consider an application for a new premises licence for the premises known as Swan In Food and Wine, 29 Old Orchard, Poole BH15 1SD, to permit off sales of alcohol on days/times. The application had resulted in one representation from a Responsible Authority, Dorset Police, and four representations from Other Persons on the grounds that the licence if granted would undermine the prevention of crime and disorder, prevention of public nuisance and protection of children from harm licensing objectives.

Dorset Police contacted the applicant with a view to mediate conditions as proposed in Appendix 4 of the report. As no response was received from the applicant to the conditions suggested by Dorset Police, its representation still stood.

A supplementary pack of information from Dorset Police in support of its representation had been submitted after the report was published, a copy of which had been circulated and which appears as Appendix D to these minutes in the Minute Book.

The following persons attended the hearing and addressed the Sub-Committee to expand on the points made in written submissions:

Applicant:

Mr Surendra Panchal – Applicant's representative

Ms Priti Dip Sukhadiya – Applicant (in attendance)

Responsible Authority:

Mr John Bean and Inspector Nick Lee – Dorset Police

Other Persons:

Mr Richard Carr, Fortitudo Ltd

Mr Kadir Kurekci

Mr Yuri Emilov

The Sub Committee asked various questions and were grateful for the responses received. All parties were given the opportunity to ask questions and were invited to sum up before the Sub-Committee retired to make its decision.

RESOLVED that the application for a new premises licence for the premises known as Swan In Food and Wine, Unit A, 29 Old Orchard, Poole BH15 1SD, to permit off sales of alcohol be GRANTED in accordance with the steps taken to promote the licensing objectives set out in Section 18 of the application form AND subject to the following additional conditions:

- Hours for the supply of off sales of alcohol and hours premises are open to be as follows: Monday to Saturday 06:00hrs to 23:00hours, Sunday 10:30 to 22:30hrs.
- The employment of SIA registered door staff to be risk assessed by the Premises Licence Holder in consultation with Dorset Police.
- All staff to be employed at the premises to undergo training in conflict management and this to be recorded (date and provider) on the training record of each member of staff.
- No high strength beers, lagers and ciders above 5.5% ABV shall be stocked with the exception of premium beers that shall be removed from immediate customer access.
- Visibility into the premises to be in accordance with the good practice recommendations of the Dorset Police 'Design Out Crime' officer.

Reason for decision:

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the report and supplementary information for Agenda Item 6 and the verbal submissions made at the hearing by Mr Surendra Panchal representing the applicant, Mr John Bean and Inspector Lee representing Dorset Police, and the following 'Other Persons' – Mr Richard Carr representing Fortitudo Ltd, Mr Kadir Kurekci and Mr Yuri Emilov. The Sub Committee also had regard

to the written representation made by one Other Persons who did not attend/speak at the hearing.

The Sub Committee was mindful that Dorset Police was its main source of advice on crime and disorder. Dorset Police and other representations had raised concerns about the potential impact of the premises on anti social behaviour, shoplifting and street homelessness in the local area. Having met with the applicant's representative, the Police had sought confirmation by email of some conditions discussed. Although Mr Panchal explained that he had not been able to respond as he had been awaiting instructions from his client, the Police were concerned at the lack of communication and the applicant's ability to translate words into tangible actions when it came to upholding the licensing objectives.

The Sub Committee noted that these conditions as set out in Appendix 4 of the report were accepted by Mr Panchal on behalf of the applicant at the hearing. Although Mr Panchal indicated at the hearing that the applicant would prefer not to reduce the hours on Monday to Saturday further to 23:00hrs, having considered the concerns raised in the representations the Sub Committee agreed that this further reduction would assist in upholding the licensing objectives. The closing time of 23:00hrs was also in line with two of the four other premises licensed for off sales in the area. At the hearing Dorset Police also referred to concerns around the visibility into the premises following a meeting on site with the Dorset Police Design Out Crime Officer. The Sub Committee agreed that these concerns could be addressed by an additional condition seeking compliance with the Officer's recommendations.

Dorset Police also referred to information regarding a previous licence review by Brent Council in 2019. It was noted that no further complaints had been received since this review, the DPS was no longer involved with the premises and the licence had transferred to someone else.

The Sub Committee noted that a number of concerns raised in representations related to planning matters which could be followed up via the planning regime and were not relevant to the Licensing Objectives that the Sub Committee needed to consider. The Sub Committee was also advised that the need for another licensed premises in terms of commercial demand was not a matter it was able to consider and therefore disregarded any comments on this point.

The Sub-Committee was satisfied that if the premises operated in accordance with the above amended hours and conditions, that the premises should not undermine the licensing objectives and as such the application should be granted.

In making this decision the Sub-Committee have had regard to the Bournemouth, Christchurch and Poole Council Licensing Policy, the revised guidance, as set out by the Secretary of State and the licensing objectives, as set out in the Licensing Act 2003.

All parties to the application have the right to appeal to the Magistrate's Court within the period of twenty-one days beginning with the day on which the applicant is notified by the Licensing Authority of this decision in writing.

The meeting ended at 1.00 pm

CHAIR

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 24 January 2024 at 10.00 am

Present:-

Cllr M Dower – Chair

Present: Cllr A Chapmanlaw, Cllr A Keddie

90. Election of Chair

RESOLVED that Cllr M Dower be elected Chair of the Sub-Committee for the duration of the meeting.

Voting: Unanimous

91. Apologies

Apologies were received from Cllr G Farquhar. Cllr M Dower as first reserve stepped up as a committee member for this meeting. Cllr B Castle, second reserve, was also in attendance in an observational capacity.

92. Declarations of Interests

There were none.

93. Nala Lounge, 135-137 West Hill Road, Bournemouth, BH2 5EG

Attendance:

BCP Council:

Tania Jardim – Licensing Officer

Linda Cole – Legal Advisor to the Sub-Committee

Jill Holyoake – Clerk to the Sub-Committee

The Chair made introductions and explained the procedure for the hearing, which was agreed by all parties.

The Licensing Officer presented the report, a copy of which had been circulated and a copy of which appears as Appendix A to these minutes in the Minute Book. The Sub Committee was asked to consider an application for a new premises licence for the premises known as Nala Lounge, 135 – 137 West Hill Road, Bournemouth BH2 5EG, to permit the following licensable activities:

Films (Indoors and Outdoors)

Monday to Sunday – 10:00 to 00:00

Live Music (Indoors)

Monday to Sunday – 10:00 to 00:00

Recorded Music (Indoors)

Monday to Sunday – 10:00 to 00:00
Performance of Dance (Indoors)
Monday to Sunday – 10:00 to 00:00
Supply of Alcohol (On and Off the premises)
Monday to Sunday – 10:00 to 00:00
Late Night Refreshment (Indoors and Outdoors)
Monday to Sunday – 23:00 to 00:30.
At New Year, the times are from the commencement of hours on New Year's Eve until the end of permitted hours on New Year's Day.

The application had resulted in one representation from a Responsible Authority, Environmental Health, and four representations from Other Persons on the grounds that the licence if granted would undermine the prevention of crime and disorder, public safety and prevention of public nuisance licensing objectives.

A supplementary pack of information had been submitted on behalf of the applicant after the report was published, a copy of which had been circulated and which appears as Appendix B to these minutes in the Minute Book. This included an amended version of Section M of the application form which contained amended conditions agreed with Environmental Health following successful mediation after the publication of the report. This had resulted in the representation from Environmental Health being withdrawn.

It was noted that the application had been submitted as a form of mediation following an application to review the current premises licence at the same premises. The applicant's representative had indicated that the new licence, if granted, would only come into force if the existing licence was either revoked or surrendered.

The following persons attended the hearing and addressed the Sub Committee to expand on the points made in written submissions:

Applicant:

Mr Philip Day – Applicant's representative

The following persons were present with Mr Day but did not speak:

Ms Kathleen Rowley, on behalf of Nala Lounge Ltd - Premises Owner
Mr Ismail Gunduz, Designated Premises Supervisor
Mr Abdir Dirir, Premises Manager
Mr Jackson Warriner, attending with Mr Day in an observational capacity

Responsible Authorities:

Mr Andrew Hill – Environmental Health. Mr Hill did not address the Committee other than to confirm that he had withdrawn his representation. He remained in attendance in case any points of clarification were required.

In his submission Mr Day proposed the following minor amendment to prevention of public nuisance conditions listed in the revised Section M for the purpose of clarity:

- Add the following words in italics – ‘Patrons shall only be permitted to smoke in that part of the enclosed seating area that has a retractable roof and only when the roof is retracted ***and the windows open.***’

The Sub Committee asked various questions and were grateful for the responses received. Relevant parties were given the opportunity to ask questions and had the opportunity to sum up if they wished before the Sub-Committee retired to make its decision.

The Sub Committee resumed in public session to provide a summary of its decision to all parties. This was done to aid consideration of how to proceed with the next agenda item which was an application to review the existing premises licence for the same premises.

Full Decision

RESOLVED that the application for a new premises licence for the premises known as Nala Lounge, 135 – 137 West Hill Road, Bournemouth BH2 5EG to permit the following licensable activities be **GRANTED** subject to the conditions reproduced below as they appear in the amended version of Section M of the application form which includes the amendments agreed with Environmental Health following mediation and as updated by the applicant’s representative at the hearing:

Licensable Activities:

Films (Indoors and Outdoors)
Monday to Sunday – 10:00 to 00:00

Live Music (Indoors)
Monday to Sunday – 10:00 to 00:00

Recorded Music (Indoors)
Monday to Sunday – 10:00 to 00:00

Performance of Dance (Indoors)
Monday to Sunday – 10:00 to 00:00

Supply of Alcohol (On and Off the premises)
Monday to Sunday – 10:00 to 00:00

Late Night Refreshment (Indoors and Outdoors)
Monday to Sunday – 23:00 to 00:30

At New Year, the times are from the commencement of hours on New Year's Eve until the end of permitted hours on New Year's Day.

Conditions:

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

- This licence shall have no effect unless and until Premises Licence number BH184278 is either surrendered or revoked.
- Substantial food in the form of table meals appropriate to the time of day shall be available from when the premises open until 22:30 hours or 30 minutes before the intended closing time of the premises on any particular day, whichever is earlier. This shall include the enclosed seating area.
- A waiter/waitress service shall operate at all times the premises are open to the public. This shall include the enclosed seating area.
- Non-alcoholic beverages (including tea and coffee) shall be available at all times the premises are open to the public.
- A minimum of 40 covers (i.e. tables and chairs that can be used for dining) will be provided internally from when the premises open until 22:30 hours or 30 minutes before the intended closing time of the premises on any particular day, whichever is earlier.

b) The prevention of crime and disorder

CCTV:

- The holder of the premises will install and then maintain in good working order a digital CCTV system which covers all internal parts of the premises open to the public (except the lavatories), the area immediately outside any entrance to the premises and (if it is in use), the external area. Recordings shall be retained for a minimum period of 31 days and made available for inspection by police and other authorised officers immediately on request with copies provided in a readable format as soon as practicable provided that any request to view or be provided with copies of recordings is compliant with data protection legislation and that if the premises are closed when the request is made, the request be complied with as soon as reasonably practicable.
- A person conversant with the operation of the CCTV system who is also authorised to access the same shall be on duty whenever the premises are open to the public.
- The system shall be checked on at least a weekly basis - a written or electronic record shall be maintained of all such checks, any fault shall be recorded and immediate action taken to rectify the same. The record shall be made available for inspection by Police and other authorised officers on request.

Refusals Register and Incident Reporting:

- The premises shall maintain (either in writing or electronically and either as a single document or separately):
 1. A record of each and every occasion the sale or supply of alcohol is refused, the reason for the refusal, the name of the person

- refusing the sale/supply and (if possible) the name or description of the person who has been refused
2. A record of any incident involving the commission or suspect commission of any criminal offence or anti-social behaviour occurring within the premises (including the external area if in use) to include a description of the incident, the name(s) of any staff member involved and the action taken.
 3. A record regarding the removal of any person from the premises (other than at closing time), to include the reason for removal and the name(s) of any staff member dealing with the incident.
 4. 4. Any official visit or inspection undertaken by an authorised person (as defined by the Licensing Act 2003).

Door Supervision:

- The holder of the licence or the DPS shall also undertake a risk assessment to determine whether it is appropriate to deploy door supervisors on any other particular day, occasion or time.
- The risk assessment will take into account the risks associated with any act of terrorism directed at the premises, disorder within or associated with the premises and the risk of nuisance being caused by (for example but not limited to) persons smoking outside the building after 23:00 hours.
- A copy of the risk assessment will be provided to the Police and Licensing Authority on request and will be reviewed and updated:
 1. Annually;
 2. If it is intended to provide regulated entertainment on a Thursday after 23:00 hours;
 3. If any other event is scheduled to take place at the premises that differs substantially from the normal operation of the premises (for example the showing of a major sporting event on television that might give rise to conflict within the premises between rival supporters);
 4. At the request of the Police; or
 5. Following any incident involving serious crime at or associated with the premises.

Pub Watch:

- The premises shall join any local “Pub Watch” scheme, regularly attend meetings and actively support its initiatives.

d) The prevention of public nuisance

- No regulated entertainment shall be permitted in that part of the premises identified as the “enclosed seating area” on the approved plans, after 23:00 hours.
- The holder of the licence shall ensure that the entrance door into the enclosed seating area and from the enclosed seating area into the main part of the building are not open at the same time after 20:00 Hours.

- Whenever regulated entertainment is provided inside the premises (i.e. that part excluding the enclosed seating area), the following conditions shall apply:
 - The retractable roof over part of the enclosed seating area shall be kept closed and all windows kept shut; The holder of the licence shall ensure that the entrance door into the enclosed seating area and from the enclosed seating area into the main part of the building are not open at the same time; and persons wishing to smoke shall not be permitted to do so within any part of the enclosed seating area.
 - All amplified music shall be routed through a noise limiting device. The level(s) at which the device is set shall be determined in consultation with the Environmental Health Officer. Access to the device shall be restricted to the manager of the premises and a noise consultant retained by the premises.
 - Patrons shall only be permitted to smoke in that part of the enclosed seating area that has a retractable roof when no regulated entertainment is taking place inside the premises and only when the roof is retracted and all windows open.
 - Staff (including any SIA registered door supervisors) shall be instructed: To monitor compliance with the conditions of the licence; and to ensure that patrons smoking outside the premises on the street are not causing a nuisance to local residents.
 - A sign shall be prominently displayed at the exit from the premises requesting customers to leave quietly and have regard to local residents.
 - The premises shall ensure that its website includes a telephone number to which local residents can refer any concern about noise and other issues.
 - No waste shall be removed from the premises nor deliveries made to the premises between 22:00 and 08:00 hours.
- e) The protection of children from harm
- The premises shall operate a “Challenge 25” policy whereby any person who appears to be under the age of 25 will be required to provide photographic proof of age in one or other of the forms required by the mandatory conditions before being supplied with alcohol. Signs advertising the policy shall be prominently displayed at the entrance to the premises and at any or all serveries supplying alcohol.
 - All staff concerned with the sale or supply of alcohol shall be trained regarding restricted sales (to persons who are intoxicated or under the age of 18 either in person or by proxy), the terms and restrictions of this licence and the “Ask Angela scheme” (whereby a customer may alert staff if they feel threatened or intimidated by another customer) before they commence their duties and refresher training shall be provided at least once every 12 months.

- Written or electronic records shall be maintained with regard to all training, including the name of the person trained, the nature of the training and the person who delivered the training. The records shall be retained for at least 12 months and made available for inspection by the Licensing Authority, Police, Trading Standards and other authorised officers

Reason for decision:

The Sub-Committee considered all of the information which had been submitted before the hearing and contained in the report for Agenda Item 5 and the supplementary information submitted by the applicant's representative, Mr Philip Day, and to the verbal submissions made by Mr Day at the hearing. The Sub Committee also had regard to the points raised in the written representations made by four Other Persons who did not attend/speak at the hearing.

The Sub Committee was mindful that it considers Environmental Health as its main source of advice on public nuisance. The Sub Committee noted the email correspondence between Mr Andrew Hill, Senior Environmental Health Officer, and Mr Day, which had been included at Appendix 4 of the report and further work undertaken since the report was published. The Sub Committee was grateful to Mr Hill for his work in undertaking successful mediation with the applicant, resulting in the submission of an amended version of Section M of the application form which contained amended conditions agreed with Environmental Health. At the hearing Mr Hill confirmed that he was withdrawing his representation.

While the Sub Committee noted that the other representations had not been withdrawn, Members agreed that the concerns previously raised had been acknowledged by the applicant and addressed by the revised conditions and the reduction in hours. The Sub Committee were of the view that the hours applied for in respect of licensable activities (ending at 00:00hrs except for late-night refreshment (00:30hrs)) were more appropriate for the type of premises proposed, in this location and would give some reassurance to local residents.

The Sub Committee noted that these premises like any other were subject to other legislation in addition to the Licensing Act 2003, such as the Town and Country Planning Act 1990, Environmental Protection Act 1990 and the Health Act 2006. The Sub-Committee wished to remind the applicant that any conditions and permissions included in this Premises Licence do not override the requirements of any other Act and they expect any Premises Licence Holder to operate responsibly and in accordance with all legislation that affects them.

The Environmental Health Team have a continued duty to investigate further reported incidents, and if necessary, take relevant enforcement action. It was noted that a further review of the premises licence could be applied for at any time by a Responsible Authority or any other person

should there be any issues associated with the premises in the future that undermined the licensing objectives.

In conclusion the Sub-Committee was satisfied that if the premises operated in accordance with the above conditions, that the premises should not undermine the licensing objectives, particularly the prevention of public nuisance and as such the application should be granted.

In making this decision the Sub-Committee have had regard to the Bournemouth, Christchurch and Poole Council Licensing Policy, the revised guidance, as set out by the Secretary of State and the licensing objectives, as set out in the Licensing Act 2003.

All parties to the application have the right to appeal to the Magistrate's Court within the period of twenty-one days beginning with the day on which the applicant is notified by the Licensing Authority of this decision in writing.

94. Review of Nala Tapas and Cocktail Lounge, 135 - 137 West Hill Road, Bournemouth BH2 5EG

The Sub Committee received an update from the Legal Adviser in respect of the application to review the premises licence for the premises known as Nala Tapas and Cocktail Lounge, 135 - 137 West Hill Road, Bournemouth BH2 5EG.

This hearing had been adjourned by the Licensing Sub Committee on 17 January 2024 pending the outcome of the new premises licence application for the same premises. In view of the Sub Committee's decision to grant the new premises licence, it was proposed to further adjourn the review hearing until 13 March 2024 to enable sufficient time for the licence subject to review to be surrendered to the Licensing Authority. It was noted that should the licence be surrendered, a hearing would not be required as there would be no licence to review.

The applicant's representative, Mr Philip Day, confirmed that he had been instructed to surrender the licence subject to review and thanked all parties for their assistance.

RESOLVED that the hearing to review the premises licence for the premises known as Nala Tapas and Cocktail Lounge, 135 - 137 West Hill Road, Bournemouth BH2 5EG, be further adjourned until 13 March 2024.

The meeting ended at 11.27 am

CHAIR

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 31 January 2024 at 10.15 am

Present: Cllr B Castle, Cllr S Moore and Cllr L Williams

95. Election of Chair

RESOLVED that Councillor Moore be elected Chairman of the Sub-Committee for the duration of the meeting.

Voting: Unanimous

96. Apologies

No apologies for absence were received.

97. Declarations of Interests

There were no declarations of interest.

98. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking was noted.

99. Review of Abracadabra, 3 High Street, Christchurch, BH23 1AB

Attendance:

BCP Council:

Cllr Chapmanlaw – Observing for training purposes (attending remotely)

Tania Jardim – Licensing Officer

Johanne McNamara – Legal Advisor to the Sub-Committee

Michelle Cutler – Clerk to the Sub-Committee

The Chair made introductions and explained the procedure for the hearing, which was agreed by all parties.

The Licensing Officer presented the report, a copy of which had been circulated and a copy of which appears as Appendix A to these minutes in the Minute Book. The Sub-Committee was asked to consider an application for a review of the premises licence for the premises known as 'Abracadabra', 3 High Street, Christchurch, BH23 1AB. The application for

review had been submitted by Dorset Police as a result of the premises breaching their licence conditions, despite repeated attempts by Dorset Police and other Responsible Authorities to support and encourage compliance. The application related to the prevention of crime and disorder, public safety, and the protection of children from harm licensing objectives.

A supplementary pack of information had been submitted on behalf of the applicant after the report was published, a copy of which had been circulated and which appears as Appendix B to these minutes in the Minute Book.

The following persons attended the Hearing and addressed the Sub-Committee to expand on the points made in their written submissions:

Sargeant Gareth Gosling, Dorset Police, the applicant
Ms Louise Busfield – Dorset Police, observing
June Clarke - JMC Licensing Consultants, representing the premises
Mr Yunis Mohammad – Premises Licence Holder
Ms Holly Gooding – Mr Mohammad’s witness and partner

The Sub-Committee asked various questions of all parties present and was grateful for the responses received. All parties had the opportunity to ask questions.

During the hearing the Sub-Committee went into an exempt session. The Sub-Committee passed the following resolution:

Resolved that under Section 14 (2) of the Licensing Act 2003 (Hearings) Regulations 2005 and Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part I of Schedule 12A of the Act and the public interest in withholding the information outweighs such interest in disclosing the information.

This item was restricted by virtue of paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972.

Exempt information – Categories 1 (information relating to any individual) and 2 (information which is likely to reveal the identity of an individual).

The Sub-Committee went back into public session. All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the Hearing, the Legal Advisor advised all parties of the right of appeal.

RESOLVED that having considered the application to review the premises licence for the premises known as ‘Abracadabra’, 3 High Street, Christchurch. BH23 1AB, the Sub-Committee has decided to revoke the premises licence on the grounds that the premises are not upholding the prevention of crime and disorder, public safety, and the protection of children from harm licensing objectives.

Reasons for Decision

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the report for Agenda Item 5, in particular the written evidence provided by Dorset Police in support of the application for review and the verbal submissions made at the hearing by Sergeant Gareth Gosling on behalf of Dorset Police Licensing, by Mrs June Clarke, licensing representative for Mr Yunis Mohammad , the Premises Licence Holder, by Mr Yunis Mohammad himself and Ms Holly Gooding, witness, and the responses to questions given at the hearing by all parties.

In determining the review, the Sub-Committee considered the options available as set out in the recommendations of the report and the Licensing Act 2003 and acknowledged that it was only able to take into account matters directly relevant to the licensing objectives in respect of the operation of the premises licence.

The Sub-Committee felt that the premises had failed to uphold the licensing objectives, that there had been persistent breaches of the licence since May 2023 and that the premises had failed to act on advice provided and did not fully engage with Dorset Police to address issues that had arisen, the Sub-Committee felt that they had no confidence that the premises could promote the licensing objectives of the prevention of crime and disorder, public safety and the prevention of children from harm.

The Sub-Committee heard from Mrs Clarke that Ms Holly Gooding, Mr Mohammad's partner, had offered to take over as the Designated Premises Supervisor. Ms Gooding confirmed she would be happy to do this as Mr Mohammad struggled with the legal side of licensing due to a language barrier. The Sub-Committee did not think this would address the issues raised in the review as removing Mr Mohammad as the DPS would still leave him as the Premises Licence Holder and Ms Gooding had not received the training required to be a DPS.

The Sub-Committee was particularly concerned that Mr Mohammad was unable to list the four licensing objectives when requested to do so.

The Sub-Committee shared the view of Dorset Police that none of the other available options would address the reasons for the review and that these options would not be appropriate in upholding the Licensing Objectives, as follows:

Leave the licence in its current state.

In considering the evidence, representations and verbal submissions made during the hearing by all parties, the Licensing Sub-Committee agreed that taking no action would not be a sufficient response to ensure that the licensing objectives are upheld due to the persistent breaches of the

Licence and Mr Mohammad's acceptance that he struggled with the legalities of licensing due to a language barrier.

The Sub-Committee share the view of Dorset Police that the premises continues to undermine the licensing objectives. The concerns identified by Dorset Police and those highlighted by partner agencies and the public demonstrate that taking no action is not an appropriate determination following this hearing.

Modification/addition of conditions of the premises licence:

No modification or addition of conditions were offered up by Mrs Clarke and the Sub-Committee did not consider that there were any conditions which could address the concerns raised. The Licensing Sub-Committee agreed that there have been persistent breaches of the current licence and noted it had been stated that Mr Mohammad struggled with the legal side of licensing.

Exclusion of a licensable activity from the scope of the licence

The Sub-Committee noted that the exclusion of the licensable activity from the premises licence was unlikely to reduce the likelihood of the licensing objectives being undermined. If no licensable activities were taking place the premises could remain operational as a convenience store but many of the concerns highlighted by Dorset Police would remain.

The removal of the Designated Premises Supervisor from the licence:

The Sub-Committee acknowledged Mrs Clarke's offer to replace Mr Mohammad as the DPS with Ms Holly Gooding, however, Ms Gooding had not received the appropriate training. The Sub-Committee noted that Mr Mohammad is both the DPS and the PLH. The premises operated under Mr Mohammad has a history of persistent breaches of the current Licence. Removal of the DPS would still leave Mr Mohammad as the PLH. The Sub-Committee felt that removal of the DPS would not address the issues raised in the review.

Suspension of the Licence:

The Sub-Committee considered the suspension of the premises licence to allow a new DPS to be trained but agreed that the issues and concerns raised by Dorset Police and the responses given by Mr Mohammad during the hearing did not provide them with confidence that the licensing objectives would be met under any circumstances. The Licensing Sub-Committee was not satisfied that suspending the licence would address concerns or promote the Licensing Objectives as it did not change those responsible for the management of the premises and the issues of crime and disorder and breaches of the Licence associated at the premises. Once again, the Licensing Sub-Committee noted concerns that it was stated that Mr Mohammad struggled with the legal side of licensing.

The Sub-Committee agreed that the only suitable outcome was to revoke the premises licence due to Mr Mohammad's lack of understanding of the 4 licensing objectives and his failure to engage with Dorset Police to promote the licensing objectives. In addition, the Sub-Committee had concerns

about the persistent breaches noted during the visits in August and October 2023.

The Sub-Committee accepts that Dorset Police have identified and continue to receive reports of concerns associated with this premises and that no further engagement tools are available to Dorset Police that will support the management of this premises to improve their operating practices to enable compliance.

In making this decision the Sub-Committee have had regard to the Bournemouth, Christchurch and Poole Council Licensing Policy, paragraphs 11.27 and 11.28 of the revised guidance, as set out by the Secretary of State and the licensing objectives, as set out in the Licensing Act 2003 and agreed that revocation of the Licence was a proportionate response to the issues raised in the review.

Right of appeal

An appeal against the review decision may be made to a Magistrates Court within 21 days of the appellant being notified of the Licensing Authority's determination on the review. An appeal may be made by the premises licence holder, the Chief Officer of Police and/or any interested person who made relevant representations.

100. Highcliffe Sports and Social Club, 387 Lymington Road, Christchurch BH23 5EG.

Attendance:

BCP Council:

Cllr Chapmanlaw – Observing for training purposes (attending remotely)

Sarah Rogers – Senior Licensing Officer

Tania Jardim – Licensing Officer

Johanne McNamara – Legal Advisor to the Sub-Committee

Michelle Cutler – Clerk to the Sub-Committee

The Chair made introductions and explained the procedure for the hearing, which was agreed by all parties.

The Senior Licensing Officer presented the report, a copy of which had been circulated and a copy of which appears as Appendix A to these minutes in the Minute Book. The Sub-Committee was asked to consider an application for a review of the club premises certificate for the premises known as 'Highcliffe Sports and Social Club', 387 Lymington Road, Christchurch, BH23 5EG. The application had been submitted by Dorset Police on the grounds that they believed the premises were not adhering to the requirements of the Licensing Act 2003 and not promoting the prevention of crime and disorder and public safety licensing objectives.

A supplementary pack of information had been submitted on behalf of the applicant after the report was published, a copy of which had been circulated and which appears as Appendix B to these minutes in the Minute Book.

The following persons attended the Hearing and addressed the Sub-Committee to expand on the points made in their written submissions:

Sargeant Gareth Gosling, Dorset Police, the applicant
Ms Louise Busfield – Dorset Police, the applicant
Mr Donne - Licensing Consultant, representing the premises
Jenny Share – Club Secretary
Mary White – Club Manager

The Sub-Committee asked various questions of all parties present and was grateful for the responses received. All parties had the opportunity to ask questions.

During the hearing the Sub-Committee went into an exempt session. The Sub-Committee passed the following resolution:

Resolved that under Section 14 (2) of the Licensing Act 2003 (Hearings) Regulations 2005 and Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part I of Schedule 12A of the Act and the public interest in withholding the information outweighs such interest in disclosing the information.

This item was restricted by virtue of paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972.

Exempt information – Categories 1 (information relating to any individual) and 2 (information which is likely to reveal the identity of an individual).

The Sub-Committee went back into public session. All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the Hearing, the Legal Advisor advised all parties of the right of appeal.

RESOLVED that having considered the application to review the Club Premises Certificate for the premises known as 'Highcliffe Sports and Social Club', 387 Lymington Road, Christchurch, BH23 5EG, the Sub-Committee has decided to modify the conditions of the licence as proposed by the premises, following mediation with Dorset Police, as follows:

1. LICENSING OBJECTIVES

1.1 All members of staff working in the bar and restaurant area will be trained in how to promote the four licensing objectives.

2. CCTV

- 2.1 The premises shall install and maintain a digital CCTV.
- 2.2 All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
- 2.3 The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.
- 2.4 All recordings shall be stored for a minimum period of 31 days with date and time stamping.
- 2.5 A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open.
- 2.6 Viewing of recordings shall be made available immediately upon the request of Police or authorised Council officer throughout the entire 31 day period.
- 2.7 This staff member must be able to provide a Police or authorised Council officer copies of recent CCTV images or data within seventy-two hours of a request in writing.

3. INCIDENT REPORTS

- 3.1 An incident log shall be kept at the premises and made available on request to an authorised officer of the Council or the Police.
- 3.2 Incident reports must be completed prior to a member of staff or responsible person completing their duty on that day and will record the following:
 - (a) all crimes reported to the venue.
 - (b) all ejections of patrons.
 - (c) any complaints received concerning crime and disorder.
 - (d) any incidents of disorder.
 - (e) all seizures of drugs or offensive weapons.
 - (f) any faults in the CCTV system, searching equipment or scanning equipment.
 - (g) any refusal of the sale of alcohol.
 - (h) any visit by a relevant authority or emergency service.

4. STAFF TRAINING

- 4.1 Staff shall receive accredited training from BCP Council's Trading Standards

Department through South West Trading Standards on:

- (a) The premises age verification policy.
- (b) The law relating to underage sales.
- (c) The procedure for validating documents produced as proof of age.
- (d) Proxy purchasing.
- (e) The Standard Operating Procedures for the seizures of drugs and weapons.
- (f) Staff shall be trained in conflict management and refusals of sale.
- (g) Their training will be recorded and kept on record for a period of twelve months and will be available for inspection on request from a police officer constable or a proper officer from the Council. Training records must

also be available for authorised persons, including Police Licensing Officers.

(h) Refresher training for front of house staff will be provided every six months.

(i) The Challenge 25 scheme must be promoted at the venue.

5. RISK ASSESSMENTS

5.1 There shall be risk assessments for Health and Safety in place and reviewed annually or sooner if required.

5.2 There should be a First Aid nominated person present for any function outside the usual operating schedule.

5.3 A written risk assessment must be conducted as to the necessity for SIA Door Supervision for functions outside the usual operating schedule or for specific events, such as festivals, televised sporting events or similar such events that are likely to attract a large attendance.

5.4 All risk assessments must be available for a period of at least 6 months.

6. NOISE PREVENTION

6.1 No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

6.2 Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses, and to leave the area quietly.

6.3 Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

7. CHALLENGE 25

7.1 A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised holographic photograph identification cards:

(a) driving licence

(b) passport

(c) proof of age card with the PASS Hologram

(d) Staff shall be trained in the five point and FLARE checklist to identify fraudulent cards.

(e) Staff training on checking proof of age procedures will be recorded and kept on file.

8. REFUSALS LOG

8.1 A record shall be kept detailing all refused sales of alcohol and shall include the date and time of the refused sale and the name of the staff member who refused the sale.

8.2 The record shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open.

In addition, the following conditions proposed by Dorset Police and accepted by the premises:

9. There must be one dedicated member of staff for each room that is being used for licensable activities.
10. Maintenance of a secure and auditable signing method for members and bona fide guests to enter the premises.
11. There must be CCTV coverage for all areas that are licensed within the outline of the plan.
12. There must be a documented log to ensure that there is CCTV recorded for a continuous 31-day period.
13. All glass vessels remain inside the premises for the purpose of maintaining public safety.

Reasons for Decision

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the report for Agenda Item 6, in particular the application for review made by Dorset Police, the evidence submitted by Mr Bill Donne, licensing representative for Highcliffe Sports and Social Club and the verbal submissions made at the hearing by Ms Louise Busfield and Sergeant Gareth Gosling on behalf of Dorset Police and by Mr Donne, on behalf of the Club Secretary and the Club Manager of Highcliffe Sports and Social Club, and the responses to questions given at the hearing by all parties.

In determining the review, the Sub-Committee considered the options available as set out in the recommendations of the report and the Licensing Act 2003 and acknowledged that it was only able to take into account matters directly relevant to the licensing objectives in respect of the operation of the premises licence.

The Sub-Committee acknowledged that mediation had taken place between Mr Donne and Dorset Police and that several appropriate and proportionate conditions had been offered by Mr Donne and Dorset Police.

The Sub-Committee welcomed a specific condition proposed by Dorset Police requiring that the Challenge 25 scheme is promoted at the venue to ensure that all staff are protecting children from harm. The Sub-Committee also agreed with Dorset Police that the Club should have one dedicated member of staff for each room that is being used for licensable activities. This would act as an additional safeguard and would ensure that there is adequate supervision of all areas being utilised for licensable activities.

The Sub-Committee acknowledged the concerns raised by Dorset Police regarding the faulty door at the Club entrance but were assured by the Club Secretary that this had now been rectified and there was now a secure method of ensuring control over the attendance of the club in order for management to comply with the requirements of a Club Premises Certificate.

The Sub-Committee felt that if these conditions were applied to the licence and were abided by, that the licensing objectives would be upheld,

particularly in relation to the prevention of crime and disorder and protection of children from harm licensing objectives.

The Sub-Committee was assured by Dorset Police that they would continue to support and engage with the Club to ensure compliance to uphold the licensing objectives and they strongly encouraged the Club to work with the Police to achieve this.

The Sub-Committee agreed none of the other available options would address the reasons for the review and that these options would not be appropriate in upholding the Licensing Objectives, as follows:

Leave the Certificate in its current state.

The Sub-Committee did not consider this to be a viable option as the current conditions were somewhat lax, as agreed by Mr Donne.

Exclusion of a licensable activity from the scope of the Certificate

The Sub-Committee noted that the exclusion of one or more licensable activities was not applicable in this case as it would not address the concerns raised in the review.

Suspension of the Certificate:

The Sub-Committee was not satisfied that suspending the Certificate would address concerns or promote the Licensing Objectives and the issues of crime and disorder associated with the premises. Any temporary suspension of this Club Premises Certificate was unlikely to result in any substantial improvement to the concerns highlighted in the review application.

Revoke the Certificate:

The Sub-Committee was satisfied that the Club Premises Certificate did not need to be revoked in light of the new conditions being attached to it, and would if adhered to, allow the premises to uphold the 4 licensing objectives.

It was noted that a further review of the Club Premises Certificate could be applied for at any time by a Responsible Authority or any other person should there be any issues associated with the premises that again undermine the licensing objectives.

In making this decision the Sub-Committee have had regard to the Bournemouth, Christchurch and Poole Council Licensing Policy, the revised guidance, as set out by the Secretary of State and the licensing objectives, as set out in the Licensing Act 2003.

Right of appeal

An appeal against the review decision may be made to a Magistrates Court within 21 days of the appellant being notified of the Licensing Authority's

determination on the review. An appeal may be made by the premises licence holder, the Chief Officer of Police and/or any interested person who made relevant representations.

The meeting ended at 1.55 pm

CHAIRMAN

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 14 February 2024 at 10.15 am

Present:-

Cllr M Dower – Chair

Present: Cllr A Chapmanlaw, Cllr S Moore and Cllr J Richardson

101. Election of Chair

RESOLVED that Councillor Michelle Dower be elected Chairman of the Sub-Committee for the duration of the meeting.

Voting: Unanimous

102. Apologies

Apologies from reserve members Cllr George Farquhar and Cllr Anne Filer, who were both attending mayoral engagements.

Cllr Judy Richardson was now attending as reserve member.

103. Declarations of Interests

There were no declarations of interest for this meeting.

104. Protocol for Public Speaking at Licensing Hearings

A protocol for public speaking at licensing hearings was included with the agenda sheet for noting.

105. Exclusion of Press and Public

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

106. Consideration of the suitability of an individual to become a Hackney Carriage and/or a Private Hire Driver

This item was restricted by virtue of paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972.

Exempt information – Categories 1 (information relating to any individual) and 2 (information which is likely to reveal the identity of an individual).

From BCP Council:

Johanne McNamara – Legal Adviser to the Sub-Committee

Trudi Barlow – Licensing Officer

Rebekah Rhodes – Clerk to the Sub-Committee

The Applicant was also in attendance.

The Chair made introductions and explained the procedure to be followed in considering this item, which was agreed by all participating parties.

The Licensing Officer presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

The Sub Committee was asked to consider whether the applicant was deemed to be a 'fit and proper' person to allow them to continue with the application process for a hackney carriage/private hire drivers licence.

The applicant addressed the Sub Committee to present their case.

The Sub-Committee asked various questions of all parties present and was grateful for the responses received.

All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the Hearing, the Council's Legal Advisor advised all parties of the right of appeal.

RESOLVED that the applicant is considered to be a 'fit and proper' person to continue with the application process to become a licenced hackney carriage and/or private hire driver.

Reason for Decision:

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the Licensing Officer's report for Agenda Item 6 and the verbal submissions made at the hearing by all parties, including the responses provided by the applicant to questions from the Sub Committee.

In considering the test of a 'fit and proper person', the Sub Committee had regard to the BCP Council Hackney Carriage and Private Hire Driver Policy 2021 - 2025, the provisions of the Local Government (Miscellaneous Provisions) Act 1976, the Institute of Licensing (IOL) Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades (2018) and the guidance within the Department of Transport Statutory Taxi and Private Hire Vehicle Standards (updated November 2022).

Having considered the circumstances of the case, the Sub Committee concluded that the applicant is a 'fit and proper person', so that the applicant should be able to continue with the application process to become a licensed Hackney Carriage/Private Hire driver.

Anyone aggrieved by this decision has the right of appeal to the Magistrates' Court within a period of 21 days beginning with the day that the applicant is notified, in writing, of the decision.

The meeting ended at 10:58am

CHAIRMAN

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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LICENSING COMMITTEE



Report subject	Review of Hackney Carriage Maximum Fares and Charges Tariff
Meeting date	7 March 2024
Status	Public Report
Executive summary	<p>A request has been received by Mr David Lane on behalf of BCP taxi private hire association for a 4% increase in the current Hackney Carriage Tariff.</p> <p>The Local Government (Miscellaneous Provisions) Act 1976 allows the council to fix the rates or fares within the district for time as well as distance.</p> <p>Any change in the tariff will be reflected across all three current Hackney Carriage zones within the BCP Council conurbation.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members consider the request for an adjustment in the current fares and charges. Members can either</p> <p>I. Approve the changes.</p> <p>II. Approve the changes with amendments.</p> <p>III. Refuse the proposed.</p>
Reason for recommendations	<p>Section 65 (1) of the Local Government (Miscellaneous Provisions) Act 1976 allows the council to fix the rates of fares and charges to be paid in respect of the hire of a Hackney Carriage.</p> <p>The taxi trade has requested a change to the current fares and charges.</p>

Portfolio Holder(s):	Cllr Kieron Wilson – Portfolio Holder for Housing and Regulation
Corporate Director	Jillian Kay – Director for Wellbeing
Report Authors	Nananka Randle – Licensing Manager Trudi Barlow – Licensing Officer
Wards	Council-wide
Classification	For Decision

Background

1. A hackney carriage is a taxi with a meter which is licenced to collect passengers from a taxi rank and is available to be hailed on the street in the area that it is licenced.
2. Within BCP Council we have three hackney carriage zones which represent the three legacy council areas B zone for Bournemouth, C zone for Christchurch and P zone for Poole. Outside of their respective zones, the hackney carriage cannot wait on a rank for a passenger or be hailed on the street.
3. A private hire vehicle is licensed only for pre booked journeys and cannot wait on a rank.
4. Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 empowers the Council to fix fare rates for taxi services provided by hackney carriage proprietors licenced by the Authority. There is no similar power to set fares for private hire bookings.
5. Taxi fares are made up of an initial hiring charge and a mileage rate, both of which are expressed in terms of distance and or time. This is because when a hired taxi is stationary or moving at less than 6mph in traffic the meter continues charging by time instead of distance. It can never charge both time and distance at the same time.
6. The fare chart has to be displayed within all taxis to allow passengers to calculate the approximate cost of their journey. All hackney carriages are fitted with a taximeters which calculate the fares and these are recalibrated each time there is a change.
7. Once set, all drivers must display the maximum fare on their taximeter. This ensures consistency across all taxis and provides public confidence that the fare they are charged is correct.
8. For information to compare our fares with other areas the Private Hire and Taxi Monthly magazine publishes a fare chart. You can search by local authority. [Hackney Taxi Fare Tables \(phtm.co.uk\)](http://phtm.co.uk)
9. Currently BCP sits at number 33 out of 344 Local Authorities. Below is a comparison of our current fees with other neighbouring local authorities.

10. Dorset Council have two sets of charges one for Weymouth and Portland and the other for the rest of Dorset these can be viewed on their website. [Taxi information - Dorset Council](#)

Council	2 Mile Fare	Ranking
Southampton	8.40	27
BCP Council	8.20	33
New Forest	7.35	123
Dorset Council (Weymouth and Portland Zone)	7.30	N/A
Dorset Council (Dorset Zone)	7.20	138

Proposed Changes

11. The BCP Taxi and Private Hire Association (PHTA) represented today by Mr David Lane is the voluntary body that represents drivers and vehicle licence holders.
12. On 5 December 2023 Mr Lane submitted a written request to the Licensing Manager for a review of the hackney carriage fares by the Licensing Committee for consideration. If agreed it is anticipated that implementation will take place on 1 May 2024. The request is attached at Appendix 1.
13. The table of fares for the hire of hackney carriages in BCP was last reviewed on 15 September 2022 and took effect from 1 November 2022. A copy of the current fare chart is attached at Appendix 2.
14. The trade has requested that the fares be subject to an increase of 4% together with amendments to permit charges for such items as Tolls, Ferry Fares and Airport Drop offs.
15. A further amendment is requested for the extra charge permitted for five or more passengers in a multi seater, on tariff 1 this goes from £1.00 to £2.00 and on tariffs 2 and 3 from £1.25 to £2.00.
16. The proposed increase as requested is shown on the draft fare chart shown at Appendix 3.
17. The proposed increase will change the initial charge as follow-

	Current 2-mile fare	Proposed 2-mile fare
Tariff 1	8.20	8.52
Tariff 2	10.95	11.37
Tariff 3	12.28	12.77

Consultation

18. Section 65 (2) (a) and (b) of the Local Government (Miscellaneous Provisions) Act 1976 require that when any change is made to the fares and charges for hackney carriages, the council must publish a notice of the amended charges in at least one local newspaper and must specify the period of not less than 14 days, for objections to be made.
19. A copy of the notice must also be published at the council offices for the period of 14 days from the date of first publication.
20. If no objections are received the change will come into operation on the date of expiration of the notice.
21. If objections are made and not withdrawn, then the committee will have to consider the objections and any agreed changes or modifications would then come into operation on a specific date no more than 2 months after the original consultation period.

Options Appraisal

22. Members consider the request for an adjustment in the current fares and charges. The current rate of inflation is 4.2% **as stated on the Office for National Statistics website** [Inflation and price indices - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/economy/inflationandpriceindices/articlesandcommentaries/inflationandpriceindices)
23. Members can either
 - I. Approve the changes as requested. The proposed chart reflecting the changes as requested is attached at Appendix 3.
 - II. Approve the changes with amendments as agreed by members, a new fare chart will then be created.
 - III. Refuse the proposed change and retain the current fare tariff.

Summary of financial implications

24. The costs of the public notices in the paper are met within current budget.

Summary of financial implications

25. There are no financial implications.

Summary of legal implications

26. There are no legal implications.

Summary of human resources implications

27. There are no human resource implications.

Summary of sustainability impact

28. There are no sustainability impacts.

Summary of public health implications

29. The provision of taxis is an important part of women's safety, especially late at night when there are less bus routes. The fares must be carefully balanced so that vulnerable passengers particularly women at night are not pushed to take

alternative unlicensed transport options, but the drivers need to earn a living wage which is reflective of the unsocial hours they work. fair for both the drivers and the general public so that it remains affordable whilst high enough to encourage drivers to work at night will be considered by members.

Summary of equality implications

- 30. An EIA screening document has been completed and is subject to the EIA panel assessment prior to the hearing.
- 31. The requested increase in hackney carriage fares will have an impact on all passengers but particularly those on lower socioeconomic status with less disposable income and who are more likely to depend on public transport and taxis.
- 32. However, without an increase there is a likelihood that drivers and vehicle licence holders will not retain existing licences and may move to other local authority areas resulting in a shortage of vehicles to service our residents, tourists and those vulnerable people who rely on them for hospital and school transports and disabled people who need to use a wheelchair accessible vehicle.

Summary of risk assessment

- 33. There are risks with any decision made in relation to these fares, which can impact on the service delivery and capacity to cost recovery as well as the public's ability to afford such journeys.

Background papers

Local Government (Miscellaneous Provisions) Act 1976

[Local Government \(Miscellaneous Provisions\) Act 1976 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1976/66)

Appendices

Appendix 1 – Taxi trade request

Appendix 2 – Current Tariff chart

Appendix 3 – Proposed Tariff chart

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Request for review of Hackney Carriage Fares

We remain very grateful for the support given to everyone in our trade, particularly by agreeing two fare reviews in 2022. However, should you agree this request, it will be implemented in May 2024 some 18 months after the current one was introduced in November 2022.

The two reviews agreed in 2022 increased fares by just over 14%. Using figures available from the ONS the general cost of motoring (RPI Motoring Index) has increased by a total of 20.98% in the period from September 2021 to August 2023. This does not include any allowance for other increases which we cannot avoid such as the fees for our driver and vehicle licences which increased by 4.5 and 12.5% respectively last year. Furthermore we have accepted the need to do our part in the battle against climate change by only relicensing vehicles that, as a minimum, are Euro 6 compliant after January 2024. We will also complete the change to the new livery by the end of 2024.

In addition to the above, we have all experienced the general inflation pressures over the last 18 months.

It would, therefore, seem appropriate to request an increase in the range of 7-9%. However, being mindful of the benefit we enjoyed from the temporary dip in fuel prices which occurred shortly after the last increase was granted, and to be fair to our customers we have limited our request to 4%

We would also like to request an additional entry be incorporated onto the Fare Chart to make it clear that unavoidable charges such as Tolls, Ferry Fares, or Airport Drop off charges may be added to the fare at cost.

It is some years since the extra charge of £1 for transporting more than 4 passengers in a multi seat vehicle was agreed and applied. Bearing in mind that these vehicles are becoming ever more costly to provide and maintain and the saving available to customers over using two vehicles we consider it timely to raise this charge to £2.00

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Bournemouth, Christchurch and Poole Council

This vehicle's meter is calibrated with these **maximum fares and charges from 1 November 2022**



Tariff 1 day rate

Between **6:30am - midnight daily**

(initial charge £3)

£5.45 for the first mile then £2.75 per mile

Waiting time 20p per 37 seconds

Tariff 2 night rate

Between **midnight - 6:30am daily and all public holidays**

(initial charge £4)

£7.26 for the first mile then £3.69 per mile

Waiting time 25p per 38 seconds

Tariff 3 Christmas/New Year

6:30pm 24 December - 6:30am 27 December / 6:30pm 31 December - 6:30am 2 January

(Initial charge £4.50) £8.16 for the first mile then £4.12 per mile *Waiting time* 30p per 38 seconds

No extra charge

- Assistance dogs
 - Wheelchair or similar mechanically operated personal conveyances
- Note:** Meter will not start until wheelchair is loaded



Extra charges

a. For more than one passenger

(two children under 10 yrs old are counted as one person for charging, children under 3 yrs old no charge)

b. For five or more passengers in a multi-seater vehicle

c. Booking fee for each pre-arranged hiring

d. For each item of luggage carried (excluding small hand luggage/carrier bags) and for each animal

e. Soiling the vehicle by person or animal

Tariff 1 Tariff 2/3

20p 25p

£1 £1.25

£1 £1.25

20p 25p

£75 £75

Complaints or comments ► email taxi.privatehire@bcpcouncil.gov.uk (please include the Hackney Carriage plate number)

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Bournemouth, Christchurch and Poole Council

This vehicle's meter is calibrated with these **maximum fares and charges from 1 May 2024**



Tariff 1 day rate

Between **6:30am - midnight** daily

(initial charge £3)

£5.66 for the first mile then £2.86 per mile

Waiting time 20p per 38 seconds

Tariff 2 night rate

Between **midnight - 6:30am** daily and all public holidays

(initial charge £4)

£7.55 for the first mile then £3.82 per mile

Waiting time 25p per 36 seconds

Tariff 3 Christmas/New Year

6:30pm 24 December - 6:30am 27 December / 6:30pm 31 December - 6:30am 2 January

(initial charge £4.50) £8.49 for the first mile then £4.28 per mile Waiting time 30p per 36 seconds

No extra charge

- Assistance dogs
- Wheelchair or similar mechanically operated personal conveyances

Note: Meter will not start until wheelchair is loaded



Extra charges

a. For more than one passenger

(two children under 10 yrs old are counted as one person for charging, children under 3 yrs old no charge)

b. For five or more passengers in a multi-seater vehicle

c. Booking fee for each pre-arranged hiring

d. For each item of luggage carried (excluding small hand luggage/carrier bags) and for each animal

e. Soiling the vehicle by person or animal

f. Any tolls, ferry fares or airport drop off charges incurred

Tariff 1 Tariff 2/3

20p 25p

£2.00 £2.00

£1 £1.25

20p 25p

£75 £75

Complaints or comments ► email taxi.privatehire@bcpcouncil.gov.uk (please include the Hackney Carriage plate number)

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LICENSING COMMITTEE



Report subject	Hackney Carriage and Private Hire Fees review
Meeting date	7 March 2024
Status	Public Report
Executive summary	<p>The purpose of this report is for the committee to consider an increase to the fees charged by BCP Council for the administration of the Hackney Carriage and Private Hire licensing regime.</p> <p>The Local Government (Miscellaneous Provisions) Act 1976, allows local authorities to set the fees charged to recover the costs associated with the administration and compliance of licensing drivers of Hackney Carriage and Private Hire vehicles.</p> <p>Any change to the fees for vehicles and Private Hire Operators is subject to a 28-day minimum consultation period.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members consider the proposed fees and either</p> <ul style="list-style-type: none"> a) Agree the proposed fees as stated b) Agree amended fees following consideration c) Maintain the current fee structure. <p>Any change in the fees for vehicles and Private Hire Operators is subject to a 28-day consultation period.</p>
Reason for recommendations	<p>The legislation allows for full cost recovery of the administration of the licensing of drivers, vehicles, and operators. Due to increases in the council's operating costs as a result of inflationary increases, the current licence fees have been reviewed.</p> <p>Any changes to Driver Licence fees will be implemented from 1 April 2024 and changes to Vehicle licence and Operators licences will be implemented at the conclusion of the consultation period and or any other Licensing Committee meeting that may be required.</p>

Portfolio Holder(s):	Councillor Kieron Wilson – Portfolio Holder for Housing and Communities
Corporate Director	Jillian Kay - Corporate Director for Wellbeing
Report Authors	Nananka Randle – Licensing Manager
Wards	Council-wide
Classification	For Decision

Background

1. It is recognised that inflationary pressures and increases in cost of living has a broad impact across the community and local businesses. However, the Council must apply cost recovery fee structures where this is permitted by statute, in order that the cost of relevant services do not present an additional burden to the council taxpayer.
2. The current set of fees for the administration of Hackney Carriage and Private Hire licences was implemented on the 1 April 2023. Since then, inflation has resulted in increases in the costs associated with the administration of the service. This includes salary pay awards, corporate recharges and direct oncosts for supplies.
3. The Local Government (Miscellaneous Provisions) Act 1976 allows the local authority to charge fees on a cost recovery basis only. The proposed changes to the fees include the cost of administration, compliance checks and the issuing of licences, and plates.
4. Hackney Carriage licensing fees also includes recharges for the upkeep of taxi ranks and the requirement to undertake an unmet needs survey every three years.
5. Driver licences are issued for 3 years, Private Hire Operator licences are issued for 5 years, and vehicle licences are issued for 1 year.
6. The proposed fees are as shown at Appendix 1 and have been calculated to reflect the costs to BCP Council of providing the service with a 4 % uplift on fees from last year based on the increase in the inflation rate during over the last year.
7. It was considered that any greater increase in fees would increase the risk of the potential loss of driver and vehicle numbers to neighbouring local authority areas where the fees are significantly lower than ours.
8. Maintaining the current fees or reducing them would represent an unmanageable impact on our budgetary position.
9. Also contained in Appendix 1 is benchmarking information which shows what neighbouring Councils are currently charging for the delivery of their taxi and private hire services.

Consultation

10. There is a statutory requirement to advertise the change in fees for vehicle and Private Hire Operators licences.
11. A notice must be published in a local paper advising of the variation in fees and set out the consultation period which shall be no less than 28 days. In addition, the notice must be displayed in the Civic Offices for a minimum 28-day period.
12. If no objections are received the new fees will come into force on the date specified.
13. If there are objections which are not withdrawn, then a further Committee meeting will be required to consider the matter further. This meeting must take place within 2 months of the expiry of the consultation.

Options Appraisal

14. Members are asked to either.
 - a) Agree the proposed fees as presented, or
 - b) Agree amended fees, or
 - c) Maintain the current fee structure
15. Once the fee level is agreed if there is an increase or variation members are asked to approve publishing the necessary notices

Summary of financial implications

16. The fees must cover the cost of delivery of the service. The finance officer has reviewed the proposed fees and confirmed that they do not exceed the cost to the service..
17. If the fees are not sufficient to cover the costs associated with the delivery of the service, there is a risk that staff costs may need to be reduced to reflect any income shortfall.

Summary of legal implications

18. The fees are required to meet the costs of the services and must be set in accordance with the legislation on a cost recovery basis. If the fees are set incorrectly this can result in judicial review

Summary of human resources implications

19. The delivery of the service will remain within existing staffing levels.

Summary of sustainability impact

20. There are no sustainability impacts.

Summary of public health implications

21. An Equalities Impact Assessment (EIA) screening document has been completed. It will be presented to the EIA panel on 28 February 2024

Summary of risk assessment

22. If the fees are set incorrectly this can result in judicial review.

23. If the fees are not correct, licence holders may choose not to renew with BCP and may seek licences elsewhere.
24. The fees as proposed have been carefully considered and calculated based on officer time for each licensable activity.

Background papers

Local Government (Miscellaneous Provisions) Act 1976

[Local Government \(Miscellaneous Provisions\) Act 1976 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1976/61/contents)

Appendices

Appendix 1 – Current and proposed fees

				Benchmarking		
	BCP Current Fees	BCP Proposed Fees 2024		Southampton City Council 2024	Dorset Council	New Forest District Council 2024
VEHICLES						
New/Replacement Private Hire Vehicle Application Fee	£105.00	£109.00		£180.00	£190.00 (£240.00 Weymouth)	
New/Replacement Hackney Carriage Vehicle Application Fee	£150.00	£156.00		£180.00	£190.00 (£240.00 Weymouth)	
Private Hire Vehicle Licence (1 year)	£160.00	£166.00		£170.00	£183.00 (£223.00 Weymouth)	£167.00
Hackney Carriage Vehicle Licence (1 year)	£225.00	£234.00		£170.00	£183.00 (£223.00 Weymouth)	
Transfer of vehicle licence	£90.00	£94.00				
Temporary Replacement authorisation and plate	£ 80.00	£83.00			£75.00	
Replacement plate	£65.00	£68.00			£25.00	
Replacement door insignia	£50.00	£52.00				
	BCP Current Fees	BCP Proposed Fees 2024		Southampton City Council 2024	Dorset Council	New Forest District Council 2024

DRIVERS						
New drivers application inc knowledge test	£175.00	£182.00		£155.00	£192.00	
Knowledge test resit	£75.00	£78.00		£50.00	£50.00	£50.00
Safeguarding course	paid to provider					
Driver Issue/reissue of licence 3 year	£350.00	£364.00		£350.00	£113.00	£162.00
Dual Licence additional fee						
Change of details/replace licence	£30.00	£31.00			£15.00	£12.50
Dual Licence	£50.00	£52.00				
OPERATORS						
Application for new operator's licence (non-returnable)	£70.00	£73.00				
Issue/reissue application for up to 10 vehicles (5 year)	£305.00	£317.00		£1,000.00	£416.00	£520.00
For each additional 10 vehicle	£30.00	£31.00				

LICENSING COMMITTEE



Report subject	Review of Licensing fees
Meeting date	7 March 2024
Status	Public Report
Executive summary	<p>The purpose of this report is to establish the licensing fees and charges that should apply from 1 April 2024 for the next three years for those licensing activities where the Council has discretion to do so.</p> <p>The statutory principle in relation to the setting of fees is that they should be reasonable and should relate to the costs of performing the function, including staffing, administration, testing, inspections, hearings, regulation and appeals.</p> <p>Inflationary increases to staff salaries mean that costs to provide the service have increased. A 4% uplift in fees has been applied to reflect these increased costs.</p> <p>The fees under review are as follows:</p> <p>Scrap Metal Dealers Pleasure Boats Sexual Establishments</p> <p>The fees charged under the Licensing Act 2003 are set by statute so cannot be amended by Local Authorities. The level of these fees have not been amended since they were first introduced in 2005.</p> <p>The fees charged under the Gambling Act 2005 are subject to a statutory maximum limit. Currently our fees are at this limit and cannot be increased any further.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members consider the proposed fees and either</p> <p>a) Agree the proposed fees as stated or</p> <p>b) Agree amended fees following consideration</p> <p>c) Maintaining the current fee structure is not recommended</p>

	as this would mean the service is not able to operate on a cost recovery basis.
Reason for recommendations	Increases in Officer salaries mean that fees need to be reviewed and increased in line with increased costs.

Portfolio Holder(s):	Councillor Kieron Wilson Portfolio Holder for Housing and Communities
Corporate Director	Jillian Kay – Corporate Director for Wellbeing
Report Authors	Nananka Randle, Licensing Manager Sarah Rogers, Senior Licensing Officer
Wards	Council-wide
Classification	For Decision

Background

1. It is proposed that these fees will be implemented from 1 April 2024 if agreed.
2. In determining the fees reference has been made to the guidance as set out in the Local Government Association Guide to locally set fees. [LGA guidance on locally set licensing fees | Local Government Association.](#)
3. The legislation allows the local authority to set the fee required to administer the regime and ensure compliance. The income generated by the fees should not exceed the costs to the service
4. The existing and proposed fees are shown at Appendix 1 and have been calculated to reflect the actual cost to BCP Council of providing the service which represents a 4 % uplift on fees from last year
5. In calculating these fees officers have taken into account the Supreme Courts rulings in the Hemming case which dealt with the setting of fees on a cost recovery basis. R (on the application of Hemming (t/a Simply Pleasure Ltd) and others) (Respondents) v Westminster City Council (Appellant) (supremecourt.uk) which concluded that the amount of fee set by the local authority precludes it from making a profit from the licensing regime.
6. A full account of the fee income and expenditure would therefore need to be considered to ensure a surplus is not being made. The finance officers undertake an annual review to ensure our fees meet this determination.

Scrap Metal

7. The Scrap Metal Dealers Act 2013 provides local authorities with the power to regulate these industries by providing a power to refuse to grant a licence and revoke licences if the dealer is considered 'unsuitable'. There are two types of licence issued.

Site Licence This requires all sites at which the licensee carries on business as a scrap metal dealer within the local authority area to be identified; and requires a site manager to be named for each site. They are permitted to operate from those sites as a scrap metal dealer, including transporting scrap metal to and from those sites from any local authority area.

Collector's Licence This authorises the licensee to operate as a mobile collector in the area of the issuing local authority, permitting them to collect any scrap metal as appropriate. This includes commercial as well as domestic scrap metal.

8. Licenses last for 3 years unless revoked or surrendered.

Pleasure Craft (Class B and C) and Water Boatman Licences

9. Section 94 of the Public Health Act 1907 and section 18 of the Local Government (Miscellaneous Provisions) Act 1976 empowers Local Authorities licence pleasure boats and pleasure vessels to be let for hire (Class C) or to be used for the carrying of passengers for hire (Class B), and to the persons in charge of or navigating such boats and vessels and may charge for each type of licence such annual fee as appears to them to be appropriate.
10. The legislation covers any boat or craft with the capacity of up to 12 persons which operate on inland waters only.
11. Licenses last for 1 year unless revoked or surrendered.

Sex Establishment and Sexual Entertainment Venues

12. The Local Government (Miscellaneous Provisions) Act 1982 Schedule 3, as amended by s.27 of The Policing and Crime Act 2009 sets out the statutory provisions for setting Sex Establishment fees
13. A Sex Establishment is defined as a Sex Shop, Sex Cinema or Sexual Entertainment Venue (SEV) (primarily lap dancing clubs).
14. A premises is not a Sexual Entertainment Venue if any relevant entertainment is only provided on eleven or less occasions during a twelve month period and, each of the occasions are at least one month apart.
15. Licences are valid for 12 months from the date of grant unless surrendered or revoked. A process similar to the granting of a new licence is to be followed for each renewal including consultation.

Options Appraisal

16. Members are asked to consider the fees as proposed and
 - a) Agree the proposed fees; or
 - b) Agree amended fees following consideration; or
 - c) Maintain the current fees.

Summary of financial implications

17. The costs have been calculated taking into account increased costs incurred in the administration of the service which include the salary increases.
18. Failure to review the fees will result in an increase in the gap between income and the costs incurred by the Authority.

Summary of legal implications

19. The fees are required to meet the costs of the services and must be set in accordance with the legislation on a cost recovery basis. If the fees are set incorrectly this can result in judicial review.

Summary of human resources implications

20. The delivery of the service will remain within existing staffing levels

Summary of sustainability impact

21. No sustainability impacts.

Summary of public health implications

22. No public health implications.

Summary of equality implications

23. An Equalities Impact Assessment (EIA) screening document has been completed. It will be presented to the EIA panel on 28 February 2024

Summary of risk assessment

24. If fees are not calculated appropriately the service will not recover sufficient income to cover costs.

Background papers

Scrap Metal Dealers Act 2013: guidance on licence fee charges

<https://www.gov.uk/government/publications/scrap-metal-dealer-act-2013-licence-fee-charges>

Public Health Act 1907

[Public Health Acts Amendment Act 1907 \(legislation.gov.uk\)](https://www.legislation.gov.uk/public-health-act-1907)

Local Government (Miscellaneous Provisions) Act 1976

<https://www.legislation.gov.uk/ukpga/1976/57>

Supreme Court ruling on the Hemmings Case

<https://www.supremecourt.uk/cases/docs/uksc-2013-0146a-judgment.pdf>

Appendices

Appendix 1 – Existing and proposed fees

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Scrap Metal Fees

	Current Fees	Proposed Fees 2024
Collectors	£455.00	£473.00
Site	£620.00	£645.00
Variation	£125.00	£130.00
Replacement licence	£100.00	£104.00
Pre app advice	£130.00	£135.00

Pleasure Boat Fees

	Current Fees	Proposed Fees 2024
Class B	£95.00	£99.00
Class C (up to 5 boats)	£100.00	£109.00
Each additional 5 boats	£38.00	£40.00
Water person	£100.00	£104.00

Sexual Establishment Fees

Sexual Entertainment Venues	Current Fees	Proposed Fees 2024
New Application	£3,045.00	£3167.00
Renewal	£1,465.00	£1524.00
Variation/Transfer	£840.00	£984.00
Minor Variation	£275.00	£286.00
Sex shops		
New Application	£3,045.00	£3167.00
Renewal	£1,465.00	£1524.00
Variation/Transfer	£840.00	£984.00
Minor Variation	£252.00	£286.00

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Forward Plan – Licensing Committee, 7 March 2024 - *Publication date: 28 February 2024*

Forthcoming meetings 2024/25: 15 May / 19 September / 12 December / 13 March

	Subject	Purpose of report	Consultation	Report author(s)	Meeting date
1	Review of Hackney Carriage Maximum Fares and Charges Tariff	To consider a request on behalf of the BCP Taxi and Private Hire Association for an increase in the current Hackney Carriage maximum fares and charges tariff	Statutory Public Notice in accordance with S65(2) (a) and (b) of the Local Government (Miscellaneous Provisions) Act 1976	Trudi Barlow, Licensing Officer	7 March 2024
2	Hackney Carriage and Private Hire Fees Review	To consider a report outlining proposed fees to be charged by BCP Council for the administration of the Hackney Carriage and Private Hire licensing regime.	Statutory Public Notice in accordance with S70(3) (a) and (b) of the Local Government (Miscellaneous Provisions) Act 1976	Trudi Barlow, Licensing Officer	7 March 2024
3	Review of Licensing Fees	To consider a report outlining proposed non statutory fees to be charged by BCP Council for the administration of the licensing regime in relation to scrap metal, pleasure boats and sex establishments	Not applicable	Sarah Rogers, Senior Licensing Officer	7 March 2024

	Subject	Purpose of report	Consultation	Report author(s)	Meeting date
4	Pleasure Boats and Boatpersons Licensing Policy	To consider the policy following the outcome of the public consultation, amend as required and recommend to Council for adoption.	Harbour Master Public consultation	Sarah Rogers, Senior Licensing Officer	15 May 2024 Final Policy Draft Policy considered by Committee on 7 December 2023
5	Review of Statement of Licensing Policy	To review the existing BCP Statement of Licensing Policy 2020/25. In accordance with Section 5 of the Licensing Act 2003 a Licensing Authority is required to prepare and publish a statement of its licensing policy every five years.	To include those persons listed in section 5(3) of the 2003 Act. These are: Chief Constable of Dorset Police; Dorset and Wiltshire Fire and Rescue; BCP Director of Public Health; Persons/bodies representative of local Premises Licence Holders, local Club Premises Certificate Holders and local Personal Licence Holders; and Persons/bodies representative of businesses and residents in its area. Licensing Committee Working Group	Nananka Randle, Licensing Manager	19 September 2024 Draft Policy

	Subject	Purpose of report	Consultation	Report author(s)	Meeting date
6	Review of Hackney Carriage and Private Hire Driver, Vehicle and Operator Policies	<p>To review the existing BCP Hackney Carriage and Private Hire, Vehicle and Operator Policies 2021/25</p> <p>These policies are due to be reviewed by 2025.</p>	<p>BCP Taxi and Private Hire Association</p> <p>Licensing Committee Working Group</p> <p>Full public consultation</p>	Nananka Randle, Licensing Manager	<p>19 September 2024</p> <p>Draft Policy</p>
7	Review of Scrap Metal Policy	<p>To review the existing BCP Scrap Metal Policy 2020/25.</p> <p>There is no statutory requirement for Councils to have in place a formal policy for dealing with applications made under the Scrap Metal Dealers Act 2013. BCP Council has chosen to adopt a formal policy for this purpose, in line with Best Practice.</p>	Not applicable	Nananka Randle, Licensing Manager	<p>19 September 2024</p> <p>Draft Policy</p>
8	Review of Statement of Licensing Principles - Gambling Act 2005	<p>To commence a review of the existing BCP Statement of Licensing Principles – Gambling Act 2005.</p> <p>The Council is required to publish a Statement of Licensing Principles under section 349 of the Gambling Act 2005 every three years. The purpose of the Statement is to define how the Licensing Authority will exercise its responsibilities under the Act.</p>	Full public consultation	Nananka Randle, Licensing Manager	Review to commence 2025, pending receipt of Gambling Commission guidance.

Committee Briefings and Training Sessions

	Training / Briefing to be delivered	When / Where	Attendees	Suggested Delivery
1.	Overview of the work undertaken by the Council's Licensing Team over the last 12 month period.	√ Circulated by email on 1 February 2024	N/A	Briefing paper from Licensing Manager. To provide further information to members on the various areas of work undertaken by the Council's Licensing team as a whole, in addition to those items referred to the committee and its sub committees.
2.	Licensing Sub Committee Chairing Skills	Following Committee meeting on 7 March 2024 Committee Room, BCP Civic Centre Annexe	New and existing chairs (all Licensing Committee Members welcome)	Internal briefing and feedback session on key skills and support required for chairing sub committees.
3.	Night Time Economy	Following Committee meeting on 15 May 2024 HMS Phoebe Committee Room, BCP Civic Centre	Licensing Committee Members	Internal briefing to provide members with more detailed understanding of the roles of the Council, the Responsible Authorities and other external agencies in the night time economy. Outcomes from this session will be used to inform the review of the statement of licensing policy.