

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

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

Present:-

Present virtually: Cllr M Dower, Cllr D A Flagg and Cllr L Williams

Also in attendance virtually: Cllr A Chapmanlaw, E Harman, A Keddie and J Richardson

6. Election of Chair

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

Voting: Unanimous

7. Apologies

None were received

8. Declarations of Interests

There were no declarations made

9. Oktoberfest, Poole Park, Parkstone Road, Poole, BH15 2SF

Present:

From BCP Council:

Tania Jardim – Licensing Officer

Mary Almeida – Legal Advisor to the Sub-Committee

Claire Johnston – 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 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 to grant a new premises licence within Poole Park for an event to be held on one weekend Friday to Sunday inclusive, once every calendar year.

The application was to permit Live Music, Recorded Music, Performance of a Dance and Supply of Alcohol (On Sales) on the following days and times:

-Friday 17:00 to 23:00 Saturday 12:00 to 23:00 Sunday 12:00 to 22:00. In addition, the applicant submitted a letter which offered to reduce the hours of licensable activities to 22:30 on Friday and Saturday.

No representations had been received from any of the responsible authorities. Five representations were received from other persons on the grounds that granting the licence would undermine the prevention of crime and disorder, public safety and public nuisance licensing objectives. The following persons attended the hearing and addressed the Sub-Committee to expand on the points made in written submissions:

Victoria Sheppard and Gary Bennetton on behalf of the applicant.
Councillor Harman on behalf of an objector to read out a statement.

The Sub Committee asked various questions of all parties present and were 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 the application for a new premises licence within Poole Park for an event to be held on one weekend Friday to Sunday inclusive, once every calendar year, in accordance with the application and with the subsequent conditions offered by the applicant in the letter dated Thursday 25 May 2023, be granted:-

Voting: Unanimous

Reasons for Decision

The Sub-Committee considered in detail all of the information which had been submitted before the hearing and contained in the report for Agenda Item 5, Oktoberfest, Poole Park, Parkstone Road, Poole, BH15 2SF.

The Sub-Committee also considered the written representations made by the objectors, and the verbal submissions made at the hearing by Tania Jardim, Licensing Officer, Victoria Sheppard and Gary Benetton, on behalf of the applicant and the statement read out on behalf of an objector by Cllr Harman in their absence.

The Sub-Committee was mindful that no representations had been received from any of the Responsible Authorities in relation to this application.

In noting the objectors' representations, the Sub Committee acknowledged that it was only able to consider matters directly relevant to the licensing objectives in respect of the operation of the proposed premises licence. The Sub-Committee took into account those concerns raised by local residents, however, it was noted that at present there was no evidence that the event which would last for 2 days in 2023 would contribute to anti-social behaviour.

The Sub-Committee was encouraged by the applicant's clear desire to engage and work with the local community and residents in the vicinity of the park to minimise any noise nuisance and public nuisance, within its control, and by the experience already gained by the applicant in running successful businesses and similar events elsewhere.

Whilst there were some concerns raised by the Sub-Committee relating to the provision of live music, it was felt that the applicants would take a responsible approach to this and were reassured by the applicants offer to reduce the permitted hours for licensable activities to 22:30 on the Friday and Saturday and 22:00 on the Sunday.

The Sub-Committee was satisfied that if the event operates in accordance with both the conditions offered in the operating schedule of the application and as outlined by the applicant in their letter responding to residents' concerns, that the operation of the premises should not undermine the licensing objectives and as such the Application for a Premises Licence should be allowed.

It was noted that a review of the premises licence could be applied for following the event by a Responsible Authority or any other person should there be any issues associated with the event in the future that 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

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 10.55 am

CHAIRMAN