

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 27 August 2025 at 10.15 am

Present: Cllr D A Flagg, Cllr J Richardson and Cllr P Sidaway

63. Election of Chair

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

Voting: Unanimous

64. Apologies

There were no apologies for absence received.

65. Declarations of Interests

There were no declarations of interest.

66. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking was noted.

67. Application for a Premises Licence at Chicken n Beer 58 Stanfield Road Bournemouth BH9 2NP

The Chair advised that this hearing was no longer required as the applicant had withdrawn their application following the publication of the agenda for this meeting.

68. Dolce Vita 147-149 Commercial Road Poole BH14 0JD

BCP Council:

Sarah Rogers – Senior Licensing Officer

Ellie King – Licensing officer observing

Linda Cole – Legal Advisor to the Sub-Committee

Sinead O’Callaghan – Clerk to the Sub-Committee

Cllr Patrick Canavan – Observing

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 ‘B’ to these minutes in

the Minute Book. The Licensing Sub-Committee was asked to consider an application made by Dolce Vita to vary the premises licence.

The application received a representation from Dorset Police on the grounds that to grant the application would undermine the prevention of crime and disorder, public safety and the prevention of public nuisance licensing objectives.

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

For the Applicant:

Mr Domenico De Paola – applicant

Mr Jon Wallsgrove, John Gaunt & Partners – Solicitor representing the premises

Objectors:

Sergeant Gareth Gosling – Dorset Police

Ms Louise Busfield - Dorset Police

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 the application to vary the Premises Licence at Dolce Vita, 147–149 Commercial Road, Poole, be GRANTED subject to the following amendments either offered by the applicant at the hearing on 27 August 2025 or imposed by the sub-committee on determination of the application.

- **Increase the terminal hour by an extra 40 minutes until 02:40 on Fridays, Saturdays and Bank and Public Holidays for late night refreshment and the supply of alcohol.**
- **Increase opening hours by an additional 30 minutes until 03:00 on Fridays, Saturdays, Banks and Public Holidays, when all customers must have left the premises.**
- **Condition 2.2 to be amended - On Fridays and Saturdays (and other days when the premises licence permits licensable activity until 02:40 hours the following day) 1 SIA from 22:00 hours; 3 SIA from 23:00 hours until 3.30 hours or until the last customer has left the area. At all other times the Premises Licence Holder or DPS shall be responsible for risk assessing whether SIA Door Supervisors shall be deployed at the premises.**
- **Whenever SIA door supervisors are deployed they will wear a body worn video camera from 22:00 hours until**

the premises close and the last customer has left the area. The camera will be activated when an incident occurs and will record the incident until it has concluded. All recorded footage will be kept for a minimum of 31 days. A copy of the footage must be provided to the police upon request when investigating a crime with the minimum of delay.

- No off-sales of alcohol shall take place after 23:30 hours.
- Condition 2.5 to remain - There shall be no customer admittance or re-admittance to the premises after 01:30 hours.

The following conditions agreed with Environmental Health during mediation of the application, to further uphold the prevention of public nuisance licensing objective be added to the premises licence

- The bi-fold doors to the premises shall be kept closed from 22:00 hours daily, except for access and egress.
- No music or amplified sound shall be played in the external decked area at any time. This includes the installation or use of any speakers or sound-emitting devices in the external area.
- The premises licence holder shall submit a Noise Management Plan to BCP Council's Licensing Authority for approval. The plan must detail the measures to be implemented to control and minimise noise from patrons, particularly during the early morning hours. The plan shall include:
 - a) Procedures for monitoring and managing customer behaviour in external areas
 - b) Use of signage to encourage quiet dispersal
 - c) Staff training and supervision protocols
 - d) A dispersal policy
 - e) A complaints response procedure
- The approved Noise Management Plan shall be implemented in full and reviewed annually, or upon request by the Licensing Authority.

In addition, the following conditions offered in section M of the application will be added to the premises licence

- Staff and SIA Security to use radios to assist with internal communication with each other.
- SIA security to be in contact with Pubwatch operating in the area to enable them to be able to receive updates and operate as appropriate.
- Recorded music will be reduced to a low level between 00:30 hours and 02:30 hours and all music will be turned off by 02:30 hours.

- **All customers shall be asked to leave the premises quietly and clear signs shall be displayed close to exits to remind customers to have regard for neighbouring residents and leave quietly.**

Reasons for Decision:

The Sub-Committee gave detailed consideration to all the information submitted prior to the hearing and included in the report for Agenda Item 6, along with the supplementary evidence and the verbal submissions made at the hearing by the applicant, Jon Wallsgrove, the applicant's solicitor, Sergeant Gareth Gosling and Louise Busfield, who spoke on behalf of Dorset Police, and Sarah Rogers, the Licensing Officer.

The Sub-Committee was mindful that the only objection received in relation to this application was from Dorset Police, and that no objections were received from local residents. The representation was made on the grounds of the prevention of crime and disorder. The Sub-Committee noted that Environmental Health had not raised any objections and had successfully mediated with the applicant several agreed conditions to further uphold the licensing objectives. It was noted that the noise management plan had already been submitted, reviewed and approved by the Environmental Health Officer.

The Sub-Committee noted the concerns raised by Dorset Police, who highlighted the potential risks associated with later opening hours, particularly in relation to customer dispersal and the possibility of increased crime and disorder. However, the Sub-Committee was satisfied that no evidence had been presented to demonstrate that the premises being open later would lead to an increase in crime and disorder and it was noted that the premises had operated under 26 Temporary Event Notices (TENS) until 3:00am over the past 20 months. No recorded incidents or complaints had been made to the Licensing Authority by local residents and Sgt Gosling was unable to confirm if Dorset Police had record of any incidents of concern connected to the premises when they were operating under a TEN. The Sub-Committee was advised by the Licensing Officer that neither Dorset Police or Environmental Health had objected to any of the TENS given by the premises, and it was felt because of the volume given, objections would have been made if either Responsible Authority had concerns.

It appeared to the Sub-Committee that the main concern of Dorset Police was that granting this premises later opening hours, would lead to other premises making similar variation applications. The Sub-Committee did not disagree with Dorset Police, but this was not a consideration that they felt was relevant to this application. BCP Council's Statement of Licensing Policy did not set out fixed closing hours for licensed premises and every application had to be considered on its own merits and consideration given to who is operating the business. This business had a good track record

The Sub-Committee welcomed the presence of 3 SIA door supervisors from 23:00 hours and their use of body-worn video cameras. They are aware that Ashley Cross has a busy and vibrant nighttime economy and noted the concerns of Dorset Police that additional opening hours would lead to an increase in crime and disorder particularly if the premises had no last entry time and customers were able to take alcohol out of the premises in the early hours. The Sub-Committee agreed that the extra SIA door supervisor and the use of body worn cameras would reduce this risk and act as a deterrent and considered the premises' offer to have no off sales of alcohol after 23:30 hours to be responsible and should alleviate this concern of Dorset Police. The sub-committee agreed with Dorset Police that a last entry time should remain on the licence to prevent movement of customers who may be intoxicated trying to get into a later opening premises to get a last drink. The Sub-Committee considered the applicant's submission that their customers had asked for later opening hours and that the variation application was intended to meet changing customer habits and to retain patrons later into the evening, rather than to encourage excessive drinking. The Sub-Committee considered it appropriate to keep condition 2.5, with last entry time remaining at 01:30 hours despite allowing the premises to remain open to 03:00 hrs and granting later hours for sale of alcohol and late-night refreshment, to uphold the licensing objectives of the prevention of crime and disorder, public nuisance and public safety.

The Sub-Committee were of the view that the premises was an established business and had experienced operators. They were advised by the applicant that sustainability and responsible management are central to the business model and the business, brand and their customers were important to the operator and needed to be protected. The Sub-Committee was satisfied and confident that if the premises continued to operate in accordance with its licence, the additional conditions offered, those imposed by the Sub-Committee and those agreed with Environmental Heath, that granting the premises an extra 30 minutes opening time should not undermine the licensing objectives.

It was noted that a 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 undermine the licensing objectives.

In making this decision the Sub-Committee have had regard to the Bournemouth, Christchurch and Poole Council Statement of 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 11.52 am

CHAIRMAN