

# Notice of Licensing Sub-Committee



Date: Wednesday, 19 February 2025 at 10.15 am

Venue: HMS Phoebe, BCP Civic Centre, Bournemouth BH2 6DY

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## Membership:

Cllr A Chapmanlaw

Cllr E Harman

Cllr A Keddie

## Reserves:

Cllr A Filer (R1)

Cllr M Dower (R2)

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All Members of the Licensing Sub-Committee are summoned to attend this meeting to consider the items of business set out on the agenda below.

The press and public are welcome to view the live stream of this meeting at the following link:

<https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?MIId=6322>

If you would like any further information on the items to be considered at the meeting please contact: Jill Holyoake 01202 127564 on 01202 096660 or email [democratic.services@bcpcouncil.gov.uk](mailto:democratic.services@bcpcouncil.gov.uk)

Press enquiries should be directed to the Press Office: Tel: 01202 118686 or email [press.office@bcpcouncil.gov.uk](mailto:press.office@bcpcouncil.gov.uk)

This notice and all the papers mentioned within it are available at [democracy.bcpCouncil.gov.uk](https://democracy.bcpCouncil.gov.uk)

GRAHAM FARRANT  
CHIEF EXECUTIVE

11 February 2025

**DEBATE**  
**NOT HATE**



Available online and  
on the Mod.gov app

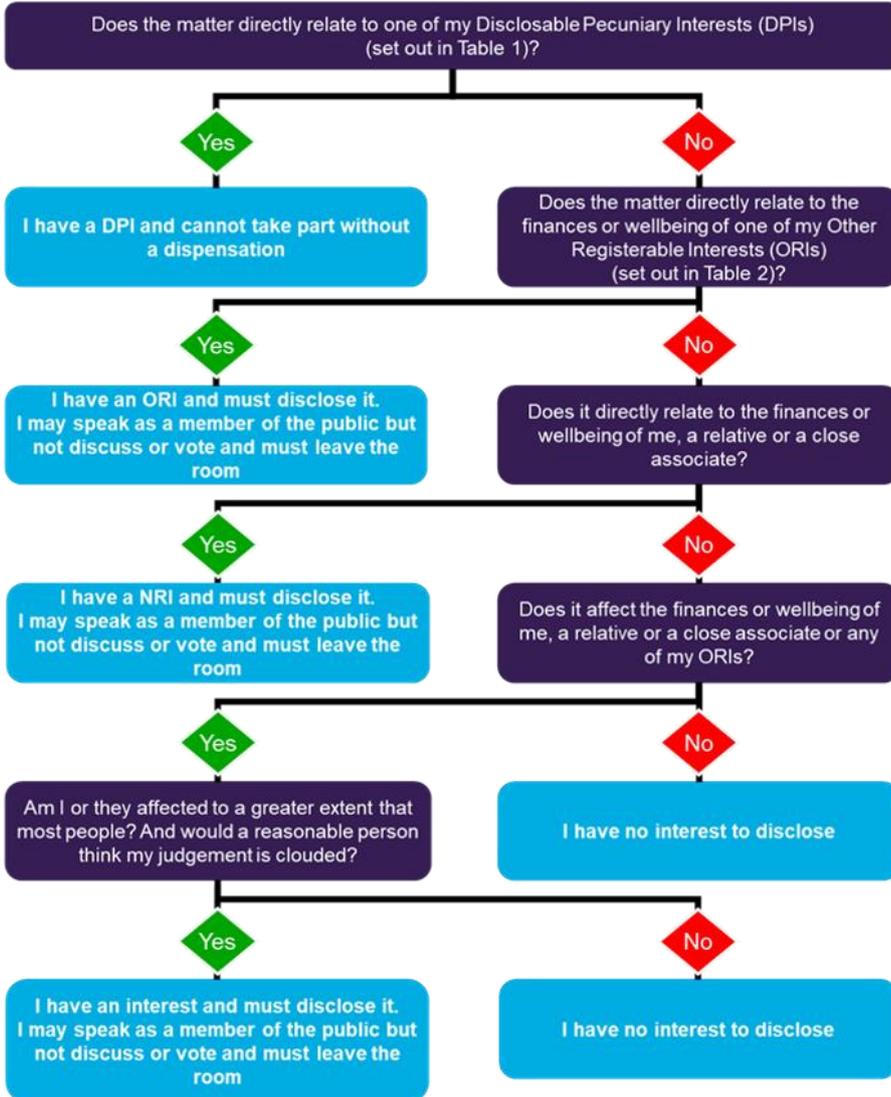


## Maintaining and promoting high standards of conduct

### 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. Election of Chair**

To elect a Chair of this meeting of the Licensing Sub-Committee.

**2. Apologies**

To receive any apologies for absence from Members.

**3. Declarations of Interests**

Councillors are requested to declare any interests on items included in this agenda. Please refer to the workflow on the preceding page for guidance.

Declarations received will be reported at the meeting.

**4. Protocol for Public Speaking at Licensing Hearings**

5 - 10

The protocol for public speaking at Licensing Sub Committee hearings is included with the agenda sheet for noting.

**5. Papa John's, 176-178 Barrack Road, Christchurch, BH23 2BE**

11 - 44

Hamble Food Limited have made an application for a premises licence at 176-178 Barrack Road, Christchurch.

This matter is brought before the Sub Committee for determination.

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

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## **LICENSING COMMITTEE AND SUB COMMITTEE – PROTOCOL FOR PUBLIC SPEAKING**

### **1. Introduction**

- 1.1 This protocol for public speaking applies to Licensing Committee and Sub Committee hearings in relation to matters including the licensing of alcohol, regulated entertainment, late night refreshment, gambling, sex establishments and hackney carriage and private hire drivers, vehicles and operators, as set out in Part 3.3 of the Council's Constitution.
- 1.2 These matters are considered in accordance with relevant legislation and associated regulations including the Licensing Act 2003 (as amended by the Police Reform and Social Responsibility Act 2011), the Gambling Act 2005, Part II and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by Section 27 of the Policing and Crime Act 2009) and the Local Government (Miscellaneous Provisions) Act 1976.

### **2. Conduct of Hearings**

- 2.1 Chair welcomes everyone, matters of general housekeeping are dealt with, notification that the hearing may be recorded for live and subsequent broadcast on the Council's website, reminder to switch mobile phones to silent, etc.
- 2.2 Chair asks everyone present to introduce themselves and state their role.
- 2.3 Chair checks that all persons who have given notice of their intention to speak and any person who wishes to withdraw a representation or wishes not to speak have been identified.
- 2.4 Chair explains proposed procedure and order of speaking for hearing as set out in Appendix A or B of this protocol as appropriate. All parties confirm agreement or make representations on procedure proposed.
- 2.5 Licensing Officer's report is presented.
- 2.6 Parties speak in the order agreed.
- 2.7 With the exception of hackney carriage and private hire hearings, parties who are speaking should not repeat the information which they have already given in writing in their representation. They will be able to expand on the written information given, provided the information remains relevant. Any additional information should be limited to the grounds of their representation(s). For example, if they are objecting on the grounds of Public Nuisance, then they should confine their comments to matters relating to Public Nuisance.

- 2.8 Members of the Licensing Committee or Sub Committee may ask questions after each party has spoken and once all parties have spoken. Parties will be allowed to ask questions through the Chair.
- 2.9 Once all parties have been heard, the parties will be given the opportunity to sum up. Party who spoke first to go last. The hearing will then conclude.
- 2.10 Members will deliberate in private with the clerk and legal representative as appropriate present.
- 2.11 The decision will be taken by the Committee and notification of the decision will be given as follows:
  - 2.11.1 For Licensing Act 2003 and Gambling Act 2005 hearings, determination must be within the period of five working days beginning with the day or the last day on which the hearing was held in accordance with the relevant Regulations, unless otherwise specified (for example, the issuing of a counter notice following objection to a TEN, in which case the determination must be at the conclusion of the hearing).
  - 2.11.2 For Sex Establishment and other hearings, where possible determination will be within the period of five working days beginning with the day or the last day on which the hearing was held.
  - 2.11.3 For Hackney Carriage and Private Hire hearings, notification of the decision will be given at the conclusion of the hearing, followed by a written decision letter where possible within the period of five working days beginning with the day or the last day on which the hearing was held.
- 2.12 Notification of the decision will include information for all parties of any right of appeal as appropriate.

### **3 General points**

- 3.1 Hearings convened under the Licensing Act 2003 and the Gambling Act 2005 and associated regulations may be held remotely as required, if the Chairman agrees it is expedient to do so in the circumstances.
- 3.2 The hearing may be adjourned at any time at the discretion of the Members.
- 3.3 Members may amend the procedure at any time if they consider it to be in the public interest or in the interest of a fair hearing.
- 3.4 The Sub Committee may decide to conduct all or part of a hearing in non-public session in accordance with the relevant Regulations and/or where exempt information is likely to be disclosed.

- 3.5 The Chair may exclude any person from a hearing for being disruptive.
- 3.6 Meetings of the Licensing Committee in public session are recorded by the Council for live and subsequent broadcast on its website.
- 3.7 The hearing will take the form of a discussion.
- 3.8 Only persons (or their representatives) who have made an application, are subject to an application or have submitted a written representation or objection to the Licensing Authority under the relevant Act are permitted to speak at the hearing.
- 3.9 Any further information to support an application, representation, objection or notice (as applicable) can be submitted before the hearing. It may only be submitted at the hearing with the consent of all parties in accordance with any relevant Regulations. Wherever possible the Licensing Authority encourages parties to submit information at the earliest opportunity to allow sufficient time for this to be considered before the hearing and avoid the need for adjournment.
- 3.10 If a party has informed the Authority that they do not intend to participate, or be represented at the hearing, or has failed to advise whether they intend to participate or not, the hearing may proceed in their absence.
- 3.11 For other matters which are the responsibility of the Licensing Committee and not included in this protocol, the Meeting Procedure Rules in Part 4D of the Council's Constitution in relation to public questions, statements and petitions shall apply. This includes such matters as making recommendations on relevant licensing policies, approving the level of fees charged by the Council, and making decisions on tariffs charged by the Public Carriage Trade.
- 3.12 The Council's Constitution can be accessed using the following link:  
<https://democracy.bcpCouncil.gov.uk/ieListMeetings.aspx?CommitteeID=151&Info=1&bcr=1>

For further information please contact [democratic.services@bcpcouncil.gov.uk](mailto:democratic.services@bcpcouncil.gov.uk)

## Appendix A

### **Proposed procedure and order of speaking for hearings (other than hackney carriage and private hire hearings)**

1. The Licensing Officer presents report.
2. Questions of the Licensing Officer on their report. Members of the Sub-Committee to go first, then the applicant/licence holder.
3. Applicant will make their Application.
4. Questions of the Applicant by all parties, Members of the Committee/Sub-Committee to go first.
5. Responsible Authorities and Other Persons will make their representations.
6. Questions of the Responsible Authorities and Other Persons. Members of the Committee/Sub-Committee to go first.
7. All parties will be given an opportunity to sum up (with the party who spoke last to go first). The hearing will then conclude.
8. Sub-Committee will deliberate in private with Legal Adviser and Clerk present. (Councillors new to Licensing may observe but will not take part in the decision making).
9. Notification of the Sub Committee's decision will be given in accordance with the requirements of the Licensing Act and Gambling Act regulations. For other hearings, where possible determination will be within the period of five working days beginning with the day or the last day on which the hearing was held.
10. The notification of decision will include information about the right of appeal as appropriate.

## Appendix B

### **Proposed procedure and order of speaking for Hackney Carriage and Private Hire hearings**

1. The Licensing Officer presents their report.
2. Questions of the Licensing Officer on their report. Members of the Sub-Committee to go first, then the applicant/licence holder.
3. Applicant/licence holder presents their case.
4. Questions of the applicant/licence holder by all parties, Members of the Committee/Sub-Committee to go first.
5. All parties will be given an opportunity to sum up (with the party who spoke last to go first). The Hearing will then conclude.
6. Sub-Committee will deliberate in private with Legal Adviser and Clerk present. (Councillors new to Licensing may observe deliberations but will not take part in the decision making).
7. Notification of the decision will be given following deliberations at the conclusion of the hearing, to be followed by a written decision letter where possible within the period of five working days beginning with the day or the last day on which the hearing was held.
8. The Legal Adviser will advise parties of any right of appeal as appropriate at the conclusion of the Hearing. Information about the right of appeal as appropriate will also be included in the written decision letter.

Adopted by the Licensing Committee on 7.12.23

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**LICENSING SUB-COMMITTEE**



Report subject	<b>Papa John's, 176-178 Barrack Road, Christchurch, BH23 2BE</b>
Meeting date	19 February 2025
Status	Public Report
Executive summary	<p>Hamble Food Limited have made an application for a premises licence at 176-178 Barrack Road, Christchurch.</p> <p>The application is to permit Late Night Refreshment between the hours of 23:00 to 03:00 Sunday to Thursday and 23:00 to 05:00 Friday and Saturday.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <ul style="list-style-type: none"> <li><b>a) Grant the application for a premises licence as made;</b></li> <li><b>b) Refuse the application for a premises licence;</b></li> <li><b>c) Grant the premises licence subject to additional conditions.</b></li> </ul> <p><b>Members of the Licensing Sub-Committee are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.</b></p>
Reason for recommendations	<p>The Licensing Authority has received one representation from BCP Council's Environmental Health Department and one representation from a local resident on the grounds of the prevention of public nuisance licensing objective.</p> <p>The Licensing Authority may only consider aspects relevant to the application that have been raised in representation.</p> <p>Where representations have been received in relation to an application by a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Scheme of Delegation set out in the Council's Constitution states that these applications should be dealt with by the Licensing Sub-Committee.</p>

Portfolio Holder(s):	Cllr Kieron Wilson – Portfolio Holder for Housing, and Regulatory Services.
Corporate Director	Jillian Kay – Corporate Director for Wellbeing
Report Authors	Tania Jardim – Licensing Officer
Wards	Commons
Classification	For Decision

## Background

1. An application for a premises licence under Section 17 of the Licensing Act 2003 was initially received on the 18 December 2024.
2. The application is for a pizza take away and the applicants are seeking the provision of late night refreshment between the hours of 23:00 to 03:00 Sunday to Thursday and 23:00 to 05:00 Friday and Saturday. A copy of the application including layout plan is attached at Appendix 1.
3. A plan showing the location of the premises is attached at Appendix 2.
4. Papa John's has operated from this location since 2019, the current operators have ran the premises since October 2022. Since this date, our records show one noise complaint received regarding early morning deliveries.

## Consultation

5. The application was served on all responsible authorities. The advertising regulations under the Licensing Act were not initially adhered to which resulted in the application and consultation period having to re-start, however, the applicant subsequently confirmed that the statutory notices were displayed on site and published in the local newspaper.
6. The application resulted in one representation from one other person in objection to the application under the prevention of public nuisance licensing objective. A copy of this representations is attached at Appendix 3.
7. The Licensing Authority also received a representation from BCP Council's Environmental Health Department on the grounds that granting the application for would undermine the prevention of public nuisance licensing objective. A copy of this representation is attached at Appendix 4.
8. One representation in support of the application was also receive and this is attached at Appendix 5.

## Options Appraisal

9. Before making a decision, Members are asked to consider the following matters: -
  - The representations made by one other persons.
  - The representations made by Environmental Health.

- The submissions made by or made on behalf of the applicant.
- The relevant licensing objectives, namely the prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm.
- The Licensing Act 2003, Regulations, Guidance and Council's Statement of Licensing Policy.

#### **Summary of financial implications**

10. An appeal may be made against the decision of the Sub-Committee, by the applicant or any party making representation, to the Magistrates' Court which could have a financial impact on the Council.

#### **Summary of legal implications**

11. If Members decide to refuse the application or attach conditions to the licence which the applicant, or the responsible authority who made a representation do not agree to, the applicant or such responsible authority may 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.

#### **Summary of human resources implications**

12. There are no human resources implications.

#### **Summary of sustainability impact**

13. There are no sustainability impact implications.

#### **Summary of public health implications**

14. There are no public health implications

#### **Summary of equality implications**

15. There are no equality implications.

#### **Summary of risk assessment**

16. There are no risk assessment implications.

#### **Background papers**

##### **BCP Council – Statement of Licensing Policy**

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

##### **Hearing Regulations**

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

**Revised Guidance issued under Section 182 of the Licensing Act 2003 (December 2023)**

[https://assets.publishing.service.gov.uk/media/6579dec8095987000d95e063/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_-\\_December\\_2023.pdf](https://assets.publishing.service.gov.uk/media/6579dec8095987000d95e063/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_-_December_2023.pdf)

## **Appendices**

- 1 – Copy Application and plan.
- 2 – Copy Location Plan
- 3 – Objection from one other person in objection.
- 4 – Objection from Environmental Health.
- 5 – Representation in support of application.

## Application for a premises licence to be granted under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Hamble food limited

*(Insert name(s) of applicant)*

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

#### Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description 176 - 178 Barrack Rd			
<b>Post town</b>	Christchurch	<b>Postcode</b>	BH23 2BE

Telephone number at premises (if any)	01202 471 234
Non-domestic rateable value of premises	£ 15,000

#### Part 2 - Applicant details

Type your text

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

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i as a limited company/limited liability partnership  please complete section (B)
  - ii as a partnership (other than limited liability)  please complete section (B)
  - iii as an unincorporated association or  please complete section (B)
  - iv other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)

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

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

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - statutory function or
  - a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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

**SECOND INDIVIDUAL APPLICANT (if applicable)**

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

**(B) OTHER APPLICANTS**

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

<b>Name</b>	Hamble foods limited
<b>Address</b>	Suite 115 Merlin House Brunel Road RG7 4AB
<b>Registered number (where applicable)</b>	12373145
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b>	Limited company house

Telephone number (if any)	01202 471234
E-mail address (optional)	████████████████████

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
0	5	0 1 2 0 2 5

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

DD	MM	YYYY

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>Pizza take away.</p>
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If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur								
Fri						<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat								
Sun								

## B

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

# C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Tue			
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

# E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
			<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

# G

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur								
Fri						<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat								
Sun								

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sun					

# I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	11:00pm	03:00am	<b><u>Please give further details here</u></b> (please read guidance note 4) We would like to extend our opening times from 11:00pm to 3am and 5:00am on the weekend due to high demand and other local take away opening at night has caused loss of sales for us.		
Tue	11:00pm	03:00am			
Wed	11:00pm	03:00 am	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur	11:00 pm	03:00am			
Fri	11:00pm	05:00am	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	11:00 pm	05:00 am			
Sun	11:00 pm	03:00am			

# J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b><u>Will the supply of alcohol be for consumption – please tick</u></b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			<b><u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		

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

<b>Name</b>	
<b>Date of birth</b>	
<b>Address</b>	
<b>Postcode</b>	
<b>Personal licence number (if known)</b>	
<b>Issuing licensing authority (if known)</b>	



# M

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

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

Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives.  
We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).  
We have CCTV system installed with recording option available.  
We do not serve alcohol or sell alcohol at our premises  
We do not have a customer seating area or toilets in the premises. The food served is for take away or delivery only. We will strictly operate during the permitted hours and only licensable activities will be done during those hours.  
Fire safety Risk assessment will be carried out regularly.  
We will take appropriate measures to reduce the noise and do not let our operations effect our neighbours.  
We will take appropriate measures to ensure public safety.I do not believe our proposed opening hours and operations will harm children in any matter.

## **b) The prevention of crime and disorder**

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective  
A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.  
As a late night refreshment premises, customer will not be sought by means of personal solicitation outside or in the vicinity of the premises.  
Prevention and vigilance in illegal drug use at the retail unit area.  
We do not serve or sell alcohol. The food is for take away only. There is no sitting arrangement or toilets for customers.

## **c) Public safety**

Internal and external lighting fixed to promote the public safety objective.  
Well trained staff adherence to environmental health requirements.  
A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information.  
The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation. All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition  
fire safety risk assessment has been completed on the premises and warning signs are displayed where needed, and required fire safety equipment is installed on the premises.

## **d) The prevention of public nuisance**

Prominent, clear and legible notices will be displayed at all exits requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.  
Deliveries of materials necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.  
Our deliveries come between 7 am and 10 am only.  
We will ensure that staff who depart late at night when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.  
Customers will be asked not to stand around talking in the street outside the premises; and asked to leave the vicinity quickly and quietly.  
All our car drivers are aware that they should arrive and depart as quietly as possible, should not sound vehicle horns as a signal of their arrival or leave engines running unnecessarily.

## **e) The protection of children from harm**

N/a

**Checklist:**

**Please tick to indicate agreement**

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

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

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

**Part 4 – Signatures** (please read guidance note 11)

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

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her</li> </ul>
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	proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	<i>F.amir</i>
Date	05/12/2024
Capacity	Office manager

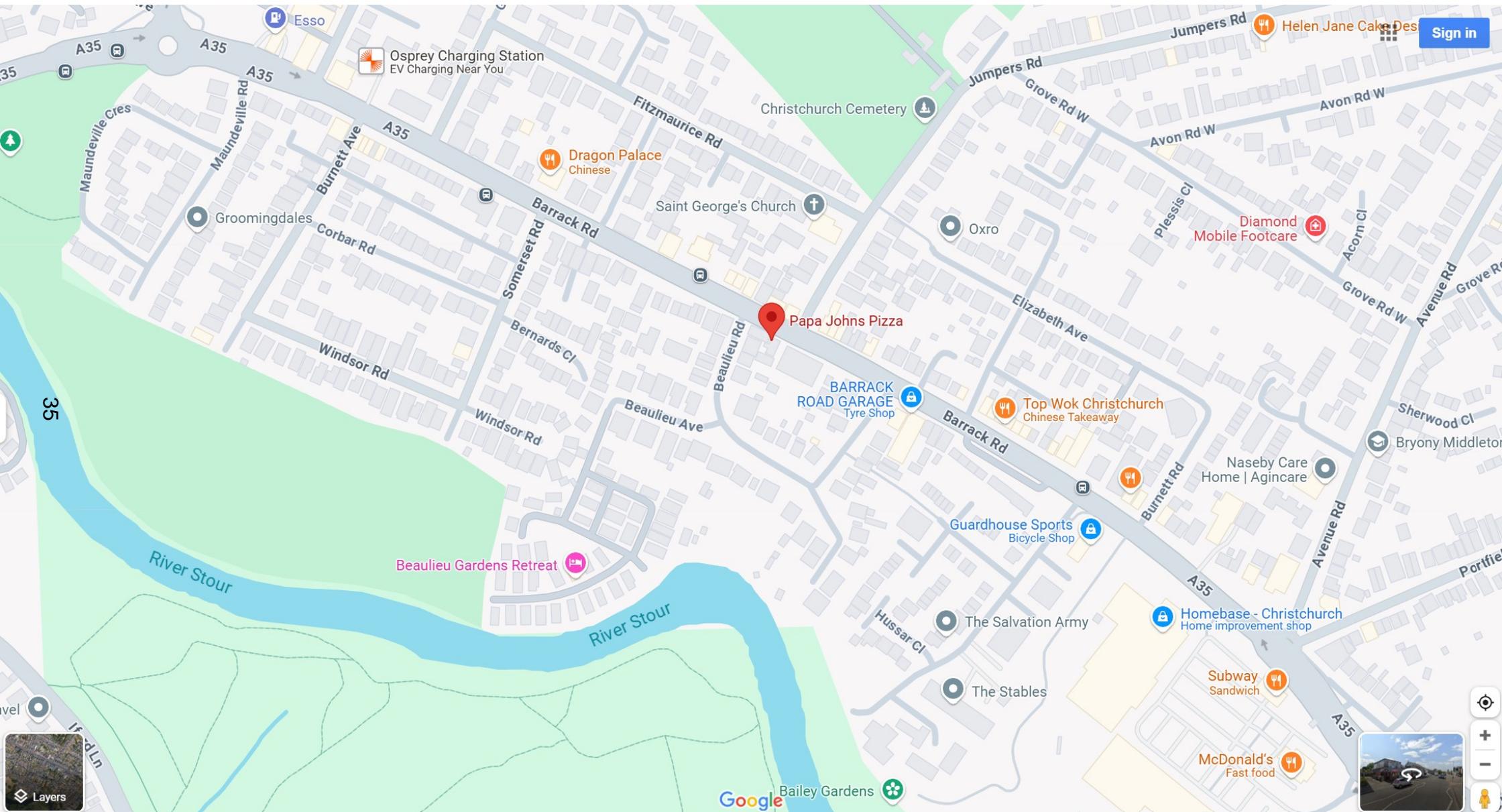
**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Type your text			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			



# APPENDIX 2



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## Licensing Act 2003 – Representation Form

<b>Personal/Business Details</b>	
Name: [REDACTED]	
Address: [REDACTED] Barrack Road	
(Note: I am also the owner/landlord of [REDACTED], the flat immediately above the business)	
Town: Christchurch	
Post Code: BH232BD	
Email: [REDACTED]	
Contact Telephone Numbers:	[REDACTED]

<b>Premises Details</b> <i>(Please give as much information as possible)</i>
Application Ref: M223965
Name of Premises: Papa Johns
Address of Premises: 176-178 Barrack Road, Christchurch BH23 2BE

<b>Reasons for Representation.</b> Please, give information under the relevant Licensing Objective. <i>(Please note you are not required to complete all the boxes unless you feel it is relevant.)</i>
The Prevention of Crime and Disorder: N/A

## The Prevention of Public Nuisance:

I am writing to formally object to the application for extended business hours at the Papa John's premises located at 176 Barrack Road, Christchurch, Dorset. I have significant concerns regarding the potential impact on local residents, including myself and my tenants, in relation to the prevention of public nuisance and the general quality of life for those living in the vicinity.

### 1. Impact on Residential Living and Quality of Life

I have lived directly above Papa John's from July 2016 to December 2023 and have recently become a landlord, renting the property to tenants from the summer of 2024. Over this time, the business has caused ongoing disruption, and I believe that allowing extended operating hours would exacerbate these issues further.

- **Rodent Infestation:** Papa John's has had a longstanding rodent issue. Despite traps being set, I have personally encountered rats in the flat above, I've caught 3 under the kitchen units where rodents are able to come up from the toilet in the shop below. On multiple occasions, I have been forced to report the problem to the council for additional support. This is not only an unsanitary condition but also a major concern for health and safety.
- **Noise and Vibration:** There are several large units at the rear of the property, likely related to refrigeration or air conditioning, which operate 24/7. These units generate significant noise and vibration, especially noticeable as they are directly beneath the main bedroom window. The disturbance severely impacts the sleep quality of residents in the flat above.
- **Door Slamming and Delivery Noise:** The heavy door beneath the second bedroom often slams, causing vibrations that can wake residents in the early hours, particularly when deliveries are made. This disruption would be exacerbated by the extended hours being requested.
- **Smoking Area:** Staff and customers regularly smoke outside the premises, both in front and at the rear of the property. Smoke often enters the flat, particularly near the kitchen and lounge windows, severely affecting the residents' living conditions. Despite improvements with the current staff, past management has been negligent in managing litter and blocking access routes, contributing to an unpleasant environment.
- **Noise from Customers:** Customers, especially late at night, often create excessive noise in the vicinity of the shop. On several occasions, intoxicated individuals or groups have been disruptive, which is particularly disturbing when the surrounding area is otherwise quiet.

## 2. Impact on Property and Tenants

Since moving out of the flat and renting it to tenants in summer 2024, the impact of the takeaway business on the property has only become more apparent. The fast-food nature of the business, combined with the current opening hours, has rendered the property difficult to mortgage. The premises were originally an antique shop, and the change in use to a takeaway has severely limited the property's value and its marketability. Attempts to sell the property have been unsuccessful, as prospective buyers are deterred by the difficulties in securing financing for a property next to a late-night fast food business.

The potential extension of trading hours to 3am on weekdays and 5am on weekends would create even greater challenges in retaining tenants. My current tenants, who have already been enduring the issues described above, may not continue their lease, and future tenants will be harder to find. Should this application be approved, I may also be forced to reduce the rent significantly, further impacting my business as a landlord.

As a provider of much-needed housing in the area, it is difficult to accept that the continued operation of Papa John's, which generates substantial disturbances, could have such a detrimental effect on my property and my tenants' quality of life. I ask you to consider whether you would tolerate such conditions if you were in my position—living above or near a business that severely impacts your peace, safety, and ability to live comfortably.

### Conclusion

In light of the ongoing issues raised above, I strongly urge you to reject this application for extended business hours. The current level of disruption caused by the business is already unacceptable, and further extending their hours will only increase the burden on residents and create further hardship for my tenants and me. The balance between the operation of the business and the well-being of local residents must be carefully considered, and I believe this application would tip that balance in favour of the business at the expense of local residents.

Thank you for taking the time to consider my concerns. I trust that you will take the negative impact on the quality of life for the residents into account when making your decision.

Public Safety: points raised above

The Protection of Children from Harm:

*Access to the property is shared, there may be children living at the flat above with no secured access - I do not think it is safe to have a takeaway operating in the early hours of the morning when the residents have no safe route other than through the shared access in the nighttime.*

I do not wish my details to be include in the Public Documents for the following reasons:

*I do not want my personal information shared in the public domain.*

I declare that the information I have provided is true and correct.

Signed .....

.....

.....

Dated .....26/01/2025.....

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**From:** [Andrew Wemyss](#)  
**To:** [accounts](#); [Licensing Com](#)  
**Cc:** [farah](#); [Tania Jardim](#)  
**Subject:** Responsible Authority Representation, Papa Johns Pizza 176-178 Barrack Road Christchurch Application Ref: M223965  
**Date:** 27 January 2025 13:02:49  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

FAO Licencing,

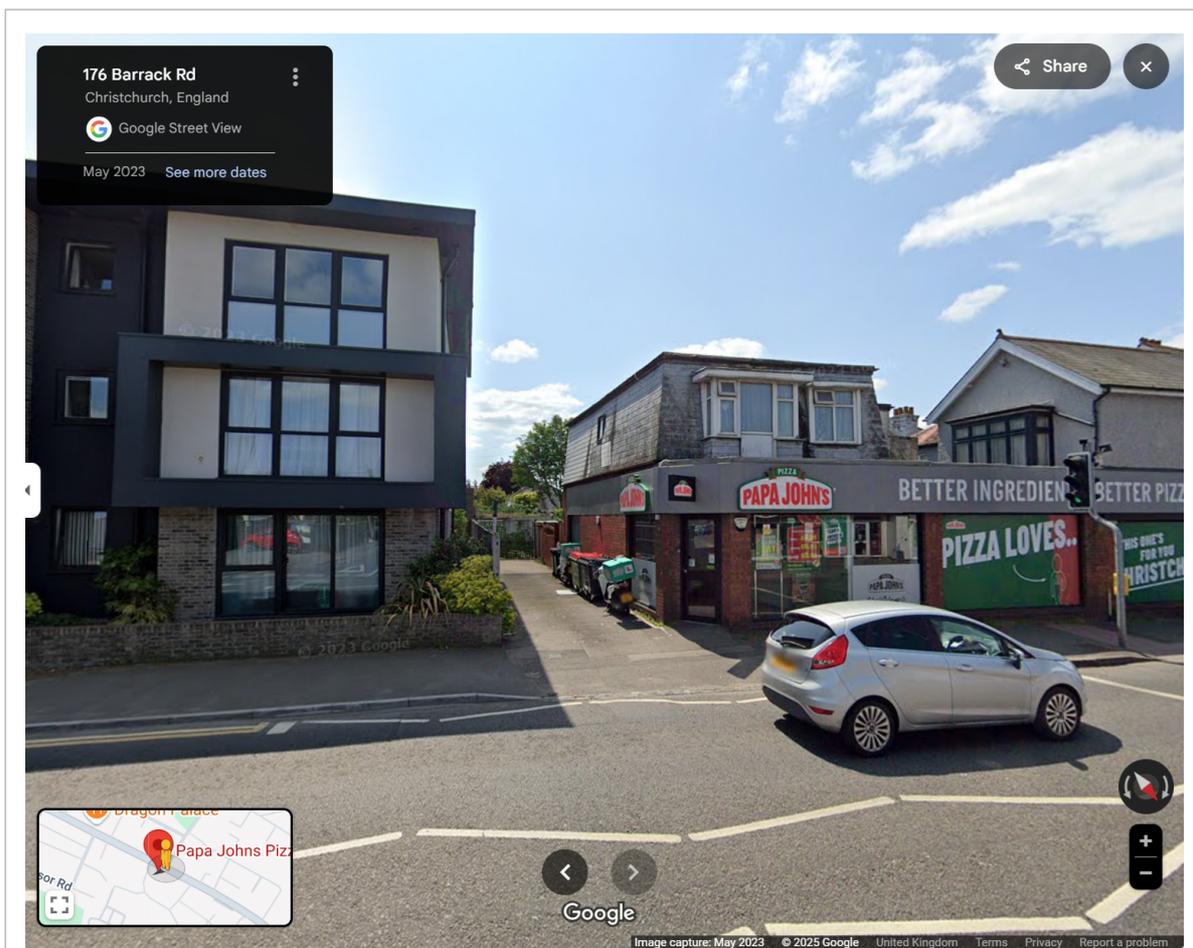
I would like to make a representation on behalf of Environmental Heath to the recent application for a late-night refreshment licence(LNR) at the above Papa John' s takeaway in Christchurch.

Environmental Health wish to object to the application as we are of the opinion that if granted there is a strong likelihood that the licencing principal, Protection of Public Nuisance, will be compromised.

This Papa Johns outlet (as seen in the Google Street view image below) not only has a residential flat directly above but also has other residential accommodation immediately adjacent. The hours that have been applied for continue well into the nighttime period when the majority of residents would be trying to sleep.

Although the applicants have promised to take measures to try and reduce the impact of noise, we believe it very unlikely that this would significantly reduce the risk of nuisance being caused to residents if the business were to carry on into the early hours. Noise associated with the arrival, parking, and departure of both customers and delivery vehicles (such as scooters or cars from Uber Eats, Just Eat & customers etc.) would inevitably cause noise that would be impossible to control to any real extent. This noise would include car and scooter engines on arrival and departure, door slamming and conversation between customers and/or delivery drivers.

In addition, noise from within the premises is very likely to be heard through the structure in the flat above and if later opening hours are granted this could further disturb the occupants of the flat.



Please accept this email as Environmental Health's formal objection to the application.

Yours faithfully,

Andrew Wemyss



**Andrew Wemyss**  
Environmental Health Officer  
Communities  
T. 01202 123199  
[andrew.wemyss@bcpcouncil.gov.uk](mailto:andrew.wemyss@bcpcouncil.gov.uk)  
[bcpcouncil.gov.uk](http://bcpcouncil.gov.uk)  
<https://www.bcpcouncil.gov.uk/news-sign-up>



Polite notice: I often work flexible hours. If I send an email outside of normal working hours, there is no expectation that you need to read, respond or action said email outside of the hours that work for you. Thank you.

**From:** [Debbie Moore](#)  
**To:** [Licensing Com](#)  
**Subject:** Ref .. 223965 papa John's pizza  
**Date:** 17 January 2025 12:52:06

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I would like to offer my support for the extended opening hours of this application.

I think although I maybe order twice per year if that. Having this hours extension would support many people who work nights and unsociable hours who maybe would like something hot to eat or feel like treating themselves.

Also many people who come out of clubs cannot find hot food.

Having worked for BCP mental health units years ago I know the residents would adore this service and use it a lot.

It also would create extra jobs.

The location is road safe and well lit, on a main road and would be a useful help and service to many who work and holiday in our city.

COVID restrictions really harmed our business opening hours I along with many are still waiting for Tesco, and Asda to return to 24 hour opening as this is much needed by disabled and vulnerable people like myself . Come on BCP support your people

Thank you

Deborah Moore



BH12 4LY

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