

# Licensing Sub-Committee

Report subject	<b>Application for a New Premises Licence Pyramids - 144 Old Christchurch Road.</b>
Meeting date	01 <sup>st</sup> October 2019
Status	Public Report
Executive summary	Laceys Solicitors representing Alina Aurelia Sarasan have made an application for a new premises licence to allow late night refreshment between 23.00 to 02.00 hours Sunday to Thursday and 23:00 to 05:00 Friday and Saturday.
Recommendations	<p><b>Members are asked to decide whether to: -</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 representations from two other persons in respect of this application under 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 the 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):	Councillor Lewis Allison - Tourism, Leisure and Communities
Corporate Director	Kate Ryan – Corporate Director for Environment & Community
Contributors	Ms Michelle Fletcher ☎ 01202 451560 ✉ michelle.fletcher@bcpcouncil.gov.uk
Wards	Town Centre
Classification	For Decision

### Background

1. An application for a new licence under the Licensing Act 2003 was made on the 8<sup>TH</sup> August 2019. The application is to allow late night refreshment between 23.00 to 02.00 hours Sunday to Thursday and 23:00 to 05:00 Friday and Saturday. See Appendix 1.
2. The proposed layout of Premises is attached as Appendix 2.
3. A plan is attached as Appendix 3 showing the location of the premises.

### Consultation

4. The application has been served on all responsible authorities and the applicant confirmed that the statutory notices were displayed on site and published in the local newspaper.
5. Two other persons have made representation in respect of this application under the prevention of public nuisance licensing objective. A copy of the representation is attached at Appendix 4.
6. The premises had the benefit of a Premises Licence between 24 November 2005 and 29 May 2019, this lapsed as they failed to Transfer the Licence within 28 days of the registered company being dissolved on the 30 April 2019.
7. The Current Applicants have been involved with 144 Old Christchurch Road since December 2017.

### Options

8. Before making a decision, Members are asked to consider the following matters:
  - The representation made by other persons.
  - The submissions made by or made on behalf of the applicant.
  - The relevant licensing objectives, namely the prevention of crime and disorder, prevention of public nuisance and public safety.
  - The Licensing Act 2003, Regulations, Guidance and the Council's Statement of Licensing Policy.

### Summary of financial implications

9. N/A

### Summary of legal implications

10. If Members decide to refuse the application or attach conditions to the licence which the applicant does not agree to, the applicant 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**

11. N/A

**Summary of environmental impact**

12. N/A

**Summary of public health implications**

13. N/A

**Summary of equality implications**

14. N/A

**Summary of risk assessment**

15. N/A

**Background papers**

Bournemouth Borough Council's Statement of Licensing Policy:

<http://www.bournemouth.gov.uk/Business/Documents/StatementofLicensingPolicyLA2003.pdf>

**Appendices**

1 – Copy of the Application

2 – Premises Layout

3 – Location Plan

4 – Representation