

LICENSING SUB-COMMITTEE



Report subject	Review of Premises Licence at The Talbot, 559 Wimborne Road, Bournemouth, BH9 2AR
Meeting date	14 April 2020
Status	Public Report
Executive summary	To consider an application by the Chief Officer of Dorset Police for a review of the premises licence for the Talbot at 559 Wimborne Road on the ground of prevention of crime and disorder and public safety licensing objectives.
Recommendations	<p>It is RECOMMENDED that members:</p> <ul style="list-style-type: none">• Modify the conditions of the licence• Exclude a licensable activity from the scope of the licence• Remove the Designated Premises Supervisor• Suspend the licence for a period not exceeding three months• Revoke the licence• Leave the licence in its current state <p>Members of the Licensing 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.</p>
Reason for recommendations	<p>Where a review application by a responsible authority, or any other person, has been received the scheme of delegation set out in the Council's Constitution states that these applications should be dealt with by the Sub-Committee.</p> <p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the application.</p>

Portfolio Holder(s):	Councillor Lewis Allison – Tourism, Leisure and Communities
Corporate Director	Kate Ryan – Corporate Director for Environment & Community
Report Authors	Tania Jardim – Licensing Officer (01202) 454927 tania.jardim@bcpcouncil.gov.uk
Wards	Winton East
Classification	For Decision

Background

1. An application to review the premises licence, under section 51 of the Licensing Act 2003 was made by Louise Busfield on behalf of the Chief Officer of Dorset Police on the 27th February 2020. Following a prolonged period of engagement with the premises and an incident of disorder that occurred on the 16th February 2020, Dorset Police no longer have confidence in the DPS or the premises licence holder. A copy of the review application is attached at Appendix 1.
2. A copy of the current premises licence and plan showing the location is attached at Appendix 2.
3. The premises have held a premises licence which allows films, indoor sporting events, live music, recorded music, activity like music/dance, late night refreshment and supply of alcohol since 16th March 2006.
4. The current licence holder, Ei Group plc, initially took over the premises as Enterprise Inns on 13th June 2007, however, since then the premises licence has been the subject of various transfer applications and applications to vary the Designated Premises Supervisor (DPS). It was transferred to other individuals on the 9th December 2012 and 24th December 2012 before it was then transferred back to Enterprise Inns on the 30th September 2013. On the 27th May 2015, it was again transferred to another individual but then back to Enterprise Inns on the 5th April 2016. Enterprise Inns changed its name to Ei Group plc on the 14th February 2017. Since the last transfer, the licence holder has submitted eight applications to vary the DPS at the premises.
5. A representation from the Licensing Authority has been submitted in support of the review application. A copy of this representation is attached at Appendix 3.
6. No other representations were received from the other responsible authorities or any other person.

Consultation

7. Dorset Police submitted the application on 27th February 2020 and declared that a copy of the application had been served on the other responsible authorities and the licence holders on that day.

8. On the 28th February 2020, Tania Jardim of the Licensing Authority displayed a site notice to the front of the premises. A spare copy was handed to Mr London who was at the premises at the time.
9. Two further notices were placed in the main offices of the Town Hall (Customer Services Reception at St Stephen's Road and the main public noticeboard in Bourne Avenue). A notice was also published on the BCP Council's website.
10. Mr Richard Taylor of Gosschalks Solicitors emailed the Licensing Authority to confirm that he was representing the applicant.

Options Appraisal

11. Before making a decision, Members are asked to consider the following matters: -
 - The application made by Dorset Police.
 - The submissions made by or on behalf of the licence holder.
 - The relevant licensing objectives, namely the prevention of crime and disorder.

Summary of financial implications

12. An appeal may be made against the decision of Members by the applicant or the licence holder to the Magistrates' Court which could have a financial impact on the Council.

Summary of legal implications

13. The decision of the Licensing Sub-Committee can be appealed to Dorset Magistrates Court by the applicant or the licence holder 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

14. N/A

Summary of sustainability impact

15. N/A

Summary of public health implications

16. N/A

Summary of equality implications

17. N/A

Summary of risk assessment

18. N/A

Background papers

Bournemouth Borough Council's Statement of Licensing Policy

<https://bournemouth.gov.uk/Business/Licensing/LicensingAct/TheLicensingAct2003.aspx>

Appendices

1. Copy application for review by Dorset Police
2. Copy current premises licence and plan showing the location of the premises.
3. Representation in support of the Review by the Licensing Authority.