

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 04 May 2020 at 10.00 am

Present:-

Cllr D A Flagg – Chairman

Present: Cllr D A Flagg, Cllr G Farquhar and Cllr D Kelsey

131. Election of Chairman

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

Voting: Unanimous

132. Apologies

There were no apologies received on this occasion.

133. Declarations of Interests

There were no declarations received on this occasion.

134. Objection to Temporary Event Notices –

The Chairman explained the protocol detailing the procedures of the meeting, as attached to the Agenda and asked that it be agreed. All participating parties agreed the procedure.

Attendance:

From BCP Council:

Sarah Rogers – Senior Licensing Officer

Linda Cole – Senior Solicitor

Nicky Hooley – Clerk - Democratic and Overview and Scrutiny Officer

On behalf of the Applicant:

Marianne Brown, Applicant's Agent

Anthony Horton, Applicant

On behalf of Dorset Police:

Sergeant Gareth Gosling – Drug and Alcohol Harm Reduction Team

The Senior Licensing Officer presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

The Sub-Committee were asked to consider three Temporary Event Notices (TENS) to permit the supply of alcohol, off the premises, by way of delivery through internet/telephone orders. Dorset Police have submitted an objection notice against all three notices on the grounds that they believe the licensing objectives will be undermined if granted.

Councillors were advised that there was an error in the report, and that where it stated that a 'Regulation' for crime prevention... it should be replaced with an 'objective'.

Ms Brown and Mr Horton addressed the Sub-Committee on behalf of the premises/applicant.

Sergeant Gareth Gosling addressed the Sub-Committee on behalf of Dorset Police.

The Sub-Committee asked various questions of all parties present at the Hearing. All parties were given the opportunity to ask questions of one another. All parties were then able to sum up before the Sub-Committee retired to make its decision.

Right of Appeal

The Legal Advisor reported that all parties to the application have the right to Appeal to the Magistrates Court within the period of 21 days beginning with the day on which the Applicant is notified by the Licensing Authority of this decision in writing. Any appeal has to be made at least 5 days before the event commences.

It was RESOLVED to allow the licensable activities to go ahead as stated in each of the Temporary Event Notices (TENS) because if managed in accordance with the application such activities should not undermine the licensing objectives.

However even though the Sub-Committee is aware they cannot add any conditions to the TENS applied for, there is an expectation that they run their drinks delivery business in accordance with the Alcohol Management Plan attached as part of the applications.

In addition, the sub-committee would expect the business to adhere to the following suggestions:

- a) The delivery driver to check, on delivery of alcohol that the recipient's payment card is the same payment card that was used to pay for the alcohol;**
- b) The delivery driver to make their assessment of whether the recipient is intoxicated before the alcohol is left in reach of the recipient, taking into account the 2m social distancing measures contained in Government Guidance;**
- c) To reconsider high volume orders made specifically for onward delivery at this time, as there are safeguarding concerns in this current climate relating to social distancing; and**
- d) To be mindful of any further alcohol marketing on social media. The sub-committee did not think the recent Grey Goose for sharing competition was appropriate.**

Voting: Unanimous

The meeting ended at 11.15 am

CHAIRMAN