

**BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**  
**LICENSING SUB-COMMITTEE**

Minutes of the Meeting held on 16 June 2020 at 10.00 am

Present:-

Cllr D A Flagg – Chairman  
– Vice-Chairman

Present: Cllr J J Butt and Cllr D Farr

141. Election of Chairman

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

Voting: Unanimous

142. Apologies

There were no apologies received on this occasion.

143. Declarations of Interests

There were no declarations received on this occasion.

144. Application for a New Premises Licence - Fox Café, Redhill Avenue

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:

Trudi Barlow – Licensing Officer

Nananka Randle – Licensing Manager (observing)

Linda Cole – Legal Advisor to the Sub Committee

Nicky Hooley – Democratic Services Officer and Clerk to the Sub Committee

Darren Roser - Applicant BCP Parks

Michael Rowland - Applicant BCP Parks

Gareth Gosling - Responsible Authority Dorset Police

Louise Busfield - Responsible Authority Dorset Police

Councillor Jackie Edwards - representing residents Mrs Summerell and Mrs Skinner.

The 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.

Councillors were asked to consider an application made by Bournemouth Christchurch and Poole Council Parks Department, for a new premises licence to allow regulated entertainment Monday to Sunday 11:00 to 22:00 hours and the supply of alcohol Monday to Sunday 12:00 to 22:00 hours.

The applicant, Mr Rowland addressed the Sub-Committee.

Councillor Edwards addressed the Sub-Committee, on behalf of two residents, who lived near to the site, who had concerns regarding the application.

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.

**It was RESOLVED to grant the application for a premises licence for Fox Café, Redhill Avenue Bournemouth, with conditions as set out in section M of the operating schedule of the application.**

**In addition the following conditions were added:**

- a) **The CCTV provision must cover the whole of the licensed area; and**
- b) **A noise limiter be installed, and a maximum noise level be agreed, in consultation with Pollution Control, for events where amplified music is played.**

#### Reasons for decision:

The sub-committee were satisfied that the application did not undermine the licensing objectives, and if run in accordance with the operating schedule would not cause noise nuisance or anti-social behaviour to local residents who had raised concerns.

The sub-committee welcomed clarification from the applicant that any drinks supplied to the outdoor area will not be supplied in glass; about the size of the premises and the type of function that may be booked. They noted that no application had been made for supply of alcohol to be consumed off the premises and the applicant was no longer applying to be licensed for indoor sporting events. There is an expectation that any risk assessment undertaken in respect of a pre-booked function will be very thorough and adequate staffing will be in place at all times, to deal responsibly, not only with functions but when the premises are open to the public.

The sub-committee noted that Sgt Gosling's main concern was in respect of any pre-booked evening functions and he advised that the majority of ASB in the recreation ground occurred in the evening. They welcomed the amendments to the application made after the meeting with the Police and set out in paragraph 4 of the report namely to remove the old bowling green from the licensable area and add the following conditions:

- a) The serving of alcohol is ancillary to the purchase of food;
- b) Only food purchased at the Fox Café to be consumed on site;
- c) Any activity after 7pm will be a pre-booked function only, with alcohol served until 10pm only. The premises to be closed by 10.30pm; and
- d) There shall be half hourly checks of the licensed area.

The sub-committee however, felt that concerns raised by the Police during the hearing, in relation to CCTV coverage needed to be addressed within the premises licence to ensure the whole licensable area is covered by CCTV, and to assist staff in keeping control and effectively managing the whole of the premises, where alcohol was to be consumed.

The sub-committee acknowledged concerns raised by local residents in relation to noise levels, especially where amplified music may be played and therefore thought it proportionate that a noise limiter be installed to ensure amplified music levels do not cause a noise nuisance and disturb local residents.

Voting: Unanimous

Concluded hearing: 11:44

145. Exclusion of Press and Public

**RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.**

146. Application to Vary a Premises Licence at 144 Old Christchurch Road, Bournemouth

This item was restricted by virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

The 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.

Councillors were asked to consider an application to vary a premises licence, to extend the current permitted hours for late night refreshment and permit deliveries from the premises after certain hours.

The meeting ended at 11.55 am

CHAIRMAN

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