

LICENSING SUB-COMMITTEE



Report subject	Application for a New Premises Licence for Anemos 15 The Quay Poole BH15 1HS
Meeting date	29 April 2021
Status	Public Report
Executive summary	Innpacked Limited, on behalf of Jag Bar and Restaurant Limited, have made an application for a premises licence for a new restaurant to provide on sales of alcohol, between the hours of 10:00 and 23:00 Monday to Sunday.
Recommendations	It is RECOMMENDED that: Members are asked to decide whether to:- a) Grant the application for a premises licence as made; b) Refuse the application for a premises licence; c) Grant the premises licence subject to additional conditions. 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.
Reason for recommendations	<p>The Licensing Authority has received representations from 1 other person on the grounds that the application would undermine 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 representations.</p> <p>Where representations have been received from a responsible authority or any other person, and the concerns have not been resolved through mediation between the 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 May Haines – Community Safety
Corporate Director	Kate Ryan – Corporate Director for Environment & Community
Report Authors	Tania Jardim – Licensing Officer
Wards	Poole Town
Classification	For Decision

Background

1. An application for a premises licence under the Licensing Act 2003 was made on the 16th March 2021. A copy of the application is attached at Appendix 1.
2. A plan showing the location of the premises is attached at Appendix 2.
3. The application was served on all responsible authorities and the applicant confirmed that the statutory notices were displayed on site and published in the local newspaper.
4. The application prompted 1 representation from other persons under the prevention of public nuisance licensing objective. A copy of the representation is attached at Appendix 3.
5. No representations were received from any of the responsible authorities.

Options Appraisal

6. Before making a decision, Members are asked to consider the following matters:
 - The representations made by or on behalf of other persons.
 - The submission made by or made on behalf of the applicant.
 - The relevant licensing objectives, namely the prevention of public nuisance.
 - The Licensing Act 2003, appropriate Regulations, Statutory Revised Guidance issued under section 182 of the Licensing Act 2003 – April 2018 and the Council's Statement of Licensing Policy.

Summary of financial implications

7. N/A

Summary of legal implications

8. 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

9. N/A

Summary of sustainability impact

10. N/A

Summary of public health implications

11. N/A

Summary of equality implications

12. N/A

Summary of risk assessment

13. N/A

Background papers

BCP Council – Statement of Licensing Policy - <https://www.bcpCouncil.gov.uk/Business/Licences-and-permits/Documents/Licensing/solp-2020.pdf>

Hearing Regulations - <https://www.legislation.gov.uk/ukSI/2005/44/contents/made>

Revised Guidance issued under Section 182 of the Licensing Act 2003 - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_202003_April_2018_.pdf

Appendices

1 – Copy of Application

2 – Location Map

3 – Copy of Representation