

# LICENSING SUB-COMMITTEE



Report subject	<b>Application for a new Premises Licence, BH1 Stop Mini Market, 222 Old Christchurch Road</b>
Meeting date	13 May 2021
Status	Public Report
Executive summary	<p>Mrs Elina Kadir has made an application for a premises licence for an off licence with convenience store at BH1 Stop, 222 Old Christchurch Road, Bournemouth, BH1 1PE for the following licensable activities and times:</p> <p>Sale of alcohol off the premises</p> <p>Monday to Sunday 08:00 to 03:00hrs.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <p><b>Members consider the following options</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 one representation from an other person on the grounds that if this application were granted it would undermine all four of the licensing objectives.</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 May Haines – Community Safety
Corporate Director	Kate Ryan – Corporate Director for Environment & Community
Report Authors	Mrs Lesley Johnson Consumer Protection Officer
Wards	Bournemouth Central
Classification	For Decision

1. An application for a new licence under the Licensing Act 2003 was made on the 3<sup>rd</sup> March 2021. See Appendix 1.
2. A plan is attached as Appendix 2 showing the location of the premises.

### **Consultation**

3. 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.
4. The application prompted 1 representation from an other person who believe that the grant of the licence will undermine all four licensing objectives. A copy of the representation is attached at Appendix 3.
5. In response to the application Dorset Police have mediated with the applicant and the applicant has agreed 5 additional conditions as set out in Appendix 4.
6. No representations were received from any of the other responsible authorities.

### **Options**

7. Before making a decision, Members are asked to consider the following matters:
  - The representation made by the other person.
  - 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, public safety and protection of children from harm.
  - The Licensing Act 2003, Regulations, Guidance and the Council's Statement of Licensing Policy.

### **Summary of financial implications**

8. N/A

### **Summary of legal implications**

9. 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**

10. N/A

### **Summary of environmental impact**

11. N/A

### **Summary of public health implications**

12. N/A

### **Summary of equality implications**

13. N/A

### **Summary of risk assessment**

14. N/A

### **Background papers**

BCP Council's Statement of Licensing Policy:

<https://www.bcpCouncil.gov.uk/Business/Licences-andpermits/Documents/Licensing/solp-2020.pdf>

Revised Guidance issued under Section 182 of the Licensing Act 2003 -

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment%20data/file/705588/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_April\\_2018](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment%20data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018)

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

### **Appendices**

Appendix 1 – Copy of Application

Appendix 2 – Location Map

Appendix 3 – Copy of Representation by other person

Appendix 4 – Copy of conditions agreed with Dorset Police