

# LICENSING SUB-COMMITTEE



Report subject	<b>New Application for a Premises Licence at 102 Commercial Road Bournemouth</b>
Meeting date	13 May 2021
Status	Public Report
Executive summary	Mr Philip Day of Lacey's Solicitors on behalf of One Escapism Ltd has made an application for a new premises licence for an upmarket cocktail bar. The application is for regulated entertainment and late-night refreshment from 11:00 to 02:00 hours and supply of alcohol on the premises from 11:00 to 01:40 hours from Monday to Sunday.
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <p><b>Members are asked to decide whether to: -</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 representations from Pollution Control and three other persons in respect of this application under the prevention of public nuisance.</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	Trudi Barlow – Licensing Officer
Wards	Bournemouth Central;
Classification	For Decision

### **Background**

1. An application for a new licence under the Licensing Act 2003 was made on the 23 April 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 representations from Pollution Control and three other persons under the prevention of public nuisance licensing objective. A copy of the representations are attached at Appendix 3.

### **Options Appraisal**

5. Before making a decision, Members are asked to consider the following matters:
  - The representations made by Pollution Control and three other persons.
  - The submissions made by or made on behalf of the applicant.
  - The relevant licensing objective, namely the prevention of public nuisance.
  - The Licensing Act 2003, Regulations, Guidance and the Council's Statement of Licensing Policy.

### **Summary of financial implications**

6. N/A

### **Summary of legal implications**

7. 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**

8. N/A

**Summary of sustainability impact**

9. N/A

**Summary of public health implications**

10. N/A

**Summary of equality implications**

11. N/A

**Summary of risk assessment**

12. 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\\_2003\\_April\\_2018\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf)

**Appendices**

- 1 – Copy of the Application
- 2 – Location Plan
- 3 – The representations