

LICENSING SUB-COMMITTEE



Report subject	Application for a Premises Licence 137 Redhill Drive, Bournemouth, BH10 6AH
Meeting date	21 July 2021
Status	Public Report
Executive summary	Miss Hannah Skelsey has made an application for a premises licence to facilitate a cocktail delivery service. The provision of off sales of alcohol only is requested from 11:00 to 23:00 hours each day of the week.
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	The Licensing Authority has received a representation from Councillor Jackie Edwards on the grounds that to grant the application it would undermine the prevention of public nuisance and the protection of children from harm. The Licensing Authority may only consider aspects relevant to the application that have been raised in the representation. Where representations have been received from 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.

Portfolio Holder(s):	Councillor May Haines – Community Safety
Corporate Director	Kate Ryan – Corporate Director for Environment & Community
Report Authors	Sarah Rogers – Senior Licensing Officer
Wards	Redhill & Northbourne
Classification	For Decision

Background

1. An application for a premises licence under Section 17 the Licensing Act 2003 was made on the 28th May 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.

Consultation

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 Councillor Edwards' representation as Ward Councillor for Redhill and Northbourne under the prevention of public nuisance and protection of children from harm licensing objectives. A copy of the representation is attached at Appendix 3. On 15th June 2021 it was confirmed to Cllr Edwards that the application was for a residential address and that the alcohol will be in the form of pre-made cocktails which are made at the premises and then delivered to the customer's home. It shall not be a delivery service of alcohol as a traditional off licence. Cllr Edwards was also supplied with a copy of the conditions agreed with Dorset Police below.
5. Public Health and Trading Standards requested conditions were attached to deal with identification checks and underage sales. Trading standards provided a link to the Trading Standards South West on-line training and resource toolkit known as No Proof Of Age No Sale (NPOANS) which is kept up to date with changes in legislation and has a useful resource library containing posters and guidance material which can be downloaded.
6. Dorset Police have agreed the following conditions to be imposed on the licence should it be granted. They also incorporate the conditions which were recommended by Public Health and Trading Standards, as follows:-
 1. No customers shall be permitted on the premises. The premises shall only be used for the making and delivery of cocktails. Customers shall not be permitted to collect from the premises.
 2. Deliveries shall only be allowed to business and residential addresses.
 3. Challenge 25 shall be operated by the premises where the only acceptable forms of identification are recognised photographic identification cards, such

as a driving licence or passport / holographically marked PASS scheme identification cards.

4. All staff working at the premises concerned with the sale of alcohol shall be trained with regard to the law on restricted sales (to persons under the age of 18 and/or who are intoxicated) and with regard to the terms and conditions of the premises licence. A written record of all staff training shall be maintained and kept on the premises and made available on request to an authorised officer of the Council or the Police.
 5. Delivery drivers shall make ID checks to any person they believe to be under the age of 25 to make sure the person who receives the delivery reflects the same name/age on the order.
 6. Refused deliveries shall be brought back to the premises and recorded.
 7. All deliveries shall be authorised by the DPS.
7. No representations were received from any of the other responsible authorities.

Options Appraisal

8. Before making a decision, Members are asked to consider the following matters:
- The representation made by or on behalf of Councillor Edwards.
 - The submissions made by or made on behalf of the applicant.
 - The relevant licensing objectives, namely the prevention of public nuisance and the protection of children from harm.
 - 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

9. N/A

Summary of legal implications

10. N/A

Summary of human resources implications

11. 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 sustainability impact

12. N/A

Summary of public health implications

13. N/A

Summary of equality implications

14. N/A

Summary of risk assessment

15. N/A

Background papers

BCP Council – Statement of Licensing Policy –

<https://www.bcpCouncil.gov.uk/Business/Licences-andpermits/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

Appendices

- 1 – Copy Application
- 2 – Location Plan
- 3 – Representation by Councillor Jackie Edwards