

LICENSING SUB-COMMITTEE



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| Report subject | London Market, 188 Old Christchurch Road, Bournemouth, BH1 1NU |
| Meeting date | 28 September 2021 |
| Status | Public Report |
| Executive summary | <p>Popa Distribution Limited have made an application for variation to their current premises licence.</p> <p>The current licence permitted off sales of alcohol only between the hours of 12:00 to 20:00, with permitted opening hours of 08:00 to 03:00, each day of the week.</p> <p>Variation is made to extend the permitted hours and allow the business to operate 24 hours, 7 days a week, for the supply of off sales of alcohol and to add late night refreshment between the hours of 23:00 and 05:00 each day.</p> <p>Current conditions 2.5 and 2.6 are requested to be amended and a number of additional conditions have been offered within the application to be imposed on the licence if granted.</p> <p>The premises also request approval of a new proposed layout plan to replace the current newspaper shelving with a new chiller unit within the licensed area.</p> |
| Recommendations | <p>It is RECOMMENDED that:</p> <p>Members are asked to decide whether to:-</p> <ul style="list-style-type: none">a) Grant the application for variation as made;b) Refuse the application, or part of, for variation to the premises licence;c) Grant the application, or part of, subject to additional conditions. <p>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.</p> |
| Reason for recommendations | The Licensing Authority has received a representation from Dorset Police on the grounds that to grant the application, would undermine the prevention of crime and disorder and public safety |

licensing objectives.

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.

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| Portfolio Holder(s): | Councillor May Haines – Community Safety |
| Corporate Director | Kate Ryan – Chief of Operations |
| Report Authors | Sarah Rogers – Senior Licensing Officer |
| Wards | Bournemouth Central |
| Classification | For Decision |

Background

1. An application to vary premises licence BH150541, under Section 34 of the Licensing Act, was made by Mr Steve Wight on behalf of Popa Distribution Limited on 4 August 2021. A copy of the application is attached at Appendix 1.
2. A copy of the current licence and approved plan 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 the representations by Dorset Police under the prevention of crime and disorder and public safety licensing objectives. A copy of the representation, and response by Mr Wright on behalf of his client, is attached at Appendix 3.
5. No representations were received from any of the other responsible authorities or any other person.

Options Appraisal

6. Before making a decision, Members are asked to consider the following matters:-
 - The representation made by Dorset Police.
 - The submissions made by or on behalf of the applicant.
 - The relevant licensing objectives, namely the prevention of crime and disorder and public safety.
 - 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/Gambling/final-version-solp-2020.pdf>

Hearing Regulations

<https://www.legislation.gov.uk/ukSI/2005/44/made>

Revised Guidance issued under Section 182 of the Licensing Act 2003 (April 2018)

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 and proposed plan
- 2 – Copy current premises licence and approved plan
- 3 – Representation by Dorset Police