

# LICENSING SUB-COMMITTEE



Report subject	<b>Sandbanks Beach Kiosks – Application for Premises Licence</b>
Meeting date	28 April 2022
Status	Public Report
Executive summary	<p>Keystone Law has made an application on behalf of Rockwater Sandbanks &amp; Branksome Limited for a premises licence to permit off sales of alcohol between the hours of 10:00 and 23:00 each day of the week from three kiosks within the remit of Sandbanks Beach Café's property.</p> <p>The Licensing Authority has received a representation from Dorset Police and 3 other persons on the grounds that to grant the application it would undermine the prevention of crime and disorder, prevention of public nuisance, public safety and protection of children from harm licensing objectives.</p>
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 may only consider aspects relevant to the application that have been raised in the representation.</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 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 Bobbie Dove – Community Safety and Regulatory Services
Corporate Director	Jess Gibbons – Chief of Operations
Report Authors	Sarah Rogers – Senior Licensing Officer
Wards	Canford Cliffs
Classification	For Decision

## Background

1. An application for a premises licence under Section 17 of the Licensing Act 2003 was made on 11<sup>th</sup> March 2022. A copy of the application is attached at Appendix 1.
2. A plan showing the location of the kiosks is attached at Appendix 2.
3. Within the application site, and part of the proposed operation, is located Sandbanks Beach Cafe. These premises have the benefit of a premises licence which permits both on and off sales from 09:00 until 23:30, each day of the week. For information a copy of the premises licence for the main café is attached at Appendix 3

## Consultation

4. 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.
5. A representation was received from Dorset Police and 3 other persons. A copy of the representations are attached at Appendix 4.

## Options Appraisal

6. Before making a decision, Members are asked to consider the following matters:
  - The submissions made by or made on behalf of the applicant.
  - The representation made by or on behalf of Dorset Police and the other persons.
  - The relevant licensing objectives, namely the prevention of crime and disorder, prevention of public nuisance, public safety 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

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/Licencesandpermits/Documents/Licensing/solp2020.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 Application
- 2 – Location Plan
- 3 – Sandbanks Beach Café Premises Licence
- 4 - Copy Representations