

# LICENSING SUB-COMMITTEE



Report subject	<b>Application for Premises Licence at Late Night Store, 690-692 Christchurch Road, Bournemouth, BH7 6BY</b>
Meeting date	3 August 2022
Status	Public Report
Executive summary	<p>Mr Tony Clarke of JMC Licensing Consultants has made application on behalf of Mr Aras Dawn for a premises licence at Late Night Store, 690-692 Christchurch Road. The application is for the Supply of Alcohol (Off Sales only) Monday to Sunday 07:00 to 03:00.</p> <p>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.</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 has received a representation in objection to the application from Dorset Police on the grounds that the grant of the application would undermine the Prevention of Crime and Disorder and Public Safety licensing objectives.</p> <p>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 the application 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	Tania Jardim – Licensing Officer
Wards	Boscombe East & Pokesdown
Classification	For Decision

## Background

1. An application for a new premises licence under Section 17 of the Licensing Act 2003 was made on 16<sup>th</sup> June 2022. The application is for a new premises licence for Late Night Store at 690-692 Christchurch Road. The application is for the supply of alcohol (off sales), Monday to Sunday 07:00 to 03:00. A copy of the application, including the plan of the premises, 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's agent confirmed that the statutory notices were displayed on site and published in the local newspaper.
4. The application prompted a representation from Dorset Police on the grounds that granting a licence to close at 03:00 each day in a location that already experiences a disproportionate number of street drinkers, antisocial behaviour and crime and disorder which negatively impact the local community would undermine the Prevention of Crime and Disorder and Public Safety licensing objectives. A copy of the representation is attached at Appendix 3.
5. Dorset Police and the applicant's agent attempted mediation and discussed conditions namely in relation to the provision of SIA, a 'night hatch' and a maximum ABV of cans of beer/cider or lager, however, Dorset Police were not satisfied that the discussed conditions are sufficient to mitigate the risks associated with such additional late night provision and does not have the confidence that the Licensing Objectives would be promoted. An email listing the conditions offered by the applicant are attached at Appendix 4.
6. No other Responsible Authorities, or any other person, have made a representation.

## Options Appraisal

7. Before making a decision, Members are asked to consider the following matters: -
  - The representation made by Dorset Police.
  - 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**

8. N/A

#### **Summary of legal implications**

9. If Members decide to refuse the application or attach condition to the licence, which the applicant does not agree to, the applicant may appeal to the Magistrate's 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 sustainability 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 – Statement of Licensing Policy

<https://democracy.bcpCouncil.gov.uk/documents/s21122/Statement%20of%20Licensing%20Policy.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](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 plan.

2 – Location plan.

3 – Representation from Dorset Police

4 – Conditions offered by applicant