

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 26 May 2022 at 12.00 pm

Present:-

Cllr J Butt – Chairman

Present: Cllr J Bagwell and Cllr L Williams

16. Election of Chair

RESOLVED that Councillor Butt be elected Chairman of the Sub-Committee for the duration of the meeting.

Voting: Unanimous

17. Apologies

Apologies had been received from Councillor Kelsey, but Councillor Bagwell was attending as the first reserve.

18. Declarations of Interests

There were no declarations of interest received on this occasion.

19. Parma Pizza, 1448 Wimborne Road, Bournemouth, BH10 7AS

Present:

From BCP Council:

Tania Jardim, Licensing Officer

Johanne McNamara, Legal Advisor to the Sub Committee

Joe Tyler, Clerk to the Sub Committee

Nicky Hooley, Democratic Services, producing the minutes

The Chair made introductions and explained the procedure for the hearing which was agreed by all parties.

The Licensing Officer presented a report, a copy of which had been circulated and a copy of which appears as Appendix A to these minutes in the Minute Book.

The Sub Committee was asked to consider an application made by Mr David Ramsay, on behalf of Mr Nicolai Carp for a new premises licence for the premises known as 'Parma Pizza', 1448 Wimborne Road,

Bournemouth, BH10 7AS. This matter is brought before the Licensing Sub Committee for determination.

The Licensing Authority had received three written representations from other persons in objection to the application on the grounds that to grant the application would undermine the licensing objectives.

The Licensing Authority also received two representations in support of the application.

The following persons attended the hearing and addressed the Sub-Committee to expand on the points made in their written submissions:

David Ramsey, Licensing Consultant, representing the applicant

Mr Nicolai Carp, the applicant

The Sub Committee asked various questions of all parties present and was grateful for the responses received. All parties had the opportunity to ask questions. All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the hearing, the Legal Advisor advised all parties of the right of appeal.

The Legal Adviser explained that all parties to the application had the right to Appeal to the Magistrates Court within the period of 21 days beginning with the day on which the Applicant was notified by the Licensing Authority of this decision in writing, and that the decision would not come into effect until the expiry of said 21 days.

RESOLVED:- that having considered the application, submitted by Nicolai Carp for a new premises licence at the location known as Parma Pizza', 1448 Wimborne Road, Bournemouth, BH10 7AS to permit late night refreshments (indoors & outdoors) between Sunday to Thursday, 23:00 to 00:00, Friday and Saturday 23:00 to 02:00 and the Supply of alcohol (On & Off) between Sunday to Thursday 11:00 to 00:00, Friday and Saturday 11:00 to 02:00 and at New Year's, the times are from the start of permitted hours on 31st December to the end of permitted hours on 1st January (following agreed amendment to the end of permitted hours' time that was originally 2nd January.)

The Sub-Committee gave detailed consideration to all of the written information that had been submitted before the hearing, including that contained in the report for Agenda Item 5. The Sub-Committee considered the verbal submissions made at the Hearing by all parties attending, including the representations made by David Ramsay, Licensing Consultant representing the applicant and Nicolai Carp, the applicant, a written statement from an objector who remained anonymous, dated 14 April 2022, a written statement from an objector, Ms Eloise Goodenough, dated 14 April 2022 and a written statement from Ward Councillor Laurence Fear

that was agreed to be read out by the Sub-Committee at the hearing. The Sub-Committee also considered all responses given by all parties to questions asked at the hearing.

In coming to this decision, the Sub-Committee gave careful consideration to all factors and came to their decision for the reasons listed below.

Reasons for Decision:

The Sub-Committee agreed that the premises would be able to uphold the four licensing objectives if the licence was granted.

The Sub-Committee were content that the applicant had sufficiently demonstrated a proactive and positive attitude toward the premises and its licensable activities. Members gave careful consideration to the review of CCTV on the premises, by the applicant and landlord, and the reassurance given that staff on the premises understood and undertook their duty to monitor the outside areas of the premises and to ask patrons to move on at closing time.

The Sub-Committee were informed that a complaint regarding noise nuisance and an alleged breach of licensing conditions was received by the Licensing Authority in December 2021. However, following an investigation of this complaint there was no evidence found or forthcoming to uphold the complaint. Members were reassured by this and gave consideration to the fact that no evidence was provided to corroborate this complaint.

Members were also reassured by the fact that no Responsible Authorities, including Dorset Police or Environmental Health, had objected to the application. The reports of drug use, urination in and around the external areas of the premises and violence were repudiated by the applicant and members were informed that none of these claims had been substantiated by way of evidence provided to the Licensing Authority.

Members were informed that the Local Authority had been contacted by the premises owner and license holder regarding a number of phone calls that had been made to the premises, whereby allegations were made during the phone calls that the premises was contravening its licence. It was heard that this was also not evidenced.

The Sub-Committee were pleased that an amendment to the application, specifically Section 14 of 21, would be made to clarify that the times are from the start of the permitted hours on the 31 December to the end of permitted hours on 1 January as a continuous period.

Members were content that the licensing objectives had been upheld throughout the period of the current licence and were reassured that in granting the new licence that the premises would continue uphold the licensing objectives, based on the information and evidence provided to them before and during the hearing by all parties.

The Legal Adviser explained that all parties to the application have the right to Appeal to the Magistrates Court within the period of 21 days beginning with the day on which the applicant is notified by the Licensing Authority of

this decision in writing, and that the decision would not come into effect until the expiry of said 21 days.

Voting: Unanimous

20. Cherries Cafe, 65a Curzon Road, Bournemouth

The Sub-Committee agreed, as requested to open and adjourn consideration of this application until the Sub-Committee meeting on 8th June 2022, in order to comply with the timescales of the Hearing Regulations. The reason being that the Applicant was on holiday and not able to attend.

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The meeting ended at 1.20 pm

CHAIRMAN