

LICENSING SUB-COMMITTEE



Report subject	Christchurch Road Stores, 62 Old Christchurch Road, Bournemouth
Meeting date	18 January 2023
Status	Public Report
Executive summary	<p>Christchurch Road Stores Ltd has applied for a premises licence to permit off sales of alcohol between 10:00 and 22:00 each day of the week.</p> <p>Dorset Police have made a representation against the application on the grounds that to grant would undermine the prevention of crime and disorder and public safety licensing objectives.</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 a premises licence as made;b) Refuse the application for a premises licence;c) Grant the premises licence 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	<p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the representations.</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	Bournemouth Central
Classification	For Decision

Background

1. An application for a premises licence, under Section 17 of the Licensing Act 2003, was made on 23 November 2022. A copy of the application is attached at Appendix 1. A copy of the proposed layout plan is attached at Appendix 2.

Consultation

2. 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.
3. The licensing authority received a representation from Dorset Police under the prevention of crime and disorder and public safety licensing objectives. A copy of the representation is attached at Appendix 2.
4. No representations were received from any of the other responsible authorities or any other person.

Options Appraisal

5. Before making a decision, Members are asked to consider the following matters:
 - The submissions made by or on behalf of the applicant.
 - The representation received from or made on behalf of 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 – December 2022 and the Council's Statement of Licensing Policy

Summary of financial implications

6. N/A

Summary of legal implications

7. 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.

8. Dorset Police may also appeal to the Magistrates' Court within the 21 day period if aggrieved by the decision made.

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/solp_2_020.pdf

Hearing Regulations –

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

Revised Guidance issued under Section 182 of the Licensing Act 2003 – December 2022

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1125660/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_December_2022.pdf

Appendices

- 1 – Copy Application
- 2 – Layout Plan
- 3 – Dorset Police Representation