

LICENSING SUB-COMMITTEE



Report subject	Application for a Premises Licence at McDonald's Barrack Road, Christchurch BH23 2AW
Meeting date	1 February 2023
Status	Public Report
Executive summary	<p>McDonalds Restaurants Ltd have made an application for a premises licence to allow the provision of late night refreshment from 23:00 to 05:00 Monday to Sunday.</p> <p>The Licensing Authority has received a representation from 1 other person on the grounds that granting the application would undermine the prevention of public nuisance licensing objective.</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 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	Ellie King- Licensing Officer
Wards	Christchurch Town;
Classification	For Decision

Background

1. An application for a premises licence under Section 17 of the Licensing Act 2003 was made on 07 December 2022 for the provision of Late Night Refreshment from 23:00 to 05:00 every day of the week. A copy of the application is attached at Appendix 1.
2. A location plan is attached at Appendix 2.

Consultation

3. The application was served on all responsible authorities. The applicant confirmed that the statutory notices were displayed on site and published in the local newspaper.
4. The application prompted a representation from another person under the prevention of public nuisance licensing objective.
5. No Responsible Authority has made a representation. A copy of the representation made by the 'other person' is attached at Appendix 3.

Options Appraisal

6. Before making a decision, Members are asked to consider the following matters: -
 - The representation made by one other person.
 - The relevant licensing objective, namely the prevention of public nuisance.
 - 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 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

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://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 (Dec 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- Location Plan

3- Representation