

**BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**  
**LICENSING SUB-COMMITTEE**

Minutes of the Meeting held on 14 November 2023 at 10.00 am

Present: Cllr A Chapmanlaw, Cllr M Dower and Cllr D A Flagg

43. Election of Chair

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

Voting: Unanimous

44. Apologies

None were received

45. Declarations of Interests

There were no declarations of interest.

46. Parkstone Convenience, 408 Ashley Road, Poole

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 has 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 to grant a new premises license for the premises known as 'Parkstone Convenience', 408 Ashley Road, Parkstone to permit the supply of alcohol (off sales only) from Sunday to Thursday 07:00 to 23:00hrs and Friday and Saturday 07:00 to 02:00hrs.

The Licensing Authority had received a representation from Dorset Police under section 18 (9) (b) of the Licensing Act that the proposed Designated Premises Supervisor would undermine the Prevention of Crime and Disorder Licensing objective and also raised concerns about the applicant as a whole. Due to the content in the representation, It was noted that the Sub Committee would be asked to consider excluding the press and public when this representation was dealt with. The Licensing Authority had also received a representation from Councillor Earl on the grounds that granting the application would undermine the prevention of crime and disorder, public safety and prevention of public nuisance licensing objectives

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

Mr Tony Clarke- Licensing Agent, representing the applicant.

Mr Mohammad Akram- Applicant

Councillor Marion Le Poidevin- Made a representation on behalf of  
Councillor Millie Earl.

John Bean- Dorset Police

During his submission, Mr Clarke offered to reduce the licensed hours on Friday and Sunday to terminate at 00:00hrs instead of 02:00hrs to address concerns raised.

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. Prior to the exclusion of the press and public, Councillor Le Poidevin was given the opportunity to sum up before she left the meeting (an amendment to the procedure which was agreed by all parties).

#### Exclusion of Press and Public

**RESOLVED that under Section 14 (2) of the Licensing Act 2003 (Hearings) Regulations 2005 and Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 7 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.**

Once the Police representation was dealt with, all remaining 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.

**RESOLVED that the application for a new premises licence at Parkstone Convenience, 408 Ashley Road, Parkstone, to permit the supply of alcohol (off sales only) from Sunday to Thursday 07:00 to 23:00hrs and Friday and Saturday 07:00 to 02:00hrs be refused.**

#### Reasons for Decision

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the report for Agenda Item 6 and the verbal submissions made at the hearing by all parties.

With regard to the representation from Councillor Millie Earl as presented by Councillor Marion Le Poidevin the Sub-Committee notes the offer by the applicant's agent to reduce the licensed hours to 07.00hrs-23.00hrs Sunday to Thursday and 07.00hrs-00.00hrs Friday and Saturday would be

acceptable to Dorset Police. The Sub-Committee agreed that this amendment would address the concerns raised in that representation.

Regarding the representation from Dorset Police, the Sub-Committee was mindful that the Licensing Authority should look to Dorset Police as its main source of advice on crime and disorder. The Licensing Sub Committee noted that it needs to assess evidence and information provided to it on the balance of probabilities.

Having considered the representation from Dorset Police, the Sub-Committee was not satisfied that the premises would be able to operate without undermining the prevention of crime and disorder licensing objective and therefore, the Sub-Committee agreed to refuse the application.

In making this decision the Sub-Committee has had regard to the Bournemouth, Christchurch and Poole Council Licensing Policy and The Revised Guidance, as set out by the Secretary of State and the licensing objectives as set out in the Licensing Act 2003.

All parties to the application have the right to appeal to the Magistrate's Court within the period of twenty-one days beginning with the day on which the applicant is notified by the Licensing Authority of this decision in writing.

The meeting ended at 10.59 am

CHAIRMAN