

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 03 January 2024 at 10.00 am

Present: Cllr D A Flagg, Cllr P Hilliard and Cllr M Howell

70. Election of Chair

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

Voting: Unanimous

71. Apologies

There were no apologies for absence.

72. Declarations of Interests

There were no declarations of interest.

73. Bournemouth Electric Club, Broadway Lane, Bournemouth, BH8 0AA

Attendance: BCP Council:

Nananka Randle - Licensing Manager

Johanne McNamara - Legal Advisor to the Sub-Committee

Sinead O'Callaghan - Clerk to the Sub-Committee

Neil Fraser - Deputy Head of Democratic Services (Democratic services Support)

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

The Licensing Manager presented the 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 for a new premises licence, for the premises known as 'Bournemouth Electric Club', Broadway Lane, Bournemouth, BH8 0AA to permit regulated entertainment between the hours of 12:00 and 23:00 with late night refreshment and the sale of alcohol, both on and off the premises, between 10:00 and 00:00 Sunday to Thursday and 10:00 to 01:00 Friday and Saturday. For all licensable activities a New Year's Eve extension until 01:00 was requested.

The Licensing Authority received 8 representations on the grounds that to grant the application would undermine the prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm licensing objectives.

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

Cerise Tuvey – Applicant
Mr Jon Wallsgrove - Solicitor for the Applicant
Sergeant Gareth Gosling – Dorset Police
Andrew Wemyss - Environmental Health
Linda Wills – Objector
Dianne Williamson – Objector
Sekai Mujeyi – Objector
David Fung – Objector

The Sub-Committee asked various questions of all parties present and was grateful for the responses received.

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.

RESOLVED that the application for a new premises licence at Bournemouth Electric Club, Broadway Lane, Bournemouth, BH8 0AA, GRANTED subject to the addition of the following conditions: Conditions set out the Application save where there are any changes as set out below.

Conditions agreed prior to the hearing on 3rd January 2024 or confirmed as accepted by the Applicant during the hearing on 3rd January 2024. This relates to both representations made by Dorset Police and Environmental Health.

- This licence shall only be valid provided that at all times a Members Club operates from the premises.
- The sale of alcohol shall be 1000hrs to 2300hrs on Sunday – Thursday and 1000hrs to midnight on Friday and Saturday and 1000hr to 0100 hours New Years Eve.
- The opening hours shall be 0600hrs until 23.30 hours Sunday to Thursday and 0600hrs to 0030 hours Friday and Saturday
- The CCTV footage to be retained for 31 days and that the footage will be available to Dorset Police and authorised officers without delay.
- The Consumption of alcohol to be contained within the area marked red on the plan attached to the Application.
- There shall be no external drinking after 21:00 in the designated seating area outside the Butler Suite.
- The premises licence holder shall take appropriate measures to ensure that patrons using any outside areas do so in a quiet and orderly fashion, including the smoking area at the front of the premises.

- All windows and external doors shall be kept closed after 21:00, except for the immediate access and egress of persons.
- All music in the Butler Suite shall be at background levels only
- There shall be no smoking at the front entrance to the venue and all smoking should take place at the designated smoking area to the side of the premises which is located away from the residents.
- A Sound Limiting device shall be installed in the main function room and set at a level so that music is not audible at the boundary of the site at the closest noise sensitive receptor. All external acts must play through the sound limiting device.

Conditions imposed by the Sub Committee as deemed appropriate to promote the Licensing Objectives, in particular securing public safety and preventing public nuisance.

- Risk Assessments should be conducted and recorded in advance of any function or event to ensure that there is a need for and/or correct level of SIA Door Supervision is deployed.
- A Risk Assessment is to be conducted and recorded as to consider whether a First Aid qualified person should be on-site during certain events.
- A Risk Assessment is to be conducted and recorded for private, member and promoted events.
- A Risk Assessment is to be conducted and recorded as to the requirement for accredited staff training for staff members on the premises when licensable activities are taking place.
- Risk assessments to be carried out and recorded to ascertain if a Personal Licence Holder should be present on the premises when any private, member and promoted event or function takes place.
- To be members of any local Pubwatch scheme.

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 5 and the verbal submissions made at the hearing by all parties.

At the Hearing, Dorset Police explained that they were grateful for the mediation that had occurred with the representatives of the Applicant. The Sub-Committee noted the agreed amendments and heard representations from Dorset Police and the Applicant with regard to additional conditions Dorset Police wished the Sub-Committee to consider.

It was noted that during the hearing the Applicant offered an additional term relating to the Licence only being valid provided that at all times a Members Club operates from the premises.

With regard to 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 sub-committee

acknowledged the concerns raised by the police in their representation against the application on the grounds of preventing crime and disorder as well as ensuring public safety. The areas of concern highlighted in the representation were the events that have been previously held at the premises, which have caused anti-social behaviour leading to issues for nearby residents.

The Sub-Committee noted the representation from Environmental Health and the conditions that Environmental Health wished the Sub Committee to consider should a licence be granted. The Applicant confirmed that the conditions suggested by Environmental Health could be agreed.

The Sub Committee noted the representations made relating to the impact the venue holding events has had on local residents due to the location of the premises being in such close proximity to residential homes. The Licensing Manager, Nanaka Randle confirmed at the hearing that since the grant of the minor variation application and despite the additional conditions imposed on the club premises certificate, noise complaints have continued to be reported. The Sub-Committee noted the Applicant's response to the incident in December 2023.

The Sub-Committee noted the applicant's intention to offer a more community-focused premise with a variety of activities being hosted to benefit members of the community of all ages, abilities, and backgrounds. Including more family-orientated sports activities.

In conclusion, the Sub-Committee was satisfied that if the premises operated in accordance with these additional conditions the premises should not undermine the licensing objectives.

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

The Sub-Committee also noted the Applicant's assurance that should a Premises Licence be granted the Applicant will surrender the Club Premises Certificate.

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.

74. Bargain Convenience Store, 495 Wimborne Road, Bournemouth

The Licensing Authority received an application to review the premises licence for the premises known as Bargain Convenience Store, 495 Wimborne Road, Bournemouth.

RESOLVED that the Sub Committee was asked to adjourn this hearing until 17 January 2023 in accordance with Regulation 12 of the

Licensing Act 2003 (Hearings) Regulations 2005, to enable the relevant parties to attend.

75. Nala Tapas and Cocktail Lounge, 134 - 137 West Hill Road, Bournemouth BH2 5EG

The Licensing Authority received an application to review the premises licence for the premises known as Nala Tapas and Cocktail Lounge, 134 – 137 West Hill Road, Bournemouth BH2 5EG.

RESOLVED that the Sub Committee was asked to adjourn this hearing until 17 January 2023 in accordance with Regulation 12 of the Licensing Act 2003 (Hearings) Regulations 2005, to enable the relevant parties to attend.

The meeting ended at 12.10 pm

CHAIRMAN