

# LICENSING SUB-COMMITTEE



Report subject	<b>Application for a Premises Licence at Trouville Hotel, 5-7 Priory Road, Bournemouth, BH2 5DH</b>
Meeting date	3 July 2024
Status	Public Report
Executive summary	<p>Mr Philip Day of Lacey's Solicitors has made an application on behalf of ABQ Leisure Ltd for a new premises licence at the Trouville Hotel, located at 5-7 Priory Road, Bournemouth</p> <p>The application is to permit:</p> <ul style="list-style-type: none"> <li>• Plays (Indoors) - 10:00 to 01:00 Monday to Sunday</li> <li>• Indoor sporting events - 10:00 to 01:00 Monday to Sunday</li> <li>• Live Music (Indoors) - 10:00 to 01:00 Monday to Sunday</li> <li>• Recorded Music (Indoors) - 10:00 to 01:00 Monday to Sunday</li> <li>• Performances of dance (Indoors) - 10:00 to 01:00 Monday to Sunday</li> <li>• Activity similar to music and dance (Indoors) - 10:00 to 01:00 Monday to Sunday</li> <li>• Late night refreshment (Indoors) - 23:00 to 01:00 Monday to Sunday for non residents and until 05:00 hours for residents and bona fide guests</li> <li>• Supply of Alcohol (On and Off Sales) from 10:00 to 01:00 on every day of the week, for non residents and 24 hours a day for residents and bona fide guests.</li> </ul> <p>The Licensing Authority has received representations from 27 other persons on the grounds that to grant the application would undermine the prevention of crime and disorder, prevention of public nuisance, public safety and protection of children from harm licensing objectives.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <p><b>a) Grant the application for a premises licence as made;</b></p> <p><b>b) Refuse the application for a premises licence;</b></p> <p><b>c) Grant the premises licence subject to additional conditions.</b></p> <p><b>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</b></p>

	<b>full reasons for their decision.</b>
Reason for recommendations	<p>The Licensing Authority may only consider aspects relevant to the application that have been raised in representation.</p> <p>Where representations have been received in relation to an application by 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):	Cllr Kieron Wilson – Portfolio Holder for Housing, and Regulatory Services.
Corporate Director	Jillian Kay – Corporate Director for Wellbeing
Report Authors	Ellie King – Licensing Officer
Wards	Bournemouth Central
Classification	For Decision

## Background

1. An application was made by Philip Day of Lacey's Solicitors on behalf of ABQ Leisure Ltd on 09 May 2024 for a premises licence to allow plays, indoor sporting events, live and recorded music, performances of dance and activity similar to music and dance between 10:00 and 01:00 hours on every day of the week. Provision of late night refreshment between 23:00 and 01:00 hours for non residents and until 05:00 for residents and their guests and on and of sales of alcohol between 10:00 and 01:00 for non residents and 24 hours a day for residents and their guests.
2. A copy of the application and layout plan is attached at appendix 1.
3. A location plan is shown at appendix 2.
4. This premises previously benefitted from a premises licence which permitted live and recorded music, performance of dance and activity similar to music and dance between 10:00 and 01:00 on every day of the week, late night refreshment between 23:00 and 01:00 on every day of the week and on and off sales of alcohol between 10:00 and 01:00 Monday to Saturday and 12:00 and 01:00 on Sunday.
5. The new application largely replicates the lapsed licence, with the exception of the following:
  - Plays and indoor sporting events have been added to the licensable activities,
  - The licensable hours for the supply of alcohol to non residents have been extended to allow alcohol to be supplied on a Sunday from 10:00 instead of 12:00 and to permit the supply of alcohol to residents and their bona fide guests 24 hours a day.
  - The licensable hours for late night refreshments to residents and their bona fide guests has been extended to 05:00 to allow the hotel to provide hot food and drinks to their residents and bona fide guests 24hrs a day .
  - Amended conditions have been offered.
6. The previous licence lapsed on 21 February 2024 because the licence holder was the subject of insolvency under Section 27 of the Licensing Act 2003 and no application was made to transfer the licence under Section 50 was made in time to secure the licence.
7. There have been no complaints or issues reported to the licensing authority in respect of these premises.

## **Consultation**

8. 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.
9. The application prompted representations from 27 other persons under the prevention of crime and disorder, prevention of public nuisance, public safety and protection of children from harm licensing objectives.
10. A copy of the representations received is attached at Appendix 3
11. There are no representations from any of the Responsible Authorities.

## **Options Appraisal**

12. Before making a decision, Members are asked to consider the following matters:
  - The representations made by the 27 other persons
  - The submissions made by or on behalf of the applicant
  - The relevant licensing objectives, namely the prevention of crime and disorder, prevention of public nuisance and public safety and the protection of children from harm.
  - The Licensing Act 2003, appropriate Regulations, Statutory Revised Guidance issued under Section 182 of the Licensing Act 2003 (December 2023) and the Council's Statement of Licensing Policy

## **Summary of financial implications**

13. An appeal may be made against the decision of the Sub-Committee by the applicant or any party making representation to the Magistrates' Court which could have a financial impact on the Council.

## **Summary of legal implications**

14. If Members decide to determine the application or attach conditions to the licence, in a way which the applicant or those making representations do not agree to, then those parties may appeal to the Magistrate's Court within a period of 21 days beginning with the day such parties are notified in writing, of the decision.

## **Summary of human resources implications**

15. There are no human resources implications.

## **Summary of sustainability impact**

16. There are no sustainability impact implications.

## **Summary of public health implications**

17. There are no public health implications.

## **Summary of equality implications**

18. There are no equality implications.

## **Summary of risk assessment**

19. There are no risk assessment implications

## **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 (December 2023)**

[Revised Guidance issued under section 182 of the Licensing Act 2003  
\(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/123456/Revised_Guidance_issued_under_section_182_of_the_Licensing_Act_2003.pdf)

## **Appendices**

- 1 - Copy of premises licence application and layout plan
- 2 - Location plan
- 3 - Copy of representations from 27 other persons.