

LICENSING SUB-COMMITTEE



Report subject	Dancing Jug, 2 Southbourne Grove, Bournemouth, BH6 3RB
Meeting date	22 August 2024
Status	Public Report
Executive summary	<p>John Gaunt and Partners have made application on behalf of Dancing Jug Bournemouth Limited for a new premises licence at 2 Southbourne Grove, Bournemouth.</p> <p>The application is to permit Live and Recorded Music, Supply of Alcohol (On & Off Sales) 10:00 to 00:00 Sunday to Wednesday, 10:00 to 00:30 on Thursday and 10:00 to 01:30 Friday and Saturday and Late Night Refreshment 23:00 to 00:30 Sunday to Wednesday, 23:00 to 01:00 Thursday and 23:00 to 01:30 Friday & Saturday.</p>
Recommendations	<p>It is RECOMMENDED that Members:</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 has received eighteen representations from Other Persons and two petitions with 192 signatures on the grounds that granting the licence would undermine the prevention of crime and disorder, public safety, public nuisance and protection of children from harm licensing objectives.</p> <p>The Environmental Health Department submitted representation on the grounds of the prevention of public nuisance and Dorset Police made representation on the grounds of the prevention of crime and disorder and public safety licensing objectives.</p> <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</p>

	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.
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Portfolio Holder(s):	Cllr Kieron Wilson – Portfolio Holder for Housing, and Regulatory Services.
Corporate Director	Jillian Kay – Corporate Director for Wellbeing
Report Authors	Tania Jardim – Licensing Officer
Wards	West Southbourne
Classification	For Decision

Background

1. An application for a new premises licence under Section 17 of the Licensing Act 2003 was made on 1 July 2024.
2. The application is for a bar and restaurant to permit the following: -

Live Music (Indoors)

Sunday to Wednesday - 10:00 to 00:00

Thursday - 10:00 to 00:30

Friday & Saturday - 10:00 to 01:30

Recorded Music (Indoors)

Sunday to Wednesday - 10:00 to 00:00

Thursday - 10:00 to 00:30

Friday & Saturday - 10:00 to 01:30

Late Night Refreshment

Sunday to Wednesday - 10:00 to 00:30

Thursday - 10:00 to 01:00

Friday & Saturday - 10:00 to 01:30

Supply of Alcohol (On & Off Sales)

Sunday to Wednesday - 10:00 to 00:00

Thursday - 10:00 to 00:30

Friday & Saturday - 10:00 to 01:30

A copy of the application is attached at Appendix 1.

3. A plan showing the location of the premises is attached at Appendix 2.

Consultation

4. The application was served on all responsible authorities and the applicant has confirmed that the statutory notice was displayed on site and published in the local newspaper.

5. The application resulted in 18 representations from other persons in objection to the application under the prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm licensing objectives. One representation is from a ward councillor on behalf of four local residents. These representations are attached at Appendix 3.
6. One representation in support of the application was also received and this is attached at Appendix 4.
7. Representations were received from Environmental Health on the grounds of prevention of public nuisance and Dorset Police on the ground of prevention of crime and disorder and public safety. Representations are attached at Appendix 5.
8. Two further representations in the form of petitions were received, one with 93 signatures and the other with 36 signatures. The petitions have been dated 30 July 2024 by BCP Council's Digital Mail Department, however, we have received confirmation that they were delivered to BCP Council on the 29 July, which is within the consultation period. Petitions are attached at Appendix 6.

Options Appraisal

9. Before making a decision, Members are asked to consider the following matters: -
 - The representations made by eighteen other persons and 2 Petitions with 129 signatures.
 - The representations made by Environmental Health and Dorset Police.
 - The submissions made by or made on behalf of the applicant.
 - The relevant licensing objectives, namely the prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm.
 - The Licensing Act 2003, Regulations, Guidance and Council's Statement of Licensing Policy.

Summary of financial implications

10. 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

11. If Members decide to refuse the application or attach conditions to the licence which the applicant or other persons who made representation do not agree to, the applicant or such other persons 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.

Summary of human resources implications

12. There are no human resources implications.

Summary of sustainability impact

13. There are no sustainability impact implications.

Summary of public health implications

14. There are no public health implications.

Summary of equality implications

15. There are no equality implications.

Summary of risk assessment

16. 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)

https://assets.publishing.service.gov.uk/media/6579dec8095987000d95e063/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_-_December_2023.pdf

Appendices

1 – Copy application form and layout plan.

2 – Copy location plan.

3 – Copy representations from other persons in objection to application.

4 – Copy representation from other person in support of application.

5 – Copy representations from responsible authorities.

5 – Copy Representations in form of Petitions.