

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 09 December 2024 at 10.00 am

Present: Cllr A Chapmanlaw, Cllr M Dower and Cllr A Keddle

67. Election of Chair

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

Voting: Unanimous

68. Apologies

There were no apologies received.

69. Declarations of Interests

There were no declarations of interest.

70. Protocol for Public Speaking at Licensing Hearings

The protocol was noted.

71. Dancing Jug, 15-17 Poole Hill, Bournemouth, BH2 5PW

Attendance:

BCP Council:

Sarah Rogers – Senior Licensing Officer

Linda Cole – Legal Advisor to the Sub Committee

Sinead O’Callaghan – Clerk to the Sub Committee

Claire Johnston – Democratic Services support

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

The Licensing Officer 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 the applications for two standard Temporary Event Notices (TENs) to cover the following periods:

1. Wednesday 11th December 2024 to Sunday 15th December 2024
2. Wednesday 18th December 2024 to Sunday 22nd December 2024

Each TEN was made to permit an extension of hours, permitted under the current premises licence for licensable activities from 00:00 to 02:00, on each evening, for late night refreshment and the sale of alcohol.

The Licensing Authority received an objection from Dorset Police as relevant persons under the prevention of crime and disorder, public safety and 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:

Mugarel Samanariu - Applicant
Julie-Ann Towers - Designated Premises Supervisor
Gareth Gosling - Dorset Police
Louise Busfield - Dorset Police

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

All parties were invited to sum up before the Sub-Committee retired to make its decision.

RESOLVED that the applications for 2 standard Temporary Event Notices to cover the periods of Monday 11 December 2024 to Sunday 15 December 2024 and Wednesday 18 December 2024 to Sunday 22 December 2024 made to permit an extension of hours, permitted under the current premises licence for licensable activities from 00:00 to 02:00, on each evening, for late night refreshment and the sale of alcohol be refused by way of a counter notice.

Counter Notice

On 25 November 2024 the licensing authority received from you, Mr Sumanariu, two standard temporary event notices (“the notices”) in respect of proposed temporary licensable activities due to take place on Wednesday 11th to Sunday 15th December 2024 and Wednesday 18th to Sunday 22nd December 2024 at the Dancing Jug, 15-17 Poole Hill, Bournemouth BH2 5PW. The licensing authority is satisfied that if the activities were to take place the Prevention of Crime and Disorder and Public Safety Licensing Objectives would be undermined.

The Sub-Committee heard from the applicant Mr Mugarel Samanariu, the Premises Licence Holder and Julie-Ann Towers the DPS. They also heard from Sgt Gosling of Dorset Police.

In making their decision the Sub-Committee balanced the requirements of the premises against the objections of Dorset Police. They commended the work of the new premises licence holder and DPS who had been in place since the 16 October 2024 and noted that the hours of licensable activities had been reduced and new conditions added to the licence on

recommendation of Dorset Police by minor variation with effect from 1 October 2024. They were pleased to hear that they were changing the culture of the premises and were taking it in a new food led direction. The combination of a reduction in hours, additional conditions and a change in management appeared to be working successfully as there had been no recent reported incidents of crime and disorder.

Whilst this is very positive, the Sub-Committee agrees with Dorset Police and does not feel that enough time has passed to ensure that these changes have been fully embedded. The Premises also need to have more time to show that these positive changes can be maintained. There are concerns that extending hours for licensable activities over the busy Christmas period would be detrimental to the progress made and undermine the Crime and Disorder and Public Safety Licensing Objectives.

For these reasons the decision has been taken to issue this Counter Notice which refers to each of the Temporary Event Notices.

A copy of this counter notice will be sent to the chief of police for the area in which the premises specified in the temporary event notices you gave is situated.

There is a right of appeal against this Counter Notice and that appeal should be made to Dorset Magistrates' Court. No appeal however may be brought later than five working days before the day on which the event period specified in the TEN begins. This means you are only able to appeal in respect of the TEN commencing on the 18th December 2024.

Under section 136 of the Licensing Act 2003, a person commits an offence if he carries on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be so carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.

The meeting ended at 11.47 am

CHAIRMAN

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