

# LICENSING SUB-COMMITTEE



Report subject	<b>Fisherman's Walk Kiosk, Boscombe Promenade, Bournemouth, BH1 3BZ</b>
Meeting date	1 April 2025
Status	Public Report
Executive summary	<p>Bournemouth Christchurch and Poole Council's Seafront Operations have made an application for a premises licence at Fisherman's Walk Kiosk on Boscombe Promenade.</p> <p>The application is to permit the off sale of alcohol from 09:30 to 19:30 every day of the week.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <ul style="list-style-type: none"><li><b>a) Grant the application for a premises licence as made;</b></li><li><b>b) Refuse the application for a premises licence;</b></li><li><b>c) Grant the premises licence subject to additional conditions.</b></li></ul> <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 full reasons for their decision.</b></p>
Reason for recommendations	<p>The Licensing Authority has received one representation from a local resident on the grounds that to grant the application it would undermine 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 the 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	Tania Jardim – Licensing Officer
Wards	East Cliff & Springbourne
Classification	For Decision

### **Background**

1. An application for a premises licence under Section 17 of the Licensing Act 2003 was submitted on 10 February 2025.
2. The application is to permit the off-sale supply of alcohol from the kiosk at Fisherman’s Walk, between 09:30 and 19:30, Monday to Sunday. A copy of the application including location plan is attached at Appendix 1.

### **Consultation**

3. The application was served on all responsible authorities, and the applicant has confirmed that statutory notices were displayed on site and published in the local newspaper.
4. The application prompted one representation from one other person on the grounds that granting the licence would undermine the prevention of crime and disorder and public safety licensing objectives. A copy of this representation is attached at Appendix 2.

### **Options Appraisal**

5. Before making a decision, Members are asked to consider the following matters: -
  - The representation made by one other person.
  - The submissions made by or made on behalf of the applicant.
  - The relevant licensing objectives, namely the prevention of crime and disorder and public safety.
  - The Licensing Act 2003, Regulations, Guidance and Council’s Statement of Licensing Policy.

### **Summary of financial implications**

6. 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**

7. If Members decide to refuse the application or attach conditions to the licence which the applicant, or the other person who made a representation do not agree to, the applicant or such other person 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**

8. There are no human resources implications.

### **Summary of sustainability impact**

9. There are no sustainability impact implications.

### **Summary of public health implications**

10. There are no public health implications.

### **Summary of equality implications**

11. There are no equality implications.

### **Summary of risk assessment**

12. 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 (February 2025)**

[https://assets.publishing.service.gov.uk/media/67b73b7b78dd6cacb71c6ac8/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_-\\_October+2024+1\\_.pdf](https://assets.publishing.service.gov.uk/media/67b73b7b78dd6cacb71c6ac8/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_-_October+2024+1_.pdf)

### **Appendices**

- 1 – Copy Application
- 2 – Representation from one other person.