

LICENSING SUB-COMMITTEE



Report subject	Dancing Jug, 2 Southbourne Grove, Bournemouth, BH6 3RP
Meeting date	9 April 2025
Status	Public Report
Executive summary	<p>Mr Ion Mugarel Sumanariu has made an application for a premises licence to permit the following licensable activities and times :</p> <p>Live and Recorded Music (indoors) Monday to Saturday 10:00 to 00:00 Sunday 10:00 to 23:30</p> <p>Late Night Refreshment (indoors) Monday to Saturday 23:00 to 00:00 Sunday 23:00 to 23:30</p> <p>Supply of Alcohol (on and off sales) Monday to Saturday 10:00 to 00:00 Sunday 10:00 to 23:30</p> <p>An extension on new Year's Eve from 10:00 to 00:00 on 2nd January each year is also requested.</p>
Recommendations	<p>It is RECOMMENDED that members:</p> <p>a) Grant the application for a premises licence as made; or b) Refuse the application for a premises licence; or c) Grant the premises licence subject to additional conditions.</p> <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 1 representation from an other person on the grounds that to grant the application will undermine the prevention of public nuisance licensing objective.</p> <p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the representations.</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>
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Portfolio Holder(s):	Councillor Kieron Wilson – Portfolio Holder for Housing and Regulatory Services
Corporate Director	Jillian Kay – Corporate Director for Wellbeing
Report Authors	Sarah Rogers – Principal Licensing Officer
Wards	West Southbourne
Classification	For Decision

Background

1. An application for a premises licence under Section 17 of the Licensing Act 2003 was received by the Licensing Authority on 18 February 2025. A copy of the application is attached at Appendix 1.
2. A plan showing the location of the premises is attached at Appendix 2.
3. The premises previously operated as a bank and has not previously been licensed.
4. An application for a premises licence was previously made on 2 July 2024. At that time a terminal hour of 01:30 on Friday and Saturdays, 00:30 on Thursday and 00:00 on Sunday to Wednesday was sought, together with an extension until 01:30 on Sundays before a Bank Holiday Monday and on New Year's Eve. However, following representations from residents, petitions in opposition and representations by Dorset Police and Environmental Health the application was subsequently withdrawn on 20 August 2024.
5. Prior to submission of this current application the applicant carried out a pre-application consultation with the responsible authorities on 13 January 2025 to seek their guidance and expertise before finalising the application paperwork.
6. Environmental Health responded and mediated a number of terms and conditions which resulted in a further draft application being sent on 11 February 2025 incorporating these. This was further consulted with Environmental Health and Dorset Police.

Consultation

7. The application was served on all responsible authorities and the applicant confirmed that the statutory newspaper and site notices had been dealt with in accordance with the Regulations.
8. The Licensing Authority received 1 representation from a resident on the grounds that to grant the application would undermine the prevention of public nuisance licensing objective. A copy of the representation and associated correspondence is attached at Appendix 3.
9. Environmental Health mediated further conditions including the installation of a noise limiter, as follows, and the applicant agreed to amend the application to also include these and to cease live music at 23:00, each day of the week –

“A noise limiter shall be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses.

The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder.

The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be affected without prior knowledge of an authorised Officer of the Environmental Health Service.

No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

All controls in respect to preventing noise from live and recorded music from the venue as outlined under the ‘Prevention of Nuisance’ section (M) shall be implemented for the duration of the opening hours and not only after 23:00 when the provisions of the Live Music Act cease to come into effect.”

10. Dorset Police mediated conditions with the applicant which are attached at Appendix 4.
11. No representations were received from any of the other responsible authorities or any other person.

Options Appraisal

12. Before making a decision, Members are asked to consider the following matters:-
 - The representation made by one other person.
 - The submissions made by or on behalf of the applicant.
 - The relevant licensing objective, namely the prevention of public nuisance.
 - The Licensing Act 2003, Regulations, Section 182 Guidance 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 a representation to the Magistrates' Court which could have a financial impact on the Council.

Summary of legal implications

14. If Members decide to refuse the application or impose conditions on the licence which the applicant or other person 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

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 is no requirement for a risk assessment.

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)

[Revised guidance issued under section 182 of the Licensing Act 2003 \(February 2025\) \(accessible version\) - GOV.UK](#)

Appendices

- 1 – Copy Application
- 2 – Location Plan
- 3 – Representation from other person
- 4 - Conditions agreed with Dorset Police