

# LICENSING SUB-COMMITTEE



Report subject	<b>Harry Ramsden, East Beach, Undercliff Drive, Bournemouth, BH1 2EZ</b>
Meeting date	20 May 2025
Status	Public Report
Executive summary	<p>Deep Blue Restaurants Limited have made an application to vary the premises licence for Harry Ramsden, East Beach, Undercliff Drive, Bournemouth.</p> <p>The current premises licence permits Live Music 12:00 to 00:00, Recorded Music 09:00 to 00:00, Late Night Refreshment 23:00 to 00:00 indoors only and Supply of Alcohol on the premises only 10:00 to 00:00, every day of the week.</p> <p>The applicant is seeking permission for the provision of the existing licensable activities to take place outdoors and for the off-sale supply of alcohol. No request has been made for an extension of the times already permitted under the licence or any amendments to conditions.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <p><b>Members are asked to decide whether to: -</b></p> <p><b>a) Grant the application for variation as made;</b></p> <p><b>b) Refuse the application, or part of, for variation to the premises licence;</b></p> <p><b>c) Grant the application, or part of, 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 full reasons for their decision.</b></p>
Reason for recommendations	<p>The Licensing Authority has received five representations from local residents on the grounds of the Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children from Harm licensing objectives.</p> <p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the representation. Where</p>

	representations have been received from 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 the application 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	Graham Farrant – Chief Executive
Report Authors	Tania Jardim – Licensing Officer
Wards	Bournemouth Central
Classification	For Decision

## Background

1. An application to vary the premises licence, under Section 34 of the Licensing Act 2003 was made by Deep Blue Restaurants Limited on 27 March 2025. A copy of the application is attached at Appendix 1.
2. Harry Ramsden benefit from a premises licence which was issued on the 2 December 2020 and is attached at Appendix 2. The premises licence authorises the following activities :-  
Live Music: (Indoors) Monday to Sunday - 12:00 to 00:00  
Recorded Music: (Indoors) Monday to Sunday - 09:00 to 00:00  
Late Night Refreshment: (Indoors) Monday to Sunday - 23:00 to 00:00  
Supply of Alcohol: (On Sales only) Monday to Sunday - 10:00 to 00:00
3. The variation application is to permit the same licensable activities (Live Music, Recorded Music, Late Night Refreshment) to take place outdoors and for the off-sale supply of alcohol. No change to the current times of licensable activities or any of the existing premises licence conditions have been requested within the variation application.

## Consultation

4. The application was served on all responsible authorities and the applicant confirmed that the statutory notices were displayed on the premises and published in the local newspaper.
5. The application prompted five representations from other persons in objection of the application, on the grounds that granting the variation would undermine the four licensing objectives. A copy of the representations are attached at Appendix 3.
6. The applicant made contact with those persons who made representations by way of a letter which is attached at Appendix 4.
7. The licensing officer contacted the applicant with a view to clarify points made on the letter sent to persons making representations and the applicant has agreed for the following conditions to be added to the premises licence, should the variation be granted: -
  - *Outdoor music shall be restricted to low-level, background recorded music and shall be turned off at 10:00 pm each evening.*

- *No live music shall be provided outdoors.*
- *Alcohol shall only be available for takeaway when purchased alongside food.*
- *All alcohol sales shall end at 10pm*

Copy correspondence agreeing to these conditions is attached at Appendix 5.

8. Other persons who made representations were advised of the new conditions offered by the applicant. Of the five persons who made representations, one has now been withdrawn and at the time of releasing the report two have responded to confirm their objections still stand and the remaining two have not responded. If there is any change, members will be advised at the hearing.

Attached at Appendix 6 are responses received from other persons in response to the applicant's letter and their subsequent acceptance of offered conditions.

### **Options Appraisal**

9. Before making a decision, Members are asked to consider the following matters: -
  - The representations made by other persons.
  - 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, appropriate Regulations, Statutory Revised Guidance issued under Section 182 of the Licensing Act 2003 (February 2025) and the Council's Statement of Licensing Policy.

### **Summary of financial implications**

10. An appeal may be made against the decision of Members by the applicant or other persons 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 does not agree to, the applicant 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 (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 variation application.
- 2 – Copy premises licence.
- 3 – Representation from five other persons.
- 4 – Letter from applicant to persons making representations.
- 5 – Correspondence with agreed conditions.
- 6 – Responses from other persons.