

LICENSING SUB-COMMITTEE



Report subject	Application to vary the Premises Licence at Chicken Cottage, 196- 198 Alma Road, Bournemouth, BH9 1AJ
Meeting date	2 July 2025
Status	Public Report
Executive summary	<p>Mr Garip Ozcan made an application to vary the premises licence at Chicken Cottage.</p> <p>The application seeks to extend the licensable hours for the provision of late-night refreshment.</p> <p>The licence currently permits the provision of late-night refreshment between 23:00 and 00:30 on every day of the week. This application proposes to extend the terminal hour for the provision of late-night refreshment to 02:00 on everyday of the week.</p> <p>The Licencing authority has received 2 representations, 1 from BCP Councils' Environmental Health team and the other from a local resident.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members are asked to decide whether to:-</p> <p>a) Grant the application to vary the premises licence as made.</p> <p>b) Refuse the application for the variation of the premises licence.</p> <p>c) Grant the variation of 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 representations from Paul Barker of BCP Councils' Environmental Health team and a local resident on the grounds that to grant the application would undermine the prevention of public nuisance licensing objective.</p> <p>The Licensing Authority may only consider aspects relevant to the</p>

	<p>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 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):	Cllr Kieron Wilson – Portfolio Holder for Housing, and Regulatory Services.
Corporate Director	Graham Farrant – Chief Executive
Report Authors	Ellie King – Licensing Officer
Wards	Winton East;
Classification	For Decision

Background

1. This premises has benefitted from a premises licence permitting the provision of late-night refreshment until 00:30 on every day of the week since 24 November 2005.

A copy of the existing licence is attached at Appendix 1
2. On 01 April 2025 the Licensing authority received information that the premises was operating beyond permitted hours and were therefore operating in breach of their premises licence.
3. On 02 April 2025 a Licensing Officer made contact with the licence holder to address this and advised Mr Ozcan that the premises must make application to vary the premises licence if he wished to undertake licensable activity beyond 00:30.
4. The Licensing Authority have not been able to obtain direct evidence of trading beyond 00:30, however, complaints in relation to noise from the extractor fan after 00:30 are still being received which may indicate that they are trading beyond permitted hours. I spoke to the applicant in relation to this on 08 May 2025. Mr Ozcan denied this and advised that he has been closing at 00:30.
5. An Application from Mr Garip Ozcan to vary the premises licence under Section 34 of the Licensing Act 2003 was received by the licensing authority on 09 May 2025. The application seeks to extend the terminal hour for the provision of late-night refreshment from 00:30 to 02:00 on every day of the week.

A copy of the variation application is attached at Appendix 2

A Location Plan is attached at Appendix 3

Consultation

6. The application was served on all responsible authorities. The applicant confirmed that the statutory notices were displayed on site and published in the local newspaper.
7. The application prompted two representations, 1 from Paul Barker of BCP Councils' Environmental Health Team and 1 from 1 other person on the grounds that granting the licence would undermine the prevention of public nuisance licensing objective.

A copy of the representations is attached at Appendix 4.

Options Appraisal

8. Before making a decision, Members are asked to consider the following matters: -
- The representation made by environmental health and 1 other person .
 - The relevant licensing objectives, namely the prevention of public nuisance.
 - The Licensing Act 2003, appropriate Regulations, Statutory Revised Guidance issued under Section 182 of the Licensing Act 2003 (August 2023) and the Council's Statement of Licensing Policy.

Summary of financial implications

9. 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

10. 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

11. There are no human resources implications

Summary of sustainability impact

12. There are no sustainability impact implications.

Summary of public health implications

13. There are no public health implications.

Summary of equality implications

14. There are no equality implications.

Summary of risk assessment

15. 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

Appendices

Appendix 1 - Existing Licence

Appendix 2 - Variation Application

Appendix 3 - Location Plan

Appendix 4 - Copy of representations