

LICENSING SUB-COMMITTEE



Report subject	BigWigs Bakery, 9 Marlow Drive, Christchurch, BH23 2RR
Meeting date	30 July 2025
Status	Public Report
Executive summary	<p>BigWigs Bakery Limited have made an application for a premises licence at 9 Marlow Drive.</p> <p>The application is to permit recorded music and the supply of alcohol (on and off sales) from 07:30 to 23:00 every day of the week.</p> <p>The application has generated four representations from other persons.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <ul style="list-style-type: none"> a) Grant the application for a premises licence as made; b) Refuse the application for a premises licence; c) Grant the premises licence subject to additional conditions. <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 four representations from other persons on the grounds that to grant the application will undermine the licensing objectives of the prevention of crime and disorder, public safety and the prevention of public nuisance.</p> <p>The Licensing Authority may only consider aspects relevant to the 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>

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	Commons
Classification	For Decision

Background

1. An application for a new premises licence under Section 17 of the Licensing Act 2003 was submitted on 9 April 2025.
2. The application seeks permission to provide recorded music 07:30 to 23:00 and the supply of alcohol for both on and off sales from 07:30 to 23:00 Monday to Sunday. A copy of the application including layout plan is attached at Appendix 1.
3. A plan showing the location of the premises is attached at Appendix 2.

Consultation

4. The application was served on all responsible authorities.
5. The advertising regulations under the Licensing Act were not initially adhered to which resulted in the 28 day consultation period having to re-start. The applicant subsequently confirmed that the statutory notices were displayed on site and published in the local newspaper.
6. The application resulted in four representations from other persons objecting to the application under the prevention of crime and disorder, public safety and the prevention of public nuisance licensing objectives. A copy of these representations is attached at Appendix 3.
7. The representations also raised several concerns outside the scope of the Licensing Act 2003, including business competition, toilet facilities, health and hygiene issues, and public access. The individuals have been advised accordingly and signposted to the appropriate channels.
8. A query was raised regarding a discrepancy between the hours requested for licensable activities and the stated opening hours on the application form. It was clarified that the 16:00 closing time refers to the premises' regular public closing time, however the applicant has confirmed that during certain periods, such as summer weekends (Friday to Sunday), they intend to remain open in line with the licensable activity hours if granted. Although the Licensing Authority does not regulate opening hours, the applicant has agreed to amend the stated opening hours to match the licensable hours for clarity.
9. In response to the representations, the applicant has offered to reduce the hours for alcohol sales and the premises' opening hours to now terminate at 20:00. A copy of the email mediating conditions is attached at Appendix 4.

10. Mediation took place between the applicant and BCP Council's Environmental Health Department, and the following conditions were agreed which will form part of the licence, should it be granted: -

- Loudspeakers shall not be located in a position internally that will create a nuisance, and loudspeakers shall not be placed outside the premises building or on the outside of any building forming a part of the premises.
- No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- All windows and external doors shall be kept closed after 20:00 hours, except for the immediate access and egress of persons.
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
- No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 07.00 hours on the following day.
- No collections of waste or recycling materials (including bottles) from the premises or deliveries to the premises shall take place between 23.00 and 07.00 on the following day
- The business shall keep the area adjacent to its business clean and tidy and provide adequate litter bins for customer use.
- All audio from the music system will be played at background level only
- Beyond 20.00hrs patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
- The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
- All tables and chairs shall be removed from the outside area by 23:00 each day.

11. No other representations were received from any of the other responsible authorities.

Options Appraisal

12. Before making a decision, Members are asked to consider the following matters: -

- The representations made by other persons.
- The submissions made by or made on behalf of the applicant.
- The relevant licensing objectives, namely the prevention of crime and disorder, public safety and prevention of public nuisance.
- The Licensing Act 2003, Regulations, Guidance and 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 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 attach conditions to the licence which the applicant, or the responsible authority who made a representation do not agree to, the applicant or such responsible authority 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 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

- 1 – Copy Application
- 2 – Copy Location Plan
- 3 – Representations from Other Persons

4 – Email offering reduction of hours.