

**BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**  
**LICENSING SUB-COMMITTEE**

Minutes of the Meeting held on 29 July 2025 at 10.00 am

Present:-

Present: Cllr P Canavan, Cllr G Farquhar and Cllr D A Flagg

33. Election of Chair

**RESOLVED that Councillor Flagg be elected Chairman of the Sub-Committee for the duration of the meeting.**

Voting: Unanimous

34. Apologies

An apology for absence was received from Cllr Williams and Cllr Chapmanlaw stepped up as 1st reserve to sit on the Sub-Committee.

35. Declarations of Interests

There were no declarations of interest.

36. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking was noted.

37. Application for a Premises Licence at Cafe Deuce, Branksome Park Tennis Courts and Pavilion Leicester Road Poole BH13 6BZ

**BCP Council:**

Ellie King – Senior Licensing Officer

Andy McDiarmid – Legal Advisor to the Sub-Committee

Sinead O’Callaghan – Clerk to the Sub-Committee

The Chair made introductions and explained the procedure for the hearing, which was agreed by all parties.

The Licensing Officer presented a report, a copy of which had been circulated and a copy of which appears as Appendix ‘A’ to these minutes in the Minute Book. The Licensing Sub-Committee was asked to consider a new Premises Licence application made by Cafe Deuce to seek permission for the on sale of alcohol between 09:00 and 22:30, seven days a week.

The application received 1 representation from a local resident on the grounds that to grant the application would undermine the prevention of public nuisance, public safety and protection of children from harm licencing objectives and received 37 representations in support of the application.

The following persons attended the hearing and addressed the Sub-Committee to expand on the points made in their written submissions:

For the Applicant:

Lisa Kirkpatrick – The applicant

David Mason – In support of the applicant

Ann O’Riordan - In support of the applicant

Objector:

David Robinson – Resident

The Sub-Committee asked various questions of all parties present and was grateful for the responses received. All parties had the opportunity to ask questions.

All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the hearing, the Legal Advisor advised all parties of the right of appeal.

**RESOLVED that the application for a Premises Licence at Cafe Deuce, Branksome Park Tennis Courts and Pavilion Leicester Road Poole BH13 6BZ, be GRANTED as applied for, to include the conditions offered by the Applicant in Part 3 of the Operating Schedule, Paragraph M, and the following additional condition agreed with BCP Council Environmental Health through mediation prior to the hearing, namely:-**

- **No speakers for the amplification of music shall be placed on the outside of the premises or on the exterior of any building forming part of the premises.**

Reasons for Decision:

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the report for Agenda Item 5, together with the supplementary evidence submitted and the verbal submissions made at the hearing by the applicant, Lisa Kirkpatrick, Ann O’Riordan, and David Mason, who both spoke in support of the application, David Robinson, who spoke in objection, and Ellie King, the Licensing Officer.

The Sub-Committee considered comments made by the Applicant confirming previous licensable activities that had taken place under five Temporary Event Notices granted since the Applicant took control of the premises in February. No complaints or concerns have been received regarding these temporary events.

The Sub-Committee also noted that the Applicant had taken the opportunity to negotiate with Environmental Health and agreed to the additional

condition set out above which demonstrated her wish to not undermine the licensing objectives.

The Sub-Committee noted the written representations and verbal submissions made by David Robinson, who raised concerns about the premises being located within the Branksome Park and Chine Gardens Conservation Area. He highlighted the potential impact on the character of the area should the licence be granted, particularly due to the proposed hours for alcohol sales from 09:00 to 22:30 daily. Mr Robinson expressed concern that the licence, if granted without specific restrictions, could allow the premises to evolve into a drinking establishment, which he felt would be inappropriate for the location. He also raised safeguarding concerns regarding the sale of alcohol during times when children are present in the area.

The Sub-Committee acknowledged Mr Robinson's concerns, particularly in relation to the conservation area and the protection of children from harm. However, they noted that each application must be considered on its own merits and that the Licensing Act does not permit decisions to be based on speculation about future changes in ownership or operation.

The Sub-Committee acknowledged the concerns raised by Mr Robinson but was satisfied that the applicant had demonstrated a clear understanding of the licensing objectives and had taken appropriate steps to ensure the responsible operation of the premises. On this basis, the Sub-Committee did not consider there to be sufficient grounds to justify refusing the application. It was noted that the cafe currently operates from 09:00 to 14:00 daily, with occasional evening events such as quiz nights, and that the applicant had received support from local residents, club members and café visitors. The applicant advised the Sub-Committee that it was not her intention to turn Café Deuce into a pub but wanted the opportunity to be flexible and to enhance her offer when running community events.

The Sub-Committee also considered the comments made by the Licensing Officer regarding the significant level of public support for the application. In addition, clarification was provided by the Senior Rights of Way Officer, confirming that no formal permission was required for use of the adjacent public footpath, although maintaining clear access was encouraged as a matter of courtesy.

The Sub-Committee was satisfied that the applicant had addressed the concerns raised during the hearing and had shown a commitment to upholding and supporting the licensing objectives. It was noted that the premises has limited seating capacity, with 26 seats available indoors and 20 outdoors, and restricted refrigeration space, which naturally limits the volume of alcohol that can be stored and served. The Sub-Committee considered the cafe to be a sustainable and positive offering for the local community, supporting both tennis club users and members of the public.

In conclusion, the Sub-Committee was satisfied that if the premises operated in accordance with the conditions offered by the Applicant as set

out in the Operating Schedule in section M of the application and the additional condition agreed with BCP Council Environmental Heath that the premises should not undermine the licensing objectives.

It was noted that a review of the premises licence could be applied for at any time by a Responsible Authority or any other person should there be any issues associated with the premises in the future that undermine the licensing objectives.

In making this decision the Sub-Committee have had regard to the Bournemouth, Christchurch and Poole Council Statement of Licensing Policy, the revised guidance, as set out by the Secretary of State and the licensing objectives, as set out in the Licensing Act 2003.

All parties to the application have the right to appeal to the Magistrate's Court within the period of twenty-one days beginning with the day on which the applicant is notified by the Licensing Authority of this decision in writing.

38. Application for a Premises Licence at Chicken n Beer 58 Stanfield Road Bournemouth BH9 2NP

The Licensing Authority had received an application for a new premises licence for the premises known as Dolce Vita, 147 – 149 Commercial Road, Poole.

The Sub Committee agreed to adjourn the hearing until 27 August 2025 to enable all parties to be represented at the hearing. This was in accordance with Regulation 12 of the Licensing Act 2003 (Hearings) Regulations 2005 and was with the agreement of all parties.

The meeting ended at 11.03 am

CHAIRMAN