

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 12 November 2025 at 10.15 am

Present: Cllr A Chapmanlaw, Cllr G Farquhar and Cllr D A Flagg

104. Election of Chair

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

Voting: Unanimous

105. Apologies

No apologies for absence were received.

106. Declarations of Interests

There were no declarations of interest.

107. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking was noted.

108. Exclusion of Press and Public

RESOLVED that the Exclusion of the Press and Public is not passed for agenda item 6, as it is no longer required due to the item being deferred.

109. Consideration of continued suitability to hold a Hackney Carriage and Private Hire Drivers Licence

The Sub-Committee considered a request from the driver to defer his Hearing until February 2026 due to personal circumstances. The Licensing Officer supported this request.

RESOLVED that this item be deferred until February 2026.

110. The Beach House, Mudeford Beach Sandbank, Bournemouth, BH6 4EW

Present:

From BCP Council:

Tania Jardim – Licensing Officer

Linda Cole – Legal Advisor to the Sub-Committee

Michelle Cutler – Clerk to the Sub-Committee

Christiane Tan – Democratic Services, observing for training purposes

The Chair made introductions and explained the procedure for the Hearing, which was agreed by all parties. The Sub-Committee confirmed that it had received and read all supplementary papers submitted in advance of the Hearing.

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 Officer advised that Appendix 8 of the report showed an incomplete petition and that a completed version had been circulated to members of the Sub-Committee by the Clerk the previous day.

The Licensing Sub-Committee was asked to consider an application by Mudeford Sandbank Beach Hut Association (MSBHA) for the review of the premises licence for the premises known as 'The Beach House', as MSBHA believed the premises were not upholding the prevention of public nuisance, public safety and protection of children from harm licensing objectives.

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

For the Applicant:

Gary Grant, Barrister – representing the applicants, MSBHA

Darren Pidwell – Chair of MSBHA

Claire Bath – Vice-Chair of MSBHA

In support of the Application for Review:

Ms Suzannah Bath – attended via MS Teams

Mr Peter Jones

Dr Nicholas Goddard

Mr Stephen Barratt

Mr Paul Owen

Mrs Elizabeth Pritchard

Mr Tony Webb

Cllr Judy Richardson, representing Mr Richard Bath

For The Premises:

Gerald Gouriet, KC representing PLH (Macemade Ltd)

Kim Slater - Director of Macemade Ltd

Richard Slater - Operations Manager of 'The Beach House'

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.

*During the Hearing the Sub-Committee considered and passed the following resolution in order to view several video clips that had been submitted as evidence by Mr Richard Bath, Mrs Claire Bath and Mr Pidwell in support of the application for review, and 2 videos from Mr Richard Slater, Operations Manager of 'The Beach House', submitted as part of his representation: "That under Section 14 (2) of the Licensing Act 2003 (Hearings) Regulations 2005, and with regard to Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that the public interest in withholding the information outweighs such interest in disclosing the information and that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 2 in Part I of Schedule 12A of the Act".

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.

*Procedural note: Due to a technical error, the videos could not be viewed during the Hearing. After the meeting had formally closed, the Licensing Officer remained behind with the Clerk and Legal Advisor, together with the Sub-Committee, and the videos were then shown.

RESOLVED that having considered the application dated 18 September 2025, made by Mudeford Sandbank Beach Hut Association (MSBHS) to review the premises licence for the premises known as 'The Beach House', Mudeford Beach Sandbank, Bournemouth, BH6 4EW, the Sub-Committee has decided that it is appropriate to modify conditions on the licence and amend the licensable activities on the grounds that the premises are not upholding the prevention of public nuisance licensing objectives, as follows:

1. The authorised hours for the sale or supply of alcohol shall be 10:00 to 23:00hrs daily. Non-standard timings for the sale of alcohol remain unchanged.
2. The premises shall be closed and customers off the premises by 23:30hrs (daily) (except for non-standard timings, which remain unchanged).
3. The Late Night Refreshment Licence shall be removed.
4. A Noise Management Plan (NMP) shall be agreed with Environmental Health Officers at BCP Council to address the noise associated with music, entertainment and people generated noise at the premises. The NMP will outline the measures proposed to reduce or control any potential noise disturbances to nearby beach hut users and should be reviewed and updated regularly in particular in response to complaints, any alterations to the premises or any changes to the activities taking place on the site. The Licence Holder

must operate in accordance with the NMP on all hours the premises are open to the public.

5. The premises shall have a written Dispersal Policy that outlines the procedure for management, and staff, to move customers away from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours. A copy of this policy shall be retained on the premises and made available for inspection by a police officer and/or authorised officer of the licensing authority on request.
6. Remove annexe 1 mandatory condition 1.17 and replace it with, 'All alcohol to be taken off the premises shall be supplied in a sealed container and shall cease by 23:00hrs'.
7. Deliveries to the premises shall only take place between 08.00hrs and 12:00hrs daily.
8. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 21.00hrs and 08:00hrs on the following day.
9. There shall be a personal licence holder on duty on the premises at all times when the premises is authorised to sell alcohol
10. The need for door supervisors at the premises shall be subject of a written risk assessment completed by a competent person. This risk assessment shall be retained on the Premises and made immediately available to Police or an authorised officer of the Council upon request. A competent person may include the Premises Licence Holder, the DPS or SIA registered approved contractor.
11. All written documentation, policies, monitoring, risk assessments and other records referenced in this licence shall be kept at the premises for at least 12 months and made available for inspection on the request of an authorised officer of the Council.
12. Two additional litter bins be installed and maintained in good condition near the main entrance of the premises and before the premises close each day, a nominated staff member shall patrol the area within an 80-metre radius of the premises and remove any litter attributable to the premises from the public highway and adjacent land.

The Sub-Committee considered all the information and supplementary papers which had been submitted before the hearing by both Counsel representing the applicant MSBHA and the premises licence holder Macemade Ltd and contained in the report for Agenda Item 7, presented by Tania Jardim, Licensing Officer.

At the hearing the Sub-Committee considered the oral submissions made by Gary Grant, Barrister, representing the applicant, Darren Pidwell, Chair of MSBHA and Claire Bath, Vice-Chair of MSBHA, as well as the verbal submissions made at the hearing by the following persons, all of whom were in support of the application: Ms Suzannah Bath, Mr Peter Jones, Mr Tony Webb, Dr Nicholas Goddard, Mr Stephen Barrett, Mr Paul Owen, Ms Sally Harris, Mrs Elizabeth Pritchard and Cllr Judy Richardson, representing Mr Richard Bath.

In addition, the Sub-Committee considered the oral submissions made by Gerald Gouriet KC, representing the premise licence holder, Macemade Limited, Mr Kim Slater, Director of Macemade Ltd and Mr Richard Slater, Operations Manager of 'The Beach House'.

The Sub-Committee also watched and considered the video footage that was submitted by the applicant, Mr Richard Bath and Mr Paul Owen in support of the application, as well as the video footage submitted by Mr Richard Slater.

In determining the review, the Sub-Committee considered the options available to them as set out in the recommendations of the report and provided for in the Licensing Act 2003. They took account of the Guidance by the Secretary of State made under section 182 of that Act as well as the Statement of Licensing Policy.

Licensing Objectives

The review focused on the following objectives:

- Prevention of Public Nuisance
- Public Safety
- Protection of Children from Harm

The Sub-Committee concluded:

- No evidence of undermining public safety or protection of children from harm.
- Evidence demonstrated failure to uphold prevention of public nuisance.

Reasons for decision

Members of the Sub-Committee in determining the application for review must consider the following options: -

- a) Leave the licence in its current state.
- b) Modify the conditions of the licence; and/or
- c) Exclude a licensable activity from the scope of the license; and / or
- d) Remove the Designated Premises Supervisor; and/or
- e) Suspend the licence for a period not exceeding three months; and/or
- f) Revoke the licence.

Leave the licence in its current state:

In considering the information contained in the agenda report, and the submissions made by Gary Grant, Counsel on behalf of the applicant and by other persons in support of the applicant during the hearing, the Licensing Sub-Committee agreed that taking no action and leaving the current licence in its current state would not be an appropriate response to the concerns identified by MSBHA in bringing this review.

Modify the conditions of the licence; and/or add conditions

The Sub-Committee noted the challenge of operating a commercially viable business in such a unique and popular location and managing the conflict of the wants and wishes of beach hut owners located in close proximity and members of the public that like to visit Mudford Sandspit and enjoy all it has to offer.

To address public nuisance concerns, the Sub-Committee determined that modifying licence conditions and removing late-night refreshment was the appropriate and proportionate response to reflect that the premises has grown and become a popular venue for non-resident visitors who wish to visit and enjoy the sandspit and the business has changed to remain viable after the fire.

As the area has become more popular, more pressure has been put on services such as the toilets and bins, and the Sub-Committee were not happy to hear about beach hut owners having to witness people urinating in public and litter being dumped where there have not been enough bins. The Sub-Committee were of the view that the premises could not be held solely responsible for these issues but welcomed the plan of the premises to install two new bins at the entry to the premises.

By reducing the terminal hour for the sale of alcohol to 23:00 hours and by requiring the premises to close at 23:30 hours seven days a week and removing late night refreshment, the Sub-Committee considers that this will help minimise disturbance to persons sleeping overnight in beach huts as customers will have moved on earlier. In addition, to address public nuisance concerns, the implementation of a Noise Management Plan agreed by Environmental Health, which must always operate when the premises is open, should ensure that noise emanating from the premises is kept to a level that does not disturb residents and undermine the licensing objective.

The Sub-Committee notes the representations made regarding noise and disturbance caused by delivery vehicles at various times throughout the day. It is noted that there is only a single path in and out to the premises and it would be difficult to eradicate all noise, much of which was caused when vehicles were reversing. It was felt that a condition restricting deliveries to between 08:00 hours and 12:00 noon was appropriate and should help alleviate this concern. Furthermore, the Licensing Sub-Committee requires the premises to implement a Dispersal Policy setting out how they plan to encourage customers to leave the premises and its immediate vicinity in a manner that causes minimum disturbance or nuisance to neighbours.

Exclude a licensable activity from the scope of the licence:

The Sub-Committee note having brought forward the terminal hour for the sale of alcohol to 23:00hrs each day to reduce noise nuisance to beach hut residents later into the night, if was appropriate and proportionate to remove Late Night Refreshment from the scope of the licence as it was not needed before 23:00 hrs.

The removal of the Designated Premises Supervisor from the licence:

The Sub-Committee did not feel that removing the Designated Premises Supervisor from the licence would address the concerns raised by MSBHA as the main issues relate to public nuisance in the form of excessive noise, littering and patrons of the premises urinating between the beach huts and not management competence.

Suspension of the Licence:

The Sub-Committee feel that a temporary suspension of the Premises Licence of up to three months was inappropriate in this situation.

Revocation of the Licence:

The Sub-Committee did not feel that revocation of the licence was an appropriate or proportionate option in response to this Application for Review.

The Sub-Committee heard evidence from MSBHA and other parties in support of the application. All stated that they did not wish to see the premises closed; rather, they wanted to enjoy the natural area where their beach huts are located and live harmoniously alongside the premises.

The Sub-Committee hopes that, with the new conditions applied to the premises licence, balances the interests of the premises and the beach hut residents. They noted the experience of both Mr Kim Slater and Mr Richard Slater and had confidence that the premises can operate without undermining the licensing objectives.

Right of appeal

An appeal against the review decision may be made to a Magistrates' Court within 21 days of the appellant being notified of the Licensing Authority's determination on the review. An appeal may be made by the Premises Licence Holder, and/or any interested person who made relevant representations.

The meeting ended at 3.38 pm

CHAIRMAN