

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 21 April 2026 at 10.00 am

Present: Cllr D A Flagg, Cllr S Bartlett and Cllr L Williams

15. Election of Chair

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

Voting: Unanimous

16. Apologies

Apologies were received from Cllr A Filer.

Councillor S Bartlett substituted as the third Sub-Committee Member, with Councillor A Chapmanlaw acting as first reserve and Councillor G Farquhar as second reserve.

17. Declarations of Interests

There were no declarations of interest on this occasion.

18. Protocol for Public Speaking at Licensing Hearings

The protocol for Public Speaking was noted.

19. The Royal Exeter Hotel, 59 Exeter Road, Bournemouth, BH2 5AG

Present:

From BCP Council:

Tania Jardim – Licensing Officer

Linda Cole – Legal Advisor

Sinead O’Callaghan – Clerk to the Sub Committee

The Chair made introductions and explained the procedure to be followed in considering this item, which was agreed by all parties present.

The Licensing Officer presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

The Sub-Committee was asked to consider an application for a shadow premises licence in respect of the Royal Exeter Hotel, Exeter Road, Bournemouth. The application sought to mirror the existing premises

licence currently in force at the premises and was submitted by the freeholder of the property as a safeguard should the existing premises licence lapse, be surrendered, or be revoked.

In response to the application, twenty-nine written representations had been received from local residents on the grounds that granting the application would undermine the prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm licensing objectives. One representation was subsequently withdrawn following clarification of the nature and intent of the shadow premises licence application. No representations were received from any Responsible Authorities.

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

- Jon Wallsgrove, Solicitor for applicant
- Harry Brewer, Owner and applicant

The objectors were not in attendance, however their written representations were considered in full by the Sub-Committee.

The Sub-Committee asked various questions of the parties present and were 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 shadow premises licence in respect of the Royal Exeter Hotel, Exeter Road, Bournemouth, submitted by Halix Ltd (the freeholder of the premises), to permit the same licensable activities and hours as those authorised by the existing premises licence currently in force at the premises, be GRANTED, subject to the following condition imposed by the Sub-Committee on determination of the application:

- *There shall be no concurrent operation of this 'shadow' premises licence and the existing premises licence, and this licence shall only take effect if the existing licence lapses, is surrendered, or is revoked.*

Reasons for decision:

In reaching its decision, the Sub-Committee carefully considered all of the information which had been submitted before the hearing, and contained in the Licensing Officer's report at Agenda Item 5, including the information provided by the applicant in their application and the 29 written representations from other persons made in objection, together with the

verbal submissions made at the hearing by the Licensing Officer and the applicant's solicitor Mr Wallsgrove from John Gaunt Solicitors.

The Sub-Committee noted that the application was for a shadow premises licence designed to mirror the terms, conditions, licensable activities, and hours of operation authorised by the existing premises licence currently in force at the Royal Exeter Hotel. The Sub-Committee further noted that the purpose of the application was to provide continuity and protection for the freeholder if the current operative premises licence were to lapse, be surrendered, or be revoked.

The Sub-Committee took account that no representations had been made by any Responsible Authority. It further noted the issues raised by the other persons in their representations did not identify any specific evidence that the current operation of the premises was undermining the promotion of the licensing objectives. The Licensing Officer confirmed that there was minimal noise complaints associated with the premises, recorded, typically one or two per year, which had been appropriately investigated and resolved.

The Sub-Committee was satisfied that there was no evidential basis to refuse the application for a shadow licence. It noted that should there be any substantiated concerns regarding the way the premises is currently operated under its current licence it would be more appropriately addressed through the statutory review process available under the Licensing Act 2003.

The Sub-Committee was mindful of established case law confirming that shadow premises licences are lawful and must be determined on their individual merits, applying the same statutory tests as for any other premises licence application. They noted that such licences were not uncommon and that several premises within the Bournemouth, Christchurch and Poole Council area already operate with shadow premises licences in place.

To ensure legal clarity and prevent duplication of authorised licensable activities, the Sub-Committee considered it appropriate and proportionate for the promotion of the Licensing Objectives to impose a condition preventing the shadow premises licence from operating at the same time as the existing premises licence. The Sub-Committee was satisfied that this approach ensured that the premises could only operate under one premises licence at any given time, providing certainty as to responsibility for management and control of licensable activities.

In reaching this decision, the Sub-Committee had regard to the Licensing Act 2003, the Secretary of State's Guidance issued under Section 182 of the Act, the Bournemouth, Christchurch and Poole Council Statement of Licensing Policy, and the licensing objectives.

The meeting ended at 10.49am

CHAIRMAN