

**LICENSING SUB COMMITTEE
3 July 2018**

PRESENT: Councillor David Kelsey - Vice-Chairman in the Chair; Councillors Norman Decent, Bobbie Dove.

Observing: Councillor Kieron Wilson

The meeting commenced at 9.51 am.

SECTION I - BUSINESS RECOMMENDED TO THE COUNCIL

No items

SECTION II - BUSINESS DECIDED UNDER DELEGATED POWERS

40. APOLOGIES

There were no apologies received for absence.

41. DECLARATIONS OF INTERESTS

There were no declarations of any disclosable pecuniary interests or any other interests by Members of the Sub Committee.

42. PUBLIC ITEMS

There were no public questions or deputations received.

43. APPLICATION FOR A NEW PREMISES LICENCE - WOK WOW 414 WIMBORNE ROAD.

It was noted that the application submitted by David Ramsey, Licensing Consultant on behalf of Mr Rasti Khalil to vary the premises licence for Wok Wow, 414 Wimborne Road, would not be heard by the Sub-Committee as this was successfully mediated prior to the meeting.

Licensing Sub Committee, 3 July 2018

44. APPLICATION FOR A NEW PREMISES LICENCE - EUROPEAN GROCERY STORE AND DELICATESSEN 524-528 CHRISTCHURCH ROAD.

The Sub-Committee considered an application for a new premises licence for a general store aimed towards the Eastern European community, featuring a delicatessen counter and fresh fruit and vegetables area. Mr David Ramsey, Licensing Consultant, on behalf of the applicant Mr Bana Awara, applied to supply alcohol, off the premises, between the hours of 08:00 and 21:00 each day of the week. The Senior Licensing Officer summarised the detail of the application as set out in Report '5'. The application received objection notices from Dorset Police under the prevention of crime and disorder and the prevention of public nuisance licensing objectives. The application also received objections from 31 other persons, some of whom were present at the Licensing Sub-Committee hearing. No further representations were received from any other responsible authorities. The applicant was not present during the hearing.

The following persons attended the Licensing Sub-Committee hearing and gave verbal evidence based on their written submissions:

- Lorraine Hutton - Bournemouth Resident - Objecting
- Julia Palmer - Representing Alexandra Mackiewicz and Daniel Sulimierski - local business owners - Objecting
- Louise Busfield - Dorset Police Licensing Officer - Objecting.

Members of the Sub-Committee asked various questions of Louise Busfield (Dorset Police) and Julia Palmer (representing the objectors). All parties present were given the opportunity to ask questions of one another and to sum up, before the Sub-Committee retired to make its decision.

DECISION MADE:

That the application for a new premises licence for the European Grocery Store and Delicatessen, 524-528 Christchurch Road, to supply alcohol, off the premises, between the hours of 08:00 and 21:00 each day of the week be **refused**.

REASONS FOR DECISION:

The Chairman explained that the Sub-Committee had carefully considered the points presented at the meeting.

The Sub-Committee adjudged after some initial correspondence, that the applicant's lack of communication and failure to attend the hearing demonstrated an uncooperative attitude and refusal to engage with the local authority. The Sub-

Licensing Sub Committee, 3 July 2018

Committee considered the objections and concerns raised by Dorset Police under the prevention of crime and disorder and the prevention of public nuisance licensing objectives. The vagueness of the application and absence of sufficient conditions prompted concern on the potential impact on the Boscombe Cumulative Impact Area. The Sub-Committee agreed that there were no exceptional circumstances to depart from the Cumulative Impact policy.

The Chairman expressed thanks to the numerous residents who attended the meeting and put their views across, as well as Ms. Palmer for speaking in objection on behalf of her clients.

The Senior Solicitor advised all parties that any persons aggrieved by the decision would have the right of appeal to the Magistrates Court, and any such appeal should be lodged within 21 days of receiving the decision letter.

45. ANY OTHER BUSINESS

No other business was discussed at this meeting.

The meeting was adjourned between 10:37 am and 10:49 am

The meeting closed at 10.51 am

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