

Supplementary Papers for Licensing Sub-Committee

Date: Tuesday, 25 June 2024



6. **Westover Express, 45 Westover Road, Bournemouth**

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The Licensing Authority has received an application for a new premises licence for the premises known as Westover Express, 45 Westover Road, Bournemouth.

This matter is brought before the Sub-Committee for determination.

Published: 25 June 2024

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Application for Premises Licence Supplementary Information in Support of Representation

Westover Express, Westover Road, Bournemouth

This report is to be considered alongside the formal representation submitted in respect of an Application for a Premises Licence submitted to the Licensing Authority. It is the intention of Dorset Police to avoid any repeat of information previously submitted and to provide both the applicant (or their representative) and members of the Licensing Sub-Committee with additional information, context and evidence in support of the representation. This report is being completed and submitted as soon as practicable for the benefit of all parties. Whilst all details are correct at the time of completion, Dorset Police reserve the right to amend / introduce additional information and evidence in advance of the hearing.

Background

This is a new application for an off-licence within a small convenience store located at Westover Road, Bournemouth. This premises is located within a vibrant area of Bournemouth with a variety of retail and residential properties, however, there are challenges around crime prevention that are the focus of the local Neighbourhood Policing Team and partners within the BCP Council Community Safety Department. The applicant is applying to offer the sale of alcohol by retail from 0800-2300hrs daily.

Dorset Police are keen to support new businesses throughout Dorset, however, care and attention must be given to ensuring that there is a high level of trust and confidence that any new or enhanced licensable activity does not adversely impact on the community which it serves.

Concerns

You may hear from the applicant that they intend to offer a community-focused premises offering a variety of convenience products for the benefit of customers of all ages, for tourists and residents and those that visit and work in the Town. Dorset Police welcome this business into the Town and acknowledge that most products being offered for sale are unlikely to cause any adverse impact on the community or public services, including the Police.

The service demand experienced by Dorset Police and our partners throughout Bournemouth Town Centre is often associated with the consumption of alcohol. Issues of concern occur throughout the day through to the late evening and Dorset Police are keen to address and support those offering alcohol for sale to mitigate these common issues wherever possible.

The immediate area where this licensed premises is located has and continues to experience disproportionately high levels of crime and anti-social behaviour, leading to high levels of reporting and demand for service from Dorset Police and our partners. This is a situation that remains under constant review and efforts are continuing to tackle the known issues in this part of Bournemouth.

Members are requested to consider the presence of the nearby YMCA Hostel, also located on Westover Road. This building is used to accommodate individuals with complex needs and some of these needs are often associated with alcohol. The BCP Council Statement of Licensing Policy stipulates three areas of concern where irresponsible off-sales of alcohol can lead to a detrimental impact on our communities with one of these being areas where there are 'alcohol addiction recovery activities' nearby. The policy states that, where evidence exists, applications in these areas are likely to be refused.

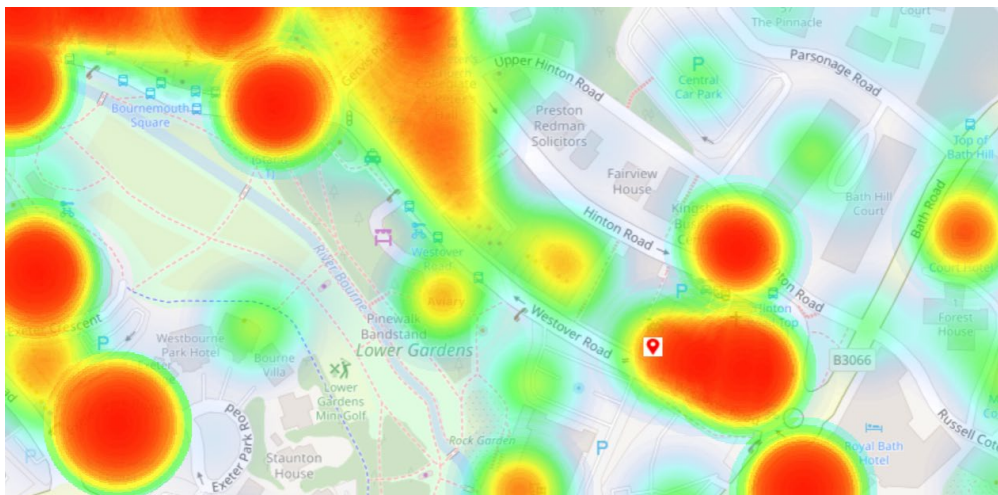
Statements of Evidence

Dorset Police have produced two statements of evidence from officers that are operationally dedicated to patrolling Bournemouth Town Centre. Both officers are engaged in a variety of activities throughout the Town Centre intended to tackle crime and anti-social behaviour and their operational perspective is the very best representation of the current position in our Town Centre.

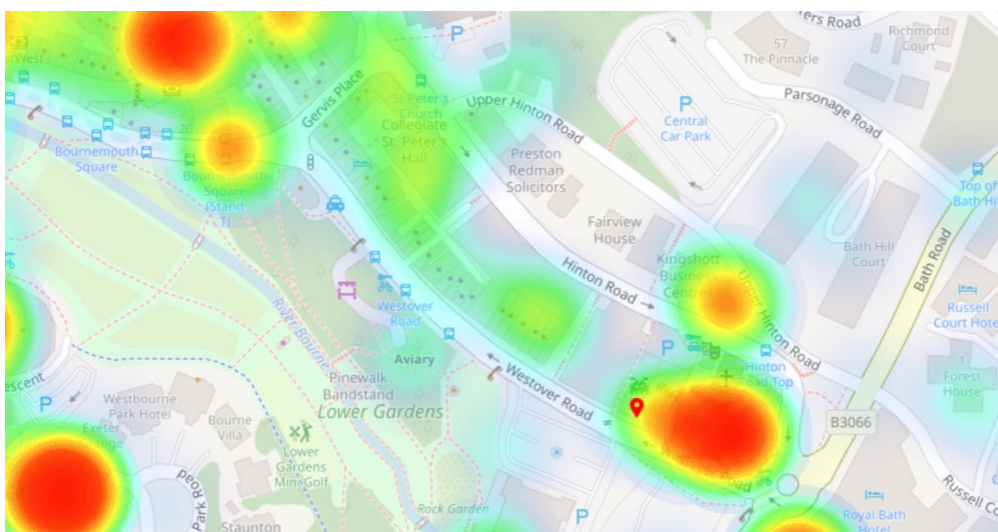
One of the most recent initiatives is the 'Clear, Hold, Build' process of working with partners to identify and 'clear' problems and concerns from the Town Centre. This could be individuals, groups, landlords, business owners etc. that are intent on causing harm to members of the public in the Town. Once that phase has been achieved, a process begins of maintaining a strong presence, building resilience and restoring confidence in those areas, known as the 'hold' phase. Once that is near completion, with support of our partners and the community, the 'build' phase aims to improve infrastructure, encourage investment, and ensure that new developments or improvements can withstand future challenges.

Additionally, officers are tasked regularly with high-visibility patrols as part of our seasonal policing response. These patrols focus on a variety of areas throughout the Town which are intelligence-led and ensure that we deliver an effective policing presence.

The below illustrations represent the progress that has been made over the past 12 months at Westover Road. Dorset Police are keen to ensure that this progress is not adversely affected by additional alcohol provision, which coupled with existing challenges, will likely undermine the progress that is being made. The first illustration shows the levels of crime and ASB over the past 12 months.



Through the effective use of Police resources, and the support of our partners and the community, the level of reporting has reduced significantly. The below illustration shows the same criteria and parameters over the past 6 months.



A significant amount of this crime and ASB is associated with young people and officers frequently report that youths responsible for committing low-level offences in this area are often intoxicated. Whilst there is no evidence to support a Cumulative Impact Zone, Dorset Police are concerned that the addition of a further outlet in an area known for youth-related crime will further exacerbate the issues that we are working hard to reduce alongside our partners.

Dorset Police are concerned that the addition of this alcohol provision will undermine our efforts to tackle crime in this area and impact on the vital support offered to vulnerable people at the YMCA.

Whilst Dorset Police have concerns regarding the operator for this premises, we are aware that there is currently no 'fit and proper' test within the Licensing Act 2003 which would offer any opportunity for us to invite an assessment of the operator based on their delivery of alcohol provision and other unlicensed activities at other outlets associated with them.

Available Outcomes to the Sub-Committee

To assist the members of the Sub-Committee, Dorset Police make the following submissions in relation to the available outcome options in respect of this Application for a Premises Licence –

Grant the Premises Licence as applied for

Dorset Police are of the view that to grant the application as proposed would likely result in an increased demand for Police and other public services' support whilst undermining the efforts of the community and public services to address the existing challenges at Westover Road.

Modification of the Conditions of the Premises Licence it considers appropriate for the promotion of the licensing objectives

Dorset Police are grateful for the mediation that has occurred between Dorset Police and the applicant's former licensing consultant. The conditions offered during that mediation are as follows –

Westover Express will meet all 4 Licensing Objectives as shown below, in particularly through ensuring comprehensive staff training, good neighbour practices, Challenge 25

All staff working at the premises concerned with the sale of alcohol shall be trained in accordance with the SWERCOTS scheme or such other scheme as may be approved by Trading Standards or the Licensing Authority from time to time and shall receive refresher training at least every 6 months.

A record of all staff training shall be maintained and kept on the premises and made available on request to an authorised officer of the Council or the Police.

The premises shall not stock, sell or supply bottles of any cider, beer or lager that has a strength of over 5.3% in a size greater than 1 litre. Further, the premises shall not sell single bottles or cans of any beer, cider or lager that has a strength of over 5.3%

A further notice reading "We do not sell single cans or bottles of beers, ciders or lagers that are stronger than 5.3%" will be displayed at or near the beer display area.

All spirits shall be displayed only behind the counter area.

Alcohol shall only be displayed in areas visible from the sales counter or covered by CCTV.

No sale of alcohol shall knowingly be permitted to anyone under the influence of illegal drugs. Appropriate signage advising customers of the Policy shall be prominently displayed throughout the premises.

Whole service area is visible to Management and staff who will be trained and supervised by a DPS and their authorised staff

CCTV is installed to cover all trading and immediate access and exit routes.

Posters will be visible from the window to deter customers from congregating by the main door and to remind them to be considerate of neighbours and residents.

An incident log shall be kept at the premises. The log shall include the date and time of the incident and the name of the member of staff who has been involved. and made available on request to an authorised officer of the Council or the Police, which shall record the following:

- (a) any complaints received*
 - (b) any incidents of disorder*
 - (c) any faults in the CCTV system / or searching equipment / or scanning equipment*
 - (d) any refusal of the sale of alcohol*
 - (e) any visit by a relevant authority or emergency service*
 - (f) all crimes reported to the venue*
 - (g) all ejections of patrons*
 - (h) all seizures of drugs or offensive weapons*
- This log to be checked on a weekly basis by the DPS of the premises.*

A CCTV system, shall be installed to cover all entry and exit points enabling frontal identification of every person entering in any light condition.

There must be a member of staff on duty at all times that the premises are trading under this licence who is able to access the CCTV and produce images to the Police on request.

The CCTV system shall continually record and cover areas where alcohol is kept for selection and purchase by the public, whilst the premises is open for licensable activities. It shall operate during all times. when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with correct date and time stamping. Recordings shall be made available immediately upon the request of Police or an authorised officer of the council throughout the preceding 31 day period. The CCTV system shall be updated and maintained according to police recommendations.

Challenge 25 Age Verification policy to be adopted and advertised with posters.

Adequate rubbish bins provided close to the building.

The holder of the licence shall undertake a risk assessment regard to the deployment of SIA door supervisors on any occasion when the premises are open beyond 23:00 hours.

A copy of any such risk assessment shall be kept up the premises and made available for inspection by police or other authorised officers.

Deliveries including alcohol will require appropriate ID at point of transfer.
Any staff employed under the age of 18 will be constantly supervised.

If the members of the Sub-Committee determine that it is appropriate to grant a premises licence to permit the sale of alcohol, Dorset Police would invite the members of the Sub-Committee to apply the above the conditions, or similar, to the Premises Licence to ensure that the premises is meeting the minimum standards required of a premises of this nature.

Dorset Police do not consider that applying the above conditions will mitigate the concerns identified above.

Exclusion of a licensable activity from the scope of the Premises Licence

Dorset Police do not consider that this is an appropriate option for the Sub-Committee members.

Refuse to specify a person in the licence as the Designated Premises Supervisor

There are no concerns regarding the DPS proposed to justify any objection on these grounds.

Refuse the Application for a Premises Licence

Dorset Police continue to support the view that this option should always be a last resort for the Sub-Committee. Whilst fiscal issues are outside of the considerations of the Sub-Committee, Dorset Police consistently adopt a proportionate approach, wherever possible, to remain sensitive to commercial viability of businesses and draw on our expertise to encourage applicants to adopt proportionate measures to ensure that the licensing objectives can consistently be promoted. This convenience store is likely to remain viable as a store offering a broad variety of alternative products if no alcohol is available.

Whilst Dorset Police are keen to support responsible and appropriate licensable activities, we remain of the view that this application, given its location and current conditions being offered should be granted cautiously and only where the Sub-Committee can be satisfied that the Premises Licence Holder can uphold the Licensing Objectives with the appropriate restrictions and conditions.

Conclusion

The Sub-Committee are reminded that Paragraph 2.1 of the Licensing Act 2003 Section 182 Guidance produced by the Home Office states that, "*Licensing authorities should look to the police as the main source of advice on crime and disorder*". We believe that we have provided an evidence-based summary of our concerns above, as required by Paragraph 9.43 of the Section 182 Guidance. On this occasion you have the benefit of reading the first-hand experience of PC Hannah Gryba who is well-respected throughout the Town and is at the centre of the Neighbourhood Policing Team's efforts to address the crime and disorder affecting the Town Centre.

This road in Bournemouth Town Centre has previously been known as the 'Bond Street' of Bournemouth, however, has more recently been associated with vagrancy, street drinking and begging, much of which is alcohol related. Dorset Police and our partners are working with the community to address much of these issues, however, there is concern that the addition of this alcohol provision in this sensitive area will undermine these efforts and introduce additional challenges which will affect the progress that has been achieved.

Dorset Police invite the members of the Sub-Committee to carefully consider each of the available options, however, to consider refusing this application on the grounds that it will likely not promote the licensing objectives.

Dorset Police do not intend to repeat the above concerns to the members of the Sub-Committee during the Sub-Committee hearing, however, as the Licensing Authority's main source of advice on matters relating to crime and disorder, we will be happy to answer any further questions that you may have during the forthcoming hearing.

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WITNESS STATEMENT

URN:

Statement of:	PC 0781 GRYBA
Age (if under 18):	Over 18
Occupation:	Police Constable

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature:	#0781 GRYBA,H.
Date:	11/06/2024

I am a uniformed police constable of Dorset Police working at Bournemouth South Police Station on the Neighbourhood policing team covering the area of Bournemouth Town Centre and Westbourne. I have been a police officer for five years and have held my current position for 2 years.

I make this statement in response to prohibit a license for Westover Express on WESTOVER ROAD, BOURNEMOUTH due to the ongoing issues in the area.

To be effective in my role as a Neighbourhood Police Officer I work closely with a large number of partner agencies which include the local authority, other emergency services, third party organisations and charities. My priority is to tackle the issues that impact heavily on the community and visitors that attend the area and to reduce the levels of crime and disorder and to improve public confidence in the Police and partner agencies. Our priorities currently include dealing with antisocial behaviour, homelessness, youth related disorder, county lines drugs misuse and violence. We also focus on problem solving crime series and acquisitive crime which have a negative impact on the local community and its economy such as shoplifting, theft from unattended motor vehicle and commercial burglaries.

BOURNEMOUTH is an area that I would describe as being extremely complex and diverse and is considered to be one of the premier places to live and visit in the country as a result of its seaside setting, high profile events that are held annually throughout the year, and because of its cosmopolitan make up and thriving night time economy.

Although busy throughout the year, the summer months naturally sees increased footfall into the area as a result of events, the picturesque locality and the vast array of hotels and this adds extra demand and strain on emergency services, more so than other times of the year which are also extremely busy.

BOURNEMOUTH is not alone in that it also attracts county lines drug related criminality, because of the town's demographics, and this has an impact on the clientele that attends the town. This illegal economy also attracts vulnerable individuals to the area and this includes young people and the homeless and drug users and this in itself creates issues for local policing.

The location of Westover Express is within an area known as Bournemouth Town Centre and is next to a known housing for homeless person where we have been receiving reports of ongoing ASB of persons congregating outside drinking/causing a general nuisance.

Over the past year we have had reports from WESTOVER ROAD of an increase in street drinkers, beggars, rough sleepers and shoplifters. Over the course of the summer last year I had attended days of action where counterfeit vapes were seized from the stores that are connected to Westover Express. During the summer there is an influx

of youths that will buy counterfeit vapes from stores in Bournemouth town centre which in turn attracts youths to come to town and commit offences of ASB.
I am strongly against a license being given to Westover Express as it is in the best interest in the community to not have a license there.

Statement taken by:	PC 0781 GRYBA
Signature:	#0781 GRYBA,H.
Station:	Bournemouth Police Station
Time and place statement taken:	11/06/2024

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of: **Rukan Taki**Age if under 18: **Over 18**

(if over 18 insert 'over 18')

Occupation:

**Community Safety
Accredited Officer**

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature: **Rukan Taki**Date: **17/06/2024**Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Community Safety Accredited Scheme Officer, and my number is 6258. I am employed by BOURNEMOUTH CHRISTCHURCH and POOLE COUNCIL and my role is in partnership with DORSET POLICE. I AM currently based at BOURNEMOUTH POLICE STATION, MADEIRA ROAD, BOURNEMOUTH.

My role is to deter Anti-Social Behaviour and deal with community issues whilst conducting pro-active patrols and deal with any reports from members of the public. I patrol in full council issued uniform with a Community Safety Scheme Accredited badge prominently displayed, alongside a BOURNEMOUTH BOROUGH COUNCIL logo on my left shoulder. I identify myself to members of the public with my name and Council collar number in BOURNEMOUTH town centre.

On a daily basis I deal with people begging, rough sleepers and anti-social behaviour linked to alcohol and drug use in my designated area. I am tasked by DORSET POLICE, and work alongside multi agencies to tackle long term community issues. On a regular basis I meet with the ANTI-SOCIAL BEHAVIOUR OFFICER for BOURNEMOUTH CHRISTCHURCH and POOLE COUNCIL and discuss the ongoing cases affecting the area in which I patrol. During these meetings I am updated with the progression of cases, however I also provide evidence which I have gathered, on a daily basis, when dealing first hand with offenders.

I have been asked to provide evidence regarding WESTOVER ROAD, on behalf of BOURNEMOUTH CSAS team. As a team we have dealt with 31 incidents on this road from

Signature:

Signature witnessed by:

2006/07 (1)

Continuation of Statement of: **Rukan Taki**

JANUARY 2024. These include TWELVE BEGGING incidents, FIVE 5 Anti-social behaviour incidents, 5 drug/alcohol incidents and THREE rough sleeping incidents.

This evidence only concludes incidents CSAS as a team alone have attended and dealt with since JANUARY 2024.

Signature: **Rukan Taki**

Signature witnessed by:

Witness Contact Details

Home Address: **Maderia Road, Bournemouth. BH1 1QQ**

Postcode: **BH1 1QQ**

Home Telephone Number:

Work Telephone Number

Mobile / Pager Number:

E-mail Address:

Rukan.taki@dorset.pnn.police.uk

Preferred means of contact (*specify details*):

Best time of contact (*specify details*):

Male / Female **Female**

Date and Place of Birth:

Former Name: **N/A**

Ethnicity Code (16+1):

Religion / Belief (*specify*)

DATES OF WITNESS NON-AVAILABILITY:

Witness Care

- a) Is the witness willing and likely to attend court? Yes / ~~No~~. If 'No', include reason(s) on form **MG6**.
- b) What can be done to ensure attendance?
- c) Is the witness vulnerable or intimidated? ~~Yes~~ / No.
- d) If 'Yes', does the witness require 'special measures'? Yes / No.
If 'Yes', submit **MG2** with file.
- e) Does the witness have any particular needs? ~~Yes~~ / No. If 'Yes', what are they? (Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The Victim Personal Statement scheme (victims only) has been explained to me: Yes ☐ No ☐ N/A ☒
- b) I have been given the Victim Personal Statement leaflet (victims only): Yes ☐ No ☐ N/A ☒
- c) I have been given the leaflet "Giving a witness statement to the police – what happens next?": Yes ☐ No ☐ N/A ☒
- d) I consent to the police having access to my medical record(s) in relation to this matter (*obtained in accordance with local practice*): Yes ☐ No ☐ N/A ☒
- e) I consent to the medical record(s) in relation to this matter being disclosed to the defence: Yes ☐ No ☐ N/A ☒
- f) I consent to the statement being disclosed for the purposes of civil proceedings if applicable, e.g. child care proceedings, CICA: Yes ☐ No ☐ N/A ☒
- g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services: ☐
- h) I have been given a compensation form (MG19): Yes ☐ No ☐ N/A ☒

Signature of witness:

PRINT NAME:

Signature of parent/ guardian / appropriate adult:

PRINT NAME:

Address and telephone number if different from above:

Statement taken by (*print name*): **Rukan Taki**

Station: **Bournemouth police station, Madeira Road**

Time and place statement Taken: **Bournemouth police station Madeira Road. 17/06/2024 13:01**

