

Notice of Licensing Sub-Committee



Date: Wednesday, 13 September 2023 at 10.00 am

Venue: Committee Room, First Floor, BCP Civic Centre Annex, St Stephen's Rd, Bournemouth BH2 6LL

Membership:

Cllr A Chapmanlaw

Cllr A Keddie

Cllr L Williams

Reserves:

Cllr E Harman (1)

Cllr A Filer (2)

All Members of the Licensing Sub-Committee are summoned to attend this meeting to consider the items of business set out on the agenda below.

The press and public are welcome to view the live stream of this meeting at the following link:

<https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?MId=5464>

If you would like any further information on the items to be considered at the meeting please contact: Michelle Cutler 01202 128581 or email democratic.services@bcpCouncil.gov.uk

Press enquiries should be directed to the Press Office: Tel: 01202 118686 or email press.office@bcpCouncil.gov.uk

This notice and all the papers mentioned within it are available at democracy.bcpCouncil.gov.uk

GRAHAM FARRANT
CHIEF EXECUTIVE

5 September 2023

**DEBATE
NOT HATE**



Available online and
on the Mod.gov app



Maintaining and promoting high standards of conduct

Declaring interests at meetings

Familiarise yourself with the Councillor Code of Conduct which can be found in Part 6 of the Council's Constitution.

Before the meeting, read the agenda and reports to see if the matters to be discussed at the meeting concern your interests



What are the principles of bias and pre-determination and how do they affect my participation in the meeting?

Bias and predetermination are common law concepts. If they affect you, your participation in the meeting may call into question the decision arrived at on the item.

Bias Test

In all the circumstances, would it lead a fair minded and informed observer to conclude that there was a real possibility or a real danger that the decision maker was biased?

Predetermination Test

At the time of making the decision, did the decision maker have a closed mind?

If a councillor appears to be biased or to have predetermined their decision, they must NOT participate in the meeting.

For more information or advice please contact the Monitoring Officer
(susan.zeiss@bcpcouncil.gov.uk)

Selflessness

Councillors should act solely in terms of the public interest

Integrity

Councillors must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships

Objectivity

Councillors must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias

Accountability

Councillors are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this

Openness

Councillors should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing

Honesty & Integrity

Councillors should act with honesty and integrity and should not place themselves in situations where their honesty and integrity may be questioned

Leadership

Councillors should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs

AGENDA

Items to be considered while the meeting is open to the public

- | | |
|---|---------|
| 1. Election of Chair
To elect a Chair of this meeting of the Licensing Sub-Committee. | |
| 2. Apologies
To receive any apologies for absence from Members. | |
| 3. Declarations of Interests
Councillors are requested to declare any interests on items included in this agenda. Please refer to the workflow on the preceding page for guidance.
Declarations received will be reported at the meeting. | |
| 4. Protocol for Public Speaking at Virtual meetings
A revised protocol for public speaking at formal virtual meetings of the Licensing Sub Committee when it is considering Licensing Act 2003 business is included with the agenda sheet for this meeting. | 5 - 8 |
| 5. Southbourne Post Office, 14 Southbourne Grove, Bournemouth BH6 3RW

An application has been received to vary the premises licence of the premises known as Southbourne Post Office, 14 Southbourne Grove, Bournemouth BH6 3RW.

This matter is brought before the Sub Committee for determination. | 9 - 38 |
| 6. Exclusion of Press and Public

In relation to the items of business appearing below, the Committee is asked to consider the following resolution: -

'That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.' | |
| 7. Consider the suitability of an applicant to become a licensed driver

The Licensing Sub-Committee is asked to consider whether the applicant for a Hackney Carriage/Private Hire licence is a 'fit and proper' person to be able to continue to the next stage of the driver application process. | 39 - 50 |

No other items of business can be considered unless the Chair decides the matter is urgent for reasons that must be specified and recorded in the Minutes.

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LICENSING COMMITTEE AND SUB COMMITTEE - PROTOCOL FOR PUBLIC REPRESENTATION AT VIRTUAL MEETINGS

1. Introduction

- 1.1. The existing protocol for public speaking has been adapted to apply in respect of virtual hearings under the Licensing Act 2003 and the Gambling Act 2005.
- 1.2. This includes applications relating to the licensing of alcohol, regulated entertainment, late night refreshment and gambling establishments, which are the responsibility of the Licensing Committee/Sub Committee to determine as set out in Part 3(A)-3 of the Council's Constitution.
 1. The Chair welcomes everyone, matters of general housekeeping are dealt with, notification that the hearing may be recorded for live and subsequent broadcast on the Council's website, reminder to switch mobile phones to silent, principles for managing formal virtual meetings.
 2. The Chair identifies all parties present and makes introductions.
 3. Matters of general housekeeping are dealt with, notification that the hearing may be recorded for live and subsequent broadcast on the Council's website, reminder to switch mobile phones to silent.
 4. All persons who have given notice of their intention to speak are identified.
 5. Identify if any person who wishes to withdraw a representation or wishes not to speak
 6. Chair explains proposed procedure and order of speaking for hearing as set out in Appendix A. All parties confirm agreement or make representations on procedure proposed.
 7. Licensing Officer's report is presented.
 8. Parties present their representations in the order agreed.
 9. Parties who are speaking should not repeat the information which they have already given in writing in their representation. They will be able to expand on the written information given, provided the information remains relevant. Any addition information should be limited to the grounds of their representation(s). For example, if they are objecting on the grounds of Public Nuisance, then they should confine their comments to matters relating to Public Nuisance.
 10. Members of the Licensing Committee or Sub Committee may ask questions after each representation and at the end of all representations. Parties, will be allowed to ask questions through the Chair.

11. Following representations, the parties will be given the opportunity to sum up. Party who spoke first to go last. The hearing will then conclude.
12. Members will deliberate in private with the clerk and legal representative as appropriate present.
13. The decision will be taken by the Committee and notification of the decision will be given within the period of five working days beginning with the day or the last day on which the hearing was held in accordance with the regulations. The notification of decision will include information about the right of appeal as appropriate.
14. The Legal Advisor will advise the parties of any right of appeal as appropriate at the conclusion of the hearing.

2. General points

- The hearing may be adjourned at any time at the discretion of the Members
 - Members may amend the procedure at any time if they consider it to be in the public interest or in the interest of a fair hearing
 - The Sub Committee may decide to conduct all or part of a hearing in non public session where it considers the public interest in doing so, outweighs the public interest in the hearing.
 - The Chair may exclude any person from a hearing for being disruptive.
 - Meetings of the Licensing Committee in public session are recorded by the Council for live and subsequent broadcast on its website.
 - The hearing will take the form of a discussion.
 - Only persons (or their representatives) who have made an application, are subject to an application or have submitted a written representation to the Licensing Authority under the relevant Act are permitted to speak at the hearing.
 - Any further information to support an application, representation or notice (as applicable) can be submitted before the hearing. It may only be submitted at the hearing with the consent of all parties. The Licensing Act 2003 (Hearings) Regulations 2005 shall apply. Whereever possible the Licensing Authority encourages parties to submit information at the earliest opportunity to allow sufficient time for this to be considered before the hearing and avoid the need for adjournment.
 - If a party has informed the Authority that they do not intend to participate, or be represented at the hearing, or has failed to advise whether they intend to participate or not, the hearing may proceed in their absence
- 2.2. For other matters in Part 3(A)-3 of the Council's Constitution which are the responsibility of the Licensing Committee and not included in this protocol or the protocol for in person hearings, the procedures set out in Part 4D of the

Council's Constitution in relation to public questions, statements and petitions shall apply.

- 2.3. This includes such matters as making recommendations on relevant policies, approving the level of fees charged by the Council, and making decisions on tariffs charged by the Public Carriage Trade.
- 2.4. The Council's Constitution can be accessed using the following link:
<https://democracy.bcpccouncil.gov.uk/ieListMeetings.aspx?CommitteeID=151&Info=1&bcr=1>
- 2.5. For further information please contact democraticservices@bcpccouncil.gov.uk

Proposed procedure and order of speaking for virtual hearings

- The Licensing Officer/Other Council Officer presents report
- Applicant will make their Application
- Questions of the Applicant by all parties, Members of the Committee/Sub-Committee to go first
- Responsible Authorities and Other Persons will make their representations.
- Questions of the Responsible Authorities and Other Persons. Members of the Committee/Sub-Committee to go first.
- All parties will be given an opportunity to sum up (with the party who spoke last to go first). The hearing will then conclude.
- Sub-Committee will deliberate in private with Legal Adviser and Clerk present. (Councillors new to Licensing may observe but will not take part in the decision making).
- Notification of the Sub Committee's decision will be given within the period of five working days beginning with the day or the last day on which the hearing was held in accordance with the regulations. The notification of decision will include information about the right of appeal as appropriate.
- The Legal Adviser will advise parties of any right of appeal as appropriate at the conclusion of the hearing.

LICENSING SUB-COMMITTEE



Report subject	Southbourne Post Office, 14 Southbourne Grove, BH6 3RW																
Meeting date	13 September 2023																
Status	Public Report																
Executive summary	<p>Mr Ibrahim Altun has applied to vary the current premises licence to extend the terminal hour for off sales of alcohol on Monday to Saturday inclusive only.</p> <table> <tr> <th>Current Permitted Hours</th><th>Proposed Hours</th></tr> <tr> <td>Monday – 07:00 to 23:00</td><td>Monday – 07:00 to 00:00</td></tr> <tr> <td>Tuesday - 07:00 to 23:00</td><td>Tuesday - 07:00 to 00:00</td></tr> <tr> <td>Wednesday - 07:00 to 23:00</td><td>Wednesday - 07:00 to 00:00</td></tr> <tr> <td>Thursday - 07:00 to 23:00</td><td>Thursday - 07:00 to 00:00</td></tr> <tr> <td>Friday - 07:00 to 23:00</td><td>Friday - 07:00 to 01:00</td></tr> <tr> <td>Saturday - 07:00 to 23:00</td><td>Saturday - 07:00 to 01:00</td></tr> <tr> <td>Sunday - 07:00 to 23:00</td><td>Sunday – No Change</td></tr> </table> <p>The opening hours are also extended to reflect the proposed changes.</p>	Current Permitted Hours	Proposed Hours	Monday – 07:00 to 23:00	Monday – 07:00 to 00:00	Tuesday - 07:00 to 23:00	Tuesday - 07:00 to 00:00	Wednesday - 07:00 to 23:00	Wednesday - 07:00 to 00:00	Thursday - 07:00 to 23:00	Thursday - 07:00 to 00:00	Friday - 07:00 to 23:00	Friday - 07:00 to 01:00	Saturday - 07:00 to 23:00	Saturday - 07:00 to 01:00	Sunday - 07:00 to 23:00	Sunday – No Change
Current Permitted Hours	Proposed Hours																
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Friday - 07:00 to 23:00	Friday - 07:00 to 01:00																
Saturday - 07:00 to 23:00	Saturday - 07:00 to 01:00																
Sunday - 07:00 to 23:00	Sunday – No Change																
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members are asked to decide whether to:-</p> <ul style="list-style-type: none"> a) Grant the application for variation as made; b) Refuse the application, or part of, for variation to the premises licence; c) Grant the application, or part of, subject to additional conditions. <p>Members are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak.</p> <p>Members must give full reasons for their decision.</p>																
Reason for recommendations	The Licensing Authority has received a representation from Dorset Police and one other person on the grounds that to grant the application would undermine the prevention of crime and disorder, public safety and prevention of public nuisance licensing objectives.																

	<p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the representations.</p> <p>Where representations have been received in relation to an application by a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Scheme of Delegation set out in the Council's Constitution states that these applications should be dealt with by the Licensing Sub-Committee.</p>
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Portfolio Holder(s):	Councillor Kieron Wilson – Portfolio holder for Housing and Regulatory Services
Corporate Director	Jess Gibbons – Chief of Operations
Report Authors	Sarah Rogers – Senior Licensing Officer
Wards	West Southbourne
Classification	For Decision

Background

1. An application to vary the premises licence, under Section 34 of the Licensing Act 2003, was made by Mr Ibrahim Altun on 20 July 2023. A copy of the application is attached at Appendix 1.
2. The current premises licence was granted on 27 August 2021 following conditions mediated with Dorset Police and no representations being received. A copy of the current licence is attached at Appendix 2.

Consultation

3. The application was served on all responsible authorities and the applicant confirmed that the statutory notices were displayed on the premises and a notice published in the local newspaper.
4. The application promoted 2 representations.
5. Dorset Police made representation as they were concerned with the layout of the premises and the impact it would have on crime and disorder and public safety. In response to the representation submitted by the Police the applicant has proposed additional conditions. The Police representation and response from the applicant are attached at Appendix 3.
6. One other person, a local resident, also made a representation as they believe the impact of the extended hours will undermine the prevention of crime and disorder and prevention of public nuisance objectives. A copy of the representation is attached at Appendix 4.

Options Appraisal

7. Before making a decision Members are asked to consider the following:-
 - The representations received from Dorset Police and one other person.
 - The relevant licensing objectives namely, the prevention of crime and disorder, public safety and the prevention of crime and disorder.
 - The Licensing Act 2003, appropriate Regulations, Statutory Revised Guidance under Section 182 of the Licensing Act 2003 (August 2023) and the Council's Statement of Licensing Policy.

Summary of financial implications

8. Should the decision of the application be appealed by any party there will be a financial impact in representing the Council and any costs that may be awarded against the Council.

Summary of legal implications

9. If Members decide to refuse the application, or attach conditions to the licence which the applicant does not agree to, the applicant may appeal to the Magistrates' Court within a period of 21 days beginning with the day that the applicant is notified, in writing, of the decision.
10. If Dorset Police, or any other person, does not agree to the decision made to grant the application, or any of the conditions to be attached, they may appeal to the Magistrates' Court within a period of 21 days beginning with the day that they are notified, in writing, of the decision.

Summary of human resources implications

11. There are no human resources implications.

Summary of sustainability impact

12. There are no sustainability impact implications.

Summary of public health implications

13. There are no public health implications.

Summary of equality implications

14. There are no equality implications.

Summary of risk assessment

15. There is no requirement for a risk assessment to be made.

Background papers

BCP Council Statement of Licensing Policy -
[SOLP 2020-2025 \(bcp-council.gov.uk\)](https://www.bcp-council.gov.uk/2020-2025-solp)

Licensing Act 2003 –
[Licensing Act 2003 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2003/30)

Hearing Regulations –
[The Licensing Act 2003 \(Hearings\) Regulations 2005 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2005/1724)

Revised Guidance under Section 182 of the Licensing Act 2003 (August 2023)
[Revised Guidance issued under section 182 of the Licensing Act 2003 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/guidance/2023-08-01-revised-guidance-under-section-182-of-the-licensing-act-2003)

Appendices

1 – Copy Variation Application

2 - Copy Current Premises Licence

3 – Representation from Dorset Police and Proposed Conditions offered by the Applicant

4 – Representation from Local Resident

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Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/we Ibrahim Altun
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	BH18 7836
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Premier Southbourne Grove Post Office 14 Southbourne Grove			
Post town	Bournemouth	Postcode	BH6 3RW

Telephone number at premises (if any)	01202 429 972
Non-domestic rateable value of premises	£ 26,250.00

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post town	Bournemouth	Postcode	BH6 5JL

Part 3 – Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐ No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY	

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☒ Yes ☐ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

Variation of Premises licence to change the
Supply of alcohol hours.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

N/A

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

- a) plays (if ticking yes, fill in box A) ☐
- b) films (if ticking yes, fill in box B) ☐
- c) indoor sporting events (if ticking yes, fill in box C) ☐
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☐
- e) live music (if ticking yes, fill in box E) ☐
- f) recorded music (if ticking yes, fill in box F) ☐
- g) performances of dance (if ticking yes, fill in box G) ☐
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) ☐

Provision of late night refreshment (if ticking yes, fill in box I) ☐

Supply of alcohol (if ticking yes, fill in box J) ☒

In all cases complete boxes K, L and M

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)		On the premises	<input type="radio"/>
					Off the premises	<input checked="" type="radio"/>
					Both	<input type="radio"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6) NONE			
Mon	07:00PM	00:00AM midnight				
Tue	07:00AM	00:00AM				
Wed	07:00PM	00:00AM				
Thur	07:00PM	00:00AM				
Fri	07:00AM	01:00AM				
Sat	07:00PM	01:00AM				
Sun	07:00AM	23:00PM	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) NONE			

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p> <p>NONE</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	07:00AM	00:00AM Midnight	NONE
Tue	07:00AM	00:00AM	
Wed	07:00AM	00:00AM	
Thur	07:00AM	00:00AM	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7) NONE
Fri	07:00AM	01:00AM	
Sat	07:00AM	01:00AM	
Sun	07:00AM	23:00PM	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

NONE

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

- As per the existing licence

b) The prevention of crime and disorder

- As per the existing licence.
- Whenever the designated premises supervisor is not at the premises, he will nominate another personal licence holder as being the responsible person to manage the premises. The details of such person to be prominent display on the premises.

c) Public safety

The applicant is well aware of the Fire Risk Assessment measures and will make sure all fire safety measures is complied with and will keep on premises a first aid kit/equipment and materials in order to protect customers and staff.

- As per the existing licence.

d) The prevention of public nuisance

- As per the existing licence
- Premises management will ensure staff departing late night when the business has ceased trading, conduct themselves in such a manner to avoid disturbance to nearby residents.

e) The protection of children from harm

- As per the existing licence.

Checklist:

Please tick to indicate agreement

- ☒ I have made or enclosed payment of the fee; or
- ☐ I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- ☒ I have sent copies of this application and the plan to responsible authorities and others where applicable.
- ☒ I understand that I must now advertise my application.
- ☒ I have enclosed the premises licence or relevant part of it or explanation.
- ☒ I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	16.07.23
Capacity	business owner

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Post town	Bournemouth	Post code
Telephone number (if any)		BH6 5JL



Premises Licence Part A

Premises licence number: BH187836

Postal address of premises, or if none, ordnance survey map reference or description:	
Southbourne Post Office 14 Southbourne Grove	
Post town: Bournemouth	Post Code: BH6 3RW
Telephone number: 429972	

Licensable activities authorised by the licence:
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:
Supply of Alcohol Monday - 07:00 to 23:00 Tuesday - 07:00 to 23:00 Wednesday - 07:00 to 23:00 Thursday - 07:00 to 23:00 Friday - 07:00 to 23:00 Saturday - 07:00 to 23:00 Sunday - 07:00 to 23:00

The opening hours of the premises:
Monday - 07:00 to 23:00 Tuesday - 07:00 to 23:00 Wednesday - 07:00 to 23:00 Thursday - 07:00 to 23:00 Friday - 07:00 to 23:00 Saturday - 07:00 to 23:00 Sunday - 07:00 to 23:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:
Alcohol will be consumed off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
Mr Ibrahim Altun

Registered number of holder, for example company number, charity number (where applicable):
N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:
Mr Ibrahim Altun

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:
BOP_M006572 Borough of Poole

Annex 1 – Mandatory conditions

Mandatory Conditions (Sections 19,20,21 LA 2003)

- 1.1. There shall be no sale or supply of alcohol when there is no designated premises supervisor in respect of this premises licence or at a time when the said premises supervisor does not hold a personal licence or when his/her licence is suspended.
- 1.2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014

- 1.3.
 1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

The Licensing Act 2003 (Mandatory Conditions) Order 2014

- 1.4.
 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 2. For the purposes of the condition set out in paragraph 1 -
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula —

$$P = D + (D \times V)$$

Where –

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or

- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating schedule

Prevention of Crime and Disorder

- 2.1 All staff working at the premises concerned with the sale of alcohol shall be trained in accordance with an accredited training scheme on the law relating to prohibited sales, the age verification policy adopted by the premises and the conditions attaching to the premises licence.
- 2.1.1 Refresher training shall be provided at least once every 6 months.
- 2.1.2 A record shall be maintained of all staff training and that record shall be signed by the person receiving the training and the trainer. The records shall be kept for a minimum of 12 months and made available for inspection by police, licensing or other authorised officers.
- 2.2 An incident log shall be kept at the premises.
- 2.2.1 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
- 2.2.2 This log to be checked on a weekly basis by the DPS of the premises.
- 2.3 A CCTV system, shall be installed to cover all entry and exit points enabling frontal identification of every person entering in any light condition.
- 2.3.1 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.

- 2.3.2 All recordings shall be stored for a minimum period of 31days 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.
- 2.3.3 The CCTV system shall be updated and maintained according to police recommendations.
- 2.3.4 A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
- 2.3.5 CCTV shall be downloaded on request of the Police or authorised officer of the council. Appropriate signage advising customers of CCTV being in operation, shall be prominently displayed in the premises.
- 2.3.6 A documented check of the CCTV shall be completed weekly to ensure all cameras remain operational and the 31 days storage for recordings is being maintained.

Prevention of Public Nuisance

- 2.4 Signs shall be displayed on the premises requesting customeres leave quietly.
 - 2.4.1 Further signs shall be placed on the exit doors of the premises asking customers not to litter the floors.

Protection of Children from Harm

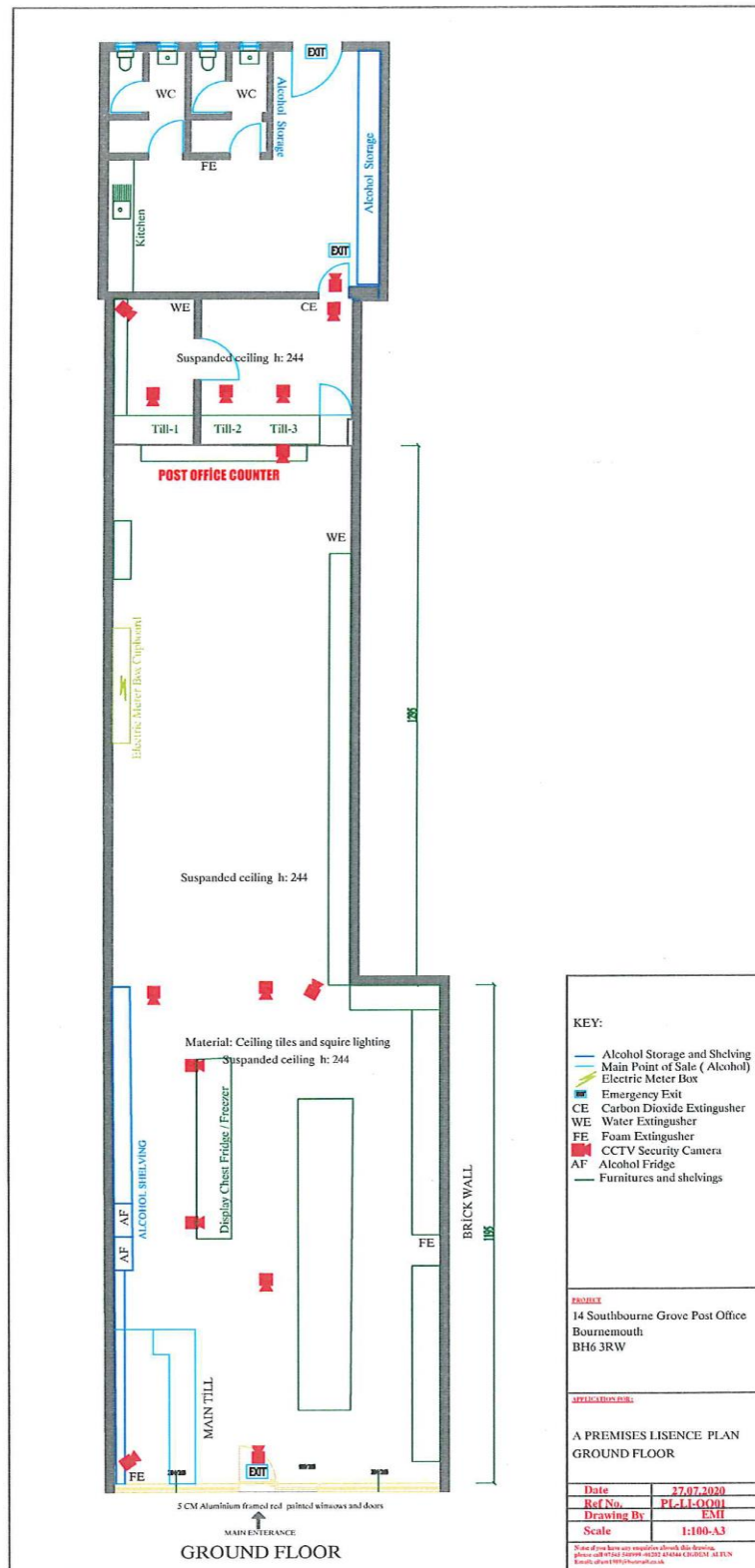
- 2.5 Challenge 25, shall be operated at the premises where the only acceptable forms of identification are (recognised photographic identification cards, such as a driving licence or passport/Holographically marked PASS scheme identification cards).
 - 2.5.1 Appropriate signage advising customers of the policy shall prominently displayed in the premises.

Annex 3 – Conditions attached after a hearing by the licensing authority

None

Annex 4 – Plans

This licence is issued in accordance with the plan numbered M187836, dated August 2021, submitted with the application, as attached.



Plan Numbered M187836 dated August 2021

Premises Licence Part B

Premises licence number: BH187836

Postal address of premises, or if none, ordnance survey map reference or description:	
Southbourne Post Office 14 Southbourne Grove	
Post town: Bournemouth	Post Code: BH6 3RW
Telephone number: 01202 429972	

Licensable activities authorised by the licence:
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:
Supply of Alcohol: Monday to Sunday - 07:00 to 23:00

The opening hours of the premises:
Monday to Sunday - 07:00 to 23:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:
Alcohol will be consumed off the premises

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
Mr Ibrahim Altun, Flat 4, Barons Court, 102 Cranleigh Road, Bournemouth, BH6 5JL Tel: 07545548999 / Email: ibrahimaltunn@hotmail.com

Registered number of holder, for example company number, charity number (where applicable):
N/A

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:
Mr Ibrahim Altun

State whether access to the premises by children is restricted or prohibited:
None

Issued: 27 August 2021


Mrs Nananka Randle
 Licensing Manager

Received via Email 09.08.23 @ 12:49

Good afternoon

Further to a meeting with the applicant, please be advised that, on behalf of the Chief Officer of Dorset Police, I wish to submit an objection to this application to vary the premises licence under the Licensing Objectives of the Prevention of Crime and Disorder and Public Safety.

The premises layout as it stands does not give the police the assurances that the Licensing Objectives will be promoted; the premises itself is set out in such a way that there are many evident 'blind spots' which would compromise the security of stock and potentially become attractive to shoplifters.

The alcohol is stored both behind the counter and in a separate unit which is accessed via automatic doors, however this area is obstructed by a display cabinet and there is no line of sight from the counter into this area.

The layout of the premises as it stands compromises the safety of both customers and staff.

The applicant understands the concerns raised and will propose additional measures to mitigate these concerns, however until such time that these proposals are put forward please accept this objection to the application.



**DORSET
POLICE**

Louise Busfield

Licensing Officer

Response Received via Email 23.08.23 @ 13:13 from Applicant's Solicitor

Dear Ms Busfield,

We write further to our telephone conversation of this afternoon.

We note you have objected to our application to vary the premises licence on the ground that layout of the demised premises may affect the safety of both customers and staff.

Would you consider withdrawing your objection if we were to propose the following conditions to be attached to the premises licence:

1. We will implement a shop lifting policy and train employee. This would enable employee to identify the shoplifter and know what to do if they witness the individual taking our products and attempting to leave the store. (i.e. if the employee decided to confront them, they will do so after leaving the store, preferably with another colleague. This would enable the safety of both staff and customers.

2. We will put one staff member on the shop floor approaching customers and asking if they need any help or directing them to a particular product. This will make potential shop lifters aware that staff is present and will put off stealing if they know staff has spotted them. This would protect stock on blind spots and prevent shop lifting. OR we propose to place one member of staff to remain near the bear cave during the night shift to make sure the blind spots are protected.
3. We propose to place mirrors to cover the blind spots in addition to the CCTV.
4. Signs will be placed near the entrance of the store stating CCTV is in use and shoplifters will be prosecuted, this will enable deter and reduce shop lifting.

We confirm our client is open to any reasonable conditions proposed by the licensing officer.

We look forward to hearing from you.

Kind Regards,

Elif Yildirim
Solicitor

Received via Email – 24.07.23 @ 07:18

To the licensing team,

I am resident of Southbourne and I am writing to express my concern over the licensing application being made by Southbourne Post Office requesting to sell alcohol until midnight Monday- Thursday and 1am Friday - Saturday.

My concern is that this will encourage people, after pub hours and while already intoxicated, to purchase further alcohol to drink in public spaces for eg: on the high street, in the park, on the cliffs and / or on the beach. With the result of increasing anti-social behaviour: noise, threatening behaviour, littering which will effect the residents and increase the burden on local public services like the police, ambulance, fire and rescue and potentially the coastguard.

Southbourne is predominantly a quiet residential area with a strong community feel. Please help us to keep it that way by denying this licence application.

Kind regards

Lucy Hart

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of the Local Government Act 1972.

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