

# Notice of Licensing Sub-Committee

Date: Thursday, 9 February 2023 at 10.00 am

Venue: Virtual Teams Meeting



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## Membership:

Cllr J J Butt

Cllr T Johnson

Cllr D Kelsey

## Reserves:

Cllr B Dion (1)

Cllr L Williams (2)

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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?MIId=5568>

If you would like any further information on the items to be considered at the meeting please contact: Jill Holyoake [jill.holyoake@bcpcouncil.gov.uk](mailto:jill.holyoake@bcpcouncil.gov.uk) Democratic Services on 01202 096660 or email [democratic.services@bcpcouncil.gov.uk](mailto:democratic.services@bcpcouncil.gov.uk)

Press enquiries should be directed to the Press Office: Tel: 01202 118686 or email [press.office@bcpcouncil.gov.uk](mailto:press.office@bcpcouncil.gov.uk)

This notice and all the papers mentioned within it are available at [democracy.bcpCouncil.gov.uk](https://democracy.bcpCouncil.gov.uk)

GRAHAM FARRANT  
CHIEF EXECUTIVE

1 February 2023



Available online and  
on the Modern.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](mailto: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**

5 - 8

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. Application to Vary Premises Licence at Delice des Champs, 13 Gervis Place, Bournemouth, BH1 2AL**

9 - 48

An application has been received to vary the premises licence for the premises known as 'Delice des Champs', 13 Gervis Place, Bournemouth, BH1 2AL.

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

**6. Application for Premises Licence - Christchurch Road Stores, 62 Old Christchurch Road, Bournemouth BH1 1LL**

49 - 70

An application for a new premise licence has been received for the premises known as 'Christchurch Road Stores', 62 Old Christchurch Road, Bournemouth, BH1 1LL.

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

Note: This matter was adjourned by the Sub Committee on 18 January 2023 with the agreement of all parties, to enable the applicant to attend the hearing.

No other items of business can be considered unless the Chairman 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](mailto: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	<b>Application to Vary Premises Licence at Delice des Champs, 13 Gervis Place, Bournemouth, BH1 2AL</b>
Meeting date	9 February 2023
Status	Public Report
Executive summary	<p>Mr Cumali Ayhan has made an application to vary the premises licence at at Delice des Champs, 13 Gervis Place, Bournemouth, BH1 2AX.</p> <p>The application seeks to extend the provision of Late Night Refreshment to 05:00 on every Thursday, Friday and Saturday.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <p><b>Members are asked to decide whether to: -</b></p> <ul style="list-style-type: none"> <li><b>a) Grant the application for variation as made;</b></li> <li><b>b) Refuse the application, or part of, for variation to the premises licence;</b></li> <li><b>c) Grant the application, or part of, subject to additional conditions.</b></li> </ul> <p><b>Members of the Licensing Sub-Committee are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.</b></p>
Reason for recommendations	<p>The Licensing Authority has received one representation from Dorset Police on the grounds that the grant of the application would undermine the Public Safety and Prevention of Crime and Disorder licensing objectives.</p> <p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the application.</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</p>



	the Licensing Sub-Committee.
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Portfolio Holder(s):	Councillor Bobbie Dove – Community Safety and Regulatory Services
Corporate Director	Jess Gibbons – Chief of Operations
Report Authors	Ellie King- Licensing Officer
Wards	Bournemouth Central;
Classification	For Decision

## Background

1. An Application to vary the premises licence numbered BH084252 for Delice des Champs, under Section 34 of the Licensing Act, was made by Mr Cumali Ayhan on 20 December 2022. A copy of the application is attached at Appendix 1.
2. A location plan is attached at Appendix 2.
3. The current premises licence allows for the provision of late night refreshment from 23:00 - 23:20 Monday to Sunday. These times were granted following conversion to the Licensing Act 2003 when late night refreshment was requested until the end of drinking up time attached to the Justices' Licence (being 20 minutes).
4. The applicant is seeking to extend the provision of late night refreshment from 23:20 to 05:00 on Thursday, Friday and Saturday only. A copy of the current Licence and approved plan is attached at Appendix 3.

## Consultation

5. The application was served on all responsible authorities and the applicant confirmed that the statutory notices were displayed on site and published in the local newspaper.
6. The application prompted a representation by Dorset Police under the Public Safety and Prevention of Crime and Disorder licensing objectives. A copy of the representation is attached at Appendix 4.
7. BCP Council's Environmental Health team submitted a representation which outlined their concern that the prevention of public nuisance licensing objective would not be upheld. Following mediation with the applicant the following agreement was reached:-

It was agreed that:

- The premises will close at 03:00 rather than 05:00 as shown on the application.

The following conditions must be added to the licence:

- There shall be no public access to the premises after 23.00hrs, except to the front serving counter area, behind the sliding door.
- No live/recorded music will be played between the hours of 23.00hrs and 08.00hrs

- All tables and chairs shall be rendered unusable by 23.00hrs each day.
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- No deliveries/collections to and from the premises shall take place between 23.00hrs and 07.00hrs
- No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00hrs and 07.00hrs.
- Takeaway deliveries from the premises shall not take place after 23.20hrs on any day.
- The terminal hour for late night refreshment shall be 03.00hrs Thursday to Saturday and 23.20hrs Monday to Wednesday.

**Confirmation of the conditions on which the representation was withdrawn is attached at Appendix 5 Options Appraisal**

8. Before making a decision, Members are asked to consider the following matters: -

- The representation made by Dorset Police.
- The relevant licensing objectives, namely the prevention of crime and disorder and public safety.
- The Licensing Act 2003, appropriate Regulations, Statutory Revised Guidance issued under Section 182 of the Licensing Act 2003 (December 2022) and the Council's Statement of Licensing Policy.

**Summary of financial implications**

9. N/A

**Summary of legal implications**

10. If Members decide to refuse the application or attach condition to the licence, which the applicant does not agree to, the applicant may appeal to the Magistrate's Court within a period of 21 days beginning with the day that the applicant is notified in writing, of the decision.

**Summary of human resources implications**

11. N/A

**Summary of sustainability impact**

12. N/A

**Summary of public health implications**

13. N/A

**Summary of equality implications**

14. N/A

**Summary of risk assessment**

15. N/A

## **Background papers**

BCP Council – Statement of Licensing Policy

<https://democracy.bcpCouncil.gov.uk/documents/s21122/Statement%20of%20Licensing%20Policy.pdf>

Hearing Regulations

<https://www.legislation.gov.uk/ukSI/2005/44/made>

Revised Guidance issued under Section 182 of the Licensing Act 2003 (Dec 2022)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1125660/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_December\\_2022.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1125660/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_December_2022.pdf)

## **Appendices**

1-Copy Application

2-Location Plan

3-Copy of Current Premises Licence

4- Representation from Dorset Police

5 – Conditions agreed with Environmental Health

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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 CUMALI AYHAN  
(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	BH 08 452
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## Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
DELICE DES CHAMPS 13 GERVIS PLACE			
Post town	BOURNEMOUTH	Postcode	BH1 2AL

Telephone number at premises (if any)	[REDACTED]	0120 2319094
Non-domestic rateable value of premises	£ 13,722.50	

## Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	CHAMPSDELICE@GMAIL.COM		
Current postal address if different from premises address	AS / ABOVE		
Post town		Postcode	

### 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)

I would like to sell take away food; panini, Baguette, Salad, snacks Soft drink.  
Only from the front of the shop from counter service without sitting inside the shop.  
Serving hours between 23<sup>00</sup> ~~0000~~ 0,500  
Thursday - Friday - Saturday only.

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**

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

N/A

# B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue					
Wed					
Thur			<u>State any seasonal variations for the exhibition of films (please read guidance note 6)</u>		
Fri					
Sat					
Sun					
			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		

N/A



C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Fri			
Sat			
Sun			

N/A

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

N/A

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue					
			<u>State any seasonal variations for the performance of live music (please read guidance note 6)</u>		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Fri					
Sat					
Sun					

N/A

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

N/A

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 6)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					

N/A



H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 5)	
Wed				
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)	
Fri				
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)	
Sun				

N/A

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input checked="" type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)		
Mon			I will serve customers inside the shop from counter only. No sitting inside. only take away.		
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)		
Thur	23.20	05.00			
Fri	23.20	05.00	<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat	23.20	05.00			
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)		
Tue					
Wed			<b>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</b> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

N/A

K

<p><b>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</b> (please read guidance note 10).</p>
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L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			
			<b>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</b> (please read guidance note 7)

N/A

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.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence



If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

**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 1)**

**b) The prevention of crime and disorder**

**c) Public safety**

**d) The prevention of public nuisance**

**e) The protection of children from harm**

Don't understand this part need help!!!

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	
Capacity	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)

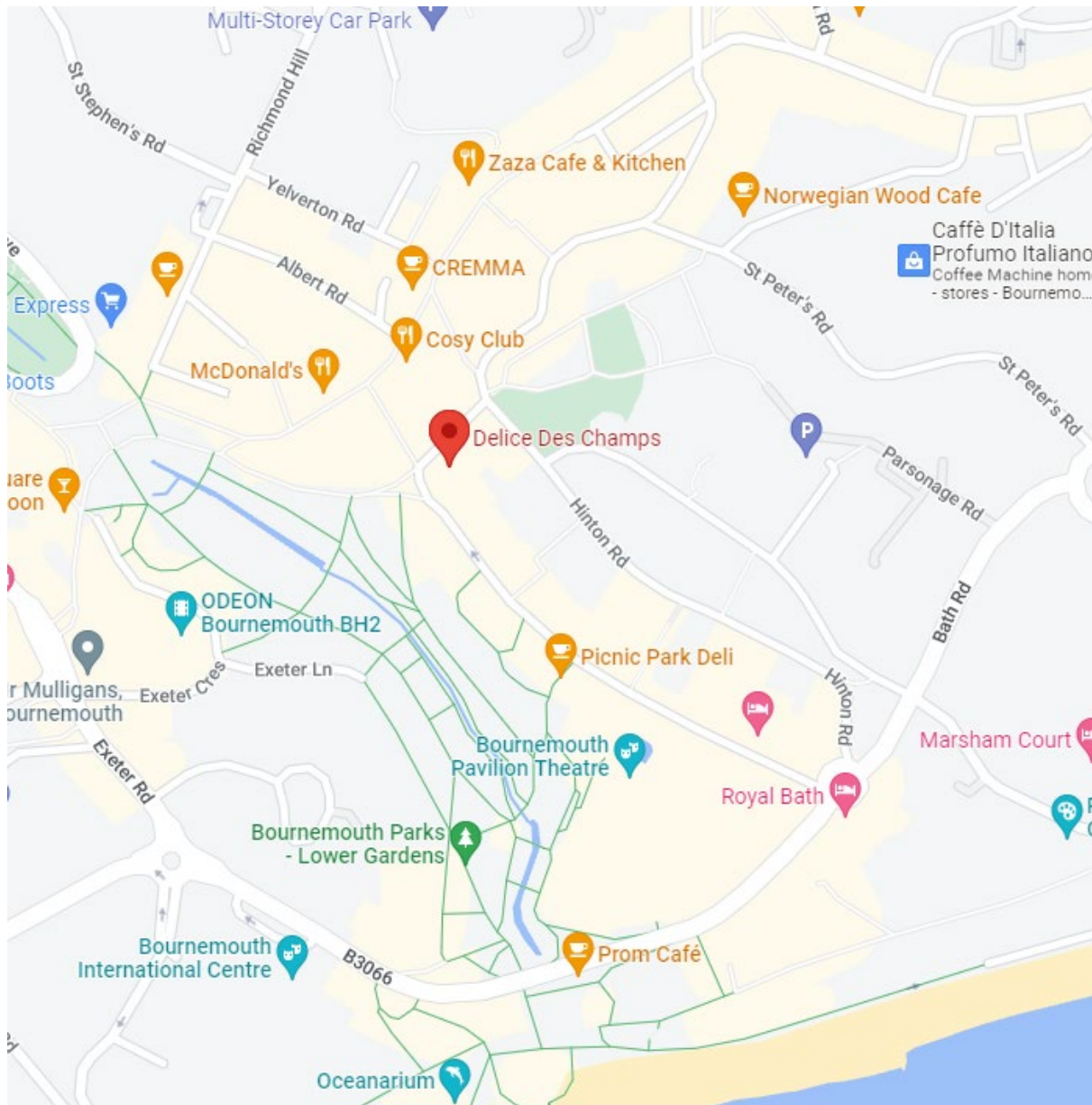
CUMALI AYHAN  
13 GERVIS PLACE BOURNE MOUTH

Post town	BOURNE MOUTH	Post code	BH12AL
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) CHAMPSDELICE@GMAIL.COM			

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## APPENDIX 2



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Mrs Donna Ahmad



Date: 28 March 2022  
Our Ref: LEAPv8: Misc. Act.: 084252:  
KAP04255  
Contact: Mrs Karen Pitts  
Email: karen.pitts@bcpcouncil.gov.uk  
Tel: 01202 123789

Dear Mrs Ahmad

**LICENSING ACT 2003 – PREMISES LICENCE & SUMMARY**  
**Delice des Champs 13 Gervis Place Bournemouth BH1 2AL**

Further to your recent application to transfer the above premises licence, please find enclosed the updated premises licence & summary.

You are reminded that the licence summary, or a certified copy, must be prominently displayed at the premises.

Please note that if there are any changes to the layout of the premises or style of operation/business then it may be necessary to make an application to vary the licence.

If you have any queries, please do not hesitate to contact me as detailed above.

**Data Matching**

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, see [www.bournemouth.gov.uk/nfi](http://www.bournemouth.gov.uk/nfi)

Yours faithfully

**Mrs Karen Pitts**  
Regulation Technical Support Officer

Cc: Dorset Police

## Premises Licence Part A

Premises licence number: BH084252

<b>Postal address of premises, or if none, ordnance survey map reference or description:</b>	
Delice des Champs 13 Gervis Place	
<b>Post town:</b> Bournemouth	<b>Post Code:</b> BH1 2AL
<b>Telephone number:</b> 01202 319094	

<b>Licensable activities authorised by the licence:</b>
Late Night Refreshment Supply of Alcohol

<b>The times the licence authorises the carrying out of licensable activities:</b>
<p><b>Late Night Refreshment</b>  Monday - 23:00 to 23:20  Tuesday - 23:00 to 23:20  Wednesday - 23:00 to 23:20  Thursday - 23:00 to 23:20  Friday - 23:00 to 23:20  Saturday - 23:00 to 23:20</p> <p><b>Supply of Alcohol</b>  Monday - 10:00 to 23:00  Tuesday - 10:00 to 23:00  Wednesday - 10:00 to 23:00  Thursday - 10:00 to 23:00  Friday - 10:00 to 23:00  Saturday - 10:00 to 23:00  Sunday - 12:00 to 22:30</p> <p><u>Non-standard timings for the supply of alcohol.</u>  Good Friday – 12:00 to 22:30,  Christmas Day – 12:00 to 15:00 and 19:00 to 22:30,  From start of permitted hours on New Year's Eve to end of permitted hours on New Year's Day</p>

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

## Part 2

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

Mrs Donna Ahmad

[REDACTED]

[REDACTED]

Tel: [REDACTED]

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

Mr Cumali Ayhan

[REDACTED]

[REDACTED]

Tel: 01202 319094

Email: [REDACTED]

**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\_M004541

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 responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti- social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 1.4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 1.5.
  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.

1.6. The responsible person must ensure that -

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

The Licensing Act 2003 (Mandatory Conditions) Order 2014

1.7.

- 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.

Mandatory Conditions – (Embedded Restrictions) – Attached as part of Conversion Application under Transitional Grandfather Rights Restaurants/Hotels

- 1.8. The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the supply to, or consumption by, any person of alcohol in any premises where they are residing.
- 1.9. The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the sale of alcohol to a trader or club for the purposes of the trade or club.
- 1.10. The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of persons so supplied.
- 1.11. 1.11 The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the supply of alcohol for consumption on premises to persons employed there for the purposes of the businesses carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
- 1.12. The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty’s naval, military or air forces.
- 1.13. The consumption of any alcohol supplied shall be consumed by the end of the first twenty minutes after the permitted hours.
- 1.14. Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:
  - 1.14.1 With and for the consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
  - 1.14.2 For consumption by a person residing in the premises or his guest and paid for together with his accommodation;
  - 1.14.3 To a canteen or mess.
- 1.15. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:



1.15.1 He is the child of the holder of the premises licence;

1.15.2 He resides in the premises, but is not employed there;

1.15.3 He is in the bar solely for the purpose of passing to or from some part of the premises, which is not a bar and to or from which there is no other convenient means of access or egress.

1.15.4 The bar is in premises constructed, fitted and intended for use bona fide for any purpose to which the holding of the licence is ancillary.

1.16. The licensee shall have regard and comply with any relevant provisions of the following enactments during any licensable activities taking place on the premises:

1.16.1 Children and Young Persons Act 1933

**Conditions on Justices Liquor Licence – Attached as Part of Conversion Application under Transitional Grandfather Rights**

1.17. Substantial food shall be available at all times when the premises are open for the sale of intoxicating liquor.

1.18. Suitable beverages other than intoxicating liquor, including drinking water, coffee and tea shall be equally available for consumption on the premises.

1.19. There shall be no sale or supply of draught beer, lager or cider on the licensed premises save for two draught beers/lagers.

1.20. There shall be no bar counter used for the consumption of intoxicating liquor to be made available within the premises.

1.21. Intoxicating liquor shall only be sold or supplied by waiter or waitress service to persons seated at tables.

1.22. No regulated entertainment shall be applied for or held in respect of the premises.

1.23. There shall be no television or video screens made available in the public part of the premises.

1.24. There shall be no jukeboxes, DJ booths or discotheque facilities allowed on the premises and only amplified background music will be permitted within the premises.

1.25. There shall be no sale of intoxicating liquor for consumption off the licensed premises.

1.26. The licensed premises shall comprise the areas shown coloured pink on the approved plan and there shall be no consumption of intoxicating liquor other than in the area so coloured.

1.27. The holder of the licence shall not apply under the authority of this licence for a Temporary Event Notice.

**Annex 2 – Conditions consistent with the operating schedule**

N/A

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

N/A

**Annex 4 – Plans**

This licence is issued in accordance with the plan M084252 dated 02 November 2006, as attached.

Doors & steps to Male & Female toilets 1/2 hr Fire resistant.

- FIRE BLANKET
- POWDER FIRE EXTINGUISHER

- hanging fire exit sign
- smoke detector
- emergency light
- break glass alarm

= LICENSED AREAS - SALE SUPPLY/CONSUMPTION OF ALCOHOL.

SEAL OF ON WINGS WITH 0.17018  
8 JAN 99

*J. Hatcher*

LICENSE DRAWING

1:100

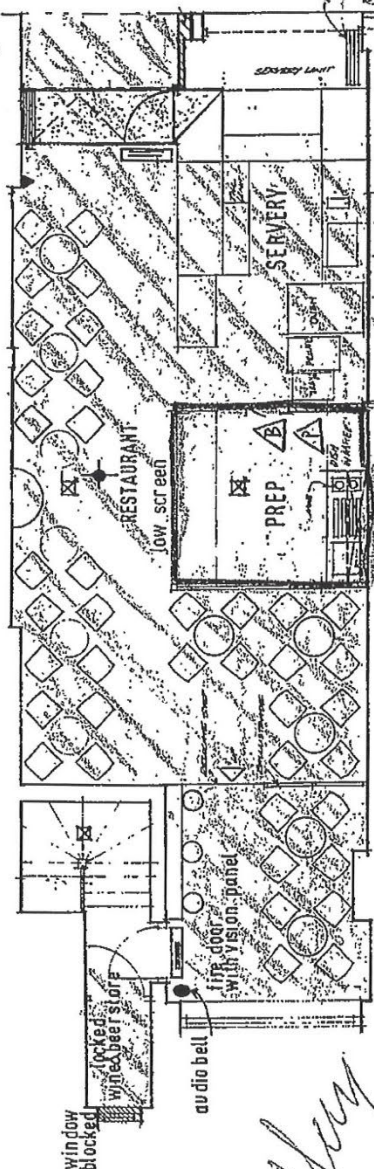
DEC 98

PROPOSED DELICH DE FRANCH CAFE  
AT:  
GERVIS PLACE BOURNEMOUTH  
FOR:  
ADRIAN FORTE

James Sims Associates  
Chartered Interior Designers

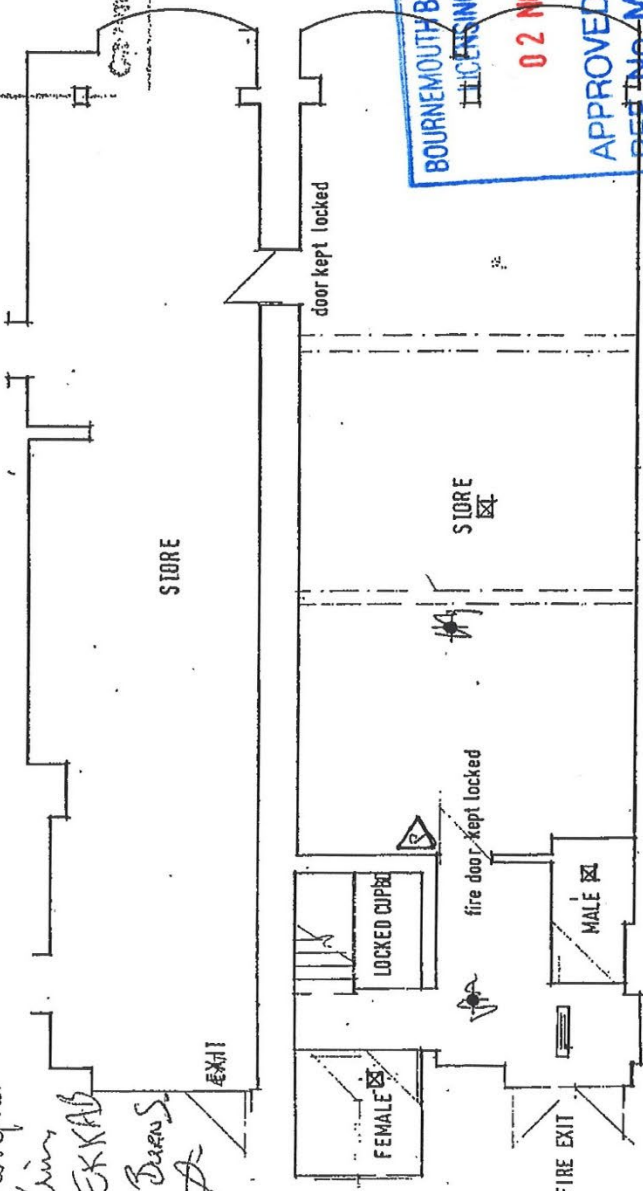
23 BRANKSOME HILL ROAD  
TALBOT WOODS  
BOURNEMOUTH  
DORSET BH4 9LD  
TEL: 01202 768556 FAX: 01202 764993  
E MAIL: j.sims@bournemouth-net.co.uk

BOURNEMOUTH BOROUGH COUNCIL  
LICENSING SECTION  
02 NOV 2005  
APPROVED  
REF. NO. M 084252



GROUND FLOOR

*off*  
*and Fridge*  
*2 J Christopher*  
*Abdelkhalim*  
*CHEKKAB*  
*Simon Breen*  
*we*



RASFMFNT

## Premises Licence Part B

Premises licence number: BH084252

<b>Postal address of premises, or if none, ordnance survey map reference or description:</b>	
Delice des Champs 13 Gervis Place	
<b>Post town:</b> Bournemouth	<b>Post Code:</b> BH1 2AL
<b>Telephone number:</b> 01202 319094	

<b>Licensable activities authorised by the licence:</b>
Late Night Refreshment, Supply of Alcohol

<b>The times the licence authorises the carrying out of licensable activities:</b>
<b>Late Night Refreshment:</b> Monday to Saturday - 23:00 to 23:20 <b>Supply of Alcohol:</b> Monday to Saturday - 10:00 to 23:00, Sunday - 12:00 to 22:30 <u>Non-standard timings for the supply of alcohol.</u> Good Friday – 12:00 to 22:30, Christmas Day – 12:00 to 15:00 and 19:00 to 22:30, New Year's Eve – From start of permitted hours on New Year's Eve to end of permitted hours on New Year's Day

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

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:</b>
Mrs Donna Ahmad, [REDACTED] Tel: [REDACTED]

<b>Name of designated premises supervisor where the premises licence authorises the supply of alcohol:</b>
Mr Cumali Ayhan

<b>State whether access to the premises by children is restricted or prohibited:</b>
See Condition 1.15



**Issued:** 02 November 2006  
**Revised:** 28 March 2022 [Transfer]

**Mrs Nananka Randle**  
**Licensing Manager**

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**From:** [Rosales, Vanessa](#)  
**To:** [Ellie King](#)  
**Cc:** [Dorset Police Licensing](#); [Licensing.Com](#); [champsdelice@gmail.com](mailto:champsdelice@gmail.com)  
**Subject:** RE: Full Variation - Delice des Champs (M202289)  
**Date:** 09 January 2023 16:02:31  
**Attachments:** [image005.jpg](#)  
[image001.png](#)  
[image003.jpg](#)

---

Good Afternoon,

Further to the application for the above premises. The applicant is applying to vary their licence and include provision of late night refreshment until 5am Thursday-Saturday, on behalf of the Chief Officer of Dorset Police, I wish to object to this application under the Licensing Objectives of the Prevention of Crime and Disorder, and Public Safety.

The applicant has not offered any conditions to mitigate the risk associated with late night provision. Therefore, Dorset Police does not have the confidence that the Licensing Objectives would be promoted.

I have cc'd the applicant for their awareness.

Kind Regards  
Vanessa



**Vanessa Rosales**  
**Licensing Officer**

Tel: [REDACTED] Mobile: [REDACTED]

---

Drug & Alcohol Harm Reduction Team  
Bournemouth Divisional Headquarters  
5 Madeira Road  
Bournemouth  
Dorset Police  
BH1 1QQ

---

**From:** Ellie King <[Ellie.King@bcpcouncil.gov.uk](mailto:Ellie.King@bcpcouncil.gov.uk)>

**Sent:** 20 December 2022 16:30

**To:** Compliance Team - Children's Services <[compliance.team@bcpcouncil.gov.uk](mailto:compliance.team@bcpcouncil.gov.uk)>; Dorset & Wilts Fire and Rescue Service <[hilary.green@dwfire.org.uk](mailto:hilary.green@dwfire.org.uk)>; .Licensing <[licensing@dorset.pnn.police.uk](mailto:licensing@dorset.pnn.police.uk)>; Fire Safety <[fire.safety@dwfire.org.uk](mailto:fire.safety@dwfire.org.uk)>; Food Safety <[Food.Safety@bcpcouncil.gov.uk](mailto:Food.Safety@bcpcouncil.gov.uk)>; Home Office - Immigration <[alcohol@homeoffice.gsi.gov.uk](mailto:alcohol@homeoffice.gsi.gov.uk)>; Planning <[planning.bournemouth@bcpcouncil.gov.uk](mailto:planning.bournemouth@bcpcouncil.gov.uk)>; Environmental Health <[environmental.health@bcpcouncil.gov.uk](mailto:environmental.health@bcpcouncil.gov.uk)>; Public Health - Licensing <[publichealth-licensing@dorsetcouncil.gov.uk](mailto:publichealth-licensing@dorsetcouncil.gov.uk)>; Trading Standards <[trading.standards@bcpcouncil.gov.uk](mailto:trading.standards@bcpcouncil.gov.uk)>

**Subject:** Full Variation - Delice des Champs (M202289)

Good afternoon,

Please find attached application for a new premises licence at the above.

I confirm the last day for representations is the 17 January 2022.

Should you have any queries, please do not hesitate to contact me.

Kind Regards

Ellie

**Ellie King**

**Licensing Officer  
Communities**  
T. 01202 123971  
[Ellie.king@bcpcouncil.gov.uk](mailto:Ellie.king@bcpcouncil.gov.uk)  
[bcpcouncil.gov.uk](http://bcpcouncil.gov.uk)

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For more information, or to contact us, please visit us at [www.devon-cornwall.police.uk](http://www.devon-cornwall.police.uk) or [www.dorset.police.uk](http://www.dorset.police.uk) or e-mail [101@devonandcornwall.pnn.police.uk](mailto:101@devonandcornwall.pnn.police.uk) or [101@dorset.pnn.police.uk](mailto:101@dorset.pnn.police.uk)

## Delice des Champs Environmental Health Agreed Conditions

- There shall be no public access to the premises after 23.00hrs, except to the front serving counter area, behind the sliding door.
- No live/recorded music will be played between the hours of 23.00hrs and 08.00hrs
- All tables and chairs shall be rendered unusable by 23.00hrs each day.
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- No deliveries/collections to and from the premises shall take place between 23.00hrs and 07.00hrs
- No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00hrs and 07.00hrs.
- Takeaway deliveries from the premises shall not take place after 23.20hrs on any day.
- The terminal hour for late night refreshment shall be 03.00hrs Thursday to Saturday and 23.20hrs Monday to Wednesday.

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## LICENSING SUB-COMMITTEE



Report subject	<b>Christchurch Road Stores, 62 Old Christchurch Road, Bournemouth</b>
Meeting date	18 January 2023
Status	Public Report
Executive summary	<p>Christchurch Road Stores Ltd has applied for a premises licence to permit off sales of alcohol between 10:00 and 22:00 each day of the week.</p> <p>Dorset Police have made a representation against the application on the grounds that to grant would undermine the prevention of crime and disorder and public safety licensing objectives.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <p><b>Members are asked to decide whether to:-</b></p> <ul style="list-style-type: none"> <li><b>a) Grant the application for a premises licence as made;</b></li> <li><b>b) Refuse the application for a premises licence;</b></li> <li><b>c) Grant the premises licence subject to additional conditions.</b></li> </ul> <p><b>Members of the Licensing Sub-Committee are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.</b></p>
Reason for recommendations	<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 from 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>

Portfolio Holder(s):	Councillor Bobbie Dove – Community Safety and Regulatory Services
Corporate Director	Jess Gibbons – Chief of Operations
Report Authors	Sarah Rogers – Senior Licensing Officer
Wards	Bournemouth Central
Classification	For Decision

## Background

1. An application for a premises licence, under Section 17 of the Licensing Act 2003, was made on 23 November 2022. A copy of the application is attached at Appendix 1. A copy of the proposed layout plan is attached at Appendix 2.

## Consultation

2. The application was served on all responsible authorities and the applicant confirmed that the statutory notices were displayed on site and published in the local newspaper.
3. The licensing authority received a representation from Dorset Police under the prevention of crime and disorder and public safety licensing objectives. A copy of the representation is attached at Appendix 2.
4. No representations were received from any of the other responsible authorities or any other person.

## Options Appraisal

5. Before making a decision, Members are asked to consider the following matters:
  - The submissions made by or on behalf of the applicant.
  - The representation received from or made on behalf of Dorset Police.
  - The relevant licensing objectives namely the prevention of crime and disorder and public safety.
  - The Licensing Act 2003, appropriate Regulations, Statutory Revised Guidance issued under Section 182 of the Licensing Act 2003 – December 2022 and the Council's Statement of Licensing Policy

## Summary of financial implications

6. N/A

## Summary of legal implications

7. 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.

8. Dorset Police may also appeal to the Magistrates' Court within the 21 day period if aggrieved by the decision made.

#### **Summary of human resources implications**

9. N/A

#### **Summary of sustainability impact**

10. N/A

#### **Summary of public health implications**

11. N/A

#### **Summary of equality implications**

12. N/A

#### **Summary of risk assessment**

13. N/A

#### **Background papers**

##### **BCP Council – Statement of Licensing Policy –**

[https://www.bcpCouncil.gov.uk/Business/Licencesandpermits/Documents/Licensing/solp\\_2020.pdf](https://www.bcpCouncil.gov.uk/Business/Licencesandpermits/Documents/Licensing/solp_2020.pdf)

##### **Hearing Regulations –**

<https://www.legislation.gov.uk/ukSI/2005/44/contents/made>

##### **Revised Guidance issued under Section 182 of the Licensing Act 2003 – December 2022**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1125660/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_December\\_2022.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1125660/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_December_2022.pdf)

#### **Appendices**

- 1 – Copy Application
- 2 – Layout Plan
- 3 – Dorset Police Representation

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## Application for a premises licence to be granted 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 Nicholas Gregory Christchurch road stores ltd (10986451)

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

### Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description <b>62 old christchurch road</b>			
Post town	bourne mouth	Postcode	BH11LL

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>20000</b>

### Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as**

a)	an individual or individuals *		please complete section (A)
b)	a person other than an individual *		
	i as a limited company/limited liability partnership	x	please complete section (B)
	ii as a partnership (other than limited liability)		please complete section (B)
	iii as an unincorporated association or		please complete section (B)
	iv other (for example a statutory corporation)		please complete section (B)

c)	a recognised club		please complete section (B)
d)	a charity		please complete section (B)
e)	the proprietor of an educational establishment		please complete section (B)
f)	a health service body		please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative

**(A) individual applicants** (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over		Please tick yes	
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)					

--

**Second individual applicant (if applicable)**

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

**(B) Other applicants**

**Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.**

Name
Address

Registered number (where applicable) 10986451
Description of applicant (for example, partnership, company, unincorporated association etc.) limited company
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY	
1		1	2	2	0
					2

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD		MM		YYYY	

Please give a general description of the premises (please read guidance note 1)  
The premises is a double fronted shop unit The retail space is on the ground floor  
detailed plan is attached

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)	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)	

<b><u>Provision of late night refreshment</u></b> (if ticking yes, fill in box I)	
<b><u>Supply of alcohol</u></b> (if ticking yes, fill in box J)	x

**In all cases complete boxes K, L and M**

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	
				Off the premises	x
				Both	
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	10.00	22.00			
Tue	10.00	22.00			
Wed	10.00	22.00			
Thur	10.00	22.00			
Fri	10.00	22.00			
Sat	10.00	22.00			
Sun	10.00	22.00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

<b>Name</b> steven love	
<b>Date of birth</b> [REDACTED]	
<b>Address</b> [REDACTED]	
<b>Postcode</b> [REDACTED]	
<b>Personal licence number (if known)</b> 033701	
<b>Issuing licensing authority (if known)</b> ssdc	

**K**

**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 9).**

NONE

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	07.00	22.00	
Tue	07.00	22.00	
Wed	07.00	22.00	
Thur	07.00	22.00	
Fri	07.00	22.00	
Sat	07.00	22.00	<b>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</b> (please read guidance note 6)

Sun	07.00	22.00	

## M

Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

All steps will be taken to ensure a safe environment for all customers and to ensure that NO age restricted products sold to underage customers ..particularly alcohol and tobacco . Staff training and large suite of cctv cameras set up to monitor behaviour and safety . Locks shutters alarms provided to protect from criminal activity. Close relations with police and monitoring of potential illegal activity in and outside the shop itself Strict adherence to food hygiene precautions to avoid any contamination and clear labelling of any product potentially containing common allergens

**b) The prevention of crime and disorder**

- 1 close co-operation with local police
- 2 constant cctv supervision of premises
- 3 extra protection/ shuttering for windows
- 4 locks and alarm system to a high level
- 5 staff training to ensure robust procedures and age checks to make sure no alcohol or other age related products „glue tobacco alcohol knives etc. record kept of all transactions where customer fails an age challenge
- 5 clear signage to indicate prohibited substances

**c) Public safety**

- 1 Staff training to ensure procedures in place to avoid overcrowding in shop
- 2 risk analysis to be carried out to identify trip hazards etc fire exits clearly identified
- 3 fire risk analysis and smoke detectors to be fitted
- 4 all hazardous products correctly labelled and kept safe
- 5 electric system test and pat test of ant small items carried out regularly

**d) The prevention of public nuisance**

- 1 Opening hours clearly noted
- 2 signage asking customers to leave quietly and respect neighbours
- 3 Noisy tasks not to be taken during antisocial hours
- 4 no loud music to be played
- 5 rubbish contract to be valid to ensure no food waste left
- 6 regular pest control undertaken baited rat traps etc

**e) The protection of children from harm**

- 1 staff trained to refuse service of age related items to minors or those seeking to purchase items on their behalf id checked and record kept of those failing age challenge
- 2 Children under 10 years not served without an adult present
- 3 all trip /corner hazards checked as well as slip hazards no access to any other are of premises other than shop floor
- 4 notes kept of known sex offenders in the area and supervision of unaccompanied minors by staff.

**Checklist:**

**Please tick to indicate agreement**

<input type="checkbox"/>	I have made or enclosed payment of the fee.	X
<input type="checkbox"/>	I have enclosed the plan of the premises.	X
<input type="checkbox"/>	I have sent copies of this application and the plan to responsible authorities and others where applicable.	X
<input type="checkbox"/>	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	
<input type="checkbox"/>	I understand that I must now advertise my application.	X
<input type="checkbox"/>	I understand that if I do not comply with the above requirements my application will be rejected.	
<input type="checkbox"/>	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	X


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.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

**Part 4 – Signatures (please read guidance note 11)**




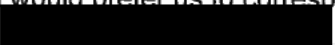
**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"><li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence</li></ul>
--------------------	---

	<p>will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	
Date	10.11.22.
Capacity	Director

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

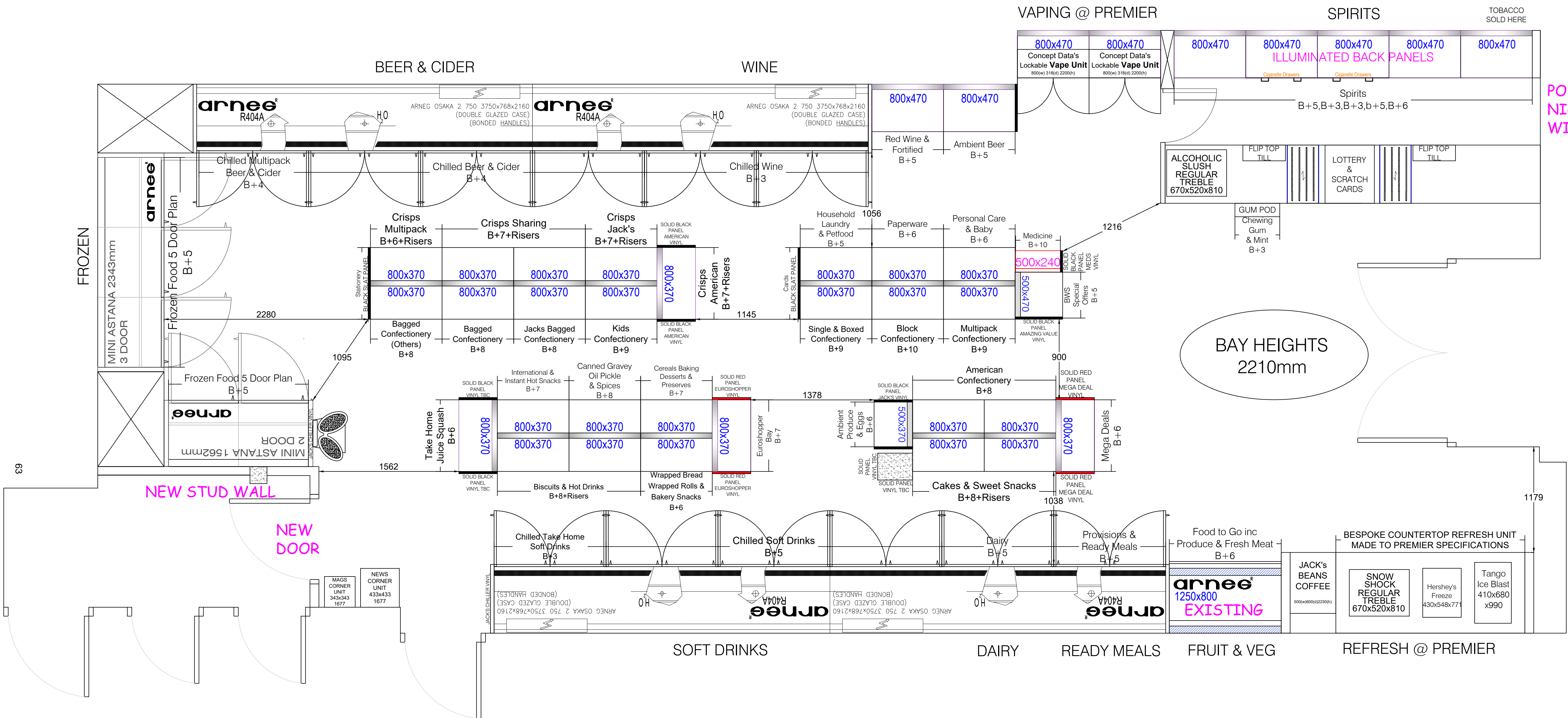
Signature	
Date	
Capacity	

<p>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)</p> <p>nicholas Gregory</p> <p></p>			
Post town	poole	Postcode	
Telephone number (if any)			
<p>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</p> <p></p>			

## Notes for Guidance



# COMMODITY LAYOUT



Premier Space Analysis								
Category	1000 SQFT	ACTUAL SPACE	Category	1000 SQFT	ACTUAL SPACE	Category	1000 SQFT	ACTUAL SPACE
Chilled Fresh	6	3	Frozen	6	5	BWS Ambient	1	2
Ambient Fresh	5	4	Confectionery	7	9	BWS Chilled	6	6
Refresh & Deli	5	5	Crisps & Snacks	4	5	Value	3	3
Soft Drinks Ambient	1	1	Grocery	6	5	Kiosk	6	7
Soft Drinks Chilled	4	4	Grocery Non Food	7	3	Total	67	62
PLEASE ORDER AND SITE GIFT CARDS AND OTL CLIPSTRIPS NEXT TO THE RELEVANT BAYS								

## PLAN AGREED.

RETAILER.

NAME: \_\_\_\_\_

SIGNIATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

RDM.

NAME: \_\_\_\_\_

SIGNIATURE: \_\_\_\_\_

DATE: \_\_\_\_\_



This drawing is for illustrative purposes ONLY.

All dimensions should be checked by a qualified Shop Fitter prior to any investment being undertaken.

All investments made & compliance with building & licensing regulations are the sole responsibility of the Retailer

APPENDIX 2

## Premier SPRINKLES

STORE LAYOUT STATUS:

### PROPOSED

ADDRESS:

62 OLD CHRISTCHURCH ROAD  
BOURNEMOUTH  
BH1 1LL

DATE:

18th OCTOBER 2022

VERSION:

### KS v1

Approx Square Footage

1030 sq.ft.

- NOTES:
- DRAWN FROM SHOPFITTER SKETCH AND DESIGNED FOR 1000 SQ FT PREMIER MATRIX WHERE POSSIBLE. DUE TO THIS STORES TOWN CENTER LOCATION WE HAVE GONE HEAVIER ON IMPULSE AND BWS AND LIGHTER ON GROCERY AND NON FOOD. PLEASE SEE SPACE ANALYSIS FOR ACTUAL SPACE V MATRIX.
  - NEW CHILLERS (EXCEPT ONE), FREEZERS, SHELVING (GREY WITH BLACK EPOS STRIPPING) AND EQUIPMENT ALL TO PREMIER SPECIFICATIONS.
  - ALL BAY HEIGHTS TO BE 2200mm AS PER PREMIER SPEC.
  - ALL WOOD FINISHES TO CORRECT SPECIFICATION.
  - ADDED TANGO ICE BLAST, TRIPLE SLUSH, HERSEY'S FREEZE AND A JACK'S BEANS COFFEE MACHINE IN NEW GOAL POSTED REFRESH @ PREMIER SECTION.
  - THE NEW COUNTER DOES NOT INCLUDE A COSSIGA UNIT (GREGS NEXT DOOR) BUT DOES HAVE REAR ILLUMINATED BAYS BEHIND AND TOBACCO DRAWERS UNDER AND ALSO A TRIPLE ALCOHOLIC SLUSH MACHINE.
  - ADDED 2 X LOCKABLE VAPE UNITS AS PER SPEC.
  - ADDED A NEWS CUBE.
  - ADDED MAGAZINE CUBE.
  - CARD UNIT FOR SLAT END REQUIRED.
  - PLEASE MAKE SURE ALL PELMETS ARE TO PREMIER SPECIFICATIONS.
  - NEW SOLID SIDE PANELS REQUIRED AS PER PLAN (RED FOR PROMO BAYS AND ALL OTHERS IN BLACK).
  - EURO SLAT HOOKS WITH OVER ARM HOLDERS REQUIRED STATIONARY (AMOUNT TBC).
  - POSSIBLE SHELF MANAGEMENT SYSTEM REQUIRED FOR FRESH CHILLERS (AMOUNT TBC).
  - POSSIBLE PRODUCE BASKETS REQUIRED. (AMOUNT TBC).
  - IMPULSE ICE CREAM UNITS REQUIRED FOR UPRIGHT FREEZER. (SIZE AND AMOUNT TBC).
  - LEAFLET HOLDER REQUIRED.
  - ADDED 2 X AMERICAN CONFECTIONERY BAYS. (3 SHELVES AVAILABLE FROM BOOKER WITH REMAINING FROM A CB SUPPLIER).
  - ADDED GIFT CARDS.
  - PLEASE SITE OTL CLIPSTRIPS NEAR RELEVANT BAYS.
  - ALL SHELVING AND RISER REQUIREMENTS ARE ON THE PLAN. (THESE INCLUDE TOP FILLER SHELF ON THE 2200mm BAYS).
  - IT'S THE RDM'S RESPONSIBILITY TO CHECK THE PLAN AND FEEDBACK ANY REQUIRED CHANGES PRIOR TO MERCHANDISING.
  - SOME STORES WILL NEED TO UNDERGO A BLUE DOTTING SESSION TO REDUCE STOCK LEVELS AND THIRD PARTY SUPPLIERS PRIOR TO REFIT AND THEN MERCHANDISING.
  - RDM TO AGREE EXIT STRATEGY OF EXCESS STOCK IF NECESSARY.
  - ALL EXISTING STORES MUST BE 100% TICKETED TO COMPLETE THE BLUE DOTTING PROCESS.
  - INTERIOR SIGNAGE INFORMATION ADDED TO THE PLAN BUT SOME MARKED TBC.
  - SOME PLANOGRAMS MAY NEED TO BE ADJUSTED TO FIT VARYING SIZED BAYS.
  - RDM RESPONSIBLE FOR ORDERING ALL 3RD PARTY SUPPLIERS AND ANY AUXILIARY EQUIPMENT I.E CRISP BASKETS.
  - THE RETAILER AND THE RDM TO SIGN AGREED PLAN BEFORE MERCHANDISING REQUEST CAN BE SENT. (PLEASE ATTACH PHOTO OF SIGNED PLAN WITH REQUEST).

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06.12.22 11:28

Good Morning,

Further to the application for the above application, on behalf of the Chief Officer of Dorset Police, I wish to object to this application under the Licensing Objectives of the Prevention of Crime and Disorder, and Public Safety.

The location of this premises is in Bournemouth Town Centre, an area that already experiences a disproportionate number of street drinkers, anti-social behaviour and crime and disorder which already negatively impacts the local community, as well as contributing to an increase in demand on police resources.

Dorset Police therefore does not have the confidence that the Licensing Objectives would be promoted and respectfully for the above reasons wishes to submit a representation to this application.

Kind Regards  
Vanessa



**DORSET  
POLICE**

**Vanessa Rosales**  
Licensing Officer

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Drug & Alcohol Harm Reduction Team  
Bournemouth Divisional Headquarters  
5 Madeira Road  
Bournemouth  
Dorset Police  
BH1 1QQ

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## **62 Old Christchurch 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 premises, which is currently vacant but was previously a retail space, is located on Old Christchurch Road, Bournemouth, a pedestrianised space in the heart of Bournemouth Town Centre, surrounded by other retail and leisure outlets.

This location is close to Bournemouth Lower Gardens, Bournemouth Square, Horseshoe Common and Richmond Hill and the nearest licensed premises is JD Wetherspoons' 'The Mary Shelley'. There are convenience stores located to the North-East along Old Christchurch Road and to the South-West at Bournemouth Square. There are also a variety of hospitality and leisure sites where alcohol can be purchased for consumption both on and off the premises.

This site has not previously been utilised as a convenience store.

Bournemouth Town Centre is diverse and, in addition to the variety of leisure and retail outlets, is host to several Student Halls of Residence and dwellings, resulting in a vibrant area, which does also attract complaints of Anti-Social Behaviour and low-level crime and disorder.

### **Concerns**

Throughout the Summer period in particular, Dorset Police work closely with our partners in the Youth service, BCP Council, and other organisations, such as the Street Pastors of Bournemouth, to tackle crime and disorder and to protect those most at risk of harm in this area.

The proximity of this site to Bournemouth Square, also a busy Bus terminal, and Bournemouth Gardens, which does experience a disproportionately high level of crime and disorder, generates challenges for those operating in the late evening and generates considerable demand for Dorset Police and our partners.

This risk is often complex and difficult to manage. Dorset Police, through *Operation Fireglow*, target the youth-related crime and anti-social behaviour which is centred around the Lower Gardens and Bournemouth Square. This youth-related crime will often be alcohol-related and serious in nature, leading to child sexual exploitation and strengthening of organised crime drug groups, known as County Lines. It is known that proxy-sales of alcohol from local off-licence premises increases the risk of young people being enticed into these groups.

The general Night-Time Economy environment is a further area of risk. Whilst Dorset Police continues to work with our partners in BCP Council to strengthen the Night-Time Economy through increased awareness of risks of violence targeted at women and girls, drink spiking and other concerns addressed through the Bournemouth Town Watch, one area of most concern is the availability of off-sales alcohol,

promoting unsupervised consumption in public spaces that also experience vagrancy and street drinking. The immediate vicinity of this proposed Licensed Premises does attract the homeless and those carrying out aggressive begging due to the heavy footfall of pedestrians throughout the day and evening.

The proximity of off-sales provision will likely increase 'pre-loading', particularly amongst the student communities, in advance of them attending late night venues. The availability of more affordable alcohol from convenience stores in the very centre of the Town encourages excess consumption in advance of attending conventional night-time venues, increasing the vulnerability of customers and reducing the night-time venues from managing consumption and welfare needs of individuals throughout the evening.

The feedback that we have received from operators of late-night premises is that the increased availability of off-sales alcohol near late night venues significantly increases the risk of welfare concerns once the customer has entered the venue and the effects of the alcohol consumption being to take effect as they are absorbed into the body.

It is consistently the intention of Dorset Police and our partners to work with licence holders to improve the performance of licence premises and to ensure that they deliver provision which aims to enhance the local community. As highlighted, there are already several outlets for off-sales alcohol available in this area.

Dorset Police and our partners continue to work hard to reduce/resolve these concerns of ASB, Crime and Disorder. The addition of a further alcohol provision in such a sensitive location is likely to significantly undermine our efforts, and investment, into reducing the crime and disorder in this area.

### **Mediation**

During the consultation period, Dorset Police have engaged in mediation with the applicant where possible. The standard of the conditions offered by the applicant fall far below the standard expected of a qualified, experienced applicant.

The applicant has provided some conditions which are relevant to this site, however, many of the conditions offered are unenforceable, vague and inappropriate for a Premises Licence.

Prior to any meaningful mediation taking place, the applicant stated that if Dorset Police were inclined to object to the application being granted then they would withdraw the application. No further contact was received by Dorset Police until the final days of the consultation period when Dorset Police were informed, during a weekly meeting of partner agencies, that the applicant had contacted the Licensing Authority to advise that they wished to continue with the application before requesting whether the application may be permitted by the Licensing Authority, despite the objection from Dorset Police, negating the requirement for a Sub-Committee hearing.

Dorset Police were disappointed to receive this update. This undermined the credibility and integrity of the applicant, casting doubt over the willingness and ability of the applicant to promote the licensing objectives. Their lack of understanding of the process of applying for a Premises Licence demonstrates their lack of experience in delivering licensable activities.

No further mediation has taken place in advance of the submission of this document.

### **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 taking no action is not a viable option. The Sub-Committee will hopefully agree that Dorset Police (and our partners) are currently engaged in a sustained effort to reduce the crime and disorder in this area through *Operation Fireglow* and are working closely with existing licensed premises to identify opportunities to reduce alcohol-related incidents which continue to have a significant demand on our valuable resources.

The conditions that have been offered by the applicant are inappropriate for this premises.

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

It is commendable that the applicant has offered conditions requiring CCTV and Staff Training, however, Dorset Police consider that the applicant has failed to fully appreciate the challenges faced by a Licensed Premises in this area of Bournemouth Town Centre.

Whilst the applicant has failed to offer several conditions commonly associated with a licensed premise of this nature, Dorset Police are unable to propose conditions that would mitigate the majority of the concerns currently being experienced in this area.

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

This licence applies for the following –

- Supply of Alcohol for consumption OFF the premises Monday – Sunday 10.00am – 10.00pm

Dorset Police draw the attention of the Sub-Committee to the above concerns regarding the provision of alcohol. The exclusion of alcohol provision would effectively be equal to refusing the application.

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

No concerns have been raised regarding the DPS proposed to justify any objection on these grounds.

### **Refuse the Application for a Premises Licence**

Dorset Police support the view that this option should be a last resort for the Sub-Committee. Whilst matters of a fiscal nature 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.

Dorset Police acknowledge the value that licensed premises add to communities as places of social and economic value, however, where the presence of a licensed premise is foreseen as being detrimental to a community, it is necessary to draw the attention of members of the Sub-Committee to this fact for their consideration.

Whilst Dorset Police are keen to support responsible and appropriate licensable activities, we remain of the view that this application for off-sales alcohol provision, given its location and the challenges faced in the area, should be refused for the reasons detailed above.

### **Conclusion**

Bournemouth Town Centre does not currently have a Cumulative Impact Area, however, despite the absence of such a policy, it remains of vital importance to ensure that new premises and those existing premises wishing to extend their licensable activities, do so whilst ensuring that they continue to promote the licensing objectives.

Dorset Police are firmly of the view, following a great deal of consideration, and limited mediation with the applicant, that the provision of off-sales alcohol, regardless of the time of day, is incompatible with this location. It will be extremely difficult, or indeed impossible, for the licence holder to support the objectives of several responsible authorities to reduce the crime and disorder currently associated with Bournemouth's Lower Gardens when they will be supplying alcohol for consumption to likely to take place in Bournemouth's Lower Gardens and other nearby crime hotspot areas.

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, in support of our submission.

Paragraph 1.17 of the Licensing Act 2003 Section 182 Guidance requires that each premises application be assessed according to its own merits and in accordance with the Licensing Authority's Statement of Licensing Policy.

Dorset Police do not intend to elaborate a great deal on the above during the Sub-Committee hearing, however, we will ensure our availability to answer and queries and provide any further clarification/support/advice to the Sub-Committee as required.