

# Notice of Licensing Committee

Date: Wednesday, 14 May 2025 at 10.15 am

Venue: HMS Phoebe, BCP Civic Centre, Bournemouth BH2 6DY



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## Membership:

### Chairman:

To be elected

### Vice Chairman:

To be elected

**Membership of the Licensing Committee to be appointed at the full Council meeting on 6 May 2025.**

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All Members of the Licensing 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=5836>

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](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

6 May 2025

**DEBATE  
NOT HATE**



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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  
([janie.berry@bcpcouncil.gov.uk](mailto:janie.berry@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. Apologies

To receive any apologies for absence from Councillors.

## 2. Substitute Members

To receive information on any changes in the membership of the Committee.

Note – When a member of a Committee is unable to attend a meeting of a Committee or Sub-Committee, the relevant Political Group Leader (or their nominated representative) may, by notice to the Monitoring Officer (or their nominated representative) prior to the meeting, appoint a substitute member from within the same Political Group. The contact details on the front of this agenda should be used for notifications.

## 3. Election of Chair

To elect a chair of the Licensing Committee for the municipal year 2025/26.

## 4. Election of Vice Chair

To elect a vice chair of the Licensing Committee for the Municipal Year 2025/26.

## 5. 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.

## 6. Confirmation of Minutes

To confirm and sign as a correct record the minutes of the Licensing Committee meeting held on 13 March 2025 and the Licensing Sub Committee meetings held on 19 March and 9 April 2025.

Note: The exempt section of the minutes where relevant are also appended as restricted documents.

## 7. Public Issues

To receive any public questions, statements or petitions submitted in accordance with the Constitution, which is available to view at the following link:

<https://democracy.bcpccouncil.gov.uk/ieListMeetings.aspx?CommitteeID=151&Info=1&bcr=1>

The deadline for the submission of a public question is midday on Thursday 8 May 2025 [midday 3 clear working days before the meeting].

The deadline for the submission of a public statement is midday on Tuesday 13 May 2025 [midday the working day before the meeting].  
The deadline for the submission of a petition is Tuesday 29 April 2025 [10 working days before the meeting].

## **ITEMS OF BUSINESS**

### **8. Forward Plan**

23 - 26

To consider, amend as required and agree the Committee's proposed Forward Plan.

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.

**BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**  
**LICENSING COMMITTEE**

Minutes of the Meeting held on 13 March 2025 at 10.00 am

Present:-

Cllr D A Flagg – Chairman

Cllr A Keddie – Vice-Chairman

Present: Cllr A Chapmanlaw, Cllr M Dower, Cllr G Farquhar, Cllr M Howell,  
Cllr J Richardson and Cllr L Williams

Present on Cllr Harman  
MS Teams:

29. Apologies

Apologies for absence were received from Councillors Filer, Hilliard, Matthews, Northover and Sidaway.

30. Substitute Members

There were no substitute members.

31. Declarations of Interests

There were no declarations of interest.

32. Confirmation of Minutes

**Resolved that the Minutes of the Licencing Committee held on 12 December 2024 and the Minutes of the Licensing Sub-Committees held on 26 November, 9, 11 and 23 December 2024, 22 January and 19 February 2025 be signed by the Chair as an accurate record subject to the following amendment:**

Licensing Committee 12 December 2024 – Minute 20 ‘Apologies’ – amend ‘Farquar’ to ‘Farquhar’.

33. Public Issues

The following Public Question was received by Susan Stockwell on Agenda Item 6, Licensing Fees and Charges for 2025-26. The Chair invited Susan Stockwell to read out her question.

“Could fees set for taxi licensing please cover enforcement at the taxi ranks by CSAS or other officers to ensure that drivers not licensed by BCP are neither using taxi ranks nor touting as well as a contribution to enforcement against cars parked in taxi ranks, to cover all hours when the nighttime

economy is operating at appropriate locations. Taxis are such an important contribution to public safety and our nighttime economy that I feel very strongly that they should be supported accordingly.

Could fees set for sex establishment licensing please cover the substantial expense of monitoring all of the frequent changes of window displays and a boards at sex shops and of monitoring the strip clubs for compliance with conditions, in particular the no touching rule and the requirement premises are kept in good condition.”

The following response was read out by the Chair:

“A Local Authority sets licensing fees that are not governed by statute (so all licensing fees, bar those related to Licensing Act and Gambling Act applications) to enable them to recover their reasonable and proportionate costs of carrying out its licensing functions under the relevant regime. The costs of compliance monitoring and enforcement against an applicant who has been given a licence does fall within the costs of the Council's authorisation procedures, but the costs of enforcement activity against those not licensed (such as unlicensed drivers using ranks) cannot be recovered through the fee process, as the fees set for licences must not exceed the costs of administering the process. They are limited to cost recovery.

The CSAS Officer role is around managing anti-social behaviour, and these Officers do not have the capacity to support rank enforcement.

The current fee model is based on the corporate uplift to fees to cover inflation and national insurance charges and a full fee review will take place within 25/26.”

A discussion ensued around the Council's responsibilities to taxi drivers, and the Chair asked that an item be added to the Forward Plan to advise Committee on the Council's legal responsibilities towards Taxi Drivers and the services that the Council must deliver in this area.

34. Licensing fees and charges for 2025-2026

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

The purpose of this report was to establish the licensing fees and charges that should apply from 1 April 2025 for those licensing activities where the Council had discretion to do so.

The statutory principle in relation to the setting of fees is that they should be reasonable and should relate to the costs of performing the function, including staffing, administration, testing, inspections, hearings, regulation and appeals.

Inflationary increases to staff salaries meant that costs to provide the service had increased. A 5% uplift in fees had been applied to reflect these increased salary costs.

The fee regimes under review were as follows:

- Scrap Metal Dealers
- Pleasure Boats
- Sexual Establishments
- Taxi and Private Hire

The Senior Licensing Officer referred to an error in paragraph 23 of the report, Hackney Carriage and Private Hire Drivers numbers for 2023, which should read 1277 and not 12,777. It was also reported that the responsibility for setting scrap metal fees fell to Cabinet and, as such, the Committee's recommendation for setting scrap metal fees would be sent to Cabinet for consideration and approval.

In response to various questions raised by members of the Committee, the Senior Licensing Officer advised that legislation allowed for Local Authorities (LAs) to charge full cost recovery on the fee regimes stated. Fees must be proportionate and not over burdensome on the fee payer or taxpayer, and that is why neighbouring LAs charged different fees.

The Legal Advisor explained that once Taxi and Private Hire fees were agreed they would be published by the Council and vehicle owners and operators would have an opportunity to comment.

The Committee considered the fee regimes as set out in Appendix 1, which reflected an increase of 5%, calculated to reflect the staff pay award and changes to National Insurance.

**RESOLVED that Members agree the proposed fees as stated; and that the decision agreed in respect to Scrap Metal Fees be recommended to Cabinet for adoption.**

35. Forward Plan

The Senior Licensing Officer took members through the Forward Plan, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book. The following updates were provided:

- Pleasure Boats and Boatperson Licensing Policy – The draft policy would now be reconsidered by the Licensing Committee on 14 May 2025 following its postponement.
- Review of Statement of Licensing Policy – The final Policy would be presented to the Licensing Committee for approval on 14 May 2025

for adoption by Full Council on 3 June 2025. There had been an extended consultation due to the lack of engagement from the trade and therefore the Council had reached out to the trade for a second time to seek their views.

- Review of Statement of Licensing Principles – Gambling Act 2005 –. A full review of the policy was still planned to take place in 2025, with full public consultation, however, the Gambling Commission had still not released the necessary guidance.
- Review of Hackney Carriage and Private Hire Driver Vehicle and Operator Policies – The Licensing Committee would consider the responses to the public consultation on the draft policies on 18 September 2025.

#### Committee Briefings and Training Sessions 2025

Members of the Committee were asked to contact the Clerk should they have any future training requirements or areas which they would like more information on.

#### **RESOLVED that**

- i. the review of non-statutory set licensing fees be removed from the Forward Plan as this item had now been considered, and;**
- ii. the following item be added to the Forward Plan: - Committee members to be advised on the Council's legal responsibilities towards Taxi Drivers and the services that the Council must deliver in this area.**

The meeting ended at 10.33 am

CHAIRMAN



**BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**  
**LICENSING SUB-COMMITTEE**

Minutes of the Meeting held on 19 March 2025 at 10.15 am

Present: Cllr M Dower, Cllr D A Flagg and Cllr P Sidaway

92. Election of Chair

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

Voting: Unanimous

93. Apologies

There were no apologies.

94. Declarations of Interests

There were no declarations of interest.

95. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking at licensing hearings was noted.

96. Westbourne Tandoori, 42 Seamoor Road, Bournemouth, BH4 9AS

Present:

From BCP Council:

Sarah Rogers – Senior Licensing Officer  
Linda Cole – Legal Advisor to the Sub Committee  
Michelle Cutler – Clerk to the Sub Committee

The Sub-Committee noted that the Mr Hussain, Premises Licence Holder was not present and was advised that despite repeated attempts, the Licensing Team had been unable to contact him. The Sub-Committee confirmed that it was content to proceed with the hearing in the absence of the Premise Licence Holder.

The Chair made introductions and explained the procedure for the hearing which was agreed by all parties.

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

The Sub Committee was asked to consider an application submitted by Dorset Police for a review of the premises licence for the premises known as 'Westbourne Tandoori', 42 Seamoor Road, Bournemouth, BH4 9AS. Dorset Police no longer had confidence in the premises licence holder to uphold the prevention of crime and disorder and public safety licensing objectives.

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

- Sargeant Gareth Gosling – Dorset Police
- Louise Busfield – Licensing Officer, Dorset Police

2 Community Safety Accreditation Scheme (CSAS) officers were also in attendance.

The Sub Committee went into exempt session at 10:50am and passed the following exemption:

**RESOLVED that under Section 14 (2) of the Licensing Act 2003 (Hearings) Regulations 2005, and with regard to Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that the public interest in withholding the information outweighs such interest in disclosing the information and that it involves the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 7 in Part I of Schedule 12A of the Act."**

Whilst in exempt session the Sub-Committee heard evidence from Dorset Police and viewed the CCTV footage submitted by Dorset Police as part of their application.

The Sub-Committee went back into public session at 11:25am.

The Sub-Committee asked various questions of all parties present and was grateful for the responses received. All parties present had the opportunity to ask questions.

All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the hearing, the Legal Advisor advised all parties of the right of appeal, as appropriate.

**RESOLVED that having considered the application dated 22 January 2025, made by Dorset Police to review the premises licence for the premises known as 'Westbourne Tandoori', 42 Seamoor Road, Bournemouth, BH4 9BS, the Sub-Committee has decided that it is appropriate to revoke the licence on the grounds that the premises**

**are not upholding the prevention of crime and disorder and public safety licensing objectives and is satisfied that there is no alternative outcome that will mitigate the concerns raised by Dorset Police.**

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the report for Agenda Item 5, presented by Sarah Rogers, Senior Licensing Officer, in particular the written and oral evidence provided by Sergeant Gosling of Dorset Police, as well as the verbal submissions made at the hearing by Louise Busfield on behalf of Dorset Police Licensing and the CCTV footage provided by Dorset Police, that was played during the hearing in exempt session.

The Sub-Committee noted that Mr Hussain, Premises Licence Holder and Designated Premises Supervisor, was not in attendance and had not submitted a written representation. They noted that the Senior Licensing Officer had attempted to contact him and that he had not responded and agreed that the hearing should proceed in his absence.

In determining the review, the Sub-Committee considered the options available to them as set out in the recommendations of the report and provided for in the Licensing Act 2003. They took account of the Guidance by the Secretary of State made under section 182 of that Act as well as the Statement of Licensing Policy. The Sub-Committee's decision is based upon consideration of the promotion of the four Licensing Objectives: the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm. The Sub-Committee acknowledged that it was only able to consider matters directly relevant to the licensing objectives raised in the application: prevention of crime and disorder and public safety.

The Sub-Committee concluded that the premises had failed to uphold the prevention of crime and disorder and public safety licensing objectives, and that revocation of the Licence was the only appropriate response to the issues raised in the review when considering the evidence currently available to it.

### **Reasons for decision**

Members of the Sub-Committee in determining the application for review must consider the following options: -

- a) Leave the licence in its current state.
- b) Modify the conditions of the licence; and/or
- c) Exclude a licensable activity from the scope of the license; and / or
- d) Remove the Designated Premises Supervisor; and/or
- e) Suspend the licence for a period not exceeding three months; and/or
- f) Revoke the licence.

### **Leave the licence in its current state:**

In considering the information contained in the agenda report, the representations made by Dorset Police, the CCTV video footage shown

and verbal submissions made during the hearing, the Licensing Sub-Committee agreed that taking no action would not be a sufficient response to the concerns identified by Dorset Police in bringing this review.

**Modify the conditions of the licence; and/or Add conditions**

The Sub-Committee do not consider that modifying the existing conditions would resolve the concerns raised by Dorset Police as it was Mr Hussain's demeanour and abusive and threatening response to an innocuous request to move his car to allow an ambulance access, that greatly concerned the Sub-Committee. Such loss of control could easily be envisaged as a response to a customer or member of staff within the premises.

**Exclude a licensable activity from the scope of the licence:**

The Sub-Committee do not consider that excluding a licensable activity from the scope of the licence to be an appropriate response to the concerns raised in this review. The issue was not the sale of alcohol or provision of late-night refreshment.

The Sub-Committee feel that it is the behaviour demonstrated by Mr Hussain that is the cause for concern. The evidence presented to them clearly demonstrates that Mr Hussain, DPS and Premises Licence holder does not act responsibly or safely. Mr Hussain is reluctant to engage with Dorset Police and partner agencies to ensure the licensing objectives are upheld.

**The removal of the Designated Premises Supervisor from the licence:**

The Sub-Committee note that Mr Hussain is the sole director of 'Westbourne Tandoori', and the Premises Licence Holder. He is also the DPS, therefore removing him as DPS would not be enough to alleviate the issues raised in the Review Application. The Sub-Committee are unable to remove the Premises License Holder.

**Suspension of the Licence:**

The Sub-Committee feel that a temporary suspension of the Premises Licence of up to three months will not resolve the concerns raised in the Application for Review.

The Sub-Committee noted that Dorset Police and partner agencies had visited this premises on several occasions since the start of the Covid pandemic in 2020 and had attempted to engage with, and offer support, to Mr Hussain without success. The situation had got progressively worse since 2023, and the Sub-Committee had no confidence that the concerns identified by Dorset Police would be addressed if the licence was suspended.

**Revocation of the Licence:**

The Sub-Committee, after considering all the options available to them, determined that revocation of the premises licence is the appropriate option in response to this Application for Review.

The Sub-Committee heard evidence from Dorset Police about several incidents that had occurred involving Mr Hussain, in particular, an incident on 29 November 2024 where Dorset Police attended a report of an incident to the rear of the premises. The dispute involving Mr Hussain was instigated following a request by staff of a neighbouring business for a vehicle associated with the licence holder to be moved to allow an ambulance access.

The Sub-Committee viewed CCTV of this incident and were shocked by Mr Hussain's behaviour.

The Sub-Committee has heard evidence from Dorset Police that they have made repeated attempts to meet with Mr Hussain to discuss the concerns raised with the premises and that on 15 January 2025, a joint visit between Dorset Police and a Council Officer from the Environmental Health Team had visited the premises. The Sub-Committee were advised by Dorset Police that Mr Hussain denied any involvement with any of the issues raised and that his behaviour became increasingly agitated, resulting in Mr Hussain threatening Police Officers and instructing his staff to lock all exits to prevent officers from leaving.

The Sub-Committee are appalled by Mr Hussain's behaviour and agree that it is unacceptable and not how a responsible premises licence holder or DPS should behave. Mr Hussain has clearly demonstrated that he does not have the attributes necessary to operate and uphold and promote the four objectives, particularly the prevention of crime and disorder and public safety.

Dorset Police have evidenced numerous examples of Mr Hussain's blatant disregard of the law since 2023 and Mr Hussain has not shown any willingness to co-operate with the Police or partner agencies to address the various issues raised and as such, the Sub-Committee have no confidence that Mr Hussain can manage these premises responsibly.

The Sub-Committee decided that to uphold the licensing objectives, it was appropriate and necessary to revoke the licence. The Sub-Committee concluded that none of the other available options are appropriate at this time.

### **Right of appeal**

An appeal against the review decision may be made to a Magistrates' Court within 21 days of the appellant being notified of the Licensing Authority's determination on the review. An appeal may be made by the Premises Licence Holder, the Chief Officer of Police and/or any interested person who made relevant representations

The meeting ended at 11.30 am

CHAIRMAN

**BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**  
**LICENSING SUB-COMMITTEE**

Minutes of the Meeting held on 09 April 2025 at 10.15 am

Present: Cllr D A Flagg, Cllr P Sidaway and Cllr L Williams

97. Election of Chair

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

Voting: Unanimous

98. Apologies

There were no apologies.

99. Declarations of Interests

There were no declarations of interest.

100. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking at licensing hearings was noted.

101. Dancing Jug, 2 Southbourne Grove, Bournemouth, BH6 3RP

Present:

From BCP Council:

Sarah Rogers – Licensing Officer  
Linda Cole – Legal Advisor to the Sub-Committee  
Sinead O’Callaghan – Clerk to the Sub-Committee

The Chair made introductions and explained the procedure for the hearing which was agreed by all parties.

The Licensing Officer presented a report, a copy of which had been circulated and a copy of which appears as Appendix ‘A’ to these minutes in the Minute Book.

The Licensing Sub-Committee was asked to consider an application made by Mr Ion Mugarel Sumanariu for a premises licence at Dancing Jug, 2 Southbourne Grove, Bournemouth, BH6 3RP. The application was to permit the following licensable activities:

- Live and Recorded Music (indoors) - Monday to Saturday 10:00 to 00:00 and on Sunday 10:00 to 23:30
- Late Night Refreshment (indoors) - Monday to Saturday 23:00 to 00:00 and on Sunday 23:00 to 23:30
- Supply of Alcohol (on and off sales) Monday to Saturday 10:00 to 00:00 and on Sunday 10:00 to 23:30
- An extension on New Year's Eve from 10:00 to 00:00 on 2nd January each year was also requested

The Licensing Authority had received 1 representation from an other person on the grounds that to grant the application would undermine the prevention of public nuisance licensing objective.

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

For the Applicant:

Mugarel Sumanariu – Applicant

Jalal Hajabrahim – Owner

Kerry Mesher - DPS at Bournemouth Dancing Jug

Other Person:

Felicity Spence - Resident

The Sub Committee asked various questions of all parties present and was grateful for the responses received. All parties had the opportunity to ask questions. All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the hearing, the Legal Advisor advised all parties of the right of appeal.

Decision:

**RESOLVED** that the application for a premises licence at Dancing Jug, 2 Southbourne Grove, Bournemouth, BH6 3RP, be **GRANTED** as applied for subject to

- 1 the amendments mediated by Environmental Health to cease live music at 23:00 each day of the week and the additional conditions agreed as set out below**
  - A noise limiter shall be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, to ensure that no noise nuisance is caused to local residents or businesses.
  - The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder.
  - The limiter shall not be altered without prior agreement with the Environmental Health Service.



- **No alteration or modification to any existing sound system(s) should be affected without prior knowledge of an authorised Officer of the Environmental Health Service.**
- **No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.**
- **All controls in respect to preventing noise from live and recorded music from the venue as outlined under the 'Prevention of Nuisance' section (M) shall be implemented for the duration of the opening hours and not only after 23:00 when the provisions of the Live Music Act cease to come into effect.**
- **No live or recorded music to be played in the proposed new beer garden area.**

**2 all conditions proposed by Dorset Police and agreed by the applicant as set out in appendix 4 of the Report**

**In addition, the premises licence will include all conditions offered in the applicant's operating schedule at Part M of the application, with condition 3.3.2 amended to read;**

- **The proposed beer garden and external smoking area shall not be put into use until such time as a further acoustic report has been submitted to and approved by the Environmental Health Department confirming that the required sound reduction has been achieved and the external area is built in accordance with the specification outlined in Acoustic report ATTUNE Ref: 26927REP-1C or an equally effective level of acoustic mitigation is achieved.**

**Reasons for Decision:**

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the report for Agenda Item 5, together with the additional information from BCP Environmental Health contained within the supplementary papers and the verbal submissions made at the hearing by the applicant, Mr Jalal Hajabrahim, the owner of the premises and the objector Felicity Spence, a local resident.

The Sub-Committee was mindful that the only representation made was on the grounds of the prevention of public nuisance and that it considers Environmental Health as its main source of advice on public nuisance. The Sub Committee noted the email correspondence from Mr Andrew Hill, Senior Environmental Health Officer, which was included in the supplementary Information and noted the successful mediation that had taken place between the applicant, Mr Hill and Dorset Police. This mediation led to the applicant agreeing several conditions proposed by Environmental Health and Dorset Police to uphold the Licensing Objectives of Prevention of Public Nuisance and Prevention of Crime and Disorder.

The Sub-Committee noted the representation and verbal submission made by Felicity Spence, who highlighted that there were already several licensed premises in the area and there would be more noise, litter, traffic and general anti-social behaviour if the premises were granted a licence. She also raised concerns about waste collection and the number of bins already situated on residential roads and its impact on residents. The Sub-Committee noted that the premises was to have its own bin store situated at the rear of the premises and waste collectors would retrieve and return the bins directly from the bin store.

The Sub-Committee could not take into consideration the number of licensed premises already in the area as the premises is not situated in a communitive impact area. They could only consider whether this premises would undermine the prevention of public nuisance licensing objective. They noted the concerns raised but were satisfied that if the premises was operated responsibly and complied with the conditions agreed during mediation, that the licensing objectives should be upheld.

The Sub-Committee noted the proposed change to the DPS from Juliana Dorris Tower as set out in the application to Kerry Mesher. The premises will need to make the appropriate application prior to opening as agreed by the applicant during the hearing.

In conclusion, the Sub-Committee was satisfied that if the premises operated in accordance with all the conditions now attached to the premises licence the premises should not undermine the licensing objectives.

The Sub-Committee was mindful of the spirit of the Licensing Act 2003 and the presumption to grant and the case of Thwaites PLC v Wirral Borough Magistrates' Court 2008.

It was noted that a review of the premises licence could be applied for at any time by a Responsible Authority or any other person should there be any issues associated with the premises in the future that undermine the licensing objectives.

In making this decision the Sub-Committee have had regard to the Bournemouth, Christchurch and Poole Council Licensing Policy, the revised guidance, as set out by the Secretary of State and the licensing objectives, as set out in the Licensing Act 2003.

All parties to the application have the right to appeal to the Magistrate's Court within the period of twenty-one days beginning with the day on which the applicant is notified by the Licensing Authority of this decision in writing.

The meeting ended at 10.58 am

CHAIRMAN

By virtue of paragraph(s) 1, 2, 7 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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## Forward Plan – Licensing Committee, 14 May 2025 - *Publication date: 6 May 2025*

Forthcoming meetings 2025/26: 18 September / 11 December / 12 March

	Subject	Purpose of report	Consultation	Report author(s)	Meeting date
1	<b>Review of Statement of Licensing Policy</b>	<p>To consider the responses to the public consultation on the draft Statement of Licensing Policy 2025 – 2030 and recommend a final version for adoption by Full Council on 3 June 2025.</p> <p>In accordance with Section 5 of the Licensing Act 2003 a Licensing Authority is required to prepare and publish a statement of its licensing policy every five years.</p>	<p>To include those persons listed in section 5(3) of the 2003 Act.</p> <p>These are: Chief Constable of Dorset Police; Dorset and Wiltshire Fire and Rescue; BCP Director of Public Health; Persons/bodies representative of local Premises Licence Holders, local Club Premises Certificate Holders and local Personal Licence Holders; and Persons/bodies representative of businesses and residents in its area.</p> <p>Licensing Committee Working Group</p>	Nananka Randle, Licensing and Trading Standards Manager Sarah Rogers. Principal Licensing Officer	<p><del>14 May 2025</del> Now due 18 September 2025 Final Policy</p>
2	<b>Review of Hackney Carriage and Private Hire Driver, Vehicle and Operator Policies</b>	To consider the responses to the public consultation on the draft Policies	Full public and trade consultation	Nananka Randle Licensing and Trading Standards Manager	<p><del>18 September 2025</del> Now due 22 October 2025 Additional meeting</p>

	Subject	Purpose of report	Consultation	Report author(s)	Meeting date
3	<b>Pleasure Boats and Boatpersons Licensing Policy</b>	To reconsider the draft policy following informal consultation with stakeholders. It has been over 12 months since the policy was considered. Amend policy as required and recommend to Council for adoption.	Harbour Master  Public consultation	Sarah Rogers, Principal Licensing Officer Ellie King, Licensing Officer	<del>14 May 2025</del> Now due 11 December 2025
4	<b>Review of Statement of Licensing Principles - Gambling Act 2005</b>	To commence a full review of the existing BCP Statement of Licensing Principles – Gambling Act 2005.  The Council is required to publish a Statement of Licensing Principles under section 349 of the Gambling Act 2005 every three years. The purpose of the Statement is to define how the Licensing Authority will exercise its responsibilities under the Act.	Full public consultation	Nananka Randle, Licensing and Trading Standards Manager	2025 (date to be determined)
5	<b>Council responsibilities to Taxi Drivers</b>	To advise Committee on the Council's legal responsibilities towards Taxi Drivers and the services that the Council must deliver in this area, in particular, the monitoring of taxi ranks to ensure that only licensed taxi drivers use them		Nananka Randle Licensing & Trading Standards Manager	TBC

## Committee Briefings and Training Sessions 2025

	Training / Briefing to be delivered	When / Where	Attendees	Suggested Delivery
1	Sub-Committee hearings - refresher	HMS Phoebe Committee Room,  √13 March 2025	Members and officers	Feedback/Q&A after Committee meeting
2	Sex Establishment applications/renewals training and briefing	HMS Phoebe Committee Room,  √13 March 2025	Members and officers	In person after Committee meeting

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