

Notice of Licensing Committee

Date: Thursday, 18 September 2025 at 10.00 am

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



Membership:

Chairman:

Cllr D A Flagg

Vice Chairman:

Cllr A Keddie

Cllr S Bartlett
Cllr A Chapmanlaw
Cllr P Canavan
Cllr G Farquhar

Cllr A Filer
Cllr E Harman
Cllr P Hilliard
Cllr M Howell

Cllr C Matthews
Cllr J Richardson
Cllr P Sidaway
Cllr L Williams

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=5837>

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

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

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

AIDAN DUNN
CHIEF EXECUTIVE

10 September 2025

**DEBATE
NOT HATE**



Available online and
on the Mod.gov app

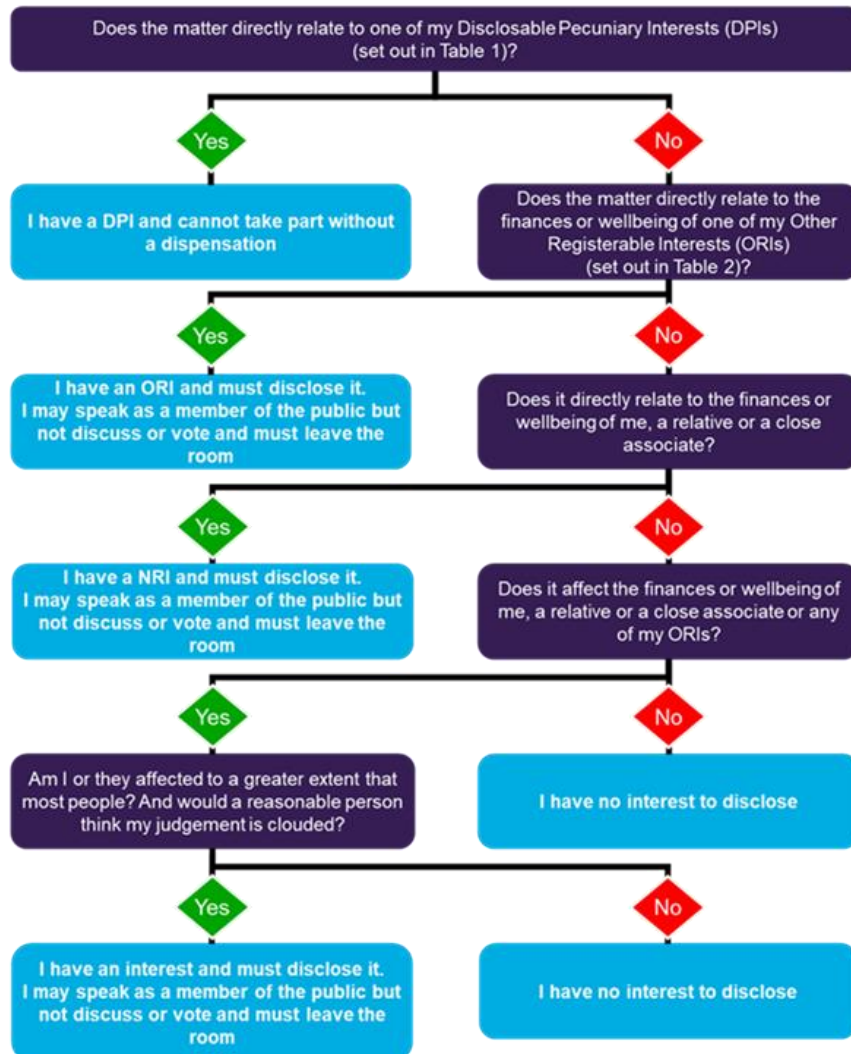


Maintaining and promoting high standards of conduct

Declaring interests at meetings

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

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



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

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

Bias Test

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

Predetermination Test

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

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

For more information or advice please contact the Monitoring Officer

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. **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. **Confirmation of Minutes**

To confirm and sign as a correct record the minutes of the Licensing Committee meeting held on 14 May 2025, and the Licensing Sub Committee meetings held on 30 April, 7, 20 May, 4, 17 June, 2, 29, 30 July, 11, 13, 18, and 27 August and 1 September 2025.

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

5. **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 Friday 12 September 2025 [midday 3 clear working days before the meeting].

The deadline for the submission of a public statement is midday Wednesday 17 September 2025 [midday the working day before the meeting].

The deadline for the submission of a petition is Thursday 4 September 2025 [10 working days before the meeting].

ITEMS OF BUSINESS

6. Review of Statement of Licensing Policy

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The Licensing Act 2003 places a duty on the Licensing Authority to determine and publish a Statement of Licensing Policy every five years. The current Statement of Licensing Policy is valid until November 2025.

Following two periods of public consultation, agreed by members of the Licensing Committee and undertaken in accordance with Section 5 of the Licensing Act 2003, the Licensing Committee on behalf of the Licensing Authority must now consider all responses received in respect of the proposed Statement of Licensing Policy and decide after considering the responses what amendments should be made to the draft policy.

As part of the process the Licensing Committee must provide reasons of why they decide to include or exclude any consultation response as they make their decision.

7. Forward Plan

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

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.

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING COMMITTEE

Minutes of the Meeting held on 14 May 2025 at 10.15 am

Present:-

Present: Cllr D A Flagg, Cllr A Keddie, Cllr A Chapmanlaw, Cllr G Farquhar,
Cllr A Filer, Cllr E Harman, Cllr P Hilliard, Cllr J Richardson,
Cllr L Williams and Cllr P Canavan

Cllr P Sidaway (via MS Teams)

1. Apologies

Apologies for absence were received from Councillors Bartlett and Matthews.

2. Substitute Members

There were no substitute members.

3. Election of Chair

RESOLVED that Councillor Flagg be elected as Chair of the Licensing Committee for the ensuing municipal year 2025/26.

4. Election of Vice Chair

RESOLVED that Councillor Keddie be elected as Vice Chair of the Licensing Committee for the ensuing municipal year 2025/26.

5. Declarations of Interests

There were no declarations of interest.

6. Confirmation of Minutes

RESOLVED that the Minutes of the Licensing Committee held on 13 March 2025, and the Licensing Sub-Committees held on 19 March and 9 April 2025, be signed by the Chair as an accurate record.

7. Public Issues

There were no public questions, statements, or petitions for this meeting.

8. Forward Plan

The Licensing Manager took members through the Committee's Forward Plan, 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 following updates were provided:

- Review of the Statement of Licensing Policy – the final policy would now be considered by the Licensing Committee on 18 September 2025 as the licensing team had dealt with a high volume of reactive priority work over the past few months, which had led to the previous timetable becoming unachievable.
- The Pleasure Boats and Boatpersons Licensing Policy - Following informal consultation with stakeholders, the draft policy would now be considered by the Licensing Committee on 11 December 2025.
- 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 22 October 2025. This was an additional meeting to allow statutory time scales to be met.
- Review of Statement of Licensing Principles -Gambling Act 2005 – No guidance from the Gambling Commission had been received so this had not progressed.
- Council Responsibilities to Taxi Drivers - The Licensing Manager advised that a briefing note would be sent to all Committee Members instead of a report to committee.

Committee Briefings and Training Sessions 2025

The Licensing Manager confirmed that all training sessions had been completed. 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, and this would be scheduled to take place following the the end of the September meeting.

RESOLVED that the amendments to the Forward Plan be noted.

The meeting ended at 10.27 am

CHAIRMAN

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 30 April 2025 at 10.15 am

Present: Cllr A Chapmanlaw, Cllr M Dower and Cllr D A Flagg

102. Election of Chair

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

Voting: Unanimous

103. Apologies

There were no apologies for absence.

104. Declarations of Interests

There were no declarations of interest.

105. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking at licensing hearings was noted.

106. Application for a Club Premises Certificate at Mudeford Cricket Club

Present:

From BCP Council:

Ellie King – Licensing Officer
Johanne McNamara – Legal Advisor to the Sub-Committee
Michelle Cutler – 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 Mudeford Cricket Club for a Club Premises Certificate at Mudeford

Cricket Club, Ledbury Road, Christchurch. The application was to permit the on sale of alcohol from 18:00 to 21:30 on Monday to Friday, from 14:00 to 22:00 on Saturday and 14:00 to 21:00 on Sunday between 01 April and 30 September each year.

The Licensing Authority had received 6 representations from local residents on the grounds that to grant the application would undermine the prevention of crime and disorder and public safety licensing objectives.

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

For the Applicant:

Alan Bethune – Club Treasurer
Dr Ravi Ramtohal – Second Team Captain
Nicola Vines – Safeguarding Officer

No objectors were present (the Clerk checked at 10.25 and 10:38 to see if the 2 objectors that had indicated they would be attending had arrived late but they were not present).

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 new Club Premises Certificate at Mudeford Cricket Club, Ledbury Road, Christchurch, BH23 3LB be GRANTED.

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 supplementary evidence submitted and the verbal submissions made at the hearing by the following persons representing the Club; Alan Bethune, Club Treasurer, Dr Ravi Ramtohal, Second Team Captain and Nicola Vines, Safeguarding Officer and Ellie King, Licensing Officer.

No objectors were present at the hearing; however, the Sub-Committee took into account the written submissions submitted by 6 local residents on the grounds that to grant the application would undermine the prevention of crime and disorder and public safety licensing objectives.

The Sub-Committee acknowledged the concerns raised by residents and asked various questions based on their written representations. The main

areas of concern relating to the Licensing Objectives highlighted in the representations were the potential for an increase in anti-social behaviour in the area and an increase in litter.

The Sub-Committee was satisfied with the shared agreement in place between Mudeford Cricket Club and the Mudeford Men's Club, which is situated nearby, whereby the cricket club could use the recycling facilities. The Sub-Committee heard that the cricket club would remove all litter and recycling after each match and dispose of it appropriately.

The Sub-Committee was informed that there was security around the pavilion and that there had been no issues of anti-social behaviour as a direct result of cricket club members in the past year. It was noted that members of the public also used the recreation ground, which was outside the control of the Cricket Club.

The Sub-Committee was mindful that representations made about parking concerns could not be considered as this was not within the remit of the Licensing Sub-Committee or the 4 licensing objectives.

The Sub-Committee wished to reiterate that the Cricket Club can only sell alcohol to club members and their bonafide guests as per the mandatory conditions of a Club Premises Certificate.

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 10.45 am

CHAIRMAN

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 07 May 2025 at 10.15 am

Present: Cllr D A Flagg, Cllr E Harman and Cllr L Williams

1. Election of Chair

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

Voting: Unanimous

2. Apologies

There were no apologies for absence.

3. Declarations of Interests

There were no declarations of interest.

4. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking was noted.

5. Wiggle, 159 Old Christchurch Road, Bournemouth

Present:

BCP Council:

Nananka Randle – Licensing Manager

Sarah Rogers – Licensing Officer

Linda Cole – Legal Advisor to the Sub-Committee

Michelle Cutler – Clerk to the Sub-Committee

Cllr Patrick Canavan – Observing for training purposes

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

The Licensing Officer presented the 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 for the renewal of the Sexual Entertainment Venue Licence for the premises known as 'Wiggle', 159 Old Christchurch Road, Bournemouth, to permit relevant entertainment to continue for a further twelve-month period.

Two valid representations had been received, and it was confirmed that there had been no representations received from any of the responsible authorities.

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

Applicant and Representatives:

Mr Paul Ojla - Applicant

Mr Taran Ojla - General Manager

Objector: Mrs Susan Stockwell

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.

The Sub-Committee resolved to grant the application to renew the Sexual Entertainment Venue Licence for the premises known as 'Wiggle', 159 Old Christchurch Road, Bournemouth BH1 1JS.

Reasons for the Decision:

The Sub-Committee considered in detail all the information which had been submitted before the Hearing and contained in the report for Agenda Item 5, 'Wiggle', 159 Old Christchurch Road, Bournemouth.

The Sub-Committee also considered the written and verbal submissions submitted by the objector Susan Stockwell and the written submissions of a second objector, together with the written and verbal submissions of the applicant, Mr Paul Ojla, owner of the premises, and Mr Taran Ojla, General Manager.

The Sub-Committee had regard to the provisions of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act"), and in particular the available grounds for refusing the application contained within that Schedule. They did not find that the Applicant was unsuitable to hold a sexual entertainment venue licence and were reminded that BCP Council no longer had a Sex Establishments Policy. It was agreed that the only grounds to be considered were the 'discretionary' grounds set out in paragraph 12(3)(d) of Schedule 3. It was to those grounds that the Sub-Committee turned their focus.

Character of locality

The Sub-Committee noted that the premises has operated as a lap dancing club in the same location since 2006. Since 2010 when such premises were required to operate under a Sexual Entertainment Venue licence, such a licence has been in place and applications made annually for it to be renewed as is required by the Act. Although the character of the locality had evolved and changed throughout this period, it was still considered to be in the heart of the Bournemouth night time economy and the Sub-Committee did not consider that it had changed materially since the last decision to renew the licence in 2024, or that there was any basis in the context of the character of the locality at this moment to refuse the application. However, it was noted the character of the location will continue to evolve and more residential accommodation was being planned in the town centre area.

The Sub-Committee acknowledged Livingstone Academy, which opened in September 2021, was situated in Stafford Road, Bournemouth and that pupils may walk past the club on route to school. They noted that the premises only opened from 10:00pm in the evening and operated outside school hours and no complaints or objections had been made about the premises from staff or parents from the school.

The Sub-Committee also acknowledged the Citrus Building in Madeira Road, Bournemouth, and Trinity House Rehab Centre near Wootton Gardens, as brought up by one objector, Mrs Stockwell, however, no complaints or objections had been made by residents living or working in either building.

Currently the location of the premises was not thought inappropriate, having regard to the character of the locality, or to the use to which other premises in the vicinity were put, to warrant refusal of the application.

Layout

The Sub-Committee was satisfied that the layout was acceptable and did not warrant refusal of the application. The Sub-Committee also noted Mrs Stockwell's reference to inadequate ventilation at the premises and were satisfied by the Applicant's written response that 'Wiggle' operates with a full air conditioning and mechanical ventilation system, in compliance with health and safety requirements.

PSED

In considering the application, and in coming to their decision, the Sub-Committee had regard to the need to eliminate discrimination, foster good relations, and advance equality of opportunity between those with a protected characteristic, and those without. In this case that arose primarily in the context of sex.

The Sub-Committee considered the objections but noted the premises had a diverse customer base and welcomed customers of various genders, they acknowledged that the performers were mainly female but accepted that they had freely chosen to work in a lawful and legitimate industry. They were satisfied that the premises provided a safe environment for all staff and had various procedures and policies in place to address staff welfare

and any concerns if they were raised. They also noted that the premises offered wheelchair access and accessible facilities for disabled customers.

The Sub-Committee considered that some of the points raised in the objections were irrelevant and some were without evidence. They particularly noted the articles included in Mrs Stockwell's objection referred to applications made in different towns and cities outside of the BCP area.

It was noted that there had been no complaints made to the Police or the licensing authority since the last renewal, and the Police had not submitted any comments in response to the application. The Sub-Committee was of the view that if the Police had concerns about the premises and its effect on crime and disorder or inappropriate behaviour towards women in the vicinity, they would have voiced these concerns. There was no evidence brought in the objections that showed any increase in crime that can be connected to this premises. Although not required the Licensing Authority also informed all Responsible Authorities as set out in the Licensing Act 2003 of this application but received no comments or objections in response. It was also noted that no objections had been made by Bournemouth University and with so many female students now living in the vicinity, the Sub-Committee was of the view that the University would have shared any concerns raised by students with the Licensing Authority or the Police. In addition, no objections were raised by any religious establishment or any other resident of the Town Centre.

The Sub-Committee noted that Mrs Stockwell had raised concerns about advertising of events. The Applicant confirmed that no leaflet drops were made in respect of Wiggle Bournemouth as the licence conditions prevent it. Any reference to leaflets, related to their Portsmouth venue, where leaflet drops were permitted. Mrs Stockwell confirmed she had not seen leaflets in Bournemouth. The Applicant confirmed all of the advertising material included in Mrs Stockwell's objection was material on their website which should only be accessed by those over 18.

The Licence currently contains comprehensive conditions on age verification, no persons under 18 can be admitted to or employed to work in any capacity at the premises. There are conditions governing the nature of the performance and limiting personal contact and audience participation, identifying where a performance takes place and that suitable clothes should be worn in any other areas, supervision, and CCTV to cover all public areas. Conditions also cover advertising, visibility of the interior from outside the premises and there is both a customer and dancer code of conduct.

On balance, on determining the application and considering the conditions that are attached to the licence and having regard to the Public Sector Equality Duty, the Sub-Committee did not feel that the duty compelled the refusal of the application.

After full consideration of the grounds set out in paragraph 12 of schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 the Sub-

Committee did not feel there was any basis to refuse the application, and they thus resolved to grant it.

Right of Appeal

The decision being to grant the application, there is no statutory right of appeal against this decision.

6. Exclusion of Press and Public

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.

7. Consideration of continued suitability of Hackney Carriage Driver

This item was restricted by virtue of paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972.

Exempt information – Categories 1 (information relating to any individual) and 2 (information which is likely to reveal the identity of an individual).

Present:

From BCP Council:

Linda Cole – Legal Adviser to the Sub-Committee

Nananka Randle – Licensing Manager

Sarah Rogers – Senior Licensing Officer

Michelle Cutler – Clerk to the Sub Committee

Cllr Patrick Canavan – Observing for training purposes

The driver was in attendance.

The Chair made introductions and explained the procedure to be followed in considering this item, which was agreed by all parties present.

The Licensing Manager presented a report, 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 Sub Committee was asked to consider whether the applicant was deemed to be a 'fit and proper' person to allow them to continue to hold a Hackney Carriage Drivers Licence for BCP Council.

The Sub-Committee asked various questions of all parties present and was grateful for the responses received. All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding

the hearing, the Council's Legal Advisor advised all parties of the right of appeal.

The Sub-Committee RESOLVED that the driver is not a 'fit and proper person' and there is reasonable cause to revoke his Hackney Carriage Driver's Licence with immediate effect in accordance with *section 61(2B) Local Government (Miscellaneous Provisions) Act 1976* in the interests of public safety.

Reason for Decision:

The Sub-Committee considered all the information which had been submitted before the Hearing and contained in the report for Agenda Item 7, along with the verbal submissions made at the hearing by the driver, and Nananka Randle, Licensing Manager.

In considering the test of a 'fit and proper person', the Sub-Committee also had regard to the BCP Council's Hackney Carriage and Private Hire Driver Policy 2021 - 2025, the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976, the Institute of Licensing (IOL) Guidance on determining the suitability of applicants and licensees in the Hackney and Private Hire Trades (2018) and the guidance within the Department of Transport Statutory Taxi and Private Hire Vehicle Standards (updated November 2022).

The Sub-Committee noted that Dorset Police shared a Police statement made by the driver regarding a separate ongoing investigation linked to county lines with the Licensing Department on 25th March 2025, as the Police had serious concerns regarding his behaviour as a licensed driver. In that statement the driver stated that he gave out his phone number to customers that asked for it and he took private bookings.

The Sub-Committee were very concerned about the circumstances described in the statement and that the driver, despite undertaking the 'Blue Lamp Trust Safeguarding Awareness Training' in 2023, which includes how to identify and report suspicious activity and to understand what is meant by child sexual and criminal exploitation, did not think that what he had become involved in or chose to ignore was suspicious activity. The Sub-Committee was of the view that such actions put members of the public at risk and had serious concerns over the driver's desire or ability to recognize vulnerable passengers and report suspicious activity.

The Sub-Committee were also extremely concerned with the inconsistent answers provided by the driver to their questions, which contradicted the information he provided in his Police Statement. Such inconsistencies raise concerns about the character of the driver and whether he is an honest and suitable person to hold a Hackney Carriage Driver's Licence.

The driver does not hold a Private Hire Operators' Licence and admitted making private journeys not booked through an Operator, which is contrary to the requirements of Part II of the Local Government (Miscellaneous

Provisions) Act 1976. He appeared to the Sub-Committee to have little regard that he should comply with the legislation.

The driver also admitted to having a dashcam set up in his vehicle, which he claimed had been installed by his partner when he had been away on holiday. He advised that it had now been disabled. However, the Sub-Committee noted that he had not advised the Licensing Team or registered the installation with the Information Commissioners Office as required in the BCP Council Hackney Carriage and Private Hire Vehicle Policy, and when applying to renew his vehicle licence had ticked on the form that he did not have CCTV/Dashcam.

The driver also advised during the hearing that he regularly removes his licence plate from his vehicle when other people are driving it. The Sub-Committee heard from the Licensing Manager that this should be permanently fixed to the vehicle and should not be removed.

Having heard from the driver, the Sub-Committee questioned his honesty and his ability and inclination to operate as a licensed hackney carriage driver in accordance with the conditions attached to his licence and the legislation set out in Part II of the Local Government (Miscellaneous Provisions) Act 1976. They were not confident that he cared, or was aware, of the responsibilities that came with being a licensed driver and he showed no recognition or remorse for his actions.

In considering the circumstances of the case the Sub-Committee reminded themselves that the licensing system is to protect the public who use Hackney Carriage and Private Hire Services, and any bar set when making any determination should be at the highest level. The Sub-Committee were mindful of paragraphs 1.4 and 3.16 of the Institute of Licencing Guidance and paragraphs 5.3 and 5.4 of the Statutory Taxi and Private Hire Vehicle Standards and concluded that the driver had fallen short of the 'fit and proper' standard and was a risk to public safety, and as such, agreed that his Hackney Carriage Drivers' Licence with BCP Council should be revoked with immediate effect.

Anyone aggrieved by this decision has the right of 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.

The meeting ended at 11.29 am

CHAIRMAN

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 20 May 2025 at 10.00 am

Present:-

Present: Cllr A Chapmanlaw, Cllr D A Flagg and Cllr P Hilliard

8. Election of Chair

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

Voting: Unanimous

9. Apologies

An apology for absence was received from Councillor Harman, Cllr Chapmanlaw stepped up as 1st reserve to sit on the Sub-Committee.

10. Declarations of Interests

There were no declarations of interest.

11. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking was noted.

12. Chicken n Beer 58-58a Stanfield Road Bournemouth BH9 2NP

Present:

From BCP Council:

Sarah Rogers – Senior Licensing Officer
Lina Cole – Legal Advisor to the Sub-Committee
Michelle Cutler – Clerk to the Sub-Committee
Tania Jardim – Licensing Officer, Observing
Andy McDiarmid – Legal Advisor, observing
Cllr P Canavan - Observing

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 Dorset Police for a Review of the Premises Licence following a visit by HM Immigration Enforcement where 2 illegal workers were found employed at the premises. Dorset Police no longer had confidence in the premises licence holder to uphold the prevention of crime and disorder 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:
Sargeant Gareth Gosling – Dorset Police

For the Premises:
Roy Francis – Premises Licence Holder and Designated Premises Supervisor

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.

RESOLVED that having considered the application dated 25 March 2025, made by Dorset Police to review the premises licence for the premises known as 'Chicken n Beer', 58-58A Stanfield Road, Bournemouth, BH9 2NP, 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 licensing objective and is satisfied that there is no alternative outcome that will mitigate the concerns raised by Dorset Police and Home Office Immigration Enforcement.

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 Sgt Gosling of Dorset Police, the written representation made by Home Office Immigration Enforcement dated 26 March 2025 in support of the review on the grounds of Prevention of Crime and Disorder and Public Safety, as well as the verbal submissions made at the hearing by Mr Roy Francis, Premises Licence Holder and Designated Premises Supervisor.

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

BCP Statement of Licensing Policy. The Sub-Committee's decision is based upon consideration of the promotion of the Licensing Objectives. The Sub-Committee acknowledged that it was only able to consider matters directly relevant to the licensing objectives raised in the application namely 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, and the 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.

The Guidance issued by the Home Office under Section 182 of the Licensing Act 2003 updated in February 2025, alongside the BCP Statement of Licensing Policy both guide that intervention is expected to tackle Immigration offences associated with licensed premises.

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 and Home Office Immigration Enforcement as *conditions should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation and should not replicate offences set out in the 2003 act or other legislation.*

It would not be appropriate to add conditions such as not to use illegal workers or those suffering from a Notifiable Disease in the operation of the business to the licence. There is an expectation that all responsible for running a business would act responsibly and within all relevant legislation.

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 but the evidence that the premises are associated with employing or operating with illegal workers being recompensed below the minimum wage, one of who had a notifiable disease, contrary to immigration and other legislation.

The Sub-Committee note that if licensable activities were not taking place the premises could remain operational as a take-away until 23:00hrs each day and that the concerns highlighted may remain. The Sub-Committee however must ensure they do what they can to ensure the Licensing Objectives are promoted within the premises and it will be for other agencies to manage any remaining issues under alternative legislation.

The removal of the Designated Premises Supervisor from the licence:

Mr Roy Francis advised the Sub-Committee that he is no longer a director of 'Chicken n Beer' Ltd, having stood down in December 2024. He advised he is just an employee and not involved in hiring of staff and only remains as DPS because he is a personal licence holder and they supply alcohol.

The Sub-Committee were of the view that removing Mr Francis 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.

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 evidence presented to them clearly demonstrates that Mr Francis, as DPS and Premises Licence holder and others associated with the business do not manage the premises responsibly and that they should have had regard to the necessary requirements, when employing employees into the business.

The Sub-Committee were not confident that Mr Francis was being honest in his responses to questions raised by the Sub-Committee and was trying to distance himself from the situation that was discovered by Immigration Enforcement on 14 February 2025. He demonstrated that he does not have the attributes necessary to uphold and promote the four licensing objectives, particularly the prevention of crime and disorder and public safety.

Mr Francis confirmed that he was employed at the premises when it was found to be employing illegal workers. However, he advised he had resigned as the Director of 'Chicken N Beer' Ltd on 1 December 2024 and will only remain employed, and as the DPS at the premises, until a new

director obtains their personal licence, so they could continue to supply alcohol. His brother, Sylvester Francis, became a director of Chicken N Beer' Ltd on 1 December 2024.

The Sub-Committee heard from the Senior Licensing Officer that an application had been submitted to transfer the premises licence into the name of Cloud Brands Ltd and to change the DPS, however these transfers had not yet been processed due to nonpayment of the application fee. Cloud Brands is a new company incorporated on 1 December 2024

Mr Francis informed the Sub-Committee that Cloud Brands Limited had taken over the running of the premises, and that the director was Manpreet Kaur. The Sub-Committee asked Mr Francis if he knew, or was related to, Manpreet Kaur and he advised that Manpreet Kaur was not a family member and that she was not an associate. Sgt Gosling advised that on 24 February 2025, Mr Francis had contacted Dorset Police to report the theft of his wife's vehicle, and that his wife's name was Manpreet Kaur, with the same date of birth as Manpreet Kaur, Director of Cloud Brands Limited. Mr Francis continued to uphold that Manpreet Kaur was not related to him, despite Manpreet Kaur also being the new Director of Freshers Delivery Limited, another company from which Mr Francis has recently resigned as a director. The Sub-Committee were not satisfied with Mr Francis' explanation as to his involvement with Manpreet Kaur, the potential new DPS of the premises, and were concerned that an attempt was being made to change the face of the business, i.e. the name of the Premises Licence Holder and DPS, but reality, those in management and control, including Mr Roy Francis, would not effectively change.

The Sub-Committee do not believe that those involved with operating the premises have done so responsibly and in a way that upholds the Licensing Objectives. The absence of any representatives at the hearing of Cloud Brands Ltd and director Manpreet Kaur, supposedly now running the premises, left the Sub-Committee with little confidence that it was a separate operation able to promote the Licensing Objectives.

The Sub-Committee agreed with the views of Dorset Police as highlighted in the representation of Home Office Immigration Enforcement, that the employment of illegal workers at this licensed premises disregards the law, places those illegal workers at increased vulnerability and acts to the detriment of other businesses and the wider community.

The Sub-Committee considered the application for review including the representation produced by Home Office Immigration Enforcement, the BCP Council Statement of Licensing Policy and the revised section 182 Guidance issued by the Home Office. They noted sections 11.27 and 11.28 of the guidance which states that, *"There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are... the use of the licensed premises for employing a person who is disqualified from that work by reason of their immigration status in the UK;"*.

Section 11.28 continues, *“It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.”*

The Sub-Committee agreed that the premises had been involved in serious crime and had disregarded public safety and that to uphold the licensing objectives, the Sub-Committee concluded that none of the other available options were appropriate at this time, and it was both appropriate and necessary to revoke the licence.

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.

13. Harry Ramsden, East Beach, Undercliff Drive, Bournemouth, BH1 2EZ

Present:

From BCP Council:

Sarah Rogers – Senior Licensing Officer
Lina Cole – Legal Advisor to the Sub-Committee
Michelle Cutler – Clerk to the Sub-Committee
Tania Jardim – Licensing Officer, observing
Andy McDiarmid – Legal Advisor, observing
Cllr P Canavan - Observing

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 Deep Blue Restaurants Limited to vary the premises licence for Harry Ramsden, East Beach, Undercliff Drive, Bournemouth for the provision of the existing licensable activities to take place outdoors and for the off-sale supply of alcohol.

The Licensing Authority had received five representations from residents on the grounds of the Prevention of Crime and Disorder, Public Safety,

Prevention of Public Nuisance and Protection of Children from Harm licensing objectives.

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

For the Applicant:

Jason Waggot – Operations Manager

Mohammad Shahid Shaikh – Premises Manager

There were no objectors in attendance.

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.

RESOLVED that the application to vary the premises licence for the premises known as ‘Harry Ramsden’, East Beach, Undercliff Drive, Bournemouth, BH1 2EZ, for the provision of the existing licensable activities (Live Music, Recorded Music, Late Night Refreshment) to take place outdoors and for the supply of alcohol off-sale be GRANTED, with the following conditions attached, as offered by the Applicant in advance of the Hearing and amended by the Sub-Committee in their deliberations.

1. Outdoor music shall be restricted to low-level, background recorded music which must be turned off by 10:00 pm each evening.
2. No live music shall be provided outdoors at any time.
3. Alcohol shall only be available for off sale when purchased to accompany a substantial meal.
4. Off sale of alcohol shall terminate at 10:00pm.

The following conditions were amended as follows:

Condition 2.1 removed

Condition 2.5 amended

A CCTV system, shall be installed to cover all entry and exit points, including under the arches, enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record and cover areas where alcohol is kept for selection and purchase by the public, whilst the premises is open for licensable activities. It shall operate during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with correct date and time stamping. Recordings shall be made available immediately upon the request of Police or an authorised officer of the council throughout the

preceding 31-day period. The CCTV system shall be updated and maintained according to police recommendations.

Condition 2.10 amended

Service of alcohol on the premises, including under the arches shall be by table service.

The following conditions were added by the Sub-Committee to promote the licensing objectives and to formalise the provision of SIA doorman and use of plastic glasses at the premises as explained by Jason Waggot, Operations Manager during the Hearing.

1. *The Manager or Designated Premises Supervisor (DPS), or a person nominated by them shall ensure that a documented risk assessment is conducted and regularly reviewed to determine the need for, and number of, Security Industry Authority (SIA) licensed door supervisors. This risk assessment shall consider factors including, but not limited to:*

- *The layout of the premises;*
- *Location and any known crime and disorder issues in the area;*
- *Time of year and special events likely to attract larger or different audiences.*

Where the risk assessment identifies a need for door supervisors, SIA-licensed staff shall be deployed accordingly. A copy of the risk assessment and any subsequent reviews shall be made available to the Licensing Authority or Police upon request.

2. *All drinks served for consumption in any external area of the premises (including under the arches or pavement seating areas) or for consumption off the premises shall be served in non-glass containers such as polycarbonate, plastic, or other shatterproof vessels.*

Reasons for the Decision

The Sub-Committee considered all the information which had been submitted before the Hearing and contained in the report for Agenda Item 6, and the verbal submissions made at the Hearing by Jason Waggot, Site Operations Manager, Mohammad Shahid Shaikh, Premises Manager and Tania Jardim, Licensing Officer. The Sub-Committee also considered the supplementary papers submitted by both the applicant and objectors in advance of the Hearing.

The Sub-Committee considered the written representations made by 4 other persons which had not been withdrawn after mediation, on the grounds that granting the variation would undermine the 4 licensing objectives. The Sub-Committee noted that no objectors were present at the Hearing to expand on their representations and that there had been no representations made Dorset Police, Environmental Heath or any other responsible authority.

The Sub-Committee noted that the representations focussed on concerns for the potential increase in noise and anti-social behaviour, should the

application for variation be granted, as such issues were already being experienced in the area. Mr Waggot explained that a neighbouring licensed premises could have been responsible for any loud music and noise from patrons in the past and that on their terrace they only had small speakers playing background music.

The Sub-Committee heard from Mr Waggot that the premise aimed to cater for families and the new services to be provided by the premises were family orientated. They noted that conditions had already been agreed that any music being played outside would only be background music and would be turned off at 10:00pm and off sale of alcohol would only be sold alongside food. In addition, all off sales of both alcohol and food would terminate at 10:00pm each day.

The Sub-Committee heard the premises planned to build a beach shop and retro sweet shop below the arches and to install heated 'beach huts' under 5 of the arches. It was planned that each hut would seat between 8 to 10 patrons under cover and provision of food and alcohol would be by table service. Each hut would close by 9:00pm to allow time for staff to carry out cleaning duties and to remove all outside seating by 10.00pm as already agreed with Seafront Services. The cleaning team would also carry out regular checks of the surrounding area for litter.

Mr Waggot explained that the premises employ security staff on Fridays, Saturdays and Sundays, their busier days, from 11:30am until the premises close and Security staff are present every day during the peak summer months of July and August, and it was planned for security staff to be placed in front of the arches. He also explained the premises were not aiming to supply alcohol to be brought down to the beach front. They wanted to supply alcohol with deliveries made by platforms such as Deliveroo and only supply off sales of alcohol with the purchase of food. They also planned for all such alcohol to be dispensed in plastic vessels.

The Sub-Committee was confident that the premises was being managed responsibly and satisfied that the Applicant had addressed all points raised in the objector's written representations during the Hearing. To promote the licensing objectives of prevention of crime and disorder, prevention of public nuisance and public safety, the Sub-Committee determined it both appropriate and proportionate to add a condition regarding the use of non-glass drinking vessels in external areas to reduce the risk of injury from broken glass and help prevent incidents of anti-social behaviour. And similarly, add a condition requiring a risk assessment for the deployment of SIA-licensed door supervisors to ensure appropriate security measures are in place based on the location and the events held, to support a safe and well managed environment for both customers and staff.

The Sub-Committee did not find any evidence to justify a refusal of the application, and no evidence had been presented to show that there had been issues or complaints associated to the premises in the past. It was noted that the premises were experienced operators who had been operational in the location for many years. The Sub-Committee was

satisfied that if the premises operated in accordance with the conditions already attached to its licence and those added as set out above, that the premises should not undermine the licensing objectives.

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 may 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 issued under section 182 Licensing Act 2003 and the licensing objectives, as set out in the Licensing Act 2003.

Right of Appeal

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 11.21 am

CHAIRMAN

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 04 June 2025 at 10.15 am

Present:-

Present: Cllr G Farquhar, Cllr A Filer and Cllr A Keddie

14. Apologies

An apology for absence was received from Cllr Matthews and Cllr Richardson, Cllr Filer stepped up as 2nd reserve to sit on the Sub-Committee.

15. Election of Chair

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

Voting: Unanimous

16. Declarations of Interests

There were no declarations of interest.

17. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking was noted.

18. Hillside Stores 289 Kinson Road Bournemouth BH10 5HE

Sarah Rogers – Senior Licensing Officer
Lina Cole – Legal Advisor to the Sub-Committee
Sinead O’Callaghan – Clerk to the Sub-Committee
Christiane Tan – Democratic Services, Observing
Andy McDiarmid – Legal Advisor, observing
Cllr P Canavan - Observing
Cllr S Bartlett - Observing

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. As well as the late evidence submitted by Dorset Police and the Premises and had published as a supplement.

The Licensing Sub-Committee was asked to consider an application made by Dorset Police for a Review of the Premises Licence following a visit by HM Immigration Enforcement where an alleged illegal worker was found

employed at the premises. Dorset Police no longer had confidence in the premises licence holder to uphold the prevention of crime and disorder 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:

Sgt Gareth Gosling – Dorset Police

Louise Busfield - Dorset Police

Fiona Smythe - Immigration Officer

For the Premises:

Sujeewan Muralimohan - Premises Licence Holder/Designated Premises Supervisor

Philip Day – Premises Solicitor

The Sub-Committee asked various questions of all parties present and was grateful for the responses received.

The Sub Committee went into exempt session at 12:07pm 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 and 2 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 12:34pm.

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.

RESOLVED that having considered the application dated 16 April 2025, made by Dorset Police to review the premises licence for the premises known as ‘Hillside Stores’ 289 Kinson Road Bournemouth BH10 5HE, 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 licensing objective and is satisfied that there is no alternative outcome that will mitigate the

concerns raised by Dorset Police and Home Office Immigration Enforcement.

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 verbal evidence provided by Sgt Gosling of Dorset Police, the written and verbal representation made by Fiona Smythe of Home Office Immigration Enforcement in support of the review on the grounds of Prevention of Crime and Disorder, as well as the verbal submissions made at the hearing by Mr Sujeewan Muralimohan, Premises Licence Holder and Designated Premises Supervisor and Mr Philip Day, Solicitor acting for the Premises.

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 BCP Statement of Licensing Policy. The Sub-Committee's decision is based upon consideration of the promotion of the Licensing Objectives. The Sub-Committee acknowledged that it was only able to consider matters directly relevant to the licensing objectives raised in the application namely prevention of crime and disorder.

The Sub-Committee concluded that the premises had failed to uphold the prevention of crime and disorder licensing objective, 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, and the 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.

The Guidance issued by the Home Office under Section 182 of the Licensing Act 2003 updated in February 2025, alongside the BCP Statement of Licensing Policy both guide that intervention is expected to tackle Immigration offences associated with licensed premises.

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 and Home Office Immigration Enforcement as *conditions should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation and should not replicate offences set out in the 2003 act or other legislation*

It would not be appropriate to add conditions such as not to use illegal workers in the operation of the business to the licence. There is an expectation that all responsible for running a business would act responsibly and within all relevant legislation.

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 but the evidence that the premises are associated with employing or operating with an illegal worker, contrary to immigration and other legislation.

The Sub-Committee note that if licensable activities were not taking place the premises could remain operational as a shop and that the concerns highlighted may remain. The Sub-Committee however must ensure they do what they can to ensure the Licensing Objectives are promoted within the premises and it will be for other agencies to manage any remaining issues under alternative legislation.

The removal of the Designated Premises Supervisor from the licence:

The Sub-Committee were of the view that removing Mr Sujeewan Muralimohan 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.

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 were not confident that Mr Sujeewan Muralimohan was being honest in his responses to questions raised by the Sub-Committee and was trying to deny the situation that was discovered by Immigration Enforcement on 7 November 2025, as well as the evidence they provided. Fiona Smyth advised that immigration enforcement visits are carried out

based on intelligence received, to investigate the concerns being reported and they would not visit a premises if there had been no intelligence. She advised that the facts of this case had been reviewed internally on three occasions within the organisation, in each review the conclusion was the same. The Sub-Committee noted that Mr Sujeewan Muralimohan had appealed to the County Court about the imposition of a Civil Penalty in this matter and those proceedings are ongoing.

The Sub-Committee heard from Mr Philip Day on behalf of the premises regarding proposed modifications to the conditions on the licence, which aimed to update the current terms of the licence. While the Senior Licensing Officer and Dorset Police welcomed the introduction of the amended conditions to keep the licence current, Dorset Police expressed that the proposed modifications did not adequately address the specific concerns raised during the review.

When asked by the Sub-Committee about his answers to questions asked by of Immigration Enforcement during their visit and recorded in the interview transcript submitted by Dorset Police on behalf of Home Office Immigration Enforcement, Mr Sujeewan Muralimohan informed the Sub-Committee that he believed the interview record had been falsified and denied giving the responses shown in the transcript. This concerned and disappointed the Sub-Committee. They heard from Fiona Smythe that such interviews are conducted using a digital notepad. Recorded questions are asked and entries are then input directly into the notepad. The transcript as seen can then be downloaded. The Sub-Committee also considered the answers recorded on the interview transcript of the alleged illegal worker. Mr Muralimohan also claimed that this record was fabricated, and the alleged illegal worker had been coerced to give such answers, although it was noted he would not have been in attendance when this interview took place.

The Sub-Committee noted Mr Muralimohan's explanation that he had been at the premises at the time of the visit and had not left an illegal worker in charge of the shop. He explained he had gone out the back of the shop and then had to enter through the front entrance as the door from the back of the shop had inadvertently shut behind him because it was windy. They also noted the claims he made about how the visit was conducted by Immigration Enforcement and that the alleged illegal worker did not speak good English. It is not appropriate for the Sub-Committee to consider how Enforcement Immigration conduct their visits; their only consideration is to determine whether the premises have undermined a Licensing Objective and what would be a proportionate response to the review application.

The Sub-Committee on the balance of probabilities preferred the evidence of Dorset Police and Home Office Immigration Enforcement. They did not believe that Immigration Enforcement had fabricated or falsified either of the interview transcripts they were the presented with and were disappointed that Mr Muralimohan would claim as much. Prior to this incident Mr Muralimohan as Premises Licence Holder and DPS had a credible record, but this accusation made him appear dishonest, and his

submissions appeared to be made to confuse and avoid the Committee focusing on what is relevant, whether a licensing objective had been undermined.

On considering the evidence before them the Sub-Committee were of the view that the licensing objective of prevention of crime and disorder had been undermined and that the premises were not being run responsibly. They noted it was straightforward for any employer who chose to, to check without cost if a potential employee has a right to work in the UK. They would expect such due diligence from any premises licence holder. They were of the view that Mr Muralimohan was desperately trying to distance himself from the allegations of having employed an illegal worker.

The Sub-Committee agreed with the views of Dorset Police that the employment of an illegal worker at a licensed premises is a serious incident and it disregards the law. Such employment places illegal workers at increased vulnerability and acts to the detriment of other businesses and the wider community.

The Sub-Committee considered the application for review including the representation produced by Home Office Immigration Enforcement, the BCP Council Statement of Licensing Policy and the revised section 182 Guidance issued by the Home Office. They noted sections 11.27 and 11.28 of the guidance which states that, *“There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are... the use of the licensed premises for employing a person who is disqualified from that work by reason of their immigration status in the UK;”*.

Section 11.28 continues, *“It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.”*

The Sub-Committee agreed that the premises had been involved in serious crime and that to uphold the licensing objectives, the Sub-Committee concluded that none of the other available options were appropriate at this time, and it was both appropriate and proportionate to revoke the licence.

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 1.50 pm

CHAIRMAN

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 17 June 2025 at 10.00 am

Present: Cllr A Chapmanlaw, Cllr D A Flagg and Cllr L Williams

19. Election of Chair

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

Voting: Unanimous

20. Apologies

An apology for absence was received from Councillor Sidaway, Cllr Chapmanlaw stepped up as 1st reserve to sit on the Sub-Committee.

21. Declarations of Interests

There were no declarations of interest.

22. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking was noted.

23. Exclusion of Press and Public

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.

24. New Driver Application

This item was restricted by virtue of paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972. Exempt information – Categories 1 (information relating to any individual) and 2 (information which is likely to reveal the identity of an individual).

Present: From BCP Council:

Michelle Fletcher – Licensing Officer
Johanne McNamara – Legal Adviser to the Sub-Committee
Nananka Randle – Licensing Manager (present on Microsoft Teams)
Sarah Rogers – Senior Licensing Officer
Michelle Cutler – Clerk to the Sub Committee
Rebekah Rhodes – Democratic Services, providing technical assistance
Christiane Tan – Democratic Services – Observing for training purposes
Cllrs Bartlett, Canavan, Farquhar and Richardson – Observing for training purposes

The applicant driver was in attendance, with a friend for support.

Prior to the start the hearing, the applicant driver advised that he had not been able to open the email attachment, which contained a copy of the agenda, report and appendices. The applicant driver was provided with a hard copy of all paperwork.

The Chair made introductions and explained the procedure to be followed in considering this item, which was agreed by all parties present.

The Licensing 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 Sub Committee was asked to consider whether the applicant was deemed to be a 'fit and proper' person to allow them to continue with their application to hold a Public Carriage Drivers Licence for BCP Council.

The Sub-Committee asked various questions of all parties present and was grateful for the responses received.

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

The Sub-Committee RESOLVED that the applicant driver is not a 'fit and proper person' to continue with his application to hold a Hackney Carriage or Private Hire Driver's Licence.

Reason for Decision:

The Sub-Committee considered all the information which had been submitted before the Hearing and contained in the report for Agenda Item 6, along with the verbal submissions made at the Hearing by the applicant driver, his friend in support of his application and Michelle Fletcher, Licensing Officer.

In considering the test of a 'fit and proper person', the Sub-Committee also had regard to the BCP Council's Hackney Carriage and Private Hire Driver Policy 2021 - 2025, the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976, the Institute of Licensing (IOL)

Guidance on determining the suitability of applicants and licensees in the Hackney and Private Hire Trades (2018) and the guidance within the Department of Transport Statutory Taxi and Private Hire Vehicle Standards (updated November 2022).

In making its decision the Sub-Committee considered the evidence submitted by various statutory agencies including Dorset Police, Adult Social Care and Licensing Officers.

The Sub-Committee was of the view that the applicant driver had previously overstepped the professional boundaries in his role as a licensed taxi driver and that he was either unaware of his responsibilities as a licensed driver or had simply chosen to disregard them.

Emails between the applicant driver and the BCP Licensing Service showed that he was unrepentant for his previous actions. The Sub-Committee was not convinced that the applicant driver had learnt what is and isn't acceptable behaviour for a licensed taxi driver and that he displayed a lack of insight regarding his actions in the past.

The Sub-Committee also noted that the applicant driver had failed to notify the Licensing Service of a change to his medical status. He had also previously failed to declare involvement with police as required by his driver conditions.

The Sub-Committee also noted the applicant driver's enhanced DSB Certificate history and his failure to notify the Licensing Service of a change to the status of his Certificate. The Sub-Committee had regard to the information provided by the Police on the new Certificate.

The BCP Council Hackney Carriage and Private Hire Driver Policy 2021-2025, Chapter 8 sets out the 'Fit and Proper Person' test and in particular section 8.13 'The Licensing Authority will consider all criminal history, unacceptable behaviour and conduct, irrespective of whether the specific history, behaviour or conduct occurred whilst drivers were directly engaged in Private Hire or Hackney Carriage work at the time or whether they occurred during the driver's own personal time'.

Having heard from the applicant driver, the Sub-Committee questioned his honesty and his ability and inclination to operate as a licensed driver in accordance with the conditions attached to a licence and the legislation set out in Part II of the Local Government (Miscellaneous Provisions) Act 1976.

They are not confident that he is aware of the responsibilities that come with being a licensed driver. In addition, it was felt that his past behaviors showed little regard for safeguarding vulnerable persons and that he showed little recognition or remorse for his actions.

In considering the circumstances of the case the Sub-Committee reminded themselves that the licensing system is to protect the public who use Hackney Carriage and Private Hire Services, and any bar set when making

any determination should be at the highest level. The Sub-Committee were mindful of paragraphs 1.3 and 3.16 of the Institute of Licensing Guidance and paragraphs 5.3 and 5.4 of the Statutory Taxi and Private Hire Vehicle Standards and concluded that the applicant driver had fallen short of the 'fit and proper' standard and was a risk to public safety and, as such, agreed that he was not deemed a 'fit and proper person' to continue with his application to become a taxi driver.

Anyone aggrieved by this decision has the right of 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.

25. Christchurch Harbour Kitchen, Mudeford Sandbank, BH6 4EW

Present:

From BCP Council:

Sarah Rogers – Senior Licensing Officer

Johanne McNamara – Legal Advisor to the Sub-Committee

Michelle Cutler – Clerk to the Sub-Committee

Rebekah Rhodes – Democratic Services, providing technical assistance

Christiane Tan – Democratic Services – Observing for training purposes

Cllrs Bartlett, Canavan and Farquhar – Observing for training purposes

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 'B' to these minutes in the Minute Book. The Licensing Sub-Committee was asked to consider an application made by Christchurch Harbour Kitchen Ltd for a premises licence to permit recorded music and the supply of alcohol. The application received 37 representations from other persons on the grounds that to grant the application would undermine the licensing objectives of the prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm. Dorset Police and Environmental Health mediated with the applicant and had agreed additional conditions.

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

For the Applicant:

Mr Paul Trickett

Mrs Ginny Trickett

Objecting:

Mr Richard Slater – The Beach House, Mudeford Spit

Ms Claire Bath - Deputy Chair of Mudeford Sandbank Beach Hut Association
Councillor Judy Richardson - East Southbourne and Tuckson Ward Councillor

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.

RESOLVED that the application for a new premises licence for the premises known as 'Christchurch Harbour Kitchen', Mudeford Sandbank, Christchurch, BH4 4EW, to permit recorded music and the supply of alcohol, be REFUSED.

Reasons for Decision:

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the Hearing as contained in the Licensing Officer's report for Agenda Item 7, including the details provided by the applicant in their application and the written representations made in objection to the application from 37 other persons on the grounds that to grant the application will undermine the licensing objectives of the prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm.

The Sub-Committee also considered the verbal submissions made at the Hearing by those in attendance, Mrs Sarah Rogers, Principal Licensing Officer, Mr Paul Trickett and Mrs Ginny Trickett, the applicants, and Mr Richard Slater, the Beach House, Mudeford Spit, Ms Claire Bath, Deputy Chair of Mudeford Sandbank Beach Hut Association and Cllr Judy Richardson, East Southbourne and Tuckson Ward Councillor, who had all made objections to the application.

The Sub-Committee was mindful that Dorset Police had mediated conditions with the applicant and agreed a revised terminal hour for the sale of alcohol of 22:30, to enable a 30-minute drinking-up time. The applicant also agreed that alcohol would be ancillary to food. Environmental Health had agreed 2 further conditions with the applicant to uphold the prevention of public nuisance licensing objective, which were:

- 'All audio from the music system will be played at background level only and turned off at 19.30hrs' and:
- 'All the rubbish produced by the premises shall be stored securely in a bin with a tightfitting and lockable lid in a designated area'.

The Licensing Officer highlighted that the Live Music Act 2012 allowed live and recorded music between the hours of 08:00 and 23:00 which would

override any licensing conditions put in place to restrict music. The Sub-Committee was confident that these conditions would help to mitigate some of the concerns raised by objections, should the licence be granted.

Mr Trickett advised the Sub-Committee that the premises was a bespoke designed floating restaurant that was not a permanent structure but proposed to moor up at the same location daily. It was not a 'party boat' and the intention was to offer substantial meals such as fresh fish caught from Christchurch, with the option to enjoy an alcoholic beverage. The vessel was designed to unfold with hydronic technology each morning and fold away each evening. It would be wheelchair and pushchair accessible without the use of gangplanks. The vessel would attach itself to the seabed by way of an arrowhead pole structure that would raise up and down with the tides.

In addressing some of the representations made in objection to the application, Mr Trickett informed the Sub-Committee that he only intended to play ambient background music, if at all, and that all litter and waste would be stored on board and disposed of when the vessel returned to its base. Mr Trickett was happy to be guided by BCP Council as to the control of waste, but the vessel did have a contained storage area for waste products. The vessel would have a flushing cassette toilet on board that would be emptied daily so patrons would not be 'urinating off the side of the vessel', and anyone caught doing this would be removed.

Mr Trickett advised that life jackets were not required on board as it was not a moving vessel, however, there would be various safety equipment in place such as oxygen, life rings and fire extinguishers.

The Sub-Committee gave weight to the objection from BCP Council's Seafront Operations Service, regarding concerns over public safety. Mr Trickett explained that he had approached BCP Council in August 2024, along with securing the relevant consent from Natural England, and the landlords for an operation of this nature. Mr Trickett advised that he was still waiting to hear back from the Meyrick Estate as it was uncertain who owned the area. Mr Trickett informed the Sub-Committee that Natural England had advised him that they weren't concerned as his operation did not involve the building of new harbour walls.

The Sub-Committee had regard to the concerns raised by the objectors in attendance in relation to the prevention of public nuisance, public safety and the protection of children from harm, namely that no environmental impact survey had been carried out and the area was protected as a Site of Special Scientific interest (SSSI) with a salmon spawning ground in the area. There had been a lack of engagement with the landowners and no permission sought to use the land, there was the potential from noise from the vessel from music and patrons to travel across the river and cause a nuisance to the neighbouring beach huts and that there was a real risk of harm to the many children that used the area to play and swim. In addition, objectors were very concerned about the potential smells with rubbish

being stored on the vessel for up to 14 hours a day, especially in the summer months, which could be a public nuisance.

The Sub-Committee was unable to consider any objections relating to parking or commercial concerns as this was not within their remit and was satisfied that the licence, if granted, would not undermine the prevention of crime and disorder.

The Sub-Committee shared the concerns of BCP Council's Seafront Operations Service that consent to use the area had not been provided and as such, was a risk to public safety. The Sub-Committee also had concerns regarding the vessels ability to raise up and down with the tides, which posed a risk to children and families playing in the water nearby. In addition, it was noted that the vessel had open sides with no barriers in place to prevent patrons falling over the side into the water, which was a significant risk to public safety, and would undermine the prevention of children from harm objective.

The Sub-Committee was concerned that the storage of waste on the vessel could cause a public nuisance, especially in hot weather, as they had not been provided with enough information as to how large the storage area was and how potential smells and leaks would be dealt with. They were particularly worried about the only toilet onboard being a cassette toilet, as there was no indication as to how large it was or how it would be emptied on busier days. There was also concern as to how hazardous toilet/sanitary waste would be disposed of.

The Sub-Committee made note of the Applicant's offer to reduce the terminal hour being applied for to 21:00, but having regard to the concerns referred to above in relation to public nuisance, public safety and protection of children from harm licensing objectives this did not negate its concerns.

The Sub-Committee concluded that it could not be satisfied that the premises would not undermine the prevention of public nuisance, public safety and the protection of children from harm licensing objectives, and as such, the application should be refused.

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 12.31 pm

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 02 July 2025 at 10.15 am

Present:-

– Chairman

– Vice-Chairman

Present: Cllr A Chapmanlaw, Cllr D A Flagg, and Cllr P Sidaway

26. Election of Chair

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

Voting: Unanimous

27. Apologies

Apologies were received from Cllr George Farquhar.

28. Declarations of Interests

There were no declarations of interest.

29. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking was noted.

30. Application to vary the Premises Licence at Chicken Cottage, 196- 198 Alma Road, Bournemouth, BH9 1AJ

Ellie King – Licensing Officer
Linda Cole – Legal Advisor to the Sub-Committee
Sinead O’Callaghan – Clerk to the Sub-Committee
Andy McDiarmid – Legal Advisor, observing
Cllr A Keddie - Observing

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 Chicken Cottage to vary the premises licence to extend the licensable hours for the provision of late-night refreshment.

The application received 2 representations, 1 from BCP Councils' Environmental Health team and the other from a local resident, 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:

Garip Ozcan – Premises Licence Holder
Dhruti Thakkar

Objectors:

Paul Barker – Environmental Health
Mark Montgomery -Objector

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.

RESOLVED that the application to vary the Premises Licence for the premises known as 'Chicken Cottage', 196- 198 Alma Road, Bournemouth, BH9 1AJ, to extend the licensable hours for the provision of late-night refreshment, be REFUSED.

Reasons for Decision:

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the Hearing as contained in the Licensing Officer's report for Agenda Item 5, including the details provided by the applicant in their application and the written representations made in objection to the application from Environmental Health and one other person on the grounds that to grant the application will undermine the licensing objective of the prevention of public nuisance.

The Sub-Committee also considered the verbal submissions presented at the Hearing by those in attendance, including Ms Ellie King, the Licensing Officer, Mr Garip Ozcan, the applicant, Ms Dhruti Thakkar, who attended in support of the applicant, Mr Paul Barker, Environmental Health Officer, and Mr Mark Montgomery, a neighbouring resident. Both Mr Barker and Mr Montgomery had submitted objections to the application.

The Sub-Committee noted that the application was prompted by a complaint that the premises had been operating beyond their permitted hours. A visit was made by the Licensing Authority on 8 May 2025 to investigate and provide guidance on the process to vary a licence. During the visit, Mr Ozcan was informed that Environmental Health continued to

receive complaints about noise from the premises beyond the licensable hours of 12.30am. Mr Ozcan maintained that the premises closed by 12:30am each night.

The Sub Committee was mindful that Environmental Health was the responsible authority which provided professional advice in relation to the prevention of public nuisance licensing objective. It was noted that Environmental Health considered this objective is being undermined in these premises due to ongoing concerns regarding noise nuisance. Mr Barker advised the Sub-Committee that although Mr Ozcan claimed the extractor fan causing the noise had been fixed, recent monitoring of the premises showed the noise was still ongoing and remained above acceptable levels, preventing him from supporting the application to vary the premises licence.

The Sub-Committee had regard to the concerns raised by Mr Montgomery in relation to the prevention of public nuisance licensing objective. As a resident of the flat above the premises, Mr Montgomery felt that the extended operating hours would only exacerbate several noise issues he had already raised prior to the application.

The Sub-Committee gave weight to Mr Montgomery's representation, in which he described the impact of noise disturbance on his quality of life. He explained that over the past year, he had been unable to sleep due to persistent noise, particularly from equipment such as the extractor fan. He stated that if the noise issues were resolved, he would have no objection to the licence being extended until 2:00am. While he acknowledged the presence of cars and mopeds parking on the pavement and near the bins late at night to collect deliveries, he clarified that these were not his primary concern. His main issue was the ongoing disruption caused by the extractor fan at night, which had significantly affected his ability to sleep. He knew Environmental Health had asked that it be repaired and could not understand why it was continuing to cause such a nuisance.

The Sub-Committee considered the applicant's justification for the extended hours. Mr Ozcan explained that the previous owner had operated until 2:00 AM and that the business had declined since earlier closing times were introduced. He said the late-night period was particularly busy and that reduced hours had made it difficult to cover essential costs. He also stated that he had no issues with neighbours and aimed to maintain good relationships within the community.

The Sub-Committee were advised that there had been no change to the licensable hours on the premises licence. The premises had never been licensed to 2am, but it appeared that Mr Ozcan had been operating the premises beyond 2am and this only became apparent when noise complaints regarding the extractor fan were made and investigated. He did state that he had been closing at 12.30am for the last couple of months

The Sub-Committee noted Mr Ozcan's explanation regarding the reported noise nuisance but found his claim that the equipment had now been fixed

not to be true. Mr Barker advised that noise monitoring equipment had been installed into Mr Montgomery's flat and considering the evidence from Mr Barker and Mr Montgomery, both of whom confirmed that the noise issues persisted at the time of the hearing, it was clear that any repairs already done were not adequate. Mr Barker advised that Mr Ozcan kept promising to have the fan repaired but he does not do it to a satisfactory standard. He advised that an Abatement Notice had also been issued to Mr Ozcan as it is considered the noise being emitted is a statutory nuisance.

The Sub-Committee acknowledged the applicant's financial concerns but concluded it could not be satisfied that the premises did not undermine the prevention of public nuisance licensing objective currently, without exacerbating the situation by allowing later hours. They were both disappointed that the applicant was not already taking responsibility to resolve the noise nuisance and surprised that Environmental Health had not already made an application to review the premises. As such the Sub-Committee determined that application to vary the premiss licence should be refused.

In making this decision, the Sub-Committee have had regard to the Bournemouth, Christchurch and Poole Council Licensing Policy, the licensing objectives, as set out in the Licensing Act 2003 and the revised Home Office section 183 guidance issued under 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.

31. Exclusion of Press and Public

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.

32. Consideration of suitability for a new Hackney Carriage/ Private Hire Driver Applicant

This item was restricted by virtue of paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972. Exempt information – Categories 1 (information relating to any individual) and 2 (information which is likely to reveal the identity of an individual).

Present:

From BCP Council:

Wesley Freeman – Licensing Officer

Linda Cole – Legal Advisor to the Sub-Committee

Sinead O'Callaghan – Clerk to the Sub-Committee

Andy McDiarmid – Legal Advisor, observing
Cllr Alasdair Keddie - Observing

The applicant driver was in attendance.

The Chair made introductions and explained the procedure to be followed in considering this item, which was agreed by all parties present.

The Licensing 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 Sub Committee was asked to consider whether the applicant was deemed to be a 'fit and proper' person to allow them to continue with their application to hold a Public Carriage Drivers Licence for BCP Council.

The Sub-Committee asked various questions of all parties present and was grateful for the responses received.

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

The Sub-Committee RESOLVED that the applicant driver is a 'fit and proper person' to continue with his application to hold a Hackney Carriage or Private Hire Driver's Licence.

Reason for the decision

The Sub-Committee considered all the information which had been submitted before the Hearing and contained in the report for Agenda Item 6, along with the verbal submissions made at the Hearing by the applicant driver and the Licensing Officer.

In considering the test of a 'fit and proper person', the Sub-Committee also had regard to section 8 of BCP Council's Hackney Carriage and Private Hire Driver Policy 2021 - 2025, the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976, the Institute of Licensing (IOL) Guidance on determining the suitability of applicants and licensees in the Hackney and Private Hire Trades (2018) and paragraph 3 of the Department of Transport Statutory Taxi and Private Hire Vehicle Standards (updated November 2022).

The Sub-Committee noted that the applicant driver had previously had a licence revoked in 2021, but that no further action had been taken by the police regarding the incident brought to the Licensing Authority's attention, and that the complainant had withdrawn from the process. The applicant driver stated that he had not been contacted by the police and had not been subject to any further investigation or charges.

The Sub-Committee found the applicant driver to be open and reflective during the hearing. He explained that he had learned from past experiences and that the situation had provided him with important life lessons. He is aware he should not become overly friendly with customers and now would solely focus on his family and his work. He expressed remorse and a commitment to moving forward positively.

The applicant driver also explained his personal circumstances, including his health issues and family responsibilities, as well as his desire to work in a profession that supports his wellbeing and allows him to contribute more to his household. While the Sub-Committee acknowledged that personal circumstances are not a determining factor in the test of a 'fit and proper person', they noted his sincerity and motivation to work responsibly, and his role as a trustee of a charity, which they considered to be a positive reflection of his character and community involvement.

The Sub-Committee found the applicant driver to be remorseful for his previous actions, truthful and transparent and gave no indication that such previous inappropriate behaviour will occur again. The Sub-Committee found on the balance of probability that the applicant driver is a 'fit and proper person' and should be allowed to continue with his application for a Public Carriage Driver's Licence.

The meeting ended at 11.30 am

CHAIRMAN

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 29 July 2025 at 10.00 am

Present:-

Present: Cllr P Canavan, Cllr G Farquhar and Cllr D A Flagg

33. Election of Chair

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

Voting: Unanimous

34. Apologies

An apology for absence was received from Cllr Williams and Cllr Chapmanlaw stepped up as 1st reserve to sit on the Sub-Committee.

35. Declarations of Interests

There were no declarations of interest.

36. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking was noted.

37. Application for a Premises Licence at Cafe Deuce, Branksome Park Tennis Courts and Pavilion Leicester Road Poole BH13 6BZ

BCP Council:

Ellie King – Senior Licensing Officer

Andy McDiarmid – 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 a new Premises Licence application made by Cafe Deuce to seek permission for the on sale of alcohol between 09:00 and 22:30, seven days a week.

The application received 1 representation from a local resident on the grounds that to grant the application would undermine the prevention of public nuisance, public safety and protection of children from harm licencing objectives and received 37 representations in support of the application.

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

For the Applicant:

Lisa Kirkpatrick – The applicant

David Mason – In support of the applicant

Ann O’Riordan - In support of the applicant

Objector:

David Robinson – 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.

RESOLVED that the application for a Premises Licence at Cafe Deuce, Branksome Park Tennis Courts and Pavilion Leicester Road Poole BH13 6BZ, be GRANTED as applied for, to include the conditions offered by the Applicant in Part 3 of the Operating Schedule, Paragraph M, and the following additional condition agreed with BCP Council Environmental Health through mediation prior to the hearing, namely:-

- **No speakers for the amplification of music shall be placed on the outside of the premises or on the exterior of any building forming part of the premises.**

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 supplementary evidence submitted and the verbal submissions made at the hearing by the applicant, Lisa Kirkpatrick, Ann O’Riordan, and David Mason, who both spoke in support of the application, David Robinson, who spoke in objection, and Ellie King, the Licensing Officer.

The Sub-Committee considered comments made by the Applicant confirming previous licensable activities that had taken place under five Temporary Event Notices granted since the Applicant took control of the premises in February. No complaints or concerns have been received regarding these temporary events.

The Sub-Committee also noted that the Applicant had taken the opportunity to negotiate with Environmental Health and agreed to the additional

condition set out above which demonstrated her wish to not undermine the licensing objectives.

The Sub-Committee noted the written representations and verbal submissions made by David Robinson, who raised concerns about the premises being located within the Branksome Park and Chine Gardens Conservation Area. He highlighted the potential impact on the character of the area should the licence be granted, particularly due to the proposed hours for alcohol sales from 09:00 to 22:30 daily. Mr Robinson expressed concern that the licence, if granted without specific restrictions, could allow the premises to evolve into a drinking establishment, which he felt would be inappropriate for the location. He also raised safeguarding concerns regarding the sale of alcohol during times when children are present in the area.

The Sub-Committee acknowledged Mr Robinson's concerns, particularly in relation to the conservation area and the protection of children from harm. However, they noted that each application must be considered on its own merits and that the Licensing Act does not permit decisions to be based on speculation about future changes in ownership or operation.

The Sub-Committee acknowledged the concerns raised by Mr Robinson but was satisfied that the applicant had demonstrated a clear understanding of the licensing objectives and had taken appropriate steps to ensure the responsible operation of the premises. On this basis, the Sub-Committee did not consider there to be sufficient grounds to justify refusing the application. It was noted that the cafe currently operates from 09:00 to 14:00 daily, with occasional evening events such as quiz nights, and that the applicant had received support from local residents, club members and café visitors. The applicant advised the Sub-Committee that it was not her intention to turn Café Deuce into a pub but wanted the opportunity to be flexible and to enhance her offer when running community events.

The Sub-Committee also considered the comments made by the Licensing Officer regarding the significant level of public support for the application. In addition, clarification was provided by the Senior Rights of Way Officer, confirming that no formal permission was required for use of the adjacent public footpath, although maintaining clear access was encouraged as a matter of courtesy.

The Sub-Committee was satisfied that the applicant had addressed the concerns raised during the hearing and had shown a commitment to upholding and supporting the licensing objectives. It was noted that the premises has limited seating capacity, with 26 seats available indoors and 20 outdoors, and restricted refrigeration space, which naturally limits the volume of alcohol that can be stored and served. The Sub-Committee considered the cafe to be a sustainable and positive offering for the local community, supporting both tennis club users and members of the public.

In conclusion, the Sub-Committee was satisfied that if the premises operated in accordance with the conditions offered by the Applicant as set

out in the Operating Schedule in section M of the application and the additional condition agreed with BCP Council Environmental Heath that the premises should not undermine the licensing objectives.

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 Statement of 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.

38. Application for a Premises Licence at Chicken n Beer 58 Stanfield Road Bournemouth BH9 2NP

The Licensing Authority had received an application for a new premises licence for the premises known as Dolce Vita, 147 – 149 Commercial Road, Poole.

The Sub Committee agreed to adjourn the hearing until 27 August 2025 to enable all parties to be represented at the hearing. This was in accordance with Regulation 12 of the Licensing Act 2003 (Hearings) Regulations 2005 and was with the agreement of all parties.

The meeting ended at 11.03 am

CHAIRMAN

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 30 July 2025 at 10.15 am

Present: Cllr D A Flagg, Cllr E Harman and Cllr P Hilliard

39. Election of Chair

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

Voting: Unanimous

40. Apologies

There were no apologies for absence.

41. Declarations of Interests

There were no declarations of interest.

42. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking was noted.

43. BigWigs Bakery, 9 Marlow Drive, Christchurch, BH23 2RR

Present:

From BCP Council:

Tania Jardim – Licensing Officer

Linda Cole – Legal Advisor to the Sub-Committee

Michelle Cutler – 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 'BigWigs Bakery Lmt' for a premises licence to permit recorded music

and the supply of alcohol (on and off sales) from 07:30 to 23:00 every day of the week.

The Licensing Authority had received four representations from other persons on the grounds that to grant the application would undermine the licensing objectives of the prevention of crime and disorder, public safety and the prevention of public nuisance. In response to the representations, the applicant offered to reduce the hours for alcohol sales and the premises' opening hours to terminate at 20:00.

Environmental Health mediated with the applicant and had agreed additional conditions should the licence be granted.

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

For the Applicant:

Dominic Brown – Director of Bigwigs Bakery Lmt.

There were no objectors present.

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.

RESOLVED that the application for a new premises licence for the premises known as 'BigWigs Bakery', 9 Marlow Drive, Christchurch, BH23 2RR to permit recorded music and the supply of alcohol (on and off sales) from 07:30 hours to 20:00 hours every day of the week be GRANTED, subject to the inclusion of the conditions agreed between the applicant and Environmental Health, as amended by the Sub-Committee.

Reasons for Decision:

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the Hearing, as contained in the Licensing Officer's report for Agenda Item 5, including the details provided by the applicant in their application and the written representations made in objection to the application from 4 other persons on the grounds that to grant the application would undermine the licensing objectives of the prevention of crime and disorder, prevention of public nuisance and public safety.

The Sub-Committee also considered the verbal submissions made at the Hearing by those in attendance, Mrs Tania Jardim, Licensing Officer and Mr Dominic Brown, Director of Bigwigs Bakery Ltd.

No objectors were present at the Hearing; however, the Sub-Committee considered the written submissions submitted by 4 other persons on the grounds that to grant the application would undermine the prevention of crime and disorder, public safety and the prevention of public nuisance licensing objectives.

The Sub-Committee acknowledged the concerns raised in the representations that related to the Licensing Objectives were the potential for an increase in anti-social behaviour in the area and an increase in litter. The Sub-Committee was satisfied by the Applicant's response that a litter bin had now been installed outside the front of the premises, which should alleviate some of the concerns raised by the objectors in terms of an increase in litter. Objectors had also expressed concern regarding the potential noise and disruption that may occur in the evenings if an alcohol licence was granted, however, the Sub-Committee noted the applicant had offered to reduce the terminal hour for licensable activities to 20:00hrs, which the sub-Committee welcomed.

The Sub-Committee agreed that the applicant had demonstrated that they were competent and experienced operators and capable of running a licenced premises. This was evidenced by the applicant having 4 licenced premises in the area, which operated in a similar way. The applicant advised that they had not experienced any issues with anti-social behaviour at their other premises and none were reported by the Licensing Officer.

The Sub-Committee noted that mediation had taken place between the applicant and BCP Council's Environmental Health Department, and several conditions were agreed which would form part of the licence, should it be granted.

With the reduction in the terminal hours for alcohol sales and the premises' opening hours from 23:00 hrs to 20:00hrs the Sub-Committee agreed that the following conditions no longer needed to be attached to the licence:

- All windows and external doors shall be kept closed after 20:00 hours, except for the immediate access and egress of persons (this condition was now redundant as the terminal hour for alcohol sales/closing time of the premises would be 20:00)
- Beyond 20.00 hours patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them (this condition was now redundant as closing time of the premises would be 20:00)

The following condition regarding the removal of tables and chairs from the outside area by 23:00hrs each day was to be amended to:

- All tables and chairs shall be removed from the outside area by 20:30 hours each day (this was to reflect the 20:00 hours closing time and to allow half an hour for staff to ensure that all customers had left and to clear down).

The Sub-Committee was mindful that representations made regarding business competition, toilet facilities, health and hygiene issues, and public access could not be considered as this was not within the remit of the Licensing Sub-Committee or the 4 licensing objectives. However, the Sub-Committee did note that a new toilet was being installed at the premises for customer usage.

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 10.45 am

CHAIRMAN

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 11 August 2025 at 10.00 am

Present: Cllr G Farquhar, Cllr D A Flagg and Cllr L Williams

44. Election of Chair

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

Voting: Unanimous

45. Apologies

There were no apologies for absence.

46. Declarations of Interests

There were no declarations of interest.

47. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking was noted.

48. BOH Studios, 104 Commercial Road, Bournemouth, BH5 2LR

Present:

From BCP Council:
Tania Jardim – Senior Licensing Officer
Johanne McNamara – Legal Advisor to the Sub-Committee
Rebekah Rhodes – 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 'BOH Studios' to vary a premises licence to extend the provision of the

existing licensable activities on Saturdays and Bank Holidays to 07:00 to 03:00. No request had been made for any amendments to conditions.

The Licensing Authority had received three representations from local residents on the grounds of the Prevention of Public Nuisance and Protection of Children from Harm licensing objectives.

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

For the Applicant:

Mr Alex Spedlove and Mr Samuel Pearce – Directors of BOH Studios.

There were no objectors present.

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.

RESOLVED that the application for a variation to a premises licence for the premises known as 'BOH Studio', 104 Commercial Road, Bournemouth, BH2 5LR to permit recorded music and the supply of alcohol until 02:00am hours on a Saturday be GRANTED, subject to the inclusion of the conditions agreed between the applicant and Dorset Police as already agreed.

Reasons for Decision:

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the Hearing, as contained in the Licensing Officer's report for Agenda Item 5, including the details provided by the applicant in their application and the written representations made in objection to the application from 3 other persons on the grounds that to grant the application would undermine the licensing objectives of the prevention of public nuisance and prevention of children from harm.

The Sub-Committee also considered the verbal submissions made at the Hearing by those in attendance, Mrs Tania Jardim, Licensing Officer and Mr Alex Spindlove and Mr Samuel Pearce, Directors of BOH Studio.

No objectors were present at the Hearing; however, the Sub-Committee considered the written submissions submitted by 3 other persons on the grounds that to grant the application would undermine the prevention of public nuisance and prevention of children from harm licensing objectives.

The Sub-Committee acknowledged the concerns raised in the representations that related to the prevention of public nuisance and the protection of children from harm licensing objectives.

The Sub-Committee noted that attempts at mediation had taken place between the applicant the objectors and the applicant had responded in writing to the objectors.

The Sub-Committee agreed that the applicants had demonstrated that they were competent and experienced operators and capable of running a licenced premises. This was evidenced by the applicant's satisfactory explanation of their business model which supports the licencing objectives.

The Sub-Committee noted that the premises have had the benefit of 9 TENs which were the same times as the variation request and there were no complaints or issues recorded, It was further noted that the applicant has had no incidents reported to the police since they have been open. The Sub-Committee considered the information provided by both the Licensing Officer and the Applicant of the discussions with Dorset Police and agreement between the Applicant and Dorset Police regarding the amendments to the original proposed variations in the Application.

Given all the information provided the Sub-Committee were satisfied that the conditions as agreed with Dorset Police would uphold the licensing objectives.

For the avoidance of doubt the variation is as follows:

Last entry to customers at 00.00 hours (midnight) on any day that the premises are licensed beyond 00.00 hours (midnight).

The terminal hour for the sale of alcohol is 02.00 hours on Saturday.

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.

49. Dolce Vita 147-149 Commercial Road Poole BH14 0JD

The Licensing Authority had received an application for a new premises licence for the premises known as Dolce Vita, 147 – 149 Commercial Road, Poole

The Sub Committee agreed to adjourn the hearing until 27 August 2025 to enable all parties to be represented at the hearing. This was in accordance with Regulation 12 of the Licensing Act 2003 (Hearings) Regulations 2005 and was with the agreement of all parties.

The meeting ended at 10.40 am

CHAIRMAN

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 13 August 2025 at 10.15 am

Present: Cllr P Canavan, Cllr A Keddle and Cllr J Richardson

50. Election of Chair

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

Voting: Unanimous

51. Apologies

An apology for absence was received from Cllr Matthews. Councillor Canavan, as first reserve, stepped up to sit on the Sub-Committee.

52. Declarations of Interests

There were no declarations of interest.

53. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking was noted.

54. Ashley Vegas, 408 Ashley Road, Poole, BH14 0AA

Present:

From BCP Council:

Sarah Rogers – Principal Licensing Officer

Linda Cole – Legal Advisor to the Sub-Committee

Michelle Cutler – 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 by BCP Council's Licensing Authority for the review of the premises licence for

the premises known as ‘Ashley Vegas’, as the Licensing Authority no longer had confidence in the premises licence holder and designated premises supervisor (DPS) to uphold the prevention of crime and disorder and protection of children from harm licensing objectives. In addition, it was stated that the premises was linked to criminal activities, particularly the storage and sale of illicit tobacco and vapes.

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

For the Applicant:

Tania Jardim – Licensing Officer, representing BCP Council

Andy Crossen-White, Trading Standards, BCP Council (in support of the application).

The Premises Licence Holder, Mr Hiwa Yousefzadeh, did not attend the hearing.

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.

RESOLVED that having considered the application dated 24 June 2025, made by BCP Council’s Licensing Authority to review the premises licence for the premises known as ‘Ashley Vegas’, 408 Ashley Road, Poole, BH14 0AA, 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 licensing and protection of children from harm licensing objectives and is satisfied that there is no alternative outcome that will mitigate the concerns raised by BCP Council Licensing Authority, Trading Standards and 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, the written and verbal evidence provided by Tania Jardim, Licensing Officer, representing the applicant, BCP Council, the written and verbal representation made by Andy Crossen-White, Trading Standards Officer in support of the review on the grounds of Prevention of Crime and Disorder, as well as the written submissions of Dorset Police in support of the review on the grounds of Prevention of Crime and Disorder.

The Premise Licence Holder, Mr Hiwa Yousefzadeh, did not attend the Hearing despite being invited, and had not made contact with the Licensing Authority since the application for review had been issued and served on him.

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 BCP Statement of Licensing Policy.

The Sub-Committee's decision is based upon consideration of the promotion of the Licensing Objectives. The Sub-Committee acknowledged that it was only able to consider matters directly relevant to the licensing objectives raised in the application, namely prevention of crime and disorder and the protection of children from harm.

The Sub-Committee concluded that the premises had failed to uphold the prevention of crime and disorder and the protection of children from harm 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 BCP Council, and the verbal submissions made during the hearing, and the written statements from Trading Standards and Dorset Police in support of the review, the Licensing Sub-Committee agreed that taking no action would not be a sufficient response to the concerns identified by BCP Council Licensing Authority in bringing this review.

This review is supported by Trading Standards in their capacity as a Responsible Authority following a multi-agency visit to the premises on 12 March 2025 and intelligence linking this premises to criminal activity and the sale and supply of illicit tobacco and vapes. The Sub-Committee notes that this type of criminal activity should be treated particularly seriously, as supported by section 11.27 of The Revised Guidance issued under section 182 of the Licensing Act 2003 (February 2025). The Home Office has provided a clear steer through the S182 guidance that storing and selling illicit tobacco is a serious matter that justifies consideration of revocation.

This review is also supported by Dorset Police in their capacity as a Responsible Authority. Dorset Police have identified that the premises is not operating to the high standards expected, particularly due to the presence of illicit products and the discovery of an offensive weapon under the counter.

Modify the Conditions of the Licence; and/or Add Conditions

The Sub-Committee does not consider that modifying the existing conditions would resolve the concerns raised by BCP Council's Licensing Authority. Appropriate conditions are already included in the licence, but it is the non-compliance with these existing conditions that is the cause of concern. Mr Hiwa Yousefzadeh has been made aware of the conditions being breached and has had

ample time to rectify the breaches, some of which could be resolved quite easily, but he has not done so.

Exclude a Licensable Activity from the Scope of the Licence

The Sub-Committee does not consider that excluding a licensable activity from the scope of the licence is an appropriate response to the concerns raised in this review. The issue is not the sale of alcohol, but rather the evidence that the premises is linked to criminal activity and the sale and supply of illicit tobacco and vapes, the blatant breach of conditions attached to the licence, and concerns regarding the storage of an offensive weapon under the counter.

The Sub-Committee notes that if licensable activities were not taking place, the premises could remain operational as a shop and that the concerns highlighted may persist. However, the Sub-Committee must ensure they do what they can to promote the Licensing Objectives within the premises, and it will be for other agencies to manage any remaining issues under alternative legislation.

Removal of the Designated Premises Supervisor from the Licence

The Sub-Committee is of the view that removing Mrs Shanaz Saeed Abdullah as DPS would not be sufficient to alleviate the issues raised in the Review Application. The Sub-Committee believes that the current DPS has already removed herself from the role. She is no longer involved in the premises, is not responsible for day-to-day management, and is uncontactable by letter or telephone.

Mr Yousefzadeh advised Licensing Officers visiting the premises on 30 April 2025 that once he had gained his personal licence, he intended to apply to transfer the position to himself. His personal licence was granted on 25 July 2025, but no application has yet been received by BCP Council. The Sub-Committee is unable to remove the Premises Licence Holder.

Suspension of the Licence

Although the Licensing Officer in the review application identified a 3-month suspension as the preferred option to remedy the concerns outlined in the review, the Sub-Committee feels that such a temporary suspension of the Premises Licence will not adequately resolve the concerns raised.

The Sub-Committee notes that on 7 April 2025, the Licensing Authority received intelligence from BCP Council's Trading Standards Department following a multi-agency joint visit carried out by Trading Standards, HMRC, and Dorset Police officers on 12 March 2025. During this visit, Dorset Police seized an offensive weapon (bat) from under the counter and Trading Standards seized illicit tobacco and vapes.

On 9 April 2025, in response to the intelligence received, licensing officers carried out a compliance inspection of the premises. Mr Omer, a friend of Mr Hiwa Yousefzadeh, had been left in charge. He advised that his friend was the new owner of the business, and upon checking Companies House, it was confirmed that Mr Hiwa Yousefzadeh was the sole active director of Ashley Vegas Ltd, appointed on 3 March 2025. Multiple breaches of the licence were identified, and a Breach Letter was issued to the premises on 11 April 2025. No response to the breach letter was received from Mr Hiwa Yousefzadeh or any other individual, and a follow-up inspection took place on 30 April 2025. A further Breach Letter was sent on 21 May 2025, again with no response. A final letter was issued to Mr Yousefzadeh on 13 June 2025 to confirm that formal action would be taken unless he engaged and provided an update regarding rectifying breaches at the premises

within 5 working days. Again, he ignored the correspondence and failed to engage.

The Licensing Sub-Committee is of the view that Mr Yousefzadeh has had ample opportunity to rectify the concerns raised by BCP Council regarding the breaches of his licensing conditions and that a temporary suspension of his licence is unlikely to make any difference to the operation of the premises. The Sub-Committee was unable to discuss any of the issues detailed by BCP Council's Licensing Authority with Mr Yousefzadeh or enquire if he was planning to rectify the breaches, as he chose not to attend the hearing.

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 had serious reservations about Mr Yousefzadeh's capability and willingness to operate the business in a manner that would uphold the licensing objectives, particularly the prevention of crime and disorder and the protection of children from harm. They were especially concerned that, even if he was unaware that the business he had taken over was involved in the sale of illegal goods, he failed to take appropriate action to remove such items upon assuming control on 3 March 2025. Furthermore, intelligence received regarding a further sale of illegal goods on 2 May 2025 indicated that such unlawful activity may still be ongoing.

The Sub-Committee also noted with concern that Mr Yousefzadeh has demonstrated no willingness to co-operate or engage constructively with BCP Council in addressing the breaches that have been clearly outlined to him.

A further issue identified is the absence of an active Designated Premises Supervisor (DPS), which is a legal requirement for authorising the sale of alcohol. As the sole director of Ashley Vegas Ltd, the Premises Licence Holder, Mr Yousefzadeh, appears not to understand the responsibilities attached to this role, nor does he seem to take them seriously. This lack of engagement and accountability led the Sub-Committee to conclude that either the premises was not operating transparently or that Mr Yousefzadeh holds a dismissive attitude towards the licensing regime, suggesting a belief that the rules do not apply to him.

Having considered the evidence before them, the Sub-Committee is of the view that the licensing objectives of the prevention of crime and disorder and the protection of children from harm have been undermined and that the premises is not being run responsibly. The Sub-Committee agreed that the premises has been involved in serious criminal activity. In order to uphold the licensing objectives, they concluded that none of the alternative options were appropriate or sufficient at this time, and that it is both appropriate and proportionate to revoke the licence.

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, and/or any interested person who made relevant representations.

55. Exclusion of Press and Public

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.

56. Consideration of suitability for a new Hackney Carriage/ Private Hire Driver Applicant

The Sub Committee was asked to defer this item to a future meeting as the Chair requested not to participate in this case.

RESOLVED that this item be deferred to a future meeting.

The meeting ended at 10.40 am

CHAIRMAN

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 18 August 2025 at 10.00 am

Present:-

Cllr D A Flagg – Chair

Present: Cllr P Canavan and Cllr L Williams

57. Election of Chair

RESOLVED that Councillor David Flagg be elected Chair of the Sub-Committee for the duration of the meeting.

Voting: Unanimous

58. Apologies

There were none.

59. Declarations of Interests

There were none.

60. Protocol for Public Speaking at Licensing Hearings

The protocol was noted.

61. Cristallo, 3 West Cliff Road, Bournemouth, BH2 5ES

Present:

From BCP Council:

Sarah Rogers – Principal Licensing Officer

Andy McDiarmid – Legal Advisor to the Sub-Committee

Jill Holyoake – Clerk to the Sub-Committee

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

The Principal 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 Home Office Immigration Enforcement (HOIE) to review the premises licence for the premises known as Cristallo, 3 West Cliff Road, Bournemouth. HOIE had identified illegal working at the premises and no

longer had confidence in the licence holder to uphold the prevention of crime and disorder licensing objective. The Principal Licensing Officer provide an update at the hearing regarding the current status of the licence, which was suspended pending payment of the annual fee.

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

For the Applicant:

Russell Angel – Home Office Immigration Enforcement

For the Premises:

Brendan Herbert – Laceys Solicitors, representing Mr Zubair Dastagir

Zubair Dastagir – Premises Licence Holder and Designated Premises Supervisor (in attendance but did not speak)

Jackson Warner of Laceys Solicitors – present in an observational capacity for training purposes

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.

RESOLVED that having considered the application dated 30 June 2025, made by Home Office Immigration Enforcement (HOIE) to review the premises licence for the premises known as ‘Cristallo’, 3 West Cliff Road, Bournemouth BH2 5ES, the Sub-Committee has decided that it is appropriate to revoke the licence on the grounds that the premises is not upholding the prevention of crime and disorder licensing objective and is satisfied that there is no alternative outcome that will mitigate the concerns raised by HOIE.

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, presented by Sarah Rogers, Principal Licensing Officer, in particular the written and verbal evidence provided by Russell Angel of the HOIE Licensing Compliance Team as well as the verbal submissions made at the hearing by Brendan Herbert of Laceys Solicitors representing the premises.

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. Members took account of the Guidance by the Secretary of State made under section 182 of that Act as well as the BCP Statement of Licensing Policy. The Sub-Committee’s decision is based upon consideration of the promotion of the Licensing Objectives. The Sub Committee is only able to consider matters directly

relevant to the licensing objective raised in the application, namely the prevention of crime and disorder.

The Sub Committee noted that HOIE had visited the premises on 3 November 2024 after intelligence was received that the business owner was employing illegal workers. Upon entering, two individuals were identified by immigration officers as suspected illegal workers. Details of the interviews conducted with both individuals and the premises licence holder, Mr Zubair Dastagir, were included as supporting evidence in the application for review. A civil penalty was subsequently issued. It was also noted that Mr Dastagir was unaware that he was in breach of the condition on his licence to maintain and make available a refusals log and that no training records for staff were maintained.

The Sub Committee noted that the civil penalty was currently subject to an appeal but did not feel that this precluded them from determining the outcome of the review application. Mr Angel confirmed that while the threshold for taking civil action in respect of individual one had not been reached, it had been reached in respect of individual two.

The Sub Committee noted the points raised by Mr Herbert in support of the premises. He explained Mr Dastagir's long association with the premises, including as a part owner and manager, during which time there had been no reported issues. Steps had now been taken to remedy the breach of licence conditions. Mr Dastagir had no intention of employing the two individuals concerned, one of whom was assisting as a friend and the other who he was supporting in training to be a chef, and besides there was no need to employ extra staff. Neither had received remuneration or food as an alternative to payment nor were they under Mr Dastagir's control. The Sub-Committee also noted the offer, put forward by Mr Herbert on Mr Dastagir's behalf, of the following additional licence condition, namely that "any individual who is at the restaurant carrying out any form of assistance, whether from any form of social relationship or for the individual's personal development or indeed employment, must have their right to work information processed before any assistance is permitted." It was noted the premises licence was currently suspended as the annual licence fee had not been paid despite reminders, something Mr Dastagir was attempting to address.

Having considered the evidence, the Sub Committee shared the serious concerns of HOIE that two individuals who had no right to work were found to be working on the premises. The Sub Committee noted the information provided by Mr Herbert on behalf of the premises and the statements provided by the two individuals and the premises licence holder as to their status and duties while on the premises, in particular where these accounts differed. Whether or not remuneration was involved, Mr Dastagir was responsible for the two individuals being on the premises and being engaged in activities which were beneficial to the premises. In his role, he should have been aware of his responsibilities to uphold the licensing objectives and to have regard to the necessary requirements regarding illegal working in premises licensed for the sale of alcohol or late-night

refreshment. The failure to do so left the Sub Committee with no confidence in his ability as premises licence holder or DPS.

The Sub-Committee noted sections 11.27 and 11.28 of the revised section 182 guidance issued by the Home Office which states that, *“There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are... the use of the licensed premises for employing a person who is disqualified from that work by reason of their immigration status in the UK;”*.

Section 11.28 continues, *“It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.”*

The Sub-Committee agrees with the views of HOIE, that the employment of illegal workers disregards the law, places those illegal workers at increased vulnerability and acts to the detriment of other businesses and the wider community.

The Sub-Committee concluded that the premises had failed to uphold the prevention of crime and disorder licensing objective and that revocation of the licence was the only appropriate response to the issues raised in the review when considering the evidence available.

Members of the Sub-Committee in determining the application considered the following alternative options to revoking the licence: -

a) Leave the licence in its current state:

In considering the information contained in the report, the written and verbal representations made by HOIE and the verbal submissions made Mr Herbert on Mr Dastagir's behalf, during the hearing, the Licensing Sub-Committee agreed that taking no action would not be a sufficient response to the concerns identified by HOIE in bringing this review.

The Guidance issued by the Home Office under Section 182 of the Licensing Act 2003 updated in February 2025, alongside the BCP Statement of Licensing Policy both guide that intervention is expected to tackle immigration offences associated with licensed premises.

b) Modify the conditions of the licence; and/or add conditions:

The Sub-Committee does not consider that modifying the existing conditions would resolve the concerns raised by HOIE as conditions should not duplicate other statutory requirements or other duties or responsibilities

placed on the employer by other legislation and should not replicate offences set out in the 2003 Act or other legislation.

It would not be appropriate to add the condition suggested on behalf of the premises licence holder at the hearing, to ensure that any individual on the premises carrying out any form of assistance for whatever reason must have their right to work information processed before any assistance is permitted. There is an expectation that all those responsible for running a business would act responsibly within all relevant legislation and would undertake such checks as a matter of course.

c) Exclude a licensable activity from the scope of the licence:

The Sub-Committee does not consider that excluding a licensable activity from the scope of the licence would be an appropriate response to the concerns raised in this review. The issue was not the supply of alcohol or the provision of late-night refreshment but the evidence presented by HOIE that the premises are associated with illegal working, contrary to immigration and other legislation.

The Sub-Committee notes that if licensable activities were not taking place the premises could remain operational as a restaurant until 02:00hours and that the concerns highlighted may remain. The Sub-Committee however must ensure it does what it can to ensure the Licensing Objectives are promoted within the premises.

d) The removal of the Designated Premises Supervisor (DPS) from the licence:

The Sub-Committee did not consider that removing Mr Dastagir as the DPS would be enough to alleviate the issues raised in the review application. The Sub-Committee is unable to remove the Premises Licence Holder, which it is noted is also Mr Dastagir.

e) Suspension of the Licence:

The Sub-Committee felt that a temporary suspension of the Premises Licence of up to three months would not resolve the concerns raised in the application for review.

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, Home Office Immigration Enforcement and/or any interested person who made relevant representations.

62. The Sandpiper, 97 Bure Lane, Christchurch, BH23 4DN

The Chair advised that this hearing was no longer required as the applicant had withdrawn their application following the publication of the agenda for this meeting.

The meeting ended at 10.42 am

CHAIR

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 27 August 2025 at 10.15 am

Present: Cllr D A Flagg, Cllr J Richardson and Cllr P Sidaway

63. Election of Chair

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

Voting: Unanimous

64. Apologies

There were no apologies for absence received.

65. Declarations of Interests

There were no declarations of interest.

66. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking was noted.

67. Application for a Premises Licence at Chicken n Beer 58 Stanfield Road Bournemouth BH9 2NP

The Chair advised that this hearing was no longer required as the applicant had withdrawn their application following the publication of the agenda for this meeting.

68. Dolce Vita 147-149 Commercial Road Poole BH14 0JD

BCP Council:

Sarah Rogers – Senior Licensing Officer

Ellie King – Licensing officer observing

Linda Cole – Legal Advisor to the Sub-Committee

Sinead O’Callaghan – Clerk to the Sub-Committee

Cllr Patrick Canavan – Observing

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 ‘B’ to these minutes in

the Minute Book. The Licensing Sub-Committee was asked to consider an application made by Dolce Vita to vary the premises licence.

The application received a representation from Dorset Police on the grounds that to grant the application would undermine the prevention of crime and disorder, public safety and the prevention of public nuisance licensing objectives.

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

For the Applicant:

Mr Domenico De Paola – applicant

Mr Jon Wallsgrove, John Gaunt & Partners – Solicitor representing the premises

Objectors:

Sergeant Gareth Gosling – Dorset Police

Ms Louise Busfield - Dorset Police

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.

RESOLVED that the application to vary the Premises Licence at Dolce Vita, 147–149 Commercial Road, Poole, be **GRANTED** subject to the following amendments either offered by the applicant at the hearing on 27 August 2025 or imposed by the sub-committee on determination of the application.

- **Increase the terminal hour by an extra 40 minutes until 02:40 on Fridays, Saturdays and Bank and Public Holidays for late night refreshment and the supply of alcohol.**
- **Increase opening hours by an additional 30 minutes until 03:00 on Fridays, Saturdays, Banks and Public Holidays, when all customers must have left the premises.**
- **Condition 2.2 to be amended - On Fridays and Saturdays (and other days when the premises licence permits licensable activity until 02:40 hours the following day) 1 SIA from 22:00 hours; 3 SIA from 23:00 hours until 3.30 hours or until the last customer has left the area. At all other times the Premises Licence Holder or DPS shall be responsible for risk assessing whether SIA Door Supervisors shall be deployed at the premises.**
- **Whenever SIA door supervisors are deployed they will wear a body worn video camera from 22:00 hours until**

the premises close and the last customer has left the area. The camera will be activated when an incident occurs and will record the incident until it has concluded. All recorded footage will be kept for a minimum of 31 days. A copy of the footage must be provided to the police upon request when investigating a crime with the minimum of delay.

- **No off-sales of alcohol shall take place after 23:30 hours.**
- **Condition 2.5 to remain - There shall be no customer admittance or re-admittance to the premises after 01:30 hours.**

The following conditions agreed with Environmental Health during mediation of the application, to further uphold the prevention of public nuisance licensing objective be added to the premises licence

- **The bi-fold doors to the premises shall be kept closed from 22:00 hours daily, except for access and egress.**
- **No music or amplified sound shall be played in the external decked area at any time. This includes the installation or use of any speakers or sound-emitting devices in the external area.**
- **The premises licence holder shall submit a Noise Management Plan to BCP Council's Licensing Authority for approval. The plan must detail the measures to be implemented to control and minimise noise from patrons, particularly during the early morning hours. The plan shall include:**
 - a) **Procedures for monitoring and managing customer behaviour in external areas**
 - b) **Use of signage to encourage quiet dispersal**
 - c) **Staff training and supervision protocols**
 - d) **A dispersal policy**
 - e) **A complaints response procedure**
- **The approved Noise Management Plan shall be implemented in full and reviewed annually, or upon request by the Licensing Authority.**

In addition, the following conditions offered in section M of the application will be added to the premises licence

- **Staff and SIA Security to use radios to assist with internal communication with each other.**
- **SIA security to be in contact with Pubwatch operating in the area to enable them to be able to receive updates and operate as appropriate.**
- **Recorded music will be reduced to a low level between 00:30 hours and 02:30 hours and all music will be turned off by 02:30 hours.**

- **All customers shall be asked to leave the premises quietly and clear signs shall be displayed close to exits to remind customers to have regard for neighbouring residents and leave quietly.**

Reasons for Decision:

The Sub-Committee gave detailed consideration to all the information submitted prior to the hearing and included in the report for Agenda Item 6, along with the supplementary evidence and the verbal submissions made at the hearing by the applicant, Jon Wallsgrove, the applicant's solicitor, Sergeant Gareth Gosling and Louise Busfield, who spoke on behalf of Dorset Police, and Sarah Rogers, the Licensing Officer.

The Sub-Committee was mindful that the only objection received in relation to this application was from Dorset Police, and that no objections were received from local residents. The representation was made on the grounds of the prevention of crime and disorder. The Sub-Committee noted that Environmental Health had not raised any objections and had successfully mediated with the applicant several agreed conditions to further uphold the licensing objectives. It was noted that the noise management plan had already been submitted, reviewed and approved by the Environmental Health Officer.

The Sub-Committee noted the concerns raised by Dorset Police, who highlighted the potential risks associated with later opening hours, particularly in relation to customer dispersal and the possibility of increased crime and disorder. However, the Sub-Committee was satisfied that no evidence had been presented to demonstrate that the premises being open later would lead to an increase in crime and disorder and it was noted that the premises had operated under 26 Temporary Event Notices (TENS) until 3:00am over the past 20 months. No recorded incidents or complaints had been made to the Licensing Authority by local residents and Sgt Gosling was unable to confirm if Dorset Police had record of any incidents of concern connected to the premises when they were operating under a TEN. The Sub-Committee was advised by the Licensing Officer that neither Dorset Police or Environmental Health had objected to any of the TENS given by the premises, and it was felt because of the volume given, objections would have been made if either Responsible Authority had concerns.

It appeared to the Sub-Committee that the main concern of Dorset Police was that granting this premises later opening hours, would lead to other premises making similar variation applications. The Sub-Committee did not disagree with Dorset Police, but this was not a consideration that they felt was relevant to this application. BCP Council's Statement of Licensing Policy did not set out fixed closing hours for licensed premises and every application had to be considered on its own merits and consideration given to who is operating the business. This business had a good track record

The Sub-Committee welcomed the presence of 3 SIA door supervisors from 23:00 hours and their use of body-worn video cameras. They are aware that Ashley Cross has a busy and vibrant nighttime economy and noted the concerns of Dorset Police that additional opening hours would lead to an increase in crime and disorder particularly if the premises had no last entry time and customers were able to take alcohol out of the premises in the early hours. The Sub-Committee agreed that the extra SIA door supervisor and the use of body worn cameras would reduce this risk and act as a deterrent and considered the premises' offer to have no off sales of alcohol after 23:30 hours to be responsible and should alleviate this concern of Dorset Police. The sub-committee agreed with Dorset Police that a last entry time should remain on the licence to prevent movement of customers who may be intoxicated trying to get into a later opening premises to get a last drink. The Sub-Committee considered the applicant's submission that their customers had asked for later opening hours and that the variation application was intended to meet changing customer habits and to retain patrons later into the evening, rather than to encourage excessive drinking. The Sub-Committee considered it appropriate to keep condition 2.5, with last entry time remaining at 01:30 hours despite allowing the premises to remain open to 03:00 hrs and granting later hours for sale of alcohol and late-night refreshment, to uphold the licensing objectives of the prevention of crime and disorder, public nuisance and public safety.

The Sub-Committee were of the view that the premises was an established business and had experienced operators. They were advised by the applicant that sustainability and responsible management are central to the business model and the business, brand and their customers were important to the operator and needed to be protected. The Sub-Committee was satisfied and confident that if the premises continued to operate in accordance with its licence, the additional conditions offered, those imposed by the Sub-Committee and those agreed with Environmental Heath, that granting the premises an extra 30 minutes opening time should not undermine the licensing objectives.

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 Statement of 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 11.52 am

CHAIRMAN

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 01 September 2025 at 10.00 am

Present:-

Cll D Flagg – Chair

Present: Cllr G Farquhar and Cllr A Keddie

69. Election of Chair

RESOLVED that Councillor David Flagg be elected Chair of the Sub-Committee for the duration of the meeting.

Voting: Unanimous

70. Apologies

There were none.

71. Declarations of Interests

There were none.

72. Protocol for Public Speaking at Licensing Hearings

The protocol was noted.

73. Units 1 & 2 Stirling House, 48-50 Poole Hill, Bournemouth, BH2 5PS

The Chair explained that due to administrative reasons it was proposed to open and adjourn this hearing until the Licensing Sub Committee on 16 September 2025.

RESOLVED that the hearing for the application for a new premises licence for Unit 1 & 2, Stirling House, Poole Hill, Bournemouth, BH2 5PS be adjourned until the Licensing Sub Committee on 16 September 2025.

The meeting was adjourned between 10.01am and 10.12am.

The meeting ended at 10.14 am

CHAIR

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of the Local Government Act 1972.

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LICENSING COMMITTEE



Report subject	Review of Statement of Licensing Policy
Meeting date	18 September 2025
Status	Public Report
Executive summary	<p>The Licensing Act 2003 places a duty on the Licensing Authority to determine and publish a Statement of Licensing Policy every five years.</p> <p>The current Statement of Licensing Policy is valid until November 2025</p> <p>Following 2 periods of public consultation, agreed by members of the Licensing Committee and undertaken in accordance with Section 5 of the Licensing Act 2003, the Licensing Committee on behalf of the Licensing Authority must now consider all responses received in respect of the proposed Statement of Licensing Policy and decide after considering the responses what amendments should be made to the draft policy. As part of the process the Licensing Committee must provide reasons of why they decide to include or exclude any consultation response. as they make their decision.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members consider consultation responses and feedback, if necessary, amend the draft document and recommend a final version of the Statement of Licensing Policy for adoption by Full Council.</p>
Reason for recommendations	<p>Section 5 of the Licensing Act 2003 requires a licensing authority to prepare and publish a statement of its licensing policy at least every 5 years.</p> <p>During the five year period the policy must be kept under review, and the licensing authority may make any revisions to it as it considers appropriate.</p> <p>If revisions are made to the policy after consultation, a new five year period commences on the day it is published.</p>

Portfolio Holder(s):	Councillor Kieron Wilson
Corporate Director	Glyn Barton - Operations
Report Authors	Sarah Rogers Nananka Randle
Wards	Council wide
Classification	For Decision

Background

1. On 19 September 2024 Members of the Licensing Committee considered and approved the draft of the proposed Statement of Licensing Policy. See Appendix 1
2. The draft was proposed following two policy workshops which took place during 2024, these consisted of members of the licensing committee, licensing and legal officers as well as Dorset Police Licensing Sergeant Gosling. In addition, all responsible authorities were issued a copy of the proposed draft for comment prior to approval by committee.

Consultation

3. Public consultation took place between 11 November 2024 to 6 December 2025 which was then extended until 22 December 2025. This was undertaken via the council's consultation tracker on the website and via email to all parties as listed as direct consultee in Appendix 2. 8 responses were received.
4. Following feedback from local legal representatives a further period of consultation took place between 27 February 2025 and 17 March 2025 this was direct to the licensing team and was sent to all those listed in Appendix 3. 2 further responses were received.
5. Only 10 responses were received to the consultation, and these are summarised together with officer recommendations for policy amendments in Appendix 4.

Options Appraisal

6. Members are asked to consider each of the responses received which are set out in Appendix 3 and decide in respect of each of them to whether
 - Accept the comment and amend the policy accordingly, or
 - Disregard and exclude the comments from the policy.
7. Reasons should be given for any amendments made.

8. Once all feedback has been discussed members are asked to agree a final version of the Statement of Licensing Policy to be recommended to Full Council.

Summary of financial implications

9. Any fees incurred will be absorbed within current budgets. Any costs associated with the review process will be covered by the income from the Licensing Act 2003 fees and/or annual fees received.
10. Paragraph 13.8 of the Section 182 Guidance states “When undertaking consultation exercises, licensing authorities should have regard to cost and time. Fee levels are intended to provide full cost recovery of all licensing functions including the preparation and publication of a statement of licensing policy, but this will be based on the statutory requirements. When licensing authorities exceed these requirements, they will have to absorb these costs themselves.”

Summary of legal implications

11. The Licensing Act 2003 requires all authorities to publish a policy and review this policy every 5 years. If the authority does not publish such a policy, the authority cannot rely on the policy as part of its decision-making process and could be subject to Judicial review.

Summary of human resources implications

12. There are no implications on human resources the current licensing team will continue to implement the policy within current resource levels.

Summary of sustainability impact

13. There are no sustainability impacts

Summary of public health implications

14. Public health is considered within the policy. In addition, as a responsible authority under the Licensing Act all applications are sent to colleagues in public health so that if there are concerns with an application these can be addressed.

Summary of equality implications

15. A full Equality Impact Assessment has been completed and accepted by the EIA panel.
16. The report summary states that the Licensing Authority will comply with the General Equality Duty and advance equal opportunity by working to promote a safe and welcoming night-time economy with a broader appeal for all. We will seek to foster good relationships by promoting the public voice and by working in partnership with the public and businesses. We will work to eliminate unlawful discrimination by working as a Council to fulfil our responsibilities under the Equalities Act 2010. Any application will be considered on its relative merits having regard to the promotion of the Licensing Objectives and other relevant policy considerations, including equality, diversity, and inclusion. The Licensing authority recognises that no policy is absolute and where necessary it may depart from its policy; where it considers it to be necessary and appropriate to do so.

Summary of risk assessment

17. There is a risk of judicial review should any new policy be challenged.
18. The Licensing Committee must ensure that any decisions give due consideration to the public sector equality duty as they are made.

Background papers

[Licensing Act 2003](#)

[Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK](#)

Appendices

Appendix 1 – Draft Statement of Licensing Policy 2025 - 2030

Appendix 2 – Consultation List (11.11.234 – 06.12.24 and extended to 22.12.24)

Appendix 3 – Consultation List (27.02.25 – 17.03.25)

Appendix 4 – Responses to Consultations

DRAFT

Statement of Licensing Policy 2025 - 2030

Licensing

Author; **Licensing Manager**

Version; 1

Review Date;



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1. Purpose Statement

- 1.1 BCP Council is the Licensing Authority for the Bournemouth, Christchurch and Poole area under the Licensing Act 2003 and is responsible for Premises Licences, Club Premises Certificates, Temporary Event Notices and Personal Licences in its administrative area in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late-night refreshment.
- 1.2 This Policy is prepared under Section 5 of the Licensing Act 2003 and was approved by BCP Council on XXXXx. It will be kept under review and as a minimum will be reviewed no later than 2030.
- 1.3 Unless otherwise stated any references to the Council are to the BCP Council Licensing Authority.
- 1.4 This policy covers the licensable activities as defined by the Licensing Act 2003. These are;
 - The sale of alcohol by retail
 - Supply of alcohol by or on behalf of a club, or to the order of a member of the club
 - The provision of regulated entertainment
 - The provision of late-night refreshment
- 1.5 This policy has regard to the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
- 1.6 The council will carry out its functions under the Licensing Act 2003 with a view to promoting the licensing objectives namely;
 - The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm

Each objective is of equal importance.

- 1.7 This Policy is concerned with the regulation of licensable activities on licensed premises, by qualifying clubs and at temporary events. The conditions that are offered or mediated and ones which the council may attach to the various licences will focus on matters that are relevant to the four licensing objectives and will centre upon the premises that are being used for licensable activities.
- 1.8 With regards to this policy the council adopts the overall approach of encouraging the responsible promotion of licensed activities, in the interests of its residents and visitors, it will not tolerate irresponsible licensed activity.

2. Who the Policy Applies To

- 2.1 This Statement of Licensing Policy will assist applicants, officers of the Licensing Authority, Responsible Authorities, members of the Licensing Committee and persons making representations in the consideration of the relevant issues regarding applications and ensuring they are dealt with fairly and in line with the law.
- 2.2 This Policy also affords members of the Licensing Committee and officers alike, to consider the concerns of the public and other recognised bodies and to take appropriate

measures where the objectives of the Licensing Act 2003 are put in jeopardy after licences have been issued.

3. This Policy Replaces

- 3.1 This Policy replaces the previous BCP Council Licensing Act 2003 Statement of Licensing Policy.

4. Approval Process

- 4.1 During the five year period, the Policy must be kept under review and the Licensing Authority may make any revisions to it as it considers appropriate, for instance in the light of feedback from the local community on whether the statutory objectives are being met.
- 4.2 Where revisions are made to the Section 182 Statutory Guidance by the Secretary of State, it will be for the Licensing Authority to determine whether revisions to its own Statement of Licensing Policy are appropriate.
- 4.3 BCP Council as the Licensing Authority has delegated the Licensing Committee to oversee the development and review of its Statement of Licensing Policy. Once finalised the policy is presented to the Full Council for ratification.

5. Links to Council Strategies

- 5.1 This Policy supports the BCP Council Corporate vision and ambitions. The Council's vision is to create vibrant places where people and nature flourish with a thriving economy in a healthy natural environment. Where everyone lives a fulfilled life maximising opportunity for all.. Effective licensing of controlled premises and activities is a key component to achieving this strategic vision for our communities.
- 5.2 The Licensing Authority aims to meet the BCP Council Corporate ambitions by ensuring the licensing process supports local businesses. We aim to help them to meet their statutory obligations and keep residents and visitors to our licensed venues safe, whilst still having an enjoyable leisure experience.
- 5.3 During the preparation of this policy document due consideration has been given to the following key BCP Council Strategies;
- Corporate Strategy & Delivery Plan
 - Health & Wellbeing Strategy
 - Safeguarding Strategy
 - Communities Engagement Strategy
 - Crime & Disorder Reduction Strategy
 - Equality & Diversity
 - Community Safety Plan

6. The BCP Area

- 6.1 Bournemouth, Christchurch and Poole Council (BCP Council) is located in Dorset on the South Coast. It is the 12th largest Unitary Council in England with a population of 401898 residents most of which are from a white British background (88%).
- 6.2 The population growth is predicted to be 2% to 2028 the percentage of over 65s account for 24% of the population. The percentage of BCP population of working age is 61%.

- 6.3 The BCP area is predominantly urban with associated suburban areas, beaches, harbours, quay sides, open spaces, parks and gardens.
- 6.4 It has long established road and rail links to London, the Midlands and the South West and benefits from an international airport and a thriving freight port for commercial shipping, as well as an important destination for passenger and vehicle ferries and cruise vessels.
- 6.5 There are three Universities within the BCP area with approximately 23000 students.
- 6.6 It is one of the Country's main holiday destinations and benefits from 15 miles of coastline with world recognised Blue Flag beaches. It is renowned for its water sports, music and arts festivals.
- 6.7 Bournemouth's nighttime economy has been accredited with the prestigious Purple Flag status since 2010. This is awarded to town and city centres that meet or surpass the standards of excellence in managing the evening and nighttime economy.
- 6.8 The area welcomes 15 million visitors each year spending a total of £800 million locally. They benefit from a vibrant mix of entertainment facilities for residents and visitors alike with established theatres, restaurants, cinemas, concert venues, conference facilities, museums and historic sites.
- 6.9 The entertainment economy is well served with a wide variety of restaurants, pubs, bars and clubs. The Council is keen to encourage a wide range of entertainment throughout the conurbation to support local cultural strategies. It recognises that live music, dancing, cinema and theatre enrich the cultural offer and benefit the wider economy.

7. Policy Consultation

- 7.1 Section 5 of the Licensing Act 2003 <http://www.legislation.gov.uk/ukpga/2003/17/contents> requires a Licensing Authority to prepare and publish a statement of its licensing policy every five years. Such a policy must be published before the Authority carries out any function in respect of individual applications and notices made under the terms of the 2003 Act. A glossary of terms used within this document and within the Act and guidance can be found in Appendix A.
- 7.2 During the five-year period, the policy must be kept under review and the Licensing Authority may make any revisions to it as it considers appropriate, for instance in the light of feedback from the local community on whether the statutory objectives are being met. If the Licensing Authority determines and publishes its Policy in this way, a new five year period commences on the date it is published. Where revisions are made to the Section 182 Statutory Guidance by the Secretary of State, it will be for the Licensing Authority to determine whether revisions to its own Statement of Licensing Policy are appropriate.
- 7.3 This policy will commence on **XXXXX** and remain in force for five years but will be kept under review subject to further consultation as referred to above.
- 7.4 Before determining its policy, the Licensing Authority consulted with the persons listed in section 5(3) of the 2003 Act. These are;
- The Chief Constable for the Dorset Police
 - Dorset and Wiltshire Fire and Rescue Service
 - The BCP Director of Public Health
 - Persons/bodies representative of local Premises Licence Holders

- Persons/bodies representative of local Club Premises Certificate Holders
- Persons/bodies representative of local Personal Licence Holders
- Persons/bodies representative of businesses and residents in its area

7.5 The views of all these persons or bodies were given appropriate weight when the policy was determined. We believe that we have made reasonable efforts to consult an appropriate range of representatives and individuals in determining this policy.

7.6 Fees are set by Regulation and are intended to provide full cost recovery of all licensing functions including the preparation and publication of a Statement of Licensing Policy, but this will be based on the statutory requirements. Where a Licensing Authority exceeds these requirements, they will have to absorb those costs themselves.

Further advice can be obtained from licensing@bcpcouncil.gov.uk

8. Fundamental Principles of the Policy

8.1 This Statement of Licensing Policy has been prepared in accordance with the provisions of the Licensing Act 2003 and the Statutory Guidance issued under Section 182 of the 2003 Act by the Secretary of State. This Policy should be read as a whole and in conjunction with those provisions.

8.2 This statement is intended to assist Officers and Members in determining applications and to set out those factors that will normally be taken into consideration. Equally it seeks to provide clarity for applicants, residents and other occupiers of property and investors, in order to enable them to plan a move to remain or invest in the area with some measure of certainty.

8.3 This Policy sets out a general approach to making licensing decisions, it will not ignore or be inconsistent with provisions of the 2003 Act. For example, a Statement of Licensing Policy must not undermine the right of any person to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its individual merits. Similarly, it will not override the right of any person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act provided they are not frivolous or vexatious.

8.4 Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the 2003 Act. Conditions attached to various authorisations will be focused on matters which are within the control of individual licence holders and others with relevant authorisations, i.e. relevant to the premises and its vicinity.

8.5 Whether or not incidents can be regarded as being "in the vicinity" of licensed premises is a question of fact and will depend on the particular circumstances of the case. In cases of dispute, the question will ultimately be decided by the courts. In addressing this matter, the Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working, or engaged in normal activity in the area concerned.

8.6 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of the overall approach to the management of the day time, evening and night-time economy within the conurbation.

8.7 Each application will be considered on its own merits and in accordance with this Statement of Licensing Policy. Conditions attached to licences and certificates will be tailored to the

individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions will be avoided, and the licensing authority acknowledges it may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

9. Licensable Activities

9.1 The Licensing Authority is responsible for considering all applications for licensable activities as defined in section 1 of the 2003 Act. Licensable activities are;

- The sale of alcohol by retail
- The supply of alcohol to club members and their guests
- The provision of regulated entertainment
- The provision of late-night refreshment (the supply of hot food or drink between 23.00 and 05.00.)

9.2 Schedule 1 to the 2003 Act sets out what activities are regarded as the provision of regulated entertainment and when they are licensable together with those activities which are not and therefore exempt from the regulated entertainment regime. Appendix B of this policy sets out in more detail the types of exemptions.

9.3 The descriptions of entertainment activities licensable under the 2003 Act are:-

- A performance of a play
- An exhibition of a film
- An indoor sporting event
- A boxing or wrestling entertainment
- A performance of live music *
- Any playing of recorded music*
- A performance of dance
- Entertainment of a similar description to a performance of live music, any playing of recorded music or a performance of dance

*[See](#) Appendix B for further information

10. Licensing Objective: Prevention of Crime and Disorder

10.1 The Licensing Committee will look to Dorset Police as the main source of advice on crime and disorder.

10.1 Conditions, if imposed, will be targeted on deterrence and preventing crime and disorder. For example, where there is a good reason to suppose that disorder may take place, the presence of CCTV cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may choose to use CCTV for the prevention of crime directed against the business itself, its staff or its customers, but any condition may require a broader approach to the overall promotion of the prevention of crime and disorder objective. The Licensing Committee would wish to ensure that the precise locations of cameras are identified on plans to ensure that certain areas are properly covered and to avoid any uncertainty/dispute as to the terms of any condition imposed.

10.2 The Licensing Authority expects applicants to address excessive consumption of alcohol and drunkenness on relevant premises. This will reduce the risk of anti-social behaviour occurring both on the premises and elsewhere after customers have departed. It is expected that

operating schedules and conditions will demonstrate a general duty of care to customers using the premises and others affected by their activities this may include developing a policy to prevent the sale of alcohol to drunk customers.

10.3 The Licensing Team will work with the police and other relevant Responsible Authorities and licensees to encourage good practice. In considering an application that has attracted relevant representations, the Council will also have regard to the following, where relevant:

- Any representations made by the Police, or other relevant agency about the training given to staff in crime prevention measures appropriate to those premises. This could include training in specific areas such as recognising drunkenness, use of illegal substances and the assessment of drinks promotions.
- The physical security features installed in the premises. This may include matters such as the position of cash registers, where alcohol is stored in 'off-licences', the standard of CCTV that is installed, adequate lighting, metal detection and search facilities or the use of plastic bottles in pubs and clubs.
- Procedures for risk assessing promotions such as 'happy hours' which may contribute to the impact on crime and disorder and plans for minimising such risks.
- The measures employed to prevent the consumption or supply of illegal drugs, including any search procedures and entry policies.
- Where premises are subject to age-restrictions, the procedures in place to conduct age verification checks. The Licensing Authority will expect the premises licence holder to follow any guidance issued by the Home Office in this regard. The current Home Office guidance is available at False ID guidance - GOV.UK (www.gov.uk)
- The likelihood of any violence, public order or policing problem if the authorisation is granted.
- Whether the design of the premises has been considered having regard to reducing conflict and minimising opportunities for crime.
- Whether steps are proposed to avoid the adverse impact of the promotion of the licensing objectives which result from high strength alcohol being sold at a low price.
- The measures taken to control admission to the premises and the use of and number of Security Industry Authority licensed door supervisors employed at the premises.
- Measures taken to ensure that no public nuisance or other crime results from customers seeking to smoke tobacco and related products at or in the vicinity of the premises, and the extent to which these measures are likely to be effective.
- Other appropriate measures, such as participation in a local pub watch scheme or other body designed to ensure effective liaison with the local community, subscription to dedicated security radio circuits and other examples of industry best practice.

10.4 It is recommended that applicants discuss the crime prevention procedures in their premises with the police before submitting their application.

11.Licensing Objective: Public Safety

11.1 Licence holders have a responsibility to ensure the safety of those persons using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result as customers become more vulnerable from alcohol consumption, such as unconsciousness or alcohol poisoning.

11.2 Conditions relating to public safety may also promote the crime and disorder objective as noted above.

11.3 Applicants should give consideration to a number of matters in relation to public safety which may include

- Reference should be made to the guidance on requirements under the Regulatory Reform (Fire Safety) Order 2005 which are available from Dorset & Wiltshire Fire and Rescue Service www.dwfire.org.uk
- Ensuring appropriate access for emergency services such as ambulances
- Good communication with local authorities and emergency services, for example communications networks with the Dorset Police and signing up for local incident alerts
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles
- Ensuring appropriate limits on the maximum capacity of the premises
- Consider the use of CCTV in and around the premises (which may also assist with promoting the crime and disorder objective)
- Provision of a defibrillator
- Ensuring use of toughened or plastic drinking vessels if appropriate
- Training of staff to deal with violence against women and implementation of safeguards to protect them

11.4 It is recognised that measures that are appropriate to promote public safety will vary between premises and the examples listed above may not be applicable in all cases. Applicants should give due consideration when making their application which steps are appropriate to promote the public safety objective and demonstrate how they intend to achieve that.

11.5 Safeguarding patrons against spiking should be considered and awareness training for staff should be provided where appropriate and proportionate to do so. The Licensing Authority strongly support campaigns such as Ask for Angela.

11.6 Applicants should make provision to ensure that premises users and staff can safely leave their premises and get home. Measures that may assist include;

- Providing information on the premises of local licensed taxi companies who can provide transportation home
- Signing up to the get me home safely campaign. [Get ME Home Safely | Make Our Communities & Workplaces Safer \(unitetheunion.org\)](http://unitetheunion.org)
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks

11.7 Public safety may include the safety of performers appearing at any premises but does not extend to the prevention of injury from participation in a boxing or wrestling entertainment.

12.Licensing Objective: Public Nuisance

12.1 Licensed premises, particularly those operating after 23:00 hours and into the early morning, can adversely affect people living or working in the vicinity of the premises. The applicant's operating schedule must therefore contain practical steps to prevent disturbance to local residents. The issues will concern nuisance from noise, light, odour and litter.

12.2 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as

ensuring that doors and windows are kept closed after a particular time or persons are not permitted in garden areas of the premises after a certain time. More sophisticated design measures to mitigate sound escape from the premises may be appropriate where individual circumstances dictate. Any conditions appropriate to promote the prevention of public nuisance will be tailored to the type, nature and characteristics of the specific premises and its licensable activities.

12.3 Where applications have given rise to representations, any appropriate conditions shall normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a licensing requirement for performances of live music between 11 pm and 8am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

12.4 The Licensing Authority is mindful of the potential for noise nuisance from amplified sound and live music. Where there are relevant representations on this issue, the Licensing Authority will normally impose appropriate conditions on variations or new licences or refuse consent if necessary for the promotion of the licensing objective. A condition to prevent noise nuisance could be imposed in such circumstances.

12.5 Applicants must demonstrate that they have considered those factors that cause or add to public nuisance. It is good practice to consult with a noise expert to ensure the effectiveness of measures undertaken. The Council's Pollution Control Team can also be consulted to assist in developing a Noise Management Plan.

12.6 Factors to consider include;

- Location of the premises and use of associated outside areas, for example, particularly for [smoking](#)
- Hours of operation
- Customer profile
- Nature of activities to be provided - temporary or permanent
- Location of activities - inside or outside
- Design and layout of the premises
- Use of noise limiting devices
- Number of people attending the premises
- Availability of public transport and parking provision
- Winding down period between the end of the licensable activities and closure of the premises
- Last admission time
- Fliers and other advertising material (The Council operates a licensing scheme to regulate this , further details can be obtained [here](#))

12.7 Measures to control light nuisance will also be given careful consideration. Bright lighting outside premises, which is considered appropriate to prevent crime and disorder may itself give rise to light nuisance for some neighbours. Applicants, the Licensing Authority and responsible authorities will need to balance these issues.

12.8 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour are accountable for their own actions. However, it is considered perfectly reasonable for the Licensing Committee to impose a condition, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area,

or that, if they wish to smoke, to do so at designated places on the premises instead of other external areas, and to respect the rights of people living nearby to a peaceful night.

Outdoor Areas and Smoking Areas

12.9 Where applicants propose to provide seating, tables or other facilities in any outdoor area, whether covered or not, or to permit the use of outdoor areas as smoking areas, applicants will be expected to demonstrate in their operating schedule that;

- Suitable and sufficient measures will be in place to prevent the escape of noise and other public nuisance from that outdoor area, from the licensed premises or from any of the licensable activities
- Effective management controls and other measures are put in place this will include removal of seating/tables, presence of staff and installation of CCTV to ensure that licensable activities and the use of such areas by customers or other persons is controlled so as not to adversely impact on nearby residents

12.10 After 23:00 hours consideration should be given to the impact of patrons using outside smoking areas. The Licensing Authority will normally expect the public use of external areas in the licensee's control to cease at 23:00 hours. Where outside areas will be in use after 2300 additional management controls will need to be considered which may include limiting the number of patrons permitted in the area and the presence of security staff.

12.11 Following the implementation of the smoking ban in July 2007 the Licensing Authority recognises that smokers wishing to smoke will have to go outside the licensed premises. They may also want to take alcohol purchased inside for consumption outside.

12.12 In some cases smoking will be in garden areas. In others, it may be on other parts of the licensed premises or even the highway.

12.13 Where patrons are permitted to take drinks outside the premises the Licensing Authority will expect Licensees to take such steps as possible to ensure glasses/bottles and other receptacles are not left outside. Where broken glass may become an issue this should be included within the management plan of the premises.

12.14 The premises may provide some form of shelter for those smoking outside, but these must not be fully or substantially enclosed in accordance with the Health Act 2006. Licensees should be aware of their responsibilities to prevent public nuisance.

12.15 Noise is likely to be caused not only from persons outside, but from the licensed premises if doors are continually opened or left open as customers go in and out.

12.16 If relevant representations are received, the Licensing Authority may consider conditions restricting the use of outside areas. Such conditions may include the prevention of drinks within the external area, restricting the carrying of any receptacle outside, prohibiting re-entry to premises after customers have left or restrictions on the number of people allowed at any one time in the outside areas and having dedicated staff to monitor the smoking area and take action where necessary.

12.17 The Licensing Authority may impose conditions on licences requiring the operators to provide cigarette disposal units in the vicinity of the premises and to carry out regular cleaning of the area as necessary in order to prevent public nuisance.

Night Cafes and Takeaway Premises

12.18 Premises open after 23:00 hours supplying hot food or hot drink for consumption on or off the premises can attract large groups of customers, many of whom have already consumed alcohol. The gathering of people around takeaways can lead to additional noise, disturbance and greater amounts of litter and rubbish.

12.19 The Licensing Authority will look to applicants to evidence steps they will take to address these associated issues which can present a public nuisance issue which should include

- Provision of bins outside to reduce littering by patrons
- Evidence of commercial bin waste contract and pest control contract as necessary.
- Management of outside queues or seating areas after 2300. Where a risk assessment deems it necessary security staff may be needed at busy times of the night or year when business is seasonal
- Restrictions on the times for deliveries and when bins are emptied
- Consider parking and access arrangement for any third party delivery staff such as Uber Eats or Deliveroo as these can cause considerable public nuisance in terms of parking and noise

12.20 Premises that operate late at night offering alcohol and/or takeaway food can generate concerns about antisocial behaviour and nuisance in the vicinity. It is expected that applicants should address such issues within their operating schedule and the Model Pool of Conditions in Appendix E will assist applicants in addressing this.

13. Licensing Objective: Protection of Children from Harm

13.1 The Licensing Authority has determined that Children's Services Compliance Team are the Responsible Authority who will lead on the protection of children from harm.

13.2 A child is any person under the age of 18 unless otherwise stated.

13.3 The Licensing Authority notes the amended statutory guidance has now placed emphasis on child sexual exploitation (CSE) matters and accordingly will look to the responsible authorities to be particularly robust and vigilant so far as any CSE matters are concerned at venues holding either a premises licence or club premises certificate.

13.4 Where children are expected to attend a licensed event or an event held on licensed premises even though alcohol is not being served, appropriate adult supervision will be required if considered necessary by way of risk assessment.

13.5 For premises that give rise to particular concern, there will be a presumption against permitting any access for those under 18 years of age. Premises that give particular concern include those where;

- Entertainment or services of an adult or sexual nature are commonly provided
- There have been convictions of members of the current staff at the premises for serving alcohol to minors or premises where clear evidence is produced by a Responsible Authority to prove underage drinking has been permitted by the premises licence holder or the operator
- There is known association with drug taking or dealing
- There is a strong element of gambling on the premises, excluding premises which have a limited number of cash prize gaming machines only
- The supply of alcohol for consumption on the premises is the exclusive or primary purpose of the service provided at the premises

- 13.6 The protection of children from harm and their welfare is of paramount importance. Family-friendly and food led premises are encouraged, but the risk of harm to children is an essential consideration when determining applications.
- 13.7 With accompanied children having greater access to licensed premises there is an opportunity to have more family-friendly leisure. Clearly, this places additional responsibilities upon licence holders. It is recognised too that parents and others accompanying children have responsibilities to ensure the welfare and protection of children.
- 13.8 The protection of children from harm includes the protection of children from moral, psychological and physical dangers. Specifically, in relation to the exhibition of films, or transmission of programmes or videos, this includes protection from exposure to strong language, sexual expletives and portrayals of sexual activity.
- 13.9 Children are more vulnerable, and their needs will require special consideration. This vulnerability includes their susceptibility to suggestion, peer group influences, inappropriate example, the unpredictability of their actions due to their age, and the lack of understanding of danger.
- 13.10 Where no licensing restriction is necessary, admission of children remains entirely a matter at the discretion of the individual licensee or club. Conditions requiring the admission of children may be imposed and can be offered by the applicant.
- 13.11 Whilst children may be adequately protected from harm by the action taken to protect adults, they may also need special consideration, and no policy can anticipate every situation. When addressing the issue of protecting children from harm, applicants are advised to demonstrate what practical measures they will take where appropriate.
- 13.12 The Licensing Authority will expect applicants to be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration will also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.
- 13.13 Conditions requiring the admission of children to any premises cannot be attached to licences or certificates. Where no licensing restriction is appropriate, it remains a matter for the discretion of the individual licence holder, club or premises user.
- 13.14 Venue operators seeking premises licences and club premises certificates should consider including such prohibitions and restrictions in their operating schedules particularly where their own risk assessments have determined that the presence of children is undesirable or inappropriate.
- 13.15 The following examples of control measures are given to assist applicants. They should be taken into account when producing any operating schedule;
- Provision of a sufficient number of staff employed or engaged to secure the protection of children from harm
 - Complete exclusion of children and limitations on the hours when they may be present whether or not accompanied by a responsible adult
 - Restrictions to certain parts of the premises or exclusion of children from certain activities
 - Imposition of requirements for children to be accompanied by a responsible adult

- Adoption of “Challenge 25” or other similar initiative to require sight of evidence of age from any person under 25 who is attempting to buy alcohol or have alcohol delivered
- Acceptance of “proof of age” documentation, by means from time to time recognised by the Licensing Authority in consultation with the Police and Trading Standards. (The PASS accreditation system of the British Retail Consortium is commended)
- Measures to ensure that children do not purchase, acquire or consume alcohol, including keeping refusals register in English and in accordance with any relevant and reasonable requirements of Trading Standards which may include signing up to the No Proof of Age No Sale (NPOANS) toolkit which includes age restricted sales training
- Measures to avoid children being exposed to incidents of violence or disorder

13.16 The Licensing Authority supports the following measures to reduce alcohol-related anti social behaviour by those under 18;

- Police powers under the Confiscation of Alcohol (Young Persons) Act 1997 to remove alcohol from young people in any public place where the public have access
- BCP have a Public Space Protection Order in place for the whole area which allows CSAS officers to also seize alcohol where antisocial behaviour is linked to alcohol consumption
- Police and Trading Standards powers to implement test purchasing to target on and off licences selling to under 18-year-olds and carry out age challenges to reduce underage drinking from supermarkets, off licences, in pubs and other licensed venues
- Further promotion of proof of age schemes
- Prosecution of those persistently selling alcohol to children, under the Violent Crime Reduction Act 2006

13.17 The Licensing Authority will expect applicants to ensure that children are not allowed access into premises when licensable activities involving entertainment or services of an adult or sexual nature take place.

13.18 Licensees’ operating schedules for premises showing films must include arrangements to prevent children from viewing age-restricted films as classified by the British Board of Film Classification. Uncertified films must be brought to the attention of the Licensing Authority for classification.

14. Public Health

14.1 Whilst public health is not a licensing objective, health bodies are deemed to be responsible authorities under the 2003 Act. They may now make representations in respect of applications and call for the review of a premises licence or club premises certificate where they have appropriate evidence to do so and can demonstrate how an applicant's proposals at the specific premises will undermine one or more of the licensing objectives.

14.2 The Licensing Authority recognises that the health and wellbeing of communities can be adversely affected by drinking excess alcohol. National evidence shows that whilst there is little difference in alcohol consumption between people living in more or less deprived areas, people living in the most deprived areas has an almost two-fold greater risk of an alcohol-related death than people living in the least deprived areas.

(see <https://bmcpublichealth.biomedcentral.com>)

14.3 Public Health Dorset supports safeguarding initiatives which include vulnerable adults. Ensuring robust staff training as part of any application and setting out training and

identification of vulnerable or intoxicated people and ensuring they are safe when on and as they leave the premises.

- 14.4 Public Health Dorset as a responsible authority works closely with the other responsible authorities and plays an active part in contributing to the licensing policy and assisting applicants promote the licensing objectives. Health bodies may hold information which other responsible authorities do not, but which would assist the Licensing Authority in exercising its functions. This information may be used by the health body to make representations or to support representations.
- 14.5 There is also potential for health bodies to participate in the licensing process in relation to the protection of children from harm. This objective not only concerns the physical safety of children, but also their moral and psychological wellbeing.
- 14.6 Evidence relating to under-18 alcohol-related emergency department attendance, hospital admissions and underage sales of alcohol could potentially have implications for both the protection of children from harm and the crime and disorder objectives. Consumption of alcohol by under 18s can lead to serious and acute health impacts. Health bodies can provide evidence to lead or support representations in relation to this objective. In relation to proxy purchases, data collected by health bodies could be used to inform other responsible authorities, including the police and the licensing authority, about a prevalence of proxy purchasing in a particular area.
- 14.7 Although less obvious, health bodies may also have a role to play in the prevention of public nuisance where its effect is prejudicial to health and where they hold relevant data.
- 14.8 The Licensing Authority seeks to encourage and support any voluntary initiatives that premises may wish to adopt to help reduce alcohol harm within our communities. Such initiatives may include;
- Avoiding the sale of beers, lagers and ciders over 6.5% ABV which are sold in plastic bottles or metallic cans (this does not include premium, craft or specialist products as these are not a target for problem drinkers)
 - Taking steps to consider the display of alcohol in such a manner that will not unduly encourage people to drink irresponsibly and equally limit the exposure children have to alcohol advertising
 - Refraining from placing alcohol products amongst, near or next to confectionary that would usually be consumed by children or young people (which would include till point toys or stickers)

15. Responsible Retailing for Off Sales

- 15.1 The Licensing Authority is concerned that the irresponsible consumption of alcohol from off-sales is a significant problem and adversely affects the licensing objectives as it gives rise to problems of drunkenness, disorderly behaviour and a higher risk of alcohol sales to children.
- 15.2 There is a Community Alcohol Partnership (CAP) scheme which is run by a locally managed multi-agency partnership and whose aim is to reduce alcohol harm in local communities from drinking by young people under 25, with a particular emphasis on preventing underage drinking.
- 15.3 The Licensing Authority wishes to minimise the negative impact on the licensing objectives created by irresponsible consumption of alcohol from retail alcohol sales. Some parts of Bournemouth, Christchurch and Poole have Public Spaces Protection Orders (PSPOs) in place to help address problems of drinking alcohol in public areas. Drinking in public spaces

can be a major source of anti-social behaviour, often involving young persons, and it can lead to crime or the fear of crime.

15.4 When considering an application or review where evidence indicates issues relating to problem drinking from off-sales the Licensing Committee will consider the design and layout of premises wishing off-sales. In such areas all new applications must;

- Specify the area to be used for the sale or exposure for sale of alcohol
- Displays should conform to the guidance issued by the British Retail Consortium or any other future guidance issued by trade bodies, Government departments or locally adopted standards to provide a 'responsible display' of alcohol
- Applicants should note that a display will not be considered suitable at entrance/exit points of premises where it might interfere with customer flow, near check outs, entrances or exits where shop lifting may become easier
- By using advertising that does not promote irresponsible drinking
- Consisting of significant amounts of high strength alcohol or give undue prominence to high strength alcohol

15.5 The Licensing Authority may not support applications and may refuse on the evidence presented to support representations where representations are made against applications for off sales of alcohol for premises that are;

- In areas where Public Spaces Protection Orders (PSPOs) are in place
- Near to alcohol addiction recovery activities or buildings held in hospital or clinic settings.
- In areas where drinking in public spaces affects any of the licensing objectives

16. The Licence Process and Applications

16.1 Generally, all applications will follow the same general process as set out in [Appendix C](#).

16.2 Applications must be made to the Licensing Authority in the form prescribed by Regulations. Guidance is available to applicants setting out the detail of the process on the BCP Council website.

16.3 The Licensing Committee expects applicants to have regard to this statement of licensing policy when completing their operating schedule. Applicants are expected provide sufficient information within their applications to ensure that they demonstrate the steps they propose to take to promote the licensing objectives.

16.4 The applicant is expected to demonstrate that they understand the local area demographics including crime and disorder hotspots, proximity to residential premises, housing and/or treatment centres for vulnerable people (including addictions), and the proximity to areas where children/vulnerable people congregate

16.5 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate;

- An understanding of how the policy impacts on their application
- Any measures they will take to mitigate the impact
- Why they consider the application should be an exception to the policy

16.6 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their

smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives and where there are no known concerns, acknowledge this in their application.

16.7 While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. The Licensing Committee encourages co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.

16.8 The Responsible Authorities are: -

Dorset Police
Dorset & Wilshire Fire and Rescue Service
Protection of Children from Harm
Trading Standards
Environmental Health
Health and Safety Executive
Planning Authority
Public Health
Home Office (Immigration Enforcement)
Maritime & Coastguard Agency

Full contact details are provided on our website. [Responsible Authority list](#)

16.9 When applicants complete section M of the application form they are providing the Licensing Authority with their proposed conditions. Applicants are expected to provide sufficient information to ensure their proposed conditions and actions are appropriate to promote the licensing objectives.

16.10 The Licensing Authority will expect applicants to consider the following matters in the context of promoting the four licensing objectives

- The nature of the area where the premises are situated
- The precise nature, type and frequency of the proposed activities
- Where alcohol is to be sold for consumption on the premises, the extent of seating available
- Any measures proposed by the applicant as outlined in the operating schedule to mitigate or prevent any adverse impact upon the licensing objectives, including the proposed hours of operation
- The nature, principally in terms of the age and orderliness, and number of customers likely to attend the premises
- Means of access to and exit from the premises
- The impact of the smoking ban, to include reference to noise pollution
- Transport provision in the area, and the likely means of public or private transport for customers arriving/leaving the premises
- Parking provision in the area
- The potential cumulative impact of licensable activities in the relevant local area
- Other means and resources available to mitigate any adverse impact particularly to local residents
- Such other matters as may be relevant to the application

- 16.11 A copy of the Licensing Authority's Model Pool of Conditions is attached at Appendix E which may assist applicants in completing the operating schedule of their application form.
- 16.12 Once the application has been submitted there is a 28 day consultation period. This gives the responsible authorities and other persons the opportunity to make a representation and to enter into mediation with the applicant.
- 16.13 Where mediation is unsuccessful, and representations have not been withdrawn the application will be referred for consideration by the Licensing Sub Committee.
- 16.14 Where there are no representations or where mediation has successfully taken place, the application will be deemed granted at the end of the consultation period and the licence will be issued including all agreed conditions.

17. Representations

- 17.1 When an application has been made, there is a 28-day period for consultation in which the applicant will have displayed a notice on their premises and also in a local newspaper.
- 17.2 In addition the Licensing Authority will publish notice on their website. As a matter of good practice officers will email all members and parish councils on a regular basis to notify them of applications received.
- 17.3 Anyone can make a representation (or objection) in relation to any new application, a variation to an existing licence or a review of a licence. However, for a representation to be considered relevant, it must relate to and address the likely effect that granting the application will have on the promotion of one or more of the licensing objectives.
- 17.4 Ward Councillors may make representations themselves or support other persons if asked to do so.
- 17.5 Guidance on how to make a representation is provided on the councils' website. [Challenge a licence | BCP \(bcpcc.gov.uk\)](https://www.bcpcc.gov.uk/Challenge-a-licence)

Disclosure of personal details of persons making representation

- 17.6 Once a representation has been accepted by the Licensing Authority it will be forwarded to the applicant to allow mediation to take place.
- 17.7 Ultimately the representation may become part of a hearing report which is a public document, if mediation is not.
- 17.8 Unless there are genuine and well-founded fears of intimidation, representations will be published with names and addresses attached (your email will not be disclosed).
- 17.9 Government Guidance on this matter, states: 'In exceptional circumstances, persons making representation to the licensing authority may be reluctant to do so because of fears of intimidation or violence if their personal details, such as name and address, are divulged to the applicant.'
- 17.10 Where the Licensing Authority consider that the person has a genuine and well - founded fear of intimidation and may be deterred from making a representation on this basis, they may decide to withhold some or all personal details from the applicant, giving only minimal details (such as street name or general location within a street). However, withholding such details will only be considered where the circumstances justify such action.

18. Licence Conditions

18.1 There are three types of conditions:

- **Mandatory** The 2003 Act provides for certain mandatory conditions to be applied to premises licences or club premises certificates. The full list of mandatory conditions that apply at the publication date of this statement of licensing policy can be found at [Mandatory Licensing Conditions](#)

The Licensing Authority expects that applicants, licence and certificate holders will familiarise themselves and ensure all staff are familiar with the mandatory conditions and any additional conditions which are attached to the premises licence they hold.

- **Offered** These are conditions included in Section M of the application form as part of the operating schedule or agreed following mediation.
- **Imposed** These are conditions imposed by the Licensing Committee, if they consider necessary, following a hearing of the application before them.

18.2 Conditions on a premises licence or club premises certificates are important in setting the parameters within which premises can lawfully operate. The use of wording such as "must", "shall" and "will" is considered necessary to emphasise their importance.

18.3 Licence conditions;

- Must be appropriate and proportionate for the promotion of the licensing objectives
- Must be precise and enforceable
- Must be unambiguous and clear in what they intend to achieve
- Should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation
- Must be tailored to the individual type, location and characteristics of the premises and events concerned
- Should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case
- Should not replicate offences set out in the 2003 Act or other legislation
- Should be proportionate, justifiable and be capable of being met
- Cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave
- Should be written in a prescriptive format

18.4 A copy of the Licensing Authority's Model Pool of Licensing Conditions is attached at [Appendix D](#) this can be used to assist applicants when considering the four licensing objectives within their proposed operating schedule.

18.5 Where responsible authorities and other persons do not raise any representations about the application made to the Licensing Authority, it is the statutory duty of the Authority to grant a licence or certificate subject only to conditions that are consistent with the operating schedule and any mandatory conditions prescribed in the 2003 Act.

18.6 It is possible that in certain cases, where there are other legislative provisions which are relevant and must be observed by the applicant, no additional conditions at all are needed or considered appropriate to promote the licensing objectives.

18.7 The Licensing Authority wishes to work in partnership with all parties to ensure that the licensing objectives are promoted collectively. To support this aim and to minimise disputes and the necessity for hearings, the Licensing Authority considers it sensible for applicants to seek the views of responsible authorities before formally submitting applications, but it acknowledges that there is no legal requirement to do this.

19. Enforcement

19.1 The Licensing Authority has established a joint working agreement with Dorset Police and other enforcing authorities. This agreement assists officers to address issues on a 5 step problem solving matrix which helps to prioritize efforts to tackle 'problem' and 'high-risk' premises and forms the basis of an intelligence led approach.

19.2 In respect of premises which are shown to be well maintained and managed a 'lighter' approach will be applied.



Targeted enforcement visits and actions are taken in accordance with the 5 steps listed above to ensure that it is effective, well targeted and contributes to economic progress.

19.3 The Licensing Authority will process personal information in accordance with the Data Protection Act 2018. The personal details provided by applicants will be held on a database and where the law allows, may be shared with other departments within the Council to update details they hold. The Licensing Authority may also be required to disclose personal information to third parties (such as the Police, Department for Work and Pensions,

Immigration Enforcement or the National Fraud Initiative) for the purposes of preventing or detecting crime or apprehending or prosecuting offenders.

- 19.4 When judged necessary to do so, authorised officers of the Licensing Authority and other responsible authorities will undertake unannounced inspections or test purchase visits to licensed premises in order to ensure compliance with the provisions of the 2003 Act and any other associated legislation.

20. The Cumulative Impact of a Concentration of Licensed Premises

- 20.1 The Licensing Authority will not take 'need' into account when considering an application (i.e. commercial demand), as this is not a licensing objective. However, it recognises that the cumulative impact of the number, type and density of licensed premises in a given area, may lead to serious problems of nuisance and disorder outside and some distance from the premises.
- 20.2 Cumulative Impact Policies (CIP) are also commonly known as "stress" or "special policy areas" and may relate to premises licensed to carry on any licensable activity, including the sale of alcohol for consumption on or off the premises, and the provision of late night refreshment. This includes late-night fast-food outlets which are not licensed to sell alcohol.
- 20.3 In some areas, where the number, type or density of premises selling alcohol or providing late night refreshment is high or exceptional, serious problems of nuisance and disorder may be arising or have begun to arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport. Licensing Authorities should consider whether the number of fast food outlets or off licences in an area contribute to these problems, and may choose to include them in their cumulative impact policy.
- 20.4 Queuing in itself may lead to conflict, disorder and anti-social behaviour. Moreover, large concentrations of people may also increase the incidence of other criminal activities such as drug dealing, pick pocketing and street robbery. Local services such as public transport services, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of drinkers leading to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people who cannot be effectively dispersed quickly.
- 20.5 Variable licensing hours may facilitate a more gradual dispersal of customers from premises. However, in some cases, the impact on surrounding areas of the behaviour of the customers of all premises taken together will still be greater than the impact of customers on individual premises. These conditions are more likely to arise in town and city centres, but may also arise in other urban centres and the suburbs, for example on smaller high streets with high concentrations of licensed premises
- 20.6 The Licensing Authority will take the following steps when considering whether to adopt a special saturation policy: -
- Identify concern about crime and disorder; public safety; public nuisance; or protection of children from harm
 - Consider whether there is good evidence that crime and disorder or nuisance are occurring, or whether there are activities which pose a threat to public safety or the protection of children from harm

- If such problems are occurring, identify whether these problems are being caused by the customers of licensed premises, or that the risk of cumulative impact is imminent
- Identify the boundaries of the area where problems are occurring (this can involve mapping where the problems occur and identifying specific streets or localities where such problems arise)
- Consult those specified in section 5(3) of the 2003 Act, and subject to the outcome of the consultation, include and publish details of the special policy in the licensing policy statement

20.7 The Licensing Authority will review any cumulative impact policy every three years to see whether they have had the effect intended, and whether they are still required.

20.8 The Licensing Authority will not use such policies solely:-

- as the grounds for removing a licence when representations are received about problems with existing licensed premises, or
- to refuse modifications to a licence, except where the modifications are directly relevant to the policy, for example where the application is for a significant increase in the capacity limits
- to impose any form of quota

20.9 The Licensing Authority recognises that there is a wide diversity of premises requiring a licence and will have full regard to the differing impact these will have on the local community.

20.10 It therefore also recognises that, within this policy, it may be able to approve licences that are unlikely to add significantly to the saturation and will consider the circumstances of each individual application.

21. Other Mechanisms for Controlling the Impact of Licensed Premises

21.1 Once away from the licensed premises, a minority of customers may behave badly and unlawfully. Other mechanisms exist both within and outside the licensing regime that are available for addressing such issues.

21.2 The Bournemouth Street Pastors were established in 2017 and they patrol the Bournemouth town centre area from 2200 – 0200 every Saturday night. They assist anyone in need and also carry radios which link to the police, paramedics and CCTV. On their patrols they will support individuals in need with slippers, a thermal blanket call a cab or just wait with them until they can make their own way safely home.

21.3 The Purple Flag accreditation scheme recognises excellence in the management of town and city centres in the early evening and nighttime economy. It provides an endorsement of the vibrancy of the local late-night economy and Bournemouth town centre has held a Purple Flag since 2014.

21.4 Safer BCP is a community safety partnership for the local area. It brings together the public bodies and the community, voluntary and private sector partners. The council, police, health services, fire and rescue services, and probation services share a collective responsibility to understand the causes and nature of crime, anti-social behaviour, and substance misuse. Together these agencies work with our communities and voluntary-sector agencies to identify community safety priorities for BCP and put plans in place to address them these include addressing issues around violence against women and girls (VAWG).

- 21.5 The Unity Promise women's charter was launched in March 2024 and supports businesses with training on how to improve safety for women and girls.
- 21.6 Safe Places is a scheme which makes it easier vulnerable people to identify places where they can seek help if they are anxious, scared or at risk while they are out. Premises register with the scheme then display recognisable signs to make them identifiable for those seeking assistance.
- 21.7 The voluntary sector nighttime community guardianship scheme for Bournemouth town centre now works with the universities and students to develop a student-led peer community guardianship scheme to cover the Lansdowne area.
- 21.8 In partnership with Dorset Police, the BID's (Coastal, Bournemouth Town Centre and Poole) and UKPAC (UK Partners Against Crime), BCP Council are supporting the delivery of a Business Crime Reduction Partnership focusing on both the daytime and night-time economies. SentrySis is an information sharing and crime reporting platform delivered by UKPAC in cooperation with the BID's for Poole, Bournemouth and Coastal alongside Dorset Police and BCP Council.
- 21.9 The objective of SentrySis system is to further enhance the partnership between industry professionals and authorities to accurately record, manage and tackle crime and antisocial behaviour associated with the nighttime economy. Through enhanced information sharing capability, this system has proven effective in facilitating greater reporting of crime, enabling officers to be appropriately directed to identified hotspot areas. As a GDPR-compliant database, this system is used to immediately share details of known perpetrators who are present in the Bournemouth Town Centre amongst professionals responsible for managing venues and the safeguarding of customers and staff to ensure that they do not gain access to the venues.
- 21.10 Those premises delivering on-sales provision are encouraged to make use of this system to prevent crime and disorder within their premises to ensure that perpetrators are identified, their information shared with Police, the local authority and other premises to reduce the threat of harm towards the public wishing to enjoy the Town Centre.
- 21.11 Additionally, Bournemouth Town Centre Townwatch are funding Licensing Safety and Vulnerability Initiative (LSAVI) accreditations for their members. This self-assessment tool platform combines the benefits of a self-assessment, an audit by Dorset Police and a catalogue of guidance templates, best practice advice and other support to enable venues to proactively prepare themselves to deliver licensable activities in a safe and compliant manner. Once accredited, venues can proudly publicise their score, with a maximum score of 5/5. The process is intended to be achievable and venues not achieving the maximum score are offered feedback and suggestions as to how they can improve in advance of their next assessment, which takes place annually.
- 21.12 New and existing licensed premises are encouraged to undertake the LSAVI accreditation to assist them to ensure that the safety and safeguarding measures are appropriate to their premises.
- 21.13 Outside of the licensing regime there are other powers which can address negative behaviours which result in the consumption of alcohol these include:-
- **Public Spaces Protection Orders (PSPO)** -all of the BCP area is covered by an alcohol PSPO this is not an alcohol ban, it means that anyone drinking in a manner that adversely impacts on others must cease drinking and must also surrender the alcohol on request.

- **Community Protection Warning/Notice (CPW and CPN)** - can be used to address individuals' behaviour which is having a detrimental impact on a communities quality of life. Initially a CPW is issued to the individual to make them aware that their behaviour is not acceptable, if there is then evidence that the behaviour is continuing then a CPN will be issued.
- **Civil Injunction** – is a civil power to deal with antisocial is a formal process resulting in court action and is only used once other measures have not been successful.

21.14 The Licensing Authority support organisations such as Best Bar None, Town Watch and Pub Watch which contribute towards providing safer environments for the patrons of premises operating in the evening and night time economy. There are a number of groups covering areas and districts throughout Bournemouth, Christchurch and Poole that seek to improve the network of real time information that allows them to take proactive action to minimise the effects on crime and disorder and anti-social behaviour. The Licensing Authority expects licensees to support and be active members of trade led best practice schemes.

22.Planning and Building Control

22.1 The Secretary of State has provided guidance on the relationship between planning and licensing stating that they are separate regimes. Where the Licensing Authority receives relevant representations that a licensing proposal is contrary to a planning consent and that to grant a licence for such activity would be likely to affect the licensing objectives then a refusal, or the attaching of conditions to prevent such a use until the position has been regularised may be appropriate.

22.2 In appropriate situations a hearing could be deferred until planning consent has been obtained, or arrangements made for the applications to be considered together. A responsible and prudent applicant would ensure that an appropriate planning consent was in place before submitting a licence application or choose to submit both at the same time. The Council will not duplicate restrictions on planning permissions unless such restrictions are necessary to promote the licensing objectives.

22.3 Whilst recognising that licensing and planning are separate regimes the Licensing Authority will work closely with planning to ensure that where possible the two regimes will align with each other. The 'agent of change' principle which seeks to protect existing uses, particularly regarding venues that provide regulated entertainment through permissions under the Licensing Act, is recognised as an important concept under both regimes and is supported by this policy. Where reviews are sought by residents or responsible authorities in relation to public nuisance alleged to arise from a licensed premises, the nature of the premises, it's track record and length of time it has been providing the activities complained of will all be taken into account in determining the application.

22.4 The granting by the licensing sub-committee of any variation of a licence which involves a material alteration to a building will not relieve the applicant of the need to apply for planning permission or building control where appropriate.

22.5 In circumstances when, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes and where those hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission will be liable to prosecution under planning law.

22.6 The Planning Authority may also make representations as a responsible authority as long as they relate to the licensing objectives. The Licensing Authority recognises that nuisance and crime and disorder are matters that share common ground within the planning and

licensing regimes. Concerns relating to the character and function of an area and aspects of amenity that do not constitute a public nuisance are outside the scope of the licensing regime and will be dealt with separately by the Planning Authority. The Licensing Authority therefore recognises that a combination of licensing and planning powers together with effective management of the street environment is required to overcome these problems.

23. Promotion of Equality

- 23.1 Under the Equality Act 2010 it is against the law to discriminate against anyone because of age, gender reassignment, being married or in a civil partnership, being pregnant or on maternity leave, disability, race including colour, nationality, ethnic or national origin, religion or belief, sex, or sexual orientation.
- 23.2 The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities.
- 23.3 The licensing authority will look to discharge this duty by making arrangements where appropriate to provide information in a format that meet the requirements of those with special needs such as large type, audio information and information in foreign languages. Specific needs will be dealt with on an individual basis.
- 23.4 The licensing authority has had regard to this duty when publishing this statement of policy and will have regard to the duty when determining applications for relevant authorisations under the Licensing Act 2003.
- 23.5 In the design and layout of premises, applicants and licence holders are encouraged to consider access and facilities for customers with protected characteristics.
- 23.6 Any person who is concerned that a premises is failing to comply with the Equality Act should make their complaint to the premises in the first instance. Advice can also be sought from the Equality Advisory Support Service (EASS) - www.equalityadvisoryservice.com

24. Management of Premises

- 24.1 The Statement of Licensing Policy sets out the Authority's expectations in relation to certain matters. Whilst applicants are not obliged to meet these expectations in their operating schedules, they may find that responsible authorities and other persons and businesses are more likely to raise representations if they do not. This can lead to a delay with the application having to be considered by a Committee/Panel which may then either refuse the application or impose conditions if the licensee is not found to sufficiently promote the licensing objectives and meet this policy.
- 24.2 The licensing authority encourages licence holders and operators of licensed premises:
- To adhere to all relevant national legislation regarding the sale of alcohol, including ensuring that sales are not made to underage persons and alcohol is not knowingly sold to a person who is drunk.
 - Take all reasonable steps to prevent the entry of people with drugs into licensed premises, to take appropriate steps to prevent drugs changing hands within the premises and to take practical measures to prevent drug use.
 - To have regard for relevant Dorset Police policies relating to drugs.
 - Consider wider local concerns in the conurbation as a whole, including drink spiking, sexual abuse, alcohol-related violence, alcohol-related road traffic incidents and other alcohol related harm.

- Ensure alcohol delivery businesses complete ID checks at the point of sale and at the point of delivery.
- Where appropriate, provide leaflets or posters for alcohol treatment services from agreed commissioned alcohol services.
- Encourage and promote the reduction of street litter and other forms of waste associated with licenced premises.
- To understand that the sexual exploitation of a child is sexual abuse, and a crime ensure that staff are aware of the signs of child sexual exploitation and trafficking, and;
- To provide intelligence to relevant authorities on any identified criminal activity witness on or linked to the premises.

24.3 The policy is only engaged where the licensing authority has a discretion following the receipt of objections. In such cases, the licensing authority will not apply the policy rigidly. The licensing authority will always have regard to the merits of the case with a view to promoting the licensing objectives.

Designated Premises Supervisor (DPS)

- 24.4 Any premises where alcohol is sold under a premises licence must have a designated premise supervisor. The DPS will be named in the premises licence, a summary of which must be displayed on the premises. A DPS must be a personal licence holder. Every sale of alcohol must be made or authorised by a person who holds a personal licence (or must be made or authorised by the management committee in the case of community premises).
- 24.5 The Licensing Act 2003 does not require a DPS or any other personal licence holder to be present on the premises at all times when alcohol is sold. However, the DPS and the premises licence holder remain responsible for the premises at all times.
- 24.6 The Licensing Authority will normally expect the DPS to have been given the day-to-day responsibility for running the premises and as such it is expected that the DPS would usually be present at the licensed premises on a regular basis.
- 24.7 The premises licence holder will be expected to ensure that the DPS has experience commensurate with the size, capacity, nature and style of the premises and licensable activities to be provided..
- 24.8 Within all licensed premises, whether or not alcohol is to be sold, the Licensing Authority will expect there to be proper management arrangements in place which will ensure that there is an appropriate number of responsible, trained/instructed persons at the premises to ensure the proper management of the premises and of the activities taking place, as well as adherence to all statutory duties and the terms and conditions of the premises licence.

Door Supervisors

- 24.9 The premises licence holder and DPS should ensure that their premises do not increase the fear of crime as well as actual crime in their locality. To this end they should ensure, so far as is possible, that customers do not cause nuisance or disorder outside the premises and that measures to ensure the safety of customers and prevention of nuisance are in place.
- 24.10 Door supervisors have an important role in managing customers, not only on the doors but also in the immediate area of premises.

Dispersal Policies

- 24.11 The Licensing Authority accepts that licensed premises can have a diffuse impact. People can cause disturbance when returning to residential areas from later-opening premises elsewhere and people who use off-licences may locate to a remote spot to drink. These problems may not be within the direct control of any particular licensed premises. However, premises licence holders are generally expected to take measures to encourage people to leave their premises quietly and considerately. The Licensing Authority would encourage premises to adopt a dispersal policy where appropriate.

Risk Assessments

- 24.12 The Licensing Authority will expect that appropriate and satisfactory general and technical risk assessments, management procedures and documentation have been made available to the relevant responsible authorities and to the Licensing Authority, that demonstrate that the public will be safe within and in the vicinity of the premises.
- 24.13 As a minimum the following matters must be taken into consideration:
- Whether the premises already have a licence which specifies the maximum number of people that can be present and, whether a risk assessment has been undertaken as to the maximum number of people who can be present in various parts of the premises, so that they can be operated safely and can be evacuated safely in the event of an emergency
 - Whether patrons can arrive at and depart from the premises safely
 - Whether music and dance venues and performance venues will use equipment or special effects that may affect public safety (e.g. moving equipment, vehicles, pyrotechnics, strobe lights, smoke machines)
 - Whether there are defined responsibilities and procedures for medical and other emergencies and for calling the emergency service

25. Temporary Events Notices

- 25.1 The system of permitted temporary activities is intended as a light touch process and as such, the carrying on of licensable activities does not have to be authorised by the Licensing Authority on an application.
- 25.2 Temporary Event Notices are subject to various rules which are set out in the home office guidance using this link.
- https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/118375/tens.pdf
- 25.3 **Standard TEN** - The Licensing Authority encourages applicants to give as much notice as possible of such events in excess of the minimum statutory period of ten working days so that appropriate advice and guidance can be given to organisers. Ten working days' notice means ten working days exclusive of the day on which the event is to start and exclusive of the day on which the notice is given.
- 25.4 **Late TEN** - Applicants can apply for a 'late TEN' up to 5 working days before the event and can apply for up to 10 late TENs per calendar year.
- 25.5 The most important aspect of the system of temporary event notices is that no permission is required for these events from the Licensing Authority. Instead a person wishing to hold an event at which such activities are proposed to be carried on (the "premises user") gives notice to the Licensing Authority of the event (a "Temporary Event Notice" or TEN). Once notification is received only the Police or Environmental Health (EH) may intervene to

prevent such an event or modify the arrangements for such an event. The Licensing Authority will only intervene itself if the limits on the number of notices that may be given in various circumstances would be exceeded.

- 25.6 It is recognised that many applicants submitting a Temporary Event Notice will not have a commercial background or ready access to legal advice. They will include, for example, people acting on behalf of charities, community and voluntary groups, all of which may stage public events to raise funds and usually the event will include licensable activities. The Licensing Authority will ensure that applicants are guided and supported through the process.
- 25.7 In exceptional circumstances, the Police or Environmental Health may issue an objection notice because they believe the event would undermine the one or more of the four licensing objectives set out in the 2003 Act.
- 25.8 The Police or Environmental Health must issue an objection notice within three working days of being notified, they can subsequently withdraw the notice if the applicants can provide robust assurances. The issuing of such an objection notice requires the consideration of the objection by the Licensing Committee or Sub Committee. If an objection notice is issued in relation to a late notification (between 9 – 5 working days) before the event the notification is cancelled, and licensable activities are not authorised.
- 25.9 The ability of the Police and Environmental Health to serve such a notice is a further reason why event organisers are strongly encouraged by the Licensing Authority not to rely on giving the minimum amount of notice and to contact the local Police and Environmental Health at the earliest possible opportunity about their proposals.
- 25.10 Outside spaces should provide a location plan which clears the area to be covered by the TEN.
- 25.11 In large events the location of the TEN shall also show the position of the TEN within an event.

26. Outside Events

- 26.1 The Licensing Authority advises applicants for outside events to plan well in advance and contact a licensing officer to discuss the need for a premises licence or other permission.
- 26.2 Where events may be of large, diverse or contentious in nature, the Licensing Authority advise that the organisers discuss the event with the responsible authorities to consider potential issues relating to the licensing objectives that could result in representations being made. The event may be referred to a Safety Advisory Group (SAG) which is made up of the responsible authorities, emergency services and other relevant bodies that advise on the safety and local impact of events within BCP Council.
- 26.3 An Event Management Plan (EMP) should be drawn up for final approval by the SAG members and should include details regarding drug testing if appropriate.
<https://www.bournemouth.co.uk/dbimngs/Event-guidelines-update-joint-2020.pdf>
- 26.4 Any advice given by the Safety Advisory Group will not preclude responsible authorities and interested parties from making representations relating to the event.
- 26.5 The Licensing Authority advises any applicant for an outside event to be aware of and take note of the Purple Guide and Managing Crowds Safely (HSG 154) and any other official guidance to ensure the safety of the public attending the event.

27. The Review Process

- 27.1 The proceedings set out in the 2003 Act for reviewing premises licenses and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.
- 27.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the Licensing Committee to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives. In incidents of serious crime and/or disorder the Police may apply for an Expedited/Summary Review of a premises licence.
- 27.3 An application for review may be made electronically as long as it is on the required form and in accordance with the Regulations.
- 27.4 In addition, the Licensing Authority must review a licence if the premises to which it relates was made the subject of a closure order by the Police based on nuisance or disorder and the Magistrates' Court has sent the Authority the relevant notice of its determination, or if the Police have made an application for summary review on the basis that premises are associated with serious crime and/or disorder.
- 27.5 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the Licensing Authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons. However, it is not expected that Licensing Authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review of a licence in their own right if they have grounds to do so. It is also reasonable for the Licensing Authority to expect other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the Police should take appropriate steps where the basis for the review is concern about crime and disorder or the sexual exploitation of children. Likewise where there are concerns about noise nuisance, it is reasonable to expect the Local Authority exercising environmental health functions for the area in which the premises are situated to make the application for review.
- 27.6 Where the Licensing Authority does act as a Responsible Authority and applies for a review, it is important that a separation of responsibilities is still achieved in this process to ensure procedural fairness and eliminate conflicts of interest. Further information on how the Licensing Authority should achieve this separation of responsibilities can be found in Chapter 9 of the Statutory Guidance. [Guidance issued under s182 LA03](#))
- 27.7 Where authorised persons and Responsible Authorities have concerns about problems identified at premises, it is good practice for them to give licence holders' early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review.
- 27.8 If the application for a review has been made by a person other than a responsible authority (for example, a local resident, residents' association, local business or trade association), before taking action the Licensing Authority must first consider whether the complaint being made is relevant, frivolous, vexatious or repetitious. Further guidance on

determining whether a representation is frivolous or vexatious can be found in Chapter 11 of the Statutory Guidance. ([Guidance issued under s182 LA03](#))

- 27.9 When the Licensing Authority receives an application for a review it must arrange a hearing. The arrangements for the hearing must follow the provisions set out in regulations. These regulations are published on the Government's legislation website. www.legislation.gov.uk It is particularly important that the Premises Licence Holder or Club Premises Certificate Holder is made fully aware of any representations made in respect of the premises, any evidence supporting the representations and that the holder or the holder's legal representative has therefore been able to prepare a response.

Powers of the Licensing Authority on the Determination of a Review

- 27.10 Where the Licensing Committee considers that action under its statutory powers is appropriate, it may take any of the following steps;
- Modify the conditions of the premises licence
 - Exclude a licensable activity from the scope of the licence
 - Remove the Designated Premises Supervisor, for example, because they consider that the problems are the result of poor management
 - Suspend the licence for a period not exceeding three months
 - Revoke the licence
- 27.11 In deciding which of these powers to invoke, the Licensing Committee will seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken will generally be directed at these causes and will always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

28. Late Night Levy

- 28.1 The Licensing Authority acknowledges that the Police Reform and Social Responsibility Act 2011 enables a Licensing Authority to charge a levy on premises who are licensed to sell alcohol late at night in the conurbation (between midnight and 06:00 hours), as a means of raising a contribution towards the costs of policing the late-night economy. BCP Council has not introduced such a levy but the option of introducing such a levy may be kept under review by the Licensing Committee.

29. Early Morning Restriction Orders (EMROs)

- 29.1 In addition to the provisions contained within the Police Reform and Social Responsibility Act 2011 for the Late Night Levy, there is an additional power for the Licensing Authority to restrict sales of alcohol in the whole or part of their areas for any specified period between midnight and 06:00 hours if it considers it appropriate for the promotion of the licensing objectives, the option of introducing an EMRO may be reviewed by the Licensing Committee.

30. Personal Licences

- 30.1 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a Personal Licence. The Act does not require the presence of a Personal Licence Holder at all times but if any sales are made when a Designated Premises Supervisor (DPS) is not present, then they must have been authorised by somebody who holds a Personal Licence. Regardless of whether a Personal Licence holder is present or not he will not be able to escape responsibility for the actions of those authorised to make such sales.

- 30.2 The Licensing Authority recommends that the DPS authorises authorisations for the sale of alcohol be made by other staff members to be in writing to ensure that those authorised are clear what their legal responsibilities are. Any premises at which alcohol is sold or supplied may employ one or more Personal Licence Holders.
- 30.3 The Council recognises it has no discretion regarding the granting of personal licences where;
- the applicant is 18 or over
 - possesses a licensing qualification
 - has not had a licence forfeited in the last five years and
 - has not been convicted of a relevant offence
- 30.4 An application for a personal licence to sell alcohol must be made in the form specified in government guidance or regulations. The application form must be accompanied by the requisite fee. The applicant should also produce evidence of the relevant qualifications and their right to work in the UK.
- 30.5 Applicants should produce a Disclosure and Barring Service (DBS) certificate along with the application form. The certificate must be current (produced within 1 month of application) and comply with the Regulations on personal licence applications. Applicants are also expected to make a clear statement as to whether or not they have been convicted outside England and Wales of a relevant offence or a similar offence.
- 30.6 Where the application discloses relevant unspent convictions the Licensing Authority will notify the Police of the application and the convictions. The police may make objection on the grounds of crime and disorder. If an objection is lodged a hearing must be held. The Licensing Authority will, at such a hearing, consider carefully whether the grant of the licence will compromise the promotion of the crime prevention objective. It will consider the seriousness and relevance of the conviction(s), the period that has elapsed since the offence(s) were committed and any mitigating circumstances. The Licensing Authority will normally refuse the application unless there are exceptional and compelling circumstances which justify granting it.

31. How to use this Policy

- 31.1 This policy is a guidance document for applicants and members to assist the decision making process in line with the licensing act 2003. Failure to have reference to this policy could result in an appeal to the magistrate's court and costs being awarded to either party depending on the outcome of the appeal.
- 31.2 This statement of licensing policy should be used in conjunction with the following documents;
- The Licensing Act 2003 <http://www.legislation.gov.uk/ukpga/2003/17/contents>
 - The revised guidance issued under section 182 of the Licensing Act 2003 <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>
 - The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 <http://www.legislation.gov.uk/uksi/2005/42/contents/made>
 - The Licensing Act 2003 (Hearings) Regulations 2005 <http://www.legislation.gov.uk/uksi/2005/44/contents/made>
 - The Licensing Act 2003 (Fees) Regulations 2005 <http://www.legislation.gov.uk/uksi/2005/79/contents/made>
 - Alcohol Licensing Guidance <https://www.gov.uk/guidance/alcohol-licensing>

- Live Music Act 2012
<http://www.legislation.gov.uk/ukpga/2012/2/contents/enacted>
- Entertainment Licensing Reform
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/328492/Entertainment_Licensing_Legislative_Reform_Order_Explanatory_Document.pdf

32. Roles and Responsibilities

- 32.1 The 2003 Act provides that the functions of the Licensing Authority are to be taken or carried out by its Licensing Committee. Many of the decisions and functions will be purely administrative in nature, and in the interests of speed, efficiency and cost effectiveness, the Licensing Authority shall undertake a process of delegation of its functions.
<https://democracy.bcpccouncil.gov.uk/documents/s12892/Part%203%20-%20Responsibility%20for%20Functions.pdf>
- 32.2 In accordance with the Licensing Act 2003, BCP Council has established a Licensing Committee consisting of 15 Council members. Where relevant representations are made against an application (and not withdrawn) or review requested, the application shall be determined at either a Licensing Committee or Sub Committee which will constitute three members of the Licensing Committee.

33. Further Information and Evidence

- 33.1 Further information relating to this policy can be found at the following sites;
- <https://democracy.bcpccouncil.gov.uk/ieListMeetings.aspx?CommitteeId=288>
 - [Home \(saferbcp.co.uk\)](http://saferbcp.co.uk)
 - [Equality Action Commission | BCP \(bcpccouncil.gov.uk\)](http://equalityactioncommission.bcpccouncil.gov.uk)
 - [Statistics, data and census | BCP \(bcpccouncil.gov.uk\)](http://statisticsandcensus.bcpccouncil.gov.uk)

Glossary

This section explains the key terms used in the policy statement. These terms are all defined in the Licensing Act 2003 and Guidance. This glossary is only intended to clarify the general meaning of each of the terms. This list is not exhaustive nor are the definitions legally comprehensive.

ACPO	Association of Chief Police Officers (see www.acpo.police.uk)
Applicant	A person making an application in respect of a Premises Licence or Club Premises Certificate
Application to vary a Premises Licence	Where a Premises Licence holder wishes to amend the licence the Act allows, in most cases for an application to vary to be made rather than requiring an application for a new Premises Licence
ASB	Anti social behaviour
British Beer and Pub Association (BBP)	See www.beerandpub.com
British Board of Film Classification (BBFC)	The national body responsible for the classification of cinema films and videos
CCTV	Closed Circuit Television
Child	The Licensing Act 2003s145(2) defines a child as an individual under the age of 16
Club Premises Certificate	Club Premises Certificates are authorisations needed by clubs to carry on certain activities eg. selling alcohol to members and their guests. They may be granted to clubs that meet the special requirements set out in Part 4 of the 2003 Act regarding membership, that the club is established and conducted in good faith and special conditions where the club supplies alcohol to its members). The application process is similar to that for a Premises Licence, for example there are similar provisions about advertising applications and making representations. However, a key difference is that, unlike a Premises Licence, there is no requirement to identify a designated premises supervisor to allow the supply of alcohol under a Club Premises Certificate
Community Alcohol Partnership Scheme (CAP)	CAP is the national co-ordinating organisation for the establishment of local Community Alcohol Partnerships
Community Safety and Accreditation Scheme (CSASS)	Officers who have been given some police powers who patrol key areas within the BCP Council Area
Community Protection Notices (CPN)	A Community Protection Notice (CPN) is aimed to prevent unreasonable behaviour that is having a negative impact on the local community's quality of life
Conditions/Conditions consistent with the Operating Schedule	Conditions include any limitations or restrictions attached to a licence or certificate and essentially they are the steps or actions the holder of the Premises Licence or the Club Premises Certificate will be required to take or refrain from taking at all times when licensable activities are taking place at the premises in question
Councillor	An elected member of the Council
CSE	Child Sexual Exploitation

Decile	Ten equal groups into which a population can be divided according to the distribution of values of a particular variable. Such as "the lowest income decile of the population"
DPS	The Designated premises Supervisor is a personal licence holder specified in the Premises Licence. All premises licensed to sell alcohol will have an identified personal licence holder, known as the DPS. The purpose of the DPS is to ensure there is always one specified individual who can be identified as a person in a position of authority on the premises
Early Morning Alcohol Restriction Order (EMRO)	An additional power for the Licensing Authority to restrict sales of alcohol in the whole or part of their areas for any specified period between midnight and 06.00 hours if it considers it appropriate for the promotion of the licensing objectives
Expedited/Summary Review	An application undertaken when the Police consider that the premises concerned are associated with serious crime and/or disorder
Guidance	Section 182 of the Licensing Act 2003 provides that the Secretary of State must issue and from time to time may revise guidance to Licensing Authorities on the discharge of their functions under the 2003 Act. The Guidance is provided for Licensing Authorities carrying out their functions. It also provides information for magistrates hearing appeals against licensing decisions and has been made widely available for the benefit of operators of licensed premises, their legal advisers and the general public. It is a key mechanism for promoting best practice, ensuring consistent application of licensing powers across the country and for promoting fairness, equal treatment and proportionality
In the Vicinity	Whether somebody lives or works 'in the vicinity' of a premises is a matter that will be decided by the relevant licensing authority. The word has no particular technical meaning and in licensing matters should be interpreted as an ordinary English word and in a common sense fashion. In doing this, Licensing Authorities might take into account whether the party is likely to be affected by any disorder or disturbance occurring or potentially occurring at those premises
Irresponsible Promotions	An irresponsible promotion is one that encourages the sale or supply of alcohol for consumption on the premises and carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children. This is dealt with by mandatory conditions which are attached to all premises authorised for the sale of alcohol on the premises
Late Night Levy	A means of raising a contribution towards the costs of policing the late-night economy
Late-night Refreshment	The provision of late-night refreshment means the supply of hot food or hot drink to the public, for consumption on or off the premises, between 11pm and 5am or the supply of hot food or hot drink to anyone

	between 11pm and 5am on or from premises to which the public has access. However, there are a number of exemptions in Schedule 2 of the Licensing Act 2003 eg, vending machines in certain circumstances, where the hot food or hot drink is supplied free of charge or where it is supplied by a registered charity
Licensable Activities	Licensable activities are the sale of alcohol, the supply of alcohol by or on behalf of a club to or to the order of, a member of the club, the provision of regulated entertainment and the provision of late-night refreshment. If you carry on any of these activities you are likely to need an authorisation by way of a (a Premises Licence, a Club Premises Certificate or a Temporary Event Notice)
Licensee	Generally refers to the holder of a Premises Licence but also includes in this policy an applicant for a Premises Licence or applicant for a provisional statement unless otherwise stated
Licensing Act 2003	The Licensing Act 2003 became law on 24 November 2005. The Licensing Act 2003 introduced a single licence scheme for licensing premises that; <ul style="list-style-type: none"> – Supply alcohol – Provide regulated entertainment – Provide late-night refreshment
Licensing Authority	This refers to Bournemouth Christchurch and Poole Council as the body responsible for licensing under the Licensing Act 2003
Licensing Objectives	Licensing Authorities must carry out their functions with a view to promoting four licensing objectives. These are; <ul style="list-style-type: none"> – The prevention of crime and disorder – Public safety – The prevention of public nuisance – The protection of children from harm Licensing Authorities must decide applications in connection with Premises Licences and Club Premises Certificates on the basis of the steps it considers appropriate to promote these objectives. Each objective is of equal importance
Licensing Policy	See Statement of Licensing Policy
Licensing Subcommittee	The full Licensing Committee delegates a number of their functions to one or more 'Licensing Subcommittees'. These are made up of three members of the full Licensing Committee
Lower Super Output Areas (LSOA)	LSOA is a geographic area used by the NHS to highlight statistical health data. Also known as Lower Layer Super Output Areas they are a geographic hierarchy designed to improve the reporting of small area statistics in England and Wales
Mandatory Conditions	The 2003 Act provides for Mandatory Conditions to be included in every licence and/or Club Premises Certificate. See Mandatory Condition section for conditions
Memorandum of Understanding (MOU)	An MOU is an agreement between two or more parties. It expresses a convergence of will between the parties, indicating an intended common line of action

Minor Variation	<p>Small variations that will not impact adversely on the licensing objectives are subject to a simplified 'minor variations' process. Variations to;</p> <ul style="list-style-type: none"> – extend licensing hours for the sale or supply of alcohol for consumption on or off the premises between the hours of 11pm and 7am or; – increase the amount of time on any day during which alcohol may be sold or supplied for consumption on or off the premises are excluded from the minor variations process and must be treated as full variations in all cases
Off-Sales	Supply of alcohol in a sealed or open container for consumption off the premises
Operating Schedule	<p>The Operating Schedule is the part of the application form for a Premises Licence or Club Premises Certificate where the applicant sets out various details about how they propose to operate the premises when carrying on licensable activities. Among other things, it must include a description of the proposed licensable activities, proposed opening hours and times for licensable activities, proposed duration of the licence or certificate and a statement of the steps the applicant proposes to take to promote the licensing objectives, (for example, arrangements for door security to prevent crime and disorder). The significance of the Operating Schedule is that if the application for the Premises Licence or Club Premises Certificate is granted it will be incorporated into the licence or certificate itself and will set out the permitted activities and the limitations on them</p>
Personal Licence	<p>Personal Licences authorise an individual to supply alcohol or authorise the supply of alcohol in accordance with a Premises Licence or a Temporary Event Notice. Not everybody who works in any licensed premises will need to hold a Personal Licence, however all premises licensed to sell alcohol will have an identified personal licence holder, known as the designated premises. In addition, all supplies of alcohol under a Premises Licence must be made or authorised by a person who holds a Personal Licence</p>
Premises Licence	A Premises Licence authorises the use of premises for 'licensable activities'
Provisional Statement	<p>This 'statement' can be applied for where premises are being or about to be constructed for licensable activities. This will give the owner some reassurance about whether a licence would be granted if the premises were built as set out in the application for the Provisional Statement. However a Provisional Statement is not an authorisation, so the relevant permission must still be obtained in order to carry on licensable activities</p>
Public Space Protection Order (PSPO)	<p>Public Spaces Protection Orders (PSPOs) were brought in under the Antisocial Behaviour Crime and Policing Act 2014. PSPOs specify an area where activities are taking place that are or may be detrimental to the local community's quality of life. PSPOs impose conditions or</p>

	restrictions on individuals using that area such as to stop drinking alcohol, not act in a manner that causes alarm or distress to others in the area.
Purple Guide	Best practice guidance document for outside events
Qualifying Clubs (with regard to Club Premises Certificates)	Qualifying clubs are those clubs that meet the special requirements set out in Part 4 of the 2003 Act regarding membership, that the club is established and conducted in good faith and special conditions where the club supplies alcohol to its members. These are clubs where members join together for a particular social, sporting or political purpose and then combine to purchase alcohol in bulk for its members (see examples under 'Club Premises Certificate' above). Such clubs carry on activities from premises to which public access is restricted and where alcohol is supplied other than for profit
Regulated Entertainment	<p>Generally speaking, the provision of regulated entertainment means the commercial or public provision of entertainment facilities or the commercial or public provision of any of the following sorts of entertainment;</p> <ul style="list-style-type: none"> – The performance of a play – An exhibition of a film – An indoor sporting event – Boxing or wrestling entertainment – A performance of live music – Any playing of recorded music – A performance of dance – Entertainment of a similar description to live music, recorded music or dance <p>Schedule 1 of the Licensing Act 2003 contains further specific rules about where the definition of 'regulated entertainment' applies. These rules concern the intended audience and whether the regulated entertainment is for profit</p>
Relevant Representation	These are written representations about the likely effect of the grant of an application for or variation to a Premises Licence or Club Premises Certificate on the promotion of the licensing objectives. Any persons, such as local residents or businesses and Responsible Authorities, such as Environmental Health, can make representations. The term 'relevant' refers to representations that are considered 'valid' by the Licensing Authority. The representations must be made within 28 days after the day on which the application is given and if made by a person other than a Responsible Authority, must be made seriously eg, must not be frivolous or vexatious. Representations can also be made in relation to an application for the review of a Premises Licence or Club Premises Certificate
Responsible Authorities	Responsible Authorities include public bodies that must be notified of applications and are entitled to make representations to the Licensing Authority in relation to the application for the grant, variation or review of a Premises Licence or Club Premises Certificate. Any representations must be about the likely effect of

	<p>granting the application on the promotion of the licensing objectives. Responsible Authorities include the following for the area in which the premises are situated;</p> <ul style="list-style-type: none"> – The Licensing Authority – The Chief officer of Police – The Fire Authority – The Planning Authority – The Health Authority – The Health and Safety Authority – The Environmental Health Authority – The body recognised as being responsible for protection of children from harm – Inspectors of Weights and Measures (trading standards officers) <p>and in respect of vessels only;</p> <ul style="list-style-type: none"> i) The Environment Agency ii) The British Waterways Board iii) The Maritime and Coastguard Agency and if different from these iv) The relevant navigation authority/authorities for the place(s) where the vessel is usually moored or berthed or any waters where it is proposed to be navigated at a time when it is used for licensable activities <ul style="list-style-type: none"> - Home Office Immigration Enforcement
Review	<p>Interested parties including local residents can also request a review of a particular Premises Licence when problems occur that are related to the licensing objectives. Following the review, the Licensing Authority can consider a range of responses such as suspending or revoking the licences, excluding certain licensable activities or changing conditions attached to a licence. However it can only take these actions where they are appropriate to address the problem and promote one or more of the four licensing objectives</p>
Risk Assessment	<p>The overall process of identifying all the risks to and from an activity and assessing the potential impact of each risk.</p>
Safety Advisory Group (SAG)	<p>Safety Advisory Group or SAG is made up of representatives from the Local Authority such as Environmental Health, Licensing Authority, Emergency Services such as Police and Fire and Rescue Service, other relevant bodies and the event organiser. It is a platform for discussing and advising on public safety and concerns at an event</p>
SIA	<p>Security Industry Authority who is the authority who licence door supervisors. Door supervisors are responsible for the safety and security of customers and staff in venues such as pubs, bars, nightclubs and other licensed premises or at public events</p>
Statement of Licensing Policy	<p>Every Licensing Authority will publish a 'Statement of Licensing Policy' every five years. This will set out the general approach the Licensing Authority will take when making licensing decisions</p>

Temporary Event Notice (TEN)	This is the notice that organisers of small-scale temporary events must give to make it a 'permitted temporary activity'. This notice must be in a prescribed form. There are certain limitations imposed on this system. A TEN can be referred to as a Standard TEN or a Late TEN
Variation	See Application to vary a Premises Licence

Regulated Entertainment Exemptions

Overview of circumstances where entertainment activities are not licensable

There are a number of exemptions that mean that a licence (or other authorisation) under the Act is not required. Whilst it is not possible to give examples of every eventuality or possible entertainment activity that is not licensable, the following activities are examples of entertainment which is not licensable:

- Activities which involve participation as acts of worship in a religious context;
- Activities in places of public religious worship;
- Education - teaching students to perform music or to dance;
- The demonstration of a product – for example, a guitar - in a music shop;
- The rehearsal of a play or performance of music for a private audience where no charge is made with a view to making a profit;
- Morris dancing (or similar);
- Incidental music - the performance of live music or the playing of recorded music if it is incidental to some other activity;
- Incidental film - an exhibition of moving pictures if it is incidental to some other activity;
- A spontaneous performance of music, singing or dancing;
- Garden fetes - or similar if not being promoted or held for purposes of private gain;
- Films for advertisement, information, education or in museums or art galleries;
- Television or radio broadcasts - as long as the programme is live and simultaneous;
- Vehicles in motion - at a time when the vehicle is not permanently or temporarily parked;
- Games played in pubs, youth clubs etc (e.g. pool, darts and table tennis);
- Stand-up comedy; and • Provision of entertainment facilities (e.g. dance floors).

Amendments to the Licensing Act 2003

There have been a number of deregulatory changes to the Act in relation to regulated entertainment, these are listed, for information, below:

- The Live Music Act 2012; Licensing Act 2003 (Descriptions of Entertainment)(Amendment) Order 2013;
- The Legislative Reform (Entertainment Licensing) Order 2014; and
- The Deregulation Act 2015.

Activities where no licence is needed

Plays

No licence is required for performances between 08:00 and 23:00 hours on any day, provided that the audience does not exceed 500.

Dance

No licence is required for performances between 08:00 and 23:00 hours on any day, provided that the audience does not exceed 500.

Films

No licence is required for "not for profit" film exhibitions held in community premises

between 08:00 and 23:00 hours on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that such screening abides by age classification ratings.

Indoor Sporting Events

No licence is required for an event between 08:00 and 23:00 hours on any day provided that those present do not exceed 1000.

Boxing or wrestling entertainment

No licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.

Live Music - no licence permission is required for:

- A performance of unamplified live music between 08:00 and 23:00 on any day, on any premises;
- A performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500;
- A performance of amplified live music between 08:00 and 23:00 on any day, in a workplace¹⁴ that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500;
- A performance of amplified live music between 08:00 and 23:00 hours on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises;
- A performance of amplified live music between 08:00 and 23:00 hours on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500 and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

Recorded Music - no licence permission is required for:

- Any playing of recorded music between 08:00 and 23:00 hours on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500;
- Any playing of recorded music between 08:00 and 23:00 hours on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- Any playing of recorded music between 08:00 and 23:00 hours on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organisers gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Cross activity exemptions - no licence is required between 08:00 and 23:00 on any day, with no limit on audience size for:

- Any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
- Any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by on behalf of the health care

provider;

- Any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
- Any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Local authorities, hospital healthcare providers and school proprietors: cross-entertainment activity exemption

No licence is required for any entertainment provided by or on behalf of a local authority, health care provider, or school proprietor to the extent that it takes place on defined premises, between 08:00 and 23:00 hours on any day provided that:

- For entertainment provided, or on behalf of, a local authority it takes place on premises in which that authority has a relevant property interest, or is in lawful occupation;
- For entertainment provided by, or on behalf of, a health care provider it takes place on any premises forming part of a hospital in which the provider has a relevant property interest, or is lawful occupation; and
- For entertainment provided by, or on behalf of, a school proprietor it takes place on the premises of the school.

Local authority, hospital and school premises: third party music entertainment

No licence is required for a performance of live music or the playing of recorded music on local authority, hospital or school premises, that are not domestic premises, between 08:00 and 23:00 hours on any day provided that:

- It is performed in front of an audience of no more than 500 people; and
- A person concerned in the organisation or management of the music entertainment has obtained the prior written consent of the local authority, health care provider or school proprietor (as appropriate) for that entertainment to take place. It is for these "trusted providers" to determine whether, or not, they wish to make their premises available for music entertainment by a 3rd party and on what terms they deem it appropriate.

Community premises: music entertainment

No licence is required for a performance of live music or the playing of recorded music on community premises between 08:00 and 23:00 hours on any day provided that:

- The community premises are not authorised, by a premises licence or club premises certificate, to be used for the supply of alcohol for consumption on the premises.
- The music entertainment is in the presence of an audience of no more than 500 people; and
- A person concerned in the organisation or management of the music entertainment has obtained the prior written consent of the management committee of the premises, or if there is no management committee, a person who has control of the premises in connection with the carrying on by that person of a trade, business or other undertaking, or failing that a person with a relevant property interest in the premises.

Community premises: exhibition of film

No licence is required for an exhibition of a film on community premises between 08:00 and 23:00 hours on any day provided that:

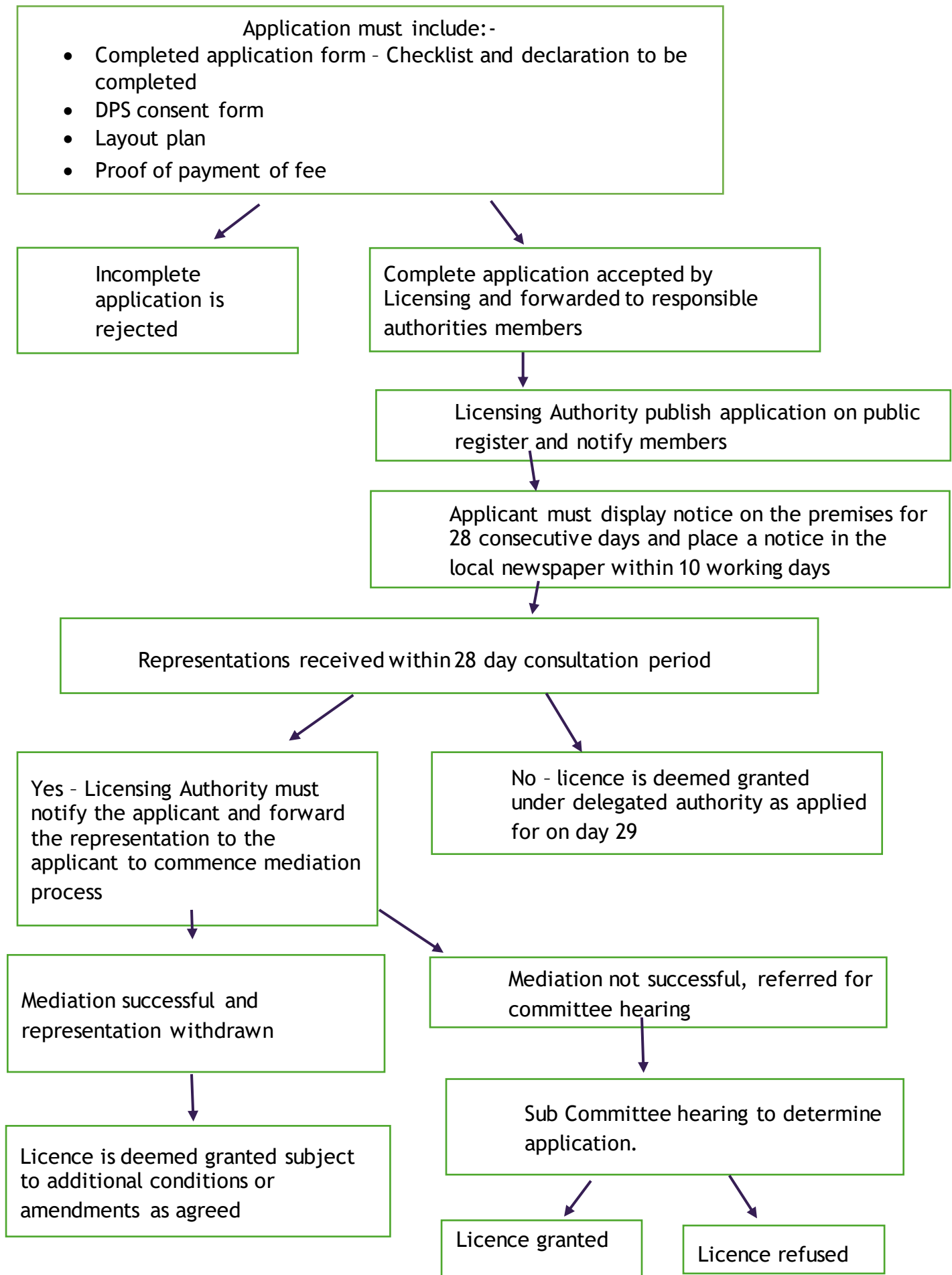
- The film entertainment is not provided with a view to profit; and
- The film entertainment is in the presence of an audience of no more than 500 people.

Travelling circuses

Where types of entertainment are present in a performance by a travelling circus they will not be licensable provided that certain qualifying conditions are met. The qualifying conditions are that:

- The entertainment is not an exhibition of a film or a boxing or wrestling entertainment;
- The entertainment takes place between 08:00 and 23:00 hours on the same day;
- The entertainment takes place wholly within a moveable structure and the audience present is accommodated wholly inside that moveable structure; and
- The travelling circus has not been located on the same site for more than 28 consecutive days

Application process



Model Pool of Licensing Conditions

The following list of proposed model conditions has been produced by the Licensing Authority in order to assist in the application process for the grant or variation of Premises Licence or Club Premises Certificate.

Relevant conditions shall be added to the operating schedule (Part M of the application form which sets out the steps the applicant will take to promote the four licensing objectives should the application be granted. These then form the conditions which will be attached to any issued licence if granted.

It is important that applicants consider the contents of their Operating Schedule carefully and only offer those which they consider appropriate to promote the licensing objectives for their particular premises and style of operation. Location, size and capacity, hours of operation and licensable activities should be considered.

This list is not exhaustive and is not intended to prevent or deter applicants from proposing their own conditions which they consider appropriate for their particular premises.

Licensing Objective: Prevention of Crime and Disorder	Suggested wording
Refusals Register	<p>A Refusals Register shall be maintained at the premises and used to record any and all occasions upon which any person is refused the sale of alcohol (or delivery of the same) with a note of the reason for the refusal, the date and time and a brief description of the person(s) concerned</p> <p>If the refusal relates to a delivery, the record shall also contain a note of the delivery address and the name of the customer concerned</p> <p>The register shall be kept at the premises for a minimum period of 12 months and made available for inspection by Police, Licensing Authority and other authorised officers on request</p>
Incident Log	<p>An incident log shall be kept at the premises</p> <p>The log should include the date and time of the incident and the name of the member of staff involved</p> <p>The log to be made available on request to an authorised officer of the Licensing Authority or the Police, which will record the following;</p> <ul style="list-style-type: none"> (a) All crimes reported to the venue as having occurred within or immediately outside the premises (b) All ejections of patrons (c) Any complaints received relating to crime and disorder (d) Any incidents of disorder (e) All seizures of drugs or offensive weapons (f) Any faults in the CCTV system or searching equipment or scanning equipment

	<p>The incident log shall be kept at the premises for a minimum period of 12 months and be made available for inspection by Police, the Licensing Authority and other authorised officers on request</p>
Alcohol Deliveries	<p>All persons making deliveries of alcohol from the premises shall be instructed to report to the holder of the licence or the DPS any and all occasions when a delivery is refused and the reason for that refusal and a record of all such refusals shall be maintained at the premises</p> <p>ID Checks for proof of age will be completed and recorded for all deliveries. This will be available for review on request.</p> <p>The record shall be checked by the DPS or the manager(ess) in charge of the premises at least once a week and shall be signed to that effect</p> <p>Delivery of alcohol shall be limited to XXXX per delivery.</p>
ABV Limit Useful for example where there are particular concerns about street drinking	<p>No beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises</p>
CCTV	<p>A CCTV system, shall be installed and thereafter maintained in good working order to cover all public parts of the premises (excluding lavatories) Cameras covering entry and exit points shall be capable of enabling frontal identification of every person entering in any light condition</p> <p>The CCTV system shall continually record and cover areas where alcohol is kept for selection and purchase by the public, whilst the premises is open for licensable activities. It shall operate during all times when customers remain on the premises</p> <p>All recordings shall be stored for a minimum period of 31 days with correct date and time stamping Recordings shall be made available for viewing (subject to Data Protection Act 2018 or any replacement legislation) immediately upon the request of Police or an authorised officer and copies provided in a playable format as soon as is reasonably practicable, provided in each case that requests for viewing and/or copies are compliant with data protection regulations</p> <p>A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public</p>

SIA Door Supervisors	<p>The holder of the licence shall undertake a risk assessment with regard to the deployment of SIA Door Supervisors at different times of the day and on different days of the week to determine whether it is appropriate to deploy door staff on those days and/or at any other time(s) and to then implement the outcome of the risk assessment</p> <p>A copy of the risk assessment should be made available to an authorised officer of the Licensing Authority or Dorset Police upon request</p>
Queues	<p>The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway</p> <p>The designated queuing area shall be enclosed within appropriate barriers to ensure that the footway is kept clear</p> <p>All staff engaged outside the entrance to the premises, or supervising or controlling queues shall wear high visibility yellow jackets or vests</p>
Pub and Town Watch	<p>The premises shall maintain membership of the Townwatch scheme (or any successor scheme) a senior member of staff shall attend all Townwatch meetings unless an emergency arises preventing such attendance and the premises will support Townwatch initiatives</p>
Off Sales	<p>There shall be no sales of alcohol for consumption off the premises</p> <p>All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.</p>
Drugs	<p>There shall be a written drugs policy detailing the actions to be undertaken to minimize the opportunity to use or supply illegal substances with the premises</p> <p>Training of staff in relation to this policy shall be recorded and available for inspection by an authorised officer at all reasonable times</p> <p>Records shall be retained for at least 12 months A drug safe shall be available on the premises to deposit any illegal substances found</p> <p>There shall be a clear policy with the agreed procedure for handling and the retention of any article seized</p> <p>There shall be a clear visible notice displayed on the premises advising those attending that the Police</p>

	may be informed if anyone is found in possession of controlled substances or weapons
Glass and Bottles	<p>All drinks shall be served in plastic/paper/toughened glass or polycarbonate containers</p> <p>The contents of any bottled beverage shall be decanted into a plastic/paper/toughened glass or polycarbonate container before service to any customer</p> <p>The collection of glass and bottles shall be undertaken at regular intervals Bottle bins shall be provided at the exit doors and staff shall show due diligence in preventing bottles and glasses being taken from the premises</p>
Licensing Objective : Prevention of Public Nuisance	
<p>Noise Limiter</p> <p><i>For High Risk Businesses with residential located above or in the local vicinity and/or a business whose main purpose is provision of music</i></p>	<p>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 so as to ensure that no noise nuisance is caused to local residents or businesses</p> <p>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</p> <p>The limiter shall not be altered without prior agreement with the Environmental Health Service</p> <p>No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service</p> <p>No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device</p>
<p>Noise Control</p> <p><i>For all businesses with residential located above or in the local vicinity.</i></p>	<p>No noise generated on the premises-or by its associated plant or equipment-shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance</p> <p>All audio from the music system will be played at background level only</p> <p>A lobbied entrance, that is two sets of doors that are set so that one is closed when the other one is open shall be installed at the premises</p>

	<p>Loudspeakers shall not be located in the entrance lobby or outside the premises building</p> <p>Live/recorded music will stop at (XX.XX)</p> <p>The front entrance doors to the premises shall have self-closers and be maintained as such for the duration of the licence</p> <p>Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly</p> <p>No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day</p> <p>No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) on the following day</p>
Doors and Windows	<p>All windows and external doors shall be kept closed after 23.00 hours, except for the immediate access and egress of persons</p>
Control of People Outside/Smoking	<p>There shall be no admittance or re-admittance to the premises after (XX.XX) except for patrons permitted to temporarily leave the premises to smoke or to make a telephone call, if impractical to do so from within the building</p> <p>Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or to make a telephone call, shall be limited to (X) persons at any one time</p> <p>Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or to make a telephone call, shall not be permitted to take drinks or glass containers with them</p> <p>The Premises Licence Holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway Loudspeakers shall not be located outside the building</p> <p>Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly</p> <p>Patrons permitted to temporarily leave and then re-enter the premises to smoke or to make a telephone</p>

	<p>call shall be restricted to a designated smoking area defined as (specify location)</p> <p>After 23.00 Patrons will only be permitted to use the outside area for temporary purposes e.g. to smoke or to make a telephone call</p>
When intending to use external tables and chairs	<p>No food or alcohol shall to be served on the patio/terrace area after 23.00 hours</p> <p>All outside tables and chairs shall be rendered unusable by 23.00 each day</p> <p>All tables and chairs shall be removed from the outside area by 23.00 each day</p>
Takeaways For all businesses operating takeaway/delivery functionality late into the evening	All staff including delivery drivers will be trained making them aware that they must be considerate of neighbouring premises, a sign requiring this will also be placed on any door used for the collection of the delivery at all times
Manager's Phone Number to be Available For high risk businesses likely to cause a nuisance	<p>A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open</p> <p>This telephone number is to be made available to residents and businesses in the vicinity</p>
Licensing Objective: Protection of Children from Harm	
Challenge 25	<p>Challenge 25 shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport I holographically marked PASS scheme identification cards</p> <p>Appropriate signage advising customers of the policy shall prominently displayed in the premises</p>
No Proof of Age No Sale NPOANS	All staff shall receive training and guidance using the NPOANS toolkit which is available for free from No Proof Of Age, No Sale .
Staff Training	<p>All staff working at the premises concerned with the sale of alcohol shall be trained with regard to the law on restricted sales to persons under the age of 18 and/or who are intoxicated</p> <p>All staff shall be aware of the premises licence and all conditions attached to it.</p> <p>A written record of all staff training shall be maintained and kept on the premises and made available on request to an authorised officer of the Licensing Authority or the Police</p>
Considerations for child safeguarding	Children (under 18) shall not be allowed upon the premises

	<p>Clear signage of the times and areas children (under 18) admitted shall be displayed</p> <p>Children (under 18) shall only be allowed to remain on the premises between the hours of XXXX and XXXX on any day</p> <p>A lost children procedure shall be in place with DBS checked staff to care for any lost children</p>
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LICENSING ACT 2003

CONSULTATION OF STATEMENT OF LICENSING POLICY REVIEW 2024

Aldi Stores Limited
APPL Solutions Limited, Managing Director
Arts University Bournemouth
Asda
Association of Convenience Stores
Association of Licensed Multiple Retailers
Best One
BH Live
BIl (British Institute of Innkeeping)
Bishop of Salisbury
Bishop of Winchester
Bournemouth Community Hebrew Congregation
Bournecoast Property Agents
Bournemouth & District Law Society
Bournemouth and Poole Rough Sleepers Team, Assertive Outreach Worker (Alcohol)
Bournemouth Accommodation and Hotel Association
Bournemouth Area Hospitality Association
Bournemouth BID
Bournemouth Branch of the Federation of Small Businesses
Bournemouth Chamber of Trade & Commerce
Bournemouth Coastal BID
Bournemouth Community Church
Bournemouth Interpreters Group
Bournemouth Islamic Centre and Central Mosque
Bournemouth Magistrates' Court
Bournemouth Symphony Orchestra

Bournemouth Town Centre BID
Bournemouth Town Centre Chaplaincy
Bournemouth Town Centre Parish (The Diocese of Winchester)
Bournemouth Town Watch
Bournemouth University
Bournemouth YMCA
Burton and Winkton Parish Council
British Beer & Pub Association
CAMRA (Campaign for Real Ale)
CAP (Community Alcohol Partnership)
Castlepoint
Charminster Traders Association
Christchurch Bid
Christchurch Town Council
Citizens Advice Bureau
Coastal BID
College at Lansdowne
Co-operative Group
Diageo
Dorset Council Licensing
Dorset Healthcare University NHS Foundation Trust
Dorset Licensing
Dorset Police – Chief Constable
East Bournemouth Pubwatch
Enterprise Inns plc, Regional Manager
Gala Casino, Bournemouth
Gambling Commission
Genting Casinos
Highcliffe and Walkford Parish Council
Hurn Parish Council

Innpacked
Institute of Licensing
JCP Law, Licensing Solicitor
John Gaunt & Partners
Keep Britain Tidy
Kuits Solicitors
Laceys Solicitors
Lansdowne Baptist Church
Lidl UK
Londis
LV Streetwise Safety Centre, Centre Manager
National Association of Kebab Shops
National Coastal Tourism Academy
National Organisation of Residents Associations
North Bournemouth Pubwatch
One Stop
Pokesdown Community Forum
Police and Crime Commissioner
Poppleston Allen, Licensing Solicitors
Poole BID
Robert Sutherland, Keystone Law
Sacred Heart Catholic Church, Bournemouth
Sainsbury's Supermarkets Ltd
Saxon Square Management Company
Security Industry Authority
South Western Ambulance Service
Southbourne-on-Sea Business Association
Spar
St Swithun's Church
Steele Raymond, Solicitors
Stonegate Pub Company Limited, Operations Director

Tesco, Licensing Manager
The Avenue Shopping Centre
The Shores (SARC)
Throop and Holdenhurst Village Council
UK PAC
UK Youth Parliament
Waitrose Ltd
Wallisdown Info
Wine and Spirit Association
Winton Online
Winton Traders Association
Responsible Authorities
Dorset Police
Dorset & Wiltshire Fire and Rescue Service
Environmental Health – BCP Council
Health & Safety – BCP Council
Trading Standards – BCP Council
Child Protection – BCP Council
Planning – BCP Council (Bournemouth and Christchurch only)
Planning – BCP Council (Poole only)
Public Health
HM Immigration
Internal
Legal
Events
All Members

LICENSING ACT 2003

CONSULTATION OF STATEMENT OF LICENSING POLICY REVIEW 2025

Further Consultation (27.02.25 – 17.03.25)

BCP Council Child Protection - Licensing
BCP Council H&S - Licensing
BCP Council Pollution Control - Licensing
BCP Council Trading Standards - Licensing
BCP Council Planning Poole
BCP Council Planning Bournemouth
Public Health Dorset - Licensing
Dorset & Wilts Fire and Rescue Service
Dorset Police Licensing
Home Office Immigration Enforcement
Bournemouth BID
Poole BID
Christchurch BID
Bournemouth Town Watch
Bournemouth East Pub Watch
Bournemouth West Pub Watch
Christchurch Pub Watch
Laceys Solicitors

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Responses Received to Consultation of Review of Statement of Licensing Policy 2025 - 2030

RESPONDENT	SECTION / PARA	COMMENT	ACTION
Dorset Police	10.2	<p>Dorset Police support this proposal and invite the Licensing Authority to consider extending the responsibility of applicants to include consideration of the impact that poor dispersal practices can have on our communities. The provision of 'off sales' is addressed elsewhere in this policy (at Chapter 15) and there is statutory guidance on this subject, however, there has been significant adverse impact occurring during the immediate dispersal times following the closure of 'on sales' premises that operate late at night or into the early hours of the morning.</p> <p>Ensuring that excessive consumption of alcohol is avoided, particularly for premises that operate late at night or during the early hours will certainly assist operators to achieve dispersal of customers from their premises with minimal disruption, which we can evidence to include Anti-Social Behaviour (ASB) and crime & disorder, to nearby residential properties.</p> <p>Dorset Police support any measures to discourage alcohol from being taken from an 'on sales' premises, particularly after the closing time, as this will often adversely impact the effectiveness of any dispersal policy operated by the premises. Additional residual impacts include littering and noise pollution which can have a significant impact when incidents occur frequently over a long period of time.</p>	<p>On sales premises should not permit alcohol to be taken from the premises at any time. Licence holders are expected to make provision for challenging this behaviour if it occurs. No premises should continue serving alcohol to already drunk patrons and there should be policies and training in place to address this. This is stated within 10.3 bullet point 1.</p> <p>Suggested amendment:-</p> <p>10.2 The Licensing Authority expects applicants to address excessive consumption of alcohol and drunkenness on relevant premises. Premises offering on sales with terminal hours after midnight are expected to include within their operating schedules details relating, dispersal policies, and management of patrons in the vicinity of the premises as they leave. This will reduce the risk of anti-social behaviour occurring both on the premises and elsewhere after customers have departed. It is expected that operating schedules and conditions will demonstrate a general duty of care to customers using the premises and others affected by their activities this may include developing a policy to prevent the sale of alcohol to drunk customers.</p>

	10.3	<p>Over the past number of years, Dorset Police have prioritised tackling violence against women and girls and continue to seek opportunities to improve the safety of women and girls in our communities. We are working closely with our partners and community groups to deliver initiatives to raise awareness and promote changes which can make a huge difference to safety of women and girls in our communities.</p> <p>Dorset Police are aware of some excellent initiatives being led and promoted by Pubwatch schemes, partners and other community groups associated specifically with the night-time economy and we recommend that, as part of the list of considerations, that new applicants acknowledge and take reasonable steps to mitigate against the risk of violence against women and girls in our licensed premises.</p> <p>One of the most significant threats to our licensed premises is associated with 'drink spiking', a term that is commonly used to describe the dispensing of a substance to another without their knowledge with the intent to cause that person harm. A substance could include drugs, alcohol or anything that is intended to impact the health and capacity of the victim and can lead to other serious offences, including sexual offences if no intervention occurs.</p> <p>Mitigating violence against women and girls might include specific staff training alongside procedures and policies to support staff to responsibly safeguard women and girls in their premises. It is important to consider protection of women and girls working within licensed premises.</p>	<p>Initiatives relating to tackling violence against women and girls are included in chapter 21.</p> <p>Participation in pub watch or other body is included in the last bullet point</p> <p>This has been included under Public Safety para 11.5</p> <p>Paragraph 11.3 already includes bullet point which reads</p> <ul style="list-style-type: none"> • Training of staff to deal with violence against women and implementation of safeguards to protect them
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		<p>Additionally, measures to protect licensed premises, their staff and customers from the serious threat involving weapons should also be considered. Whilst we enjoy relatively low levels of crime and disorder associated with our licensed communities throughout Dorset, it is recommended that new applicants consider reasonable measures to prevent and detect weapons inside their premises.</p> <p>To ensure that our night-time economies remain safe and vibrant, it is imperative that there are robust and consistent policies and practices in place, informed by Dorset Police and our partners, to support applicants to protect their licensed premises against emerging threats.</p>	<p>The last paragraph 10.4 includes recommendations that all applicants discuss crime prevention with the police which should include such measures on a case by case basis. As all applications are referred to the police for consultation specific concerns relating to applications can be addressed at application stage.</p>
	11.3	<p>In support of the above, it may be beneficial to include a recommendation for operators to consider the introduction of a risk assessment for knife and weapon mitigation if appropriate to their premises. This will not apply to all new licensed premises, however, the introduction of simple, cost-effective measures to licensed premises has been evidenced to significantly reduce the number of weapons that are present in our night-time economy areas.</p>	<p>Suggested amendment</p> <ul style="list-style-type: none"> • Applicants are expected to demonstrate within the operating schedule that consideration and risk assessment has been undertaken to address the risk of knife /weapon use. Where there is a risk particularly in late night on sale venues conditions requiring the use of hand held metal detectors or knife wands should be discussed with the police. • Where knife or weapon crime is identified as a risk premises are encouraged to acquire a bleed control kit kept at the premises with staff adequately trained to use it.
	12.8	<p>The provision of late-night refreshment is popular, and benefits to these provisions include the dispersal of customers away from other licensed premises associated with the provision of alcohol. Dorset Police are grateful for</p>	<p>Dispersal specifically relating to night café and takeaway premises is also discussed within paragraph 12.18</p>

		<p>the recognition that these premises are increasingly associated with noise, disturbance and anti-social behaviour associated with littering etc.</p> <p>Dorset Police would be grateful if there could be recognition for the increased levels of <u>crime</u> that are also often associated with late night take-away premises, caused often by the accumulation of customers gathered in and around the premises.</p> <p>This is most prominent in areas where there is a greater risk of affecting residential properties, however, Town Centre locations are equally problematic due to the lack of control that is often exercised by operators in relation to their customers that are gathered outside or nearby.</p>	<p>Suggested amendment</p> <p>12.18 Premises open after 23:00 hours supplying hot food or hot drink for consumption on or off the premises can attract large groups of customers, many of whom have already consumed alcohol. The gathering of people around takeaways can lead to additional noise, disturbance and greater amounts of litter and rubbish. In addition this can lead to increased levels of crime and disorder.</p>
	12.20	<p>Further to the above, whilst Dorset Police are grateful for the additional support offered to new applicants seeking to offer late-night refreshment, the adverse impact in terms of ASB, crime and disorder associated with premises offering late night refreshment is increasingly of concern and new applicants should anticipate that Dorset Police will expect appropriate and reasonable steps to be introduced to mitigate against crime, disorder and ASB.</p> <p>As a foundation to any premises with a focus on offering late-night refreshment, Dorset Police will expect consideration to be given to ensuring that appropriate staff training, introduction of policies to identify and safeguard the most vulnerable and mitigation against violence and disorder associated with their premises. Additional conditions will be anticipated based on the nature of the</p>	<p>Suggested amendment to 12.19 add bullet point</p> <ul style="list-style-type: none"> • Consideration of measures required to address the risk of late night violence and antisocial behaviour by patrons should be evidenced which will include staff training and safeguarding policies. It is anticipated that additional conditions will be offered in the operating schedule based on on the nature of the operating hours, location and other factors which increase the risk of crime and disorder.

		operating hours, location and other factors which increase the risk of crime and disorder further.	
	13.4	<p>Dorset Police are grateful that the recent additions to the Statutory Guidance reflect the increased threat associated with Child Sexual Exploitation (CSE).</p> <p>Protecting children and other vulnerable people from harm is a Dorset Police priority and we would be grateful if the Licensing Authority might consider acknowledging the threat that 'County Lines' drug network have on our communities, particularly in relation to the threat posed to young people exploited by organised crime groups operating these drug distribution networks.</p> <p>This activity might not exclusively impact on licensable activity, however, increased awareness (e.g. training and introduction of policies) of this threat within the licensed communities of BCP Council will support our efforts to tackle this threat and make a significant difference to the lives of the young victims of this serious crime.</p>	<p>Suggested amendment 13.3</p> <p>The Licensing Authority notes the amended statutory guidance has now placed emphasis on child sexual exploitation (CSE) matters which include, criminal exploitation, county lines, gangs and modern-day slavery. As such it is expected that applicants demonstrate in their operating schedule that suitable and sufficient steps are to be taken to tackle risks specific to their premises. Suggested conditions are provided within Appendix D to address this.</p> <p>Suggested amendment to Appendix D model pool of conditions under Protection of children from harm</p> <p>Considerations for child safeguarding</p> <p>All staff shall be trained in Child Protection Awareness. Such training will include awareness Child Criminal Exploitation and Child Sexual Exploitation, and County Lines identification and reporting. Such training (including any refresher training) will be logged and provided not less than every three years. The training log shall be made available for inspection by Police and "authorised persons" immediately upon request.</p>

			<p>A Safeguarding Log, or Safeguarding Section within the incident book, shall be kept at the premises, and made immediately available on request to the Police or an "authorised person".</p> <p>The log must record all concerns raised with regards to safeguarding and include the following:</p> <p>a. the identity of the member of staff who raised the concern;</p> <p>b. description of the concern raised including details relating to the young person; and</p> <p>c. the action, and justification for such action, undertaken by the member of staff when the concern was raised. Where no action is undertaken, a justification for this shall be required.</p>
	13.16	<p>To support the recommendations and efforts of our Trading Standards colleagues, it may be appropriate to include an acknowledgement of the risk that is posed from proxy-sales from our licensed premises. Throughout most towns, but in Bournemouth and Poole town centres specifically, we have a significant issue with alcohol-related crime and disorder associated with young people.</p> <p>We are focused on reducing the adverse health and welfare impacts that alcohol has on children, however, we are equally focused on ensuring that those juveniles that are intent on causing alcohol-related crime and disorder are managed effectively and supported to improve their behaviour with the support of our partners.</p> <p>Dorset Police expect applicants to ensure that they mitigate against proxy-sales associated with their</p>	<p>Suggested amendment add bullet point to para 13.15</p> <ul style="list-style-type: none"> • Proxy sales which is the sale of alcohol to those who then supply it to under 18s shall be considered and mitigated by considering the premises layout, including unobstructed views of the outside area and ensuring measures are in place to train and support staff in challenging this activity as necessary.

		premises through the introduction of appropriate policies and procedures to reflect their premises.	
	15.3	It may be beneficial for the Licensing Authority to include acknowledgement of the impact of proxy-sales to children in this Chapter.	<p>Suggested amendment add bullet point to para 15.4</p> <ul style="list-style-type: none"> • Consider measures to minimise the risk of proxy sales including keeping window displays to a minimum, line of sight from register to outside areas and training of staff on who to identify and challenge this activity.
	16.4 & 16.5	<p>In the absence of any Cumulative Impact Areas throughout BCP Council area, it is imperative that Dorset Police consider each application in detail and assess its suitability within the proposed area.</p> <p>Dorset Police area grateful that the Licensing Authority have highlighted some areas of concern where the impact of a new provision on those that are more vulnerable is greater. Dorset Police recommend that the Licensing Authority make specific mention of schools, youth clubs and any premises which primarily or routinely offers services aimed at children.</p> <p>Additionally, the BCP Council area has a variety of properties that focus on the rehabilitation of vulnerable people in our communities. These people can include the homeless, individuals tackling dependencies and people that are being rehabilitated back into our communities. Dorset Police invite the Local Authority to consider recognising these sites as being particularly sensitive and where it would be either difficult or impossible for a nearby licence holder to consistently promote the licensing</p>	<p>Suggested amendment</p> <p>16.4 The applicant is expected to demonstrate that they understand the local area demographics including crime and disorder hotspots, proximity to residential premises, housing provided for and/or treatment centres aimed at vulnerable people (including addictions), and the proximity to areas where children/vulnerable people congregate such as schools, youth clubs and any premises which primarily or routinely offers services aimed at children.</p>

		<p>objectives when there is a likely risk of crime and ASB including street drinking, alcohol-related crime (e.g. criminal damage and violence) and begging, all of which can have a devastating impact on our communities.</p> <p>Whilst the existing policy includes locations used for the rehabilitation of vulnerable people, locations that are aimed primarily at housing for the most vulnerable should also be introduced to the policy.</p>	
	16.8	<p>Could the Licensing Authority confirm details of the responsible authority with responsibility for supporting Trading Standards with promoting the licensing objective to Protect Children from Harm.</p>	<p>The list of responsible authorities and the contact emails is published on the councils website Premises licence BCP</p> <p>The detail is not included in the policy as the emails and contact details can change during the life of the policy. The website can be updated as needed.</p> <p>Within BCP In addition to the trading standards team all applications are sent to the safeguarding and compliance team for review.</p>
	16.10	<p>To support the submissions above, Dorset Police would be grateful if the Licensing Authority could acknowledge the following matters in the context of promoting the licensing objectives –</p> <ul style="list-style-type: none"> • Preventing violence against women and girls • Measures to protect the most vulnerable in our communities, including children and those with addictions and other characteristics that place them at increased harm from being exposed to alcohol. 	<p>These areas have been covered under specific guidance in chapters 10 - 13. This is paragraph details more general considerations.</p>

	19.2	Dorset Police are exploring alternatives to the Licensed Premises Problem Solving Matrix (LPPSM) and it may be appropriate to remove this from the Policy pending an alternative approach to enforcement.	<p>Suggested amendment to 19.1 and delete 19.2 and replace</p> <p>19.1 The Licensing Authority has established a joint working agreement with Dorset Police and other enforcing authorities. This agreement assists officers to manage existing premises through a structure of 'Engagement', 'Education' and 'Enforcement' to support licence holders to promote the licensing objectives and provide a positive addition to the communities they serve.</p>
	24.2	<p>Dorset Police invite the Licensing Authority to consider requirements for applicants to consider measures to safeguard against violence against women and girls and to protect those in the community that are particularly vulnerable.</p> <p>Please can the Licensing Authority highlight that ANY exploitation of children, not necessarily always associated with sexually related harm, should be considered by applicants.</p>	<p>Suggested amendment to add a bullet point</p> <ul style="list-style-type: none"> • Take all reasonable steps to prevent violence against women and girls and to protect anyone who appears to be vulnerable. <p>Suggested amendment to bullet point 8</p> <ul style="list-style-type: none"> • To understand that the any exploitation of a child is unacceptable, and a crime. Staff should be made are aware of the need to identify and report any child safeguarding concerns
	24.3	Dorset Police are committed to ensuring that all licensing objectives are consistently promoted. Where concerns are highlighted relating to the objectives to maintain public safety and prevent crime and disorder, Dorset Police will bring concerns to the attention of the Licensing Authority if an agreement cannot be successfully mediated with the applicant.	Noted for information.

		<p>Dorset Police take a preventative approach to supporting applicants to introduce proportionate measures to their applications to protect the community against emerging crime trends and the most serious threats to our society.</p> <p>It may be appropriate for the Licensing Authority to consider highlighting the expectation that applicants will take are reasonable steps to adopt any appropriate initiatives or directions that will help promote the licensing objectives.</p> <p>Most recently, Dorset Police have introduced or supported several initiatives throughout the BCP Council area that demonstrates our commitment to reducing harm associated with the night-time economy, some of which have been highlighted within Chapter 21. Examples of these initiatives include–</p> <ul style="list-style-type: none"> • Introduction of mobile metal detection arches. • Endorsement for Licensing Safety & Vulnerability Initiative (LSAVI) Accreditation. • UKPAC Information sharing platform. • <i>Clear, Hold, Build</i> initiative to reduce ‘place-related’ crime and disorder. • Support for BCP Unity Promise – a community-led initiative to tackle violence against women and girls <p>It is our expectation that support of these initiatives, through valued groups such as Pubwatch, are adopted to new and existing licensed premises throughout BCP Council area to ensure that we can collectively respond to the issues that present the highest risk to our communities.</p>	
	24.11	Dorset Police are grateful for the acknowledgement that dispersal of patrons from a licensed premises, particularly	Noted

		<p>during the later hours of the evening or the early hours of the morning can have a detrimental impact on the local community.</p> <p>Dorset Police would support any additional requirements for licensed premises operating during these sensitive times to operate a dispersal policy which reflects the concerns that are highlighted either by Environmental Health or Dorset Police.</p>	
	Additional Proposal	<p>Following several applications and hearings that have occurred throughout Dorset, Dorset Police invite the Licensing Authority to consider the adoption of the following into the Statement of Licensing Policy. This addition is intended to protect against an emerging trend of unsuitable persons operating, controlling, or benefiting from a licensed premises through the use of a substitute operator.</p> <p>This practice is an increasing concern and whilst the obvious risk is towards the community that they serve, there is an additional risk of exploitation against the individual who is often pressured into taking responsibility as the DPS of the premises.</p> <p>This addition to the policy would acknowledge the commitment of the Licensing Authority to ensure that licensed premises are consistently operating to the highest standards.</p> <p><i>The Licensing Authority has become aware of some concerning practices with persons not identified as a Premises Licence Holder or Designated Premises Supervisor (DPS) having 'control' over a licensed premises, and in effect</i></p>	<p>Noted the legal officer has suggested this can be added after para at 24.8 with slight amendment to the wording as below</p> <p><i>Dorset Police have made the Licensing Authority aware of some concerning practices with persons not identified as a Premises Licence Holder or Designated Premises Supervisor (DPS) having 'control' over a licensed premises, and in effect running a premises 'behind the scenes'. This may be for reasons of criminality, for example whereby individuals may possess a relevant offence under the Licensing Act 2003 which would preclude them becoming a DPS. This Licensing Authority takes a very serious view of instances whereby it believes this to be the case and will carefully consider any application made for review of such an existing licence. The Licensing Authority consider the Police to be their main source of advice on matters relating to the promotion of the crime and disorder and will be supportive</i></p>

		<p><i>running a premises 'behind the scenes'. This may be for reasons of criminality, for example whereby individuals may possess a relevant offence under the Licensing Act 2003 which would preclude them becoming a DPS. This Licensing Authority takes a very serious view of instances whereby it believes this to be the case. It will carefully consider representations and be supportive of the Police when genuinely exceptional circumstances exist for example, whereby the Chief of Police cites that exceptional circumstances of a case are such that granting an application for a change of a DPS would undermine the crime prevention objective, and evidence exists of such, then it is highly likely that an application would meet refusal.</i></p> <p>Dorset Police are prepared to support the licensed community with the introduction of <i>Martyn's Law</i>, which is likely to be introduced during the period that this policy is in effect.</p>	<p>of the Police when genuinely exceptional circumstances exist for example, whereby the Chief of Police cites that exceptional circumstances of a case are such that granting an application for a change of a DPS would</p>
Bournemouth Town Pastors	21.2	<p>The statement is inaccurate and should read as follows please: "Bournemouth Town Pastors, established in 2017, are a group of trained Christian volunteers who patrol Bournemouth town centre area from 2200 - 0230 every Saturday night assisting anyone in need. They carry a radio linked to CCTV, police and all pubs/clubs. On their patrols they support individuals who have become vulnerable and assist them to ensure they get home safely. The Town Pastors are also a listening ear to those who may be struggling with any issues. They carry water, flipflops, blankets, portable defibrillator, mobile phone power bank, sick bags, bleed kit, information sheets and many other relevant items."</p>	<p>Noted and suggest amendment to paragraph 21.2 The Bournemouth Street Pastors were established in 2017 they are a group of trained Christian volunteers who patrol the Bournemouth town centre area from 2200 – 0200 every Saturday night. They assist anyone in need. They carry a radio which is linked to the CCTV, police, paramedics and all pubs/clubs. On their patrols they will support individuals who have become vulnerable and assist them to ensure they get home safely. The Town Pastors are also a listening ear to those who may be struggling with any issues. They carry water, flipflops, blankets, portable defibrillator, mobile phone</p>

			power bank, sick bags, bleed kit, information sheets and many other relevant items.
FYEO		I do not think the Late night level should be introduced, we pay enough and the clubs provide a lot to the town	Late night levy is not a consideration at this time.
Individual in BH14 8AZ		Needs alcohol behind the counter for off licenses as staff will not stop people shoplifting.	Off sales are considered in Chapter 15 and can be considered as a condition on a case by case basis if considered appropriate to uphold the licensing objectives.
		Needs dance condition to forbid nudity as described in the sex establishments licensing regime to stop performances which don't happen frequently enough to be covered by that regime.	Sexual Entertainment Venues are regulated under the Local Government (Miscellaneous) Provisions Act 1982 which controls this activity. Sexual entertainment is exempt from the need for a licence if the sexual entertainment being provided takes place on no more than 11 occasions within any period of 12 months, provided that each occasion lasts no longer than 24 hours and that there is a gap of at least one calendar month between each occasion.
		In the interests of public nuisance prevention to stop women being harassed in the streets by customers who have viewed this entertainment.	Initiatives to protect women and girls with licenced premises has been included.
		Needs a maximum capacity and minimum ratio of door staff to customers condition on every license for alcohol on sales, on basis of public safety, prevention crime and disorder and public nuisance and people exploding into the street after being cooped up together start fighting and shouting causing a noise nuisance in the street.	Capacities are determined by a premises fire risk assessment and may change depending on any events or facilities available at a specified time. Premises should review their risk assessments and allocate security resources accordingly if they believe the additional control measure is required.

		Needs a litter bin to be provided for all late night licenses throughout the period of opening clearly visible to customers, plus clearing all litter in a 50 meter radius of the shop immediately on closing.	<p>Cannot blanket condition each application is determined on its own merits. Para 12.19 suggested amendment to bullet point</p> <ul style="list-style-type: none"> • Provision of bins outside to reduce littering by patrons and consideration of directing staff to keep area outside premises clear of litter.
		Needs a condition that the designated premises supervisor will check and record any security staff SIA pass against another form of photo ID and the facial appearance of the staff and store these records securely.	<p>Where necessary a condition is imposed on licences (and requested on a case-by-case basis) to ensure that the security personnel register is updated daily and a record kept of their ID badge and number.</p> <p>It is an offence under the Security Industry Authority Act to employ a person who is not licensed and a breach of a mandatory Licensing Act 2003 condition.</p>
		Needs a condition that all staff are provided with MHRA approved spiking kits and trained to use them, to test drinks and to test suspected victims.	<p>Paragraph 11.5 addresses this</p> <p>Further advice and guidance should be sought from the Police on how to retain any evidence.</p>
		Public safety. Needs a condition that the areas for waste storage be marked on the filed plan.	The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 – Part 4 – Plans – do not require waste storage to be marked on the plan.
		For prevention of public nuisance from bins stored insecurely and attracting fly tipping and vermin and prevention crime and disorder as improper storage of waste is a crime.	Cannot blanket condition each application is determined on its own merits.

		Needs a condition to prevent prostitutes soliciting or being pimped out on the premises, for reasons of Public Health statutory duty of the council.	Prostitution is dealt with by the Police outside of the licensing remit.
		Needs a lower maximum people on premises during hours when children are present to ensure staff can monitor that children are not drinking alcohol or at risk from others on the premises who are in drink.	Numbers are not specified under this policy and it is the responsibility for each licence holder to adequately manage their premises.
Individual from BH23 2LX		Proposed changes will have no impact on business/organisation	Noted
Dorset & Wiltshire Fire and Rescue Service	7.4	Change to Dorset & Wiltshire Fire and Rescue Authority	Suggested amendment to bullet point <ul style="list-style-type: none"> • Dorset & Wiltshire Fire and Rescue Authority
	16.10	Include - The applicant to ensure a suitable and sufficient Fire Risk Assessment is carried out and recorded.	Suggested amendment add bullet point <ul style="list-style-type: none"> • The applicant to ensure a suitable and sufficient Fire Risk Assessment is carried out and recorded
	Appendix C	Application Process- Layout plan to include locations of fire alarm panel, detector heads, break glass points, emergency lighting and type of extinguisher. Fire Risk Assessment or if the business is not yet trading a commitment to have one carried out.	<p>Appendix C outlines the general application process and it is not felt suitable to add detail within the process.</p> <p>Chapter 11 outlines the public safety considerations. Suggested amendment to para 11.3 amend link Dorset & Wiltshire Fire Service Licensing and events</p> <p>Chapter 16 sets out application requirements.</p> <p>Suggested amendment new paragraph under 16.2</p> <p>Applications shall include a suitably detailed scale layout plan which includes the following</p>

			<ul style="list-style-type: none"> • the extend of the boundary of the building, if relevant and any external and internal walls of the building and if different the permitter of the premises • locations of fire alarm panel, detector heads, break glass points, emergency lighting and type of extinguisher. • location of access to and exit from the premises and if different location of escape routes • fixed structures which may impact the ability of individuals on the premises to use exits or escape routes without impediment. • location and height of each stage if relevant • in a case where an existing licensable activity relates to the supply of alcohol, the location or locations on the premises which is or are used for consumption of alcohol • In a case where the premises are to be used for more than one licensable activity, the area within the premises used for each activity • In a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts. • in a case where the premises include any room or rooms containing public conveniences, the location of the room or rooms. • the location of a kitchen, if any, on the premises.
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	Appendix D	<p>Licensing Objective: Public Safety. Fire Risk Assessment. Suggested wording –</p> <p>“ A Fire Risk Assessment (FRA) shall be completed for the premises by a competent person. The FRA will identify the fire hazards, reduce the risk of the hazards and determine the precautions necessary to ensure the safety of all persons in the premises. The FRA should be reviewed periodically and revised when necessary.”</p>	<p>Suggested amendment add new model condition within Appendix D</p> <table><tr><td>Licensing Objective: Public Safety</td><td></td></tr><tr><td>Fire Risk Assessment</td><td>A Fire Risk Assessment (FRA) shall be completed for the premises by a competent person. The FRA will identify the fire hazards, reduce the risk of the hazards and determine the precautions necessary to ensure the safety of all persons in the premises. The FRA should be reviewed periodically and revised when necessary</td></tr></table>	Licensing Objective: Public Safety		Fire Risk Assessment	A Fire Risk Assessment (FRA) shall be completed for the premises by a competent person. The FRA will identify the fire hazards, reduce the risk of the hazards and determine the precautions necessary to ensure the safety of all persons in the premises. The FRA should be reviewed periodically and revised when necessary
Licensing Objective: Public Safety							
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Individual from BH14 8AZ		For late night refreshments could it be a condition that children, ie under 18, are not allowed into the premises nor on any area of the highway granted a pavement license during the hours when a late night license is required. This is because children out alone at that time are vulnerable to being recruited at such venues for potential exploitation.	Each application must be dealt on its own merits if required to uphold the licensing objectives.				

		<p>Could late night refreshment licenses which allow takeaways also have a requirement that the licensee keeps the pavement outside their premises clear of litter during opening hours and provides a litter bin for customers use which is clearly visible throughout hours of opening also.</p> <p>If you believe a requirement that the wrappings use recyclable wherever possible is enforceable, could this be added too.</p>	<p>Cannot blanket condition each application is determined on its own merits.</p> <p>Para 12.19 suggested amendment to bullet point</p> <ul style="list-style-type: none"> • Provision of bins outside to reduce littering by patrons and consideration of directing staff to keep area outside premises clear of litter.
		<p>Lastly, can we go back to a requirement that I've seen quoted as being in a Bournemouth license, for any Licensing Act 2003 license granted that there will be a presumption that a clause forbidding striptease or other indecent entertainment be added. It could be worded to say "striptease or other indecent entertainment not regulated under Schedule 3 of the Local Govt (Misc) Act 1982". This would catch the less frequent events and the level of nudity which stops short of that defined in Schedule 3.</p>	<p>Sexual Entertainment Venues are regulated under the Local Government (Miscellaneous) Provisions Act 1982 which controls this activity.</p>
		<p>The licensing objective of protection of children would apply because of the ex parte Christian Institute Newcastle remarks regarding people attracted into a neighbourhood by the presence of the indecent entertainment who could be a danger to children, eg recruiting into sex work or committing assaults/harassment.</p>	
Bournemouth & District Law Society		<p>Yes, we have a number of comments on the draft Statement of Licensing Policy. However, in order to make reasoned comments in detail we would have preferred to be able to highlight these by way of tracked changes to the document so that it is easy to see what wording we are referring to by way of response to the consultation.</p>	<p>Noted and referred to Research and Consultation for their information.</p>

		Sadly, the document format as a pdf has made suggestions difficult to address on the document itself. A 'Word' version is required for suggested amendments which would have been much easier to respond to in terms of commenting throughout the document.	Noted and referred to Research and Consultation for their information
		The questions asked by way of a survey as here give little opportunity to drill down into the detail and respond appropriately and to list every point below is time consuming and impractical. It would be exceedingly helpful to be able to comment on the proposals by way of track changes to the actual document.	Noted and referred to Research and Consultation for their information
		In addition, the consultation as advertised on your 'Have your say' website page state on the right hand side that the consultation is open until 6th December 2024 whereas at the bottom of the page it provides the consultation, correctly, as open until 22nd December 2024. There may therefore be a considerable number of interested parties deterred from providing their views as they understood, wrongly, that they were too late to provide their views. It is, therefore, questionable whether this consultation has been properly advertised as available for the appropriate period.	Noted and referred to Research and Consultation for their information This comment is acknowledged and further consultation took place between 27 February 2025 to 13 March 2025, this was published the consultation website and also sent directly to all recognised interested parties including town watch, pub watch, local solicitors and all licence holder. This generated a further two responses from individuals.
		There are a number of typos and reference to Appendix E when there is no Appendix E (should be D).	Noted and amended accordingly
		Some aspects require clarity, for example, Appendix C does not make it clear what the 'Application process' relates to - clearly it is intended for a new Premises Licence but there are a considerable number of other licence applications that can be made to your Licensing Authority for which Appendix C is irrelevant. Anyone not	Suggest amendment to title New or variation to premises licence application process

		understanding the system could be considerably confused. We would suggest the heading to Appendix C makes this clear. Otherwise, the flow chart is helpful for those unfamiliar with the system.	
		On a separate point of clarity, paragraph 13.10 and 13.13 appear to be contradictory in terms of whether conditions requiring the admission of children can or cannot be attached to licences.	Suggest deleted 13.13 and retain 13.10 as is
		As a general observation on reading the whole document, there appears to be a leaning towards a negative impact in respect of businesses at a time when the conurbation and particularly Bournemouth town centre needs to focus on improving the economy and creating a safe, vibrant place to attract visitors for both day and night time retail and leisure activities. Far greater positive support for welcoming and embracing investment in the area is required.	Wider support for businesses is provided by the Council however this document relates solely to the submission of applications and subsequent compliance requirements for licenced premises and seeks to support anyone submitting an application by providing as much information as possible about what is required and what a well run premises is expected to adhere to.
		The document reads rather like a regulatory straight-jacket in terms of expectations of anyone wishing to initiate or grow their business in the area in circumstances where a licence is required. When viewed relative to other geographical areas and other Statements of Licensing Policy it is easy to see how investors and entrepreneurs would choose an alternative location outside the BCP area for their investment. The town is in dire need of some positive action and enticement to attract businesses, not dampen existing ones and deter new ones!	Noted
		The number of issues to which any applicant is required to give consideration in this draft policy is daunting and not for the faint-hearted. Of course, we all support the need to comply with the licensing objectives and to	Noted

		ensure a safe and attractive place for all, and certainly improvement is needed but surely this can be done with a positive outlook. Please focus more on the challenge to attract more good business to the area and improve the economic, social and environmental pillars of the area.	
		Too much of the document concentrates on support for representations and objections to the retail and leisure licensed industries and not how we can all help them generate an improved economic environment.	The detail added in relation to making representations is in response to feedback from individuals who have submitted representations and the difficulties in understanding how personal information is used in this process.
		In respect of specific issues, paragraph 21, it is suggested, could perhaps be better placed as an appendix as much of it relates to general schemes which operate in any scenario, informative but many are not specific solely to licensed premises.	This relates to other mechanisms and schemes that operate to support businesses and protect patrons in the night time economy. It is included as per the guidance document and shows the wider support available within the area.
		Paragraphs under the heading 'Planning and Building Control' do not accurately reflect the fact that planning and licensing are two different regimes and the absence of planning should not, per se, result in a deferral or result in a refusal of the licence application - that would be open to challenge.	Noted
		Please also advise how applications for a premises licence and a planning consent can be considered together when they are different processes and determined by different officers/committees?	The policy does not suggest applying for planning and licensing together but recognises that the Licensing Authority will work closely with planning to ensure where possible the two regimes will align with each other – para 22.3
		Paragraph 22.5 suggests that premises operating in breach of planning permission will be liable to prosecution under planning law - this is not necessarily the case. Although the heading refers to 'Building Control' nothing in the subsequent prose refers to this.	Suggest amendment to para 22.5 as follows: In circumstances when, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes and where those hours are different to the licensing hours, the applicant must observe the earlier

			closing time. Premises operating in breach of their planning permission may be subject to formal enforcement action under planning law.
		The policy is far too verbose and at points distinctly stating the obvious particularly in the new section on 'Management of Premises', for instance, stating that the Licensing Authority encourages licence holders and operators to adhere to all relevant national legislation - this is a given for compliance by any operator, and goes without saying - why does the licensing authority need to refer to 'encouraging' this?	Whilst it is recognised the contents may state the obvious in some areas this is in recognition that not everyone who submits an application may be fully aware of the legislation and has not benefitted from legal or licensing consultant advice during the application process.
		The shorter and more succinct a document the more likely it is to be read.	Noted.
		Having dealt above with the negative impacts, a real positive and helpful inclusion into this draft is Appendix B, Regulated Entertainment Exemptions, which sets out altogether in one place all such exemptions and is an incredibly helpful reference tool for licence holders and operators. The licensing authority are to be congratulated for formatting this in such a way as an appendix to the draft new policy. This is most useful.	Noted and welcomed.
Extended Consultation Responses:			
Lynn Mitcham	General Comment	I consider the sale of alcohol on the beach from any premises is misguided, and particularly from Council-owned premises. This area has a huge problem with alcohol misuse. The alcohol-fuelled violence we see on the streets and read about in the press is merely the tip of the iceberg; there are also a significant number of functioning alcoholics in the area, people who you would not suspect had a problem as their misuse is done at home, out of sight, and they still (often for many years) manage to hold down a job. As a therapist previously	<p>This related to specific premises licences and not the general policy which sets out the expectations of the council for any application.</p> <p>The Policy recognises that applicants should demonstrate understanding of the local area including proximity to treatment centres for vulnerable people including additions – para 16.4</p>

		<p>running an alcohol reduction programme, I came across some of these.</p> <p>Another thing I did not mention last week is the effect alcohol consumption has on people suffering from anxiety and depression. It is amazing how much better such people feel if they just reduce or stop their alcohol consumption. Something few people are aware of.</p> <p>You are also exposing children to alcohol consumption and making it seem “normal”. Alcohol is actually a poison and damages the human body in many ways. Whilst the odd alcoholic drink every now and then will not be a problem, sadly many people cannot stop at that “one” drink. I believe the Council owes a duty of care towards the people within the area for which it is responsible, and selling alcohol from Council-owned premises on a beach is not ethical.</p>	
Karen Baker	General Comment	<p>I have experienced on many occasions, people attempting to buy alcohol, whilst being under the influence of alcohol or drugs/people trying to buy for under-age persons which has provoked violent incidents and a threat to not only staff, but decent customers and the Public at large!! I have also experienced adults, under the influence with children in tow, only to go straight out of the door, open the bottle and take a big swig, whilst the kids are just left on the pavement. These types of incidents are commonplace in Boscombe and can be seen 24/7!!</p> <p>In addition, it takes great courage to refuse an alcohol sale, due to subsequent aggressive/violent behaviours of most of the persons trying to obtain said alcohol, thus facilitating a sales person just to take the easy way out and sell the alcohol to avoid the possibility of further</p>	Noted.

		<p>intimidation. I have also seen this in practice many times in various establishments in Boscombe.</p> <p>Many of the larger stores employ a Security Guard, which doesn't even have any effect, as they have no real power to do anything and the Police will only really get involved if the cost of the goods is over £200 or the salespersons has been verbally or physically abused. So even if they did propose to have a security person on site (CCTV irrelevant) the outcome remains the same.</p> <p>I honestly believe that we don't need any new alcohol licenses and existing sellers of alcohol should be checked and scrutinised in more depth.</p> <p>With Police figures for January 2025 in Boscombe East totaling 244, one has to wonder how many actually involved alcohol. As far as I am aware, BCP has never undertaken an Alcohol Licensing Cumulative Impact Assessment. Maybe it's necessary to do this assessment in accordance with the Nolan Principles to actually see the true picture here, continue to grant new licences, strictly review existing licenses, not to issue new licenses or "cap" the total of licenses?</p>	<p>Consideration of a cumulative impact policy is outlined in section 20, when beginning the drafting of this policy all responsible authorities were asked to provide evidence as per the statutory guidance document which would support the introduction of such a policy. To date this evidence has not been provided.</p>
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Forward Plan – Licensing Committee, 18 September 2025 - *Publication date: 10 September 2025*

Forthcoming meetings 2025/26: 18 September / 22 October (additional)/ 11 December / 12 March

	Subject	Purpose of report	Consultation	Report author(s)	Meeting date
1	Review of Statement of Licensing Policy	<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	18 September 2025 Final Policy
2	Review of Hackney Carriage and Private Hire Driver, Vehicle and Operator Policies	To consider the responses to the public consultation on the draft Policies	Full public and trade consultation	Nananka Randle Licensing and Trading Standards Manager	22 October 2025 Additional meeting

	Subject	Purpose of report	Consultation	Report author(s)	Meeting date
3	Pleasure Boats and Boatpersons Licensing Policy	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	11 December 2025
4	Review of Statement of Licensing Principles - Gambling Act 2005	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	Council responsibilities to Taxi Drivers	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	Not applicable	Nananka Randle Licensing & Trading Standards Manager	Not applicable, circulated to the committee as a briefing note on 6 August 2025

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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