

Notice of Licensing Sub-Committee

Date: Wednesday, 19 March 2025 at 10.15 am

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



Membership:

Cllr M Dower

Cllr D A Flagg

Cllr P Sidaway

Reserves:

Cllr E Harman (1)

Cllr A Chapmanlaw (2)

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

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

<https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?MIId=5863>

If you would like any further information on the items to be considered at the meeting please contact: Michelle Cutler 01202 128581 Democratic Services on 01202 096660 or email democratic.services@bcpCouncil.gov.uk

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

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

GRAHAM FARRANT
CHIEF EXECUTIVE

11 March 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
(janie.berry@bcpcouncil.gov.uk)

Selflessness

Councillors should act solely in terms of the public interest

Integrity

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

Objectivity

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

Accountability

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

Openness

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

Honesty & Integrity

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

Leadership

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

AGENDA

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

1. Election of Chair

To elect a Chair of this meeting of the Licensing Sub-Committee.

2. Apologies

To receive any apologies for absence from Members.

3. Declarations of Interests

Councillors are requested to declare any interests on items included in this agenda. Please refer to the workflow on the preceding page for guidance.

Declarations received will be reported at the meeting.

4. Protocol for Public Speaking at Licensing Hearings

5 - 10

The protocol for public speaking at Licensing Sub Committee hearings is included with the agenda sheet for noting.

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

11 - 30

To consider an application by Dorset Police for the review of the premises licence known as 'Westbourne Tandoori', 42 Seamoor Road, Bournemouth, BH4 9AS.

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

NOTE: In relation to this item of business, the Sub-Committee may be asked to consider the following resolution in relation to the content of any video footage to be shown at the hearing and any supplementary information which may be submitted prior to the hearing: "That under Section 14 (2) of the Licensing Act 2003 (Hearings) Regulations 2005, and with regard to Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that the public interest in withholding the information outweighs such interest in disclosing the information and that it involves the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 7 in Part I of Schedule 12A of the Act."

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

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LICENSING COMMITTEE AND SUB COMMITTEE – PROTOCOL FOR PUBLIC SPEAKING

1. Introduction

- 1.1 This protocol for public speaking applies to Licensing Committee and Sub Committee hearings in relation to matters including the licensing of alcohol, regulated entertainment, late night refreshment, gambling, sex establishments and hackney carriage and private hire drivers, vehicles and operators, as set out in Part 3.3 of the Council's Constitution.
- 1.2 These matters are considered in accordance with relevant legislation and associated regulations including the Licensing Act 2003 (as amended by the Police Reform and Social Responsibility Act 2011), the Gambling Act 2005, Part II and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by Section 27 of the Policing and Crime Act 2009) and the Local Government (Miscellaneous Provisions) Act 1976.

2. Conduct of Hearings

- 2.1 Chair welcomes everyone, matters of general housekeeping are dealt with, notification that the hearing may be recorded for live and subsequent broadcast on the Council's website, reminder to switch mobile phones to silent, etc.
- 2.2 Chair asks everyone present to introduce themselves and state their role.
- 2.3 Chair checks that all persons who have given notice of their intention to speak and any person who wishes to withdraw a representation or wishes not to speak have been identified.
- 2.4 Chair explains proposed procedure and order of speaking for hearing as set out in Appendix A or B of this protocol as appropriate. All parties confirm agreement or make representations on procedure proposed.
- 2.5 Licensing Officer's report is presented.
- 2.6 Parties speak in the order agreed.
- 2.7 With the exception of hackney carriage and private hire hearings, parties who are speaking should not repeat the information which they have already given in writing in their representation. They will be able to expand on the written information given, provided the information remains relevant. Any additional information should be limited to the grounds of their representation(s). For example, if they are objecting on the grounds of Public Nuisance, then they should confine their comments to matters relating to Public Nuisance.

- 2.8 Members of the Licensing Committee or Sub Committee may ask questions after each party has spoken and once all parties have spoken. Parties will be allowed to ask questions through the Chair.
- 2.9 Once all parties have been heard, the parties will be given the opportunity to sum up. Party who spoke first to go last. The hearing will then conclude.
- 2.10 Members will deliberate in private with the clerk and legal representative as appropriate present.
- 2.11 The decision will be taken by the Committee and notification of the decision will be given as follows:
 - 2.11.1 For Licensing Act 2003 and Gambling Act 2005 hearings, determination must be within the period of five working days beginning with the day or the last day on which the hearing was held in accordance with the relevant Regulations, unless otherwise specified (for example, the issuing of a counter notice following objection to a TEN, in which case the determination must be at the conclusion of the hearing).
 - 2.11.2 For Sex Establishment and other hearings, where possible determination will be within the period of five working days beginning with the day or the last day on which the hearing was held.
 - 2.11.3 For Hackney Carriage and Private Hire hearings, notification of the decision will be given at the conclusion of the hearing, followed by a written decision letter where possible within the period of five working days beginning with the day or the last day on which the hearing was held.
- 2.12 Notification of the decision will include information for all parties of any right of appeal as appropriate.

3 General points

- 3.1 Hearings convened under the Licensing Act 2003 and the Gambling Act 2005 and associated regulations may be held remotely as required, if the Chairman agrees it is expedient to do so in the circumstances.
- 3.2 The hearing may be adjourned at any time at the discretion of the Members.
- 3.3 Members may amend the procedure at any time if they consider it to be in the public interest or in the interest of a fair hearing.
- 3.4 The Sub Committee may decide to conduct all or part of a hearing in non-public session in accordance with the relevant Regulations and/or where exempt information is likely to be disclosed.

- 3.5 The Chair may exclude any person from a hearing for being disruptive.
- 3.6 Meetings of the Licensing Committee in public session are recorded by the Council for live and subsequent broadcast on its website.
- 3.7 The hearing will take the form of a discussion.
- 3.8 Only persons (or their representatives) who have made an application, are subject to an application or have submitted a written representation or objection to the Licensing Authority under the relevant Act are permitted to speak at the hearing.
- 3.9 Any further information to support an application, representation, objection or notice (as applicable) can be submitted before the hearing. It may only be submitted at the hearing with the consent of all parties in accordance with any relevant Regulations. Wherever possible the Licensing Authority encourages parties to submit information at the earliest opportunity to allow sufficient time for this to be considered before the hearing and avoid the need for adjournment.
- 3.10 If a party has informed the Authority that they do not intend to participate, or be represented at the hearing, or has failed to advise whether they intend to participate or not, the hearing may proceed in their absence.
- 3.11 For other matters which are the responsibility of the Licensing Committee and not included in this protocol, the Meeting Procedure Rules in Part 4D of the Council's Constitution in relation to public questions, statements and petitions shall apply. This includes such matters as making recommendations on relevant licensing policies, approving the level of fees charged by the Council, and making decisions on tariffs charged by the Public Carriage Trade.
- 3.12 The Council's Constitution can be accessed using the following link:
<https://democracy.bcpccouncil.gov.uk/ieListMeetings.aspx?CommitteeID=151&Info=1&bcr=1>

For further information please contact democratic.services@bcpcouncil.gov.uk

Appendix A

Proposed procedure and order of speaking for hearings (other than hackney carriage and private hire hearings)

1. The Licensing Officer presents report.
2. Questions of the Licensing Officer on their report. Members of the Sub-Committee to go first, then the applicant/licence holder.
3. Applicant will make their Application.
4. Questions of the Applicant by all parties, Members of the Committee/Sub-Committee to go first.
5. Responsible Authorities and Other Persons will make their representations.
6. Questions of the Responsible Authorities and Other Persons. Members of the Committee/Sub-Committee to go first.
7. All parties will be given an opportunity to sum up (with the party who spoke last to go first). The hearing will then conclude.
8. Sub-Committee will deliberate in private with Legal Adviser and Clerk present. (Councillors new to Licensing may observe but will not take part in the decision making).
9. Notification of the Sub Committee's decision will be given in accordance with the requirements of the Licensing Act and Gambling Act regulations. For other hearings, where possible determination will be within the period of five working days beginning with the day or the last day on which the hearing was held.
10. The notification of decision will include information about the right of appeal as appropriate.

Appendix B

Proposed procedure and order of speaking for Hackney Carriage and Private Hire hearings

1. The Licensing Officer presents their report.
2. Questions of the Licensing Officer on their report. Members of the Sub-Committee to go first, then the applicant/licence holder.
3. Applicant/licence holder presents their case.
4. Questions of the applicant/licence holder by all parties, Members of the Committee/Sub-Committee to go first.
5. All parties will be given an opportunity to sum up (with the party who spoke last to go first). The Hearing will then conclude.
6. Sub-Committee will deliberate in private with Legal Adviser and Clerk present. (Councillors new to Licensing may observe deliberations but will not take part in the decision making).
7. Notification of the decision will be given following deliberations at the conclusion of the hearing, to be followed by a written decision letter where possible within the period of five working days beginning with the day or the last day on which the hearing was held.
8. The Legal Adviser will advise parties of any right of appeal as appropriate at the conclusion of the Hearing. Information about the right of appeal as appropriate will also be included in the written decision letter.

Adopted by the Licensing Committee on 7.12.23

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LICENSING SUB-COMMITTEE



Report subject	Westbourne Tandoori, 42 Seamoor Road, Bournemouth, BH4 9AS
Meeting date	19 March 2025
Status	Public Report
Executive summary	<p>To consider an application by Dorset Police for the review of the premises licence following an altercation at the premises involving the use of a weapon by the licence holder. During a subsequent interaction with the Police, the licence holder became threatening towards officers.</p> <p>Dorset Police no longer have confidence in the premises licence holder to uphold the prevention of crime and disorder and public safety licensing objectives.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members consider the following options: -</p> <ul style="list-style-type: none"> a) Modify the conditions of the licence; and/or b) Exclude a licensable activity from the scope of the licence; and/or c) Remove the Designated Premises Supervisor; and/or d) Suspend the licence for a period not exceeding three months; and/or e) Revoke the licence; or f) Leave the licence in its current state. <p>Members are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.</p>
Reason for recommendations	<p>Where a review application by a responsible authority, or any other person, has been received the scheme of delegation set out in the Council's Constitution states that these applications should be dealt with by the sub-committee.</p> <p>The Licensing Authority may only consider relevant aspects that have been raised in the application.</p>

Portfolio Holder(s):	Councillor Kieron Wilson – Portfolio Holder for Housing & Regulatory Services
Corporate Director	Jillian Kay – Corporate Director for Wellbeing
Report Authors	Sarah Rogers – Principal Licensing Officer
Wards	Westbourne & West Cliff
Classification	For Decision

Background

1. An application for review of the premises licence, under Section 51 of the Licensing Act 2003, was made by Dorset Police on 22 January 2025.
2. Dorset Police have applied to review on the basis that there is evidence that this premises is associated with incidents of violence, namely the use of a weapon by the licence holder during an altercation.
3. Furthermore, during the most recent interaction with the Police, the licence holder became threatening towards officers and refused to acknowledge their concerns.
4. The Police no longer have confidence in the licence holder to uphold the prevention of crime and disorder and public safety licensing objectives.
5. A copy of the review application is attached at Appendix 1.
6. The premises have had the benefit of a premises licence since transition of the Licensing Act 2003 in November 2005. Mr Hussain became a joint licence holder and the DPS on 18 April 2017. On 20 December 2019 the licence was transferred into the current holder “Westbourne Tandoori Dorset Ltd” of which Mr Hussain is a joint Director.
7. A copy of the current premises licence is attached at Appendix 2.

Consultation

8. A copy of the review application was served on all responsible authorities and the licence holder on 22 January 2025.
9. The Principal Licensing Officer attended the premises on 23 January 2025 to display the site notice. One notice was displayed on the front window of the premises and another tied to a lamppost outside on the main street. Spare copies of the notice were posted through the letterbox as nobody was on site at the time of the visit.
10. Two further notices were placed on the main public noticeboards of the Council offices at Bourne Avenue and St Stephen’s Road. A notice was also published on the Council’s website.
11. No representations were received in support of the review application from any of the other responsible authorities or any other person.

Options Appraisal

12. Before making a decision, Members are asked to consider the following:-
- The application made by Dorset Police.
 - The submissions made by or on behalf of the premises licence holder.
 - The relevant licensing objectives, namely the prevention of crime and disorder and public safety.
 - The Licensing Act 2003, Regulations, Guidance and the Council's Statement of Licensing Policy.

Summary of financial implications

13. An appeal may be made against the decision of Members by Dorset Police or the holder of the premises licence to the Magistrates' Court which could have a financial impact on the Council.

Summary of legal implications

14. If Members decide on an option available to them which Dorset Police or the premises licence holder does not agree to, they may appeal to the Magistrates' Court within a period of 21 days beginning with the day that they are notified, in writing, of the decision.

Summary of human resources implications

15. There are no human resources implications.

Summary of sustainability impact

16. There are no sustainability impact implications.

Summary of public health implications

17. There are no public health implications.

Summary of equality implications

18. There are no equality implications.

Summary of risk assessment

19. There is no requirement for a risk assessment.

Background papers

BCP Council – Statement of Licensing Policy

[SOLP-2020-2025](#)

Hearing Regulations

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

Revised Guidance issued under Section 182 of the Licensing Act 2003 (February 2025)

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

Appendices

- 1 – Copy Review Application
- 2 – Copy Current Premises Licence

**Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Sergeant Gareth Gosling on behalf of the Chief Officer of Dorset Police

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Westbourne Tandoori 42 Seamoor Road	
Post town Bournemouth	Post code (if known) BH4 9AS

Name of premises licence holder or club holding club premises certificate (if known)
Westbourne Tandoori Dorset Ltd

Number of premises licence or club premises certificate (if known)
BH082048

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates (please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Drug & Alcohol Harm Reduction Team
Poole Police Station
Wimborne Road
Poole
Dorset

Telephone number (if any)

E-mail address (optional)

licensing@dorset.pnn.police.uk

This application to review relates to the following licensing objective(s)

- | | |
|---|-------------------------------------|
| | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)

The Prevention of Crime and Disorder

Dorset Police bring this premises licence before the members of the Licensing Sub-Committee for review on the basis that there is evidence that this premises is associated with incidents of violence, namely the use of a weapon by the licence holder during an altercation.

Dorset Police have attempted to support the licence holder to address the concerns, however, the licence holder did not engage with Police. During the most recent interaction with Police, the licence holder became threatening towards officers and refused to acknowledge the concerns being highlighted. Dorset Police no longer have confidence in the Premises Licence Holder to uphold the licensing objective to prevent crime and disorder and maintain public safety.

Please provide as much information as possible to support the application (please read guidance note 3)

This application for a review of the premises licence for the premises known *Westbourne Tandoori*, Seamoor Road, Westbourne, Bournemouth, is being submitted by Dorset Police as we can demonstrate that this premises has undermined the licensing objectives to Prevent Crime & Disorder and maintain Public Safety.

It is and always has been the intention of Dorset Police Drug & Alcohol Harm Reduction Team to engage and support licensees throughout Dorset to promote the four licensing objectives of Preventing Crime & Disorder, Preventing Public Nuisance, Promoting Public Safety and Protecting Children from Harm.

Due to the sensitive nature of some concerns, comprehensive details of all concerns will be included within a Supplementary Submission in due course, however, a summary of some recent concerns are as follows –

On the 30th December 2023 officers attended a report of a male who had sustained injuries caused by a knife. The incident could not be fully investigated due to a lack of co-operation by the licence holder.

There have been several incidents of concern (crime and disorder and public safety) that followed, details of which will be provided in a Supplementary Submission in advance of the hearing for the information of the members of the Sub-Committee and the Licence Holder. This document will not be disclosable to the public due to the sensitive nature of the content.

On the 29th November 2024 Dorset Police attended a report of an incident to the rear of *Westbourne Tandoori*. The dispute involving the licence holder was instigated following a request by staff of a neighbouring business for a vehicle associated with the licence holder to be moved. The incident quickly escalated and resulted in allegations of assault and criminal damage that remain under investigation.

Following repeated attempts by Police Licensing Officers to meet and discuss the concerns associated with *Westbourne Tandoori*, officers eventually spoke with Mr HUSSAIN at *Westbourne Tandoori* as part of a joint visit alongside an officer from the BCP Council Environmental Health Team. During the visit, which had been intended to understand whether there was any support or advice that could be offered to Mr HUSSEIN, Mr HUSSEIN denied any involvement in any of the incidents associated with *Westbourne Tandoori* and became increasingly agitated.

The visit was concluded when Mr HUSSEIN threatened Police officers by instructing his staff to secure both the front and rear doors to prevent officers from leaving, before using threatening language directed towards them. Officers de-escalated the situation and left the premises. Responsible Authorities have been advised to exercise increased caution when attending the premises.

Dorset Police, through our Drug & Alcohol Harm Reduction Team, and working alongside our partners, support licensed premises to provide value to their communities and to do so compliantly and in promotion of the licensing objectives. There is concern that this premises is not being operated in promotion of the licensing objectives.

Dorset Police invite the Sub-Committee to consider all the options available to them under the Licensing Act 2003 with consideration to be given to revocation of the Premises Licence if the members of the Sub-Committee cannot be reassured that the operator can deliver licensable activities compliantly and in promotion of the licensing objectives.

As stated above, the comprehensive summary of concerns associated with the licence holder and this premises will be contained within the restricted Supplementary Submission which will follow.

Have you made an application for review relating to the premises before

☐

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

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

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date **22nd January 2025**

.....

Capacity **Police Sergeant**

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)



Premises Licence Part A

Premises licence number: BH082048

Postal address of premises, or if none, ordnance survey map reference or description:	
Westbourne Tandoori 42 Seamoor Road	
Post town: Bournemouth	Post Code: BH4 9AS
Telephone number: 01202 767142	

Licensable activities authorised by the licence:
Late Night Refreshment Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:
<p>Late Night Refreshment Monday - 23:00 to 00:30 Tuesday - 23:00 to 00:30 Wednesday - 23:00 to 00:30 Thursday - 23:00 to 00:30 Friday - 23:00 to 00:30 Saturday - 23:00 to 00:30 Sunday - 23:00 to 23:30 Provision of late-night refreshments will take place indoors. <u>Non-Standard Timings for Late Night Refreshment</u> Good Friday and Christmas Day – 23:00 to 23:30</p> <p>Supply of Alcohol Monday - 10:00 to 00:00 Tuesday - 10:00 to 00:00 Wednesday - 10:00 to 00:00 Thursday - 10:00 to 00:00 Friday - 10:00 to 00:00 Saturday - 10:00 to 00:00 Sunday - 12:00 to 23:30 <u>Non-Standard Timings for the Sale of Alcohol</u> Good Friday and Christmas Day - 12:00 to 23:30 New Years Eve – From start of permitted hours to end of permitted hours on 1st January.</p>

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

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
Westbourne Tandoori Dorset Ltd 9 Chiltern Court Asheridge Road Chesham Buckinghamshire HP5 2PX
Registered number of holder, for example company number, charity number (where applicable):
12337657
Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:
Mr Saydur Hussain
Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:
Bournemouth Borough Council BH140356

Annex 1 – Mandatory conditions

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

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

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

- 1.3.
 1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti- social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 1.4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 1.5.
 1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request,

before being served alcohol, identification bearing their photograph, date of birth and either -

- (a) a holographic mark, or
- (b) an ultraviolet feature.

1.6. The responsible person must ensure that -

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

The Licensing Act 2003 (Mandatory Conditions) Order 2014

1.7.

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

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

Where –

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

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

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

- 1.8. The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the supply to, or consumption by, any person of alcohol in any premises where they are residing.
- 1.9. The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the sale of alcohol to a trader or club for the purposes of the trade or club.
- 1.10. The abovementioned restrictions on the times permitted to sell alcohol prohibit the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered.
- 1.11. The abovementioned restrictions on the times permitted to sell alcohol prohibit the taking of alcohol from the premises by a person residing there.
- 1.12. The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of persons so supplied.
- 1.13. The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the supply of alcohol for consumption on premises to persons employed there for the purposes of the businesses carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
- 1.14. The abovementioned restrictions on the times permitted to sell alcohol do not prohibit the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty’s naval, military or air forces.
- 1.15. Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied
 - 1.15.1 With and for the consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
 - 1.15.2 For consumption by a person residing in the premises or his guest and paid for together with his accommodation;
 - 1.15.3 To a canteen or mess

- 1.16. The consumption of any alcohol supplied shall be consumed by the end of the first thirty minutes after the permitted hours for the sale of alcohol.
- 1.17. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:-
 - 1.17.1 He is the child of the holder of the premises licence;
 - 1.17.2 He resides in the premises, but is not employed there;
 - 1.17.3 He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - 1.17.4 The bar is in premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary;
- 1.18. The licensee shall have regard and comply with any relevant provisions of the following enactments during any licensable activities taking place on the premises:-
 - 1.18.1 Children and Young Persons Act 1933
 - 1.18.2 Cinematograph (Safety) Regulations 1955
 - 1.18.3 Sporting Events (Control of Alcohol Etc) Act 1985

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

- 1.19. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a table meal there and for consumption by such a person as an ancillary to his meal.
- 1.20. Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.

Annex 2 – Conditions consistent with the operating schedule

Prevention of crime and disorder

- 2.1. The Premises Licence Holder shall actively participate in any schemes promoted by Dorset Police and the Local Authority, which are designed to improve partnership working and communication, between premises, authorised persons, interested parties and responsible authorities in the defined area of the Borough.

Public safety

- 2.2. The Premises Licence Holder shall fully comply with the requirements of Dorset Fire and Rescue.
- 2.3. When disabled people are present adequate arrangements shall exist to enable their safe evacuation.

Prevention of public nuisance

- 2.4. The Premises Licence Holder shall contribute to alleviate public nuisance on and in the vicinity of the premises during the times when intoxicating liquor is sold to members of the public. Protection of children from harm
- 2.5. The premises shall support the use photo identity cards and shall use the Portman Group, Validate and Citizen Cards, where local authority schemes are not available.

- 2.6. Any individual who wishes to purchase intoxicating liquor and appears to be under the age of 18 years, shall be challenged.
- 2.7. The Designated Premises Supervisor shall instruct all members of staff not to serve intoxicating liquor to anyone who appears to be under 18 years of age.

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

None Attached.

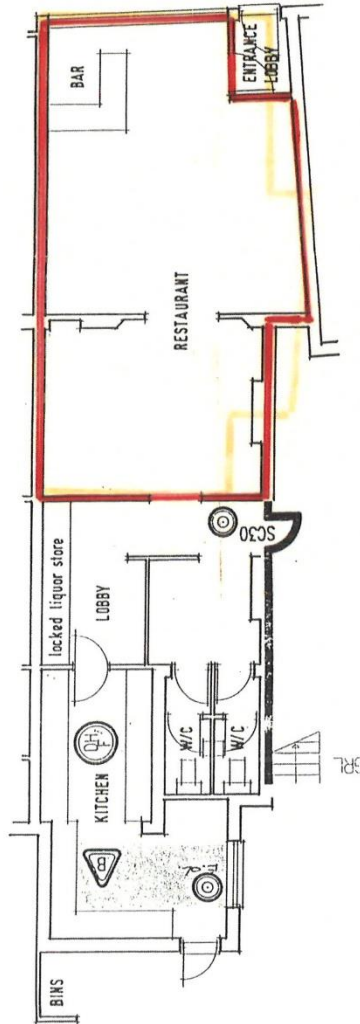
Annex 4 – Plans

This licence is issued in accordance with the plan M155218, dated 24 March 2017, as attached.

BOURNEMOUTH BOROUGH COUNCIL
LICENSING SECTION

24 MAR 2017

APPROVED
REF. No. M 155218

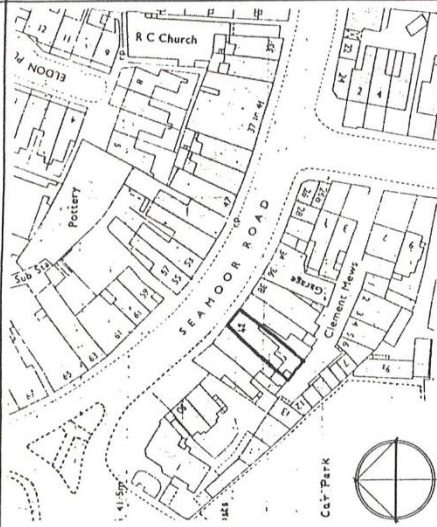


Ground Floor Plan 1:100

Approved on behalf of the Licensing Justices
This 5 day of sept 1990

A. F. Noonan

Chairman of the Licensing Meeting



Location Plan 1:1250

Job
License Application at -
RAJ KHANA TANDOORI
42 Seamount Road
Westbourne
Bournemouth, Dorset

Drawing
**GROUND FLOOR PLAN
LOCATION PLAN**

Scale 1:100 - 1:1250
Date MAY 1990
Drawn S.J.W.

A. F. Noonan M.B.I.A.T.
Architectural Technician
7c, Wilburn Road, Westbourne,
Bournemouth, Dorset, BH4 9HJ
Tel. Bournemouth (0202) 768729

Drawing No. Revisions

A8937 / 1

Premises Licence Part B

Premises licence number: BH082048

Postal address of premises, or if none, ordnance survey map reference or description:	
Westbourne Tandoori 42 Seamoor Road	
Post town: Bournemouth	Post Code: BH4 9AS
Telephone number: 01202 767142	

Licensable activities authorised by the licence:
Late Night Refreshment, Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:
Late Night Refreshment: (Indoors) Monday - Saturday - 23:00 to 00:30, Sunday - 23:00 to 23:30 <u>Non-standard timings for late night refreshment:</u> Good Friday and Christmas Day – 23:00 to 23:30 Supply of Alcohol: Monday - Saturday - 10:00 to 00:00, Sunday - 12:00 to 23:30. <u>Non-standard timings for the sale of alcohol:</u> Good Friday and Christmas Day - 12:00 to 23:30 New Year's Eve – From start of permitted hours to end of permitted hours on 1st January.

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

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
Westbourne Tandoori Dorset Ltd 9 Chiltern Court, Asheridge Road, Chesham, Buckinghamshire HP5 2PX

Registered number of holder, for example company number, charity number (where applicable):
12337657

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:
Mr Saydur Hussain

State whether access to the premises by children is restricted or prohibited:
See condition 1.17

Issued: 24 November 2005
Revised: 20 December 2019 [Transfer]

Mrs Nananka Randle
Licensing Manager

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