

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