

Notice of Licensing Sub-Committee

Date: Wednesday, 13 August 2025 at 10.15 am

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



Membership:

Cllr A Keddie

Cllr C Matthews

Cllr J Richardson

Reserves:

Cllr P Sidaway (1)

Cllr P Canavan (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=5874>

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

5 August 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. Ashley Vegas, 408 Ashley Road, Poole, BH14 0AA

11 - 58

To consider an application by BCP Council's Licensing Authority for the review of the premises licence for the premises known as 'Ashley Vegas'.

The Licensing Authority no longer have 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.

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

6. Exclusion of Press and Public

In relation to the items of business appearing below, the Committee is asked to consider the following resolution: -

'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 suitability for a new Hackney Carriage/ Private Hire Driver Applicant

59 - 88

To consider whether the driver is a 'fit and proper' person to continue with the application process to become the holder of a Hackney Carriage and/or Private Hire driver licence.

This matter is brought to the Licensng Sub Committee for determination.

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.

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	Ashley Vegas, 408 Ashley Road, Poole, BH14 0AA
Meeting date	13 August 2025
Status	Public Report
Executive summary	<p>To consider an application by BCP Council's Licensing Authority for the review of the premises licence.</p> <p>The Licensing Authority no longer have 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.</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 – Housing and Public Protection
Corporate Director	Graham Farrant – Chief Executive
Report Authors	Sarah Rogers – Principal Licensing Officer
Wards	Parkstone
Classification	For Decision

Background

1. An application for the review of the premises licence, under Section 51 of the Licensing Act 2003, was made by BCP Council's Licensing Authority on 24 June 2025 following breaches of conditions which have not been addressed, despite visits and advice from licensing officers.
2. The Licensing Authority are both authorised persons (to carry out inspections and enforcement roles) and a responsible authority (entitled to make representations to licensing applications for the grant, variation or review of a licence) under the Licensing Act.
3. The Licensing Authority have applied for review on the basis that they no longer have confidence in the licence holder or DPS to ensure that the conditions of the premises licence are being complied with. In addition, it is stated that the premises are linked to criminal activities, particularly the storage and sale of illicit tobacco and vapes.
4. A copy of the review application, setting out the concerns of the Licensing Authority and including supporting documents from Trading Standards, is attached at Appendix 1.
5. A copy of a map, showing the location of the premises is attached at Appendix 2.
6. The premises licence has been in force since 16 February 2024 and is held by Ashley Vegas Ltd. Companies House shows Ashley Vegas Ltd as having one active director – Hiwa Yousefzadeh appointed on 3 March 2025 and residing in Scotland. The current DPS is Mrs Shanaz Saeed Abdullah who has been the DPS since the licence was first granted. It appears however she is no longer involved with the premises. A copy of the current premises licence is attached within the Appendix 1 bundle.

Consultation

7. A copy of the review application was served on all responsible authorities and the licence holder on 24 June 2025.
8. The principal licensing officer attended the premises on the 25 June 2025 to display the site notice. One notice was fixed to the inside window, facing out, and another on the wall to the side of the premises, so it remained visible when the shutters were closed.

9. 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.
10. The review is supported by Trading Standards, as a responsible authority, who have provided a witness statement within the review bundle at Appendix 1.
11. Dorset Police have made a representation in support of the review. A copy of their supporting submission is attached at Appendix 3.

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 the Licensing Authority and supporting evidence from Trading Standards and 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 the protection of children from harm.
 - 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 the Licensing Authority 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 the Licensing Authority 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

[The Licensing Act 2003 \(Hearings\) Regulations 2005](#)

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, including Current Premises Licence, Witness Statement of Andy Crossen-White, Trading Standards Officer and breach letters sent by Mrs Jardim, Licensing Officer
- 2 - Location Plan
- 3 - Dorset Police Supporting Submission

**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 Tania Jardim on behalf of Bournemouth Christchurch and Poole (BCP) Council Licensing
Authority

Apply for the review of a premises licence under section 51 of the Licensing Act 2003

Postal address of premises or, if none, ordnance survey map reference or description	
Ashley Vegas 408 Ashley Road Parkstone	
Post town Poole	Post code (if known) BH14 0AA

Name of premises licence holder or club holding club premises certificate (if known)
Ashley Vegas Limited

Number of premises licence or club premises certificate (if known)
BH215247

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 Tania Jardim Licensing Officer BCP Council Public Protection BCP Council Civic Centre Bourne Avenue BH2 6DY
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

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

The Licensing Authority no longer have confidence in the licence holder and DPS to ensure that the conditions of their premises licence are being complied with, we believe this undermines the licensing objectives of prevention of crime and disorder and the protection of children from harm.

In addition, the premises has been linked to criminal activities particularly the storage and sale of illicit tobacco and vapes further undermining the licensing objectives as stated.

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

Background information to support review

1. These premises have held a premises licence since 16 February 2024, which includes robust conditions that they must adhere to. The premises licence holder is Ashley Vegas Ltd and the Designated Premises Supervisor is Mrs Shanaz Abdullah.
2. A copy of the premises licence is attached at Appendix 1.
3. On the **7 April 2025**, the Licensing Authority received intelligence from BCP Council's Trading Standards Department. This was following a multi-agency joint visit carried out by Trading Standards, HMRC and Dorset Police officers. As a result of this visit, we were advised that Dorset Police seized an offensive weapon (bat) from the premises and Trading Standards seized illicit tobacco and vapes.
4. A statement from Trading Standards Officer Andrew Crossen-White is attached in support of this review, as Appendix 2.
5. On **9 April 2025**, in response to the intelligence received, licensing officers carried out a compliance inspection to the premises.
6. At the time of the inspection, the only person at the premises was a Mr [REDACTED] who advised he was a friend of the new owner Hiwa.
7. Mr [REDACTED] was not able to assist officers in assessing compliance with the premises licence conditions, he reported to officers that he was only covering for his friend. He was defensive and unhelpful to officers.
8. During this inspection it was clear that many conditions of the premises licence were not being compliance with in particular:-
 - CCTV - operation and record keeping.
 - Training of staff and training records.
 - Incident and refusal logs not being maintained.
9. A Breach Letter was issued to the premises on the **11 April 2025**, this was sent via post and emailed to the email address we held on file for the premises licence holder - [REDACTED]. Following an automatic email response advising that they had sold the business to Mr Hiwa Yousefzadeh and providing a new contact email address. The breach letter was forwarded to this email address on 11 April 2025. A copy of the Breach Letter is attached at Appendix 3.
10. The change in ownership of the premises and director of the premises licence holder had not been communicated with the licensing team. Officers checked companies house and confirmed that the director of Ashley Vegas Ltd had changed from Mr Aus Al-Koubaisi to Mr Hiwa Yousefzadeh on 3 March 2025.
11. As the licence holder name remains unchanged no transfer is required.
12. No response to the breach letter was received from the Mr Hiwa Yousefzadeh and a follow up inspection took place on **30 April 2025**. At the time of the visit, Mr Hiwa Yousefzadeh, was present at the premises. Officers explained the

inspection was to follow up from the previous inspection which took place of the 9 April and the subsequently issued breach letter. Mr Yousefzadeh confirmed that he had seen the breach letter, and we expressed our disappointment that Mr Yousefzadeh did not provide any acknowledgement or response to our concerns. He explained that he had just recently taken over the premises and it was all new to him. He offered no other explanation regarding the lack of compliance.

13. During the inspection, questions were asked of Mr Yousefzadeh regarding who was the current DPS, he advised it was Mrs Shanaz Saeed Abdullah and she would remain until he varied the application to become DPS. He advised that he had just completed his personal licence qualification and that a friend of his was going to assist with the application for a Personal Licence and the vary DPS application would follow. Mr Yousefzadeh, showed us blank forms and material he had been provided as part of the qualification and which he understood he had to use at the premises, these were headed Humber Trading Standards. Officers advised, these had to be completed and provided advice on how to complete. Officers further advised that he remained in breach as there was no evidence that any of the previously identified breaches of condition had been addressed, he was advised we would confirm this in writing and outline our potential next steps.
14. A further Breach Letter was sent on the **21 May 2025**, there was an unavoidable delay in sending this letter due to other priority work, team pressures and officer leave. The letter requested an update on actions to be sent to the licensing team no later than 29 May 2025. A copy of this letter is attached at Appendix 4.
15. As no information was received, a further letter was issued to Mr Yousefzadeh on 13 June 2025 to confirm that a formal action would be taken unless he engaged and provided an update within 5 working days.
16. Efforts have been made to contact the current DPS by phone, to date no contact has been made and we are concerned that they are not overseeing the sale of alcohol appropriately or engaged in the day to day running of the premises. Section 4.61 of the Revised Guidance issued under section 182 of the Licensing Act 2003 (February 2025) states: -

Every premises licence that authorises the sale of alcohol must specify a DPS. This will normally be the person who has been given day to day responsibility for running the premises by the premises licence holder.

17. Despite two compliance inspections, issuing two formal breach letters, and a further follow up letter from licensing officers, Mr Yousefzadeh as the sole director of the premises licence holder Ashley Vegas Limited, has failed to engage with the Licensing Authority, despite various opportunities and we are left with no option, but to request a review of the premises licence.

Licensing team approach to enforcement

18. The Licensing Authority uses a phased approach to enforcement in order to achieve compliance from premises licence holders in accordance with section 8 of [Our enforcement policy | BCP](#). Officers will seek compliance through co-operation only seeking enforcement action as a last resort when compliance is deemed unlikely through other means. It is expected that premises licence holders engage with responsible authorities and endeavour to comply with the conditions of their premises in order to uphold the licensing objectives.
19. With reference to section 11.10 of the Revised Guidance issued under section 182 of the Licensing Act 2003 (February 2025):

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.

20. This review is submitted as a last resort in order to address non-compliance and breaches of the current premises licence conditions by the premises licence holder and DPS.
21. This review is supported by the Trading Standards Officer in their capacity as a Responsible Authority following multiagency visits and intelligence that link this premises to criminal activity and the sale and supply of illicit tobacco and vapes. 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).

Preferred option

22. After consideration of the various options available to remedy the concerns raised within this review application, I ask the committee to consider the following as a preferred option:-

To suspend the supply of alcohol for a period of three months – this will provide the premises licence holder with the opportunity to put in place the necessary measures to comply with all conditions of their premises licence and to ensure they have varied the premises licence to specify a new DPS who is engaged in the day to day running of the premises.

23. In relation to concerns relating to the protection of children from harm, I would also request the following additional condition be added to the licence:-

- All staff shall receive training and guidance using the NPOANS toolkit which is available for free from [No Proof Of Age, No Sale](#).

Please tick ✓ yes

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"/>	<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, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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 *Tania Jardim*

.....

Date **24 June 2025**

.....

Capacity **Licensing Officer on behalf of BCP Council Licensing Authority**

.....

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)	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

APPENDIX 1

Licensing Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth BH2 6DY



Premises Licence Part A

Premises licence number: BH215247

Postal address of premises, or if none, ordnance survey map reference or description:
--

Ashley Vegas, 408 Ashley Road

Post town: Poole

Post Code: BH14 0AA

Telephone number: 07754 949793

Licensable activities authorised by the licence:

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:
--

Supply of Alcohol

Monday - 07:00-23:00

Tuesday - 07:00-23:00

Wednesday - 07:00-23:00

Thursday - 07:00-23:00

Friday - 07:00-23:00

Saturday - 07:00-23:00

Sunday - 07:00-23:00

The opening hours of the premises:

Monday - 07:00-23:00

Tuesday - 07:00-23:00

Wednesday - 07:00-23:00

Thursday - 07:00-23:00

Friday - 07:00-23:00

Saturday - 07:00-23:00

Sunday - 07:00-23:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:
--

Alcohol will be consumed off the premises.
--

Part 2

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

Ashley Vegas Ltd

408 Ashley Road

Poole

BH14 0AA

Tel: [REDACTED]

Email: [REDACTED]

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

15418947

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

Mrs Shanaz Saeed Abdullah

[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

KMCPLL05518

Kirklees Council

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 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.

The Licensing Act 2003 (Mandatory Conditions) Order 2014

- 1.4.
 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.

Annex 2 – Conditions consistent with the operating schedule

Prevention of Crime & Disorder.

- 2.1. The premise shall operate an effective CCTV system that shall be maintained in good working order to the satisfaction of Dorset Police.
 - 2.1.1 The CCTV system shall cover all areas of the store including the entrance, point of sale and main alcohol displays.
 - 2.1.2 Signage informing customers of the CCTV system shall be prominently displayed on the premises.
 - 2.1.3 The system shall record whenever the premises is open for licensable activity.
 - 2.1.4 The CCTV system shall capture clear facial recognition and clear head and shoulder images of every person entering the premises and at the point of sale.
 - 2.1.5 The location of cameras shall be recorded on the plan attached to this licence. The CCTV system should be updated and maintained according to police recommendations and should additional cameras be requested/advised by the Police, they shall be fitted in a timely manner.
- 2.2. The recording medium (e.g. discs / tapes / hard drive etc) and associated images shall be retained and securely stored for a minimum period of 31 days and shall be made available to a Police Officer or Authorised Officer of the Licensing Authority upon request in a timely manner.
- 2.3. The Premises Licence Holder or Designated Premises Supervisor shall provide the Police with the contact details of at least one member of staff or other person(s) who is conversant with the operation of the CCTV system so that upon request copies of recorded data are provided with absolute minimum delay.
- 2.4. A documented full internal check of the CCTV shall be completed weekly to ensure all cameras remain operational, that 31 days storage for recordings is being maintained and recordings are accurately date and time stamped.

- 2.4.1 The Premises Licence Holder/Designated Premises Supervisor shall ensure that immediate action is taken to rectify any fault identified. A log of the steps taken to rectify the fault shall be made and shall be made available to a Police Officer or an authorised officer of the Licensing Authority on request.
- 2.5. 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. The record shall be checked by the DPS or the manager in charge of the premises at least once a week and shall be signed to that effect.
- 2.6. The names and contact details of all persons who have been authorised to sell alcohol whether paid or unpaid shall be maintained and kept on the premises and shall be produced to a Police Officer or Officer of the Local Authority upon demand.
- 2.7. The Designated Premises Supervisor and all members of staff when on duty shall ensure that all lawful instructions and/or directions given by the Police are complied with.
- 2.8. Any customer who appears to be carrying an alcoholic drink in an open vessel shall be refused service and asked to leave.
- 2.9. Signage shall be in place near the point of sale and exits to inform customers of the Public Space Protection Orders in place for the Bournemouth, Christchurch and Poole area.
- 2.10. No credit shall be provided for the sale of alcohol.
- 2.11. The premises shall maintain an incident log which shall record the following:-
- (a) Any violence or anti-social behaviour on or immediately outside the premises
 - (b) Any other crime or criminal activity on the premises
 - (c) Any call for police/ambulance assistance to the premises
- 2.12. The incident log shall be kept at the premises for a minimum period of 12 months and be made available for inspection by Police officer or Officer of the Licensing Authority (as defined by section 13 of the Licensing Act 2003) on request.
- 2.13. All staff employed at the premises shall be trained with regard to the law on restricted sales (to persons under the age of 18 and/or who are intoxicated) and with regard to the terms and conditions of the premises licence before they sell alcohol. Refresher training shall be provided every 6 months thereafter.
- 2.14. A written record of all staff training shall be maintained, kept on the premises and made available to any Police Officer or Officer authorised by the Licensing Authority in a timely manner.

Prevention of Public Nuisance

- 2.15. Clear and Legible notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quickly and quietly.
- 2.16. The Premises Licence holder/Designated Premises Supervisor shall ensure that litter arising from people using the premises is cleared away on a regular basis.
- 2.17. The Premises Licence Holder shall ensure that no lighting or air conditioning units shall cause any nuisance to neighbouring properties.
- 2.18. Staff shall use the CCTV to monitor the external frontage of the premises and use their best endeavours to disperse any customers that appear to be loitering outside the premises.

Protection of Children from Harm

- 2.19. The premises shall operate a “Challenge 25” proof of age policy which shall require any person who appears to be under the age of 25 to produce identification to prove they are 18 or over. The only acceptable forms of identification are:
- (a) Passport
 - (b) Photo-card driving licence
 - (c) European Union ID
 - (d) Armed Forces ID cards
 - (e) Proof of age card bearing the official “PASS” accreditation hologram, a photograph of the individual and date of birth.
- 2.20. Prominent, clear and legible Challenge 25 signage advising customers of the policy shall be displayed at all entrances to the premises and at least one location behind any counters.
- 2.21. A refusals register shall be maintained at the premises and shall record the details of any and all occasions upon which the sale of alcohol to persons suspected of being under the age of 18, intoxicated or involved in proxy sales is refused.
- 2.22. The Premises Licence Holder/Designated Premises Supervisor or nominated representative shall regularly monitor the entries in the register and sign and date when checked. The register shall be made available to a Police Officer or an Officer authorised by the Licensing Authority upon request.
- 2.23. Any person authorised to sell alcohol at the premises shall be trained with regard to the law on restricted sales and with regard to the terms and conditions of the premises licence before they sell alcohol. Refresher training shall be provided every 6 months thereafter. Training shall include information on the following:
- (a) preventing underage sales
 - (b) acceptable forms of ID
 - (c) basic conflict management
 - (d) Age Restricted Products
- 2.24. A written record shall be maintained of all staff training provided and shall be kept on the premises for inspection by a Police Officer or an Officer authorised by the Licensing Authority upon request.
- 2.25. No person under the age of 18 shall be employed to work at the premises.
- 2.26. Alcohol refusals policies shall be displayed at the entrance of the premises, the point of display and the point of sale.
- 2.27. Proxy notices shall be prominently displayed at all places where alcohol is displayed and sold from and at the point of sale.

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

None

Annex 4 – Plans

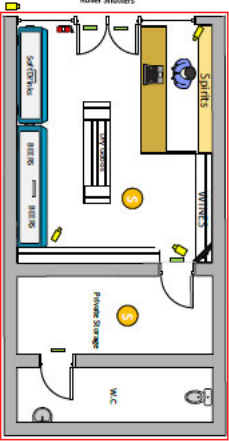
This licence is issued in accordance with the plan M215247, dated 16 February 2024, submitted with the application, as attached.

BCP COUNCIL
LICENSING SECTION

16 February 2024

APPROVED
REF. No. M215247

Roller Shutters



LEGEND	
Licensable Area	
Smoke Detector	
Fire Exit	
Camera	
Fire Exit (Co2)	
Monitor	

Drawing Purpose

PREMISES LICENCE APPLICATION

Drawing Details

This is a plan of the premises to be the subject of a Premises Licence Application. All measurements have been taken to the nearest millimetre. This drawing is not to be used for the purpose of any building, planning or construction purposes.

Name of Premises

ASHLEY VEGAS

Premises Address

408 ASHLEY ROAD,
POOLE,
BH14 0AA

SCALE

1 : 100

January 18, 2024

Page 1

Premises Licence Part B

Premises licence number: BH215247

Postal address of premises, or if none, ordnance survey map reference or description:	
Ashley Vegas, 408 Ashley Road	
Post town: Poole	Post Code: BH14 0AA
Telephone number: 07754 949793	

Licensable activities authorised by the licence:
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:
Supply of Alcohol: Monday to Sunday - 07:00 to 23:00.

The opening hours of the premises:
Monday to Sunday - 07:00 to 23:00.

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

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
Ashley Vegas Ltd, 408 Ashley Road, Poole, BH14 0AA
Tel: [REDACTED]
Email: [REDACTED]

Registered number of holder, for example company number, charity number (where applicable):
15418947

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:
Mrs Shanaz Saeed Abdullah

State whether access to the premises by children is restricted or prohibited:
N/A

Issued: 16 February 2024

[REDACTED]
Mrs Nananka Randle
Licensing Manager

BCP Council

Statement of Witness

(Criminal Procedure Rules, r. 27.2;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

Statement of: Andy Crossen-White

Age if under 18: over 18

Occupation: Trading Standards Officer

Address: Known to Bournemouth Christchurch and Poole Council

This statement, consisting of 3 pages signed by me, is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

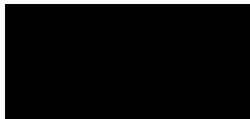
1. I have been employed by Bournemouth, Christchurch & Poole Council (BCP) since 1st April 2019 following a TUPE transfer from Borough of Poole Council after Local Government reorganisation. I am currently employed as a Trading Standards Officer in the Trading Standards Team. Previously having worked in the same role at Borough of Poole Council since 1997. I am authorised to enforce legislation concerning vapes including the Tobacco and Related Products Regulations 2016, Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures and The Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013. I am also authorised to enforce legislation concerning tobacco products including the Standardised Packaging of Tobacco Products Regulations 2015. Save where I have indicated otherwise, all matters referred to in this statement are within my personal knowledge or derived from Council files and records.
2. On 11th March 2025 BCP Council's trading Standards Service received an intelligence report that on 27th February 2025 a member of staff in Ashley Vegas, 408 Ashley Road, Poole BH14 0AA sold a packet of Manchester cigarettes obtained from under the till for £6 and that it was believed that such cigarettes could not legally be sold in the UK.

3. On 12th March 2025 I visited Ashley Vegas, 408 Ashley Road, Poole BH14 0AA with HMRC and police officers and a dog handler with a dog. A man said he became the new owner 3 days ago. He showed me a residence permit in the name Hiwa YOUSEFZADEH. I produce a photo of the residence permit as **ACW1**. The permit is only valid until 31/12/2024. Police officers seized a baseball bat from the premises that they believed belonged to Hiwa YOUSEFZADEH and informed him it was an offensive weapon. Two other men were present who were painting the outside of the shop on my arrival.
4. Outside of the shop was a white Audi registration [REDACTED]. The keys for this car were on the rear of the till which was searched by HMRC officers who brought 2 boxes of vapes into the store. I was advised by a police officer in the store that the car was registered to Ahmed MOHAMMED of [REDACTED] and that address was also associated with the car's insurance. Ahmed Mohammed was one of the other 2 men present. He said that the vapes were his.
5. I examined the vapes in the 2 boxes and seized 180 Hayati Pro 4000 vapes and 5 Hayati Twist 5000 vapes labelled as TPD compliant. I then searched the shop and found and seized a further 31 Hayati Pro 4000 vapes & 2 Hayati 5000 vapes labelled as TPD compliant and 40 Enjoy Ultra 9000 vapes. A full packet of Esse cigarettes and 11 Platinum cigarettes were found by the till that were also seized as it was suspected that they were illegal. All items seized were sealed in evidence bags as detailed on a receipt signed by Hiwa YOUSEFZADEH who was left a copy. I produce a copy of this receipt as **ACW6**.
6. At the time of seizure all of the Hayati vapes were in possession for supply when they did not meet the requirements of The Tobacco and Related Products Regulations 2016. The Hayati Pro 4000 vapes had not been approved for supply by the MHRA and were labelled with an eliquid capacity of 10ml which is far more than the maximum 2ml permitted by The Tobacco and Related Products Regulations 2016. The Hayati Twist 5000 + vapes were labelled as TPD compliant, a claim that contravenes Regulation 38 (1) of The Tobacco and Related Products Regulations 2016 as the claim that they are TPD compliant is a claim that the vape is less harmful than other vapes. The Enjoy Ultra 9000 vapes can't be legally sold as they had not been approved for supply by the MHRA and also as they were not labelled with the following information required

by Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances; warning symbols, text, tactile warnings for 2% strength vapes, the name and address of the importer.

7. I produce a photo of the Hayati 4000+ vapes as **ACW2**.
8. I produce a photo of the Hayati Twist 5000+ vapes as **ACW3**.
9. I produce a photo of the Enjoy Ultra 9000 vapes as **ACW4**.
10. On 16th June 2025 BCP Council's trading Standards Service received an intelligence report that on 2nd May 2025 Ashley Vegas, 408 Ashley Road, Poole BH14 0AA was selling illegal Amber Leaf tobacco for £22 a packet. A photograph attached to the intelligence report is produced as **ACW5**. I can see from photograph **ACW5** that the external packaging of a packet of hand rolled tobacco was not of the colour or shade permitted by the Standardised Packaging of Tobacco Products Regulations 2015, contrary to Regulation 15.

Signed:



Date:

23/6/2025



ACW1 Ashley Vegas – Photo of residence permit Hiwa YOUSEFADEH



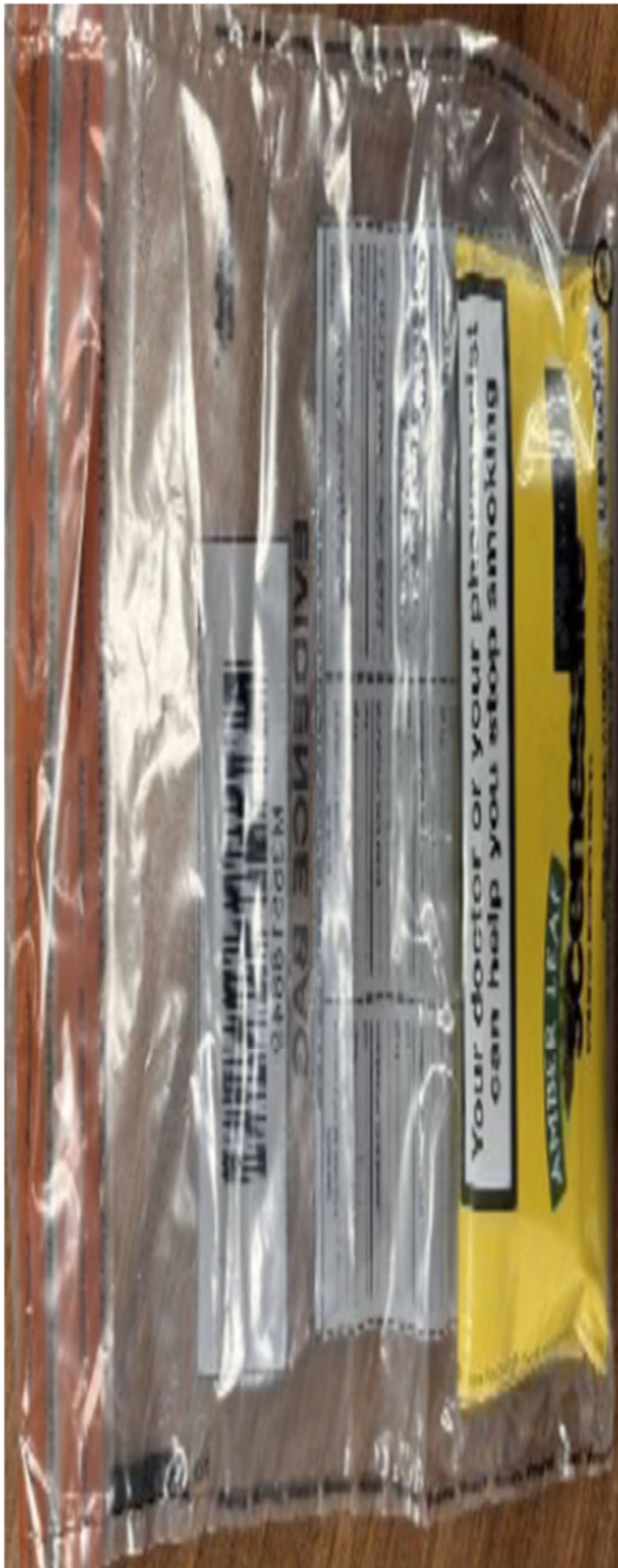
ACW2 Ashley Vegas – Photo of oversize Hayati Pro 4000+ vape



ACW3 Ashley Vegas – Photo of Hayati Twist 5000+ vape



ACW4 Ashley Vegas – Photo of Enjoy Ultra 9000 vapes.



ACW5 Ashley Vegas – Photo of illegal packet of Amber Leaf hand rolled tobacco.

bcpCouncil.gov.uk



Ashley Vegas

Date _____

12/3/25

408 Ashley road, Poole

RE: The Tobacco & Related Products Regulations
Your attention is drawn to the following matters: 2018:

Your attention is drawn to the following matters:

The following illegal products were

Seized - 1 180 kgs. 4000, 5 May 1981
Spout TPD compliant - seal R 003781

35x Hayati Pro Max 4000+ Puff
2 Wagon 5000+ TPD compliant

Seized from A21 MOH white and
keys on desk.

Seq 000862

40x Enjoy ultra 9000 - no CLP
Sea 000562

~~3~~ 11 Platinum and 20 ESSO cigarettes
PO9155367. [REDACTED]

ANDY CROSSIN-WHITE

Authorised Officer

Signature of person receiving

Name of person receiving

LP25 07/21

Contact Number

APPENDIX 3

Licensing Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth BH2 6DY



PRIVATE & CONFIDENTIAL

Ashley Vegas
408 Ashley Road
Poole
BH14 0AA

Date: 11 April 2025
Our Ref: 5VEv2: Requests: 313202: TMJ03513
Contact: Mrs Tania Jardim
Email: tania.jardim@bcpcouncil.gov.uk
Tel: 01202 123789

SENT VIA EMAIL & POST

Dear Sirs

Ashley Vegas, 408 Ashley Road, Poole, BH14 0AA – BREACH LETTER

I write further to a visit I conducted at the above premises on 9 April 2025 along with my colleague Mrs King.

At the time of visit, we spoke with Mr Ahmed Omer, who advised he was a friend of the 'new owner' Hiwa, who on inspection of Companies House, we understand is a Director of Ashley Vegas Ltd, the premises licence holder.

During the visit, we attempted to go through the conditions of the premises licence and made the following comments to those conditions: -

Condition	Comments
2.1 The premise shall operate an effective CCTV system that shall be maintained in good working order to the satisfaction of Dorset Police. 2.1.1 The CCTV system shall cover all areas of the store including the entrance, point of sale and main alcohol displays. 2.1.3 The system shall record whenever the premises is open for licensable activity. 2.1.4 The CCTV system shall capture clear facial recognition and clear head and shoulder images of every person entering the premises and at the point of sale.	Not compliant at the time of inspection, since officers were unable to evidence the CCTV working. Cameras were in place in accordance with condition 2.1.5, however, we were unable to evidence if they were working, since there were no screens or system available for inspection. Mr Omer advised CCTV being updated and awaiting engineer.
2.2 The recording medium (e.g. discs / tapes / hard drive etc) and associated	Not compliant at the time of inspection – as per notes on 2.1.

Any personal information you provide us with, will be held and used in accordance with the law and the Data Protection Act 2018. If you would like to find out more information about how we use your information, please see our Privacy Notice here: bcpcouncil.gov.uk/privacy

bcpcouncil.gov.uk

'BCP Council' is the operational name for Bournemouth, Christchurch and Poole Council.

images shall be retained and securely stored for a minimum period of 31 days and shall be made available to a Police Officer or Authorised Officer of the Licensing Authority upon request in a timely manner.	
2.3 The Premises Licence Holder or Designated Premises Supervisor shall provide the Police with the contact details of at least one member of staff or other person(s) who is conversant with the operation of the CCTV system so that upon request copies of recorded data are provided with absolute minimum delay.	Unable to evidence.
2.4 A documented full internal check of the CCTV shall be completed weekly to ensure all cameras remain operational, that 31 days storage for recordings is being maintained and recordings are accurately date and time stamped. 2.4.1 The Premises Licence Holder/Designated Premises Supervisor shall ensure that immediate action is taken to rectify any fault identified. A log of the steps taken to rectify the fault shall be made and shall be made available to a Police Officer or an authorised officer of the Licensing Authority on request.	Not compliant at the time of inspection – as per notes on 2.1 and unable to access any documentation to evidence this. Mr Omer was not advised where this was kept. Mr Omer advised CCTV being updated and awaiting engineer, but no records to confirm this had been noted.
2.5 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. The record shall be checked by the DPS or the manager in charge of the premises at least once a week and shall be signed to that effect.	Not compliant at the time of inspection – as per notes on 2.4.
2.6 The names and contact details of all persons who have been authorised to sell alcohol whether paid or unpaid shall be maintained and kept on the premises and shall be produced to a Police Officer or Officer of the Local Authority upon demand.	Not compliant at the time of inspection – as per notes on 2.4. Mr Omer advised he had been trained on how to use the till and refusing under age sales.
2.7 The Designated Premises Supervisor and all members of staff when on duty shall ensure that all lawful instructions and/or directions given by the Police are complied with.	Unable to evidence. When questioned about the DPS, Mrs Shanaz Saeed Abdullah, Mr Omer advised he did not know who they were.
2.9 Signage shall be in place near the point of sale and exits to inform customers of the Public Space Protection Orders in place for the Bournemouth, Christchurch and Poole area.	Was unable to evidence this.
2.11 The premises shall maintain an incident log which shall record the following:-	Not compliant at the time of inspection – as per notes on 2.4.

<p>(a) Any violence or anti-social behaviour on or immediately outside the premises</p> <p>(b) Any other crime or criminal activity on the premises</p> <p>(c) Any call for police/ambulance assistance to the premises</p>	
2.12 The incident log shall be kept at the premises for a minimum period of 12 months and be made available for inspection by Police officer or Officer of the Licensing Authority (as defined by section 13 of the Licensing Act 2003) on request.	Not compliant at the time of inspection – as per notes on 2.4.
2.13 All staff employed at the premises shall be trained with regard to the law on restricted sales (to persons under the age of 18 and/or who are intoxicated) and with regard to the terms and conditions of the premises licence before they sell alcohol. Refresher training shall be provided every 6 months thereafter.	<p>Not compliant at the time of inspection – as per notes on 2.4.</p> <p>Mr Omer advised he had been trained on how to use the till and refusing under age sale.</p>
2.14 A written record of all staff training shall be maintained, kept on the premises and made available to any Police Officer or Officer authorised by the Licensing Authority in a timely manner.	Not compliant at the time of inspection – as per notes on 2.4.
2.18 Staff shall use the CCTV to monitor the external frontage of the premises and use their best endeavours to disperse any customers that appear to be loitering outside the premises.	Not compliant at the time of inspection – as per notes on 2.1.
2.19 The premises shall operate a “Challenge 25” proof of age policy which shall require any person who appears to be under the age of 25 to produce identification to prove they are 18 or over. The only acceptable forms of identification are: Passport Photo-card driving licence European Union ID Armed Forces ID cards Proof of age card bearing the official “PASS” accreditation hologram, a photograph of the individual and date of birth.	Mr Omer explained what ID he must check, but no other evidence available.
2.21 A refusals register shall be maintained at the premises and shall record the details of any and all occasions upon which the sale of alcohol to persons suspected of being under the age of 18, intoxicated or involved in proxy sales is refused.	<p>Not compliant at the time of inspection – as per notes on 2.4.</p> <p>Mr Omer confirmed he had been advised to take the name of anyone he refused alcohol to, however, had nothing to show, since he had not refused to anyone recently.</p>
2.22 The Premises Licence Holder/Designated Premises Supervisor or nominated representative shall regularly monitor the entries in the register and sign and date when checked. The register shall be made	Not compliant at the time of inspection – as per notes on 2.4.

available to a Police Officer or an Officer authorised by the Licensing Authority upon request.	
2.23 Any person authorised to sell alcohol at the premises shall be trained with regard to the law on restricted sales and with regard to the terms and conditions of the premises licence before they sell alcohol. Refresher training shall be provided every 6 months thereafter. Training shall include information on the following: (a) preventing underage sales (b) acceptable forms of ID (c) basic conflict management (d) Age Restricted Products	Not compliant at the time of inspection – as per notes on 2.4. Mr Omer's confirmed the basic till training and ID to check, but not able to find any records of training and Mr Omer explained he was only covering for a few hours and couldn't be expected to have been trained for a favour to a friend.
2.24 A written record shall be maintained of all staff training provided and shall be kept on the premises for inspection by a Police Officer or an Officer authorised by the Licensing Authority upon request.	Not compliant at the time of inspection – as per notes on 2.4.
2.25 No person under the age of 18 shall be employed to work at the premises.	Premises Licence Holder and DPS not present to ask.

It was concerning and disappointing to find so many breaches and Mr Omer, who had been left responsible for running the premises, during the licence holder/DPS absence, was defensive and unable to assist and show evidence of compliance under the Licensing Act.

You will note that the conditions you were not complying with are in relation to CCTV and paperwork. I appreciate that sometimes plans change at short notice and you may be without staff cover, however, when the premises is open to the public, all documentation should be available on the premises and all conditions must be complied with, in particular anyone responsible for the running of the premises must be trained as per the conditions of the premises licence.

Please can you provide evidence of the documentation you are required to keep under the conditions of your premises licence and as set out above. Please also confirm when the CCTV system is expected to be up and running.

This breach letter has been recorded against the premises file and shall be passed on to Dorset Police for their information. Should you continue to breach the conditions of your premises licence you commit an offence under section 136 of the Licensing Act 2003 which is subject to 6 months imprisonment and/or a fine if prosecuted and you will not be able to use your knowingly defence.

If breaches continue when we revisit the premises in the coming weeks, the Licensing Authority will have no choice but to take formal enforcement action by way of review of the premises licence and/or prosecution for breaches.

I await hearing from you.

Yours sincerely



Mrs Tania Jardim
Licensing Officer

APPENDIX 4

Licensing Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth BH2 6DY



PRIVATE & CONFIDENTIAL

Mr H Yousefzadeh
Ashley Vegas
408 Ashley Road
Poole
BH14 0AA

Date: 21 May 2025
Our Ref: 5VEv2: Requests: 313202: TMJ03545
Contact: Mrs Tania Jardim
Email: tania.jardim@bcpcouncil.gov.uk
Tel: 01202 123789

SENT VIA EMAIL & POST

Dear Mr Yousefzadeh,

Ashley Vegas, 408 Ashley Road, Poole, BH14 0AA – BREACH LETTER

I write further to a visit I conducted at the above premises on 30 April 2025 along with my colleague Mrs King. Apologies for not writing to you sooner, this was due to other work pressures.

At the time of visit, we spoke with yourself, who advised that you were the new owner of the premises and director of the limited company Ashley Vegas Ltd, which holds the premises licence and explained that our visit was a follow up from the previous visit on the 9 April 2025.

During the visit, you confirmed that you had sight of the breach letter that was sent to the premises, and we went through the breaches of conditions of the premises licence that we identified at the previous visit and made the following notes: -

Condition	Comments
2.1 The premise shall operate an effective CCTV system that shall be maintained in good working order to the satisfaction of Dorset Police. 2.1.1 The CCTV system shall cover all areas of the store including the entrance, point of sale and main alcohol displays. 2.1.3 The system shall record whenever the premises is open for licensable activity. 2.1.4 The CCTV system shall capture clear facial recognition and clear head and shoulder images of every person entering the premises and at the point of sale.	Not compliant at the time of inspection. Officers were unable to evidence the CCTV working. Cameras were in place in accordance with condition 2.1.5, however, we were unable to evidence if they were working, since there were no screens or system available for inspection. Mr Yousefzadeh advised he had access on another phone that he did not have with him at the time of inspection. He confirmed that the CCTV was recording, but we were unable to evidence. He advised he was awaiting an engineer.

Any personal information you provide us with, will be held and used in accordance with the law and the Data Protection Act 2018. If you would like to find out more information about how we use your information, please see our Privacy Notice here: bcpcouncil.gov.uk/privacy

bcpcouncil.gov.uk

'BCP Council' is the operational name for Bournemouth, Christchurch and Poole Council.

2.2 The recording medium (e.g. discs / tapes / hard drive etc) and associated images shall be retained and securely stored for a minimum period of 31 days and shall be made available to a Police Officer or Authorised Officer of the Licensing Authority upon request in a timely manner.	<p>Not compliant at the time of inspection – as per notes on 2.1.</p> <p>Mr Yousefzadeh advised it was cleared monthly, but officers were unable to evidence.</p>
2.3 The Premises Licence Holder or Designated Premises Supervisor shall provide the Police with the contact details of at least one member of staff or other person(s) who is conversant with the operation of the CCTV system so that upon request copies of recorded data are provided with absolute minimum delay.	Unable to evidence.
<p>2.4 A documented full internal check of the CCTV shall be completed weekly to ensure all cameras remain operational, that 31 days storage for recordings is being maintained and recordings are accurately date and time stamped.</p> <p>2.4.1 The Premises Licence Holder/Designated Premises Supervisor shall ensure that immediate action is taken to rectify any fault identified. A log of the steps taken to rectify the fault shall be made and shall be made available to a Police Officer or an authorised officer of the Licensing Authority on request.</p>	<p>Not compliant at the time of inspection. This action is not currently carried out.</p> <p>We explained we had been informed of the engineer being called out at our visit of the 9 April and it had been three weeks, and the engineer had not yet visited – shows immediate action NOT TAKEN. And nothing to show that this had been logged anywhere.</p>
2.5 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. The record shall be checked by the DPS or the manager in charge of the premises at least once a week and shall be signed to that effect.	<p>Mr Yousefzadeh advised they do not do deliveries.</p> <p>Officers advised of the need to comply if they do.</p>
2.6 The names and contact details of all persons who have been authorised to sell alcohol whether paid or unpaid shall be maintained and kept on the premises and shall be produced to a Police Officer or Officer of the Local Authority upon demand.	Mr Yousefzadeh advised he is the only person working at the premises. Reminded him that at the last visit Mr Omer was covering, but nothing to show authorisation. Not compliant.
2.7 The Designated Premises Supervisor and all members of staff when on duty shall ensure that all lawful instructions and/or directions given by the Police are complied with.	<p>Unable to evidence.</p> <p>When questioned about the DPS, Mr Yousefzadeh advised Mrs Shanaz Saeed Abdullah is still the DPS, but he has recently completed the Personal Licence Course and shall be applying for a personal licence shortly. A friend of his in Bromwich is helping me with the application.</p>
2.9 Signage shall be in place near the point of sale and exits to inform	No such notices at the premises that we could see.

customers of the Public Space Protection Orders in place for the Bournemouth, Christchurch and Poole area.	
2.11 The premises shall maintain an incident log which shall record the following:- (a) Any violence or anti-social behaviour on or immediately outside the premises (b) Any other crime or criminal activity on the premises (c) Any call for police/ambulance assistance to the premises	Not compliant at the time of inspection.
2.12 The incident log shall be kept at the premises for a minimum period of 12 months and be made available for inspection by Police officer or Officer of the Licensing Authority (as defined by section 13 of the Licensing Act 2003) on request.	Not compliant at the time of inspection.
2.13 All staff employed at the premises shall be trained with regard to the law on restricted sales (to persons under the age of 18 and/or who are intoxicated) and with regard to the terms and conditions of the premises licence before they sell alcohol. Refresher training shall be provided every 6 months thereafter.	Not compliant at the time of inspection. Only trained person is Mr Yousefzadeh, who is the only person working at the premises.
2.14 A written record of all staff training shall be maintained, kept on the premises and made available to any Police Officer or Officer authorised by the Licensing Authority in a timely manner.	Not compliant.
2.18 Staff shall use the CCTV to monitor the external frontage of the premises and use their best endeavours to disperse any customers that appear to be loitering outside the premises.	Not compliant.
2.21 A refusals register shall be maintained at the premises and shall record the details of any and all occasions upon which the sale of alcohol to persons suspected of being under the age of 18, intoxicated or involved in proxy sales is refused.	Not compliant at the time of inspection. Mr Yousefzadeh showed a copy of some blank forms/booklet he had obtained during his personal licence training, however, had never used them. He advised he had refused sales before, but they did not give a name. Officers advised that should still note such occasions with date, time and as much detail or description of person.
2.22 The Premises Licence Holder/Designated Premises Supervisor or nominated representative shall regularly monitor the entries in the register and sign and date when checked. The register shall be made available to a Police Officer or an Officer authorised by the Licensing Authority upon request.	Officers advised on how to complete the refusals register and the need to do so as per conditions of the licence.
2.23 Any person authorised to sell alcohol at the premises shall be trained with regard to the law on restricted sales	Not compliant. Officers explained the requirements.

and with regard to the terms and conditions of the premises licence before they sell alcohol. Refresher training shall be provided every 6 months thereafter. Training shall include information on the following: (a) preventing underage sales (b) acceptable forms of ID (c) basic conflict management (d) Age Restricted Products	Mr Yousefzadeh showed training records/material (provided by Yorkshire and Humber Trading Standards) provided to him as part of his Personal Licence training – he has not yet used this, they were still in their original pack/envelope.
2.24 A written record shall be maintained of all staff training provided and shall be kept on the premises for inspection by a Police Officer or an Officer authorised by the Licensing Authority upon request.	Not compliant.
2.25 No person under the age of 18 shall be employed to work at the premises.	Explained.

It was concerning and disappointing to find that since my previous visit and despite you having confirmed sight of the previous breach letter, no improvements have been made, nor did you contact me to discuss our concerns or show any attempt to comply.

Please provide me, **within 7 days of this letter**, evidence of the documentation you are required to keep under the conditions of your premises licence as set out above and in the conditions of your premises licence and lease also confirm that the CCTV system up and running and provide evidence that this has been recorded as per condition 2.4.1.

In my last letter, I advised that you would be committing an offence under section 136 of the Licensing Act 2003 if you operated other than in accordance with your premises licence. An offence was knowingly committed, and you have given me no choice but to refer this matter to our legal department to proceed with formal action. This could be in the form of a prosecution against you or a review of the premises licence when we can recommend that the premises licence be suspended for a period of three months to ensure you are compliant. Other options available to the licensing sub-committee as part of a review is to revoke the premises licence altogether.

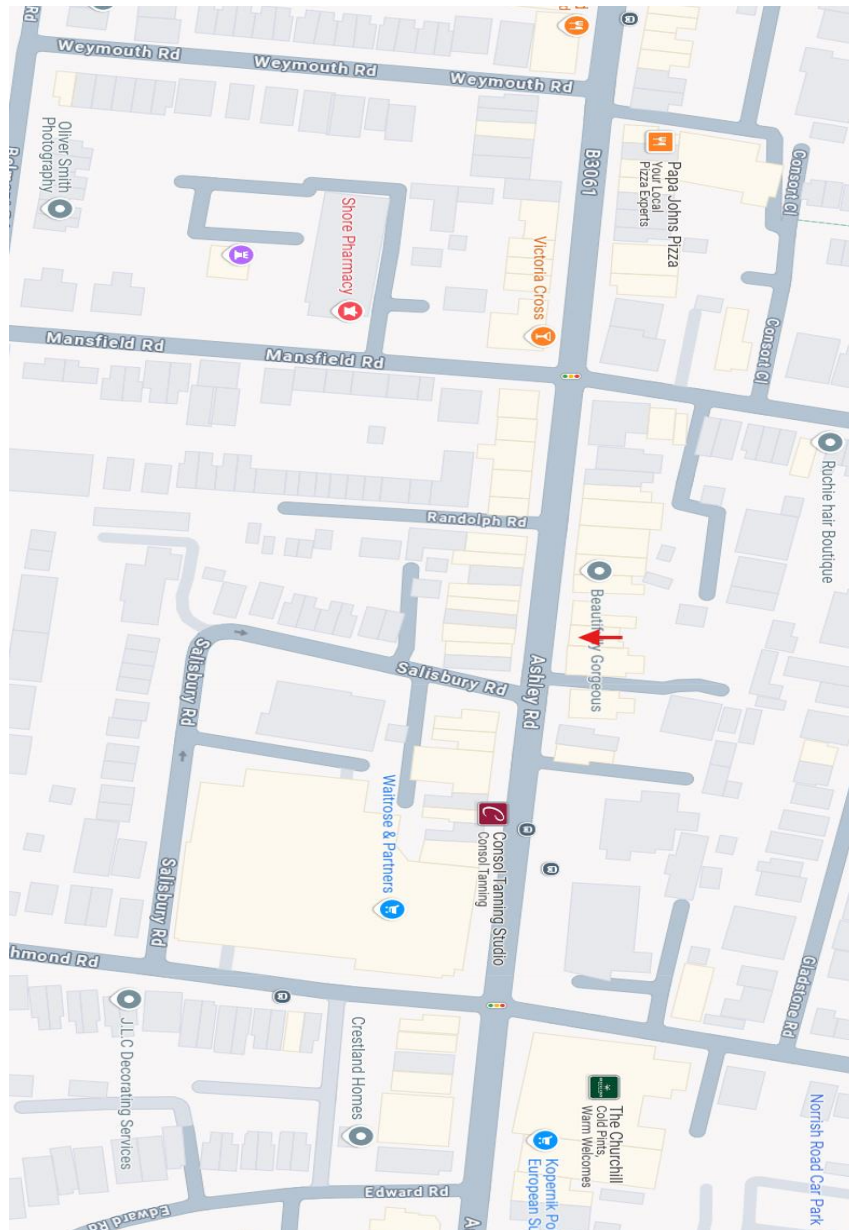
This letter has been recorded against the premises file and shall be passed on to Dorset Police for their information.

I await hearing from you by no later than the 29 May 2025.

Yours sincerely



Mrs Tania Jardim
Licensing Officer



Ashley Vegas 408 Ashley Road Poole

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Application for Review of
Licensed Premises
Submission in Support of
Application for Review

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Ashley Vegas, 408 Ashley Road, Poole

This representation is in support of an Application for Review of a Licensed Premises submitted by BCP Council Licensing Authority. This report is intended to provide both the members of the Licensing Sub-Committee and the licence holder (and any representative) with additional information, context, and evidence in support of the representation. This representation is being completed and submitted as soon as practicable for the benefit of all parties. Whilst all details are correct at the time of completion, Dorset Police reserve the right to amend / introduce additional information and evidence in advance of the hearing.

Background

This licensed premises is a convenience store located at Ashley Road, Poole, a busy area that is densely populated with a mix of commercial and dwelling properties, including a variety of retailers, licensed premises and other businesses. There variety of businesses operating along Ashley Road is vast, attracting large numbers of visitors to the area whilst also meeting the needs of the local residents living nearby. Most of these businesses operate during the daytime, however, there is strong representation from businesses that meet an increasing demand through to the late evenings, including take-away and convenience store operators.

Dorset Police work closely with BCP Council, and other enforcement partners, to assist us in achieving our priorities, particularly with our priority to relentlessly pursue those responsible for criminality in our communities.

On the 21st March 2025, the Poole Neighbourhood Policing Team advised that following an intelligence-led operation led by Trading Standards officers to locate and seize illicit tobacco and vapes at a variety of commercial premises throughout the BCP Council area, a variety of drug paraphernalia and a baseball bat had been discovered at Ashley Vegas convenience store.

The operator of the premises, Hiwa YOUSEFZADEH, was interviewed in respect of the offensive weapon and admitted that the object had been kept within reach behind the service counter for his own protection. The operator was issued with an out of Court disposal.

Trading Standards officers informed Dorset Police that they would lead in any enforcement taken against the premises as they had also located illicit tobacco and vape products during this successful multi-agency operation.

On 13th June 2025 Dorset Police were informed of further concerns that had been identified following a visit conducted by BCP Licensing Authority. These breaches of conditions undermine the licensing objectives and Dorset Police fully support any action taken to seek improvement of the overall compliance within licensed premises.

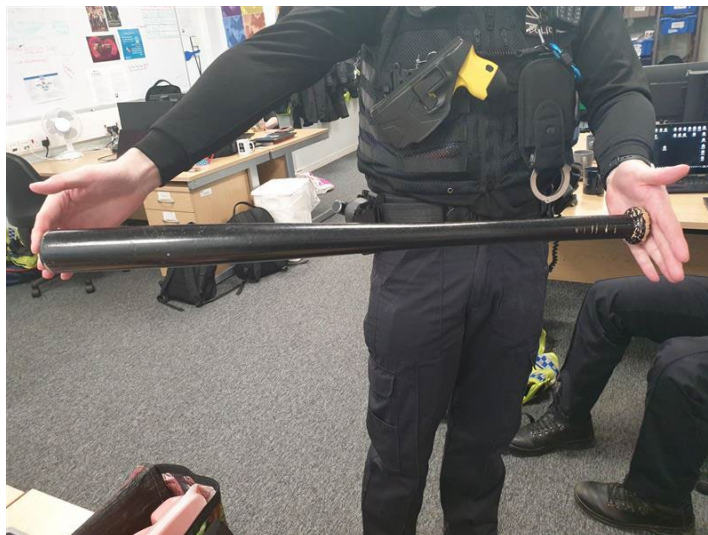
Following a further unsatisfactory visit to the premises, this Application for Review has been submitted for determination by the members of the Licensing Sub-Committee by BCP Licensing Authority.

Concerns

Dorset Police, through our Drug & Alcohol Harm Reduction Team, support licensed premises to provide value to their communities and to do so compliantly and in promotion of the licensing objectives. This premises, having been under the control of the existing operator for some time, has been identified as not operating to the high standards that are expected by Dorset Police and our partners, particularly due to the presence of illicit products and an offensive weapon.

It is imperative that all licensed premises promote Public Safety and discourage any violence, which can tarnish the reputation of the licensed communities throughout Dorset. Licensed premises should be places of relative safety and effective management and control measures should not include possessing offensive weapons and should instead focus on conflict management and de-escalation.

The seized item pictured below-



Revised Guidance issued by the Home Office (Section 182 Licensing Act 2003)

Paragraph 11.7 *In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to the promotion of one or more of the licensing objectives.*

This incident relates entirely to activity connected with this licensed premises.

Paragraph 11.20 *In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review*

This incident occurred as a direct consequence of the actions of the licence holder. No other members of the public contributed to this incident and the possession of this weapon, the storage and sale of the illicit products and the failure to meet the requirements of the premises amount to a failure of the licence holder.

Paragraph 11.24 *....Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.*

The members of the Sub-Committee are reminded that they are not required to determine Criminal guilt or otherwise and must only decide whether the licensing objectives are being promoted at this premises.

Paragraph 11.27 *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 the sale or storage of smuggled tobacco and alcohol.

Paragraph 11.28 *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.***

Members of the Sub-Committee will note that the Home Office have provided clear guidance through the S182 directives that storing and selling illicit tobacco is a serious matter that justifies consideration of revocation, even in the first instance.

Dorset Police submit that the possession of the offensive weapon and the persistent failure to meet the conditions of the premises, identified through the visits conducted by the Licensing Authority, amount to additional aggravating factors that should support a severe determination.

BCP Council Statement of Licensing Policy 2020-2025

Paragraph 14.1 *The Licensing Committee will look to Dorset Police as the main source of advice on crime and disorder.*

As the leading source of advice on crime and disorder, Dorset Police fully support this Application for Review on the grounds that we can evidence that the licensing objectives to prevent crime and disorder and promote public safety have been undermined for the reasons detailed above.

Paragraph 19.1 *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*

The availability of alcohol for consumption off the premises requires an enhanced level of oversight and carries greater responsibility. This responsibility should not be permitted to individuals that promote the sale and storage of illicit products and facilitate an offensive weapon to be kept as a method of deterring or managing problem customers.

Available Outcomes to the Sub-Committee

To assist the members of the Sub-Committee in their determination, Dorset Police make the following submissions in relation to the available outcome options in respect of this Application for Review of a Premises Licence.

Take No Action

The Guidance issued by the Home Office under Section 182 of the Licensing Act 2003 and the Statement of Licensing Policy for BCP Council stipulates that intervention is necessary to address significant concerns associated with crime and disorder.

Dorset Police are of the view that taking no action is not an appropriate determination.

Exclude Licensable Activities from the Premises Licence

The current Premises Licence permits the following –

- Supply of Alcohol for consumption OFF the premises

This premises is permitted to offer the above licensable activities until 11.00pm each day.

The removal of the above licensable activity would effectively amount to the revocation of the licence.

Dorset Police promote licence holders to maintain the highest standards when delivering licensable activities. The licence holder has demonstrated that they are unwilling or unable to maintain high standards consistently, resulting in concerns being highlighted by a variety of Authorities, including Dorset Police.

Modify / Add Existing Conditions

The Statutory Guidance sets out 'General Principles' at Paragraph 1.16 which states that "*conditions on a premises licence...are important in setting the parameters within which premises can lawfully operate.*"

Amongst other requirements, the Guidance further states that "*licence conditions must be appropriate for the promotion of the licensing objectives, 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*".

The failure of the operator to adhere to the conditions, identified by the Licensing Authority during their recent visits, is of significant concern. These conditions are the cornerstone of the expectations that responsible authorities have of licence holders, and it is anticipated that their delivery should routinely exceed these minimum standards.

The inability to meet these conditions, coupled with the criminality associated with the premises, gives rise to significant concerns. There is no opportunity for responsible authorities to stipulate conditions that require licence holders not to engage in criminality.

Dorset Police do not consider that any further conditions would resolve the concerns that have been detailed above. The conditions currently attached to the licence are considered appropriate to a premises of this nature.

Suspend the licence for a period (not exceeding 3 months)

Whilst Dorset Police accept that this is an option that has been proposed for consideration in respect of the failure to meet the current licence conditions, we cannot endorse this determination in respect of the possession of an offensive weapon and the sale and storage of illicit tobacco products as doing so would conflict with the expectations of the S182 Guidance detailed above.

Dorset Police would only support a suspension of the Premises Licence if the Sub-Committee members would be reassured that a suspension is necessary to implement any measures imposed by the members in their determination.

Suspension of a Premises Licence should not be utilised as a punitive measure.

Remove Designated Premises Supervisor (DPS)

The removal of the DPS can often be an effective measure to improve the standards of delivery and compliance within a licensed premises. The DPS, as the individual with overall responsibility for overseeing the delivery of the business, is responsible for ensuring compliance is maintained consistently.

The level of control exercised by the current DPS is unknown and the premises licence is held by Ashley Vegas Ltd., a company that has a sole Director, that being Hiwa YOUSEFZADEH, the individual exercising control of the business during the visit when a baseball bat and illicit were discovered at the premises and who admitted that the weapon was kept deliberately for self-defence.

The current DPS is under the control of this premises licence holder and the removal of the DPS would likely have limited impact on improving the overall standards at this premises.

Revoke the Licence

Dorset Police support the view that this option should be a last resort for the Sub-Committee. Whilst fiscal issues are outside of the considerations of the Sub-Committee, Dorset Police consistently adopt a proportionate approach, wherever possible, to remain sensitive to commercial viability of businesses and to ensure that we support an outcome which reflects the concerns identified. If this premises were to have their premises licence revoked, they could continue to offer hot food and drink until 2300hrs each day alongside groceries and other convenience products.

Dorset Police acknowledge the value that licensed premises add to communities as places of social and economic value, however, where the presence of a licensed premise becomes detrimental to a community or presents a risk to those that enjoy the use of a licensed premises, appropriate action must be taken to seek improvement or address those concerns proportionately, particularly when criminality is linked to those premises.

On consideration of the information available, the Statutory Guidance issued by the Home Office and the BCP Council Statement of Licensing Policy, Dorset Police recommend that this premises licence be revoked unless members of the Sub-Committee can be confident that this business can demonstrate that they will no longer be involve in criminality and that they will consistently meet the conditions of their premises licence.

It may be appropriate for the business to undertake a short suspension of the licence to meet any necessary improvements, however, the consistency of the failures that have been evidenced suggest that there is low prospects of success in encouraging improvement at this premises, particularly due to the involvement of the business owner in the documented failures.

Conclusion

Dorset Police invites the members of the Sub-Committee to consider all the above options in their determination. If the members of the Sub-Committee take action that intends to avoid revocation of the premises licence, they should be satisfied that one of the alternative outcomes will sufficiently mitigate the concerns that have been highlighted above and within the associated evidence.

Possession of offensive weapons associated with persons holding positions of authority within licensed premises cannot be acceptable and whilst the Licensing Team within Dorset Police expect high standards of delivery to maintain safety for patrons and promotion of the licensing objectives, this activity fell short of the most basic standards of behaviour expected of licensees in our communities.

Any determination that does not reflect the severity of these offences will be a departure from the BCP Council Licensing policy and the Statutory Guidance issued by the Home Office.

Dorset Police do not intend to repeat our above concerns to the members of the Sub-Committee during the hearing, however, as the Licensing Authority's main source of advice on matters relating to crime and disorder (Paragraph 2.1 of the Licensing Act 2003 Section 182 Guidance produced by the Home Office which states that, "*Licensing authorities should look to the police as the main source of advice on crime and disorder*"), Dorset Police will be prepared to answer any further questions that members may have during the hearing.

Hearing Regulations

The members of the Sub-Committee are reminded the Licensing Act 2003 (Hearings) Regulations 2005 (Regulation 18) states that "*in considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.*"

Dorset Police have been available for mediation in advance of this hearing and will be unable to verify or scrutinise any evidence produced during the hearing. Any additional evidence provided during the hearing can only be accepted with agreement of all parties.

If the Chair of the Sub-Committee orders an adjournment of the hearing, Dorset Police respectfully seek that any adjournment be for a **minimum of 48 hours** to enable appropriate scrutiny of any additional accepted evidence or information with our partners not in attendance at the hearing.

LICENSING SUB-COMMITTEE



Report subject	Consideration of suitability for a new Hackney Carriage/ Private Hire Driver Applicant
Meeting date	13 August 2025
Status	Public Report with Exempt Appendices
Executive summary	The Taxi Licensing Authority received a New Driver Application. This applicant previously held a Public Carriage Licence with BCP Council, until November 2024 when this was revoked.
Recommendations	<p>It is RECOMMENDED that:</p> <p>The Licensing Sub-Committee determine whether the driver is a 'fit and proper' person to continue with the application process to become the holder of a Hackney Carriage and/or Private Hire driver licence.</p> <p>The following options are available: -</p> <ul style="list-style-type: none"> a) If deemed fit and proper the application can continue b) If not deemed fit and proper the application should be refused. <p>Members of the Licensing Sub-Committee are asked to decide 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>Section 51(1) and 59(1) of the Local Government (Miscellaneous Provisions) Act 1976, provides that a district council shall not grant a licence – unless they are satisfied that the applicant is a fit and proper person to hold a driver's licence.</p> <p>The Council's Constitution sets out the responsibility of functions to the Licensing Committee and to officers. The Licensing Committee has further delegated decisions relating to public carriage licensing matters to Licensing Sub-Committee.</p> <p>Section 7.1 of the BCP Council Hackney Carriage and Private Hire Driver Policy 2021 - 2025 states anyone wishing to make an application must prove to BCP Council that they are fit and proper to be issued with such a driver's licence.</p> <p>Section 7.10 states applications will be assessed with reference to</p>

	the 'Fit and Proper' criteria as set out in Chapter 8. If you are deemed not to meet the criteria your application will be rejected
Portfolio Holder(s):	Councillor Kieron Wilson – Portfolio Holder for Housing and Regulatory Services
Corporate Director	Graham Farrant – Chief Executive
Report Authors	Wesley Freeman- Licensing Officer
Wards	Council-wide
Classification	For Decision

Background

1. The Licensing Team received an application for a New Public Carriage Driver's Licence.
2. This applicant previously held a Public Carriage Licence with BCP Council. The licence was revoked with immediate effect on the 13 November 2024 in the interest of public safety.
3. Appendix 1 contains the complete information provided by Dorset Police regarding an incident which occurred in Poole on the 27 October 2024 and actions taken by the Licensing Authority.
4. An application for a new BCP Public Carriage licence has now been received. The driver was asked to make a statement to support the application and give reasons for the new driver application. The application form and statement can be found attached as Appendix 2.
5. The Dorset Police officer who investigated the incident from October 2024 was also asked for a statement to be considered as part of the Sub-Committee's determinations and this is attached as Appendix 3.

Test of Fit and Proper Person

6. 'Fit and proper person' is a phrase that occurs in legislation but there is no judicially approved definition or test of fitness. In the absence of such a test, the Licensing Sub-Committee must look at the whole of a person's character before determining their suitability to hold a licence.
7. The BCP Council Hackney Carriage and Private Hire Driver Policy 2021-2025, Chapter 8 sets the Fit and Proper Person test and in particular at paragraphs
8.2 Passengers are potentially vulnerable when being transported due to; their age, unaccompanied children, people with a disability, those who may have consumed excessive quantities of alcohol, lone people and overseas' visitors or tourists to the area.

8.3 The Licensing Authority has a duty to take a robust stance in ensuring that applicants and licence holders are and remain 'fit and proper' to hold a licence at all times.

8.10 In essence a 'fit and proper' person;

- should not be violent, abusive or threatening in their behaviour even if subjected to unpleasant, confrontational or dishonest passenger behaviour or when subject to enforcement action from officers.*
- should be honest, trustworthy and have integrity, as they have access to a large amount of personal information that could be misused with significant opportunity to defraud passengers in drink or under the influence of drugs, the vulnerable or overseas passengers, or to steal property left in their vehicles.*

8.12 The Licensing Authority will consider all information provided to it from sources such as the Police, Children and Adults Safeguarding Boards, Passenger Services and other statutory agencies. Existing licence holders will also have previous history/outcomes during their time as a licensed driver /operator or previous applicant taken into account and their ability to work constructively and positively with the Licensing Authority.

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

8. The BCP Driver Policy within Appendix C addresses reapplication at paragraph 15. This states:-

Where an applicant has previously had a licence revoked by the Council the Authority will not, save in exceptional circumstances, consider any further application from the applicant for a period of three years from the date of the Authority's decision or, if that decision was appealed against and the appeal was dismissed, abandoned, or otherwise failed, from the date of the dismissal, abandonment or other failure of the appeal, whichever is the later.

9. Members are also asked to consider the guidance within the Statutory Taxi and Private Hire Vehicle Standards issued by the Department for Transport which was updated in November in 2022. Paragraph 3 states:-

The primary and overriding objective of licensing (the taxi and PHV trade) must be to protect the public. The importance of ensuring that the licensing regime protects the vulnerable cannot be overestimated.

10. Chapter 5 sets out guidance for decision makers. Particularly paragraphs 5.4 to 5.6 state

Licensing authorities have a duty to ensure that any person to whom they grant a taxi or private hire vehicle driver's licence is a fit and proper person to be a licensee. It may be helpful when considering whether an applicant or licensee is fit and proper to pose oneself the following question:

Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night?

If, on the balance of probabilities, the answer to the question is no, the individual should not hold a licence.

Licensing authorities have to make difficult decisions but (subject to the General principles) the safeguarding of the public is paramount. All decisions on the suitability of an applicant or licensee should be made on the balance of probability. This means that an applicant or licensee should not be given the benefit of doubt. If the committee or delegated officer is only 50/50 as to whether the applicant or licensee is fit and proper, they should not hold a licence. The threshold used here is lower than for a criminal conviction (that being beyond reasonable doubt) and can take into consideration conduct that has not resulted in a criminal conviction.

11. The Institute of Licensing Suitability Guidance published in November 2024 Chapter 3 states that taxi and private hire vehicles are used regularly particularly by vulnerable groups and a taxi or private hire driver has significant power over a passenger who places themselves and their personal safety completely in the drivers' hands.

The Guidance also reminds us in Paragraph 3.31 that: -

Case law makes it clear that the impact of losing (or not being granted) a driver's licence on the applicant and their family is not a consideration that can be taken into account.

Leeds City Council v Hussain [2002] EWHC 1145 (Admin), [2003] RTR 199 Admin Crt and Cherwell District Council v Anwar [2011] EWHC 2943 (Admin), [2012] RTR 15 Admin Crt.

12. Members should apply the requirements of the BCP Taxi and Private Hire Driver's Policy and this guidance when considering whether this applicant is a fit and proper person to hold a public carriage driver's licence

Options Appraisal

13. Members are asked to consider all the information provided and then take one of the following options:
 - a) If deemed fit and proper the application can continue
 - b) If not deemed fit and proper the application will be refused

Summary of financial implications

14. There are no financial implications arising from this report.

Summary of legal implications

15. Anyone aggrieved by a 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.

Summary of human resources implications

16. There are no human resources implications arising from this report.

Summary of sustainability impact

17. There are no sustainability implications arising from this report.

Summary of public health implications

18. There are no public health implications arising from this report

Summary of equality implications

19. There are no equality implications arising from this report.

Summary of risk assessment

20. There are no risk assessment implications arising from this report.

Background papers

BCP Council's Hackney Carriage and Private Hire Driver Policy (2021-2025) [Taxi-and-Private-Hire-Drivers-Policy](#)

BCP Council Hackney Carriage and Private Hire Vehicle Policy (2021-2025) [BCP-Hackney-Carriage-and-Private-Hire-Vehicle-Policy](#)

Local Government (Miscellaneous Provisions) Act 1976 [Local Government \(Miscellaneous Provisions\) Act 1976](#)

Institute of Licensing Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades [Institute of Licensing](#)

Department of Transport Statutory taxi and Private Hire Vehicle Standards July 2020 updated in November 2022 [Statutory taxi and private hire vehicle standards - GOV.UK](#)

Appendices

Appendix 1- Dorset Police Information

Appendix 2- Driver Application and statement

Appendix 3- Dorset Police Statement

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of the Local Government Act 1972.

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