

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

Minutes of the Meeting held on 22 January 2025 at 10.15 am

Present: Cllr M Dower, Cllr G Farquhar and Cllr A Filer

1. Election of Chair

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

Voting: Unanimous

2. Apologies

No apologies for absence were received.

3. Declarations of Interests

No declarations of interest were received.

4. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking at licensing hearings was noted.

5. Riviera Bar & Restaurant, 560 Christchurch Road, Bournemouth, BH1 4BH

Present:

From BCP Council:

Tania Jardim – Licensing Officer

Linda Cole – Legal Advisor to the Sub Committee

Michelle Cutler – Clerk to the Sub Committee

Cllr Adrian Chapmanlaw – Member of the Licensing Sub Committee, observing for training purposes

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

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

The Sub Committee was asked to consider an application submitted by Dorset Police for the review of the premises licence for the premises known as 'Riviera Bar & Restaurant, 560 Christchurch Road, Bournemouth, BH1 4BH'. Dorset Police believed there was evidence that the premises was associated with significant crime and disorder.

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

Sergeant Gareth Gosling – Dorset Police, the Applicant  
Louise Busfield – Dorset Police Licensing

Mr Panchal – Personal Licensing Courses, representing Mr Singh  
Mr Singh – Designated Premises Supervisor and owner of the Premises  
Mrs Singh – Premises Licence Holder  
Ms Sarah Day – Manager of the Premises

In attendance for public session:

Mr Banga, TFSS Fire and Security Services  
Mrs Banga – Prospective new Premises Licence Holder  
Mr Matau – Director of Security and SIA Door Staff member -  
Mr Menezes – SIA Door Staff member

The Sub Committee went into exempt session at 11:05 and passed the following exemption:

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

Whilst in exempt session the Sub Committee viewed 3 clips of CCTV footage submitted by Dorset Police as part of their application.

The Sub Committee went back into public session at 12:05. Mr Matau and Mr Menezes were unable to return due to their work commitments.

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

The Sub Committee adjourned for comfort breaks between 12:18 and 12:30 and 13:42 and 13:34.

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

**RESOLVED that having considered the application dated 7 November 2024 made by Dorset Police to review the premises licence for the premises known as ‘Riviera Bar and Restaurant’, 560 Christchurch Road, Bournemouth, BH1 4BH, the Sub-Committee has decided that it is appropriate to revoke the licence on the grounds that the premises are not upholding the prevention of crime and disorder and public safety licensing objectives and is satisfied that there is no alternative outcome that will mitigate the concerns raised by Dorset Police.**

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the report for Agenda Item 5, presented by Tania Jardim, Licensing Officer, in particular the written and oral evidence provided by Sergeant Gosling of Dorset Police, as well as the verbal submissions made at the hearing by Louise Busfield on behalf of Dorset Police Licensing. It has also considered carefully the oral evidence provided by Mr Panchal of Personal Licensing Courses, representing the Premise Licence Holder, and the verbal submissions of Mrs Singh, Premises Licence Holder, Mr Singh, the Designated Premises Supervisor, and Ms Sarah Day, newly appointed Manager of the Premises and the CCTV footage provided by Dorset Police, that was played during the hearing in exempt session.

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

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

### **Reasons for decision**

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

- a) Leave the licence in its current state.
- b) Modify the conditions of the licence; and/or
- c) Exclude a licensable activity from the scope of the license; and / or

- d) Remove the Designated Premises Supervisor; and/or
- e) Suspend the licence for a period not exceeding three months; and/or
- f) Revoke the licence.

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

In considering the information contained in the agenda report, the representations, the videos shown and verbal submissions made during the hearing, the Licensing Sub Committee agreed that taking no action would not be a sufficient response to the concerns identified by Dorset Police in bringing this review.

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

The Sub Committee do not consider that modifying the existing conditions would resolve the concerns raised by Dorset Police as the conditions already attached to the licence were not currently being adhered to as evidenced by Dorset Police and accepted by both the Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS). The Sub Committee has no confidence at this time that any additional conditions would be adhered to.

The Sub Committee was mindful that robust conditions were added to the licence following mediation between Dorset Police at a previous Review Hearing in 2019, and did not consider that there were any further conditions that could be added which would address the current concerns raised by Dorset Police.

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

The Sub Committee did consider whether to exclude a licensable activity from the premises licence and noted supply of alcohol would be the only appropriate option in this instance. However, whilst the Sub Committee agreed that the availability of alcohol may contribute to the issues raised at the premises it is not the main factor, and exclusion would not be an appropriate response to the concerns raised in this review.

The Sub Committee feel that it is the poor management and control of the premises that is the cause for concern and not the supply of alcohol. The evidence presented to them clearly demonstrates that the current DPS and Premises Licence holder are not running the premises responsibly or safely. There appears to be a reluctance among staff working at the premises to engage with the Dorset Police and partner agencies and no effective staff training in place to ensure the premises is operating safely and in accordance with the conditions on the premises licence

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

The Sub Committee believe that the PLH and the DPS accept that the premises are not currently being operated in a safe and responsible manner and the incident of the 25 October 2024 should not have happened. They noted that there are plans for them both to stand down from their respective positions. Mr Panchal advised the Sub Committee that replacements had been identified and were currently working and being

trained at the premises and if they are suitable, he hoped to meet with the Police to seek approval and then apply to change the PLH and DPS. The Sub Committee were concerned that Mr and Mrs Singh are currently in situ and would remain until replacements were fully trained and a transfer could be applied for, for which there was no date. They also noted Sgt Goslings comment that it is not the responsibility of Dorset Police to vet staff. The Sub Committee were of the view that the operation of the premises is currently a risk to public safety and needed to be rectified immediately. They noted that the current DPS is the freehold owner of the premises and that his wife is the PLH and only removing Mr Singh as DPS is not enough to alleviate the issues raised in the Review Application.

The Sub Committee noted that whilst the licence contained robust conditions and it was for the PLH and the DPS to ensure that they and their staff operated the premises responsibly and in accordance with the licence conditions at all times, it was clear that this was not happening. There appears to be an inherent culture at the premises where the conditions attached to the premises licence are regarded as insignificant and do not need to be complied with.

#### **Suspension of the Licence:**

The Sub Committee feel that a temporary suspension of this Premises Licence will not result in a substantial improvement to the issues raised in the Application for Review.

The Sub Committee noted that Dorset Police and partner agencies had visited this premises on several occasions since the premises reopened in June 2024 and had attempted to support and encourage improvement with limited success. The closure of this premises from 2020 up to June 2024 gave the opportunity for the operator to reopen and deliver a safer and more compliant licensed premises with competent trained staff, however, little appears to have changed since the previous review in 2019.

Mr Panchal had offered to close the premises for a period of 1 month to enable the changes to the PLH and DPS to take place. However, the Sub Committee felt the failings at the premises were so substantial that it was unrealistic that it could be turned around in such a short time frame. The Sub Committee had no confidence that even if they were to impose the maximum suspension of 3 months this would allow enough time for such catastrophic failings to be rectified at the premises so they could operate and uphold the licensing objectives.

#### **Revocation of the Licence:**

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

The Sub Committee heard evidence from Dorset Police about 3 incidents that had occurred on or near the premises, with the incident that occurred on 25 October 2024 being the most serious. The Sub Committee were shocked watching the CCTV of this incident unfolding but acknowledged that the PLH and DPS did not dispute the serious nature of the incident and

agreed that it should not have happened. The Sub Committee is extremely concerned about the danger posed to public safety, especially as neither the SIA door staff or any other member of staff present thought to call the Police or tried to deescalate the situation as it was occurring. The DPS was informed of the incident by a neighbouring premises, and it was clear that even if the premises does have processes and procedures of dealing with such incidents, nobody was complying with them. The Sub Committee could not believe that the individual who they were advised was in charge that evening, and a personal licence holder, continued to serve customers at the bar whilst the incident was unfolding. The SIA door staff were ineffective, and the perpetrator appeared to leave and re-enter the premises. This incident alone demonstrated catastrophic failures of poor management and absence of staff training and the lack of reaction by other customers to the incident, indicated that such behaviour was expected and accepted at the premises.

Both the PLH and DPS have failed to consistently uphold the licensing objectives to maintain the safety of their staff and customers since re-opening the premises in June 2024. It is clear and disappointing that such little regard was given to how this premises, situated in such a challenging area, should be managed and operated when the decision to reopen was taken. Mr Singh despite being a personal licence holder clearly does not have the experience and inclination necessary to operate and uphold and promote the four licensing objectives, particularly the prevention of crime and disorder and public safety.

Dorset Police have evidenced numerous examples of breaches of the licensing conditions since the premises reopened in June 2024 and the DPS and PLH have not shown any willingness to co-operate with the Police or partner agencies to address the various issues raised until this application for review was made. This in turn has led to serious crime and disorder taking place. The Sub Committee heard that Mr Panchal was not engaged to assist until December 2024, the SIA door staff have only recently changed, and Ms Sarah Day is the recently appointed new Manager of the Premises.

The Sub Committee have no confidence that Ms Day will manage these premises responsibly. She has no real experience, and the premises has a history of difficult cliental that appear to behave how they please with no recrimination. She advised she was not employed by the premises at that time, but the Sub Committee did question even if not employed why she did not think to call the Police and/or the DPS as she witnessed the incident unfold. In addition, the Sub Committee had no confidence in the abilities of the proposed DPS, Mrs Banga, due to her inexperience of running this type of licensed premises. They were also concerned that both the new Manager and proposed DPS were being trained by Mr Singh, when it was clear that lack of training was a major factor in recent incidents occurring at the premises. The Sub Committee has no confidence in the training being delivered by Mr Singh even with the assistance of the training manual produced by Mr Panchal to new staff members when he has clearly

demonstrated he is currently unable to manage and undertake the role of DPS himself.

The Sub Committee have no confidence that the PLH and DPS take their responsibilities seriously and that fundamental changes are needed to enable the premises to operate safely and to uphold the four Licensing Objectives. Changes in both staff and attitude and extensive training, which in their view will take longer than three months.

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

### **Right of appeal**

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

The meeting ended at 2.00 pm

CHAIRMAN