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62 Old Christchurch Road, Bournemouth

This report is to be considered alongside the formal representation submitted in respect of an Application for a Premises Licence submitted to the Licensing Authority. It is the intention of Dorset Police to avoid any repeat of information previously submitted and to provide both the applicant (or their representative) and members of the Licensing Sub-Committee with additional information, context and evidence in support of the representation. This report 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 premises, which is currently vacant but was previously a retail space, is located on Old Christchurch Road, Bournemouth, a pedestrianised space in the heart of Bournemouth Town Centre, surrounded by other retail and leisure outlets.

This location is close to Bournemouth Lower Gardens, Bournemouth Square, Horseshoe Common and Richmond Hill and the nearest licensed premises is JD Wetherspoons' 'The Mary Shelley'. There are convenience stores located to the North-East along Old Christchurch Road and to the South-West at Bournemouth Square. There are also a variety of hospitality and leisure sites where alcohol can be purchased for consumption both on and off the premises.

This site has not previously been utilised as a convenience store.

Bournemouth Town Centre is diverse and, in addition to the variety of leisure and retail outlets, is host to several Student Halls of Residence and dwellings, resulting in a vibrant area, which does also attract complaints of Anti-Social Behaviour and low-level crime and disorder.

Concerns

Throughout the Summer period in particular, Dorset Police work closely with our partners in the Youth service, BCP Council, and other organisations, such as the Street Pastors of Bournemouth, to tackle crime and disorder and to protect those most at risk of harm in this area.

The proximity of this site to Bournemouth Square, also a busy Bus terminal, and Bournemouth Gardens, which does experience a disproportionately high level of crime and disorder, generates challenges for those operating in the late evening and generates considerable demand for Dorset Police and our partners.

This risk is often complex and difficult to manage. Dorset Police, through *Operation Fireglow*, target the youth-related crime and anti-social behaviour which is centred around the Lower Gardens and Bournemouth Square. This youth-related crime will often be alcohol-related and serious in nature, leading to child sexual exploitation and strengthening of organised crime drug groups, known as County Lines. It is known that proxy-sales of alcohol from local off-licence premises increases the risk of young people being enticed into these groups.

The general Night-Time Economy environment is a further area of risk. Whilst Dorset Police continues to work with our partners in BCP Council to strengthen the Night-Time Economy through increased awareness of risks of violence targeted at women and girls, drink spiking and other concerns addressed through the Bournemouth Town Watch, one area of most concern is the availability of off-sales alcohol,

promoting unsupervised consumption in public spaces that also experience vagrancy and street drinking. The immediate vicinity of this proposed Licensed Premises does attract the homeless and those carrying out aggressive begging due to the heavy footfall of pedestrians throughout the day and evening.

The proximity of off-sales provision will likely increase 'pre-loading', particularly amongst the student communities, in advance of them attending late night venues. The availability of more affordable alcohol from convenience stores in the very centre of the Town encourages excess consumption in advance of attending conventional night-time venues, increasing the vulnerability of customers and reducing the night-time venues from managing consumption and welfare needs of individuals throughout the evening.

The feedback that we have received from operators of late-night premises is that the increased availability of off-sales alcohol near late night venues significantly increases the risk of welfare concerns once the customer has entered the venue and the effects of the alcohol consumption being to take effect as they are absorbed into the body.

It is consistently the intention of Dorset Police and our partners to work with licence holders to improve the performance of licence premises and to ensure that they deliver provision which aims to enhance the local community. As highlighted, there are already several outlets for off-sales alcohol available in this area.

Dorset Police and our partners continue to work hard to reduce/resolve these concerns of ASB, Crime and Disorder. The addition of a further alcohol provision in such a sensitive location is likely to significantly undermine our efforts, and investment, into reducing the crime and disorder in this area.

Mediation

During the consultation period, Dorset Police have engaged in mediation with the applicant where possible. The standard of the conditions offered by the applicant fall far below the standard expected of a qualified, experienced applicant.

The applicant has provided some conditions which are relevant to this site, however, many of the conditions offered are unenforceable, vague and inappropriate for a Premises Licence.

Prior to any meaningful mediation taking place, the applicant stated that if Dorset Police were inclined to object to the application being granted then they would withdraw the application. No further contact was received by Dorset Police until the final days of the consultation period when Dorset Police were informed, during a weekly meeting of partner agencies, that the applicant had contacted the Licensing Authority to advise that they wished to continue with the application before requesting whether the application may be permitted by the Licensing Authority, despite the objection from Dorset Police, negating the requirement for a Sub-Committee hearing.

Dorset Police were disappointed to receive this update. This undermined the credibility and integrity of the applicant, casting doubt over the willingness and ability of the applicant to promote the licensing objectives. Their lack of understanding of the process of applying for a Premises Licence demonstrates their lack of experience in delivering licensable activities.

No further mediation has taken place in advance of the submission of this document.

Available Outcomes to the Sub-Committee

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

Grant the Premises Licence as applied for

Dorset Police are of the view that taking no action is not a viable option. The Sub-Committee will hopefully agree that Dorset Police (and our partners) are currently engaged in a sustained effort to reduce the crime and disorder in this area through *Operation Fireglow* and are working closely with existing licensed premises to identify opportunities to reduce alcohol-related incidents which continue to have a significant demand on our valuable resources.

The conditions that have been offered by the applicant are inappropriate for this premises.

Modification of the Conditions of the Premises Licence it considers appropriate for the promotion of the licensing objectives

It is commendable that the applicant has offered conditions requiring CCTV and Staff Training, however, Dorset Police consider that the applicant has failed to fully appreciate the challenges faced by a Licensed Premises in this area of Bournemouth Town Centre.

Whilst the applicant has failed to offer several conditions commonly associated with a licensed premise of this nature, Dorset Police are unable to propose conditions that would mitigate the majority of the concerns currently being experienced in this area.

Exclusion of a licensable activity from the scope of the Premises Licence

This licence applies for the following –

- Supply of Alcohol for consumption OFF the premises Monday – Sunday 10.00am – 10.00pm

Dorset Police draw the attention of the Sub-Committee to the above concerns regarding the provision of alcohol. The exclusion of alcohol provision would effectively be equal to refusing the application.

Refuse to specify a person in the licence as the Designated Premises Supervisor

No concerns have been raised regarding the DPS proposed to justify any objection on these grounds.

Refuse the Application for a Premises Licence

Dorset Police support the view that this option should be a last resort for the Sub-Committee. Whilst matters of a fiscal nature 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.

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 is foreseen as being detrimental to a community, it is necessary to draw the attention of members of the Sub-Committee to this fact for their consideration.

Whilst Dorset Police are keen to support responsible and appropriate licensable activities, we remain of the view that this application for off-sales alcohol provision, given its location and the challenges faced in the area, should be refused for the reasons detailed above.

Conclusion

Bournemouth Town Centre does not currently have a Cumulative Impact Area, however, despite the absence of such a policy, it remains of vital importance to ensure that new premises and those existing premises wishing to extend their licensable activities, do so whilst ensuring that they continue to promote the licensing objectives.

Dorset Police are firmly of the view, following a great deal of consideration, and limited mediation with the applicant, that the provision of off-sales alcohol, regardless of the time of day, is incompatible with this location. It will be extremely difficult, or indeed impossible, for the licence holder to support the objectives of several responsible authorities to reduce the crime and disorder currently associated with Bournemouth's Lower Gardens when they will be supplying alcohol for consumption to likely to take place in Bournemouth's Lower Gardens and other nearby crime hotspot areas.

The Sub-Committee are reminded that Paragraph 2.1 of the Licensing Act 2003 Section 182 Guidance produced by the Home Office states that, "*Licensing authorities should look to the police as the main source of advice on crime and disorder*". We believe that we have provided an evidence-based summary of our concerns above, as required by Paragraph 9.43 of the Section 182 Guidance, in support of our submission.

Paragraph 1.17 of the Licensing Act 2003 Section 182 Guidance requires that each premises application be assessed according to its own merits and in accordance with the Licensing Authority's Statement of Licensing Policy.

Dorset Police do not intend to elaborate a great deal on the above during the Sub-Committee hearing, however, we will ensure our availability to answer and queries and provide any further clarification/support/advice to the Sub-Committee as required.