

## BCP Council

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>	
Bargain Convenience Store 495 Wimborne Road	
<b>Post town</b> Bournemouth	<b>Post code (if known)</b> BH9 2AW

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>
Mr Ali Rashid Zmnako

<b>Number of premises licence or club premises certificate (if known)</b>
BH093646

**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**

<b>Name and address</b>  Drug & Alcohol Harm Reduction Team Bournemouth Police Station 5 Madeira Road Bournemouth Dorset BH1 1QQ
<b>Telephone number (if any)</b> 01202 227824
<b>E-mail address (optional)</b> licensing@dorset.pnn.police.uk

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

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

Public Safety

Following a serious incident of assault, which occurred in May 2023, the staff at this premises failed to support and ensure the welfare of the victim and instead took steps to remove the victim from the premises.

Protection of Children from Harm

A 'Test Purchase' exercise recently took place at the premises, led by Police, and the staff at this premises failed in their duty to promote the licensing objective to protect children from harm and failed to adhere to existing conditions attached to the premises licence when they served restricted alcohol products to minors.

This is the second occasion that Dorset Police has applied to Review this premises within the past 2 years. Dorset Police no longer has any confidence in the Premises Licence Holder /DPS to uphold the licensing objectives.

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

This application for a review of the premises licence for Bargain Convenience Store, also known as *Bargain Booze*, 495 Wimborne Road, Bournemouth, is being submitted by Dorset Police as we can evidence that this premises undermined the licensing objective of the ensuring Public Safety and Protecting Children from Harm.

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

It is our expectation that all licensees will endeavour to meet these objectives and fulfil their duty as licensees with responsibilities to uphold these objectives and meet the conditions of their premises licence.

Dorset Police have identified that this premises have fundamentally failed in the objective to prevent crime & disorder through failing to meet the safeguarding needs of a victim of serious assault and providing alcohol for consumption to minors during a Police-led 'Test Purchase' exercise.

Ensuring the safety of victims of crime, particularly where serious assaults have occurred, is expected of staff operating within licensed premises. It is understandable that some members of staff may be shocked or may lack adequate medical training, however, the staff were negligent in their response to this incident, which placed the victim at additional, avoidable, risk.

Dorset Police conducted 'Test Purchase' exercises throughout Bournemouth during October 2023 to ensure that premises were promoting 'Challenge 25' schemes (or similar) and adhering to the conditions of their premises licence where there is a requirement to verify the age of the customer to ensure that they are 18 years or older. One exercise took place at this premises and the staff sold an alcoholic product to a person under the age of 18 without any challenge or a requirement to produce identification.

Both above matters of concern have highlighted serious shortfalls in the general approach of the premise's operator towards safeguarding, particularly for those at greatest risk of harm, namely victims of crime and children. This Application for Review follows a previous Application for Review which led to the revocation of the Premises Licence. The Premises Licence was later reinstated, with additional conditions and reassurances, following a Consent Order between BCP Council and the Licence Holder.

Dorset Police invite the Sub-Committee to consider all of the options available to them under the Licensing Act 2003 with particular consideration to be given to revocation of the Premises Licence as we do not consider at this time that the other options available to the Sub-Committee would sufficiently meet the intentions of Licensing Act 2003 Section 182 Guidance given that the licence holder has willingly, and knowingly, failed to appreciate the risk presented to the victim of crime and towards children who are more likely to suffer negative health and other effects from the consumption of alcohol.

Whilst fiscal matters are not of concern to the Sub-Committee; in the event that the Licensing Sub-Committee were to revoke the premises licence, Dorset Police are of the view that the *Bargain Booze* business will remain viable given that the community is made up of residential and commercial premises that will continue to need groceries.

Dorset Police invite the members of the Licensing Sub-Committee to take this opportunity to stand alongside Dorset Police in taking a proportionate but effective approach to tackling licensed premises that fail to meet the welfare and safeguarding needs of our communities.

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



If yes please state the date of that application

Day	Month	Year
1	5	08
2	0	22

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

Dorset Police have previously applied for a Review of this premises on the grounds that they were discovered to be offering illicit tobacco for sale. A variety of illicit goods were seized by colleagues from HM Revenue & Customs.

Following the Sub-Committee Hearing, the Premises Licence was revoked, however, later reinstated prior to an Appeal Hearing following agreement between BCP Council and the Premises Licence Holder in the form of a Consent Order.

Please tick ✓

yes

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

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

**Part 3 – Signatures** (please read guidance note 4)

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

Signature



.....

Date **08 November 2023**

.....

Capacity **Police Sergeant**

.....

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

**Post town**

**Post Code**

**Telephone number (if any)**

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

**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.