

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

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
The Bell 915 Christchurch Road	
Post town Bournemouth	Post code (if known) BH7 6AX

Name of premises licence holder or club holding club premises certificate (if known)
Marston's PLC.

Number of premises licence or club premises certificate (if known)
BH083873

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 Drug & Alcohol Harm Reduction Team Bournemouth Police Station 5 Madeira Road Bournemouth Dorset BH1 1QQ
Telephone number (if any)
E-mail address (optional) 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 type="checkbox"/>

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

The Prevention of Crime and Disorder & Public Safety

Over the past 24 months there have been reports of concern reported by the public and Police Officers regarding this premises, raising concerns that the premises is presenting a risk to our communities through failing to promote the licensing objectives.

Police Licensing Officers, and our partners, have had cause to attend the premises and have identified breaches of the existing premises licence, alongside other issues that present concerns around public safety.

Section 11.28 of the Revised Guidance issued under Section 182 of the Licensing Act 2003 by the Home Office states that “*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.*”

Dorset Police have engaged with the licence holder to attempt to agree changes to the premises to ensure that the licensing objectives are consistently being promoted, however, no amendments could be agreed that sufficiently address the issues identified. Dorset Police are concerned that in the absence of appropriate improvements the premises will continue to pose a threat to the area and will continue to fail to promote the licensing objectives.

Dorset Police no longer have confidence in the DPS to uphold the licensing objectives at this premises and the Licence Holder has not made any significant changes to the premises licence.

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 The Bell, 915 Christchurch Road, Bournemouth, is being submitted by Dorset Police as we can demonstrate that this premises has undermined the licensing objectives of the Prevention of Crime & Disorder and Public Safety.

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 received reports of issues at the premises since October 2022, when Licensing Officer Louise Busfield attended the premises to discuss the provision of SIA Door Supervisors and CCTV coverage during matchday occasions. Concerns were raised that SIA staff were not being properly employed according to SIA requirements and the CCTV could not be viewed at the time of the visit.

Intelligence was received from the community and other professionals that stolen goods were being sold at The Bell. Prolific shoplifters were seen taking stolen items to the rear entrance of the premises before emerging without the items. These incidents could not be corroborated, and no further action was taken.

A violent incident in December 2023 led to an investigation by Dorset Police, with concerns being raised to the licensing team. The criminal investigation was resolved; however, it became apparent that the premises had not been operating an appropriate CCTV system to the standard expected of a premises of this nature, the record keeping of the incident required improvement and the DPS had not been participating in the local Pubwatch group as agreed previously.

Following an exchange of correspondence and a visit to the premises on the 17th January 2024, the DPS advised that the CCTV was being improved to meet the required standards and that the premises would ensure that all other improvements would be implemented, including the provision of SIA Door Supervisors through a local contractor. The DPS was advised against completing the SIA qualification themselves as Dorset Police do not recommend acting in a dual capacity when operating a licensed premises.

A serious incident of violence involving a weapon occurred at the premises during the early evening of the 18th May 2024. Whilst this investigation remains ongoing at the time, concerns have been raised by attending officers that the licensing objectives were not being upheld, which initially led to the incident occurring and later preventing an effective investigation following the incident.

The DPS for this premises was intoxicated and directly involved in this incident. Whilst an explanation has been offered to suggest that they were off-duty at the time, Police officers in attendance were concerned that he continued to act in the capacity of a person with responsibility for the premises and no other person presented themselves as being responsible for the premises at that time.

This incident highlighted concerns that the premises continues to have ineffective CCTV and did not uphold the responsibilities of a Pubwatch member, however, it is the conduct of the DPS during this incident, and the apparent lack of control over the premises, by anyone, that is of most concern.

Dorset Police are grateful for the support received from the licence holder's solicitor, however, in the absence of an agreed position as to how this premises can safely, and compliantly continue to offer licensable activities, Dorset Police are compelled to bring our concerns to the attention of the members of the Licensing Sub-Committee for determination.

The Section 182 Guidance issued under the Licensing Act 2003 envisages at section 11.28 that *'Police...and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime'* and that *'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'*.

Dorset Police, through our Drug & Alcohol Harm Reduction Team, working with other colleagues within Dorset Police and partners in BCP Council and other responsible authorities, support licensed premises to provide value to their communities and to do so compliantly and in promotion of the licensing objectives. This premises has been identified as not operating to the high standards that are expected by Dorset Police and our partners.

Dorset Police invite the Sub-Committee to consider all the options available to them under the Licensing Act 2003 with consideration to be given to revocation of the Premises Licence where other options available to the Sub-Committee are considered to be insufficient.

As part of our Supplementary Document, which will be submitted in advance of the hearing, Dorset Police will provide additional observations associated with each of the outcomes available to the members of the Sub-Committee. This will also likely include an updated schedule of conditions that the members of the Sub-Committee may wish to impose on the existing licence if the revocation of the licence is not considered to be the most appropriate outcome.

It is anticipated that the licence holder may seek to engage in mediation during the forthcoming period of consultation. Dorset Police are willing to continue mediation to try and achieve an agreed position, which if agreed will then be presented to the members of the Sub-Committee for consideration.

Comprehensive details of our concerns will be prepared for the benefit of the Sub-Committee members in advance of the hearing.

□

Day Month Year

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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, 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 **6th June 2024**

.....

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.