

# LICENSING SUB-COMMITTEE



Report subject	<b>Westbourne Tandoori, 42 Seamoor Road, Bournemouth, BH4 9AS</b>
Meeting date	19 March 2025
Status	Public Report
Executive summary	<p>To consider an application by Dorset Police for the review of the premises licence following an altercation at the premises involving the use of a weapon by the licence holder. During a subsequent interaction with the Police, the licence holder became threatening towards officers.</p> <p>Dorset Police no longer have confidence in the premises licence holder to uphold the prevention of crime and disorder and public safety licensing objectives.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <p><b>Members consider the following options: -</b></p> <ul style="list-style-type: none"><li><b>a) Modify the conditions of the licence; and/or</b></li><li><b>b) Exclude a licensable activity from the scope of the licence; and/or</b></li><li><b>c) Remove the Designated Premises Supervisor; and/or</b></li><li><b>d) Suspend the licence for a period not exceeding three months; and/or</b></li><li><b>e) Revoke the licence; or</b></li><li><b>f) Leave the licence in its current state.</b></li></ul> <p><b>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.</b></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 – Portfolio Holder for Housing & Regulatory Services
Corporate Director	Jillian Kay – Corporate Director for Wellbeing
Report Authors	Sarah Rogers – Principal Licensing Officer
Wards	Westbourne & West Cliff
Classification	For Decision

## Background

1. An application for review of the premises licence, under Section 51 of the Licensing Act 2003, was made by Dorset Police on 22 January 2025.
2. Dorset Police have applied to review on the basis that there is evidence that this premises is associated with incidents of violence, namely the use of a weapon by the licence holder during an altercation.
3. Furthermore, during the most recent interaction with the Police, the licence holder became threatening towards officers and refused to acknowledge their concerns.
4. The Police no longer have confidence in the licence holder to uphold the prevention of crime and disorder and public safety licensing objectives.
5. A copy of the review application is attached at Appendix 1.
6. The premises have had the benefit of a premises licence since transition of the Licensing Act 2003 in November 2005. Mr Hussain became a joint licence holder and the DPS on 18 April 2017. On 20 December 2019 the licence was transferred into the current holder “Westbourne Tandoori Dorset Ltd” of which Mr Hussain is a joint Director.
7. A copy of the current premises licence is attached at Appendix 2.

## Consultation

8. A copy of the review application was served on all responsible authorities and the licence holder on 22 January 2025.
9. The Principal Licensing Officer attended the premises on 23 January 2025 to display the site notice. One notice was displayed on the front window of the premises and another tied to a lamppost outside on the main street. Spare copies of the notice were posted through the letterbox as nobody was on site at the time of the visit.
10. 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.
11. 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 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 public safety.
  - 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 Dorset Police 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 Dorset Police 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**

<https://www.legislation.gov.uk/uksi/2005/44/made>

**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
- 2 – Copy Current Premises Licence