

LICENSING SUB-COMMITTEE



Report subject	Chicken n Beer 58-58a Stanfield Road Bournemouth BH9 2NP
Meeting date	20 May 2025
Status	Public Report
Executive summary	<p>To consider an application by Dorset Police for the review of the premises licence following a visit by HM Immigration Enforcement where they discovered 2 illegal workers employed at the premises.</p> <p>Dorset Police no longer have confidence in the premises licence holder to uphold the prevention of crime and disorder licensing objective.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members consider the following options: -</p> <ul style="list-style-type: none"> a) Modify the conditions of the licence; and/or b) Exclude a licensable activity from the scope of the licence; and/or c) Remove the Designated Premises Supervisor; and/or d) Suspend the licence for a period not exceeding three months; and/or e) Revoke the licence; or f) Leave the licence in its current state. <p>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.</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 – Housing and Public Protection
Corporate Director	Graham Farrant – Chief Executive
Report Authors	Sarah Rogers – Principal Licensing Officer
Wards	Wallisdown & Winton West
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 25 March 2025.
2. Dorset Police have applied to review on the basis that there is evidence that the premises are associated with employing illegal workers contrary to immigration legislation. A copy of the review application and supplementary evidence in support is attached at Appendix 1.
3. HM Immigration Enforcement conducted a visit to the premises on 14 February 2025 following receipt of intelligence received by them surrounding an allegation of illegal working at the premises.
4. HM Immigration Enforcement (on behalf of the Secretary of State) are a responsible authority under the Licensing Act in their own right and have the power of entry into licensed premises if they suspect an offence under any of the Immigration Acts is being committed in connection with the carrying on of a licensable activity. As a responsible authority they may apply for the review of a licence at any time.
5. The premises have had the benefit of a premises licence since December 2021. A copy of the current premises licence is attached at Appendix 2.

Consultation

6. A copy of the review application was served on all responsible authorities and the licence holder on 25 March 2025.
7. The Principal Licensing Officer attended the premises on 26 March 2025 to display the site notice. One notice was displayed to the left of the front door and another tied to a lamppost outside on the main street. Spare copies of the notice were posted under the front door as nobody was on site at the time of the visit.
8. 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.
9. HM Immigration Enforcement made a representation in support of the review application on 16 April 2025. A copy of their representation is attached at Appendix 3.
10. No representations were received in support of the review application from any of the other responsible authorities or any other person.

11. For information and update, regarding the Tuberculosis (TB) and food hygiene concerns raised at the time of HM Immigration Enforcement's visit, attached at Appendix 4 is an email from Senior Environmental Health Officer Andrew Hill dealing with these points.
12. By allowing someone who the licence holder knew to have been diagnosed with TB be involved in food handling at the premises could be considered to undermine the public safety licensing objective. Please note the detail of the food safety issues have been dealt with under different legislation.

Options Appraisal

13. 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

14. 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

15. 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

16. There are no human resources implications.

Summary of sustainability impact

17. There are no sustainability impact implications.

Summary of public health implications

18. There are no public health implications.

Summary of equality implications

19. There are no equality implications.

Summary of risk assessment

20. 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 the Licensing Act 2003 \(February 2025\) \(accessible version\) - GOV.UK](#)

Appendices

- 1 – Copy Review Application
- 2 – Copy Current Premises Licence
- 3 – Copy Representation – HM Immigration Enforcement
- 4 – Copy EHO Email