

LICENSING SUB-COMMITTEE



Report subject	Cristallo, 3 West Cliff Road, Bournemouth, BH2 5ES
Meeting date	18 August 2025
Status	Public Report
Executive summary	<p>To consider an application by Home Office Immigration Enforcement (HOIE) for the review of the premises licence.</p> <p>HOIE have identified illegal working at the premises and no longer have confidence in the licence holder to uphold the prevention of crime and disorder licensing objective.</p> <p>Section 36 and Schedule 4 of the Immigration Act 2016 (the 2016 Act) amended the Licensing Act 2003 (the 2003 Act) to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 6 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late-night refreshment.</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	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.

	The Licensing Authority may only consider relevant aspects that have been raised in the application.
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Portfolio Holder(s):	Councillor Kieron Wilson – Housing and Public Protection
Corporate Director	Graham Farrant – Chief Executive
Report Authors	Sarah Rogers – Principal Licensing Officer
Wards	Westbourne & West Cliff
Classification	For Decision

Background

1. An application for the review of the premises licence, under Section 51 of the Licensing Act 2003, was made by Home Office Immigration Enforcement (HOIE) on 30 June 2025 following the discovery of illegal working at the premises.
2. HOIE visited the premises on 3 November 2024, under Section 179 of the Licensing Act 2003, and identified three immigration offenders employed at the premises.
3. A copy of the review application is attached at Appendix 1.
4. A copy of a map, showing the location of the premises is attached at Appendix 2.
5. The premises licence has been in force since 1 August 2019 and is held by Mr Zabair Dastagir who is also the current DPS. A copy of the current premises licence is attached at Appendix 3.

Consultation

6. A copy of the review application was served on all responsible authorities and the licence holder on 30 June 2025.
7. The principal licensing officer attended the premises on 1 July 2025 to display the site notice. One notice was fixed to the main entrance and another on the railing outside, to be visible to people passing by.
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. No representations have been received from any of the responsible authorities or any other person in support of the review.

Options Appraisal

10. Before making a decision, Members are asked to consider the following:-
 - The application made by Home Office Immigration Enforcement.
 - The submissions made by or on behalf of the premises licence holder.
 - The relevant licensing objective, namely the prevention of crime and disorder.
 - The Licensing Act 2003, Regulations, Guidance and the Council's Statement of Licensing Policy.

Summary of financial implications

11. An appeal may be made against the decision of members by HOIE or the holder of the premises licence to the Magistrates' Court which could have a financial impact on the council.

Summary of legal implications

12. If members decide on an option available to the which HOIE or the premises licence holder does not agree with, 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

13. There are no human resource implications.

Summary of sustainability impact

14. There are no sustainability impact implications.

Summary of public health implications

15. There are no public health implications.

Summary of equality implications

16. There are no equality implications.

Summary of risk assessment

17. There is no requirement for a risk assessment.

Background papers

BCP Council – Statement of Licensing Policy - [Statement of licensing policy | BCP](#)

Hearing Regulations - [The Licensing Act 2003 \(Hearings\) Regulations 2005](#)

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 – Location Plan

3 – Copy Current Premises Licence