

Email Received - 20.08.25 @ 12:41

Good afternoon Sarah, and James

Further to the application to vary the Premises Licence for Alan's Café (also known as Tony's Café) to permit the sale and consumption of alcohol at tables outside the premises, Dorset Police formally objects to this application.

During a visit to the premises on 7th August, Dorset Police officers evidenced that the venue is not operating as a café as described in its operating schedule. In addition, several breaches of licence conditions were documented, raising serious concerns regarding the management of the premises and its ability to operate responsibly in line with the Licensing Objectives.

The premises is located in an area already experiencing high levels of anti-social behaviour, street drinking, and significant demand on local emergency services. Granting a variation to allow the external consumption of alcohol at a premises that is already operating outside its authorised conditions would risk further undermining the Licensing Objectives, namely:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

It is further noted that Google reviews of the premises provide evidence that it is not complying with condition 2.5 ***The sale of alcohol shall be ancillary to a substantial meal prepared and served on the premises***. One review, for example, states: "Enjoyed a flapjack and coffee followed by a cocktail (well 2 for 1 actually!)." Such commentary is inconsistent with the operation of a food-led café and supports Dorset Police's concerns that the premises is operating primarily as a bar.

The submission by Mr James Andrews, citing case law (Soloman v Green 1955 & Timmis v Millman 1965), has been carefully considered. However, Dorset Police is clear that the legal precedent referenced does not alter the requirement for licence holders to comply fully with the specific conditions attached to their premises licence. The evidence obtained from both Dorset Police's visit and publicly available customer reviews demonstrates that these conditions are being breached, and as such the case law cited is not persuasive in this instance.

Given that the original application described the premises as "a café-bar serving alcoholic beverages alongside food and hot beverages", Dorset Police considers that the current operation falls significantly short of this description. Accordingly, it is likely that an application for a review of the premises licence will be submitted in due course.

On this basis, Dorset Police respectfully submits that this variation application should be refused.

Louise Busfield 8952

Licensing Officer

From: Tom Hollington -Set Square

Sent: 20 August 2025 13:39

To: Busfield, Louise <>; Sarah Rogers - Licensing <>; James Andrews >;

Subject: Licensing and operational proposals at Alan's Cafe Ltd. 12 Westover Road

Hi Louise

Thank you for your email and the comments to date, we are looking to proactively work with the police and respond in a constructive manner.

We looked at the operation with the DPS and the cafe management. We clarified the operating conditions and looked at the offer to customers. We resolved to remove much of the alcohol on display behind the counter and we propose replacing this with a more food based display and also more food menus alongside coffees and teas and non-alcoholic beverages. The food menu is to be reviewed and a much more comprehensive food offering introduced. Further and ongoing staff training is proposed and we would like to welcome Louise or any other representative of the Police to attend the cafe to see the improvements in operation and the physical response to the findings of Louise the other day.

The previous emails were citing case law of justification of substantial meals, and whilst we understand the relevance of this - the operators can do much more to improve the food offer. This isn't an operation that seeks to ride close to the legal definition of food with alcohol; considerable investment has been made, a license has been granted that will be complied with and we hope the relationship with the police can improve and develop.

Thank you

Tom Hollington

Email received 26.08.25 @ 13:12

TO: Sarah Rogers and Dorset Police

Afternoon all,

Thank you for your email.

Further to Mr Hollington's response, we wish to reiterate that the operators are committed to working positively with Dorset Police to address the concerns raised and to demonstrate compliance with both the licence and the spirit of the licensing objectives.

As outlined, significant steps are already being taken to rebalance the operation towards a more comprehensive food-led offer, including the removal of much of the alcohol display, the introduction of a stronger and broader food menu, ongoing staff training, and visible changes to the customer environment. These measures go beyond the minimum legal requirements and are intended to reassure Dorset Police that the premises is operating responsibly and in good faith.

We would very much welcome the opportunity to meet with Dorset Police, whether at the café or otherwise, to discuss these measures further and to explore whether any additional assurances can be given to resolve matters without the need for a hearing.

In light of the above, we kindly ask Dorset Police to take these steps into account and open a discussion surrounding these matters.

We look forward to your response and to working constructively to find a positive resolution.

Kind Regards, James Andrews

Email Received 27.08.25 @ 15:42

From Dorset Police

Good afternoon James,

Further to your email, Sgt Gosling and I visited the premises earlier today.

The member of staff we spoke with advised that the premises now has an air fryer, with the food offering expanded to include potato wedges and chicken wings in addition to paninis. It was also noted that fewer bottles of alcohol were on display.

Whilst it was positive that this staff member had an understanding of Challenge 25, it was disappointing that the following breaches were identified:

2.4. A Personal Licence holder shall be on the premises at all times the premises is open for licensable activity.

- 2.3.5. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.

As a result, it was not possible to conduct a comprehensive licensing visit, given this individual's lack of access to the CCTV system.

We were further advised that the operators are currently out of the country. For a sole, untrained member of staff to be responsible for the day-to-day running of the premises is of significant concern—particularly at a time when assurances of compliance and enhanced standards are being given.

Regards

Louise Busfield

Email Received 04.09.25 @ 08:36

From Dorset Police

Good Morning,

In the interests of transparency and clarity, some of the concerns highlighted on the 27th August by Louise have been further documented during our most recent visit. Dorset Police cannot have confidence in allowing a further extension of a premises licence when existing conditions of a licence are being routinely breached.

Whilst it is for your client to decide, I anticipate that the members of the Sub-Committee will not look favourably on a premises that is seeking further extension of licensable activity that is not currently compliant.

Your offer to provide evidence of compliance is appreciated, however, the compliance needs to be consistent and unwavering, and apparent during any inspection visit to the premises.

Regards,

Gareth



**DORSET
POLICE**

Gareth Gosling 2551

Police Sergeant