

LICENSING SUB-COMMITTEE



Report subject	16.09.25 - Tony's Cafe, 12 Westover Road, Bournemouth, BH1 2BY
Meeting date	16 September 2025
Status	Public Report
Executive summary	Alan's Café Ltd have made an application to vary the premises licence for Tony's Café at 12 Westover Road, Bournemouth. The current premises licence permits on sales of alcohol only, within the area defined by the approved plan. The applicant wishes to be able to permit the sale and consumption of alcohol at tables outside the premises. The current permitted hours are :- Late Night Refreshment: (Indoors) Thursday to Saturday - 23:00 to 00:00 Supply of Alcohol: Sunday to Wednesday - 08:00 to 22:30, Thursday to Saturday - 08:00 to 23:30
Recommendations	It is RECOMMENDED that: Members are asked to decide whether to: - a) Grant the application for variation as made; b) Refuse the application, or part of, for variation to the premises licence; c) Grant the application, or part of, subject to additional conditions. Members of the Licensing Sub-Committee 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.
Reason for recommendations	The Licensing Authority has received a representation from Dorset Police on the grounds of the Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children from Harm licensing objectives. The Licensing Authority may only consider aspects relevant to the

	application that have been raised in the representation. Where representations have been received from a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Scheme of Delegation, set out in the Council's Constitution states that the application should be dealt with by the Licensing Sub-Committee.
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Portfolio Holder(s):	Cllr Kieron Wilson – Housing and Regulatory Services
Corporate Director	Glynn Barton – Operations
Report Authors	Sarah Rogers – Principal Licensing Officer
Wards	Bournemouth Central
Classification	For Decision

Background

1. The application to vary the premises licence, under Section 34 of the Licensing Act 2003, was made by Alan's Café Ltd on 28 July 2025. A copy of the application is attached at Appendix 1.
2. A plan showing the location of the premises is attached at Appendix 2.
3. The premises has held at premises licence, under the Licensing Act 2003, since 27 February 2025. A copy of the current licence is attached at Appendix 3.
4. The application is to allow the sale and consumption of alcohol at tables outside the premises. No request has been made to change the permitted hours or opening hours currently authorised.
5. The current licence permits on sales of alcohol only. Any alcohol purchased is currently not permitted to be taken out of the remit of the approved area, as shown on Annex 4 of Appendix 3.
6. The premises have a current Pavement Licence, issued by Highways, under The Levelling Up and Regeneration Act, which enables the premises to place furniture such as tables and chairs on the pavement outside the business. This licence was issued on 30 May 2025 and is valid until 30 May 2026.

Consultation

7. The application was served on all responsible authorities and the applicant confirmed that the statutory notices were displayed on the premises and published in the local newspaper.
8. Environmental Health agreed the following conditions with the applicant to uphold the prevention of public nuisance licensing objective:
 - Loudspeakers shall not be located outside the building.
 - The area shall be used for seating only.
 - Alcohol shall only be consumed by patrons seated at tables.
 - All tables and chairs shall be removed from the outside area by 10pm each day.

9. Dorset Police have made a representation on the grounds that to grant the application would undermine the promotion of all four of the licensing objectives.
10. A copy of the representation and subsequent email threads are attached at Appendix 4.
11. No other representations were received from any other person or any of the other responsible authorities.

Options Appraisal

12. Before making a decision, Members are asked to consider the following matters: -
 - The representations made by Dorset Police.
 - The submissions made by or made on behalf of the applicant.
 - All four licensing objectives are relevant to this application namely the prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm.
 - The Licensing Act 2003, Regulations, Guidance and Council's Statement of Licensing Policy.

Summary of financial implications

13. An appeal may be made against the decision of Members by the applicant or Dorset Police to the Magistrates' Court which could have a financial impact on the Council.

Summary of legal implications

14. If Members decide to refuse the application or attach conditions to the licence which the applicant does not agree to, the applicant may appeal to the Magistrates' Court within a period of 21 days beginning with the day that the applicant is 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

[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 Application
- 2 – Location Plan
- 3 – Current Premises Licence
- 4 – Representation by Dorset Police