

Application for a Variation of a Premises Licence

Supplementary Information in Support of Representation

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Tony's Café, Westover Road, Bournemouth

This report is to be considered alongside the formal representation submitted in respect of an application to Vary a Premises Licence submitted to the Licensing Authority. It is the intention of Dorset Police to avoid any repeat of information previously submitted and to provide both the applicant (or their representative) and members of the Licensing Sub-Committee with additional information, context, and evidence in support of the representation. This report is being completed and submitted as soon as practicable for the benefit of all parties. Whilst all details are correct at the time of completion, Dorset Police reserve the right to amend / introduce additional information and evidence in advance of the hearing.

Background

This variation application is in relation to this relatively new licensed premises at Westover Road, which successfully obtained a premises licence in February 2025. Westover Road is a popular area of Bournemouth Town Centre, hosting a variety of residential and commercial properties encompassing retail and hospitality, including late night premises. This location also hosts the YMCA Hostel which accommodates some of the most vulnerable members of our community. This location benefits from high levels of footfall through the early evening, however, is unfortunately an area that is recently associated with increased levels of alcohol-related crime & disorder.

The local Neighbourhood Policing Team (NPT) and our partners frequently deliver policing operations in the vicinity of this premises to tackle crime and ASB, targeting repeat offenders and those intent on committing harm to the community with significant success. The operations conducted in our Night-Time Economy (NTE) areas will often target specific concerns, including tackling the prevalent issue of **Violence Against Women & Girls (VAWG)** and individuals or groups of people who are intent on causing harm to the wider community through initiatives including **Operation Vigilant**.

This application is to extend the sale and consumption of alcohol to the area immediately outside the premises on the pavement. The levels of crime and anti-social behaviour are currently at a higher level than they have been previously, and this variation is likely to adversely impact on our efforts to tackle this increase in crime.

Concerns

Dorset Police are concerned that the licence holder will encourage the public to increasingly consume alcohol in an open space within the Town Centre, something that is discouraged by all authorities.

Whilst we recognise that there may be measures that could be in place to help prevent alcohol from leaving the footprint of the licensed premises, we are concerned that this extension will promote others to consume alcohol in nearby open spaces.

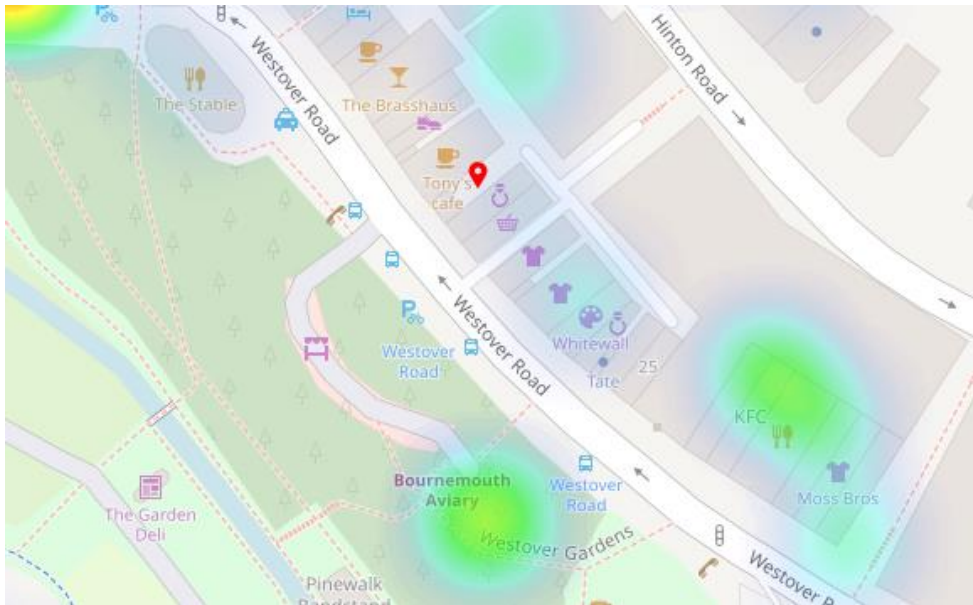
Dorset Police have invested significant resources into policing the areas with the highest level of demand through a variety of operations, including Operation Nightjar, Operation Vigilant and Operation Fireglow. The outcome of this enhanced delivery, coupled with the commitment of licensed premises to improve their compliance, ensuring that they operate best practice and adopt any reasonable advice and direction from the authorities has led to a wider reduction in violence and other crime directly attributed to licensed premises.

Levels of Crime & Disorder

Since the opening of this premises, there has been a notable increase in the level of crime and disorder in this area. Whilst efforts are underway to identify the cause and tackle this rise in crime, this extension would likely impact on our efforts to address this issue to the benefit of all businesses and residents.

This is illustrated in the below *heat maps* that show the levels of **ASB, Drugs, Theft, Assault & Violence** over the same periods, 1 year apart. The most recent period broadly being the 6 months since the premises licence was granted, allowing a short period for the premises to become established.

18th March 2024 – 14th September 2024



This licensed premises is highlighted with a red 'pin' and you will note that whilst the area is not without reports of crime during this period, there is no significant concern or *hot spots* identified.

18th March 2025 – 14th September 2025



When comparing the map for the previous year, members of the Sub-Committee will note that there has been an increase in reporting of crime in this area in the 6 months that this licensed premises has been operating. Due to seasonal variations in crime and population, Dorset Police favour the comparison of the same dates compared with previous years to provide the most clear and transparent contrast.

Licensed Premises Compliance Visits

Dorset Police received the application for a premises licence on the 30th January 2025 and mediated conditions were agreed with the applicant's representative on the 10th February 2025.

This Full variation application was received on the 29th July 2025 and a compliance was completed by Police Licensing Officers on the 7th August 2025. During that visit several breaches of the licence conditions were identified, and these breaches were kindly informed to the licence holder's representatives via an email on the 14th August 2025 from BCP Council's Licensing Authority who shared our concerns.

The correspondence highlighted that the breaches were serious and that if they were not rectified then an Application for Review may be submitted.

The licence holder's representative responded in support of the licence holder on the 19th August 2025, producing case law and seeking clarity regarding policies associated with the display of menus advertising alcohol. It was clear that the licence holder was intent on overcoming the purpose and intent of one condition relating to the sale of food alongside alcohol, which unusually undermined the collaborative approach that Dorset Police prefer to adopt with all licence holders.

A representation against the grant of this Full variation was submitted on the 20th August 2025 and responses were received on both the 20th August 2025 and 26th August 2025 stating that the licence holder intended to fully comply with the conditions that were breached and that they were investing in the food preparation facilities to enable the licence holder to better support the requirement to offer substantial food. They also stated, *"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."*

Dorset Police Licensing Officers conducted a further compliance visit on the 27th August 2025, identifying that the following conditions were not being met at the time of the visit -

- 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.

These breaches were communicated to the licence holder's representative and BCP Council's Licensing Authority as required.

The initial Sub-Committee hearing has been postponed allowing the licence holder to make the necessary improvements.

Available Outcomes to the Sub-Committee

To assist the members of the Sub-Committee, Dorset Police make the following submissions in relation to the available outcome options in respect of this Application for a Variation of a Premises Licence –

Grant the Variation application as applied for

Dorset Police are concerned that extending the provision and consumption of alcohol on to the pavement area outside the premises will likely lead to further crime and anti-social behaviour, undermining the licensing objectives of preventing crime and disorder and public safety.

This will also undermine the investment of Dorset Police to reduce levels of crime and anti-social behaviour and to reduce the vulnerability of the public enjoying the NTE through identifying and challenging those intent of causing harm in our NTE's.

Modification of the conditions of the Premises Licence the members of the Sub-Committee considers appropriate for the promotion of the licensing objectives.

There are no reasonable conditions that could mitigate the concerns associated with extending the provision of alcohol on to the pavement outside the licensed premises.

Refuse the whole or part of the application.

Whilst Dorset Police cannot be expected to offer evidence in respect of additional licensable activity that has yet to occur, the increased levels of demand caused the through additional crime and disorder will likely increase when premises offer the sale of alcohol for consumption in open spaces that are already experiencing higher levels of crime and disorder.

The balance between protecting the peaceful enjoyment of the residents and the operational delivery of licensed premises can often be difficult to manage, and this is likely to come under additional strain if this variation is granted.

Whilst Dorset Police are keen to support responsible and appropriate licensable activities, we remain of the view that this application, given the location and the impact on other neighbouring businesses and residents, **should be refused** to enable the licence holder to continue to work towards promoting the licensing objectives under their existing premises licence.

Conclusion

The presence of the YMCA and the existing levels of crime and disorder that is being experienced at this specific location is of concern when considering this application and should not be overlooked. The additional evidence that the licence holder has failed to consistently meet the conditions of the existing licence offers further uncertainty and concern that this premises may contribute to the existing crime levels being experienced in this locality.

The Sub-Committee are reminded that Paragraph 2.1 of the Licensing Act 2003 Section 182 Guidance produced by the Home Office states that, "*Licensing authorities should look to the police as the main source of advice on crime and disorder*". We have provided an evidence-based summary of our concerns above, as required by Paragraph 9.43 of the Section 182 Guidance.