

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 30 October 2025 at 10.00 am

Present:-

Cllr L Williams – Chair

Present: Cllr A Chapmanlaw, Cllr P Sidaway

98. Election of Chair

RESOLVED that Councillor Lawrence Williams be elected Chair of the Sub-Committee for the duration of the meeting.

Voting: Unanimous

99. Apologies

There were no apologies.

The Chair thanked Cllr M Howell and Cllr J Richardson for their attendance as reserves, had they been required.

100. Declarations of Interests

There were none.

101. Protocol for Public Speaking at Licensing Hearings

The protocol was noted.

102. Tony's Cafe, 12 Westover Road, Bournemouth, BH1 2BY

Present:

From BCP Council:

Sarah Rogers – Principal Licensing Officer

Johanne McNamara – Legal Advisor to the Sub-Committee

Jill Holyoake – Clerk to the Sub-Committee

The Chair made introductions and explained the procedure for the hearing which was agreed by all parties*.

The Principal Licensing Officer presented a report, a copy of which had been circulated and a copy of which appears as Appendix A to these minutes in the Minute Book.

The Sub Committee was asked to consider an application for a full variation of the premises licence for the premises known as Tony's Café, 12 Westover Road, Bournemouth BH1 2BY, to permit the sale and consumption of alcohol at tables outside the premises. In response to the application a representation had been received from Dorset Police on the grounds that to grant the application would undermine all four licensing objectives. The Sub Committee was advised that Environmental Health had agreed a number of conditions with the applicant to uphold the prevention of public nuisance licensing objective, as detailed in the report. Following agenda publication the applicant's representative had submitted supplementary information in the form of a new food and drinks menu for the premises, a copy of which had been circulated and appears as Appendix B to these minutes.

The following persons attended the hearing and addressed the Sub-Committee to expand on the points made in written submissions:

- James Andrews, applicant's representative
- Sergeant Gareth Gosling and Vanessa Rosales, Dorset Police

The Sub Committee asked various questions of all parties present and were grateful for the responses received. All parties had the opportunity to ask questions. All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the hearing, the Legal Advisor advised all parties of the right of appeal.

*Procedural note: The meeting commenced at the scheduled time of 10.00am, however the Sub Committee adjourned until 10.15am to enable the applicant's representative fifteen minutes grace to attend. The Sub Committee agreed to proceed with the hearing at 10.15am in the absence of the applicant's representative. The applicant's representative subsequently arrived as Dorset Police were introducing their representation and with the agreement of all parties, the applicant's representative was permitted to present their application.

RESOLVED that the application to vary the premises licence for the premises known as Tony's Café, 12 Westover Road, Bournemouth BH1 2BY, to permit the sale and consumption of alcohol at tables outside the premises, be GRANTED.

Reasons for Decision:

The Sub-Committee carefully considered all the information submitted prior to the hearing, contained in the report for Agenda Item 5, including the applicant's application to vary the premises licence, the written representation and supplementary information provided by Dorset Police and the supplementary information provided on behalf of the applicant after agenda publication. The Sub-Committee also considered the verbal submissions and responses to questions given at the hearing by: Sarah Rogers (Principal Licensing Officer), James Andrews (representing the

applicant) and Sergeant Gareth Gosling and Vanessa Rosales (Dorset Police).

The Sub Committee noted that Dorset Police were concerned that extending the provision and consumption of alcohol onto the pavement area outside the premises would likely lead to further crime and anti-social behaviour, undermining the licensing objectives of preventing crime and disorder and public safety. The premises was located in an already challenging area and the Police considered that the granting of the variation would have an adverse impact on efforts to tackle a notable increase in crime and disorder and antisocial behaviour in the six months since the premises had opened.

The Sub Committee also noted that Dorset Police had identified a number of breaches of conditions on the current licence during a series of compliance visits between February and August 2025. The Police were concerned that not all breaches had been rectified on their last visit on 27 August 2025, despite advising the licence holder's representatives in writing on three occasions. As a result, the Police did not have confidence in extending the provisions of the licence when existing conditions had been repeatedly breached.

The Sub Committee noted that the hearing was originally due to take place on 16 September 2025 but had been adjourned at the applicant's request to allow them time to put measures in place to satisfy the police. It was noted that the premises now had a comprehensive food menu and a fully operational kitchen during licensable hours to ensure that the sale of alcohol remained ancillary to the service of food. Much of the alcohol display had been removed. Ongoing staff training was now in place. At the hearing the applicant's representative confirmed that a Designated Premises Supervisor would be on the premises at all times during licensable activity. He acknowledged that it had taken some time to put in place the steps to address the breaches but assured the Sub Committee that the premises would be fully compliant going forward.

The Sub Committee acknowledged the challenges presented by the increase in levels of anti social behaviour and crime and disorder in Westover Road and the resources involved in policing areas with high levels of demand. There were often reports of gatherings, some alcohol related, associated with street homeless and aggressive begging, but the problems in the area were many and varied and occurred at all times of day and night. However, the Sub Committee was mindful that there was nothing to indicate that the operation of the premises was linked to these issues or that it had been a contributory factor in the increase in crime and disorder. There was insufficient information to demonstrate that the variation to the licence would undermine the licensing objectives. The Sub Committee also noted the view of the applicant's representative that regulated premises such as Tony's Café may actually serve to enhance the area and counteract some of the problems.

It was extremely regrettable that several breaches of the current licence conditions had occurred previously and that these had not been rectified until very recently, despite the Police's best efforts to support the premises. However, the Sub Committee was satisfied with the assurance provided by the applicant's representatives, that since the Police's last visit these issues had now been addressed. The Police confirmed that no further visits had taken place since 27 August 2025.

In conclusion, the Sub-Committee was satisfied that, provided the premises operate in accordance with the conditions on its licence, the licensing objectives should not be undermined, and the application to vary the premises licence was accordingly granted. The Sub Committee was clear in its expectation that the premises operate in a responsible manner and that no further breaches of licence conditions should occur.

It was noted however that a review of the premises licence may be sought at any time by a Responsible Authority or any other person should future issues arise that may undermine the licensing objectives.

In reaching this decision, the Sub-Committee had regard to the Bournemouth, Christchurch and Poole Council Licensing Policy, the Secretary of State's revised guidance, and the licensing objectives set out in the Licensing Act 2003. All parties have the right to appeal this decision to the Magistrates' Court within 21 days of receiving written notification from the Licensing Authority.

103. Bournemouth Bargains, 214-216 Old Christchurch Road, Bournemouth, BH1 1PE

Present:

From BCP Council:

Tania Jardim – Licensing Officer

Johanne McNamara – Legal Advisor to the Sub-Committee

Jill Holyoake – Clerk to the Sub-Committee

The Chair made introductions and explained the procedure for the hearing which was agreed by all parties.

The Licensing Officer presented a report, a copy of which had been circulated and a copy of which appears as Appendix C to these minutes in the Minute Book.

The Sub Committee was asked to consider an application for a new premises licence for the premises known as Bournemouth Bargains, 214 – 216 Old Christchurch Road, Bournemouth, BH1 1PE to permit the supply of alcohol (off sales only) from 00:00 to 23:59 every day of the week (subsequently amended to be from 07:00 to 03:00 every day of the week). In response to the application a representation had been received from Dorset Police on the grounds that to grant the application would undermine the prevention of crime and disorder and public safety licensing objectives.

The Sub Committee was advised that although Trading Standards had not made an objection, they have suggested an extra condition relating to NPOANS (No Proof of Age No Sale) training be added to the premises licence should it be granted.

Following agenda publication, supplementary information had been submitted on behalf of the applicant, a copy of which had been circulated and which appears as Appendix D to these minutes. As part of this submission, the applicant had confirmed there was no objection should the Sub Committee be minded to impose the suggested NPOANS condition. Supplementary information had also been submitted by Dorset Police to support their representation and provide an update on an ongoing investigation, a copy of which had been circulated and which appears as exempt Appendix E to these minutes. In response to this the applicant's representative had submitted further information, a copy of which had been circulated and which appears as Appendix F to these minutes

The following persons attended the hearing and addressed the Sub-Committee to expand on the points made in written submissions:

- Philip Day, applicant's representative
- Sergeant Gareth Gosling and Vanessa Rosales, Dorset Police

The applicant, Veli Bulbul, was in attendance but did not make any verbal submission.

Due to the content of the Police's supplementary submission document, the Sub Committee passed the following resolution to exclude the press and public from the hearing from the point of the Police making their representation onwards:

RESOLVED that under Section 14 (2) of the Licensing Act 2003 (Hearings) Regulations 2005, and with regard to Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that the public interest in withholding the information outweighs such interest in disclosing the information and that it involves the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 7 in Part I of Schedule 12A of the Act.

The Sub Committee asked various questions of all parties present and were grateful for the responses received. All parties had the opportunity to ask questions. All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the hearing, the Legal Advisor advised all parties of the right of appeal.

RESOLVED that the application for a new premises licence for the premises known as Bournemouth Bargains, 214 – 216 Old Christchurch Road, Bournemouth, BH1 1PE to permit the supply of alcohol (off sales only) from 00:00 to 23:59 every day of the week

(subsequently amended to be from 07:00 to 03:00 every day of the week), be GRANTED with the following additional conditions:

Conditions agreed by the applicant following mediation with Dorset Police:

- No single cans or bottles of beer or cider shall be sold at the premises. Sales of canned beers, lagers and ciders shall be in a minimum quantity of 4 cans at a time
- Cider shall not be sold in bottles of any type that are larger than 2.5 litres in volume
- No beer, lager, or cider with an ABV of over 5.5% shall be stocked or made available for sale
- All bottles and cans sold shall bear a label or other mark identifying the premises as having been the source of the product, provided that when cans of beer, lager or cider are sold in packs of four or more, only one can need be so marked.
- All spirits and high value alcohol products such as champagne shall only be stored behind the sales counter and shall not be directly accessible to customers.
- A reduction in operating hours to 0700hrs – 0300hrs each day.

Conditions added by the Sub Committee:

- Provisions of SIA Door Supervision between 23:00 and 03:00 every day of the week
- Staff shall be trained in accordance with the “TSSW- No Proof of Age – No Sale” scheme and records kept of that training at the premises. Such records will be kept and made available to Licensing, Police or other authorised officers.

Reasons for Decision:

The Sub-Committee carefully considered all the information submitted prior to the hearing, contained in the report for Agenda Item 6, including the applicant’s application for a new premises licence, the written representation from Dorset Police and the comments of Trading Standards, and the supplementary information provided on behalf of the applicant and Dorset Police following agenda publication. The Sub-Committee also considered the verbal submissions and responses to questions given at the hearing by: Tania Jardim (Licensing Officer), Philip Day (representing the applicant) and Sergeant Gareth Gosling and Vanessa Rosales (Dorset Police).

With regard to the information provided by Dorset Police in the exempt supplement relating to the identity of the applicant, the Sub Committee considered the requirements set out in Section 18 (6) (c) and Section 18 (9) (b) of the Licensing Act 2003.

In summary, these stated that where representations related to the identity of the person named in the application as the proposed premises supervisor, the representation must include a statement that, due to the exceptional circumstances of the case, the chief officer of police was satisfied that the designation of the person concerned as the premises supervisor under the premises licence would undermine the crime prevention objective. With regret, the Sub Committee was unable to find any statement with such wording in the Police submission and therefore was unable to conclude that these requirements had been met. As a result, the Sub Committee, while appreciating the concerns raised by the Police, was required to disregard this aspect as a relevant representation.

The Sub Committee was mindful that it looked to Dorset Police as its main source of advice on crime and disorder. The Sub Committee noted the concerns of Dorset Police regarding the location of the premises in one of the main hotspots in Bournemouth. The area experienced a disproportionate number of street drinkers, anti-social behaviour and crime and disorder which already negatively impacted the local community, as well as contributing to an increase in demand on police resources. Whilst there was insufficient evidence to support a Cumulative Impact Zone at this time, Dorset Police were concerned that the addition of a further off-sales outlet in this area would further exacerbate the issues that they were working hard to reduce alongside their partners. Although encouraged that following mediation the applicant was now accepting all suggested conditions except one, Dorset Police did not consider that applying the conditions would mitigate the concerns identified

The Sub Committee was mindful that the applicant had now agreed to all conditions originally suggested by Dorset Police to promote the licensing objectives, bar one in respect of SIA door supervision. The Sub Committee noted that Trading Standards had not made a representation but had recommended a condition regarding 'no proof of age, no sale'. The applicant's representative indicated at the hearing that it was a matter for the Sub Committee to determine whether this should be added as a condition and the Sub Committee agreed that it should. The Sub Committee heard that the applicant was an experienced operator with five business on Old Christchurch Road, although the Police did point out that one of these had been associated with alcohol related antisocial behaviour and street drinkers.

The Sub Committee considered the offer made by the applicant's representative at the hearing, to provide SIA door supervision on Friday and Saturday nights and Sunday nights prior to a bank holiday and Christmas Eve and New Years Eve, with other days to be on a risk assessment basis. The Sub Committee was mindful that each application must be considered on its own merits and that conditions attached to licences should be proportionate and tailored to the individual type, location and characteristics of the premises. This may result in premises in the same locality having different conditions attached to their licence. The Sub Committee had regard to the concerns expressed by Dorset Police about the problems in this location at this particular moment in time, including the increased levels

of crime and disorder in the area alongside changing patterns in consumer behaviour and weekday/student promotions. The situation was fluid, and the Sub Committee noted the reference to a recent incident where a local police sergeant was required to call for assistance on a Tuesday night. In the circumstances the Sub Committee agreed that a more robust requirement for SIA door supervision was justified.

The Sub Committee felt that the additional conditions agreed by the applicant and the conditions added by the Sub Committee went as far as possible to address the concerns raised.

In conclusion, the Sub-Committee was satisfied that, provided the premises operate in accordance with the conditions on its licence, the licensing objectives should not be undermined, and the application was accordingly granted.

It was noted however that a review of the premises licence may be sought at any time by a Responsible Authority or any other person should future issues arise that may undermine the licensing objectives.

In reaching this decision, the Sub-Committee had regard to the Bournemouth, Christchurch and Poole Council Licensing Policy, the Secretary of State's revised guidance, and the licensing objectives set out in the Licensing Act 2003. All parties have the right to appeal this decision to the Magistrates' Court within 21 days of receiving written notification from the Licensing Authority.

The meeting ended at 12.17 pm

CHAIR