

# LICENSING SUB-COMMITTEE



Report subject	<b>Application for a premises Licence at Seafront Mini Market, 18 Westover Road, Bournemouth, BH1 2BY</b>
Meeting date	20 April 2026
Status	Public Report
Executive summary	<p>James Andrews of Set Square Studio Ltd has made an application on behalf of Elina Kadir for a premises licence at Seafront Mini Market a small convenience store located at 18 Westover Road, Bournemouth, BH1 2BY</p> <p>The application seeks permission for the Off Sale of alcohol between 08:00 and 03:00 and the provision of Late-Night Refreshment between 23:00 and 03:00 every day.</p> <p>The application attracted 5 Representations, 1 from Dorset Police, and 4 from Other Persons including a local Ward Councillor and the Leader of the Council, on the grounds that to grant the application would undermine the prevention of crime and disorder, prevention of public nuisance, public safety and protection of children from harm licensing objectives.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <p><b>Members consider the proposed application and either</b></p> <ul style="list-style-type: none"><li><b>a) Grant the application for a premises licence as made;</b></li><li><b>b) Refuse the application for a premises licence;</b></li><li><b>c) Grant the premises licence subject to additional conditions.</b></li></ul> <p><b>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.</b></p> <p><b>Members must give full reasons for their decision.</b></p>
Reason for recommendations	<p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the representation.</p> <p>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 these</p>

	applications should be dealt with by the Licensing Sub-Committee.
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Portfolio Holder(s):	Cllr Kieron Wilson – Portfolio Holder for Housing and Regulation
Corporate Director	Laura Ambler – Corporate Director for Wellbeing
Report Authors	Ellie King - Licensing Officer
Wards	Bournemouth Central;
Classification	For Decision

## Background

1. An application was made by Set Square Studio Ltd on behalf of Elina Kadir under section 17 of the Licensing Act 2003 on 25 February 2026 for a premises licence to permit the Off Sale of alcohol between 08:00 and 03:00 and the provision of Late-Night Refreshment between 23:00 and 03:00 every day.
2. A copy of the application and Layout plan is attached at Appendix 1
3. The premises is a small convenience store located on Westover Road, a busy town centre road close to the beach front and comprising a mix of licensed premises and retail outlets.
4. A Location plan is attached at Appendix 2.
5. A previous application was made by this operator for these premises on 17 August 2022 which if granted would have permitted the Off Sale of alcohol from 08:00 to 03:00 every day. This application was subsequently refused by the Licensing Sub-Committee on 12 October 2022.
6. The applicant has not taken the opportunity to address the issues previously raised. We urge applicants to refer to our Statement of Licensing Policy which is designed to provide advice and guidance to both applicants and Committee members in support of both the application and decision making process. Applicants are expected to demonstrate an understanding of the area within which they intend to operate. Relevant extracts from our statement of licensing policy are copied below for ease of reference.

### BCP Council Statement of Licensing Policy

Paragraph 15.5 of the BCP Council Statement of licensing policy states that:

*The Licensing Authority may not support applications and may refuse on the evidence presented to support representations where representations are made against applications for*

*off sales of alcohol for premises that are;*

- *In areas where Public Spaces Protection Orders (PSPOs) are in place*

- *Near to alcohol addiction recovery activities or buildings held in hospital or clinic settings.*
- *In areas where drinking in public spaces affects any of the licensing objectives*

And further states at 16.5:

*The applicant is expected to demonstrate that they understand the local area demographics including crime and disorder hotspots, proximity to residential premises, housing provided for and/or treatment centres aimed at vulnerable people (including addictions), and the proximity to areas where children/vulnerable people congregate such as schools, youth clubs and any premises which primarily or routinely offers services aimed at children.*

16.6 also adds context around conditions proposed on the application forms specifically:

*Applicants are expected to include positive proposals in their application on how they will manage any potential risks.*

7. This link to the licensing Sub-committee hearing [BCP Council – Democracy](#) provide further information.

## **Consultation**

8. The application was served on all responsible authorities. The applicant confirmed that the statutory notices were displayed on site and published in the local newspaper.
9. Representations were received from 1 Responsible Authority and 4 other persons on the grounds that to grant the application would undermine the prevention of crime and disorder, prevention of public nuisance, public safety and protection of children from harm licencing objectives.
10. A copy of the representation is attached at Appendix 3.
11. Trading standards have engaged in mediation with the applicant and reached agreement on conditions which will be attached to the licence should it be granted.
12. A Copy of the mediated conditions and associated correspondence is at Appendix 4
13. Environmental Health have engaged in mediation with the applicant and reached agreement on conditions which will be attached to the licence should it be granted.
14. A Copy of the mediated conditions and associated correspondence is at Appendix 5

## **Options Appraisal**

15. Before making a decision, Members are asked to consider the following matters: -
  - The representations made against the application.
  - The relevant licensing objectives, namely the prevention of crime and disorder, prevention of public nuisance, public safety and protection of children from harm.

- The Licensing Act 2003 and appropriate Regulations.
- Statutory Revised Guidance issued under Section 182 of the Licensing Act 2003 (February 2026) and the Council's Statement of Licensing Policy.

On 26 November 2025 the guidance was updated to clarify licensing authority discretion (case-by-case decisions).

A spokesperson for the Home Office said:

*“The update to the Section 182 Guidance has been added to help ensure that, when determining licence applications and considering any conditions that may apply, Licensing Authorities have in mind the need to support the development of a thriving hospitality sector while still upholding the existing statutory licensing objectives.*

*The new line in the guidance is 1.18, when making licensing decisions, all licensing authorities should consider the need to promote growth and deliver economic benefits”.*

#### Section 182 Guidance - Public Safety

Paragraph 2.8 of the Section 182 Guidance states:

*Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning.*

#### Section 182 Guidance - Prevention of Public Nuisance

Public nuisance is addressed at paragraph 2.20 of the Guidance and states:

*“The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable.*

#### Section 182 Guidance - Protection of Children from Harm

Paragraph 2.27 states that:

*The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.*

### **Summary of financial implications**

16. An appeal may be made against the decision of the Sub-Committee, by the applicant or any party making representation, to the Magistrates' Court which could have a financial impact on the Council.

## **Summary of legal implications**

17. If Members decide to refuse the application or attach conditions to the licence which the applicant, or the other person who made a representation do not agree to, the applicant or such other person 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**

18. There are no human resources implications.

## **Summary of sustainability impact**

19. There are no sustainability impact implications.

## **Summary of public health implications**

20. There are no public health implications.

## **Summary of equality implications**

21. There are no equality implications.

## **Summary of risk assessment**

22. There are no risk assessment implications.

## **Background papers**

### **BCP Council – Statement of Licensing Policy**

<https://democracy.bcpCouncil.gov.uk/documents/s21122/Statement%20of%20Licensing%20Policy.pdf>

### **Hearing Regulations**

<https://www.legislation.gov.uk/ukSI/2005/44/made>

### **Revised Guidance issued under Section 182 of the Licensing Act 2003 (February 2026)**

[Revised guidance issued under section 182 of the Licensing Act 2003 \(February 2026\) \(accessible version\) - GOV.UK](#)

## **Appendices**

Appendix 1 - Copy of premises licence application and layout plan

Appendix 2 - Location plan

Appendix 3 - Copy of representations

Appendix 4 - Copy of Trading Standards mediated conditions and associated correspondence

Appendix 5 - Copy of Environmental Health mediated conditions and associated correspondence