

Statutory Form For Applying For A Summary Licence Review

Dorset Council Licensing Authority

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. **Use additional sheets if necessary.**

I, **Police Sergeant Gareth Gosling** on behalf of the chief officer of police for the Dorset Police area, apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description: **Actors, 3-7 Maiden Street**

Post town: **Weymouth**

Post code (if known): **DT4 8BB**

2. Premises licence details:

Name of premises licence holder (if known): **Darya Ltd.**

Number of premises licence holder (if known): **WPPL0293**

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in their opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

There is a significant concern that the Licensing Objectives are not being promoted at Actor's. Since the premises re-opened fully following the Government restrictions on Licensed Premises due to the Coronavirus pandemic, many incidents of crime and disorder have occurred, associated with the premises, which have caused significant concern to Dorset Police.

The Dorset Police Drug & Alcohol Harm Reduction Team (DAHRT) have worked closely with colleagues in the Neighbourhood Policing Team (NPT), Patrol Officers and partners in the Local Authority for some time to identify the cause of the issues and to engage with the owner and security contractor at the premises to make recommendations and support them to improve the safety and overall compliance of the premises. These efforts have unfortunately proven to be unsuccessful to date.

Whilst these concerns have been ongoing for some time I will concentrate on those that have occurred since the beginning of June 2021, which demonstrates the severity and the rapidity of the deterioration that has been experienced at Actor's in the past 6 months. Dorset Police has received many reports of violence and disorder, both within and immediately outside the premises, at varying times of the evening. Several reports of sexual assault have been reported as being associated to Actor's and the levels of intoxication leading to welfare concerns have been overwhelmingly more commonplace at Actor's than at any other premises in the area. Due to the vast number of these reports, it is my intention to elaborate further on these reports during the Sub-Committee Hearing which follows this application.

Between August and October 2021 Dorset Police received an increase in the number of reports of alleged drink spiking offences throughout the County, particularly in Bournemouth and Weymouth. Due to this potentially serious emerging trend, an investigation was launched in key locations where this activity was reported to be taking place with the sole intention of identifying and arresting those responsible for this serious crime. Engagement took place with operators of several late-night premises, including those involved in the management at Actor's, who had agreed to make every effort to rid their premises of any risk of Drink Spiking through enhanced training and awareness amongst staff and publicity to highlight the concerns to customers at the premises to encourage them to make every effort to enjoy the night time economy responsibly and to report any suspicious activity to Door Supervisors or staff at the premises. Additionally, assurances were given by management at Actor's that they would make efforts to minimise any risk of drug use or distribution at the premises through the introduction of an enhanced search policy.

The investigation which followed took place in Weymouth Town Centre over several consecutive weekends and identified that the general compliance amongst most licensed premises was good. The clear majority of premises were consistently operating in a responsible and professional manner which promoted the licensing objectives and particularly safeguarded against the risk of drink spiking. However, throughout this investigation, Actor's was unfortunately highlighted by the investigation team as being of concern.

These concerns generally centered around the distribution and overwhelming availability of Class A drugs inside or in the immediate vicinity of the premises. Staff, including Door Supervisors, were identified as being involved in allowing, and in some cases facilitating, known drug dealers to enter the premises, distribute Class A substances and, on one occasion, influence the ejection of other customers for no apparent reason. Door Supervisors have been seen to witness drugs being used by individuals who are subsequently allowed to enter the premises unchallenged. One member of staff was identified as being directly involved in the distribution of Class A drugs. Other premises do suffer challenges with tackling the use and distribution of illegal substances, however, the investigation team evidenced a complete lack of any control and a culture of widespread acceptance of drug availability and distribution based solely in and around Actor's.

Furthermore, the investigation team identified that there were several drug dealers operating at the premises which had consequently led to such severe hostility amongst some individuals that one confirmed weapon was seen inside the premises and a further unconfirmed weapon, whilst not seen, was described as an article capable of causing serious harm. This weapon was being carried by an individual involved in the supply of drugs and who confirmed that the intention of possessing the weapon was to defend him and his associates from others inside the venue.

Throughout the investigation officers established that Class A drugs were available at Actor's through a network of individuals, including a member of staff at the premises. There is an accepted culture of drug distribution and use which is fueling an increasing demand, leading to increasing vulnerability of those intent on enjoying the night time economy. Weapons are being carried by individuals involved in drug distribution, heightening concerns that instead of working hard to reduce the risk of harm to staff and customers, the staff at the premises are in the best-case scenario failing to act to reduce this risk or in the worst case scenario are contributing to an increase in overall risk to those at the premises.

I am not satisfied that a standard Review is appropriate due to the delays that would be incurred and the continued risk

to the public that this premises presents. I therefore respectfully request that the Dorset Council Licensing Sub-Committee agree to impose interim measures to include the temporary suspension of the Premises Pending a Full Hearing to decide the most appropriate measures to deal with these concerns.

I have considered whether alternative interim measures could achieve a safe environment, however, due to the availability of evidence which supports the view that there is a clear culture of drug use and distribution at the premises, involving staff, and concern regarding the presence of weapons at the premises, I am of the view that a temporary suspension of the premises licence is unfortunately the only appropriate option.

In addition to any interim measures and subsequent action taken following the forthcoming Licensing Sub-Committee Hearings, the Sub-Committee should be reassured that Dorset Police, and our partners, will also continue to make every effort to prosecute any individuals identified as being associated with this serious crime.

Signature of applicant:



Date: 15/12/2021

Capacity: *Police Sergeant – Dorset Police Drug & Alcohol Harm Reduction Team*

Contact details for matters concerning this application:

Address:

DAHRT
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Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both. Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000.

In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.