

**Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003**

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 this 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. You may wish to keep a copy of the completed form for your records.

I Sergeant Gareth Gosling on behalf of the Chief Officer of Dorset Police.....

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Eats & Drinks 24-25 King Street	
Post town Weymouth	Post code (if known) DT4 7BH

Name of premises licence holder or club holding club premises certificate (if known) Mr Naguleswaran JAYASUTHAN

Number of premises licence or club premises certificate (if known) WPPL0248
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Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Drug & Alcohol Harm Reduction Team
Bournemouth Police Station
5 Madeira Road
Bournemouth
Dorset
BH1 1QQ

Telephone number (if any)

01202 227824

E-mail address (optional)

licensing@dorset.pnn.police.uk

This application to review relates to the following licensing objective(s)

- Please tick one or more boxes ✓
- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)

The Prevention of Crime and Disorder

Dorset Police bring this premises licence before the members of the Licensing Sub-Committee for review on the basis that there is evidence that this premises is associated with handling stolen goods.

Additionally, Dorset Police, alongside our partners in Dorset Council, have concerns that this premises is failing to promote the licensing objectives by offering alcohol for sale to those that are most vulnerable in our communities, namely street homeless individuals.

Dorset Police no longer have confidence in the DPS or Premises Licence Holder to uphold the licensing objectives at this premises.

There are no conditions currently attached to this premises licence other than those conditions which are mandated by the Licensing Act 2003.

Please provide as much information as possible to support the application (please read guidance note 3)

This application for a review of the premises licence for Eats & Drinks, 24-25, King Street, Weymouth, is being submitted by Dorset Police as we can demonstrate that this premises has undermined the licensing objectives of the Prevention of Crime & Disorder.

It is and always has been the intention of Dorset Police Drug & Alcohol Harm Reduction Team to engage and support licensees throughout Dorset to promote the four licensing objectives of Preventing Crime & Disorder, Preventing Public Nuisance, Promoting Public Safety and Protecting Children from Harm.

It is our expectation that all licensees will endeavour to meet these objectives and fulfil their duty as licensees with responsibilities to uphold these objectives and meet the conditions of their premises licence.

Dorset Police are receiving increased reports of concern regarding this premises, which includes the way the operators engage with street homeless; the concern that we have that they are buying stolen goods, the lack of appropriate conditions being attached to their premises licence and that the relationship between Dorset Police and the operator has been significantly undermined following the most recent incident.

Regarding our concerns that the operators of this store are suspected of buying stolen goods, Dorset Police, through *Operation Shopkeeper*, are working hard to pursue those responsible for prolific shoplifting, whilst also gathering and developing any intelligence associated with regular or popular destinations for stolen goods. We will relentlessly pursue anyone that is supporting or facilitating the theft of goods, often in bulk or to order, from the businesses on our high streets.

Further detailed information will be provided for the benefit of the members of the Sub-Committee in due course.

The Section 182 Guidance issued under the Licensing Act 2003 envisages at section 11.28 that *‘Police...and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime’* and that *‘where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered’*.

Dorset Police, through our Drug & Alcohol Harm Reduction Team, working with other colleagues within Dorset Police and partners in Dorset Council and other responsible authorities, support licensed premises to provide value to their communities and to do so compliantly and in promotion of the licensing objectives. This premises, having been under the control of the existing operator for many years, has been identified as not operating to the high standards that are expected by Dorset Police and our partners.

Dorset Police invite the Sub-Committee to consider all of the options available to them under the Licensing Act 2003 with particular consideration to be given to revocation of the Premises Licence if the members of the Sub-Committee cannot be reassured that conditions may be offered which will restore confidence in the operator to deliver licensable activities compliantly and legally.

Whilst fiscal matters are not of concern to the Sub-Committee; if the Licensing Sub-Committee were to revoke the premises licence, Dorset Police are of the view that the business will remain viable given that the community is made up of residential and commercial premises that will continue to need groceries and other goods, which are offered at this store in addition to alcohol.

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to the premises please state what they were and when you made them

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Please tick ✓

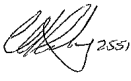
yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature 

.....

Date **25th June 2024**

.....

Capacity **Police Sergeant**

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of: [REDACTED]

Age if under 18:

OVER 18

(if over 18 insert 'over 18')

Occupation:

CSAS OFFICER

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature: [REDACTED]

Date: **14/05/2024**

Tick if witness evidence is visually recorded (supply witness details on rear)

1. I am employed by Dorset Council as a Community Safety Patrol Officer and am accredited under the Community Safety Accreditation Scheme. My area of responsibility is WEYMOUTH TOWN CENTRE including but not limited to the ESPLANADE, WEYMOUTH RAILWAY STATION and parts of RODWELL TRAIL. I am authorised by the Anti-Social Behaviour Crime and Policing act 2014 to serve and enforce Community Protection Warning Notices (CPWN) AND Community Protection Notices (CPN). On Tuesday 14th May 2024 at approx. 0950 hrs I witnessed in clear unobstructed view a male known to me as [REDACTED] [REDACTED] outside of the drop in on Raneleigh Road. I know [REDACTED] as I have had many dealings with him through the course of my duties, [REDACTED] has an address of [REDACTED] [REDACTED]. I would describe [REDACTED] as approx. [REDACTED] years old. Approx. five foot 6 inches tall, short grey hair wearing a grey jumper and grey jogging bottoms. As I approached [REDACTED], I could tell he was heavily intoxicated I gave him words of advice to go home and to not go onto the seafront due to his CPWN being in place I could see no containers of alcohol at this time, however after this he went round to Eats & Drinks and was served 2 cans of alcohol. He was displaying ASB by being aggressive and swearing, I told [REDACTED] to start making his way back home. At approx. 1130 [REDACTED] was issued a Section 35 following further ASB and was again served in Eat & Drinks for another 2 cans of alcohol. At approx. 1350 [REDACTED] was sat up on the Promenade, Weymouth in the shelter opposite Rossi's Ice Creams I contacted QC to inform of the breach, shortly after this [REDACTED] was arrested for the

Signature: [REDACTED]

Signature witnessed by:

Continuation of Statement of: [REDACTED]

breach of his Section 35 which had been issued earlier. On 11th March 2024 I am aware a CPWN was authorised and issued to [REDACTED] on the Promenade, Weymouth. *The conditions are as follows: **Not to be in possession of an open container of alcohol in any area where a Public Space Protection Order is in place within the Dorset Council area.***

2. ***Not to be in a group of 3 or more persons which includes yourself, in any outdoor place to which the public has access in the Dorset Council area. Except for any location operating a support service at that time.***
3. ***You must not cause nuisance, harassment, alarm or distress to any person anywhere within the Dorset Council area.***
4. ***Not to enter the area marked in red on the attached map, unless attending The Lantern or any other pre- arranged appointment with a support service - this is the area from the Pleasure Pier behind the Pavilion to the Groyne by the Sluice Gardens' and you must not enter Weymouth Train station, forecourt, car park or platform, except with valid reason and ticket to travel.***
5. ***You are not to enter retail premises that you have been banned from, verbally or written.***
6. ***You must engage with REACH Drug and Alcohol services; you can do this by phoning 0800 043 4656.***

Signature: [REDACTED]

Signature witnessed by:

Witness Contact DetailsHome Address: **C/o WEST WEYMOUTH POLICE STATION, RADIPOLE LANE, WEYMOUTH**Postcode: **DT4 9WW**

Home Telephone Number: [REDACTED]

Work Telephone Number [REDACTED]

Mobile / Pager Number: [REDACTED]

E-mail Address: [REDACTED]@Dorsetcouncil.gov.uk

Preferred means of contact (*specify details*):Best time of contact (*specify details*):

Female

Date and Place of Birth: [REDACTED]

Former Name:

Ethnicity Code (16+1): **W1**Religion / Belief **NONE****DATES OF WITNESS NON-AVAILABILITY:****Witness Care**

- a) Is the witness willing and likely to attend court? Yes / ~~No~~. If 'No', include reason(s) on form **MG6**.
- b) What can be done to ensure attendance?
- c) Is the witness vulnerable or intimidated? Yes / No.
- d) If 'Yes', does the witness require 'special measures'? Yes / No.
If 'Yes', submit **MG2** with file.
- e) Does the witness have any particular needs? Yes / No. If 'Yes', what are they? (Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The Victim Personal Statement scheme (victims only) has been explained to me: Yes No N/A
- b) I have been given the Victim Personal Statement leaflet (victims only): Yes No N/A
- c) I have been given the leaflet "Giving a witness statement to the police – what happens next?": Yes No N/A
- d) I consent to the police having access to my medical record(s) in relation to this matter (*obtained in accordance with local practice*): Yes No N/A
- e) I consent to the medical record(s) in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings if applicable, e.g. child care proceedings, CICA: Yes No N/A
- g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services:
- h) I have been given a compensation form (MG19): Yes No N/A

Signature of witness:

PRINT NAME:

Signature of parent / guardian / appropriate adult:

PRINT NAME:

Address and telephone number if different from above:

Statement taken by (*print name*):Station: **WEST WEYMOUTH**Time and place statement Taken: **1625 HRS WEST WEYMOUTH POLICE STATION**