

Application for summary licence review



Thurrock Council ,Civic Offices, New Rd, Grays RM17 6SL

Licensing Authority premises licence number (optional): 17/00014/LAPRE

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 Simon BARNES [on behalf of] the chief officer of police for the Essex 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:

BANJO ,
54-60 MAIDSTONE ROAD ,

Post town: GRAYS

Post code (if known): RM17 6NF

2. Premises licence details:

Name of premises licence holder (if known): MR ANDREW GARWOOD

Number of premises licence holder (if known): 17/00014/LAPRE

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 his 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]

On Thursday 14th July 2022 at 18:00hrs

A serious assault involving an offensive weapon by the manager has taken place outside of the premises known as Banjo's which is now calling itself The Club. This assault is alleged to have occurred after the victim had been drinking at the premises when the manager asked to speak to him outside the premises. The assault has taken place in the smoking area of the premises. The assault has been aggravated as it is alleged the manager has used a knuckleduster to attack victim. Following the attack the manager has locked the premises dismissed staff and fled the scene.

Police have attempted to contact the DPS/PLH on the licence, to gain entry to the premises to investigate and gain access to the CCTV. Despite making requests for support this has not been forthcoming and as such a Police were forced to attend court and obtain a search warrant to recover CCTV evidence.

A search of the premises was undertaken, during which the Premises' CCTV machines were seized. Whilst lawfully on the premises a cannister of CS gas, a prohibited item, was located.

the suspect has now been arrested & charged for this assault Essex Police is also aware of an ongoing process to transfer control of the licence from the current PLH/DPS to the alleged suspect in the primary matter above.

It is the Police contention that the presence of a prohibited weapon on the premises undermines the Prevention of Crime and Disorder licensing objective.

Essex Police will produce further documentary or other information in support of this application ahead of the hearing and would ask the authority to take this into account as it may do under Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005. In accordance with paragraph 11.9 of the Statutory Guidance Essex Police may amplify its representation at the subsequent hearing.

At present the premises is still operating without a DPS or any management structure in place .

INTERIM STEPS SOUGHT BY ESSEX POLICE

Essex Police would invite the licensing sub-committee to suspend the premises licence as 'interim steps' ahead of a full hearing and provide an opportunity to the premises licence holder to work with the police to agree operating hours, conditions and operating procedures which may be brought forward at a full hearing for a sub-committee to consider.

Signature of applicant: S. Barnes

Date:

27/07/2022

Capacity:

LICENSING OFFICER

5. Contact details for matters concerning this application:

Address:

LICENSING DEPARTMENT (ALCOHOL & GAMBLING)
ESSEX POLICE
BLYTH'S MEADOW
BRAINTREE
ESSEX
CM7 3DJ

Telephone number(s): 01245 452035

Email: Licensing.applications@essex.police.uk

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.

