

OFFICIAL (when complete)

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, T/CH/INSP 10012 SWALLOW on behalf of Kent Police
(Insert name of applicant)

Apply for the review of a premises license under section 51 of the Licensing Act 2003 for the premises prescribed below.
(delete as applicable)

Part 1 – Premises or club premises details

Freddie's
3 Duke Street, High Street

Post town Margate	Post code (if known) CT9 1EP
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Name of premises licence holder or club holding club premises certificate (if known) Mr Samuel WESTON
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Number of premises licence or club premises certificate (if known) LN/202100498
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Part 2 – Applicant details

I am

Please tick yes

1) an interested part (please complete (A) or (B) below)

- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises
- d) a body representing persons involved in business in the vicinity of the premises

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

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

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

Please tick

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

Surname

First names

Please tick yes

I am 18 years old or over

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)

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(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address PC Gemma MARTIN – Police Licensing Officer Strategic Prevention Command Licensing East Division Kent Police
Telephone number (if any) 07929358790
E-mail address (optional) Gemma.martin@kent.police.uk & licensing.east.division.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 checked="" 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 1)

On Saturday 9th November 2024, a report was made to Kent Police reporting a suspected Acid attack at a nearby licensed premise. Information received from a witness raised concerns that the suspect attended Freddie's bar immediately after the incident and was subsequently hidden by Door Staff.

Following this incident Kent Police requested CCTV from the DPS/PL holder Mr WESTON.

Between 11th November and the 30th of December Kent Police made 22 requests for CCTV. This was requested through calls, voicemails, texts, emails, and visits.

Following the failure to provide CCTV, Kent Police are unable to prove or disprove the allegation.

CCTV is a licence condition for Freddie's and as such this failure to comply and provide has resulted in the loss of evidence. CCTV is a requirement at this licensed premises and is a tool to "prevent crime and disorder" assist in the identification of individuals who pose a risk to the community and promotes a sense of safety amongst customers, knowing that CCTV is in operation and will be provided to the police and or licensing authority following any incident or complaint. Kent Police have reason to believe that the premises has significantly undermined the 'Prevention of Crime and Disorder' and 'Public Safety' Licensing Objectives.

Robust action must be taken to ensure that this premises is correctly promoting the licensing objectives ensuring a safe environment for all.

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Please provide as much information as possible to support the application.

(please read guidance note 2)

Freddie's Live Lounge - Freddie's is located at 3 Duke Street, Margate. The premises is described as a basement bar/club that sells alcohol. The premises is approximately 80 square metres consisting of a bar, lounge area, storeroom, office, toilets and staircase. The premises provides late night entertainment including live music, comedy, and magic shows.

Freddie's is situated in the Old Town and is surrounded by other business and residential properties. The premises is near Margate Sea front.

The Designated Supervisor and Premise License Holder is Mr Samuel Weston. Mr Weston holds a personal license with Thanet District Council.

Circumstances

On Monday 11th November, Kent Police requested CCTV and door staff details from the DPS of Freddie's Mr Samuel WESTON, following a suspected acid attack at a nearby premises. Information suggested that the suspect from the attack attended Freddie's immediately after the incident and was hidden by door staff.

The premises licence has 3 conditions of note under the Prevention of Crime and Disorder

Annex 2 – Conditions consistent with the operating Schedule

1. CCTV must be installed and maintained in good working order, be correctly time and date stamped. Recordings must be kept on a hard drive for a period of 31 days and handed to Police/Local Authority upon request.
2. The premises licence holder must ensure at all times a DPS or appointed member of staff are capable and competent at downloading CCTV footage in a recordable format to the Police or Local Authority upon request.
3. In the event of technical failure of the CCTV equipment, the premises licence holder or DPS must report the failure to the Police Licensing Officer within 24 hours unless the CCTV will be repaired before that time. (licensing.east.division@kent.pnnpolice.uk)

Kent Police have made 12 attempts to contact with Mr WESTON between 11th November and 30th December 2024. Despite leaving numerous messages which were not replied to officers also attended the venue more than 5 times in person during the same period, we have not been able to carry out our criminal investigation due to a lack of engagement from Mr WESTON. The ramifications of Kent Police being unable to secure CCTV, has had the following impact.

Kent Police investigation has been left disadvantaged without being able to secure critical evidence, which we believe would have shown not only the identity of somebody responsible for a significant and serious acid attack. But the actions designed to hide him by security staff, which goes against the very essence of those employed with an SIA badge.

Kent Police are unable to prove or disprove that door staff at Freddie's did hide the suspect following the acid attack. Kent Police question the poor communication and failure to provide

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CCTV, goes further than just a breach of licensing condition, but it is more likely than not - activities to hinder the criminal investigation, shield not only the suspect, but the actions taken to hide that suspect by security staff.

PC MARTIN tried her best to communicate with Mr WESTON and wanted to work with him to resolve the matter. However, her calls, texts and emails overall have been ignored and the opportunity to work together was not well received by Mr WESTON.

PC MARTIN can confirm this is not the first time Mr WESTON has breached his CCTV conditions. On 21st April 2023 Mr WESTON was issued with a warning letter regarding breaching several conditions on his premises licence, in particular CCTV. Mr WESTON was unable to provide CCTV footage following a serious incident. Mr WESTON was advised that this was his final written warning, and any more breaches will result in the review of his premises license. (See Annex 2)

PC MARTIN has been advised that Mr WESTON's annual licensing fee has recently been paid to Thanet District Council. This was communicated by Mr Weston via email, the same email address PC MARTIN used to communicate with him.

Mr Weston stated in the email to Thanet District Council, dated Thursday 9th January at 10:20hrs that he has been in poor health recently. Mr WESTON told Thanet District Council that he had a heart attack and had heart surgery 12 weeks ago and this was the reason for missing his payment. (See Annex 3)

PC MARTIN can confirm that at no point had this information be relayed to her in the initial conversation with Mr WESTON in early December, nor was this information relayed to the uniformed officers that attended and spoke to MR WESTON.

A Designated Premises Supervisor (DPS) is the person who has day to day responsibility for the running of the premises. The DPS will act as the primary contact for the local authority and Kent Police and must be always contactable. If the local authority or Kent Police have any questions or concerns about the business or licence, they will expect to be able to reach the DPS and/or arrange meetings which the DPS will be asked to attend.

Kent Police questions the integrity of Mr WESTON based on the lack of communication and consistency from the original request on 11th November 2024. On the balance of probability, its Kent Police's opinion that mandatory conditions have been breached and that Mr WESTON is not suitable as Designated Premises Supervisor at the premises. Kent Police respectfully request he is removed as DPS and or the license revoked.

Annex (References – please see attached supporting documents)

- 1) – Chronological list of attempts made to speak to Mr Weston
- 2) - Final written warning letter from Thanet District Council (April 24)
- 3) – Email from Sam Weston to TDC.

Please tick yes

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

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If yes please state the date of that application

Day Month Year

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

Please tick yes

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- 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 x
- I understand that if I do not comply with the above requirements my application will be rejected x

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent
(See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature
PC 13166 MARTIN

Date
14/01/2025

Capacity
Responsible Authority – Kent Police Licensing.

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
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. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

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5. This is the address which we shall use to correspond with you about this application.

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