

Supplementary Papers for Licensing Sub-Committee

Date: Tuesday, 29 July 2025



6. **Application for a Premises Licence at Chicken n Beer 58 Stanfield Road Bournemouth BH9 2NP**

3 - 24

Please find below supplementary documentation submitted by Dorset Police in respect of this item.

Published: 23 July 2025

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From: [GOSLING Gareth 2551](#)
To: [Licensing Com](#); [Ellie King](#)
Cc: [Fiona Smythe \(Immigration Enforcement\)](#); [Dorset Police Licensing](#); [Busfield, Louise](#); [Tom Hollington - Set Square](#)
Subject: Supplementary Submission - Application for a Premises Licence - Chicken n Beer
Date: 22 July 2025 11:18:07
Attachments: [image001.png](#)
[Supplementary Submission - Application for a Premises Licence - Chicken n Beer.docx](#)
[EAK02487.pdf](#)
[Emails denying relationship.pdf](#)
[Email confirming relationship.pdf](#)
Importance: High

Good Morning Ellie,

Please find attached supplementary submission in respect of this Application for a Premises Licence submitted on behalf of Cloud Brands Ltd. by Tom Hollington of Set Square.

You will note that Dorset Police have set out our concerns as comprehensively as possible in writing. Owing to Annual Leave commitments **it is unlikely that Dorset Police will be represented at the forthcoming Licensing Sub-Committee hearing on the 29th July 2025.**

In the event that members of the Sub-Committee would prefer that Dorset Police are available to answer any additional questions or to provide additional clarity regarding our submission, we would kindly ask that the hearing be postponed until after 12th August 2025. Dorset Police support this option to postpone the hearing, however, we respect that this must be with the consent of all parties. I have copied the HM Immigration Enforcement representative to this submission for their awareness and for any comments that they might wish to submit in respect of the forthcoming hearing.

If the members of the Sub-Committee are content with progressing with the hearing in our absence, I hope that the attached submission sufficiently highlights our concerns.

Having been involved in the hearing of the 20th May 2025 regarding the application to Review the licence attached to this premises, it became apparent that the members were consistently misled by the false responses offered by the licence holder, Mr Roy Francis, and we suspect that the forthcoming hearing on the 29th July 2025 will not be dissimilar. We hope that the members of the Sub-Committee will accept the concerns that have been raised and take the most appropriate action, which would be to refuse the application in its entirety.

Regards,



Gareth Gosling 2551
Police Sergeant

Drug & Alcohol Harm Reduction Team | Football Policing Desk | Public Order Policing | Events Planning
Poole Police Station, Wimborne Road, Poole

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Chicken n Beer, Stanfield Road, Bournemouth

This representation is in support of a representation against an Application for a Licensed Premises submitted by Cloud Brands Ltd.. This report is intended to provide both the members of the Licensing Sub-Committee and the applicant (and any representative) with additional information, context, and evidence in support of the representation. This representation is being completed and submitted as soon as practicable for the benefit of all parties. Whilst all details are correct at the time of completion, Dorset Police reserve the right to amend / introduce additional information and evidence in advance of the hearing.

Background

This proposed licensed premises is a late-night take-away located in Winton, a suburb of Bournemouth that has a dense population of nearby residents, which comprises of a large proportion of students from the nearby Bournemouth and Arts University Bournemouth. There are a variety of businesses operating nearby along Wimborne Road, including retailers, food and drink establishments, and other valuable business services, operating through the daytime and some through to the late evening.

Dorset Police work closely with BCP Council and other enforcement partners, including HM Immigration Enforcement, to assist us in achieving our priorities, particularly with our priority to relentlessly pursue those responsible for criminality in our communities.

Working in partnership with other partner agencies enables each organisation to combine and share their resources and focus their specialist attention and activity on the areas that have the greatest impact on the public, and which delivers the most significant benefit to the communities that we serve.

On the 25th March 2025, following an intelligence-led operation on Friday 14th February 2025 by HM Immigration Enforcement to this premises that led to two illegal workers being identified and detained, Dorset Police, as the lead authority for matters of crime and disorder, supported HM Immigration Enforcement by Applying for a Review of a Licensed Premises under Section 51 of the Licensing Act 2003.

A Sub-Committee hearing took place on Tuesday 20th May 2025 and Dorset Police invited members of the Sub-Committee to revoke the Premises Licence based on the evidence that had been presented, coupled with the additional information that had been presented during the hearing.

The Premises Licence was revoked and the matter is now subject of Appeal proceedings and has been able to continue offering licensable activities, namely the sale by retail of alcohol, whilst awaiting the outcome of the appeal.

Concerns

Dorset Police, through our Drug & Alcohol Harm Reduction Team, working with other colleagues within Dorset Police and our external partners, support licensed premises to provide value to their communities and to do so compliantly and in promotion of the licensing objectives.

Dorset Police are committed to supporting our partners to relentlessly pursue those premises that cause harm to any of our communities, and in doing so, support compliant businesses adding social and economic value to the community.

Whilst Dorset Police accept that this is a new application and should be treated upon its own merits, we have significant concerns that the holder of the existing/revoked Premises Licence remains in overall control and has influence over the delivery of this business.

During the Sub-Committee hearing of the 20th May 2025 Cllr Hillier asked a question of the existing licence holder, Mr Roy FRANCIS, 44 minutes and 12 seconds into the hearing. The question was relating to the proposed transfer of the business to Cloud Brands Ltd. and particularly whether any family members associated with the business at the time that the business was under his control would continue to have any association with the business. Mr Francis replied, 'No'. At 44 minutes and 36 seconds Mr Francis further reiterated that, 'No family involved'.

At 47 minutes and 30 seconds into the hearing, PS Gareth Gosling asked Mr Francis whether the Director of Cloud Brands Ltd. was any relation to him. He replied, 'No'.

The premises licence operated at this premises was revoked and the matter is proceeding through the Appeal process. If Mr Francis no longer has any interest in this business, questions might be asked as to why he continues to proceed with an Appeal when he no longer has any interest in the business. Dorset Police have the view that Mr Francis continues to be an integral part of the business.

Upon receipt of this application, Dorset Police and HM Immigration Enforcement submitted objections to this licence being granted. These objections are principally that the previous operator continues to have influence over this business. The below email was received on the 9th July 2025 from the applicant's representative to the Licensing Authority in response to the representations of Dorset Police and HM Immigration Enforcement –

Hi Ellie

*Thanks for this representation - we note it largely follows the police's line with respect to the previous operators. **We wish to further respond with a reiteration of the statement of fact that the previous operator has no part in the ownership, operation or day to day running of the new company or any of its operations.** We wish to request that the Local Authority understand the situation and put in place enforceable conditions should they feel necessary relating to the proximity of the previous premises license holder but note that **this is a new owner, new operator, new DPS and a new premises license holder.***

The previous operation will have no interest in Cloud Brands Ltd. its assets or its operation.

We are keen to avoid this hearing and resolve matters before the date you set out but these authorities' presumption that the previous operator is still involved is unevidenced, unproven and unfair on the new operator.

Please advise of your progress with this application and continue to find a solution to this prior to the hearing.

Kind regards

Tom Hollington

The above clearly stated the position of the new applicant. This representative has incidentally represented the previous applicant and confirmed, highlighted in bold, that it was 'fact' that there was no association between the previous operators and this applicant.

The applicant's representative responded to further advice and support from the Licensing Authority with the following correspondence on the 10th July 2025 –

Hi Ellie

*Yes please circulate the emails with both parties, they are in principle similar objections and **relate to concerns about the former operation**. We just fee a simple condition relating to the exclusion of the former operation from involvement could be attached to the application if necessary. **For clarity this is a fresh application under a different limited company with no connection to the former operators**. Should the licensing team wish to add the condition for comfort then the applicant has no problem as they are keen to foster a good working relationship with the consulting bodies moving forward with their new operation.*

Please forward these comments also and express our desire for a constructive dialogue and a positive outcome

Kind regards

Tom H

This further stated that there was 'no connection to the former operators' and sought to add conditions preventing the previous operator from having any involvement in the new licensed premises.

On the 14th July 2025 another member of the practice representing the applicant provided the following correspondence –

Good morning,

We previously wrote to the licensing officer to resolve the objections for this licensing application, please read the contents below.

The previous operation will have no interest in Cloud Brands Ltd. its assets or its operation.

We are keen to avoid this hearing and resolve matters before the date set out but **these authorities' presumption that the previous operator is still involved is unevidenced, unproven and unfair on the new operator.**

For clarity this is a fresh application under a different limited company with no connection to the former operators.

Should the licensing team wish to add the condition for comfort then the applicant has no problem as they are keen to foster a good working relationship with the consulting bodies moving forward with their new operation.

We hope we can work to ensure a swift resolution to this matter.

*Kind Regards,
James Andrews*

Whilst this correspondences duplicates many of the same statements and assertions issued previously, receiving the information from another member of the representative's company should have afforded greater confidence that the information was accurate and could be relied upon. The representative had also stated that they intended to 'foster a good working relationship' with the authorities through the delivery of this new business.

Four days later, on the 18th July 2025, the following correspondence was received from the same individual from the applicant's representative practice –

Good Afternoon,

Following concerns raised during the previous licensing review, we wish to provide further clarity regarding the structure and operation of Cloud Brands Ltd.

We acknowledge that Ms Manpreet Kaur and Mr Roy Francis are personally connected, and that this relationship was the subject of considerable scrutiny at the previous hearing. However, to be clear:

- Ms Kaur will be running the premises independently, and Mr Francis will have no operational, financial or managerial role in Cloud Brands Ltd or its licensed premises.
- We understand the seriousness of the previous licence revocation and have taken careful steps to ensure a fresh, compliant operation under Ms Kaur's direct control and accountability.
- The applicant is fully committed to upholding the Licensing Objectives, especially in relation to the prevention of crime and illegal working, and will operate robust right-to-work and staff vetting procedures.

To provide full reassurance to the responsible authorities:

- We are happy to accept the additional conditions proposed by Louise Busfield (attached) to ensure clear separation from the previous operator and to formalise the standards required for lawful and responsible management.
- We are also open to a condition explicitly prohibiting any involvement, direct or indirect, from Mr Roy Francis or any individuals connected to the previous management.

We hope this demonstrates our good faith, willingness to cooperate, and commitment to building a positive working relationship with the authorities going forward. We remain keen to resolve any remaining concerns ahead of the scheduled hearing, if possible,

Kind Regards,

James Andrews

Notwithstanding the comments that confirm that Mr Francis had lied during the Sub-Committee hearing on Tuesday 20th May 2025, the representative has sought to affirm that they have demonstrated "good faith, willingness to co-operate, and commitment to building a positive working relationship with the authorities".

The conduct of both Mr Francis and the proposed licence holder, Ms Kaur, has been subject of significant scrutiny throughout the past several months, not least due to their involvement in the business both during and after the initial concerns relating to Immigration offences.

Mr Francis has deliberately misled the members of the Sub-Committee on the 20th May 2025 through issuing statements, available to be viewed via the online recording of that hearing, which have now been acknowledged as being false. Ms Kaur had failed to attend the hearing of the 20th May 2025 in support of the proposal to transfer the premises licence to Cloud Brands Ltd., which was criticised by Linda Cole, the Legal Representative for BCP Council.

The members of the Sub-Committee of the 20th May 2025 correctly assessed that the revocation of the premises licence was appropriate and this is likely to be upheld during the appeals process.

The new premises licence has been assessed upon its own merits by Dorset Police and consideration has been afforded to how the conditions of the licence might support the licence holder to deliver safe and compliant licensable activities in promotion of the licensing objectives.

Dorset Police have concerns that, whilst the proposed conditions are appropriate to this proposed licensed premises, they are immediately undermined by the above concerns relating to the integrity of the proposed operator.

The Guidance issued under the Licensing Act 2003 stipulates the following in respect of making determinations of any application -

Paragraph 9.38 *In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:*

- *the steps that are appropriate to promote the licensing objectives;*
- *the representations (including supporting information) presented by all the parties;*
- *this Guidance;*
- *its own statement of licensing policy.*

Steps Appropriate to Promote the Licensing Objectives

This application for a premises is intended to replace the existing licence that has been revoked following a recent Sub-Committee determination, however, remains active as the Appeal process progresses through the Magistrates Court.

Whilst there have been some reassurances offered through the exchange of correspondence, principally relating to the agreement to implement additional conditions and to undertake to remove the previous licence holder from the new proposal, significant concern remain.

There are no additional steps that could address the concerns that Dorset Police have relating to the integrity and lack of confidence that we have in respect of the proposed operator. There has been no exchange of lease, sale of any business or any other meaningful disposal of the business other than to form a new company to hold the new premises licence.

Dorset Police have detailed knowledge of the relationship between Mr Francis and Ms Kaur, which has been denied for several months, including during the most recent Sub-Committee hearing when any relationship was denied.

Dorset Police can offer no additional proposals that might support the applicant to promote the licensing objectives.

Representations

Dorset Police have submitted this representation to assist the members of the Sub-Committee in making their determination.

In support of this submission, Dorset Police produce the following additional documents –

- Supplementary Submission made by Dorset Police in respect of the Application for Review.
 - Whilst Dorset Police accept that this is a new licence and should be determined on its own merits, the context as to why the previous application has been revoked, and remains active through the appeal process, is relevant to this application.
- Notice of determination following Sub-Committee hearing of the 20th May 2025
- Email trail detailing the repeated denials of any relationship between Mr Francis and Ms Kaur
- Email confirming the existence of a relationship between Mr Francis and Ms Kaur.

Guidance

Section 11.27 of the guidance states that, *“There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are [include] -... the use of the licensed premises for employing a person who is disqualified from that work by reason of their immigration status in the UK,”*

This was the initial concern highlighted to the members of the Sub-Committee during the Review hearing that took place on the 20th May 2025. Members must consider that whilst this criminal activity is linked to the previous/existing premises licence, the above correspondence confirms the information received by Dorset Police and HM Immigration Enforcement that Mr Francis and Ms Kaur have been associated with another for over 10 years and that this relationship will be reflected in their delivery of this proposed licensed premises.

Section 11.28 continues, *“It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. 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.”*

The Guidance identifies that this activity is sufficiently serious to justify revocation of the premises in the first instance, which was correctly determined by the members of the Sub-Committee on the 20th May 2025.

This application is intended to effectively replace that revoked premises licence.

BCP Council Statement of Licensing Policy 2020-2025

1.5 This policy has regard to the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.

The Guidance supported the determination made by the members of the Sub-Committee following the hearing of the 20th May 2025 and this application is intended to replace that revoked licence.

*13.1 Within all licensed premises, whether or not alcohol is to be sold, **the Licensing Authority will expect to see evidence of proper management both in practice and in the Operating Schedule.** All persons involved in the management of the premises must ensure that a sufficient number of responsible and trained persons are at the licensed premises at all times. They have the responsibility to monitor and manage the activities taking place. **They must ensure that all statutory responsibilities and the terms and conditions of the licence are complied with.** The applicant's operating schedule must address the issue of the management of the licensed premises*

The BCP Statement of Licensing Policy demands that operators exercise proper management over their premises. This is a key concern, shared by HM Immigration, as we have evidenced that the members of the Sub-Committee have been misled previously and that this has continued through the mediation of this application.

Dorset Police have no confidence in the applicant who we can evidence is connected to the previous holder of the revoked premises licence.

The applicant and the previous licence holder have demonstrated that they are unable to meet the Statutory requirements of a premises licence holder and this conflicts with the requirements of the Licensing Authority as detailed in this policy.

Available Outcomes to the Sub-Committee

To assist the members of the Sub-Committee in their determination, Dorset Police make the following submissions in relation to the available outcome options in respect of this Application for Review of a Premises Licence.

Grant the Licence in Full

Dorset Police and our partners at HM Immigration Enforcement have presented evidence that concerns remain regarding this premises, particularly associated with the management and control of the business.

The Guidance issued by the Home Office under Section 182 of the Licensing Act 2003, alongside the Statement of Licensing Policy for BCP Council, highlights that this licensed premises should not be granted as applied.

Exclude Licensable Activities from the Premises Licence

This application has applied for the following –

- Sale by Retail of Alcohol

Removing this licensable activity would effectively result in not granting the licence.

Dorset Police accept that if no licensable activities were taking place the premises could remain operational as a take-away (hot food and drink) until 2300hrs each day and that many of the concerns highlighted above would remain.

It is the responsibility of the members of the Sub-Committee to address concerns within licensed premises and to take appropriate action to act where licensing objectives are not likely to be upheld within licensed premises.

It is not appropriate for the members of the Sub-Committee to consider whether any legal activity would likely take place regardless of the existence of a premises licence – it is to ensure that licensing objectives are being promoted within licensed premises.

If immigration offences or other offences continued to be associated with a premises where no premises licence existed, those issues would continue to be managed by the authorities under legislation outside of the Licensing Act 2003.

Modify / Add Conditions to the Premises Licence

The Statutory Guidance sets out 'General Principles' at Paragraph 1.16 which states that "*conditions on a premises licence...are important in setting the parameters within which premises can lawfully operate.*"

Amongst other requirements, the Guidance further states that "*licence conditions must be appropriate for the promotion of the licensing objectives, should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation [and] should not replicate offences set out in the 2003 Act or other legislation*".

In the interests of promoting mediation and supporting the applicant to form an appropriate operating schedule, Police Licensing Officer Louise Busfield proposed a variety of conditions for consideration of the applicant. The conditions proposed were as follows –

✓ Staff Training

All staff involved in the sale of alcohol shall be trained in accordance with an accredited training scheme on the law relating to prohibited sales, the age verification policy in place at the premises, and the conditions attached to the premises licence.

Refresher training shall be provided at least every 6 months.

A record of all training shall be maintained, signed by both the trainer and trainee, and retained for a minimum of 12 months. These records shall be made available for inspection by the police, licensing authority, or other authorised officers.

✓ *Incident Log*

An incident log shall be maintained at the premises, including:

Complaints received

Incidents of disorder

Faults with CCTV, searching, or scanning equipment

Refusals of alcohol sales

Visits by relevant authorities or emergency services

Reported crimes

Ejections of patrons

The log must be available on request to police or authorised officers and reviewed weekly by the Designated Premises Supervisor.

Notices to be places both inside and outside the premises reminding customers to Respect the Neighbours.

✓ *Challenge 25*

A Challenge 25 policy shall be operated, and only the following forms of ID will be accepted: valid passports, photo driving licences, or PASS-accredited holographic identification cards.

Signage promoting this policy shall be prominently displayed.

✓ *CCTV Requirements*

A comprehensive CCTV system shall be installed covering all entry and exit points and all areas where alcohol is displayed or consumed, enabling frontal identification in any lighting conditions.

The system must operate whenever the premises are open to the public and retain recordings for at least 31 days with date/time stamps.

A staff member conversant with the operation of the CCTV system must be on-site at all times the premises are open and able to produce recordings without delay.

The CCTV must be maintained in accordance with police recommendations, checked weekly, and downloaded immediately upon police or authorised officer request.

Appropriate signage advising customers of CCTV in operation shall be clearly displayed.

✓ *Alcohol Ancillary to Food*

The sale of alcohol shall be ancillary to the preparation and service of food on the premises.

Whilst Dorset Police have proposed these conditions to be introduced the operating schedule during the initial mediation, the concerns that have since been highlighted far exceed the issues that these conditions would intend to address.

Dorset Police have no confidence in the applicant and are unable to offer conditions that might address these concerns.

Refuse to Specify a Designated Premises Supervisor (DPS)

Dorset Police are concerned that the proposed DPS resides so far away from the premises. Whilst we have evidence to suggest that the DPS does in fact live in Dorset, it remains unclear who will be in overall day-to-day control of this business.

It is anticipated that this application is intended to replace the recently revoked premises licence. There is the opportunity for the licence to specify any new DPS at any time and the Chief Officer of Police can only submit a representation against a new DPS ***in exceptional circumstances***.

The determination not to specify a DPS would only therefore likely result in a temporary delay in issuing this licence.

Reject the Application Entirely

Dorset Police support the view that this option should be a last resort for the Sub-Committee. Whilst fiscal issues are outside of the considerations of the Sub-Committee, Dorset Police consistently adopt a proportionate approach, wherever possible, to remain sensitive to commercial viability of businesses and to ensure that we support an outcome which reflects the concerns identified.

If this application was rejected entirely, the business could continue to offer hot food and drink until 2300hrs each day.

Dorset Police acknowledge the value that licensed premises add to our communities as places of social and economic value, however, where the presence of a licensed premise is likely to be detrimental to a community or presents a foreseeable risk to those living nearby, appropriate action must be taken to address those concerns proportionately.

Upon consideration of the application, the additional conditions proposed, the submission by HM Immigration Enforcement, the Statutory Guidance issued by the Home Office and the BCP Council Statement of Licensing Policy, Dorset Police recommend that this application for a premises licence be rejected entirely.

Conclusion

Dorset Police invites the members of the Sub-Committee to consider all the above options in their determination. If the members of the Sub-Committee are keen to avoid refusing the application, they should be satisfied that one of the alternative modifications/determinations will sufficiently mitigate the concerns that have been highlighted above and within the associated evidence.

The employment of illegal workers at this premises was deemed sufficiently serious to justify the revocation of the premises licence. The actions of the previous operator, who we believe remains in overall control of the business, placed illegal workers at increased vulnerability and acted to the detriment of other businesses and the wider community as highlighted in the submission of the HM Immigration Enforcement Officers.

Any determination that does not reflect the concerns that have been highlighted above will be a departure from the BCP Council Licensing policy and the Statutory Guidance issued by the Home Office.

Dorset Police do not intend to repeat our above concerns to the members of the Sub-Committee during the hearing, however, as the Licensing Authority's main source of advice on matters relating to crime and disorder (Paragraph 2.1 of the Licensing Act 2003 Section 182 Guidance produced by the Home Office which states that, "*Licensing authorities should look to the police as the main source of advice on crime and disorder*"), Dorset Police anticipate that this submission will be afforded appropriate consideration and that our recommendations associated to the licensing objective to prevent crime and disorder will be adopted if appropriate..

Sergeant Gareth Gosling (2551)
Drug and Alcohol Harm Reduction Team
Territorial Policing Prevention Department
Bournemouth Police Station
Via email to:
Gareth.Gosling@Dorset.PNN.Police.uk

Date: 27 May 2025
Our Ref: LDBv3: Misc. Act.: 226669: EAK02487
Contact: Mrs Ellie King
Email: ellie.king@bcpcouncil.gov.uk
Tel: 01202 123789

Dear Sergeant Gareth Gosling (2551)

Licensing Act 2003 – Notice of Decision
Chicken n Beer 58-58a Stanfield Road Bournemouth BH9 2NP

The Licensing Sub Committee sat on 20 May 2025 to consider the application dated the 25 March 2025 for a review of the premises licence in respect of Chicken n Beer 58-58a Stanfield Road Bournemouth BH9 2NP. I can confirm that BCP Council has reached the following decision:

Decision

RESOLVED that having considered the application dated 25 March 2025, made by Dorset Police to review the premises licence for the premises known as ‘Chicken n Beer’, 58-58A Stanfield Road, Bournemouth, BH9 2NP, the Sub-Committee has decided that it is appropriate to revoke the licence on the grounds that the premises are not upholding the prevention of crime and disorder licensing objective and is satisfied that there is no alternative outcome that will mitigate the concerns raised by Dorset Police and Home Office Immigration Enforcement.

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the report for Agenda Item 5, presented by Sarah Rogers, Senior Licensing Officer, in particular the written and oral evidence provided by Sgt Gosling of Dorset Police, the written representation made by Home Office Immigration Enforcement dated 26 March 2025 in support of the review on the grounds of Prevention of Crime and Disorder and Public Safety, as well as the verbal submissions made at the hearing by Mr Roy Francis, Premises Licence Holder and Designated Premises Supervisor.

In determining the review, the Sub-Committee considered the options available to them as set out in the recommendations of the report and provided for in the Licensing Act 2003. They took account of the Guidance by the Secretary of State made under section 182 of that Act as well as the BCP Statement of Licensing Policy. The Sub-Committee's decision is based upon consideration of the promotion of the Licensing Objectives. The Sub-Committee acknowledged that it was only able to consider matters directly relevant to the licensing objectives raised in the application namely prevention of crime and disorder and public safety.

The Sub-Committee concluded that the premises had failed to uphold the prevention of crime and disorder and public safety licensing objectives, and that revocation of the Licence was the only appropriate response to the issues raised in the review when considering the evidence currently available to it.

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Reasons for the decision:

Members of the Sub-Committee in determining the application for review must consider the following options: -

- a) Leave the licence in its current state.
- b) Modify the conditions of the licence; and/or
- c) Exclude a licensable activity from the scope of the license; and / or
- d) Remove the Designated Premises Supervisor; and/or
- e) Suspend the licence for a period not exceeding three months; and/or
- f) Revoke the licence.

Leave the licence in its current state:

In considering the information contained in the agenda report, the representations made by Dorset Police, and the verbal submissions made during the hearing, the Licensing Sub-Committee agreed that taking no action would not be a sufficient response to the concerns identified by Dorset Police in bringing this review.

The Guidance issued by the Home Office under Section 182 of the Licensing Act 2003 updated in February 2025, alongside the BCP Statement of Licensing Policy both guide that intervention is expected to tackle Immigration offences associated with licensed premises.

Modify the conditions of the licence; and/or add conditions

The Sub-Committee do not consider that modifying the existing conditions would resolve the concerns raised by Dorset Police and Home Office Immigration Enforcement as conditions should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation and should not replicate offences set out in the 2003 act or other legislation

It would not be appropriate to add conditions such as not to use illegal workers or those suffering from a Notifiable Disease in the operation of the business to the licence. There is an expectation that all responsible for running a business would act responsibly and within all relevant legislation.

Exclude a licensable activity from the scope of the licence:

The Sub-Committee do not consider that excluding a licensable activity from the scope of the licence to be an appropriate response to the concerns raised in this review. The issue was not the sale of alcohol but the evidence that the premises are associated with employing or operating with illegal workers being recompensed below the minimum wage, one of who had a notifiable disease, contrary to immigration and other legislation.

The Sub-Committee note that if licensable activities were not taking place the premises could remain operational as a take-away until 2300hrs each day and that the concerns highlighted may remain. The Sub-Committee however must ensure they do what they can to ensure the Licensing Objectives are promoted within the premises and it will be for other agencies to manage any remaining issues under alternative legislation.

The removal of the Designated Premises Supervisor from the licence:

Mr Roy Francis advised the Sub-Committee that he is no longer a director of 'Chicken n Beer' Ltd, having stood down in December 2024. He advised he is just an employee and not involved in hiring of staff and only remains as DPS because he is a personal licence holder and they supply alcohol.

The Sub-Committee were of the view that removing Mr Francis as DPS would not be enough to alleviate the issues raised in the Review Application. The Sub-Committee are unable to remove the Premises License Holder.

Suspension of the Licence:

The Sub-Committee feel that a temporary suspension of the Premises Licence of up to three months will not resolve the concerns raised in the Application for Review.

Revocation of the Licence:

The Sub-Committee, after considering all the options available to them, determined that revocation of the premises licence is the appropriate option in response to this Application for Review.

The evidence presented to them clearly demonstrates that Mr Francis, as DPS and Premises Licence holder and others associated with the business do not manage the premises responsibly and that they should have had regard to the necessary requirements, when employing employees into the business.

The Sub-Committee were not confident that Mr Francis was being honest in his responses to questions raised by the Sub-Committee and was trying to distance himself from the situation that was discovered by Immigration Enforcement on 14 February 2025. He demonstrated that he does not have the attributes necessary to uphold and promote the four licensing objectives, particularly the prevention of crime and disorder and public safety.

Mr Francis confirmed that he was employed at the premises when it was found to be employing illegal workers. However, he advised he had resigned as the Director of 'Chicken N Beer' Ltd on 1 December 2024 and will only remain employed and as the DPS at the premises until a new director obtains their personal licence, so they could continue to supply alcohol. His brother, Sylvester Francis became a director of Chicken N Beer' Ltd on 1 December 2024.

The Sub-Committee heard from the Senior Licensing Officer that an application had been submitted to transfer the premises licence into the name of Cloud Brands Ltd and to change the DPS, however these transfers had not yet been processed due to nonpayment of the application fee. Cloud Brands is a new company incorporated on 1 December 2024

Mr Francis informed the Sub-Committee that Cloud Brands Limited had taken over the running of the premises, and that the director was Manpreet Kaur. The Sub-Committee asked Mr Francis if he knew, or was related to, Manpreet Kaur and he advised that Manpreet Kaur was not a family member and that she was not an associate. Sgt Gosling advised that on 24 February 2025, Mr Francis had contacted Dorset Police to report the theft of his wife's vehicle, and that his wife's name was Manpreet Kaur, with the same date of birth as Manpreet Kaur, Director of Cloud Brands Limited. Mr Francis continued to uphold that Manpreet Kaur was not related to him, despite Manpreet Kaur also being the new Director of Freshers Delivery Limited, another company from which Mr Francis has recently resigned as a director. The Sub-Committee were not satisfied with Mr Francis' explanation as to his involvement with Manpreet Kaur the potential new DPS of the premises and were concerned that an attempt is being made to change the face of the business, i.e. the name of the Premises Licence Holder and DPS, but in reality those in management and control including Mr Roy Francis will not effectively change.

The Sub-Committee do not believe that those involved with operating the premises have done so responsibly and in a way that upholds the Licensing Objectives. The absence of any representatives at the hearing of Cloud Brands Ltd and director Manpreet Kaur, supposedly now running the premises, left the Sub-Committee with little confidence that it was a separate operation able to promote the Licensing Objectives.

The Sub-Committee agreed with the views of Dorset Police as highlighted in the representation of Home Office Immigration Enforcement, that the employment of illegal workers at this licensed premises disregards the law, places those illegal workers at increased vulnerability and acts to the detriment of other businesses and the wider community.

The Sub-Committee considered the application for review including the representation produced by Home Office Immigration Enforcement, the BCP Council Statement of Licensing Policy and the revised section 182 Guidance issued by the Home Office. They noted sections 11.27 and 11.28 of the guidance which states that, "There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are... the use of the licensed premises for employing a person who is disqualified from that work by reason of their immigration status in the UK;"

Section 11.28 continues, "It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. 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.”

The Sub-Committee agreed that the premises had been involved in serious crime and had disregarded public safety and that to uphold the licensing objectives, the Sub-Committee concluded that none of the other available options were appropriate at this time, and it was both appropriate and necessary to revoke the licence.

Right of appeal

You do have a right of appeal against this decision. An appeal against the review decision may be made to a Magistrates’ Court (Deansleigh Road, Bournemouth, BH7 7DS) within 21 days of the appellant being notified of the Licensing Authority’s determination on the review. An appeal may be made by the premises licence holder, the Chief Officer of Police and/or any other person who made relevant representations.

Yours faithfully

Ellie King

Mrs Ellie King
Licensing Officer

cc. Any Persons making a relevant representation

From: James Andrews
Sent: 14 July 2025 12:06
To: Ellie King; .Licensing; Home Office – Immigration; [Raj.Hundal](#);
Cc: Tom Hollington
Subject: Re: M228364 - New Premises Licence application - Chicken n Beer

Good morning,

We previously wrote to the licensing officer to resolve the objections for this licensing application, please read the contents below.

The previous operation will have no interest in Cloud Brands Ltd. its assets or its operation.

We are keen to avoid this hearing and resolve matters before the date set out but these authorities' presumption that the previous operator is still involved is unevidenced, unproven and unfair on the new operator.

For clarity this is a fresh application under a different limited company with no connection to the former operators.

Should the licensing team wish to add the condition for comfort then the applicant has no problem as they are keen to foster a good working relationship with the consulting bodies moving forward with their new operation.

We hope we can work to ensure a swift resolution to this matter.

Kind Regards,

James Andrews

Set Square Studio LTD

Email:

Mobile:

From: Ellie King
Sent: 11 July 2025 12:35
To: Dorset Police Licensing; Home Office – Immigration; Raj Hundal; Fiona Smyth
Cc: Tom Hollington
Subject: FW: M228364 - New Premises Licence application - Chicken n Beer

Good Afternoon,

Please see the emails below from Tom Hollington regarding the representations made. In Tom's absence, I spoke with James Andrews today and advised that, should they wish to pursue mediation, they should contact you directly.

Kind Regards

Ellie



Ellie King

Licensing Officer

Housing and Public Protection

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From: Tom Hollington

Sent: 10 July 2025 12:50

To: Ellie King

Cc: James Andrews

Subject: Re: M228364 - New Premises Licence application - Chicken n Beer

Hi Ellie

Yes please circulate the emails with both parties, they are in principle similar objections and relate to concerns about the former operation. We just feel a simple condition relating to the exclusion of the former operation from involvement could be attached to the application if necessary. For clarity this is a fresh application under a different limited company with no connection to the former operators. Should the licensing team wish to add the condition for comfort then the applicant has no problem as they are keen to foster a good working relationship with the consulting bodies moving forward with their new operation.

Please forward these comments also and express our desire for a constructive dialogue and a positive outcome

Kind regards

Tom H

On Thu, 10 Jul 2025 at 10:08, Ellie King wrote:

Good Morning Tom,

Thank you for your email, the contents of which are noted.

Please be advised that I am required to administer this application in strict accordance with the provisions of the Licensing Act 2003. I am not authorised to decline or refuse an application, engage in mediation with the applicant regarding any representations received, or propose conditions to be attached to the licence.

If a formal valid representation is received, the application must be referred to the Licensing Sub-Committee for determination at a scheduled hearing. When determining a new premises licence application, a Licensing Sub-Committee has several options available:

1. Grant the Licence in Full

- The application is approved as submitted, with all requested licensable activities and hours.

2. Grant the Licence with Modifications

- The Sub-Committee may impose conditions or modify the hours or activities applied for, if deemed necessary to promote the licensing objectives.

3. Exclude Certain Licensable Activities

- Specific activities (e.g. live music, late-night refreshment) may be removed from the licence if they are considered problematic.

4. Refuse to Specify a Designated Premises Supervisor (DPS)

- If concerns are raised about the individual proposed as DPS, the Sub-Committee may refuse to approve them.

5. Reject the Application Entirely

- If it is considered appropriate for the promotion of the licensing objectives, the application may be refused in full.

The statutory consultation period and indeed the time leading up to the hearing is your opportunity to engage directly with those who have made representations, with a view to addressing any concerns raised through mediation or mutual agreement. Please note that the hearing will only be cancelled if all concerns are resolved and the representations are formally withdrawn.

Please let me know whether you would like me to share your email below with the police and immigration services on your behalf, or if you intend to contact them directly to initiate mediation. In either case, please ensure that I am copied into all related correspondence.

Kind Regards

Ellie



Ellie King

Licensing Officer

Housing and Public Protection

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From: Tom Hollington

Sent: 09 July 2025 15:09

To: Ellie King

Cc: James Andrews

Subject: Re: M228364 - New Premises Licence application - Chicken n Beer

Hi Ellie

Thanks for this representation - we note it largely follows the police's line with respect to the previous operators. We wish to further respond with a reiteration of the statement of fact that the previous operator has no part in the ownership, operation or day to day running of the new company or any of its operations. We wish to request that the Local Authority understand the situation and put in place enforceable conditions should they feel necessary relating to the proximity of the previous premises license holder but note that this is a new owner, new operator, new DPS and a new premises license holder.

The previous operation will have no interest in Cloud Brands Ltd. its assets or its operation.

We are keen to avoid this hearing and resolve matters before the date you set out but these authorities' presumption that the previous operator is still involved is unevicenced, unproven and unfair on the new operator.

Please advise of your progress with this application and continue to find a solution to this prior to the hearing.

Kind regards

Tom Hollington

On Wed, 9 Jul 2025 at 13:54, Ellie King wrote:

Good Afternoon Tom,

Please find attached a representation submitted by Home Office Immigration Enforcement to the Licensing Authority in relation to your application for a new premises licence for Chicken n Beer.

Kind Regards

Ellie



Ellie King

Licensing Officer

Housing and Public Protection

From: James Andrews

Sent: 18 July 2025 11:55

To: Ellie King ; Fiona Smythe (Immigration Enforcement) ; Raj Hundal; BUSFIELD Louise

Subject: 58 Stanfield Road - Licensing

Good Afternoon,

Following concerns raised during the previous licensing review, we wish to provide further clarity regarding the structure and operation of Cloud Brands Ltd.

We acknowledge that Ms Manpreet Kaur and Mr Roy Francis are personally connected, and that this relationship was the subject of considerable scrutiny at the previous hearing. However, to be clear:

- Ms Kaur will be running the premises independently, and Mr Francis will have no operational, financial or managerial role in Cloud Brands Ltd or its licensed premises.
- We understand the seriousness of the previous licence revocation and have taken careful steps to ensure a fresh, compliant operation under Ms Kaur's direct control and accountability.
- The applicant is fully committed to upholding the Licensing Objectives, especially in relation to the prevention of crime and illegal working, and will operate robust right-to-work and staff vetting procedures.

To provide full reassurance to the responsible authorities:

- We are happy to accept the additional conditions proposed by Louise Busfield (attached) to ensure clear separation from the previous operator and to formalise the standards required for lawful and responsible management.
- We are also open to a condition explicitly prohibiting any involvement, direct or indirect, from Mr Roy Francis or any individuals connected to the previous management.

We hope this demonstrates our good faith, willingness to cooperate, and commitment to building a positive working relationship with the authorities going forward. We remain keen to resolve any remaining concerns ahead of the scheduled hearing, if possible,

Kind Regards,

James Andrews

Set Square Studio LTD

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