**Police Objection on behalf of Chief Constable**

**Application for DPS & Premises Licence – Mayland Masala**

**Applicant Rios MIAH dob 16/05/1968 of 53 Bushey Road London E13 9EN**

The applicant was arrested on 09/11/12 for the offence driving a motor vehicle on a road while suspected of being under the influence of alcohol. He refused to supply a specimen of breath for analysis and was bailed to appear at Chelmsford Magistrates Court on 05/12/12, subsequently bailed again to appear 18/02/2013.

If convicted, this offence is a "relevant offences" as described in Schedule 4, Licensing Act 2003.

**Circumstances**

The alleged offence was committed on the 09th November. Rios Miah was seen drinking at the Mayland Masala restaurant and seen to be staggering around before getting into a silver Mercedes and driving towards Latchingdon/South Woodham. On request to leave the vehicle the driver was noted by officers to be staggering about. He was conveyed to a police station at Rayleigh where he refused to provide a breath sample for analysis. The legal limit being 35 micrograms of alcohol in 100 millilitres of breath.

The applicant is in a position of trust as manager of the premises and and was responsible for a young employee who was also in the car with him at the time. It is fortunate that he was not involved in a Road Accident.

Until the outcome of the court date on 18/02/2013, where it will be raised that the defendant has this application pending and a personal licence, the Police are satisfied that the granting of the Licence and allowing the applicant DPS status would undermine the Crime and Disorder Objective

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