

Licensing Hearing Panel - Sub-Committee of Licensing and Safety Committee – Supplementary agenda

A meeting of the Licensing Hearing Panel - Sub-Committee of Licensing and Safety Committee will be held on:

Date: 10 August 2010

Time: 9.30am

Venue: Meeting Room 2 - Level 3, Gun Wharf, Dock Road, Chatham ME4 4TR

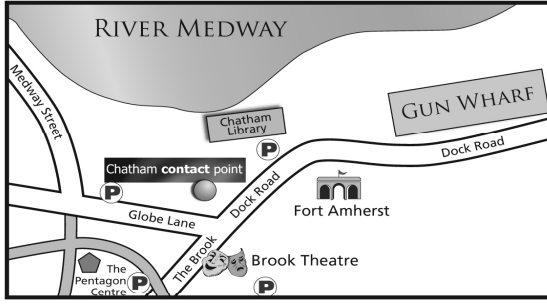
Items

- 6 Application for a premises licence, Food and Wine, 183 High Street, Gillingham, Kent – Agreed conditions with Kent Police. (Pages 1 - 6)

For further information please contact Peter Holland, Committee Co-ordinator on Telephone: 01634 332011 or Email: democratic.services@medway.gov.uk

Date: 3 August 2010

Please note that parking is available at Gun Wharf from 5pm



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ভাষা	331780	ગુજરાતી	331782	ਪੰਜਾਬੀ	331784	کوردی	331841	ارو	331785	Русский	332374
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Kent Police

Police Representation in relation to an application for **grant** made under Part 3 **Section 17** Licensing Act 2003 (S18 Licensing

Details of person making representation	
Name of Chief Officer of Police	Chief Superintendent Corbishley
Postal Address: (Area Headquarters)	Medway Police Station Purser Way Gillingham Kent ME7 1NE
E-mail address	Licensing.medway@kent.pnn.police.uk
Telephone Number:	01634 792337 or 01634 792539

Details of premises representation is about	
Name of Premises:	Food & Wine
Address of premises:	183 High Street Gillingham Kent ME7 1AQ
Date application received by police	
Date representation sent to Licensing Authority	29rd June 2010 <i>Must be within 28 days of receipt – The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005. Part 4 Reg. 22.</i>

The Chief Officer of Police has received an application for the grant of a premises licence made under the provisions of Section 17 Licensing Act 2003, and under Section 18 of that Act, asks the Licensing Authority to consider these representations in respect of: -	
<i>Please tick one or more of the licensing objectives that the representation relates to:</i>	
Prevention of crime and disorder	X
Public Safety	X
Prevention of public nuisance	X
Protection of children from harm	X

Is this a representation regarding the Designation of Premises Supervisor under S18 (9) Licensing Act 2003? NO

If yes, complete the following statement: -
<i>Please use separate sheets where necessary</i>

Please give the reason for the representation and detail the evidence supporting it:

The premise is situated within the high street of Gillingham. This is a change of use for the premises it is understood that the premises is to become a news agents with a facility to sell alcohol (Off Sales).

The applicant Ms RANDHAWA is also associated with Disco Drugs Store 95 High Street Strood where she is the premises license holder for that premises (Medway-09-Prem-0859). The D.P.S at Disco Drugs Store is Mr Kewal Singh Randhawa 04/03/62 he is also seeking to be the D.P.S at this new premises.

It has come to the attention of Kent Police in Medway that Mr Kewal Singh Randhawa 04/03/62 was found guilty at East Berkshire Magistrates Court on 12/12/07 of selling alcohol to underage persons and of breaching 2 licence conditions. He was fined £1000 for the underage sale and £4000 for the breach of licence conditions. £3030 of costs were awarded against him.

In fairness to the applicant and Mr Randhawa the aforementioned incident happened in 2007 and currently neither Mr Randhawa nor the premises, Disco Drugs Store have come to the attention of Kent Police in Medway for any adverse reason. Mr Randhawa contacted the DC Horner recently to express his concern regarding an individual who he perceived was a vulnerable member of our society and who had on consecutive days tried to purchase both alcohol and aerosol based lighter fuel from his premises. On these occasions Mr Randhawa challenged the person and went so far as to follow the person to their home address, sheltered accommodation.

There is no trace on Kent Police indices save for the aforementioned that may assist members of the Licensing Panel in determining this application.

The promotion of the licensing objectives is the key to the Licensing Act 2003 and the responsible retailing of alcohol.

On page 14 of the application the applicant has stated how they intend to promote the objectives of the Licensing Act 2003. It is important Conditions associated with each objective are clear ensuring that the Premises License holder, Designated Premises Supervisor and all employees' are aware of their liabilities and responsibilities in respect of the current licensing legislation. They also enable Responsible Authorities to engage and deal with premises in a manner that is bespoke to the needs of the Responsible Authority and those that it represents. Kent Police in Medway ask that the Licensing Committee give consideration to the following representations;

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Prevention of Crime and Disorder

The promotion of this objective by the imposition of conditions is a key to the Licensing Act 2003. Whilst there are no current concerns specific to "Crime and Disorder" associated with this premises the nature of some proposed activities have the potential adversely impact on this objective. It is important that conditions are attached to this license that seek to effectively promote this objective and minimise the risk of it being undermined.

Public Safety

The promotion of this objective by the imposition of conditions is a key to the Licensing Act 2003. Whilst there are no current concerns specific to "Public Safety" associated with this premises it is important that conditions are attached to this license that seek to promote this objective and minimise the risk of this objective being undermined.

Prevention of Public Nuisance

The promotion of this objective by the imposition of conditions is a key to the Licensing Act 2003. Whilst there are no current concerns specific to "Prevention of Public Nuisance" associated with this premises it is important that conditions are attached to this license that seek to promote this objective and minimise the risk of this objective being undermined.

Protection of Children From Harm

The promotion of this objective by the imposition of conditions is a key to the Licensing Act 2003. Whilst there are no current concerns specific to "Protection of Children from Harm" associated with this premises it is important that conditions are attached to this license that seek to promote this objective and minimise the risk of this objective being undermined.

Suggested conditions that could be added to the licence to remedy the representation or other suggestions the Licensing Sub Committee may take into account:

1. All staff are to receive training in relation to the conditions applicable to this premises and training specific to their role as per the licensing legislation. Documented training records relating to every employee who is employed at the Licensed Premises (paid or unpaid) are to be kept on the premises. The records shall include but are not limited to the nature, content and frequency of any training. These records will be made available for inspection to any Police Officer, Police Licensing Officer and Officer of the Local Authority or Trading Standards when practicable.
2. Where a person appears to be under the age of eighteen they will be required to provide a proof of age. The only acceptable proof of age will be;
 - Passport.
 - Photo Driving License.
 - Pass approved ID Cards.
3. The License Holder will keep a written refusal book. These records will be kept in a bound book and detail the following;
 - Day, Date and Time of Refusal.
 - Nature of Refusal and reason.
 - Details of or description of the individual.
 - Each entry is to be checked and signed by the D.P.S on the day of the event or as soon as practicable.
4. Incidents records are to be kept by the License Holder. These records will be kept in a bound book and will detail the following;
 - Day, date and Time of incident.
 - Nature of the incident
 - Resolution
 - Each entry is to be checked and signed by the D.P.S on the day of the event or as soon as practicable.
5. When the premises are open to the public or a section of the public CCTV should be used to monitor the Licensed Premises.

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6. CCTV to be installed to a standard agreed by police and in accordance with CCTV Code of Practice. The system is to be maintained and serviced on a regular basis; a physical and auditable record of this is to be kept on the premises and must be available when practicable for examination by Police and officers of the local authority. The system must incorporate a recording facility and must be fully operational throughout the hours that the premise is open for licensable activity. All recordings must to be stored for a minimum of one calendar month (Generally 28 days) and access to these recordings must be made available to Police and Local Authority officers upon request when the request is reasonable and practicable. All staff will be fully trained in the use of the CCTV system including the retrieval of stored or recorded data. Throughout the hours that the premises are open for licensable activities, a minimum of one member of staff is to be on duty who upon request of the Police or an officer of the local authority can provide a copy of any stored or recorded data in a form that can be taken away and viewed at another location.
7. The premises to become a member of Safer Medway Partnership.
8. Whenever the premises are open to the public or a section of the public the person on duty who is responsible for the premises is to monitor the radio system.