

Licensing Hearing Panel – Supplementary Agenda No.2

A meeting of the Licensing Hearing Panel will be held on:

Date: 21 June 2022, reconvened from Tuesday, 26 April 2022

Time: 9.30am

Venue: Meeting Room 9 - Level 3, Gun Wharf, Dock Road, Chatham ME4 4TR

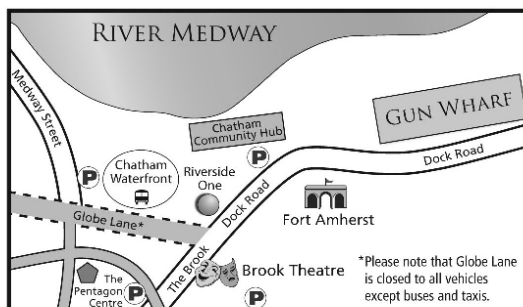
Items

- 6 Application for review of a Premises Licence - Baba Food and Wine, 75 High Street, Gillingham, Kent, ME7 1BJ (Pages 3 - 10)**

Attached as new Appendix J is supplementary information received from the Police.

For further information please contact Stephen Platt on Telephone: 01634 332011 or Email: democratic.services@medway.gov.uk

Date: 20 June 2022



This agenda and reports are available on our website
www.medway.gov.uk

A summary of this information can be made available in other formats from **01634 333333**

Official (when complete)

Supplementary information for a review of a premises licence or club premises certificate under the Licensing Act 2003

Kent Police Submission.

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description:	
Baba Food & Wine 75 High Street Gillingham ME7 1BJ	
Post town: Gillingham	Post code: ME1 1BJ

Name of premises licence holder or club holding club premises certificate:
TEM-AS Kent Ltd

Number of premises licence or club premises certificate:
Medway/11/00012/PREM

When did you submit an application for a review relating to this premises:

Day	Month	Year
0	1	0 3 2 0 2 2

Official (when complete)
Supplementary information for a review of a premises licence or club premises certificate under the Licensing Act 2003

Details of supplementary information:

Information contained within this document is supplementary to the initial application for a review dated 01/03/2022 and in addition to the first supplementary information submission dated 29/03/2022.

Further supplementary incidents of note:

On 7th May 2022:

Approximately 0330: Council CCTV report an unresponsive male outside of the shop with a group of his associates attempting to rouse him. Baba Food and Wine staff are seen to be aware of the group. At 0527 hours Southeast Kent Ambulance service attended to ascertain that the male was very intoxicated.

Approximately 0445, an intoxicated female alleged that the males in the group were fighting with her and made comments of self-harm.

Kent Police produce council and premises CCTV evidence of numerous alcohol purchases, linked to these two incidents between 0248 and 0500.

On Wednesday 11th May 2022:

Approximately 0254 a vulnerable male reported being robbed on the junction of High Street and Canterbury Street. Council CCTV shows the male being punched and kicked on the floor. The two suspects are then seen to leave the location. Kent Police produce council and premises CCTV of alcohol purchases from the premises by the offender.

Also included in this supplementary information submission are two statements from local residents who evidence recent nuisance, rowdy behaviour and drinking on Gillingham High Street by drivers having purchased alcohol from the venue.

These two statements have been redacted of all personal details as neither witness wish to be identified for fear of reprisals.

- | | |
|---|---|
| <ul style="list-style-type: none"> ▪ 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 ▪ I understand that if I do not comply with the above requirements my application will be rejected | <p>Please tick yes</p> <p style="text-align: center;"><input checked="" type="checkbox"/></p> <p style="text-align: center;"><input checked="" type="checkbox"/></p> |
|---|---|

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 – Signature

Signature: PC 11250 A. Smuts

.....

Official (when complete)
Supplementary information for a review of a premises licence or club premises certificate under the Licensing Act 2003

Date: 26/05/22

.....

Capacity: Kent Police Licensing Officer

.....

OFFICIAL

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

46	
----	--

Statement of: 

Age if under 18: **Over** (if over 18 insert 'over 18') Occupation: **Unemployed**

This statement (consisting of _____ page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false or do not believe to be true.

Signature:  Date: **13/05/2022**

Tick if witness evidence is visually recorded (supply witness details on rear)

I have recently moved into a premises in close proximity to a shop on Gillingham High Street called Baba Food and Wine.

I very much regret moving into this area due to what I now realised is a problem for me and my preschool age son.

During my time in my new address, I have often become aware of very loud music coming from cars parked outside of Baba food and Wine. The drivers mostly seem to be males with tanned skin, of an eastern European appearance. I watch how they enter the shop and come out with bags of alcohol. They then seem to have loud parties outside of Babas and regularly drink the alcohol which they had just bought. They also don't care about any residents as they then see the need to shout at one another. They hang around for some reason, sometimes until the early hours of the morning. This behaviour is not limited to weekends only as this occurs during the week too.

I am upset at the situation as the noise often wakes my son up. I am sometimes able to comfort him so that he falls asleep again quickly, but often he becomes distraught at all the disruption. I am sure that not only myself but that other residents in this area are also annoyed about what is going on outside of Babas Food and Wine and are as afraid as me to say anything about it.



PC 11250 A. Smuts

Signature:

Signature witnessed by:

OFFICIAL

RESTRICTED (when complete)

MG11 (Cont)

Continuation page 2

URN 46

Continuation statement of:

On Sunday 8th May or in the small hours of Monday morning, 9th May 2022 I was in bed and was woken up by vehicles travelling up and down Gillingham High Street. They were loud and seemed to be racing one another. I saw that they were the same vehicles and drivers which regularly gather along the High Street.

I don't know what can be done about the matter, but I would like to believe that the issue with the anti-social and nuisance behaviour by Babas customers has some sort of solution.

Signature

PC 11250 A. Smuts

Signature witnessed by

Kent Police MG11 (rev 7/07) v13-
2006/07(1)

Page 2 of 2
File Name : \\wprod.netr.ecis.police.uk\Groups\PVP Dept\Lt\Baba Food & Wine\MG11 BRMgen.docx

RESTRICTED (when complete)

RESTRICTED (when complete)

MG11(M)

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of: [Redacted]

URN [] [] [] []

Age if under 18: over (if over 18 insert 'over 18')

Occupation: Unemployed

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: [Redacted]

Date: 10/05/22

Tick if witness evidence is visually recorded (Supply witness details on rear)

I have lived on Gillingham High Street for about 18 years. I live in the proximity of a shop called Baba Food & Wine. This past weekend on Sunday 5th May I was at home approximately 2:00 hours. Outside of Baba food and wine and up the road there were about 20 cars. Everyone was being loud, drinking and smoking with their music up very loud. They were racing up and down the high street causing tyre marks and being a nuisance. These people in their cars are all there as Baba food and wine is open and selling alcohol. I watched many of them as I always do enter the shop and come out with alcohol. Then they

Signature: [Redacted]

Signature witnessed

2010/1.1

RESTRICTED (when complete)

OFFICIAL

MG11(GONT)

Page No. 2 of 3

Continuation of Statement of: [REDACTED]

started drinking it which being very loud outside. It is a constant issue. These vehicles and their owners are a constant problem with my neighbours and friends who live nearby. Although Sunday the 8th of May was particularly bad, there are always similar issues outside of this shop; especially on a Friday, Saturday and Sunday nights. ^{There} are people outside of that shop at all hours of the night and early hours of the morning, sometimes until 6 or seven in the morning. I watch them enter Babar and then come out with alcohol and drink it outside. It used to be bad a couple of years ago, but it is getting worse.

The shop attracts alcoholics who then sit outside the shop and the church who then drink it in ~~front~~ public. It looks disgusting. No one should have

Signature: [REDACTED]

Signature witnessed by: [REDACTED]

2013v2

OFFICIAL

OFFICIAL

MG11(CONT)

Continuation of Statement of: [Redacted] Page No. 3 of 3

to watch that going on and have to put up with the anti social behaviour caused by drunk people who get their alcohol in that shop, and the cars racing up and down at all hours. In addition to that they then all drink down after getting drunk outside the shop.

Signature: [Redacted] Signature with

2013v2

OFFICIAL