

GUIDELINES FOR LICENSING HEARING PANELS

The chairman will control the proceedings and the following is a guideline for each hearing but may be adjusted if appropriate.

1. The chairman explains the proposed format for the meeting and asks everyone to introduce themselves.
2. The Licensing Officer briefly outlines the application.
3. The applicant (or their representative) speaks in support of their application and call any witnesses.
4. Objectors* ask the applicant (or their representative) and witnesses questions.
5. The panel asks the applicant (or their representative) and witnesses questions.
6. Objectors* speak about their representation and call any witnesses.
7. The applicant (or their representative) asks the objectors questions.
8. The panel asks questions.
9. All parties are asked if they wish to add anything further.
10. The chairman requests everyone to leave the room in order that the panel may reach a decision. The Legal Officer and Democratic Services Officer to the panel will remain.

-
11. Everyone will be invited to return to receive the decision. In the event of complex or lengthy applications, the panel may decide to give its decision at a later date.

* Objectors may include responsible authorities such as the Police, the Fire Brigade, Environmental Health Officers, Development and Building Control Officers, Highway Officers, Trading Standards Officers and local residents. The responsible authorities will be asked to speak first.

LICENSING HEARING PANEL

6 NOVEMBER 2012

LICENSING ACT 2003 APPLICATION FOR A PREMISES LICENCE

BEST ONE 356 – 358 HIGH STREET, GILLINGHAM, KENT

Report from: Angela Drum, Head of Legal Services

Author: Mandy Francis, Senior Licensing and Enforcement Officer

Summary

The applicant, Mevlut Uzun, for Best One, 356 – 358 High Street, Chatham has applied for a New Premises Licence to request the supply of alcohol. A representation has been received from Kent Police.

1. The application

1.1 In accordance with the Licensing Act 2003, the council has received an application for a new premises licence in respect of Best One, 356 – 358 High Street, Chatham, Kent ME4 4NP.

1.2 The application is for:

Hours the premises are open to the public

Monday to Sunday 06:00 – 01:00

Supply of Alcohol – Off the premises

Monday to Sunday 06:00 – 01:00

A copy of the application as submitted is at Appendix A.

The application has been correctly advertised in the local press and notices displayed on the premises for the required period.

A copy of the floor plan is attached at Appendix B.

A copy of a plan showing the location of the premises is at Appendix C

2. Background

- 2.1 An application for a new premises licence has been received in respect of Best One, 356 – 358 High Street, Chatham, Kent ME4 4NP, a copy of which is attached at Appendix A.
- 2.2 As stated at paragraph 1.2 this is an application for a new premises licence for the supply of alcohol.

3. Promotion of Licensing Objectives

- 3.1 The applicant is expected to demonstrate that they have dealt with the promotion of the four licensing objectives, where appropriate. Members are referred to in section 21 of the application at Appendix A where the applicant has referred to this issue.
- 3.2 The four licensing objectives are:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm.

4. Relevant Representations

- 4.1 This matter has been put to the Licensing Hearing Panel because the council has received a representation from Kent Police. A copy of this representation is attached at Appendix D.

5. Policy Considerations

- 5.1 Medway Council has published its Statement of Licensing Policy, which it will consider in all applications. Paragraphs 14 - 18 specifically deal with the question of crime and disorder, public safety, public nuisance and the protection of children from harm, which are the objectives raised in the relevant representations.

Background papers

Medway Council's Licensing Policy.
Amended Guidance issued by the Home Office under section 182 of the Licensing Act 2003.

Copies of the council's Licensing Policy are obtainable by telephoning 01634 337114 and the Licensing Policy can be viewed on the council's website under Licensed Premises at www.medway.gov.uk/licensing.

Lead officer contact:

Mandy Francis, Senior Licensing and Enforcement Officer
Telephone: 01634 337114 Email: mandy.francis@medway.gov.uk



Medway Council
Application for a premises licence
Licensing Act 2003

For help contact
licensing@medway.gov.uk
 Telephone: 01634 337107

* required information

Section 1 of 22

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

133002

This is the unique reference for this application generated by the system.

Your reference

Best One Chatham

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Mevlut

* Family name

Uzum

* E-mail

licensing@medway.gov.uk

Main telephone number

Include country code.

Other telephone number

☒ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

☐ Applying as a business or organisation, including as a sole trader

☒ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* Building number or name	<input type="text" value="45"/>
* Street	<input type="text" value="Rotary Gardens"/>
District	<input type="text"/>
* City or town	<input type="text" value="Gillingham"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="ME7 2AB"/>
* Country	<input type="text" value="United Kingdom"/>

Agent Details

* First name	<input type="text" value="Debra"/>
* Family name	<input type="text" value="Silvester"/>
* E-mail	<input type="text" value="licensing-services-agency@ntlworld.com"/>
Main telephone number	<input type="text" value="01992 584959"/>
Other telephone number	<input type="text" value="07931 484635"/>

Include country code.

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

- ☒ An agent that is a business or organisation, including a sole trader
☐ A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

* Is your business registered in the UK with Companies House? ☐ Yes ☒ No

* Is your business registered outside the UK? ☐ Yes ☒ No

* Business name

If your business is registered, use its registered name.

* VAT number

Put "none" if you are not registered for VAT.

* Legal status

* Your position in the business

Home country

The country where the headquarters of your business is located.

Continued from previous page...

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

The information given here will be saved and will be pre-filled in future forms.

Section 2 of 22

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 22

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☒ An individual or individuals
- ☐ A limited company
- ☐ A partnership
- ☐ An unincorporated association
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales
- ☐ Other (for example a statutory corporation)

Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 22

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- ☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Mevlut

Family name

Uzum

Is the applicant 18 years of age or older?

- ☒ Yes ☐ No

Continued from previous page...

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="45"/>
Street	<input type="text" value="Rotary Gardens"/>
District	<input type="text"/>
City or town	<input type="text" value="Gillingham"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="ME7 2AB"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="licensing@ntlworld.com"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
<input type="button" value="Add another applicant"/>	

Section 5 of 22

OPERATING SCHEDULE

When do you want the premises licence to start?

<input type="text" value="12"/>	/	<input type="text" value="10"/>	/	<input type="text" value="2012"/>
dd		mm		yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
dd		mm		yyyy

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Convenience store & off licence

Continued from previous page...

Section 6 of 22

PROVISION OF PLAYS

Will you be providing plays?

☐ Yes ☒ No

Section 7 of 22

PROVISION OF FILMS

Will you be providing films?

☐ Yes ☒ No

Section 8 of 22

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 22

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 22

PROVISION OF LIVE MUSIC

Will you be providing live music?

☐ Yes ☒ No

Section 11 of 22

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

☐ Yes ☒ No

Section 12 of 22

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

☐ Yes ☒ No

Section 13 of 22

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes ☒ No

Section 14 of 22

Continued from previous page...

PROVISION OF FACILITIES FOR MAKING MUSIC

Will you be providing facilities for making music?

☐ Yes

☒ No

Section 15 of 22

PROVISION OF FACILITIES FOR DANCING

Will you be providing facilities for dancing?

☐ Yes

☒ No

Section 16 of 22

PROVISION OF FACILITIES FOR ENTERTAINMENT OF A SIMILAR DESCRIPTION TO THOSE PROVIDED FOR MAKING MUSIC OR DANCING

Will you be providing facilities similar in nature to those provided for making music or dancing?

☐ Yes

☒ No

Section 17 of 22

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

Section 18 of 22

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

FRIDAY

Start 06:00

End 01:00

Start

End

SATURDAY

Start 06:00

End 01:00

Start

End

SUNDAY

Start 06:00

End 01:00

Start

End

Will the sale of alcohol be for consumption:

☐ On the premises ☒ Off the premises ☐ Both

If the sale of alcohol is for consumption or the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Mevlut

Family name

Uzum

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text" value="45"/>
Street	<input type="text" value="Rotary Gardens"/>
District	<input type="text"/>
City or town	<input type="text" value="Gillingham"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="ME7 2AB"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (known)	<input type="text" value="Medway-05-PL-0532"/>
Issuing licensing authority (if known)	<input type="text" value="Medway"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 19 of 22

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None except for the sale of alcohol

Section 20 of 22

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

Section 21 of 22

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

TRAINING OF ALL STAFF ON THE PREMISES TO ENSURE THAT THEY UNDERSTAND AND ADHERE TO THE LAW RELATING TO THE SALE OF ALCOHOL. TRAINING RECORDS TO BE KEPT AND MADE AVAILABLE TO POLICE OR COUNCIL OFFICIALS ON REQUEST

b) The prevention of crime and disorder

CCTV INSTALLED THAT MEETS THE STANDARDS REQUIRED BY THE POLICE, AND MAINTAINED SO FULLY OPERATIONAL AT ALL TIMES. RECORDINGS TO BE KEPT IN ACCORDANCE WITH POLICE GUIDELINES, FOR A MINIMUM OF 30 DAYS AND TO BE MADE AVAILABLE TO POLICE/COUNCIL OFFICERS IF REQUIRED.

ALARM SYSTEM IN PLACE

SHUTTERS AT FRONT WINDOWS

c) Public safety

ALL STAFF TRAINED TO DEAL WITH ANY OUTBREAK OF FIRE AT THE PREMISES. FIRE EXTINGUISHERS INSTALLED AND REGULARLY SERVICED IN ACCORDANCE WITH FIRE AUTHORITY GUIDELINES
TO COMPLY WITH ANY REQUIREMENTS OF THE FIRE AUTHORITY

d) The prevention of public nuisance

ANYONE WHO IS DRUNK OR UNDER 18 OR APPEARS TO BE BUYING ALCOHOL FOR SOMEONE WHO IS DRUNK OR UNDER 18 WILL BE REFUSED THE SALE OF ALCOHOL

e) The protection of children from harm

CHALLENGE 25 TO BE OPERATED AT ALL TIMES, AND ALL PERSONS ATTEMPTING TO BUY ALCOHOL WHO APPEAR TO BE UNDER THE AGE OF 25 WILL HAVE TO PROVIDE PHOTOGRAPHIC EVIDENCE IN THE FORM OF AN INDUSTRY APPROVED PROOF OF AGE IDENTITY CARD, PASSPORT OR PHOTO DRIVING LICENCE TO PROVE THAT THEY ARE 18 OR OVER. SIGN TO BE DISPLAYED AT POINT OF SALE - 'NO PROOF OF AGE - NO SALE'. A REFUSALS/INCIDENT BOOK, DETAILING ALL INCIDENTS WHERE ALCOHOL AND OTHER AGE RELATED PRODUCTS ARE REFUSED, AND ANY OTHER RELEVANT INCIDENTS, IS TO BE KEPT AT THE PREMISES AND MADE AVAILABLE TO AUTHORISED OFFICERS ON REQUEST.

Section 22 of 22

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*

Continued from previous page...

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000-14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

190.00

Continued from previous page...

ATTACHMENTS

Consent form of premises supervisor	electronic
Premises Plan	electronic

DECLARATION

* I/we understand 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.

☐ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

Debra Silvester

Capacity

Agent

* Date

14

/

09

/

2012

dd

mm

yyyy

Add another signatory

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Digital signature

You can digitally sign the form if you wish, this will be verified and passed to the authority.

When you are satisfied that you have completed the form correctly, save it and continue with the application process. If the online application screen is no longer available in your browser, [click here](#) to resume.

OFFICE USE ONLY

Applicant reference number	Best One Chatham
Fee paid	190.00
Payment provider reference	2452043032
ELMS Payment Reference	133002
Payment status	Paid
Payment authorisation code	cardbe.msg.authorised
Payment authorisation date	Sep 14, 2012
Date and time submitted	Sep 14, 2012 10:45:19 AM
Approval deadline	Oct 12, 2012
Error message	
Is Digitally signed	<input checked="" type="checkbox"/>

Digital Signature Information

Signer's name	Debra Silvester
Signer's contact information	
Signing time	2012-09-14T10:24:27
Signer status	Identity Unknown - Identity Verification of the
Signature status	Signature Valid but document modified - The
Certificate issuer	C=\<n,1.2.840.113549.1.9.1=#16246c6963656

EASTWOOD LTD SHOPFITTERS

EASTWOOD SHOPFITTERS LTD
UNIT 7 - AIRPORT TRADING ESTATE
WIRELESS ROAD
BIGGIN HILL, KENT
TN16 3BW

TEL: 01959 540 755
FAX: 01959 574 093
WEBSITE: www.eastwoodplc.co.uk
E-MAIL: sales@eastwoodplc.co.uk

THIS DRAWING (DOCUMENT) HAS BEEN
CREATED BY US EASTWOOD SHOPFITTERS
LTD AND IS OUR SOLE PROPERTY. IT
CANNOT BE REPRODUCED, DUPLICATED OR
IN ANY WAY COPIED. NOR CAN THE
CONTENTS THEREOF BE MADE TO THIRD
PERSONS WITHOUT OUR WRITTEN
CONSENT.

DRAWING NO: 1436PL01

SCALE: 1:50 (A2)

DATE: 1st July 2012

DRAWN BY: Hussein

CUSTOMER DETAILS

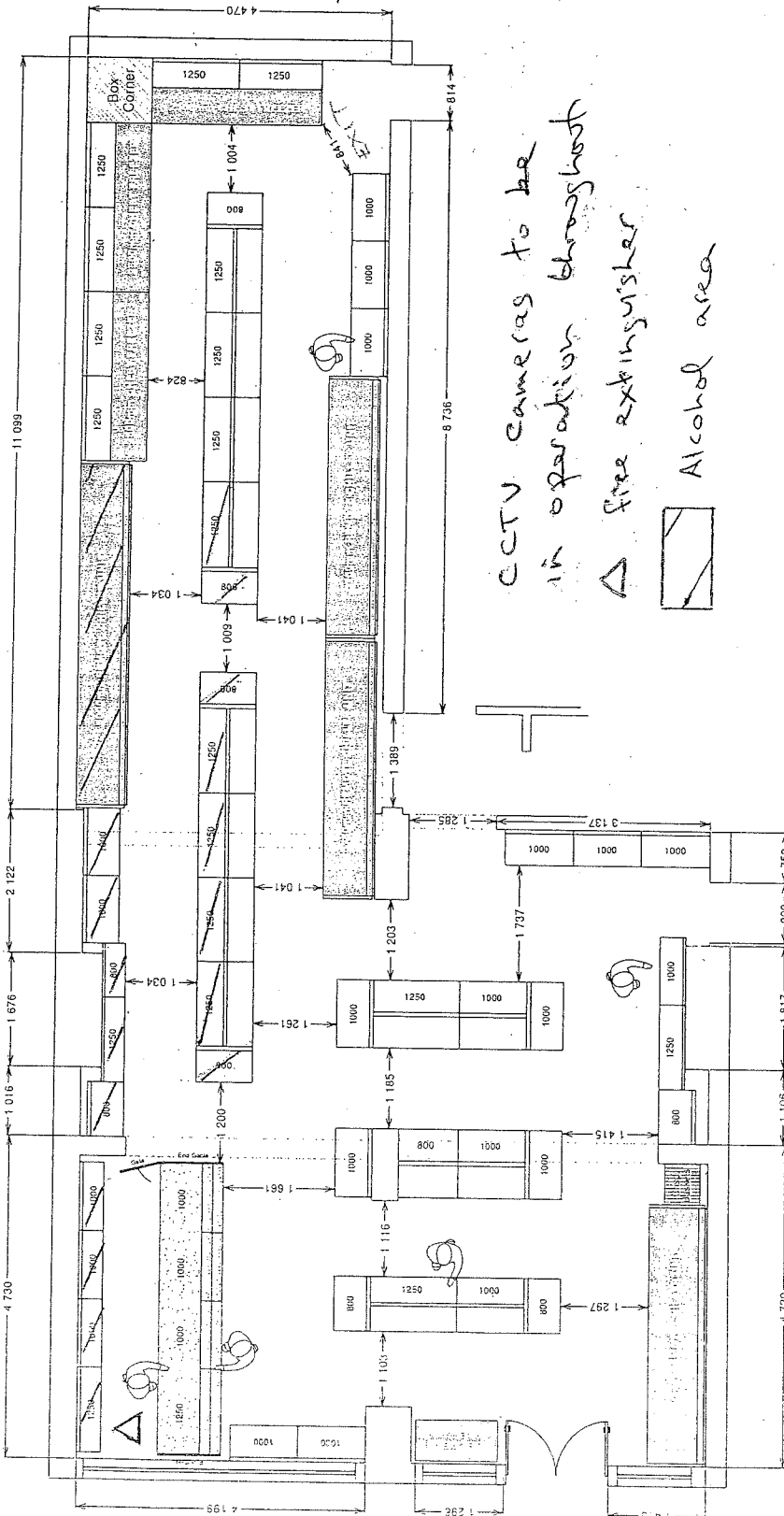
Customer Name: Best One
Address: Chatham
Contact:
Tel:

Proposed Shop
Layout

Please sign below to indicate approval of
layout and components. Any further
alterations will be charged for separately.

Client Signature:

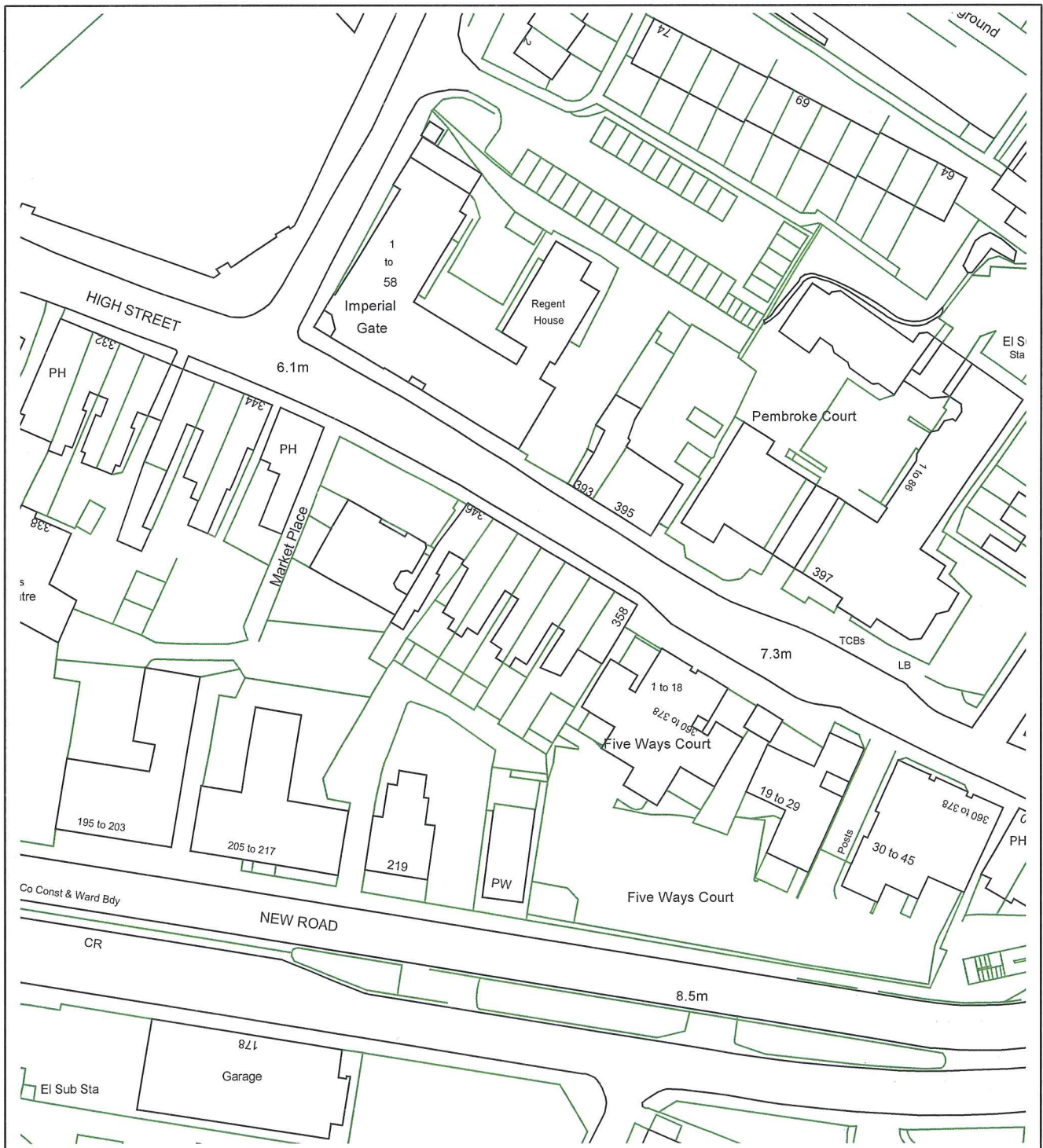
Date:



Note: Below Profiles Are Not Relevant To This Layout

--	--	--	--	--	--	--	--	--	--	--

NORTHGATE SE GIS Print Template



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.



Chief Officer of Police Representation in relation to an application for grant of premises licence made under Part 3 Section 17 Licensing Act 2003 (S18 Licensing Act 2003)

Details of person making representation	
Name of Chief Officer of Police	Chief Superintendent Jerome
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 792539/792388
Details of premises representation is about	
Name of Premises:	Best One
Address of premises:	356-358 High street Chatham Kent ME4 4NP
Date application received by police	17 th September 2012
Date representation sent to Licensing Authority	12 th October 2012 Must be within 28 days of receipt – The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005. Part 4 Reg. 22.
The Chief Officer of Police has received an application for the granting 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: - Please tick one or more of the licensing objectives that the representation relates to:	
Prevention of crime and disorder	X
Public Safety	
Prevention of public nuisance	X
Protection of children from harm	

Is this a representation regarding the Designation of Premises Supervisor under S18 (9) Licensing Act 2003?

If yes, complete the following statement: -
Please use separate sheets where necessary

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

This is an initial application for a premise licence for a new convenience store that will also sell alcohol.

The premise commands a large footprint in this area of the High Street Chatham having previously been a Chinese Restaurant and a separate Take Away.

Whilst Medway Council has not made provision for Cumulative Impact in its current Licensing Statement Policy, the Licensing Authority is not precluded from considering relevant representations being made on a new application or variation on the grounds that a premise will give rise to a negative cumulative impact on one or more of the licensing objectives in the vicinity of the proposed premises.

Kent Police at Medway are opposed to this application and ask the Licensing Authority to consider the risk and cumulative impact that this application represent to the promotion of the Licensing Objectives should it be successful and we say:

The location has been a source of crime and disorder and public nuisance for many years and despite having dedicated community officers is still a constant drain on police resources.

The area is frequented by many of the local street drinkers as well as the populous of supported housing. Within the immediate vicinity of the proposed premise are 2 public houses, one convenience store, a bingo hall and a Tesco Superstore. The area is also in close proximity to Luton Road where there are several issues around the Eastern European community in relation to drunkenness and rowdy behaviour including large fights and domestic incidents often aggravated by alcohol.

Recently one of the Landlords who was an experienced licensee close to the proposed premise has left because of the problems he has experienced since his move to Medway in late 2010. He has been assaulted, burgled and has had to request Police attendance on numerous occasions to assist in removing patrons from the premise. The local convenience store has been subject of police intervention on a number of occasions as staff were regularly selling alcohol to the local street drinkers through fear of provocation of violence and verbal abuse. Close working with the Licensing team at Medway has resulted in a voluntary review of the licence to stop the sale of alcohol with an ABV higher than 5.5% in an attempt to deter the street drinkers, as well as strict conditions pertaining to staff training. The location has many alleyways and thoroughfares which often frustrate police action as the offenders are able to avoid detection when an incident occurs.

A snapshot for August 2012 discloses 15 separate reports of crime in the immediate vicinity of the proposed premises. They consist of Assaults (8) Drugs being used and needles discarded (2) Criminal Damage/Harassment (2) Males urinating (1) Drunkenness (2). It must be remembered that these are only the incidents that have been reported despite the high visibility patrolling undertaken by dedicated town centre officers who regularly move people on.

Kent Police at Medway has implemented a specific tasking to the Town Centre Patrols since 6th September 2012. Medway Police have received a significant increase in the number of calls from local residents reporting that large groups of people (predominately males) are congregating in the above vicinity, engaging in alcohol related ASB and drug related criminality. This activity is causing misery and a detrimental effect on the lives of

local residents and the wider community who either use, or, need to frequent this designated area.

The proposed licence holder is Mr Melvut UZUM who has many family members in the community running licensed premises in Medway, including his son who runs Rose Wine. Licensing Officers from both Kent Police and Medway Council have had concerns about the family who do not appear to understand the licensing objectives and often pay lip service to the conditions on their licences. The UZUM family have been subject of several joint operations with HMRC and non duty paid alcohol and fake alcohol with an estimated loss to HMRC of £4,600.

The granting of a licence for the proposed premise will increase the number of licensed premise within the vicinity populated by street drinkers, and Ashdown Medway Accommodation Trust whose clients who are single homeless people aged over 25 with and without support needs. Often these clients are offenders who require support packages for issues associated with substance misuse.

We understand from Planning that the premises has planning restrictions that state that it can only operate between 09:00 hrs – 23:30 Hrs Monday through to Sunday inclusive.

The premise is proposing opening Monday to Sunday 06:00-01:00

The premise is proposing the supply of alcohol Monday to Sunday 06:00-01:00

Kent Police at Medway whilst opposing this application if granted propose the following:

Opening hours of 08:00-23:00

Supply of alcohol 08:00-23:00

Prevention of Crime and Disorder

The applicant states that CCTV will be installed and maintained together with an alarm system and window shutters, but there is now indication of the actions they propose to take to prevent crime and disorder. There is no evidence that the proposed licence holder has conducted any local checks to establish the potential pitfalls that would lead to crime and disorder. This is obvious from his application to be able to supply alcohol from 06:00-01:00 hours daily in a particularly deprived area with AMAT housing and local street drinkers who can be seen on a daily basis

Public Safety

The promotion of this objective by the imposition of conditions is a key to the Licensing Act 2003. It is important that conditions are attached to this licence that seeks to effectively promote this objective and minimise the risk of it being undermined.

Prevention of Public Nuisance

Public nuisance under the Licensing Act enables the interpretation of nuisance to retain its wider meaning under common law. It therefore retains the breadth and flexibility to take in all the concerns likely to arise from the operation of any premises conducting licensable activities in term of the impact of nuisance on people living or doing business nearby. Kent Police have already received intelligence/information pertaining to the effect the current premises in this vicinity are causing them as the live or go about their business. The Applicant states that they will not sell alcohol to persons who is drunk or under 18 or any person they believe is buying alcohol for someone drunk or under 18, the local street drinkers will not enter the premise in a drunken state first thing in the morning, they will buy alcohol and then consume it through the day causing an increased nuisance which the applicant has failed to identify.

Protection of Children From Harm

Whilst the applicant states that they wish to promote this objective. There is nothing in the current Licence that legislates for the section of our society who wishes to undermine this objective through the acts of others or their own. It is important to protect them from their own actions but also to afford the operator and their staff the legislative protection of "Challenge 25".

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

Having considered this application Kent Police in Medway do not support this application in relation to the sale of alcohol or the hours the premise will be open. However if granted Kent Police wish the following conditions imposed

- 1) CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises, fire exits and all areas where the sale and supply of alcohol occurs. Equipment must be maintained in good working order, be correctly time and date stamped,

recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand. The premises licence holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format either disc or VHS to the Police and Local Authority on demand. The recording equipment and discs/tapes shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded. 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 immediately.

- 2) All staff paid or unpaid who will be making sales of alcohol will be trained with the internal "due diligence" training manuals or will complete a minimum of the BII Level 1 ARAR course; prior to making sales of alcohol b) Refresher training will take place every quarter c) All staff will have individual training records that detail the date and nature of training (or certificate if a BII course has been taken) d) All staff to receive training in relation to the conditions applicable to this premises licence e) All training will be documented and will be made available to the responsible authorities on request along with the content of the training (not applicable if a BII course has been taken as certificates will be made available) f) All records will be kept for a period of 2 years.
- 3) The License Holder will maintain auditable refusal/incident records. These records will detail the following;
 - Day, Date and Time of Refusal/Incident.
 - Nature of Refusal/Incident 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.

These records will be made available for inspection to any Police Officer, Police Licensing Officer, and Officer of the Local Authority immediately upon demand when practicable.

- 4) No high strength beers, lager or cider will be sold above 5.5% ABV

C. Gill Angus

DC Gill Angus

PP. Chief Supt. Jerome
Area Commander
North Division

Date: 12th October 2012