



# **Kent Police Licensing Enforcement Report April 2012 to March 2013**

## Introduction

The purpose of this report is to provide an overview in relation to the role of the licensing officers within Kent Police specifically in relation to licensing matters within Medway:

From April 2012 until November 2012 the Medway Licensing Officers were:-

- DC Mark Horner
- DC Gill Angus

In November 2012 Kent Police went through a force re-structure and as a result Divisional Licensing Units were formed.

The North Division Licensing Unit is comprised of:-

- PSE Geoff Rowley Licensing Co-ordinator
- DC Mark Horner Licensing Enforcement Officer
- DC Gill Angus Licensing Enforcement Officer
- PC Chris Hill Licensing Enforcement Officer

The North Division Licensing Unit is responsible for all licensed premises within 285.03 square miles of Kent and encompasses the districts covered by Dartford Borough Council, Gravesham Borough Council, Medway Council and Swale Borough Council. There are currently 1908 licensed premises within this area.

Premise Licences	Dartford	Gravesend	Medway	Swale
Apr 2012-Mar 2013	302	296	810	500

Much of the work around licensed premises is of a reactive nature and stems from information sharing between other agencies or indeed from members of the public who often witness on-going issues.

The Divisional Licensing Unit also works proactively, and there have been occasions when the licensing officers have witnessed incidents at premises that are clearly not promoting the licensing objectives or the Licensing Act 2003. These incidents will be dealt with at source by the attending licensing officer

## Compliance

The Licensing legislation promotes close working relationships with those who hold a licence and the Designated Premises Supervisors, therefore much of the work done by the Divisional Licensing Unit falls under compliance and during visits we are there to provide supportive advice and guidance. The benefit of this methodology promotes a professional, educational foundation for the promotion of the licensing objectives across the Division

## Enforcement

Enforcement is always seen as a last resort, because in effect it means that all other methods of working together and the support provided to promote the licensing objectives has failed. Where compliance visits have not achieved the required outcome then enforcement action will be taken, this includes sending warning letters, suspension of the licence, caution or review of the licence. However there are occasions when an incident occurs and compliance is not appropriate. Such instances would be where there is serious crime and disorder and action would have to be taken immediately.

## Role Requirement

- Enforce the Licensing Act 2003 and Gambling Act 2005 for the Policing District as part of a Divisional Licensing Unit, supporting Neighbourhood Policing.
- Utilise full range of warranted powers in relation to arrest, reporting for offences, and management of crime reports and entry to premises in order to deliver appropriate police interventions which reduce crime and disorder associated with licensed premises and substance misuse.
- Provide a visible police presence within licensed premises and in particular licensed premises in the Night Time Economy, engaging proactive tactical interventions to reduce crime and disorder in relation to licensed premises and substance misuse.
- Provide tactical advice and guidance to Neighbourhood Policing and other departments concerning licensable activities, proactively intervening in licensing issues and utilising warranted powers to gather intelligence and undertake enforcement.

- Consider and review relevant licensing applications, supporting divisional licensing objectives, in accordance with licensing legislation and Section 182 guidance, preparing and compiling case papers for applications, reviews, and appeals and, where appropriate, breaches of licensing legislation, in accordance with prosecution guidelines.
- Represent the Chief Constable at Licensing Committee hearings and Magistrates' Court as appropriate, providing evidence in order to effectively present the police case on licence applications, breaches of legislation, reviews of licenses or appeals, raising any objections and or observations as necessary.
- Develop and maintain effective working relationships with other agencies such as the Licensing Authority, Local Authority, Her Majesty Court Staff, multiple licence holders, breweries (locally and nationally), County Council, Community Safety Partnerships and legal representatives, in order to facilitate effective licensing processes in the district.
- Assess performance threats associated with licensed premises, and undertake visits to licensed premises by Divisional Licensing Unit and appropriate officers, particularly venues linked to crime and disorder issues, ensuring that visits are undertaken in accordance with policy, including joint enforcement with other agencies, making recommendations as appropriate.
- Monitor police information systems for incidents in and around licensed premises, including maintaining and updating licensing records, compile licensing initiatives and provide legislative updates for relevant personnel in the division, in order to ensure that alcohol related crime and disorder issues are identified and intelligence is shared with operational officers to make appropriate interventions.
- Act as a designated officer for information sharing under the Kent and Medway Information Sharing Agreement.

# Overview

## *Licensed Premises*

There has been a high turnover of licence holders in Medway, 72 over the last financial year and 111 changes of Designated Premises Supervisors.

The North Division Licensing Unit work to ensure that when any change occurs the premises are visited. These visits provide the Designated Premises Supervisor with a point of contact, enables the Divisional Licensing Unit to discuss the expectations of the premise and the Designated Premises Supervisor and discuss the licensing conditions to ensure they are fit for purpose for the venue.

We work in partnership with the Licensing Authority and every 2 weeks visit those premises where changes have occurred, this ensures the licence holders and Designated Premises Supervisors are aware that we work closely and in partnership with the Local Authority and hold the same approach in relation to promoting the licensing objectives.

Medway has the highest number of licensed premises within North Division and premises are prioritised and receive compliance/enforcement visits based on a continued intelligence based assessment.

Utilising a multi-agency approach has shown great benefits and has achieved the results required to ensure the licensed premises in Medway are properly managed, with trained staff who are actively promoting the licensing objectives as well as working within the confines of all other legislation (Fire Safety, Environmental Protection, Health and Safety, Waste Management, Immigration to name a few)

## Administration

### Temporary Event Notices

Temporary Event notices are managed by the Licensing Authority however the North Division Licensing Unit are one of the responsible authorities who must be informed when an application is submitted. Each Temporary Event Notice is reviewed to ensure the event proposed will support the Licensing Objectives

Temporary Event Notices	Dartford	Gravesend	Medway	Swale
Apr 2012-Mar 2013	202	196	373	338

### Other Applications

Applications are received on a daily basis to the North Division Licensing Unit these include minor variations, change of Designated Premises Supervisor or Transfer of premise licences.

All other Applications	Dartford	Gravesend	Medway	Swale
Apr 2012-Mar 2013	28	27	93	38

## Investigative Activity

Using the Police call taking system (Storm) the Divisional Licensing Unit review every call to police every crime report and all persons arrested relating to licensed premises on a daily basis. By doing this the Divisional Licensing Unit is fully aware of all incidents relating to licensed premises. The Divisional Licensing Unit uses this information to assist in crime investigation, identify premises that have shown an increase in crime and disorder and look at ways to resolve the problems. This may include suggesting additional conditions, asking for a change in Designated Premises Supervisor or if the incidents are serious a review of the licence. The Divisional Licensing Unit will also assist the investigating officers with securing evidence, identifying potential witnesses and providing tactical advice and guidance concerning licensable activities.

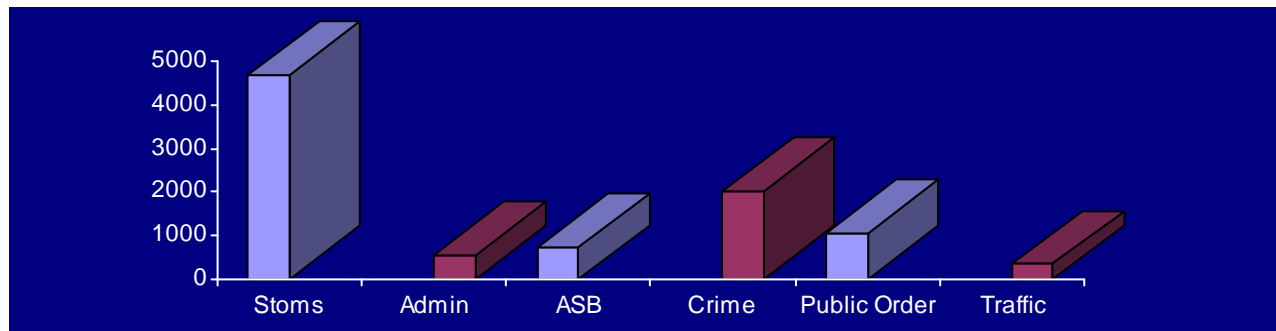
Overleaf are two tables showing the number of incidents reported to police relating to licensing and the breakdown of the offence types some of which have been explained further:

Administration: Lost Property, Civil Dispute, welfare enquiries etc.

Supplementary: Alarm Checks

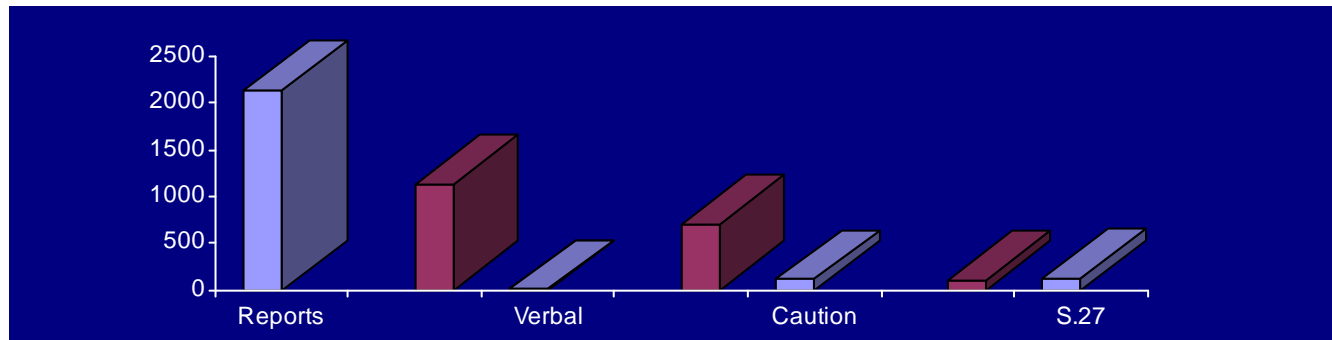
Traffic Related: RTC, Insecure vehicles

	<b>Medway</b>
Storm Records relating to licensed premises	<b>4686</b>
Administration	<b>544</b>
Anti-Social Behaviour	<b>720</b>
Crime	<b>2020</b>
Public Order	<b>1061</b>
Supplementary	<b>3</b>
Traffic Related	<b>335</b>



Undetected: Victim declines to support, insufficient evidence to further the investigation  
Verbal Warnings: Issued for first time personal cannabis usage

	<b>Medway</b>
Crime Reports generated	<b>2145</b>
Undetected	<b>1134</b>
Verbal Warnings	<b>5</b>
Charges	<b>707</b>
Caution	<b>110</b>
Penalty Notice of Disorder	<b>101</b>
S.27 notice to leave	<b>125</b>





## Partnership Working

We work very closely with all our Partner Agencies across the four council districts and have built up excellent working relationships. Partnership working takes on many guises and does not solely relate to the joint visits conducted or the multi-agency operations that are run. The excellent working relationship with the agencies has ensured relevant information continues to be shared, visits have been completed and the results of those visits shared with Partner Agencies. We update all the Local Authority Licensing Officers on a daily basis of the overnight crimes and incidents of disorder relating to licensed premises and we prioritise our visits based on this information.

The Divisional licensing Unit sit on numerous partnership groups who meet on a regular basis. These include:

- Safety Advisory Groups (Dartford, Gravesend, Medway and Swale)
- Medway Strategic Alcohol Partnership
- North Division Violent crime Forum
- Gravesham Community Alcohol Partnership
- Medway Cumulative Impact Strategy Group
- Gravesham Purple Flag
- Medway and Gravesend Safer Socialising

## Operations

We support joint operations and have run several operations during the year, which includes those organised by the Local Authority and Kent Trading Standards. We are also actively creating our own operations and inviting other agencies to support us in our initiatives.

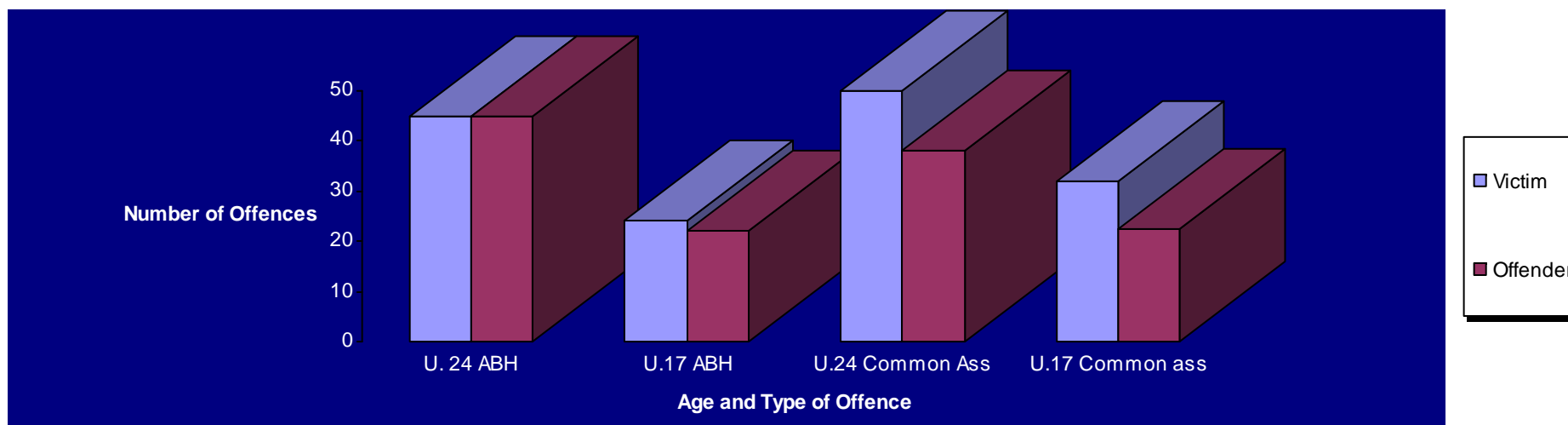
Operation Unite is a multi-agency operation that looks at all premises within a ward area, there are two such operations proposed within the next six months in two wards in Medway. The operation looks at licensing offences, illegal workers, food hygiene, health and safety, fire measures, the use of the site, waste agreements, food labelling, counterfeit goods, noise levels and intelligence gathering for drugs, street drinkers, under age sales of alcohol and anti-social behaviour.

# Priorities

## Violence against the person

The approach must be intelligence led and based on a problem profile to understand the type and nature of the offences. Kent Police will identify and tackle any crime series, identify and target offenders, identify prevention opportunities based on the victim and identify any potential hotspot areas

75% of violence against the person offences are ABH and Common Assault and alcohol is seen as a significant contributory factor with most offences occurring on a Friday and Saturday night between 01:00 and 03:00



Kent Police focus their attention on the vicinity of licensed premises selling alcohol to achieve the greatest impact in the reduction of violence against the person

In respect of victim care we will seek to identify repeat victims whose drunkenness may have been a contributing factor in their victim status and consider referral to support agencies.

The Divisional Licensing Unit sits on the Medway Strategic Alcohol Partnership and shares information about admissions to the hospital where alcohol has been a contributing factor.

The team also provide training to fellow officers in respect of licensing legislation and the powers conferred upon them to deal with offenders who display unacceptable levels of behaviour.

The Divisional Licensing Unit participates in a joint partnership Night Time Economy information sharing forum attended by the Divisional Licensing Unit, Neighbourhood Policing and door supervisors. The briefing identifies those persons who have come to the attention of licensees within the Safer Medway Partnership and who it is felt need to be considered for exclusion from all licensed premises. This enables door supervisors to share information about incidents and offenders and assists in reducing Violence Against the Person and crime and disorder within the town centres.

There are plans to provide an input to local Magistrates about the processes relating to drink banning orders which will ensure a robust response to repeat offenders

### **Reduction in alcohol related harm**

The Divisional Licensing Unit is working with Partner Agencies to develop strategies to reduce alcohol related harm. Some of the ideas that we are seeking to take forward are Cumulative Impact Policies, Reducing the Strength project, and Community Alcohol Partnerships.

Our partners in Health will be looking to co-ordinate the Public Health Strategy and policy implementation in relation to alcohol licensing and planning. They will seek to liaise with the Partner Agencies to develop a common understanding of the issues and develop a range of options which the Divisional Licensing Unit will support and promote

## **Managing the Night Time Economy**

The Divisional Licensing Unit supports the Night Time Economy Strategic Framework and promotes the use of police powers to effectively manage the Night Time Economy.

S.27 dispersal notices are used as a tool to combat anti-social behaviour, therefore minimising the risk of Violence Against the Person. The use of the Safer Medway Partnership ensures all licensed premises are aware of those that have been required to leave the area. Rather than displacing the problem evidence suggests the majority of individuals issued with a S.27 notice go home and no further incidents are reported.

The Divisional Licensing Unit work night shifts during Friday and Saturday to provide support and specialist advice as well as identify non-compliance during this busy time, visits are conducted at premises that have been identified through the daily review of business, and any venues where a Temporary Event Notice is in place and due to the numbers attending, type of event or location of the event needs to be monitored.

We have insisted that any licensed premises who use the Temporary Event Notices procedure continue to abide by the conditions of their licence throughout the Temporary Event Notices timescale. Those Temporary Event Notices given for events on non-licensed premises are also given advice and guidance in relation to the licensing objectives and our expectations for running a safe event.

Whilst we have no specific powers under noise legislation we will always advise licensed premises if it is felt that there is excessive noise and advise the licence holder to reduce noise levels. Active patrolling of licensed premises by the Divisional Licensing Unit during the Night Time Economy ensures compliance with the licensing objectives; as well as other important legislation around noise, waste management, planning and health and safety concerns. We then share the information with the respective experts for their consideration.

## Conclusion

More and more people are organising large scale charity events and applying for Temporary Event Notices to facilitate weddings, christenings, birthdays and retirement events, each application will be reviewed to ensure compliance with the licensing objectives.

As mentioned several premises have closed over the year and each new application brings new people, some of whom are new to licensing, these premises need our support and guidance to ensure they run their premises with due regard to licensing legislation and the area demographics.

We will continue to support our partner agencies in the work streams we have identified and continue to manage the Night Time Economy.