



## MEDWAY COUNCIL

Licensing Authority, Gun Wharf, Dock Road, Chatham, Kent ME4 4TR

### Premises Licence

Premises Licence Number

**Medway-05-PREM-0642**

#### Part 1 - Premises Details

Postal address of premises, or if none, Ordnance survey map reference or description	
<b>Command House Dock Road</b>	
Post town	<b>Chatham, Kent</b>
Post code	<b>ME4 4TX</b>
Telephone number	<b>01634 828181</b>
Where the licence is time limited the dates: <b>Not Applicable</b>	
Licensable Activities authorised by the licence <b>Sale of Retail of Alcohol, Live Music (on and off premises), Recorded Music (on and off the premises), Dancing (on and off premises), Indoor Sporting Events and Late Night Refreshment (on the premises).</b>	
The times the licence authorises the carrying out of licensable activities	
<b><u>Sale of Retail of Alcohol</u></b>	
<b>Monday to Thursday 10:00 to 02:00, Friday to Saturday 10:00 to 04:00 and Sunday 10:00 to 01:00.</b>	
<b>Non Standard Times:- Extended as per Friday and Saturday hours on Bank Holiday (set by government) Easter – Sunday, May – Sunday, Whitsun – Sunday, August – Sunday, Christmas – Christmas Eve and Boxing Day, New Year – New Years Eve. Extended New Years Day by one (1) hour.</b>	
<b><u>Live Music</u></b>	
<b>Sunday to Wednesday 10:00 to 00:00 (indoors) and 12:00 to 21:00 (outdoors), Thursday 10:00 to 01:00 (indoors) and 12:00 to 21:00 (outdoors) and Friday to Saturday 12:00 to 02:00 (indoors) and 12:00 to 21:00 (outdoors).</b>	
<b>Non Standard Times:- Extended as per Friday and Saturday hours on Bank Holiday (set by government) Easter – Sunday, May – Sunday, Whitsun – Sunday, August – Sunday, Christmas – Christmas Eve and Boxing Day, New Year – New Years Eve. Extended New Years Day by one (1) hour.</b>	
<b><u>Recorded Music and Dancing</u></b>	
<b>Monday to Thursday 10:00 to 02:00 (indoors) and 12:00 to 21:00 (outdoors), Friday to Saturday 10:00 to 04:00 and Sunday 10:00 to 01:00 (indoors) and 12:00 to 21:00 (outdoors).</b>	
<b>Non Standard Times:- Extended as per Friday and Saturday hours on Bank Holiday (set by government) Easter – Sunday, May – Sunday, Whitsun – Sunday, August – Sunday, Christmas – Christmas Eve and Boxing Day, New Year – New Years Eve. Extended New Years Day by one (1) hour.</b>	
<b><u>Indoor Sporting Events</u></b>	
<b>Sunday to Wednesday 10:00 to 01:00, Thursday 10:00 to 02:00 and Friday to Saturday 10:00 to 03:00.</b>	
<b>Non Standard Times:- Extended as per Friday and Saturday hours on Bank Holiday (set by</b>	

government) Easter – Sunday, May – Sunday, Whitsun – Sunday, August – Sunday, Christmas – Christmas Eve and Boxing Day, New Year – New Years Eve. Extended New Years Day by one (1) hour.

**Late Night Refreshment**

Sunday to Wednesday 23:00 to 01:00, Thursday 23:00 to 02:00 and Friday to Saturday 23:00 to 03:00.

Non Standard Times:- Extended as per Friday and Saturday hours on Bank Holiday (set by government) Easter – Sunday, May – Sunday, Whitsun – Sunday, August – Sunday, Christmas – Christmas Eve and Boxing Day, New Year – New Years Eve. Extended New Years Day by one (1) hour.

The opening hours of the premises

Monday to Wednesday 10:00 to 02:30, Thursday 10:00 to 03:00, Friday to Saturday 10:00 to 04:30 and Sunday 10:00 to 01:30.

Seasonal and Non Standard Times:- Opening hours will end 30 minutes after the times and occasions listed above.

The premises may open outside authorised hours for non-licensable activities subject to planning or other legislation.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

**On and Off Supplies**

**Part 2**

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

**Command House Ltd  
Dock Road  
Chatham  
Kent  
ME4 4TX**

Registered number of holder, for example company number, charity number (where applicable)

**08617026**

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

██████████  
████████████████████  
██████████  
██████████  
██████████

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

**MAID0185/LP4036  
Maidstone Borough Council**

**Annex 1 – Mandatory Conditions**

**Condition 1**

**No supply of alcohol maybe made under this licence:-**

- (a) At a time when there is no designated premises supervisor in respect of it or
- (b) At a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.

Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

**Condition 2**

Only individuals licensed by the Security Industry Authority (SIA) maybe used at the premises to guard against:-

- (a) Unauthorised access or occupation (e.g. through door supervision)
- (b) Outbreaks of disorder
- (c) Damage

**Condition 3**

- (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk or leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children
- (a) Games or other activities which require or encourage, or are designed to require or encourage, individuals to
    - (i) Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol) or
    - (ii) Drink as much alcohol as possible (whether within a time limit or otherwise)
  - (b) Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act)
  - (c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less
  - (d) Provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on
    - (i) The outcome of a race, competition or other event or process or
    - (ii) The likelihood of anything occurring or not occurring
  - (e) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

**Condition 4**

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

**Condition 5**

The responsible person shall ensure that free tap water is provided on request to customers where it reasonably available.

**Condition 6**

- (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

**Condition 7**

The responsible person shall ensure that:-

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance

ready for sale or supply in a securely closed container) it is available to customers in the following measures:-

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25ml or 35 ml; and
- (iii) still wine in a glass: 125ml; and

(b) customers are made aware of the availability of these measures.

Annex 2 – Conditions consistent with the Operating Schedule

#### Condition 8

CCTV installed to monitor the licensed premises and all outside area that are used for the provision of licensable activity. The system maintained and serviced on a regular basis and records to be kept. The system must have an incorporated digital recording facility and recordings to be stored for one calendar month (generally 28 days). The CCTV system must be fully operational throughout the hours that the premises are open to the public or a section of the public. Access of the recordings and service history to be made available at any reasonable time to Police and Local Authority officers upon request or as soon as practicable within 24 hours. Staff will be fully trained in the CCTV system and there will be at least one member of staff on duty during trading hours who is able to provide a recording of any incident in a format that can be taken away to be viewed.

#### Condition 9

All staff (paid or unpaid) shall receive training in relation to the conditions applicable to this premises licence and licensing legislation and in particular under age sales; which will enable staff to comply with the conditions and the promotion of the licensing objectives. The training records shall include the nature, examples of content and frequency of any training. These records will be made available for inspection by police officer, police licensing officer or local authority officer upon demand when practicable.

#### Condition 10

Premises will be a member of the Safer Medway Partnership (SMP) or similar scheme that are supported by Police and Council. Staff to monitor the SMP radio system whilst licensable activities are taking place.

#### Condition 11

The licence holder will maintain auditable refusal and incident records/book to be kept on the premises and will detail a) day, date and time of refusal/incident b) Nature of refusal/incident c) Details of or description of the individual d) Each entry is to be checked and signed by the DPS on the day of the event or as soon as practicable. These records must be made available for inspection to police officer, police licensing officer and local authority officer immediately upon demand when practicable.

#### Condition 12

When members of the public are present on the premises after midnight on Thursdays, Fridays and Saturdays a minimum of two (2) door supervisors shall be employed between 20:00 (8pm) and 30 minutes after the premises close. When regulated entertainment takes place within the premises after midnight on Sundays, Mondays, Tuesdays, Wednesdays and Thursdays a minimum of two (2) door supervisors shall be employed and on Fridays and Saturdays three (3) door supervisors. Door supervisors must be present a minimum of 30 minutes prior to the start of the regulated entertainment and a minimum of 30 minutes after the regulated entertainment finishes. At least one member of the door staff must supervise the immediate area where the regulated entertainment takes place. When a Sunday precedes a bank holiday Monday then the conditions in reference to Fridays and Saturdays applies to the Sunday. Door supervisors will be employed to a ratio 1 per 80 persons when regulated entertainment takes place in outdoors areas.

#### Condition 13

When regulated entertainment, which generates significant noise, is taking place, doors and windows will be kept shut.

**Condition 14**

Reproduced or live music is to be set at a level so as not to be audible at the facade of the nearest residential property.

**Condition 15**

The designated premises supervisor, duty manager or relevant person should assess noise levels on a regular basis, to prevent excessive breakout.

**Condition 16**

A notice is displayed at the entrance/exit of the premises to remind customers to leave the premises quietly.

**Condition 17**

The maximum number of persons admitted to the premises shall not exceed:- (a) Lower Ground Floor Bar – 200 persons (b) Upper Floor Bar – 100 persons.

**Condition 18**

Occupancy levels as per risk assessments. Occupancy levels will be monitored on an hourly basis at all outdoor regulated entertainment events.

**Condition 19**

All areas involved in outdoor events will be checked prior, during and after the event to ensure public safety.

**Condition 20**

When regulated entertainment and background music takes place outdoors a noise management plan must be in place to review the impact of noise prior to, during and after each event.

**Condition 21**

Regulated entertainment outdoors will be limited to 18 events a year.

**Condition 22**

Regulated entertainment outdoors on three days events will not occur on consecutive weekends.

**Condition 23**

Noise limiter installed and maintained and set to agreed limits with Environmental Health.

**Condition 24**

When outdoor regulated entertainment takes place a barrier as approved by Police to be installed and monitored to control occupancy levels within the licensed area.

**Condition 25**

The designated premises supervisor to give Police Events Officer and Council Licensing Team fourteen (14) days prior notice to any outdoor regulated entertainment.

**Condition 26**

Only polycarbonated vessels will be used during outdoor events.

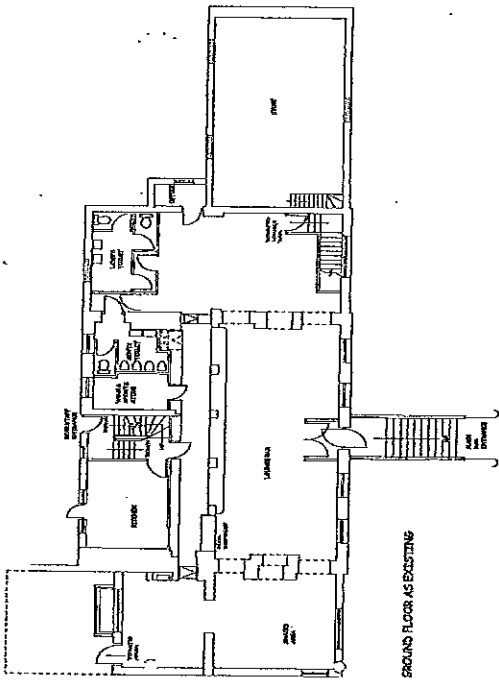
**Condition 27**

No children will be allowed on the premises after 21:00 (9pm). No children will be allowed on the premises without adult supervision.

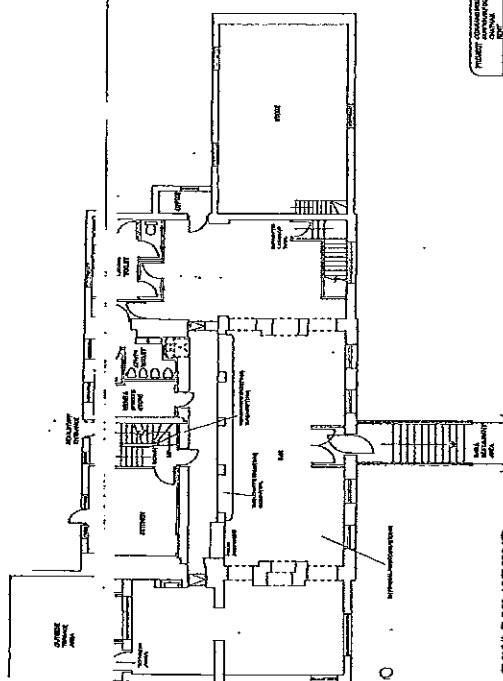
Annex 3 – Conditions attached after a hearing by the licensing authority

Not Applicable

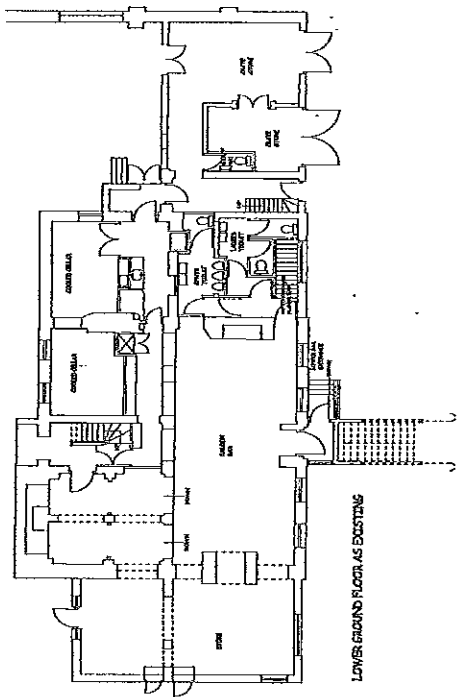
Annex 4 – Plans



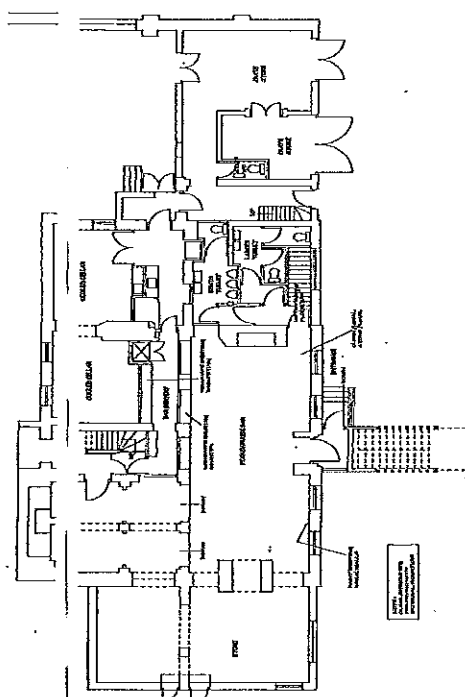
GROUND FLOOR AS EXISTING



GROUND FLOOR AS PROPOSED



LOWER GROUND FLOOR AS EXISTING



LOWER GROUND FLOOR AS PROPOSED

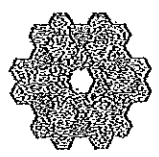
PROJECT	CONSTRUCTION	DATE	
CLIENT	NO. REVISED	DATE	
SCALE	1:100	DATE	12.2002

NO.	DATE	DESCRIPTION
1		
2		
3		
4		

Interior Solutions  
 10000 100th Ave. S.E. Suite 100  
 Bellevue, WA 98004  
 Phone: (206) 835-1234  
 Fax: (206) 835-1235  
 Email: info@interiorsolutions.com

Registry  
Official copy of  
the plan

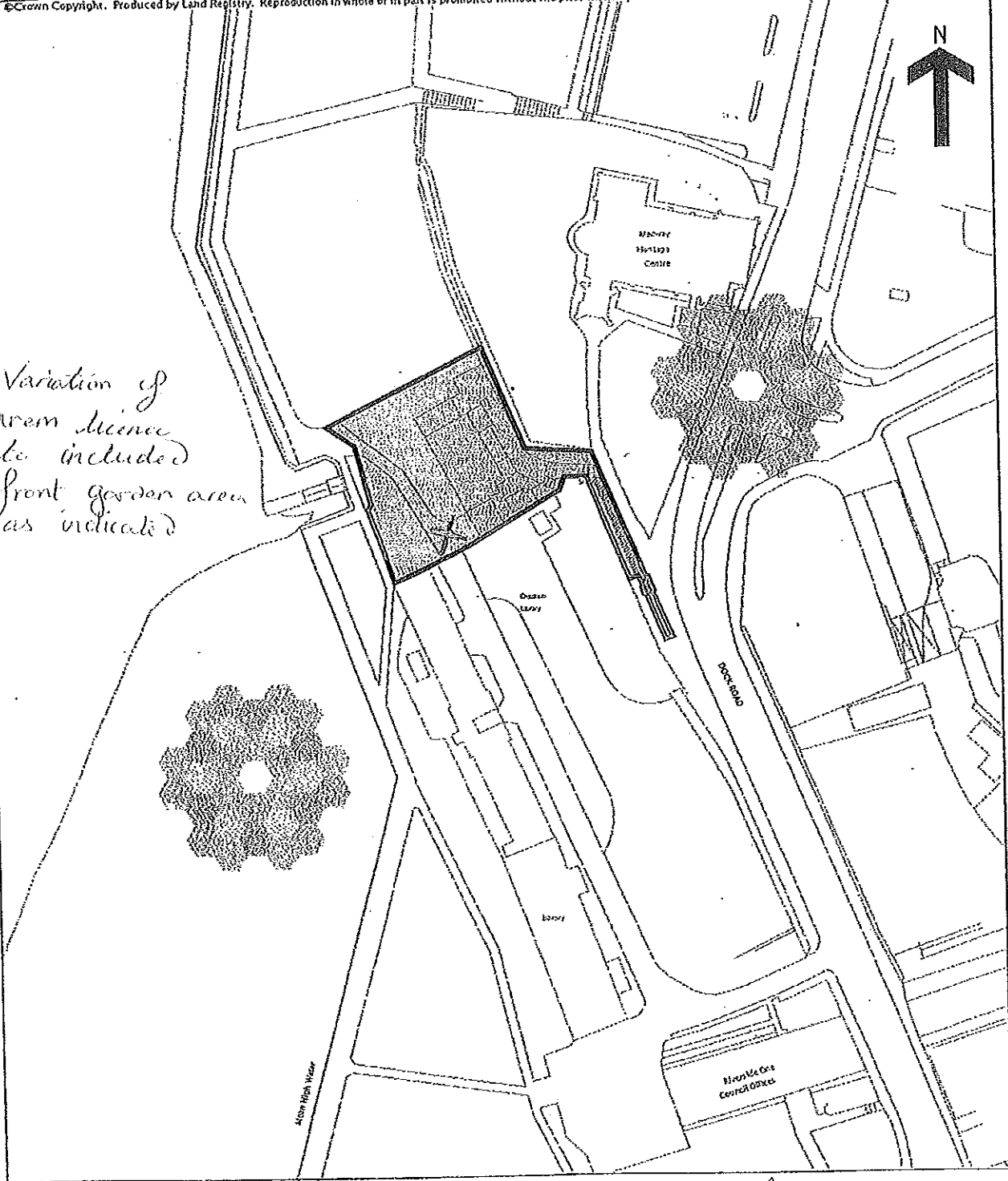
Title number K912924  
Ordnance Survey map reference TQ7568SE  
Scale 1:1250  
Administrative area MEDWAY



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*Variation of  
from licence  
to include  
front garden area  
as indicated*



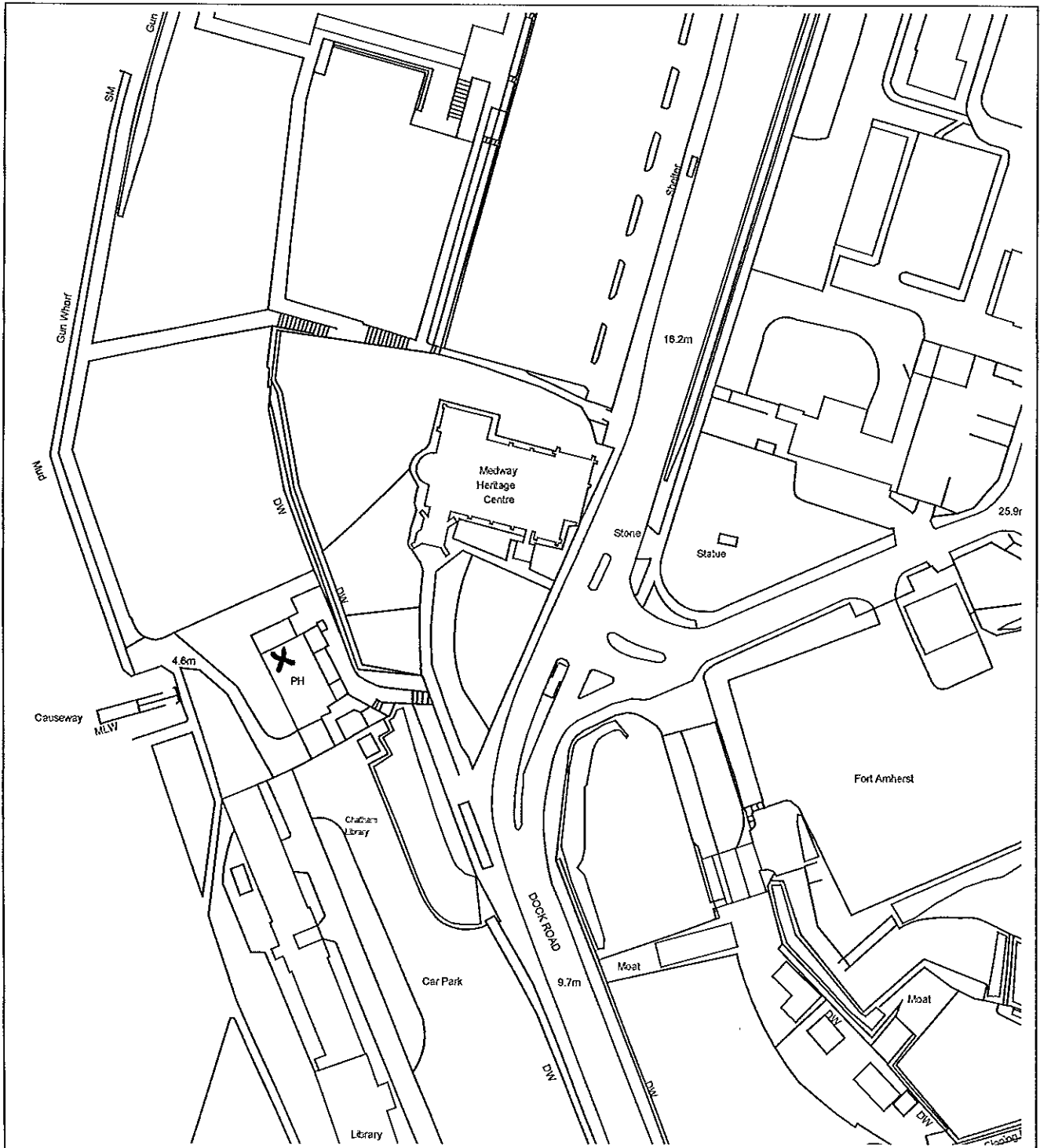
AGREED BY *lll*  
MEDWAY LICENSING  
AUTHORITY *1/5/09*

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# NORTHGATE SE GIS Print Template



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**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

**I PC Christopher Hill**

(Insert name of applicant)

**apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Command House/Mojo Dock Road	
<b>Post town</b> Chatham, Kent	<b>Post code (if known)</b> ME4 4TX

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Command House Ltd
--

<b>Number of premises licence or club premises certificate (if known)</b> Medway-05-PREM-0642
--

**Part 2 – Applicant details**

I am

**Please tick yes**

- 1) an interested part (please complete (A) or (B) below)
  - a) a person living in the vicinity of the premises
  - b) a body representing persons living in the vicinity of the premises
  - c) a person involved in business in the vicinity of the premises
  - d) a body representing persons involved in business in the vicinity of the premises
  
- 2) a responsible authority (please complete (C) below)

**3 a member of the club to which this application relates (please complete (A) below)**

**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003**

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick

Mr  Mrs  Miss  Ms  Other title   
(for example, Rev)

Surname

First names

Please tick yes

I am 18 years old or over

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

NEUTRALISED (When complete)

**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003**

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address <b>PC Christopher Hill - Police Licensing Officer Medway Police Station Purser Way Gillingham Kent ME7 1NE</b>
Telephone number (if any) <b>01634 792388</b>
E-mail address (optional) <b>licensing.north.division@kent.pnn.police.uk</b>

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

**Please state the ground(s) for review** (please read guidance note 1)

Under the Public Safety licensing objective due to breaches of premises licence.

## Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

### Please provide as much information as possible to support the application

(please read guidance note 2)

Mr Chris DYER has been DPS at Command House since 2014. Since this date Kent Police Licensing have been aware that Mojo's/Command House have been advertising for events to finish at the venue later than its licensed hours. Advertising has been in the form of 'on street' posters and also online social media posts. This culminated in a warning letter being sent to Mr DYER. Kent Police Licensing Officers have also spoken to Mr DYER about this on numerous occasions requesting that the practice stop and raising safety concerns..

Kent Police Licensing had concerns over the incorrect advertising of hours and are of the belief that this fails to promote the Public Safety Licensing Objective. Concerns centre around people getting home safely.

Kent Police Licensing Officers found advertising on social media that Mojo's/Command House were advertising to be open till 04:00 hours for Monday 29th June 2015. The premise is only licensed for alcohol and music until 02:00 hours and opening hours till 02:30 hours on this date.

Kent Police Licensing Officers ANGUS, COSSAR and HILL attended Mojo's/Command House at 02:30 hours on Tuesday 30th June 2015, entered the venue and witnessed entertainment in the form of a DJ still in operation and alcohol sales still taking place. After liaising with Management the venue eventually closed around 03:00 hours. This is a clear breach of the premises licence by means of operating past the authorised times.

Following this Kent Police Licensing Officers ANGUS, COSSAR and HILL, witnessed many highly intoxicated people, many of which were lone females which were extremely vulnerable. It is the belief of Kent Police Licensing Officers that irresponsible drinks promotions (£1 drinks all night long offered by the venue) will have directly contributed to this. These intoxicated people were stranded in an undesirable location and unable to get themselves safely home. Many had arranged transport for 04:00 hours when the venue was advertised to close. Staff at the venue made no attempts to assist these highly intoxicated young people, nor attempts to maintain their safety and welfare, despite the fact many were slumped on benches near to the river front and many persons were stating this was not the first time the venue had finished before their advertised hours.

Kent Police Licensing are seeking to review this licence in order to promote the licensing objectives and ask for:

- 1) Revocation of the premises licence

However, should the committee decide not to revoke the premises licence then Kent Police Licensing ask for

- 2) Separation of the premises licence into two – differentiating between Command House and Mojo's.
- 3) Removal of the Designated Premises Supervisor – Mr Chris DYER
- 4) Alterations to the hours authorised for licensable activity to show the following: Sunday to Wednesday 10:00 – 00:00  
Thursday to Saturday 10:00 – 02:00
- 5) Modification of the premises Licence conditions to include the following:

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 upon reasonable request.
  - 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 to the Police and Local Authority upon reasonable request.
  - The recording equipment and any discs/tapes shall be kept in a secure environment under the control of the DPS or other responsible named individual.
  - 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 as soon as practicable

## Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

(licensing.north.division@kent.pnn.police.uk)

2. All persons that sell or supply alcohol to customers must have licensing training.
- Training should take place within six weeks of employment and any new employees will be supervised until the training has taken place.
  - Refresher training should be repeated a minimum of every six months or earlier if required due to changes of legislation.
  - Training records must be kept on the premises and shall contain the nature, content and frequency of all training.
  - Records must be made available for inspection by Police, Police Licensing Officer and authorised officers from the Local Authority on demand either electronically or hard copy.

3. The premises licence holder or designated premises supervisor must keep and maintain an incident/refusals register.

The register must be kept on the premises and will detail

- Day, date and time of incident
- Nature of incident/ refusal
- Resolution
- Each entry is to be checked and signed by the DPS/Duty manager no later than 24 hours after the entry has been made.

The register must be made available to Police, Police Licensing Officers and authorised officers from the Local Authority on demand either electronically or hard copy.

4. When the premises is open for licensable activity on Thursday, Fridays and Saturdays a minimum of 3 SIA registered door supervisors will be employed and present at the premises from 22:00 hours until the close of business.

When regulated entertainment is taking place in any outside area (front patio or rear courtyard) at least one additional door supervisor will monitor that area.

When a Sunday precedes a bank Holiday then the conditions for door supervisors are as per a Thursday, Friday and Saturday.

5. No amplified music is to be permitted unless a noise management plan, which has been agreed with the local authority and police, is in place. The noise management plan shall be periodically reviewed and or when significant changes occur in the operation, building or event type or following a complaint.

6. The Licence holder shall erect and maintain clear and prominent notices displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

7. When outdoor regulated entertainment is to take place after 23:00 hours the designated premises supervisors must give fourteen (14) prior days' notice to Kent police Licensing and Council Licensing.

8. All drinks to be supplied in polycarbonate or suitably toughened glass vessels.

9. The premises shall have a written drugs policy, this will detail the strategies to minimise the use and supply of illegal drugs within the premises. The drugs policy shall include a structured training policy for all staff covering the issues of misuse of drugs in relation to licensed premises. Records must be kept to show members of staff who have taken the training. Where premises consider a drug's safe to deposit drugs found, there will be a clear policy for the handling and packaging of seized items.

10. A member of staff every 30 minutes whilst the premises is trading will remove all empty drinking vessels, bottles or containers after the contents have been consumed or they become empty. The licence holder and the Designated premises Supervisor shall ensure that the arrangement for the storage of empty bottles prevents unauthorised access to those bottles.

11. No children (under 16 years of age) will be allowed on the premises after 21:00. No children will be allowed on the premises without adult supervision.

12. The Premises shall notify Kent North Division Licensing Team of all advertising of forthcoming

**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003**

events.

13. The premises will operate an electronic ID recording entry system from 22:00 hours on Friday and Saturdays. Entry will not be permitted without this.

14. The premises shall have a written dispersal policy that outlines the procedure for management, door supervisors and staff. The policy will contain procedures on

- supervising the queue to ensure that it is managed in a way that avoids rowdy, unpleasant behaviour and to keeps customers quiet as to not disturb neighbours in the vicinity
- display notices outside where the queue is formed asking them to be quiet or they will be refused entry
- display numbers for taxi firms inside
- Encourage people to move people away from the premises who are standing around talking to others
- procedure on refusing entry or banning those who repeated cause a nuisance by noise and rowdy behaviour.



**RESTRICTED (when complete)**

**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003**

**Please tick yes**

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

**If you have made representations before relating to this premises please state what they were and when you made them**

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

Please tick yes

- 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

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 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

[Redacted signature]

Date

22/07/15

Capacity

POLICE LICENSING OFFICER

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post code

Telephone number (if any)

If you would prefer us to correspond with you using an e mail address your e mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.



**GOSCHALKS**  
SOLICITORS

30 JUL 2015

BY EMAIL AND FIRST CLASS POST  
Licensing Unit  
Business Support Department  
Medway Council  
Gun Wharf Dock Road  
Chatham Kent ME4 4TR

Please ask for: Richard Taylor  
Direct Tel: 01482 590216  
Email: rjt@gosschalks.co.uk  
Our ref: RJT / MJM / 098454.21099  
#GS288627  
Your ref:  
Date: 29 July 2015

Dear Sirs,

re: Licensing Act 2003 – Review Proceedings  
Command House/Mojo, Dock Road, Chatham, Kent

We act on behalf of Enterprise Inns PLC. Our client is the freeholder owner of these premises and we have received a copy of the application for review of the premises licence issued by Kent Police.

We would be grateful if you would accept this letter as a formal representation on behalf of our client. Enterprise Inns PLC owns around 5000 public houses in England and Wales. The vast majority of these premises are the subject of a lease/tenancy agreement by which the tenant operates his/her/its own business out of our client's premises. The lease/tenancy agreement makes it clear that all operational responsibility for the premises lies with the tenant. These premises are the subject of a 2 year lease agreement in favour of Command House Limited, the premises licence holder who has been operating these premises since March 2014.

Please note, we take a wholly neutral stance with regard to the allegations against our client's tenant raised in the application for review. As our client has no operational responsibility for these premises, it cannot comment upon the allegations.

Notwithstanding the above, we note that the Police require revocation of the premises licence or failing that a number of conditions which do not appear to be aimed at the issues raised in the review application.

The Licensing Committee will be aware that by virtue of paragraph 11.20 of the revised guidance issued under section 182 Licensing Act 2003 (March 2015 edition) when a Committee is deciding which of its powers to invoke, "it is expected that Licensing Authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review."

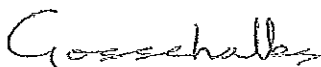
We would respectfully submit that the issues raised in the review papers relate to a lack of understanding and would submit therefore that rather than revoking the licence or curtailing the hours (which appear to be punishment rather than directed at promoting the licensing objectives) the Committee should consider conditions relating to management and/or staff training.

Whether or not the Committee decides to remove the designated premises supervisor will depend upon the evidence given by the designated premises supervisor at the hearing. If the Committee believe this to be appropriate action, having heard the evidence then that is a matter for the Committee.

At this stage, we would be grateful if you could acknowledge receipt of this representation and advise as to the date of the hearing as our client may seek to expand upon the issues raised within this letter of representation.

We look forward to hearing from you.

Yours faithfully



**GOSSCHALKS**

**LICENSING ACT 2003 – Representations in support of review application**

**Name and address of premises**

**The Command House & Mojoes, Dock Road, Chatham. ME4 4TX**

**Reference:**

The Director of Public Health would like to make a representation under the following licensing objectives

- The prevention of crime and disorder
- Public Safety

These representations are made in support of the review application made by Kent Police following the identification of drunkenness and licensing irregularities at the Command House/Mojoes in Chatham.

**Drunkenness**

Kent Police have given evidence of extreme drunkenness exhibited by several of the customers who had used the premises on the night of the alleged incident, 29<sup>th</sup> June 2015. The Command House and Mojoes are situated in a very isolated location. There are no other premises nearby and it is some distance from any public transport or taxi rank. It is by the side of the river, and anyone walking away from the premises to find transport would have to walk either along the river bank or across a car park and area of grass, which are again very isolated.

I am concerned for people's safety as the position of these premises on the river front would pose a very real danger to people who have been allowed to drink excessively.

Alcohol is one of the leading causes of accidents and can be the cause of injury. Because alcohol is a depressant, it slows down the brain and affects the body's responses.

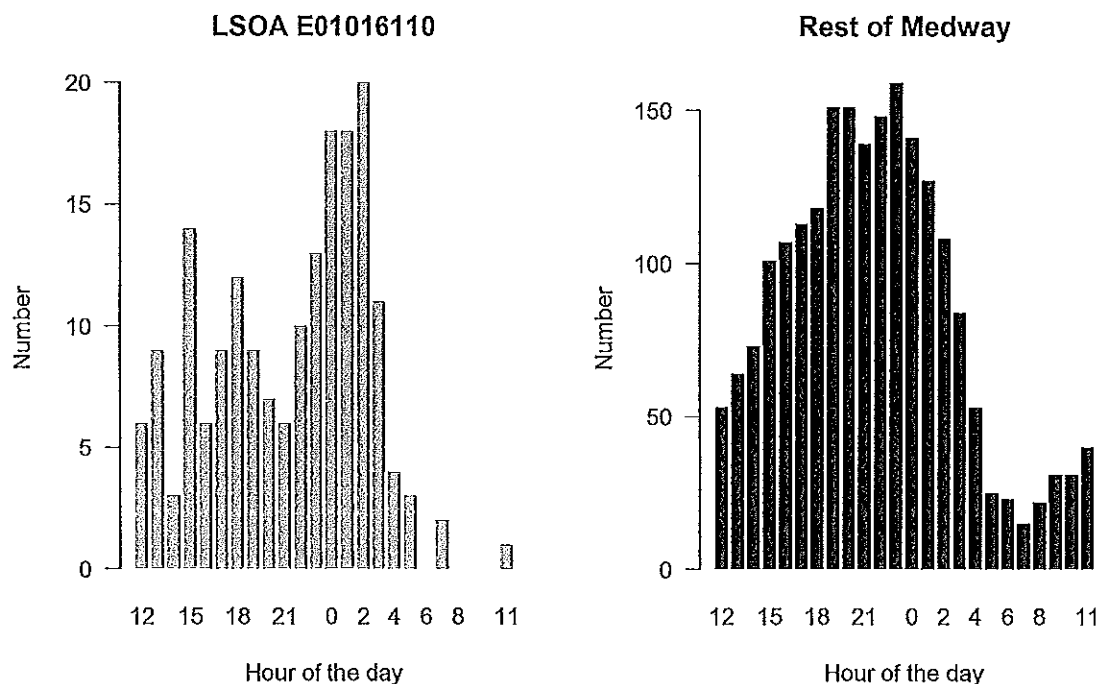
Drinking alcohol:

- affects judgement and reasoning
- slows down reactions
- upsets the sense of balance and coordination
- impairs vision and hearing
- makes concentration difficult
- makes people drowsy.

People who have been drinking are more likely to take risks, further increasing the likelihood of accidents.<sup>1</sup> An example of this type of risky behaviour is evidenced in the statement of DC Angus who witnessed three drunk women running towards the river, grabbing the top of the railings which run directly along the top of the river bank and then trying to lift their legs in the air.

There is academic evidence that shows accident victims who have been drinking suffer more serious injuries than those who haven't.<sup>2</sup>

River ward, in which this premises is located, has the highest number of alcohol related call outs to the ambulance service in Medway, which includes several different types of injury, such as bleeding, unconsciousness, falls and stabbing. These types of alcohol related calls peak at 0200 hours, compared to 2300 hours in the rest of Medway, which would suggest a connection to alcohol consumption in the late night licensed premises in this area.



Below is a summary of all the categories of call out listed by the ambulance service that are considered most relevant to one or more of the four licensing objectives.

As can be seen the nature of these calls are directly related to the safety of those involved and have all been noted by ambulance crews as having alcohol as a suspected contributory factor.

Call type	River Ward
Trauma/bleeding	62
Unconscious/faint	62
Alcohol intoxication	40
Falls <12ft	21
Assault	15
Limb/pain injury	16
Overdose/ingestion accidental	7
Shot/stabbing	3

Section 141 of the Licensing Act 2003 makes it a specific offence to sell alcohol to a drunk and if people are as drunk as described by the police then there has to be a question over the quality of the management in place at these premises, as well as the apparent unlawful activity of selling alcohol to customers who are drunk. Section 142 of the Act also makes it an offence to purchase alcohol for someone who is drunk, which again puts a question mark over the management of the premises as either one or the other scenario appears to have happened at this premises on this occasion.

Any premises which serve alcohol to people allowing them to get to such extreme states of intoxication as described by the police are putting their customer's safety at risk.

Dr Alison Barnett

Date 10<sup>th</sup> August 2015

**Director of Public Health**

For all communication please contact **Barbara Murray**, Public Health Project Coordinator at the address at the head of this representation or by the following:

Tel: 01634 332637:

E mail: [Barbara.murray@medway.gov.uk](mailto:Barbara.murray@medway.gov.uk)

## References

1. Cherpitel, C. (1993) cited in 'Alcohol and Accidents', Drinkaware Factsheet. Available at <http://www.uel.ac.uk/wwwmedia/microsites/hrservices/documents/hs/Alcoholandyourhealth.pdf>
2. Waller, PF. (2003) cited in 'The Facts about Alcohol and Accidents', Drinkaware Factsheet. Available at <http://eb6eac5692db912ed5d9-411b8674dd3ca0f7d171c621142907c5.r53.cf1.rackcdn.com/Alcohol%20and%20accidents.pdf>