

OFFICIAL (when complete)

Certificate to accompany application for the review of a premises licence under section 53A of the Licensing Act 2003

Certificate to accompany application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime, serious disorder or both)¹

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

This certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

The senior officer must be of the rank of Superintendent or higher.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000.

In summary, it means: -

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

1. Premises Details

Postal address of premises, or if none or not known, ordnance survey map reference or description: Hop & Rye, 4 Wainscott Road

Post town: Rochester

Post code (if known): ME2 4LB

In my opinion the above premises are associated with serious crime or serious disorder or both.

The nature of these matters are so serious as to justify the immediate decision to call for an expedited review. Other powers under the Licensing Act 2003, or other legislation, are not appropriate and/or do not address the issues with immediate effect. A standard premises licence review would not suffice as it would take 28 days to come to hearing and may be appealed prior to application, allowing this premises to continue to trade without any changes to its operation. This will fuel the risk of further incidents of serious crime occurring before sufficient measures can be put in place.

The actions this premises have taken by deciding to operate in this manner have placed an unnecessary risk to individuals, families and local communities at a time when the country is experiencing a national emergency. This is a public nuisance.

¹ SCHEDULE 8A Regulation 16A

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**Kent
Police**

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Public nuisance is a serious crime and combined with the threat posed by Covid-19, it warrants the use of this power.

Given the above, Kent Police seek the suspension of the premises licence (19/01090/LAPL01) followed by a full review and are of the opinion that this is the appropriate course of action under the Licensing Act 2003 to prevent further serious crime.

Signature:



Print Name: SUPT HINE

Rank: Superintendent

Number: 15035

Date: 03/12/2020