

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 HUNT 11044

(Insert name of applicant)

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

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Hop & Rye 4 Wainscott Road Rochester Kent	
Post town - Rochester	Post code (if known) ME2 4LB

Name of premises licence holder or club holding club premises certificate (if known) Michael Knight

Number of premises licence or club premises certificate (if known) 19/01090/LAPL01

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 | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |

2) a responsible authority (please complete (C) below) ☒

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

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(A) DETAILS OF INDIVIDUAL APPLICANT (fill in a 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)

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(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

PC 11044 Hunt Medway Police Station Purser Way Gillingham Kent Police ME71NE
Telephone number (if any) 01634 792388
E-mail address (optional) Daniel.Hunt@kent.police.uk

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

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

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

Kent Police submit this review on the grounds that the premises have failed to promote the following licensing objectives:

The prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

Kent Police request that this document be considered supplementary information in relation to our expedited application submitted on 2nd December 2020. The expedited review was submitted in relation to an incident of serious crime that occurred at the premises on Friday 27th November 2020.

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Please provide as much information as possible to support the application

(please read guidance note 2)

Kent Police applied for an expedited review of the premises licence for The Hop & Rye Public House on Wednesday 2nd December 2020. This application was following an incident of serious crime that occurred at the premises in the evening of Friday 27th November 2020. Circumstances of the incident being that whilst appearing to be closed, the premises was found to be trading and hosting a lock-in style event in a rear bar area. The hearing for the expedited review was heard on Friday 4th December after which the licensing panel decided to suspend the premises licence pending a full hearing. The panel concluded that they had a lack of confidence in the management of the premises to manage the premises safely in accordance with licensing legislation or coronavirus legislation.

Kent Police have now conducted a full review of the CCTV system which was seized from the premises by officers on Friday 27th November 2020. Kent Police intend to reply upon and show CCTV footage during the full premises licence review scheduled to take place on Tuesday 22nd December 2020. CCTV provides evidence that on multiple occasions during the most recent period of national lockdown (5th November to 2nd December 2020) that the premises operated illegally by allowing customers to consume alcohol on site in a rear bar of the premises. CCTV shows a complete disregard to Covid-19 measures during these times. CCTV also shows that in the weeks prior to the national lockdown, at a time where customers were permitted to consume alcohol on site, that the premises continued to fail to adhere to various restrictions and measures which had been imposed by government to help control the spread of this global pandemic. These failures included areas such as social distancing, the rule of 6, the wearing of face masks and table service.

CCTV shows that the premises opened and allowed customers to consume alcohol on the premises on the following dates and times:

Friday 27th November 13:16 to 20:26
Thursday 26th November 12:36 to 18:20
Monday 23rd November 11:21 to 11:46
Sunday 22nd November 13:52 to 18:15
Saturday 21st November 16:38 to 18:47
Friday 20th November 16:12 to 17:31
Tuesday 17th November 18:37 to 19:36
Thursday 12th November 12:20 to 20:34
Wednesday 11th November 17:19 to 19:26

The premises licence holder at The Hop & Rye is Michael Knight. The business owners at the time of the incident leading to this review on Friday 27th November were both Mark Greenfield and Ian Wilson. At the time of the incident Mark Greenfield was on holiday. On 4th December 2020 during the expedited review hearing, Mark Greenfield made it clear that in his opinion Ian Wilson was responsible for the failings of the premises. Whilst he accepted Michael Knight had been involved, he believed that Ian Wilson had intimidated Michael Knight and had abused his position of being the boss and Michael's employer. Mark Greenfield asked that the premises be given a second chance. He explained that he had every faith in Michael Knight remaining premises licence holder and stated he wanted Michael Knight to take on the position of designated premises supervisor. Mark Greenfield explained that as a result of these matters, he had ended his business relationship with Ian Wilson and assured the panel that Ian Wilson would have no further involvement.

Sadly, Kent Police do not have faith in the ability of Michael Knight to be either a responsible premises licence holder or future designated premises supervisor. It is the opinion of Kent Police that footage

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from the CCTV would suggest that Michael Knight was not intimidated or influenced by Ian Wilson as claimed at the expedited hearing. It is our opinion that Michael Knight and the premises have shown a complete disregard to the rules and regulations imposed by the government during these unprecedented times, rules that were imposed to control the spread of this deadly virus and ultimately save lives.

Whilst it may be the case that the business partnership has ended, the police and the licensing panel would have no control over that decision being rescinded in the future.

The premises have shown a blatant disregard to the rules and their actions have put customers and the public at risk. Kent Police have no faith that the premises would comply with any further conditions that the panel could impose on the licence. The premises have been operating since 2019 without an active designated premises supervisor in post. The removal of Michael Knight as premises licence holder is not an option available to the licensing panel.

In support of this application, Kent Police submit the following item:

1 - MG11 witness statement PC HILL 12000

Having considered the available options, Kent Police seek revocation of the premises licence.

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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"/>	<input type="text"/>	<input type="text"/>	<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

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- | | |
|--|--|
| <ul style="list-style-type: none">▪ I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate▪ I understand that if I do not comply with the above requirements my application will be rejected | Please tick yes
<input checked="" type="checkbox"/>

<input checked="" type="checkbox"/> |
|--|--|

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 - PC HUNT 11044

Date - 17/12/20

Capacity - Kent 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.