



Chief Officer of Police Representation in relation to an application for grant of a premise 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 Samantha Price
Postal Address: (Divisional Headquarters)	Medway Police Station Purser Way Gillingham Kent ME7 1NE
E-mail address	licensing.north.division@kent.police.uk
Telephone Numbers:	
Licensing Co-ordinator	Geoff Rowley [REDACTED]
Licensing Officers	Chris Hill [REDACTED]
	Daniel Hunt [REDACTED]
	Ian Pickett [REDACTED]
Details of premises representation is about	
Name of Premises:	
Address of premises:	Unit 57-58 Dockside Outlet Centre Maritime Way Chatham Kent ME4 3ED
Date application received by police	15 th July 2021
Date representation sent to Licensing Authority	13 th August 2021
<p>All representations must be made within 28 days of receipt of initial application</p> <p><i>The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005. Part 4 Reg. 22.</i></p>	

The Chief Officer of Police has received an application for the grant 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: -

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? No

If yes complete the appropriate statement:

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

This is a new premises licence for what is a former retail unit within the Dockside Outlet Shopping centre in Chatham Kent. It is understood that this is a multi-purpose venue that will operate as a sports bar, concert venue and nightclub. If granted this premises would be authorised to conduct various elements of regulated entertainment including films, live music, recorded music and performances of dance. It would also be authorised to conduct late night refreshment and the sale and supply of alcohol on the premises. The provision of live music would be authorised from 10:00 until 23:00 and all other licenced activity would be permitted daily from 10:00 to 02:00.

The premises are located within a shopping centre comprising of many retail outlets. In the immediate surrounding area there are further restaurants, cafes and pubs. Located within just a few hundred yards of the premises are a number of residential flats and apartments, and a short distance across the boat yard is the populated residential area of St Mary's Island.

The applicant has provided some level of information within their proposed operating schedule and has provided information during further correspondence and communication however clarification is sought in some areas. At this stage Kent Police have concerns that the proposed conditions are insufficient for this premises and do not fully promote the licensing objectives with regards the prevention of crime and disorder and public nuisance. Kent Police are not opposed to the operating hours and are not completely opposed to this application but do seek the addition of further conditions listed later within this document.

Prevention of Crime and Disorder

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 a licence that seek to effectively promote this objective and minimise the risk of it being undermined and any conditions would need to be clear and precise.

Public Safety

Much of the representations that have been made in respect of the impact on the Licensing Objective of Crime & Disorder can be mirrored under this objective. Any incident of Public Order or Assault has a propensity to have an element of collateral impact on Public Safety, through the protagonists and their interaction with Police. Licence holders have a responsibility to ensure the safety of those using their premises and this objective is concerned with the safety of persons using the premises rather than public health. Conditions imposed under public safety will also promote the crime and disorder objective.

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 terms of the impact of nuisance on people living or doing business nearby.

Any incidents that Kent Police responds to are by definition a nuisance to some section of our community.

Protection of Children from harm

The protection of children from harm includes protection from moral, psychological and physical harm; therefore, this is not just about protecting the children from the inherent harms of alcohol but includes exposure to strong language, and sexual harms.

Kent Police are not completely opposed to this application but seek the addition of the following conditions:

The maximum occupancy of the premises is 550

During the thirty minutes prior to close of business:

- a. No live music, including karaoke, etc. shall be permitted
- b. Recorded music must be substantially reduced in volume
- c. Public announcements asking customers to leave quietly to minimise disturbance to nearby residents shall be made
- d. Interior lighting levels shall be increased.
- e. No alcohol sales shall be permitted

Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.

There will be a door control policy that clearly sets out the responsibilities of door supervisors and any other staff involved in security at the premises. This policy must contain, as a minimum:

- a. Details of how door staff prevent overcrowding
- b. Details of how door staff will supervise the queue to ensure that it is managed in a way that avoids rowdy or unpleasant behaviour and to keep customers quiet so as to not disturb local residents.
- c. A requirement for door staff to search every customer as a condition of entry from 19:00 and a procedure for how this will be carried out, which must include requirements for searches to be made in conjunction with the use of an electronic metal detection system positioned at the customer entrance of the premises. Searches will be carried out by door supervisors of the same gender as the customer.
- d. A requirement for all door supervisors to be linked by radio to provide 2-way communication between each other and for the DPS or a responsible member of staff to ensure the radio equipment is working at all times.
- e. A requirement for all door supervisors to provide evidence by written statement to police in any criminal investigation as and when required.
- f. A requirement for all door supervisors to wear clothing that can be easily identified on CCTV and details of what this will be.
- g. Details of how staff will prevent patrons from leaving the premises with open containers, bottles, glasses and/or drinks in accordance with other conditions of this licence.
- h. Details of how entry to and exit from the premises will be managed by door staff with regard to permitted maximum numbers, and customers' behaviour and appearance

The door control policy must be adhered to at all times.

Notices are to be prominently displayed at entrance explaining that: 'Persons entering the premises will be searched. Agreement to be searched is a condition of entry. If persons do not consent, entry will be refused. Police may be called if drugs or weapons are found.'

The licence holder and/or designated premises supervisor shall ensure that at least one personal licence holder is available on the premises.

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, and which must comply with the following requirements:

- a. Cameras shall encompass all ingress and egress to the premises, fire exits and all areas where the sale and supply of alcohol occurs.
- b. Equipment must be maintained in good working order, be correctly time and date stamped, recordings MUST be kept on the hard drive and kept for a period of 31 days and handed to Police upon reasonable request.
- c. The premises licence holder must ensure at all times that the DPS or an appointed member of staff is capable and competent at downloading CCTV footage in a recordable format and available to provide the same to the Police and/or Local Authority upon reasonable request.
- d. 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 within 24 hours unless the CCTV will be repaired before that time (licensing.north.division@kent.police.uk)

The premises licence holder or designated premises supervisor must keep an incident register. Staff must be trained to complete the register immediately after the incident but no later than the end of their shift. The register must be kept on the premises and will detail:

- a. Day, date and time of incident
- b. Nature of incident
- c. Resolution
- d. Each entry is to be checked and signed by the DPS/Licencee no later than 1 week after the entry has been made.

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

The premises are to have a strict entry and exit policy as regard to behaviour

The premises must have written a drugs policy which is to be made available to police or other authorised officer upon reasonable request

Clickers / counters are to be used at all times to count the number of customers entering and leaving the premises and ensure that the number of customers does not exceed any capacity limit determined by way of a risk assessment or other limit imposed by conditions of this licence.

All persons that sell or supply alcohol to customers must have licensing training.

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

From 19:00 only polycarbonate vessels shall be used at the premises. From 19:00 until closing all bottles will be decanted into polycarbonate vessels.

With the exception of customers using the dedicated smoking area located to the front of the premises, there will be no admission or re-admission to customers after 01:00. The dedicated smoking area is to be covered by premises owned CCTV and is to be monitored by SIA staff.

From 22:00 till closing, the dedicated smoking area located to the front of the premises will be restricted to no more than 30 persons at any time. No drinks shall be taken out into this smoking area.

When the premises are open for licensable activities beyond 19:00, a minimum of 6 door supervisors must be employed at the premises from 19:00 until the premises has closed.