

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

Apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
<p>The Ship Inn Court Lodge Road Gillingham Kent</p>	
Post town Gillingham	Post code (if known) ME7 2QX

Name of premises licence holder or club holding club premises certificate (if known)
Punch Partnership Ltd

Number of premises licence or club premises certificate (if known)
Medway-05-Prem-0284

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)

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

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

Please tick

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

Surname	First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address	
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Post town

Post Code

Daytime contact telephone number	
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E-mail address (optional)	
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(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

Name and address PC HUNT 11044 Medway Police Station Purser Way Gillingham Kent ME71NE
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

This application to review relates to the following licensing objective(s) Please tick one or more boxes

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

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

Kent Police submit this application to review the premises licence of The Ship Inn to promote the licensing objectives namely the prevention of crime and disorder, public safety, public nuisance, and the protection of children from harm.

This trigger incident for the review being on 17th November 2023 when police visited the premises as part of a night-time economy drugs operation with drugs dog, circumstances of which resulted in 3 police officers being assaulted, 5 persons arrested and the seizure of drugs.

Kent Police will evidence other areas of concerns including:

- Anti-social behaviour associated with the premises.
- Patron and music noise associated with the premises.
- Levels of customer intoxication.
- Sale and supply of alcohol outside of permitted licenced hours.
- Supply of alcohol to persons under the age of 18.
- Alleged incidents of crime and disorder.

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(please read guidance note 2)

This premises has a licence granted by Medway Council and is authorised to conduct the following licensable activity:

Sale of alcohol (on and off the premises), live music (on the premises), recorded music (on the premises) and late-night refreshment (on and off the premises). The terminal hour with regards to the sale of alcohol is midnight Monday to Thursday, 01:00 Friday and Saturday and 23:30 on Sunday. The terminal hours for both music and late-night refreshment differ to those permitted for alcohol.

The premises are located at the end of a dead end no through road. It is a residential area with terraced housing to the side and rear, with flats and apartments directly opposite. The premises operates and advertises as being a live music venue, particularly of a weekend.

The premises licence holder (PLH) is Punch Partnerships Ltd and the designated premises supervisor (DPS) is Nathaniel Reagon-Welch.

The trigger incident for this review occurred on 17th November 2023, however several other areas of concern and premises failings regarding the promotion of the licensing objectives have come to police attention in recent weeks. A summary is as follows:

Friday 17th November 2023

Approximately 21:45 police attended the premises during a night-time economy drugs dog operation, intending to conduct a licensing visit and complete a walk through of the premises in a secure environment with a police drugs dog. As a result of this visit, numerous persons were arrested for offences including public order, assault, and criminal damage. The investigation into these matters is ongoing.

Thursday 16th November 2023

Approximately 00:23 police received report of fighting outside the premises with glass bottle being thrown, it was suggested that a male involved in the disturbance may be in possession of drugs. Police attended and found no sign of fighting or a disturbance, a S.23 drug search was carried out by officers with negative a result. External CCTV cameras from the premises do show customers leaving at timings consistent with this complaint. Customers appear boisterous and are seemingly larking about which could easily be misconstrued as being a fight or disturbance. Whilst the CCTV has no sound, it is probable that customer noise was created during the incident causing a nuisance to residents, hence the matter being reported to police.

Wednesday 4th October 2023

Police licensing attended the premises. The DPS was not present, police spoke with the partner of the DPS. This visit was regarding a complaint of drunken behaviour in the early hours of Thursday 28th September. Two females were said to be drunk, laying on cars, being sick in the street. Police had been advised that a resident had escorted the females back to the pub. Despite being past 02:00, the pub was said to be busy with customers drinking. During the visit the premises denied any sale of alcohol after hours. CCTV was checked which showed alcohol was sold after hours, it was at this point that admissions were made by the premises that they had knowingly engaged in such behaviour. A quick time review of the CCTV for Sunday 24th September, chosen at random confirmed again the presence of customers long after permitted licence hours for alcohol. Words of advice were provided regarding lock-ins, drunkenness, and customer noise. Admissions were made by the premises that customers can often be loud and hard to control as they leave. A request was made that CCTV from both 28th and 24th September be provided to police be that digitally or on a memory

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stick device. Despite assurances it would be provided, and despite further reminders and requests for the CCTV over the coming days and weeks, this CCTV was not provided. Police dealt with the matter by way of official warning letter sent to both the DPS and PLH on 1st November 2023. Of note is that the premises has been previously warned by letter regarding selling alcohol after permitted hours, this was in September 2020.

Tuesday 26th September 2023

Approximately 21:36 police received reports of an assault that had occurred outside the premises. A victim had injuries consistent with actual bodily harm (ABH). CCTV from the premises confirms that the two persons involved were customers. CCTV shows the persons exit the pub and an exchange of words takes place before punches are thrown. Both persons are then fighting on the ground in the middle of the road. The fight is then broken up by the DPS. One customer remains outside but eventually leaves, the other is allowed to re-enter the premises.

Saturday 26th August 2023

Approximately 18:20 police received a complaint of excessive live music coming from the premises. In response police licensing attended the premises at approximately 19:00 to find a live band was performing in the beer garden at the premises. The event organiser advised police that the music was due to finish at 20:30. The music volume was very loud and could be heard some considerable distance away from the premises. As evidenced by the complaint, it is highly likely that this music caused a nuisance and disturbance to residential premises in the street, particularly to those premises located nearest to the premises. Police observations were then referred to local authority environmental health officers for their attention.

The premises licence currently has conditions within the operating schedule which are intended to prevent music and entertainment noise from escaping the venue and disturbing neighbouring residents. Currently these conditions would not come into effect until 23:00 when the event is then deemed regulated entertainment.

Monday 21st August 2023

Approximately 00:32 a report was made to police of a customer in the toilets at the premises having a possible mental health episode. It was reported that the customer had possession of a glass and was threatening self-harm. The customer was in a volatile state, intoxicated and claimed to have taken cocaine.

In addition to the above-mentioned incidents, on 17th November Kent Police seized the CCTV unit from the premises. This is not common practice. Ordinarily police would request footage which is then provided by a premises via memory stick or digital download. Due to the previous failings of the premises to provide CCTV, due to the severity of the incident and with concerns that evidence may be lost, it was appropriate to seize the unit. A review of the CCTV unit is currently being undertaken by police licensing. An initial review suggests that most persons arrested on 17th November are regular customers, including the customer aged under 18. The review also shows other occasions in addition to 28th September whereby alcohol is sold to customers after permitted authorised hours. CCTV shows occasions whereby customers are allowed access behind the bar, and shows customers being allowed to lean over the bar and pour their own alcoholic drinks from the draft pumps. CCTV provides footage of further suspected drug activity and underage sale of alcohol.

Prior to submitting this application, Kent Police licensing have very much engaged in a stepped approach with the premises. Clearly there are failings with regards to the promotion of the licensing objectives.

Whilst all incidents detailed above would be a cause for obvious concern, the trigger incident was extremely serious and significant and heavily impacted on police resources. From a harm perspective, this incident could have resulted in serious injury being caused to both the public and

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to the police and could have been very distressing to innocent members of the public enjoying their evening. Had that been the case, this review process would be expedited in nature with police seeking emergency measures and probable suspension of the licence pending full review hearing.

Currently Kent Police have no faith in the ability of the current management to effect change at the premises and better promote the objectives. Kent Police believe that the addition of premises licence conditions and amendment of the licence would go some way to alleviating concerns our concerns. Serious consideration was given regarding seeking a revocation of the premises licence, however at a minimum Kent Police would seek consideration of the following:

- Suspension of the premises licence for a sufficient period to allow premises to reset and implement any required changes.
- Reduction in operating hours
- Removal of Nathaniel Reagon-Welch from position of DPS. New DPS to have no connection to those currently managing the premises.
- Limitations imposed as to the number of music events that can be held at the premises per annum.
- Limitations imposed as to the number of outdoor music events that can be held at the premises per annum.

Kent Police also seek the addition of the following conditions:

CCTV

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.

1. Cameras shall record all ingress and egress to the premises, fire exits and all areas where the sale and supply of alcohol occurs.
2. Equipment must be maintained in good working order, with recordings correctly time and date stamped. Recordings MUST be kept in date order, kept for a period of 31 days and handed to police and authorised officers on demand.
3. The premises licence holder must ensure at all times a DPS or appointed member of staff are on the premises and are capable and competent at downloading CCTV footage in a recordable format to the police and local authority on demand.
4. The recording equipment and discs/tapes shall be kept in a secure environment under the control of the DPS or other responsible named individual.
5. An operational daily log report must be maintained and endorsed by signature, indicating the system has been checked and is compliant. In the event of any failures, any action taken is to be recorded.
6. 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 immediately. (licensing.north.division@kent.police.uk).

Staff training

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

1. Training must take place within six weeks of employment.
2. Any new employees will be supervised until the training has taken place.
3. Refresher training should be repeated a minimum of every six months or earlier if required due to changes of legislation.

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4. Training records must be kept on the premises and shall contain the nature, content and frequency of all training.

5. Records must be made available for inspection by police, police licensing officer and authorised officers from Medway Council on demand either electronically or in hard copy.

Drugs Policy

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 showing members of staff who have taken the training.

Incident log

An incident log shall be kept at the premises, and made available on request to a police officer, police licensing officer or Council authorised licensing officer. It must be completed within 24 hours of the incident and will record the following:

1. All crimes reported to the venue.
2. All ejections of patrons.
3. Any complaints received concerning crime and disorder.
4. Any incidents of disorder.
5. All seizures of drugs or offensive weapons.
6. Any refusal of the sale of alcohol.

SIA – Door supervision

When the premises is open between 19:00 and closing on Friday and Saturday a minimum of 2 SIA door supervisor must be present and employed at the premises.

A minimum 2 SIA door supervisors will be employed at the premises for the duration of any live or recorded music events. At all other times the designated premises supervisor will undertake a risk assessment in respect of the provision of door supervisors and when deemed appropriate a minimum of 2 door supervisors will be employed.

Personal licence holders

There must be at least one personal licence holder on site at the premises while the sale of alcohol was conducted.

Challenge 25

The premises shall adopt a challenge 25 policy.

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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"/>

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

	Please tick yes
<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 	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> ▪ I understand that if I do not comply with the above requirements my application will be rejected 	<input checked="" type="checkbox"/>

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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 27/11/2023

.....

Capacity Police constable – licensing officer

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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.