



**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)

<b>Details of person making representation</b>	
<b>Name of Chief Officer of Police</b>	Chief Superintendent White 15754
<b>Postal Address: (Divisional Headquarters)</b>	Medway Police Station Purser Way Gillingham Kent ME7 1NE
<b>E-mail address</b>	licensing.north.division@kent.police.uk
<b>Telephone Numbers:</b>	01634 792276
<b>Licensing Co-ordinator</b>	Geoff Rowley
<b>Licensing Officers</b>	PC Smuts 11250
	PC Hunt 11044
	PC Pickett 12274
<b>Details of premises representation is about</b>	
<b>Name of Premises:</b>	1A Victoria Street
<b>Address of premises:</b>	1A Victoria Street Gillingham Kent ME7 1ED
<b>Date application received by police</b>	29/11/2023
<b>Date representation sent to Licensing Authority</b>	21/12/2023
<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	X
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

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

Having considered this application for a convenience store at 1A Victoria Street, Gillingham, Kent, Kent Police make representations and request that a premises licence is not granted. Kent Police submit the following information to support our representations:

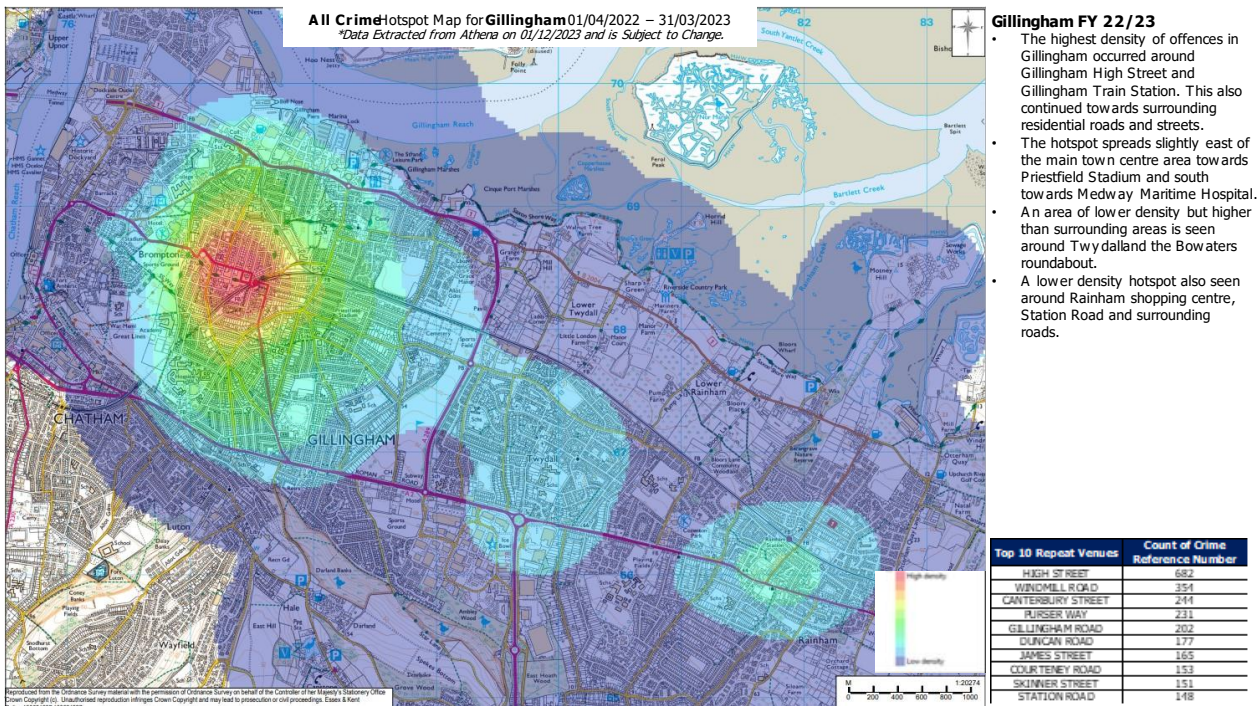
This is a new premises licence application for a convenience store which if granted would allow the premises to sell alcohol on an off-sale basis from Monday to Sunday 0900 to 2300 hours. The application states that the premises will open from 0600 to 2300 hours Monday to Sunday.

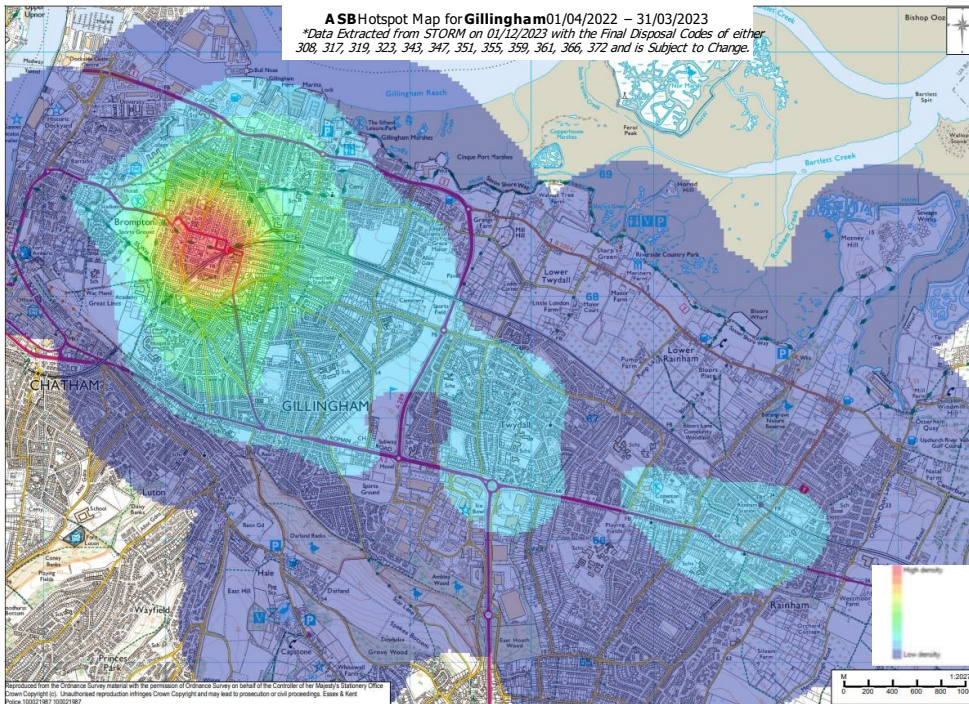
The premises is located in the southern end of Victoria Street, which joins Gillingham High Street and is opposite Gillingham train station.

Gillingham High Street is a busy town centre, with a number of premises that sell alcohol on an off-sale basis already present. This is recognised by the Cumulative Impact Policy that was renewed by Medway council in 2021 with one of the areas being Gillingham High Street and surrounding roads.

The CIP recognises how a high number of licensed premises within a defined area can lead to problems of crime, disorder and public nuisance which affects residents, visitors, and businesses. In addition, public services, including health, emergency and environmental services are also put under strain, due to the increased demand.

In preparation for the upcoming CIP review in 2024, I have been provided data from the Kent police analyst team which shows that Gillingham is still suffering from high levels of crime and ASB, which the attached maps show. It is clear from the previous evidence provided by Kent police for the CIP review in 2021, in conjunction with the most recent data provided that Gillingham High Street, continues to be the area where most crimes occur within this area. As stated within these maps, the high intensity of incidents are located within the area of the High Street and Gillingham train station, meaning that despite whatever conditions the applicant has provided within the application, Kent police believe this premises will have a negative impact, within this area, if this application is granted.





**Gillingham FY 22/23**

- High density of incidents (red area on map) in Gillingham were located around Gillingham High Street and Gillingham Train Station.
- Moderate density of offences (yellow-green on map) located in South and East Gillingham and towards Brompton.
- Lower density hotspots (light blue) extends from Gillingham to Twydall and a separate hotspot in Rainham (Town Centre area and Cozenton Park)

Prior to the application being received, Mr Fender, the applicant’s agent did make contact with Kent police licensing team to clarify expectations for this premises as it is located within the CIP area. Mr Fender was advised that as this premises was within the CIP, then there would be a presumption of rebuttable of an application, unless the new application was shown to be exceptional.

S.8.43 of the Revised Guidance under S.182 Licensing Act 2003 states:- *Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact assessment), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.*

Medways Cumulative Impact policy states “Exceptions to the CIP must be for genuinely exceptional reasons.” While the application lists a series of “robust” conditions, Kent police do not believe that the application has shown why this convenience store should be an exception to the Cumulative Impact Policy that covers this location. While the conditions within the operating schedule are welcomed by Kent police, some appear to replicate legislation already in place, while Kent police would expect a number of the conditions to be included in an application that is outside of the CIP.

Gillingham town centre had a Public Space protection order in place until recently, to stop persons drinking alcohol in an anti-social manner, however a further consultation to renew this order has taken place, meanwhile beat officers have advised that they are aware of issues with persons drinking alcohol in the High Street and as a result, their behaviour has a detrimental effect on those visiting the town centre. This is relevant to this application as one of the hotspots for drinkers to congregate is the High Street, junction with Sappers Walk which is only a short distance from this premises.

Despite legislation being in place to allow police licensing to take enforcement action if a premises is identified as being a causal link to persons causing anti-social behaviour, crime/disorder or are undermining the licensing objectives, it has historically been difficult to gain evidence in order that a specific premises is identified. North Division licensing officers have delivered warning letters to off

licences within Gillingham High Street and the surrounding area, to make premises licence holders aware of ongoing issues, reminding them of the need to ensure that themselves and staff are abiding by the premises licence conditions as well as ensuring the licensing objectives are not being undermined.

The applicant for this premises appears to be the premises licence holder & DPS for another premises within the Medway area, which have not caused police licensing to become involved, however this should not be used as evidence to support this application as within the current Cumulative Impact policy, reasons that a premises licence application is not exceptional are given, such as the applicant already operates a similar premises without complaint or a premises will be well run.

Despite the conditions within the operating schedule, this application does not show why the premises should be exception to the Cumulative Impact policy within this area. With Gillingham High Street continuing to have high levels of crime and anti-social behaviour, Kent police believe that the licensing objectives, in particular those of prevention of crime/disorder, prevent of public nuisance and public safety will be adversely affected, if this premises was to open and licensed to sell alcohol, therefore Kent Police respectfully request that this application be refused.

PC Pickett 12274  
PP. Ch/Supt White 15754  
**North Division Area Commander**

**Date:** 21/12/2023