



Chief Officer of Police Representation in relation to an application for variation of premises licence made under Part 3 Section 34 Licensing Act 2003 (S35 Licensing Act 2003)

Details of person or body making representation

Name of Chief Officer of Police	Chief Supt White 15754
Postal Address: (Area Headquarters)	Medway Police Station Purser Way Gillingham Kent Police ME71NE
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Details of premises representation is about

Name of Premises:	Great Lines Heritage Park
Address of premises:	Great Lines Heritage Park Brompton Gillingham Kent ME7 5DH
Date application received by police	2 nd January 2024
Date representation sent to Licensing Authority	29 th January 2024
	<i>Must be within 28 days of receipt –</i> The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005. Part 4 Reg. 22

The Chief Officer of Police has received an application for the variation of a premises licence made under the provisions of Section 34 Licensing Act 2003, and under Section 35 of that Act asks the Licensing Authority to consider these representations in respect of: -

Please tick one or more of the licensing objectives that the representation relates to:

Prevention of crime and disorder	X
Public Safety	X
Prevention of public nuisance	X
Protection of children from harm	

The relevant representations within the meaning of S.35(5) of the Licensing Act satisfy the requirements of S.35 (6) of that Act and are as follows:

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

Please see attached document entitled "Representations – Great Lines Heritage Park Variation".

Please use separate sheets where necessary

Suggested conditions that could be added to the licence to remedy the representation or other suggestions the Licensing Sub Committee may take into account:

Please use separate sheets where necessary. Consider s106 Licensing Act 2003.

Please see attached document entitled "Representations – Great Lines Heritage Park Variation".

Signed: _____

Date: 29/01/2024

Print name: PC HUNT

Force Number: 11044

pp Chief Officer of Police for the Police Area in which the licensed premises are situated

Representation may be made at any time during the 28 consecutive days starting on the day after the day on which the application to which it relates was given to the authority by the applicant. Please return this form along with any additional sheets to the Licensing Authority. This form must be returned within the Statutory Period.

This application is for the full variation of the premises licence for the Great Lines Heritage Park, Brompton Road Gillingham Kent. The current premises licence permits the following licenced activity:

Sale of alcohol (on premises) Friday 17:00 to 21:45, Saturday 11:00 to 22:00, Sunday 14:00 to 21:30, Monday 10:30 to 18:30

Live and recorded music, dancing, films and plays Friday 17:00 to 22:00, Saturday 11:00 to 22:30, Sunday and Monday 10:30 to 18:30

Limited currently to conduct a 3-day event on 1 event weekend each year between 1st January 2024 to 30 September 2027.

The applicant seeks to vary the above permissions to enable a 4-day event, to amend the hours for all licensable activity Friday to Monday 11:00 to 22:30, to revise the site plan and remove licence condition 52.

Prior to 2023, the Great Lines Heritage Park was not licenced. Stardust Festivals Ltd first applied for a premises licence in November 2022. Kent Police were opposed to the granting of the licence and submitted representations, resulting in a licensing hearing scheduled for 20th January 2023. The case was presented to the licensing panel and heard in part before an adjournment. The hearing was reconvened on 13th February 2023. The decision of the licensing panel was a unanimous vote of members to refuse the licence. The determination listed the reasons for refusal which included:

- The Panel determined that the event posed public safety concerns and would likely cause a nuisance to the public.
- The Panel considered that such a large-scale event over four days, would have a negative effect on the local community, especially given the proposed volume of attendees, which would likely impact the transport services in the Medway area.
- The Panel was particularly concerned about the number of road closures during the event, the volume of traffic in the Medway area and surrounding routes, the parking provisions, and the impact it would have on car journeys, bus routes and train services. Consequently, the Panel deemed the event could pose a detriment to the daily lives of local resident and businesses which could suffer a loss of trade.

This decision was challenged by the applicant, who submitted an appeal to the Magistrates Court. Kent Police were not part of the appeal process or any subsequent negotiations that took place between Stardust Festivals and the local authority licensing committee. An agreement was reached, and the determination of this appeals process was to grant the premises licence with the above authorisations and conditions. Despite originally seeking a 4-day event licence, the licence granted was restricted to a 3-day event with a condition stating there could be no event until at least 1st January 2024. The only amendment that has been made to the premises licence since being granted has been a transfer of premises licence holder in June 2023. Stardust Festivals Ltd are no longer connected with this licence. The current premises licence holder is DV Master Ltd.

We understand that DV Master Ltd and the landowner are fully apprised with the events that led to the granting of the licence, and to the reasons for the current authorisations and restrictions attached, safe to assume were agreed during the appeal process to negate concern raised and to promote the licensing objectives.

Since the granting of the premises licence, Great Lines Heritage Park has not hosted a music event, therefore the site and the premises licence remain unused and untested. Whilst the premises licence

condition has prevented an event taking place prior to 1st January 2024, it is our understanding that the applicant has no intention to host any future event under the current authorisations. The applicant has advised police that an event held under the current authorisation would simply not be financially viable.

It is somewhat concerning that a full variation has been submitted seeking significant changes to the licence, a licence granted on appeal, without an event having taken place. Had for example, a test event under the current authorisation been scheduled for some point in 2024, at which the applicant could evidence a safe and successful event negating previously documented police concerns, using that first event as evidence towards the submission of a future variation, it is probable that Kent Police would consider a variation more favourably.

At this stage Kent Police do not feel that applicant has negated our concerns. It appears that the applicant has not fully considered previous police concerns, nor the concerns of the licensing panel as listed within their previous hearing determination. The request for additional hours and an additional event day at such an early stage would appear somewhat premature, showing little merit to the struggles and processes that eventually led to the granting of the licence.

It is understood that the applicant plans to have just a 2-day event in 2024, with the potential to use all 4 event days the following years. It is understood for the 2024 event, the applicant aims to sell 15000 tickets per day, this could grow to the permitted capacity of 25000 persons (licence condition 44) for future events. Early planning indicated that the event would take place on the first weekend in August 2024, but this has now changed with Saturday 24th and Sunday 25th August now proposed with an event from 12:00 until 22:30 each day. Kent Police are of the opinion that a 2-day event could be held without a need to prematurely vary the licence.

Whilst in the main Kent Police are opposed to this variation, we are not opposed to the removal of condition 52, nor to the proposal of the event space being reduced in size and moving away somewhat from being directly next to Medway Maritime Hospital.

At the previous hearing Kent Police raised concerns, some of which have now been allayed and relieved to an extent, but not because of this variation. Concerns regarding Stardust Festival Ltd have been allayed by the previous premises licence transfer and assurances from DV Master Ltd that Stardust Festival Ltd is no longer involved. Also, it would appear the rail engineering works that would have had a significant impact upon the planned event for 2023, should not be an issue for this year's event. However, not all police concerns have been alleviated, many remain.

It is understood that the applicant is deviating away from the previously planned music genre and wishes for this to simply be a "dance music" festival. If granted this licence would allow for a 4-day dance music event Friday to Monday 11:00 till 22:30. Undoubtedly the level of risk associated with a music event changes dependant on many factors including genre, audience size, target audience, event timings, location and so on. Whilst the current premises licence would still permit a "dance music only" event for 25000 persons a day, Stardust Festivals Ltd with support from the landowners previously proposed the event would take the following format:

- Day 1 Classical music event, 5000 persons
- Day 2 Dance event, 25000 persons
- Day 3 80's, 90's & 00's event, 15000 persons
- Day 4 Family fun day, 15000 persons

To an extent, this proposal reduced level of risk, particularly on day 1 and 4. This proposal could help account for the agreement made at appeal and explain the current licence authorisations. Deviating away from the previous proposal, away from a lower risk events such as the classical music event and family fun day, replacing it with the potential for a 4-day dance music event, with extended hours, on an untested site using an untested licenced could inevitably lead to an increased risk of incident, crime, disorder, antisocial behaviour and nuisance both within the event space and the town centre, placing additional pressures on event staff, emergency services, residents, persons attending the event and the wider community. It is appreciated that the planned change in music genre and concert type does not form part of this variation, we accept that the premise licence holder is free to host any event type authorised by the licence. That said, the current authorised hours for Friday morning and Sunday and Monday evenings are not conducive to hosting a typical dance music festival, and therefore the variation is essential to facilitate that change of event type, and that change clearly comes with heightened risks. Nowhere is the intended change in direction for music event type mentioned within the premises licence variation application. Had it been so, on the balance of probabilities there could be an increase in representations be that from business and residents alike.

The 2024 event is scheduled to take place in the last full weekend of August. Trains will be a key mode of transport for many attending the event. The nearest train station to the event site is Gillingham, a walk of approximately 10 minutes. Gillingham has two main platforms with trains both London and Coast bound. It is our understanding that the applicant is in consultation with Network Rail regarding additional train services that would be required for this event, particularly when considering the increase of hours on Sunday and Monday evenings, and the limited train services that would ordinarily run at those times. It has been suggested that additional services, particularly for the Sunday may be an issue for Network Rail. If additional services are not obtainable, this would increase the risk of persons attending the event by train being stranded in Gillingham after the event. Should the additional train services required not be available, the mode of transport for many would likely revert to car or bus travel, adding increased pressures on traffic, congestion, parking, road closures and park and rides. In addition, the proposed 2024 event is likely to fall on a weekend matchday of football in the Football League. Next year's fixtures are yet to be released, but consideration that league 2 side Gillingham FC could be drawn to play at home and will already place additional pressures on the rail network that weekend must be considered.

Gillingham town centre sits within a CIP zone (cumulative impact policy area) and already suffers unacceptable levels of alcohol related crime, disorder, and antisocial behaviour. Should the application be granted, it is probable that the increased licenced hours for an event on both Friday, Sunday, and Monday as well as an additional event day enabling a 4-day music festival will inevitably create additional pressures within the town centre and add to the issues already associated within this CIP area. The event space is less than 50 yards from the CIP and persons travelling by train (and by other means) to or from the event would pass through the CIP to gain access. The risk of persons being under the influence of drink or drugs is heightened, given the move away from the classical music and family fun day elements previously proposed.

Kent Police believe there is insufficient information contained within this application to evidence that the granting of this variation would not adversely impact on the promotion of the licensing objectives or negatively impact upon the premises or wider community. Kent Police believe that the application is premature in its submission, and that a variation would not be required at this stage to run a 2 or even a 3-day test event in 2024 under current authorisations. This premises licence was sufficient and seemingly financially viable for an event when initially granted to Stardust Festivals

Ltd. The premises licence was such that it was originally denied by the licensing panel. Again, Kent Police were not involved in the subsequent negotiations leading to the appeal outcomes, but it is likely that the agreement reached was because of assurances offered during that process. The event plans have changed, the event type has changed, and the proposed variation increases risk. In addition to the additional pressures this variation could place on the wider community, it could also impact police resources. Kent Police propose to bring this matter back to the licensing committee panel for scrutiny, and respectfully request that the application be denied.