



Chief Officer of Police Representation in relation to an application
for grant of premises licence made under Part 3 Section 17
Licensing Act 2003 (S18 Licensing Act 2003)

Details of person making objection

Name of Chief Officer of Police	CC Tim Smith
Postal Address: (Area Headquarters)	Medway Police Station Purser Way Gillingham Kent
E-mail address	mark.squires@kent.police.uk
Telephone Number:	07929 048621

Details of premises representation is about

Name of Premises:	Tobis Foods Ltd
Address of premises:	23 Railway Street, Chatham, ME4 4HU
Date application received by police	16 th August 2024
Date representation sent to Licensing Authority	13 th September 2024
<p><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.</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: -

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

Prevention of crime and disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of public nuisance	<input checked="" type="checkbox"/>
Protection of children from harm	<input checked="" type="checkbox"/>

Is this a representation regarding the Designation of Premises Supervisor under S18 (9) Licensing Act 2003? **NO**

If yes, complete the following statement: -

The relevant representation within the meaning of S.18(6) of the Licensing Act satisfy the requirements of S.18(9) of that Act and are as follows:

Due to the exceptional circumstances of this case, I am satisfied that the designation of the person concerned as the premises supervisor under the premises licence would undermine the crime prevention objective because

N/A

Please use separate sheets where necessary

The relevant representations within the meaning of S.18(6) of the Licensing Act satisfy the requirements of S.18(7) of that Act and are as follows:

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

Having considered this application, Kent Police make objections and request that a premises licence is not granted. Kent Police submit the following information to support our objections: This is a new premises licence application which if granted would allow the premises to sell alcohol on an off-sale basis Monday to Sunday 08:00 to 22:00. The applicant has indicated that the premises will mainly operate selling African foods, ingredients and other African based products.

Please see attached continuation sheet for more representations

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.

[Empty box for suggested conditions]

Signed:

Date: 10... \.....09.... \..2024.
.....

Print name:Mark
Squires.....

Force Number: ...13355.....

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.

Continuation of representations regarding Tobis Foods LTD

The premises are located halfway up Railway Street, Chatham near to the junction of Best Street, an approximate 30 second walk from the High Street. This is located in the heart of Chatham town centre and is surrounded by both residential properties and a vast amount of businesses both nearby and in the High Street. There are 2 pubs from the High Street up to the applicant's premises on Railway Street that are already selling alcohol. There are a significant number of retail outlets within the town centre and CIP area, many of which already sell alcohol on an off-sale basis as well.

Chatham High Street currently forms part of a Cumulative Impact Policy Area (CIP), and the area suffers with a high volume of alcohol related crime, disorder, and public nuisance. The Medway Council Cumulative Impact Policy was renewed in 2024 and expires in 2027. The area is also covered by a Public Space Protection Order (PSPO), commonly known as an Alcohol Control Zones, these zones were also renewed recently in 2024. A particular issue in this area relates to antisocial behaviour and street drinking. A street drinker can be defined as the following: "A person who drinks heavily in public places and, at least in the short term, is unable or unwilling to control or stop their drinking, has a history of alcohol misuse, and often drinks in groups for companionship. People who are street drinkers are likely to be at increased risk of causing harm to themselves or others and may be involved in antisocial behaviour such as begging, or rowdy drunken behaviour that can be intimidating or even violent". I have previously worked as a Chatham High Street officer and was always dealing with the issues caused by the street drinkers there. It appears the applicant has failed to acknowledge the existence of the CIP and makes no mention of it in their application. (Details of the CIP are readily available within the Medway Council Statement of Licensing Policy, a document easily and readily available online). It also appears that the applicant has failed to identify or to address how it will assist in dealing with issues such as street drinking or to the other issues identified within the CIP. For example, there is no mention within the application for considerations such as the selling of only low strength beers or other measures. In fact, from reading the licence application there is minimal content on the form with limited details. I have attended and spoken to the applicant who has explained he wants to sell African beer only. He was unaware of the existence of the CIP having never worked in Medway before. It was explained to him why it is in place and the implications of another shop selling alcohol in that location. He seemed like a genuine business owner who was simply not aware of the current issues in the town centre and looked surprised and deflated when he was made aware of this.

Kent Police are concerned that the granting of another off-licence in this immediate area, an area that is already populated by many licenced premises, would make alcohol even more widely available and is likely to attract further street drinkers and antisocial behaviour resulting in issues worsening and becoming a greater problem. The town centre areas within the Medway Towns are patrolled by a local beat

policing team consisting of dedicated Police Officers for that area. This application has been brought to the attention of officers from that team at Chatham who are in support of the view that this application should be refused. Tackling street drinking and antisocial behaviour in this area remains a priority and alcohol confiscations and seizures from persons consuming alcohol within this CIP and PSPO area continue to occur on a regular basis. Due to the existence of the CIP, it is the understanding of Kent Police that there is a rebuttable presumption of refusal of the application by the Authority in all but exceptional circumstances, unless the applicant can demonstrate that the premises would not adversely affect the licensing objectives. Sadly, Kent Police do not believe the proposed conditions offered by the applicant demonstrate exceptional circumstances.

Kent Police are of the opinion that there are no meaningful conditions that can be added to this licence that will ensure that the four licensing objectives are being fully promoted and would ensure that the issues already experienced within this CIP area would not increase.

1) Prevention of Crime and Disorder

High Street Chatham and the town centre in general is a hot spot area for Kent Police due to the levels of both crime and anti-social behaviour. The applicant has made no mention of localised, geographical crime issues in this area. High Street Chatham suffers greatly with 'Street Drinkers'. Street Drinkers are persons who tend to be alcohol dependant and will drink alcohol in public. Street drinking and associated antisocial behaviour can impact on people's perception of the physical environment and more importantly their quality of life and safety. Groups of drinkers can sometimes be intimidating and stop people using public spaces or facilities and live in fear of crime. There are multiple locations near to this premises that street drinkers already congregate and consume alcohol. This location is a short walk from such areas, and it is not uncommon for street drinkers to travel such distances to purchase their alcohol, returning and consuming their alcohol.

2) 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. The proposal of another off-licence in this area are likely to add to the issues already mentioned above.

3) 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. Those that engage in antisocial

behaviour and crime brought about by excessive uncontrolled consumption of alcohol are a public nuisance.

4) 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.