



Chief Officer of Police representation in relation to an application for variation of premises licence made under part 3, Section 34 Licensing Act 2003 (Sec 35 LA, 2003)

Details of person or body making representation:

Name of Chief officer of Police	Chief Constable Tim Smith
Postal address (Area Headquarters)	C/o Medway Police Station Purser Way Gillingham ME7 1NE
E-mail address	andre.smuts@kent.police.uk
Tel no.	01634 792733

Premises details, subject to representation:

Name of premises	Royal Supermarket
Address	56 Balmoral Road Gillingham Kent ME7 4PG
Date application received by police	25 th November 2024
Date representation sent to Authority. <small>Must be within 28 days of receipt- The Licensing act 2003 (Premises License and Club Premises Certificate) Regulations 2005, Part 4 Reg. 22</small>	19 th December 2024

The Chief Officer of Police has received an application for the variation of a premises licence made under the provision of section 34 Licensing Act 2003 and under section 35 of that act and asks the Licensing Authority to consider these representations in respect of: *-Please tick on 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 the 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 for a convenience store, which if granted would allow the premises to operate and sell alcohol on an off-sale basis Monday to Sunday from 0900 to 2300 hours.

The premises is located near the centre of Gillingham High Street opposite Gillingham train station. An Alley way runs alongside the premises into Balmoral Park, an area which is associated with street drinkers and anti-social behaviour.

Gillingham 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. It is also covered by a Public Space Protection Order (PSPO). A particular issue in this area relates to antisocial behaviour and street drinking, a concerning issue which can be directly linked to off-licence premises within this area. Gillingham High Street is a busy town centre, with a significant number of retail outlets many of which already sell alcohol on an off-sale basis.

Kent Police are concerned that the granting of another off-licence in this immediate area 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 selling of alcohol to street drinkers would be considered a failure to promote the licensing objectives of preventing crime and disorder and preventing public nuisance.

Other causal links to off licenses include:

Violent assaults, verbal and physical abuse, sexual offences and harassment, domestic abuse, drink driving, public disturbances, public decency, urination, litter, noise and harm towards the vulnerable and children.

Gillingham town centre is patrolled by a dedicated town centre policing team consisting of both Police Officers and Police Community Support Officers. This application has been brought to the attention of these officers who are in support of the view that another application should not be granted. 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.

The application acknowledges that the premise falls within a CIP area and a stress area and quantifies this by adding that the alcohol and sale thereof will be of a nature less appealing to street drinkers: They plan on selling multi packs only of less than 5.5% ABV, no spirit miniatures and the alcohol will not occupy more than 15% of the shop's floor space. Spirits will be kept behind the counter and there shall be no special offers of alcohol.

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 add to, nor impact on the cumulative impact of the area. Kent Police do not believe that the proposed conditions offered within this application demonstrate exceptional circumstances so request that this application is rejected.

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

Consider S.106Licensing Act 2003.

As per Licensing Subcommittee's consideration.

Signed	PC 11250 A. Smuts	Date	19/12/2024
Print name	Andre Smuts	Force no.	11250

p.p. Chief Officer of Police for the area in which the licensed premises is situated