

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)

<b>Details of person making representation</b>	
<b>Name of Chief Officer of Police</b>	Chief Superintendent Wilson
<b>Postal Address: (Divisional Headquarters)</b>	Medway Police Station Purser Way Gillingham Kent ME7 1NE
<b>E-mail address</b>	[REDACTED]
<b>Telephone Numbers:</b>	[REDACTED]
<b>Licensing Co-ordinator</b>	[REDACTED]
<b>Licensing Officers</b>	[REDACTED]
	[REDACTED]
	[REDACTED]
	[REDACTED]
<b>Details of premises representation is about</b>	
<b>Name of Premises:</b>	Wig and Gown
<b>Address of premises:</b>	Spital Street Dartford Kent DA1 2DX
<b>Date application received by police</b>	6 <sup>th</sup> June 2020
<b>Date representation sent to Licensing Authority</b> All representations must be made within 28 days of receipt of initial application <i>The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, Part 4 Reg. 22.</i>	25 <sup>th</sup> June 2020

**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

**If yes complete the appropriate statement:**

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

During the day this premises operates as a traditional pub and offers a full food menu. It has live sports on the TV.

On a Thursday night the pub will regularly put on a live band, and it is licensed until 00:00 hrs and closes at 00:30 hours.

However, on Friday and Saturday evenings (and evenings leading into a bank holiday and bank holidays) the dynamic of the pub changes from a traditional pub into a nightclub which closes at 02:30 hours. A DJ is employed, disco lights are on and loud music pumped out across the bar area so people can use the bar area which is cleared of tables and chairs as a dance floor. The pub becomes attractive to persons wanting a livelier night out in Dartford.

Kent Police understand there are no proposals to vary these operating hours as part of this application.

- Addition of Films to premises licence

The applicant wants to remove the following conditions;

- When the premises are open on Thursday, Friday and Saturday and Bank holidays there will be no admission or re-admission after 00:00
- The rear garden shall not be used by patrons after 21:00 Sunday to Thursday, nor after 22:30 on Fridays, Saturdays, Bank Holidays or Christmas Eve.
- Bottles and other waste should not be removed from the premises and tipped into refuse and recycling bins between 21:00 and 08:00. Kitchen waste may be emptied until 21:30. Waste and recycling bins utilised shall be lidded and large enough to hold all waste generated by the premises.
- When The premises are open between 20:00 hrs till close on Thursday, Friday and Saturday and Bank Holidays a minimum of 4 SIA door supervisors must be present at the customer entrance and exit of the premises.

and replace the conditions with:

- When the premises are open between 20:00 hours till close on Friday and Saturdays and Bank Holidays a minimum of 3 SIA door supervisors must be present at the customer entrance and exit of the premises.
- When the premises are open on Friday and Saturday and Bank Holidays there will be no admission or re-admission after 01:45 hours
- The rear garden shall not be used by patrons after 00:00 Sunday to Saturday, Bank Holidays or Christmas Eve. The garden is now an enclosed area which will limit the sound escaping

- Bottles and other waste should not be removed from the premises and tipped into refuse and recycling bins between 00:00 and 08:00. Kitchen waste may be emptied until 00:30. Waste and recycling bins utilised shall be lidded and large enough to hold all waste generated by the premises.

Having considered the application and on speaking with the applicant regarding this on her prior application, Kent police are not opposed to the below 2 changes but are aware that these Conditions are related to Noise and were added by the Committee after a Licensing Panel hearing on 21<sup>st</sup> May 2018.

- The rear garden shall not be used by patrons after 21:00 Sunday to Thursday, nor after 22:30 on Fridays, Saturdays, Bank Holidays or Christmas Eve.
- Bottles and other waste should not be removed from the premises and tipped into refuse and recycling bins between 21:00 and 08:00. Kitchen waste may be emptied until 21:30. Waste and recycling bins utilised shall be lidded and large enough to hold all waste generated by the premises.

Regarding the below two amended conditions put forward in the application:

- *When the premises are open between 20:00 hours till close on Friday and Saturdays and Bank Holidays a minimum of 3 SIA door supervisors must be present at the customer entrance and exit of the premises.*

Kent Police accept that not all Thursday night live music events draw in large crowds, however there are many occasions when popular bands are on and the dynamics of the pub change. Kent Police would not object to the removal of SIA door supervisors on Thursday night, but only if we could have a condition similar to:

Sunday-Thursday, the Designated Premises Supervisor will undertake a risk assessment in respect of the provision of door supervisors for any events and where deemed appropriate a minimum of 4 door supervisors will be employed from 20:00 hrs.

With regards to reducing SIA door supervisors on Friday and Saturday nights and Bank Holidays and the evening leading into a bank holiday from 4 to 3, we are opposed to this. Kent Police believe in order to promote the licensing objectives that a minimum of 4 SIA staff are required. The venue is a large pub which is in the heart of Dartford town centre with several other licensed pubs near by. It is in an area that suffers with night-time economy anti-social behaviour and crime and disorder, which is generally alcohol fuelled. The SIA staff need to manage the front door, inside the venue and the rear garden as well as managing the toilets which are up the stairs. The SIA supervisors play an important role in preventing crime and disorder. Similarly, the provision of requirements for 4 door supervisors is to control entry to the premises, ensure that people who are drunk, drug dealers or people carrying weapons do not enter the premises and ensuring that the police are kept informed and prevent disorder inside the pub.

- *When the premises are open on Friday and Saturday and Bank Holidays there will be no admission or re-admission after 01:45 hours*

Kent Police are opposed to this because we believe it does not promote the licensing objectives of promoting Public Safety and preventing Crime and disorder.

This condition is in place to stop people that have been ejected from other venues coming to the venue, and then causing incidents later in the evening. As previously stated the pub is more like a nightclub Friday and Saturday nights and bank holidays, and the loud music which can be heard from the street and lights attract people walking past to the venue. This last re-entry at midnight condition has proven to be effective as since the new license has been granted there have been far few reported incidents at the pub. This has also been supported by having 4 SIA supervisors working.

The DPS has previously stated that the potential customers that they turn away after Midnight often have become abusive and aggressive towards staff. It has been explained that these are not the people that should be coming into the venue as they clearly are agitated and intoxicated to behave that way when refused access.

Kent police feel that the applicant is doing this purely for monetary gain rather than to promote the licensing objectives and has not considered the risks associated with the removal of this condition.

The DPS has been found to be breaching her conditions since taking over the venue, those being; not having door staff on a Thursday when open for licensable activity and having live music on a Friday night. These have been dealt with by way of a warning and working with the DPS to ensure compliance.

To summarise, Kent Police seek an amendment of condition for the requirement of SIA door staff on Thursday night, and object to decreasing door staff Friday, Saturday and Bank Holidays and object to admission/readmission to 01:45 hour.

  
PC 12431 Cossar  
PP. Ch. Supt WILSON  
North Division Area Commander

**Date:** 25<sup>th</sup> June 2020