



Licensing Panel

Wednesday, 15 July 2020

Dear Councillor

You are advised that the attached documents form part of the main agenda papers for this meeting.

Please ensure you bring them with you to the meeting.

Yours faithfully

A handwritten signature in black ink, appearing to read 'S Walsh', written in a cursive style.

S Walsh
Service Manager (Communities)

List of documents attached

3. Determination of an application for a review of a Premises licence granted under the Licensing Act 2003. GM/PRE/10/0003 for 29 Milton Road, Gravesend, Kent DA12 2 RF (Pages 3 - 16)

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North Division Licensing
Medway Police Station
Purser Way
Gillingham
Kent
ME71NE

Tel: 01634 792733

Licensing.north.division@kent.police.uk

1st May 2020

Dear Licensee

In recent weeks, Kent Police have received an increase in reports of drunkenness, street drinking and antisocial behaviour within Gravesend Town Centre. These issues are having an adverse impact to the quality of life of those who live, work and visit Gravesend. Kent Police are seeking your support to address this issue by continuing to act responsibly.

The purpose of this letter is to advise you of these issues and to remind you of the licensing objectives:

- The prevention of crime and disorder
- Public safety
- The protection of children from harm
- The prevention of public nuisance

If a premises is found to be selling alcohol to persons engaging in such behaviour, it could be considered a failure to promote the above licensing objectives.

Due to these concerns, this letter is our first step to actively ensure that all premises are fully promoting the licensing objectives. It is also to remind premises of the need to be compliant with conditions attached to their respective premises licence.

A failure to promote the licensing objectives or to comply with premises licence conditions is likely to result in enforcement action and could lead to a full review of the premises licence.

If you have any questions or concern, then please feel free to contact the North Division Licensing Unit using either the telephone number or email address above.

Your sincerely

PC Daniel Hunt
Divisional Licensing Officer

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OFFICIAL**WITNESS STATEMENT**

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

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Statement of: **Daniel Hunt**Age if under 18: **Over 18** (if over 18 insert 'over 18') Occupation: **Police Officer**

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false or do not believe to be true.

Signature: **PC HUNT 11044**Date: **05/07/2020**Tick if witness evidence is visually recorded (supply witness details on rear)

At approximately 21:30 on Saturday 20th June 2020 I was in plain clothes on duty in the area of Gravesend town centre. At this time, I attended the Londis shop located at 29 Milton Road Gravesend. As one of the licensing officers for North Division, I am aware that a premises licence review hearing regarding this premises is scheduled to take at Gravesham Council on 15th July 2020 and am further aware that the premises has a licence condition stating the following:

"At all times the Designated Premises Supervisor or a personal licence holder must be present to authorise the sale / supply of alcohol".

I entered the premises and immediately noted that there were two members of staff on duty. There was a female member of staff on duty serving behind the counter and a male member of staff working on the shop floor. I have met the male member of staff previously and know that he is not a personal licence holder. To my knowledge I had not met the female member of staff before. I purchased a can of soft drink and some confectionary which I then consumed whilst stood on the pavement outside the premises. In the short time it took me to consume my items, I witnessed a sale of what I suspected to be a bottle of vodka. It was now that I re-entered the store in order to check to see if the female staff member that had sold the vodka was a personal licence holder. I can confirm that the DPS was not on site. There was a queue of customers at the till, so I stood and waited for persons to be served before interrupting. As I waited, I witnessed the sale of 2 x cans of Scrumpy Jack Cider and a further sale of a single can of Karpackie Lager. I then spoke with the

Signature: **PC HUNT 11044**Signature witnessed by: **N/A****OFFICIAL**

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Continuation statement of:

female staff member and established that she too was not a personal licence holder. As there was no personal licence holder on site the premises had breached premises licence conditions by selling alcohol. I requested to speak with the Designated Premises Supervisor (DPS) and was advised he would attend the store shortly.

The DPS is Mr Thayatharan KANDIAH. Upon his arrival I explained my concerns regarding the premises licence breach. The DPS appeared nervous and confused and seemed to have little knowledge of this premises licence condition. I found this strange and hard to believe, particularly given that this issue has been raised with him previously and is clearly documented as one of our concerns in the Kent Police application for review paperwork served on the premises prior to this visit. I strongly advised the DPS that I expect him to have full knowledge of his premises licence conditions and for him to comply with those conditions moving forward. He advised me that he would remain on site for the rest of the shift. Prior to leaving the premises I conducted a check on the premises CCTV system. As I did so I witnessed a male I suspected to be a street drinker being provided by staff with some disposable cups. In my experience disposable cups are often given out in this manner to enable persons to consume drink on the street, as opposed to taking it home and using their own glass. This frustrated me further and so I challenged the DPS regarding this. He stated that the persons in question are likely to have taken the cups and alcohol home to consume it but could get drunk and end up fighting at home and he would rather them fight with disposable cups than glass. I do not believe that to be the reasons as to why the cups were given, I suspect they were given to facilitate the drinking of alcohol in the immediate area, an area that happened to fall within a Public Space Protection Order. I would consider this a failure of the premises to promote the licensing objects. PC HUNT 11044.

Signature **PC HUNT 11044**Signature witnessed by **N/A**

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Signature **PC HUNT 11044**

Signature witnessed by **N/A**

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WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

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Statement of:	Donald McAllen		
Age if under 18:	Over 18	(if over 18 insert 'over 18')	Occupation: Police officer

This statement (consisting of two page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false or do not believe to be true.

Signature: **D McAllen**
Signature witnessed by

Date: **25/06/20**

Tick if witness evidence is visually recorded (*supply witness details on rear*)

I am the above-named officer currently working in the Gravesham area of Kent. I have worked in the Gravesend area for about 15 years, in various roles. I am currently the Town Beat officer in Gravesend. A large part of my role is dealing with repeat offenders within the town centre. This is often in relation to a wide variety of incidents but also includes incidents of anti-social behaviour and street drinkers.

In October 2019 PC JEMISON 13780 and I became the beat officers in Gravesend town centre. This is a role which had not been filled for several years due to operational reasons. We are assisted by two PCSO's in our tasks. When I first started the role, I was surprised at the amount of people drinking alcohol in the town centre at all times of day. We had a large street drinking community who would openly be drinking cans of high strength alcohol from as early as 8am. This would continue throughout the day and into the early hours. I witnessed groups of people congregating around bus stops, benches, street corners, the clock tower and at Gordon promenade. They could be very loud and create a very negative perception of the town centre. I also witnessed some of these people staggering into phone boxes or doorways and openly urinating in public. The issues of street drinkers would be one of the biggest areas of complaint we would receive when speaking to members of the public and shopkeepers.

Signature: **D McAllen**

Signature witnessed by:

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Continuation statement of: **Donald McAllen**

We immediately started to engage with people who were drinking alcohol in an anti-social manner. Once people were spoken to then most people would agree not to consume alcohol in public again. However, despite an improvement, the matter of anti-social street drinking has not gone away. I would say that nearly every day I and my colleagues are still dealing with street drinkers. The people who are doing it are the same people daily.

The persistent street drinkers have now mostly moved out of the town centre, but they have not gone far. Over the last few months we have had issues with a lot of people congregating around the area of Milton Road, the Clock Tower and the park at Gordon Promenade. This caused a number of complaints to us and we have also witnessed images being shared on social media. The most common complaints were about the noise, mess and the negative perception on the locality caused by these groups. It seemed that the problem would start during the day and get worse into the evenings. I have been told about people shouting and fighting late at night, disturbing residents.

At the start and during the recent Coronavirus crisis, the situation on Milton Road and in the nearby park worsened dramatically. We were receiving complaints from members of the public, and seeing posts on social media, about groups of street drinkers in that area. We were being told that groups of males would be congregating to drink alcohol on street corners or in the park. In doing so they would be breaching the Coronavirus legislation prohibiting gatherings and non-essential journeys. I exhibit an image from a social media post as DM/01 which clearly evidence's the above. It shows seven males drinking high strength alcohol and all congregating in groups. It was taken on the 18th April 2020 and the location was the junction of Milton Road and Peacock Street. During that period we issued a number of penalty tickets to street drinkers for breaching Coronavirus legislation when they congregated to drink alcohol.

Signature: **D McAllen**

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Continuation statement of: **Donald McAllen**

During that period, we spent a lot of time in the area to try and resolve the issues. What we witnessed was that people would be purchasing cans of very high strength alcohol, one or two at a time. Once they had consumed them then they would go and purchase another one from a nearby shop. I attended on many occasions and engaged with the persons involved. However, they would quite happily tell me that once we had gone then they would just go and purchase another can of alcohol from a shop. I attended several shops in the area to speak to the shop keepers about the issues being experienced and I was surprised at the large variety of high strength alcohol on sale at each.

From my patrols in the area I would witness some of our regular street drinkers going to purchase their alcohol. In the area of Milton Road it appeared one of the most popular places to purchase their alcohol would be Londis at 29 Milton Road but there are others. Once purchased they would either consume the alcohol on Milton Road or move to the nearby park at the promenade, particularly the area behind the skate park.

I have stood on Milton Road and witnessed people begging whilst sitting on the pavement near Londis or opposite at the Esso on Milton Road. I have also seen these same people then get up, once they have enough change, and go into Londis to purchase a can of high strength alcohol before going back to the same spot to continue begging. They would try and hide their alcohol underneath their blankets.

I have spoken to businesses around the Londis about this issue. They have told me that having people begging and drinking outside their store is not good for business. They have also complained about the mess they find outside their shops when they attend in the morning. In April, I attended Londis and spoke to staff members on duty about the issue of street drinkers in the area. They told me that they had no control over their customers, or what they do, once they left the shop. They also told me that they did not know which customers were street

Signature: **D McAllen**

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Continuation statement of: **Donald McAllen**

drinkers or not. I found this hard to believe as surely, they would be aware of the same people coming in repeatedly, every hour or so, to purchase another can or two. This would be happening daily. I also advised them that if they looked outside their shop then they would witness the same people drinking in the street.

A prime example of problem street drinkers in that location was on the 6th April 2020. Police were alerted to a case of criminal damage being caused to the window of Saucy Dough which is the business next door to Londis. A known street drinker was seen on CCTV to repeatedly punch the glass window of the business, for no reason whatsoever, causing damage to it. The offender was known to the local town centre policing team as being a street drinker in the locality. He was later arrested by the town centre team and charged with this offence.

We have also become aware that the street drinkers are now using the recycling zone on Ordnance Road as a toilet area. This area is on the approach to the local park. Males are urinating behind the containers at the location before walking back to the skate park to meet up with their friends. They could be seen by any members of the public using the recycling facilities or the nearby car park.

The town centre team has recently been collating figures for the number of alcohol seizures in that locality. In the last twenty-four days alone, we have performed thirty four alcohol seizures from problem drinkers in the area. However, this will only be a small proportion of the real number of street drinkers during that time.

Over the last three months myself and the other three members of the town team have spent a lot of our time in the area of Milton Road and the park trying to deal with ASB issues in the local area. I would estimate that I am spending up to half my day in this location alone in just deterring groups of street drinkers from congregating. This is a large amount of my time which could be spent on a number of other issues within the community. My fear is that if we were to

Signature: **D McAllen**

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Continuation statement of: **Donald McAllen**

stop spending this amount of time in the area then the amount of anti-social behaviour will increase once again.

In my opinion these issues would be greatly reduced if the local shops stopped selling alcohol to our known street drinkers and also stopped stocking/selling cans of high strength alcohol.

This would have a dramatic effect on the local community.

Signature: **D McAllen**

Signature witnessed by:

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