



Details of person or body making representation

Name of Chief Officer of Police	Chief Superintendent Price
Postal Address: (Area Headquarters)	Medway Police Station Purser Way Gillingham Kent ME71NE
E-mail address	licensing.north.division@kent.police.uk
Telephone Number:	01634 792388

Details of premises representation is about

Name of Premises:	Rainbow Kebab
Address of premises:	68 New Road Gravesend Kent DA110AE
Date application received by police	19/10/2021
Date representation sent to Licensing Authority	15/11/2021
	<i>Must be within 28 days of receipt –</i> <small>The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, Part 4 Reg. 22</small>

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	
Prevention of public nuisance	X
Protection of children from harm	X

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 against variation Rainbow Kebab".

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 against variation Rainbow Kebab".

Signed:

Date: 15/11/21

Print name: PC Ian Pickett.....

Force Number: 12274.....

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.

Rainbow Pizza and Kebab, 68 High Street Gravesend is a takeaway premises that is situated on New Road, which is on the west side of Gravesend town centre.

The premises is situated among other commercial premises however is the only take away premises within this area, that is currently licensed for late night refreshment only from 23:00 hours until 03:30 Monday to Sunday.

The premises licence currently has a number of conditions, including the use of two SIA door supervisors, if trading after 23:00 hours. The door supervisors should be dedicated to this role and not just be working on the premises. They should be wearing SIA badges and reflective clothing that should be easily identifiable on CCTV.

As a result of an incident at the premises in August 2021 which is still under investigation by Kent police, I reviewed CCTV of the incident that had been recorded from a police officer body worn video camera and could see that there were no persons present that appeared to be door supervisors present as per the condition within the premises licence.

As a result, I visited the premises several days later where I spoke with the applicant/premises licence holder. He advised he did not believe he needed to have door supervisors as he was only opening until 0100 hours, however I advised him that this was not what current premises licence showed and he needed to ensure two door supervisors were present, for compliance with the premises licence. The applicant stated he was a SIA door supervisor and showed me his SIA badge, which ran out on the same day as my visit.

With this in mind, I re-visited the premises with PC Hill 12000 two weeks later at 00:10 hours and found the premises open, with an "OPEN" sign on the front door, persons inside, one who appeared to be paying for food and premises lights were on however there were no door supervisors present. When challenged, the applicant/PLH denied being open, stating the premises was closed and while we were present inside the premises, the inside lights were turned off/dimmed and front door closed, however despite the applicant's protestations, I believe the premises was trading for customers to walk in and order food, without the relevant adherence to premises licence condition of having door supervisors present.

In light of this breach, a warning letter was sent to the premises licence holder on 1st September 2021, advising him of the breach of the relevant condition, in relation to door supervisors and to ensure compliance in order to ensure the licensing objectives are upheld.

The premises licence holder replied by email, again disputing that he was trading after midnight, stating he was doing deliveries while the take-away was closed. He also attached photos of both his own and wifes SIA badges, showing that they were in date.

Since receiving this application, other colleagues have attended the premises at 00:20 hours on 6th November and found that again there were no dedicated door supervisors working. The PLH was serving behind the counter at the time of the visit. The PLH and his wife then came customer side of the counter and stood by the door working as door supervisors, however when colleagues returned at approximately 01:00 again there were no door supervisors present.

Although this shows in detail each visit that has been undertaken since early August, I believe this shows a lack of compliance by the PLH and disregard in relation to the premises licence conditions.

As such, the application by the PLH to sell alcohol by internet only does not give me any confidence that this will be the case. The PLH clearly believes he can do what he wants in relation to the

business being run from this premises, disregarding conditions that would support the crime and disorder licensing objective and I believe that the application submitted fails to show how he will uphold the licensing objectives.

Within the application, the applicant has stated that only "light" or "low" strength alcohol will be sold, however when I visited the premises to query several parts of his application, the PLH stated he would be selling alcohol, beer/cider under 5% and wine, clearly something not mentioned in his application. I was then advised that the PLH or his wife would be carrying out deliveries of the alcohol, however then the applicant changed and stated another relative would be doing the deliveries.

Again, the applicants clear lack of thought does not give me any confidence that the PLH will ensure licensing objectives, especially ensuring age checks are completed properly on delivery of any alcohol sales.

The application states that no alcohol will be sold within the premises, or public will be permitted to collect from the premises, however based on my visits to the premises as well as those of my colleagues, I do not believe that the premises will adhere to these conditions and would allow sales of alcohol to take place from the premises, from persons entering the premises itself.

As this application has asked to mirror the hours of the current premises licence which allow opening from 1100 hours, closing at 03:30 hours then this premises will, to all intents and purposes, could be a late night off licence, therefore increasing the risk of crime and disorder within this location.

With the above in mind, I do not believe that there are any conditions that would make it suitable for granting of this premises licence, allowing the premises to sell alcohol by delivery so the view of Kent police is to object to the granting of this premises licence.