

Official (when complete)**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003****PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I PC HUNT 11044

Apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below**Part 1 – Premises or club premises details**

Postal address of premises or, if none, ordnance survey map reference or description	
Kings News & Wine 21c King Street Gravesend Kent	
Post town Gravesend	Post code (if known) DA122EB

Name of premises licence holder or club holding club premises certificate (if known)
Rajaratnam Pirakas

Number of premises licence or club premises certificate (if known)
21/00378/LAPL02

Part 2 – Applicant details

I am

Please tick yes

- 1) an interested part (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises
- d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

Official (when complete)**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003****3 a member of the club to which this application relates (please complete (A) below)****(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in a applicable)

Please tick

Mr **Mrs** **Miss** **Ms** **Other title**

(for example, Rev)

Surname**First names**

Please tick yes

I am 18 years old or over**Current postal address if different from premises address****Post town****Post Code****Daytime contact telephone number****E-mail address (optional)****(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

Official (when complete)**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003****(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address PC HUNT 11044 Medway Police Station Purser Way Gillingham Kent ME71NE
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-----------------------------------|
| 1) the prevention of crime and disorder | x <input type="checkbox"/> |
| 2) public safety | x <input type="checkbox"/> |
| 3) the prevention of public nuisance | x <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

Kent Police submit this application to review the premises licence of Kings News and Wine to promote the licensing objectives namely the prevention of crime and disorder, public safety and public nuisance.

Kent Police will evidence concerns relating to the following:

- Selling of illegal products (vapes).
- Illegal working.
- Continued breaching of premises licence conditions.
- Sale of alcohol to street drinkers.
- Sale of alcohol to intoxicated persons.
- Sale of alcohol outside of authorised hours.

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(please read guidance note 2)

This premises has a licence granted by Gravesham Council and is authorised to conduct the following licensable activity:

Off sale of alcohol Monday to Sunday 08:00 to 23:00

The premises are located on King Street junction with Queen Street, a prime location within Gravesend town centre. The makeup of the immediate area consists of typical town centre businesses including retail outlets, licenced premises, restaurants, cafes as well as community focused premises and residential housing. The premises operates as a general store and off-licence.

The premises licence holder (PLH) and designated premises supervisor (DPS) is Rajaratnam Pirakas, positions held since 12th January 2023.

Street drinking and alcohol related antisocial behaviour and crime and disorder has been evident within Gravesend town centre for many months and is a problem that is likely to worsen given that we are now moving into the warmer summer months. Areas often associated with street drinking include outside the St Johns The Evangelist RC Church (directly opposite this premises), outside the post office building top of Queen Street (directly to the side of this premises) and in the carparking area directly behind this premises.

Gravesend town centre is subject to a public space protection order (PSPO). Such orders are in place in particular areas that may cause nuisance or detriment to quality of life. This PSPO imposes a no alcohol zone in public spaces within the town centre. The PSPO was renewed in December 2023 and has a duration of 3 years. Gravesend town centre has a dedicated policing team and neighbourhood task force that regularly patrol and attend the area and are consistently dealing with alcohol related antisocial behaviour and disorder caused by intoxicated persons and street drinkers within the PSPO area, with alcohol seizures common practice.

Kings News and Wine has been identified as a premises of concern that contributes directly to these issues by persistently selling alcohol to street drinkers and or to persons that are intoxicated whereby the sale of alcohol should ordinarily be refused. Kent Police have very much engaged in a stepped approach in efforts to address concerns with the premises. This approach has included words of advice, police licensing visits, joint visits with both police and local authority licensing officers, town centre police officer visits, warning letters, all leading to this application for review. During visits the premises have often been found in breach of premises licence condition, and a most recent visit conducted by both Kent Police and Home Office immigration officers in March 2024 found the premises to be employing an illegal worker and displaying illegal vape products for sale. This stepped approach is detailed below:

8th March 2023

Police Licensing received information from a police officer assigned to the dedicated town centre policing team that this premises was associated with selling alcohol to street drinkers. It was suggested that persons were buying cans of high strength alcohol before drinking them almost directly outside the premises at the top of Queen Street. Once consumed, persons were said to be returning to the store to purchase more alcohol. Complaints were received regarding the behaviour of those involved, some of which came via ward councillors. Given that the street drinkers were consuming alcohol and causing issues within a matter of yards from the premises, balance of probabilities would suggest that the premises would have had knowledge of this. As a result of the information, a police licensing visit was made to the premises later this same day by PC HUNT. Alcohol related litter was seen on the walls of the post office building directly opposite the premises on Queen Street. The DPS was spoken to, and advice and guidance offered. DPS was aware of the street drinking issues in the area but suggested this could be a case of landmarking only, with drinkers purchasing alcohol elsewhere but consuming it outside of his shop. A letter was subsequently sent to the premises.

8th April 2023

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Approximately midday a police officer assigned to the dedicated town centre policing team observed an intoxicated male exit the store carrying a bag containing 2 cans of cider. The male was very drunk and should have been refused service for alcohol.

17th April 2023

Police licensing visited the premises requesting to see CCTV from 8th April, it was found the CCTV was only storing footage for 4 days so footage from the 8th was not provided, this amounts to a breach of licence condition.

19th April 2023

Town centre officers observed street drinking in the shelter on King Street directly outside this premises, multiple alcohol seizures were made. Over the course of an hour, officers monitored the group whilst conducting patrolling, upon returning to the group they were found in possession of more alcohol. One of the group members had been seen to exit the premises.

20th April 2023

Approximately 07:40 police licensing attended the premises and observed a male of dishevelled appearance exiting with a can of cider. Circumstances suggest this male to be a street drinker. This customer walked a short distance into the town centre where he sat and shared a can of cider with another street drinker. Returning to store, police licensing challenged the shopworker who made admissions to the sale but claimed not to know the customer was a street drinker. The customer was described as a regular that causes no issues that will often purchase 1 or 2 cans of alcohol at a time. The staff member then provided a pledges book in which staff detailed multiple pages of entries and occasions whereby this male is provided alcohol on credit with no on the spot payment required. It is alarming that the premises would offer such service to a street drinker especially when considering the levels of alcohol supplied would suggest an alcohol dependency. It is noted that the sale was 20 minutes before permitted authorised hours.

A warning letter was subsequently sent to the premises in which several suggestions were made with regards to good practices or voluntary conditions that if adopted could assist in the fight against street drinking and alcohol related antisocial behaviour and nuisance.

12th May 2023

Police and Local Authority licensing officers attended the premises. Whilst the DPS was not present, officers observed multiple premises licence breaches. This visit was followed up with a Local Authority warning letter sent to the premises.

8th December 2023

Police responded to a disturbance on Queen Street Gravesend and located a group of 3 street drinkers causing issues and consuming alcohol within the PSPO. Officers seized their open alcohol and instructed them to leave the area. As they left, a drunk female from within the group entered the premises and purchased a can of beer. Police challenged the staff member on duty who was responsible for the sale of alcohol. Due to her intoxication, this sale of alcohol should have been refused.

12th December 2023

Police licensing officer attended the premises to address the incident from 8th December. The DPS was not present, there was 1 staff member on duty. This staff member was not able to operate the CCTV and it was apparent via his confusion when discussing the subject of a personal licence, that he was not a personal licence holder. This staff member did not know of the location for the incident / refusal book. It was apparent that there were licence condition breaches. Contact was made with the DPS on the telephone who advised he had just woken up, but stated he would soon be making his way to premises. Police discussed concerns and advised the DPS of the expectation that they cease the sale of alcohol until such time as the DPS is on site and they are compliant with the requirements of the premises licence. This message was also relayed to the staff member on duty.

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20th December 2023

Police and Local Authority licensing officer attended the store and spoke with DPS and staff member regarding concerns re 8th and 12th December. Staff advised that in their opinion the female sold alcohol on 8th December was not drunk, but simply walks in a manner that makes her appear drunk. Police maintain the sale should have been refused and are considered expert witnesses with regards to drunkenness. The account provided by the premises appeared to be no more than an excuse. Another warning letter was provided to the premises making it clear that if there are failings of the premises to comply with the licence and or to promote the licensing objectives, that enforcement action in the form of a premises licence review may be considered.

21st February 2024

Police observed a known street drinker consuming alcohol within the PSPO area on Queen Street. This street drinker was slurring his words and was intoxicated. The open alcohol was seized and disposed of. Officers then observed the street drinker return to the premises whereby he purchased a can of alcohol. The sale was witnessed by police officer stood outside. The street drinker exited the store with the can in his hand. Police attended the store and challenged the staff member that made the sale.

8th March 2024

Police and Home office immigration officers attended the premises. The staff member on duty behind the till was the same staff member responsible for the sale of alcohol to the drunk male on 21st February. Immigration status checks were conducted. It was found the staff member initially provided false details, once his identity was confirmed it was established that he was in fact working at the premises illegally with no entitlement to work or be in the United Kingdom. Premises licence condition breaches were again evident and illegal vapes were found for sale on display behind the counter. Whilst not illegal, grinders commonly associated with cannabis use were also on display for sale behind the counter as were multiple clear plastic bags commonly associated as being deal bags for drugs. There was also a quantity of plastic cups, suggesting that cups are being supplied to aid and assist persons in consuming alcohol on the street, this suggestion is supported by evidence of the premises providing cups to street drinkers on 3rd May 2024.

10th March 2024

Police licensing officers attended the premises and met with the DPS, addressing concerns regarding the visit from 8th March. The DPS denied that the illegal worker was an employee, suggesting that he simply helped on occasion, but did make admission to paying him small cash sums for helping.

3rd May 2024

Police licensing officers were conducting nighttime economy visits in Gravesend and drove past this premises. A group of street drinkers were drinking at the top of Queen Street outside the post office building opposite this premises, the group were drinking from throw away plastic cups. Officers stopped and the group moved away from the location. Left on the wall were discarded alcohol bottles and plastic cups. A second group of street drinkers were then seen consuming alcohol in the carpark directly behind the premises. Police attended the premises, located the DPS and requested he exit the shop. DPS was shown the discarded alcohol litter and cups near to the post office building, but he suggested that they were not from his store. He stated that they had stopped giving out cups having taken onboard previous police advice. DPS was then shown the street drinkers drinking to the rear of the store and he advised they are not his customers. Having returned to the store, a quick time review of CCTV for a period of approximately 20 minutes was made. This review showed that the persons found drinking to the rear of the store had purchased alcohol in the premises and had also been provided with plastic cup to assist with consumption. Police later found the empty wine bottles and plastic cup discarded in the carpark area.

A request was made that the premises provide CCTV covering 21:30 to 22:30 for 3rd May 2024. The premises has since replied suggesting the footage is no longer available.

At this stage, Kent Police have little to no faith in the ability of the current premises staff and management to effect the change needed at this premises and to ensure the promotion of the licensing objectives is achieved.

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The failure of the premises to address concerns with regards to street drinking and alcohol related antisocial behaviour and nuisance caused by their premises is evident. In addition, the issues with regards to displaying for sale illegal vapes and the employing of illegal workers have acted as a trigger incident that combined with the other matters makes this review process unavoidable.

Section 11.27 of the guidance to the licensing act suggests that there is certain criminal activity that should be treated particularly seriously, one of these being knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed because of a condition of that persons leave to enter. (It is pertinent to note that the inclusion of this in the statutory guidance indicates that this offence is of particular concern).

Section 11.28 of the guidance to the licensing act suggests that when the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence, even in the first instance should be considered.

It is a legal requirement that employers do not employ illegal workers and do take such measures as required to prevent it. Employers should demonstrate due diligence and responsibility in determining that the persons they employ are entitled to work.

Whilst the addition of premises licence conditions could go some way to effect change at this premises and assist in the promotion of the licensing objectives, Kent Police are concerned that any additional conditions would be breached, much in the same way as many already attached to the licence. For this reason, and considering section 11.28 of the guidance, Kent Police seek revocation of the licence.

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A large, empty rectangular box with a thin black border, occupying the central portion of the page. It is intended for the applicant to provide details of their application for the review of a premises licence or club premises certificate.

Official (when complete)**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003****Please tick yes**Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

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Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent
(See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature PC HUNT 11044

Date 09/05/2024

Capacity Police constable – licensing officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you using an e mail address your e mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.