

OFFICIAL (when complete)


**Kent  
Police**
**Application for the review of a premises licence  
under section 53A of the Licensing Act 2003**
**Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime, serious disorder or both)<sup>1</sup>**
**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 the 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.

**I Superintendent 14607 Warren FRANKLIN**
**[on behalf of] the chief officer of police for the police area apply for the review of a premises licence under section 53A of the Licensing Act 2003].**
**1. Premises Details**
**Postal address of premises, or if none or not known, ordnance survey map reference or description:**
**Post town: Maidstone**
**Post code (if known): ME14 1SD**
**2. Premises licence details:**
**Name of premises licence holder (if known): The Gallery**
**Number of premises licence (if known): 18/00891/LAPL02**
**3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:**

**I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or serious disorder or both, and the certificate accompanies this application.**

**(Please tick the box to confirm)**

<sup>1</sup> SCHEDULE 8A Regulation 16A

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**4. Details of association of the above premises with serious crime, serious disorder or both:**  
[Please read guidance note 2]

On 25<sup>th</sup> August 2019 at 0300 hours, serious disorder occurred in Maidstone Town Centre, specifically focused in the area of Jubilee Square, within close proximity to The Gallery nightclub. Several sharply bladed weapons were used against a number of persons, resulting in serious injuries. A male died as a result of sustaining fatal injuries from a sharply bladed weapon during this disorder. This is of subject of a live murder investigation, where several persons have been arrested, including a 16 year old child, who has now been charged with murder.


It has come to light that the suspects, including the 16 year old, were inside the Gallery club, and left shortly before the serious disorder took place. The suspects were part of a group who were allowed access to the VIP area of the club during a live DJ event. No ID checks or searches were made of this group at the entrance. It is very likely the 16 year old was consuming alcohol. The event in question was not subject of proper due diligence checks by the club, and a specific risk assessment was not in place.

The premises have failed to take reasonable steps to uphold the licensing objectives relating to crime & disorder, public safety and the protection of children.

The Premises Licence Holder and the Designated Premises Supervisor have been open and honest with the police licensing investigation. However, whilst the club has been closed since the incident, it is unclear as to whether the venue will reopen, and in what form. Kent Police do not have confidence currently that all the required measures will be in place before the venue is reopen to the public in order to ensure public safety at future events. The venue rely heavily upon external acts to draw in custom, and these need to be fully risk assessed and managed, including the entry processes for guests and persons involved in the event.

Kent Police request therefore that the premises licence is suspended pending a full review. This is in order to ensure public safety, and to give an opportunity for the Premises Licence Holder and the police to fully consider appropriate measures to present to a full review hearing.

As a result of this incident, there has been significant tensions within the community about public safety, not only locally but also nationally. This not only has an impact on policing within the community, but also on local businesses, specifically in the night time economy who rely heavily upon customers having confidence that they are safe.

**Signature of applicant:** 

**Date:** 4<sup>th</sup> September 2019

**Capacity:** Divisional Operations Superintendent

04/09/19

**Contact details for matters concerning this application: PC 11187 Williams**

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under section 53A of the Licensing Act 2003**

**Address: Maidstone Police Station, Palace Avenue, Maidstone, Kent ME15 6NF**  
**Telephone number(s): 101**  
**Email: west.division.licensing@kent.police.uk**

**Notes for guidance:**

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means: -

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both. "