

OFFICIAL (when complete)



**Kent
Police**

**Certificate to accompany application for the
review of a premises licence under
section 53A of the Licensing Act 2003**

Certificate to accompany 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)¹

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

This certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

The senior officer must be of the rank of Superintendent or higher.

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.

1. Premises Details

Postal address of premises, or if none or not known, ordnance survey map reference or description: Gallery, Bank Street

Post town: Maidstone

Post code (if known): ME141SD

In my opinion the above premises are associated with serious crime or serious disorder or both.

The nature of this offence is so serious as to justify the immediate decision to call an expedited review. Other powers under the licensing act, or other acts, are not appropriate and do not address the issue with immediate effect; a standard licence review would not suffice as it will take 28 days to come to hearing and may be appealed prior to application, allowing the public house to continue operating without any changes to its operation. This will fuel the risk of further serious crime occurring before sufficient measures can be put into place to prevent crime and disorder.

The benefits of dealing with this by way of an expedited review allows an interim step to apply immediately, thereby safeguarding members of the public and preventing further offences.

¹ SCHEDULE 8A Regulation 16A

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Kent Police are of the opinion that if the premises were to remain open to the public it may be a flashpoint for further incidents of serious crime and disorder. Furthermore, the Police wish to see this premises closed until a full review of the facts can be undertaken by the Council Licensing Committee with regard to the management of the premises. This enables consideration to be given as to whether further controls are required at the premises so as to prevent serious crime and disorder. Until this consideration is undertaken the Police consider that there is a risk of serious crime and disorder reoccurring at the premises.

Given the above Police are seeking the temporary suspension of the premises licence followed by a full review and are of the opinion that this is the appropriate course of action under the Licensing Act 2003 to preventing serious crime and disorder from reoccurring.

Signature:

A handwritten signature in black ink, appearing to read 'W. Franklin', written over a horizontal line.

Print Name: Warren FRANKLIN Rank: Superintendent

Number: 14607

Date: 4th September 2019