



RECORD OF CONSIDERATION OF INTERIM STEPS

LICENSING ACT 2003 SS53A –C

**Applicant Summary Review:** Superintendent Warren Franklin, Kent Police

**Premises:** The Gallery Bank Street Maidstone Kent ME14 1SD

**Licence Holders:** Mr Dave Fuller

**Date of Consideration:** 6<sup>th</sup> September 2019

**Licensing Sub Committee Members:** Cllr Wendy Hinder (Chairman)

Cllr Denise Joy

Cllr Bob Hinder

**Legal Advisor in attendance:** Robin Harris, Interim Team Leader (Contentious), MKLS

**Licensing Officer in attendance:** Lorraine Neale

DECISION AND REASONS

The Sub Committee have considered whether interim steps are necessary in this case. They have considered the grounds set out in the application for summary review and the oral representations made by Kent Police and the Licence holder. This included the evidence in the summary review application. Also, conditions offered by the Licence holder as appropriate and proportionate to promote the relevant Licensing objectives were considered.

The Sub-Committee considered the options available to them, in particular the interim step of suspension of the Licence requested by Kent Police. Having heard representations from all parties the Sub-Committee were of the view that only the suspension of the licence would properly promote the licensing objectives and that this interim step was necessary for the prevention of crime and disorder and the protection of children from harm.

The Sub-Committee considered that there were no conditions that could be imposed as interim steps in lieu of suspension and that the premises should use the suspension period as an opportunity to pause, consider its operating schedule and work with the Police in order to propose an updated operating schedule at the impending full review hearing.

The 'distraction' created by trying to dynamically risk assess and manage events in the interim period would hamper that process and there would be a very real danger that adequate risk assessments for events would be impossible in the short term due to the community tension around this premises.

For all the above reasons the interim step of suspension of the licence pending the full review hearing was appropriate, proportionate and necessary to promote the licensing objectives.

There is no right of appeal against this interim steps decision.

**Dated:** 6<sup>th</sup> September 2019

**Signed:** Signed copy kept on file