



Details of person making objection

Name of Chief Officer of Police	Chief Inspector Jon Kirby
Postal Address: (Area Headquarters)	Sevenoaks Police Station Argyle Road Sevenoaks Kent TN13 1HG
E-mail address	[REDACTED]
Telephone Number:	[REDACTED]

Details of premises representation is about

Name of Premises:	The Vault, New Ash Green
Address of premises:	1 The Row, New Ash Green, Longfield, DA3 8JB
Date application received by police	26/02/2020
Date representation sent to Licensing Authority	10/03/2020

Must be within 14 days of receipt - S.37(6) Licensing Act 2003

The Chief Officer of Police has received an application for the variation of a premises licence made under the provisions of Section 37 Licensing Act 2003. The relevant representations within the meaning of S.37(5) of the Licensing Act satisfy the requirements of S.37 (6) of that Act and are as follows:

Is this a representation regarding the specification of a Premises Supervisor under S37 (5) Licensing Act 2003? YES

If yes, complete the following statement: -

Due to the exceptional circumstances of this case, I am satisfied that granting the application would undermine the crime prevention objective because

At 11:00 on Monday 09/03/2020 PC 12876 Comben and PSE 52479 SHAW attended The Vault, New Ash Green, in relation to an arranged meeting with the current licence holder/DPS: Mr Kenneth Kirkman. This meeting was confirmed with Mr Kirkman on 06/03/2020 and centred around the application for a change of DPS. This application was received by Kent Police on 26/03/2020. A request was made, as part of the meeting, for the proposed DPS: Mr Thomas WHIPPS to be present in order to assess his suitability and understanding of the role as Designated Premises Supervisor (DPS). (continued on word document)

Please use separate sheets where necessary

Signed:

Date: 10/03/2020

Print name: P COMBEN

Force Number: 12876

pp Chief Officer of Police for the Police Area in which the licensed premises are situated

Continued representations in relation to DPS variation at The Vault, New Ash green.

Despite attending the venue to meet with Mr Kirkman at 11:00 he was not present. The premises was closed and upon repeated knocking we were invited in at 11:30 by Mr Whipps, who advised he was at the pub alone and had been asleep. Mr Whipps explained that Mr Kirkman was not present as he thought the meeting had been arranged for the following day (10/03/2020). Mr Whipps called Mr Kirkman but there was no answer.

The meeting was conducted in Mr Kirkman's absence. Mr Whipps produced his personal licence. He was asked about his understanding of the role, he confirmed that his responsibility was to monitor the day to day running of the business and that Mr Kirkman had appraised him as to why he was being placed on the licence as DPS. He was asked to produce both Part A and B of the premises licence, he produced part B but was unable to produce part A – despite a search this could not be found. It was pointed out to Mr Whipps that it was an offence under the licensing act for him to fail to produce both parts but explained, given the circumstances, that no action would be taken in relation to this, he stated he was not aware that this was offence. He was also asked if he was aware of the conditions on the premises licence, he confirmed he was not. He admitted that he had received no training or input surrounding the use of the CCTV system installed within the premises. Mr Whipps was positive about his position as DPS however made negative comments relating to Mr Kirkman and the fact he did not feel he had been suitably appraised with all of the information required to be the DPS at the location.

Mr Whipps was advised that given the fact he was not able to sufficiently outline his responsibilities as DPS, and in fact was unable to even produce both copies of the licence this left Kent Police with no choice but to make representations surrounding his suitability. Mr Whipps confirmed he understood the reasoning behind this.

If the application was to be granted Kent Police's view is that Mr Whipps would be DPS on the licence by name only but have no overall responsibility or control over the premises, his lack of control provides Kent Police with little confidence that the licensing objectives would be promoted and upheld. Therefore representations are being made that Mr Whipps is not suitable to be placed on the licence as the designated premises Supervisor.

Section 4.18 of the The Guidance issued under Section 182 of the Licensing Act 2003 states:

“Every premises licence that authorises the sale of alcohol must specify a DPS. This will normally be the person who has been given day to day responsibility for running the premises by the premises licence holder.”

Following the meeting Mr Kirkman called PC Comben and apologised for not being present at the premises, he confirmed he thought the meeting was due to take place on Tuesday 10th of March. Mr Kirkman was advised that Kent Police would be making representations as following said meeting with Mr Whipps he was deemed not suitable to undertake the role as DPS.