

**Planning Representation in relation to an application for grant of premises licence
made under Part 3 Section 17 Licensing Act 2003**

Details of person making representation	
Name of Officer:	
Department:	Development Management
Postal Address:	Medway Council Gun Wharf Dock Road Chatham Kent ME4 4TR
E-mail address	planning.representations@medway.gov.uk
Telephone Number:	
Signed:	

Details of premises representation is about	
Name and Address of Premises:	Medway Rugby Football Club Priestfields Rochester Medway ME1 3AD
Development Management Enquiry Number	ENQ/23/2859
Date application received:	21 December 2023
Date representation sent to Licensing Authority:	9 January 2024

<p>Planning has received an application for the granting of a premises licence made under the provisions of Section 17 Licensing Act 2003. Under Section 18 of that Act, asks the Licensing Authority to consider these representations. We are making our representation based on the following licensing objectives:-</p>	
<p>Prevention of crime and disorder <i>Planning enforcement must deal with matters arising from breaches of planning control under planning law and therefore this representation prevents applicants from breaching planning law as a result of applying for this licence under the Licensing Act 2003.</i></p>	N
<p>Public Safety <i>Not Relevant</i></p>	N/A
<p>Prevention of public nuisance <i>Such development/use of the building can cause serious harm to the way that people live. Residents and businesses have a right to expect a quality of life. These can include a number of factors which were discussed when planning permission was granted for example, to limit the opening and operating hours of the business.</i></p>	Y
<p>Protection of children from harm <i>Not Relevant</i></p>	N/A

Please give the reason for the representation and detail the evidence supporting it:

Sometimes development is carried out without the required planning permission. Similarly, developments take place, which do not follow the approved detailed drawings or comply with conditions or hours imposed by the council.

Some properties in Medway have further restrictions on the work that can be carried out without planning permission. For example, some developments had conditions imposed when they were built that restrict the permitted development rights that relate to the property.

I understand that the applicant is seeking to apply for a Premises Licence to authorise for the Sale of Alcohol, Regulated Entertainment and Late Night Refreshment. The hours that have been applied for are a variance with the opening hours allowed under the terms of the planning permission.

The planning permission permits the premises to trade under the following hours:

- Monday to Friday 10:00 to 23:20
- Saturday 10:00 to 23:20
- Sundays and Public Holidays 12:00 to 22:50

It is noted that there was a previous planning application made in 2019 (reference MC/19/2708) to increase the opening hours of the property. This was refused for the following reason:

The proposal to extend the opening hours results in a harm to the amenities of the surrounding residents in terms of noise and disturbance from both the clubhouse itself and from people and vehicles leaving the premises particularly during the early

hours of the morning. The proposal is contrary to Policy BNE2 of the Medway Local Plan 2003 and paragraph 127f of the National Planning Policy Framework 2019.

Suggested alterations to the application that could remedy the representation or other suggestions the Licensing Sub Committee may take into account:-

The applicant amends their operating schedule to reduce the hours as per the planning permission.

Licensable activities hours to be:

- Monday to Friday 10:00 to 23:20
- Saturday 10:00 to 23:20
- Sundays and Public Holidays 12:00 to 22:50

Opening hours to be:

- Monday to Friday 10:00 to 23:20
- Saturday 10:00 to 23:20
- Sundays and Public Holidays 12:00 to 22:50

The application for a premises licence is in direct contravention of the planning permission.

Please contact us to discuss this representation

We welcome and positively encourage discussions in relation to your licensing application. We can also advise you about submitting the relevant planning applications. These discussions can result in better quality applications that stand a better chance of a successful outcome.

If you are in agreement to amend your operating schedule to include the suggested alterations to the application.

Can you please confirm in writing by either email or a letter confirming your agreement to amend your operating schedule stating each amendment to your application. Please email licensing@medway.gov.uk and Planning (*email address on the front of this representation*). Address for licensing is below and planning address on the front of this representation.

Alternatively, please send a copy of this representation to both licensing and planning and sign to confirm that you are in agreement to the amendments:

I agree to amend my operating schedule as per the suggested alterations to the application as recommended by Planning.

Signed:

Name:

Date:

Send to:

Licensing Unit, Medway Council, Gun Wharf, Dock Road, Chatham, Kent ME4 4TR
Contact details on the front of this representation.