



Director of Public Health  
Public Health Directorate  
Medway Council,  
Gun Wharf,  
Dock Road,  
Chatham, Kent. ME4 4TR  
25<sup>th</sup> September 2024

## LICENSING ACT 2003 – GRANT OF A PREMISES LICENCE APPLICATION

**Name and address of premises**

**B&M, 134 to 142, High St, Gillingham**

The Director of Public Health is making representations concerning an application for the grant of the above premises licence. The representations are made against the following licensing objectives:

- The prevention of crime and disorder
- The prevention of public nuisance

### **General comments**

This premises is in the High Street, a busy area consisting of a mix of businesses and shops with residential premises within close walking distance. The area is one of the most densely populated and most deprived areas of Medway in Gillingham North and South wards.

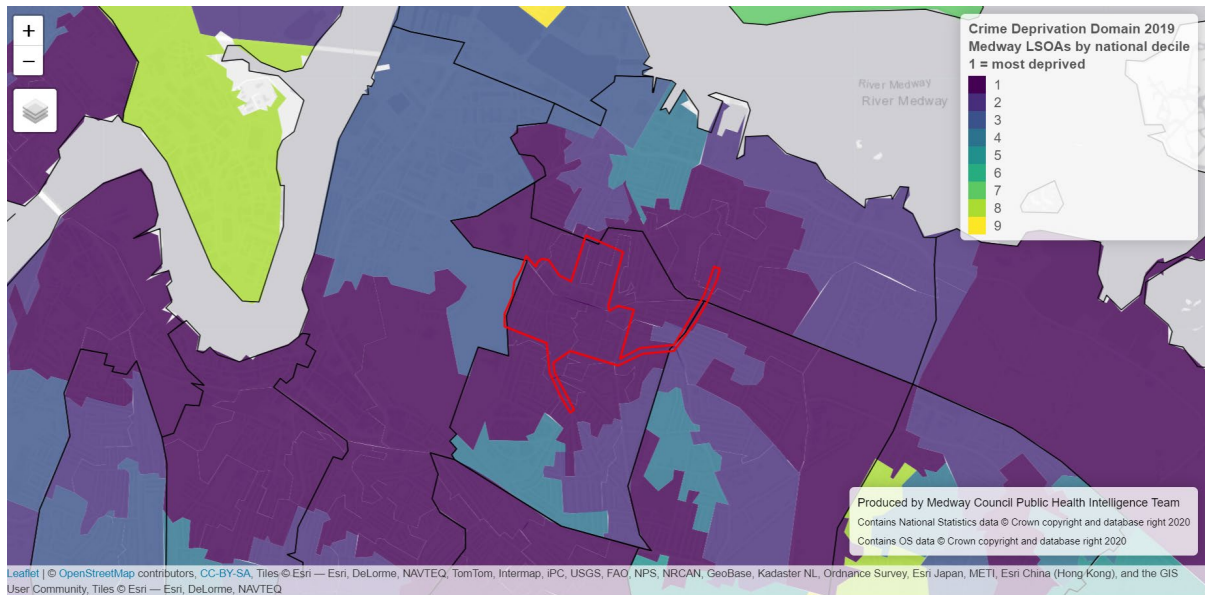
This premises is located within the Gillingham cumulative impact policy (CIP) area which covers Gillingham High St and the surrounding area. There is strong evidence of high levels of alcohol related crime, disorder and public nuisance associated with a density of off licensed premises in the Gillingham CIP area. The CIP was recently reviewed and renewed and the data supporting it was agreed by the Licensing Committee.

### **The prevention of crime and disorder**

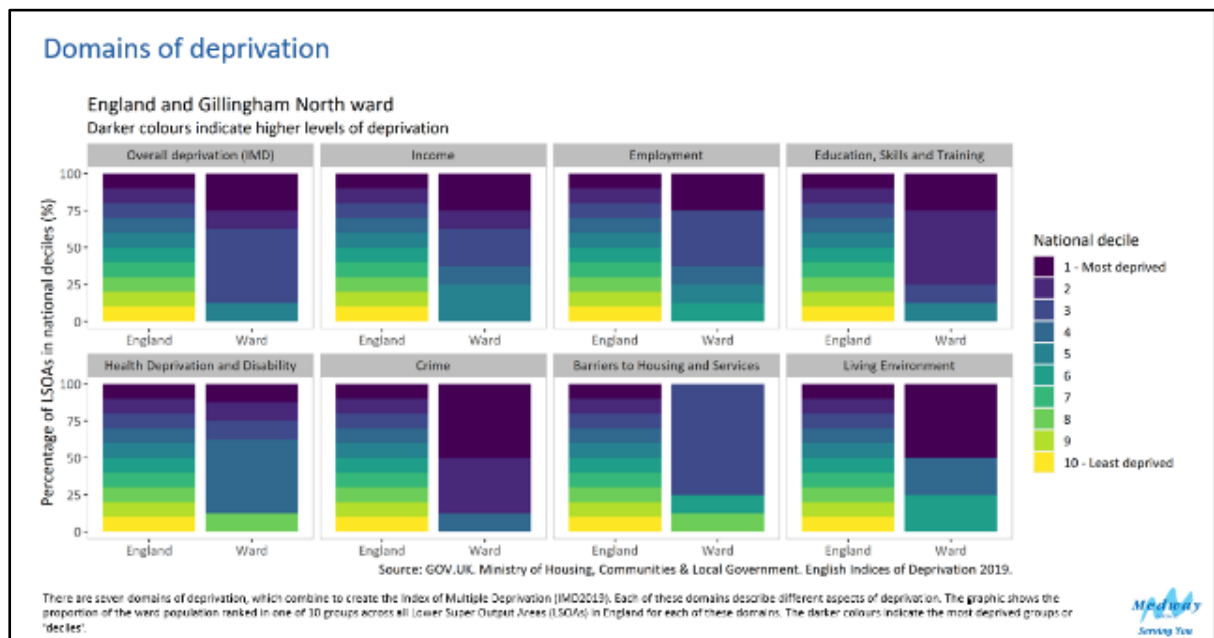
The police provided evidence of alcohol related crime in this area. This relates primarily to anti-social behaviour, domestic abuse, assault, public order, and criminal damage. This area has been identified as a hot spot for a range of alcohol related crime. This is evidenced by arrest levels for drunk and disorderly and associated public order offences.

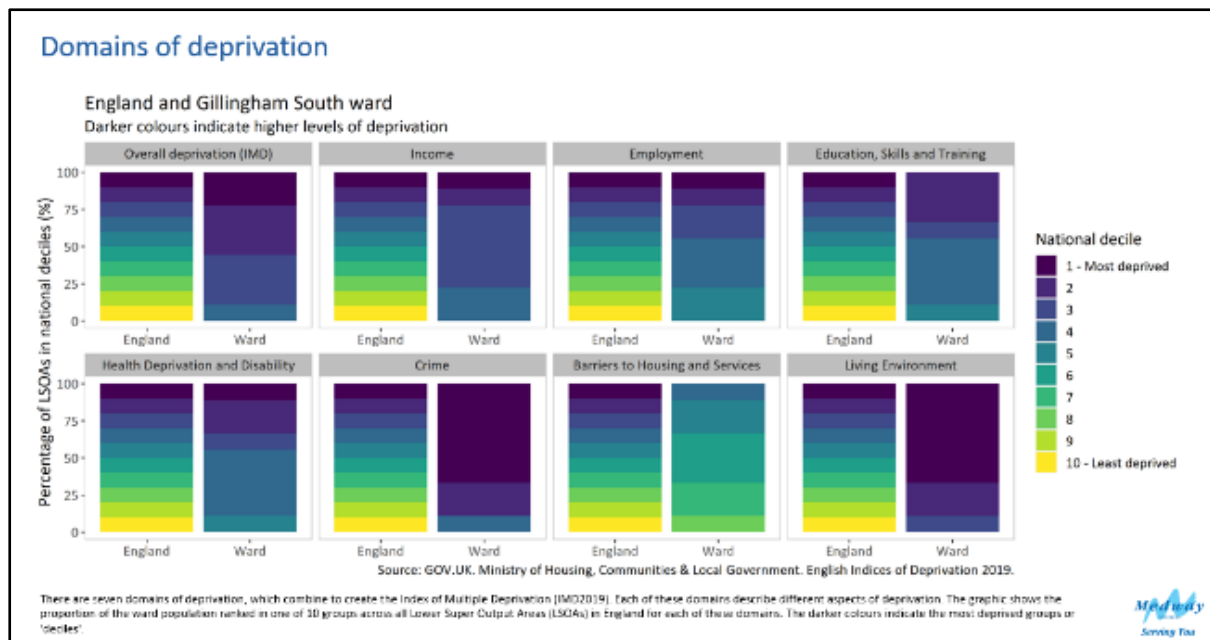
The community safety unit has identified a significant problem with the use of alcohol in this area which appears to be related to alcohol related crime and public drinking and has resulted in a Public Spaces Protection Order to control public drinking.

The Gillingham CIP area borders some of the most deprived areas in Medway. Gillingham South, Gillingham North and Watling wards all have high levels of crime deprivation as shown in the domains of deprivation graphic below.



Both Gillingham North and Gillingham South wards have high levels of crime deprivation.





Certain types of crime are more associated with alcohol consumption than others. Among crimes that are regarded as being '[alcohol related](#)' are:

- Violence including wounding and assault with or without injury
- Verbal and physical abuse
- Sexual offences including abuse and assault
- Harassment
- Domestic abuse
- Public disturbance and nuisance including street drinking, noise, littering, public urination and defecation and intimidation
- Harms to children including assault, witnessing violence and all types of abuse
- Driving offences including drink driving

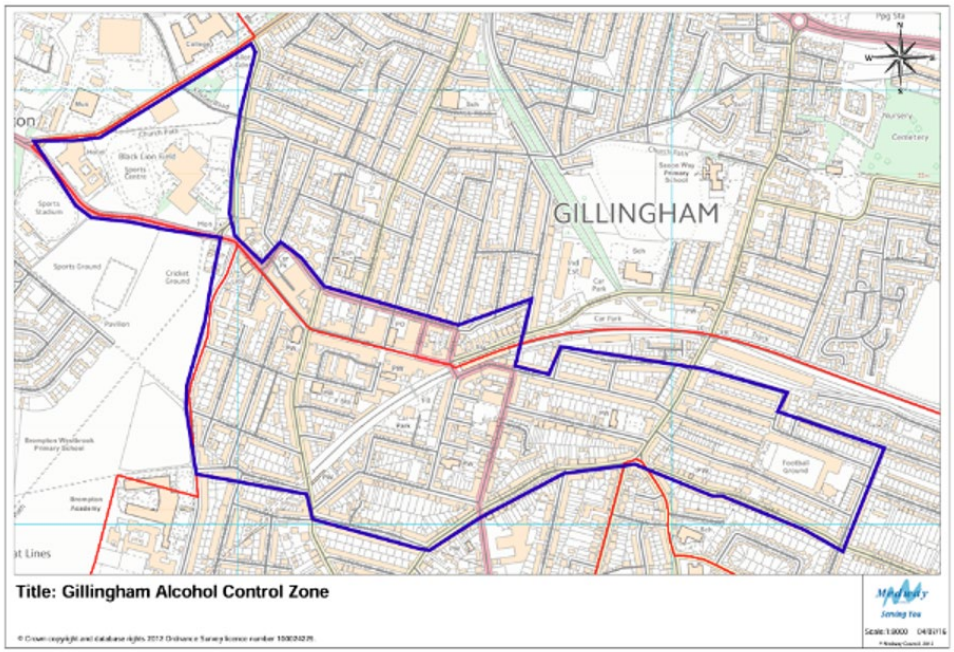
Research from [The Office for National Statistics](#) states that victims perceived an offender to be under the influence of alcohol in 53% of violent incidents; a proportion which has remained consistent during the last 10 years.

Research has also shown that access to off licensed premises, such as convenience shops and supermarkets, had a greater association with violent crime than premises which only allow for on-site consumption of alcohol ([Trangenstein et al \(2018\)](#)). This is particularly the case for incidents of domestic abuse where incidents often happen in the home. Alcohol consumption, and domestic abuse, increased during the COVID 19 lockdowns, where alcohol could only be purchased from off licensed premises ([Institute of Alcohol Studies, 2021](#)).

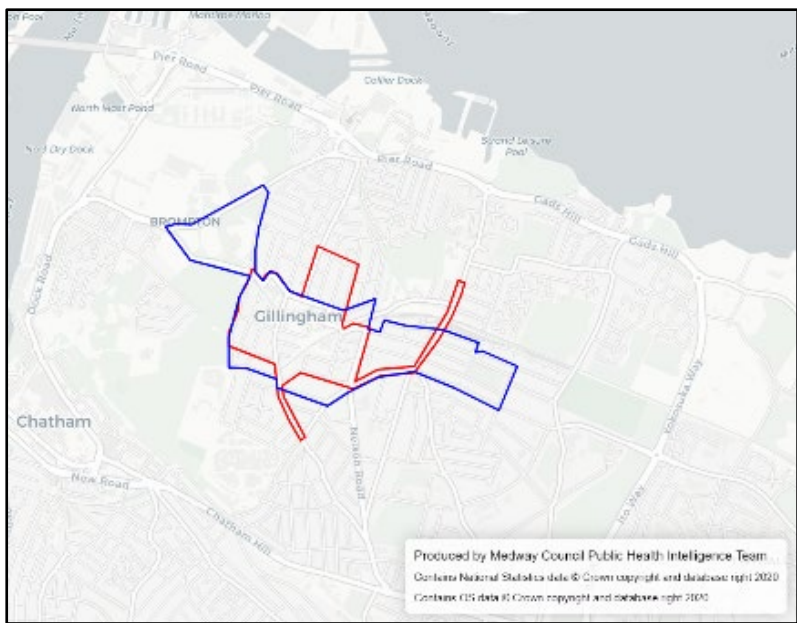
### The prevention of public nuisance

There is a general problem in the area with street drinking, anti-social behaviour, and associated litter, with discarded cans and bottles, broken glass and evidence of public urination and defecation in alleyways and public areas.

There is a Public Space Protection Order (PSPO) in place for Gillingham town centre due, in part, to alcohol related anti-social behaviour. The blue outline shows the boundary of the PSPO in the below map.



The Gillingham CIP area is mostly within the Gillingham PSPO, as shown in the below map where the red outline is the CIP boundary and the blue outline is the PSPO boundary.



A member of public health staff has attended this area and there is ongoing evidence of alcohol related street drinking and associated litter in and around the High Street. This consists of bottles and cans of beer and cider, both 'super strength' and regular strength, bottles of spirits and wine, and plastic and cardboard wrappings, bottle tops and other associated litter. Areas where the litter was found in particular concentrations were:

- alleyways off Balmoral Road/Duncan Road area
- Balmoral Gardens
- alleyways off Fox St
- along Jeffery Street, but particularly in the communal gardens to the flats in Jeffery Street at its junction with Skinner Street, and by the public car park
- In the flowerbeds at the junction of Jeffery Street and Victoria Street
- in the flower beds around St Mark's church
- in the car parks and alleyways off Green St
- the alleyway between Paget St and Lock St
- the alleyway between Canterbury St and Gillingham Rd

However discarded bottles and cans can be seen everywhere thrown into the gutter, gardens and on footpaths. Examples of the type of litter in areas closest to the premises have been included in Annex 1. Over the period the evidence was collected the litter was ongoing and consistent.

There has been a strong smell of urine and evidence of public defecation in the flower bed bordering St Mark's Church in Canterbury St and in the alleyways leading off Balmoral Road, again all areas where there is evidence of public drinking.

## **Summary**

Gillingham High Street and the surrounding area has unacceptable levels of alcohol related issues, including crime, domestic abuse and public nuisance associated with a high density of off licences. These problems are current, ongoing, and still of concern in this area.

Policy 10 from the [Statement of Licensing Policy](#) is the most relevant to this application. Policy 10 sets out the expectation of the Licensing Authority when determining applications for off licensed premises. This states that when an application is in a CIP area the Authority will refer to the Cumulative Impact Policy, which outlines the expectations for applications made for off licenced premises in these areas.

The Cumulative Impact Policy states the Authority expects an application in a CIP area to contain a full explanation as to how the premises will not adversely affect the four licensing objectives. There is a rebuttable presumption of refusal by the Authority in all but exceptional circumstances. Offering conditions which merely show the premises as being well managed and run are not exceptional.

The application does not mention the Cumulative Impact Policy, nor does it show any understanding of the issues set out in the policy that are particular to this area, or how the applicant intends to ensure the sale of alcohol will not add to these issues. There are no measures contained within the operating schedule which would ensure that alcohol sold from the premises will not add to the issues detailed above. This application is not 'exceptional' as required in the Statement of Licensing Policy.

The Director of Public Health believes there is nothing exceptional about this application as required by the Cumulative Impact Policy. It is reasonable to believe the sale of alcohol from

this premises will contribute towards the alcohol related crime, disorder, and public nuisance in this area, which are current and ongoing. The Licensing Committee is therefore asked to refuse the application.

Professor David Whiting

**Acting Director of Public Health**

Date 25<sup>th</sup> September 2024

For all communication, please contact **Barbara Murray**, Public Health Project Officer at the address at the head of this representation or by the following:

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E mail: [barbara.murray@medway.gov.uk](mailto:barbara.murray@medway.gov.uk)

# 1 ANNEX 1

## 1.1 GILLINGHAM CUMULATIVE IMPACT POLICY AREA WITH PREMISES LOCATION MARKED

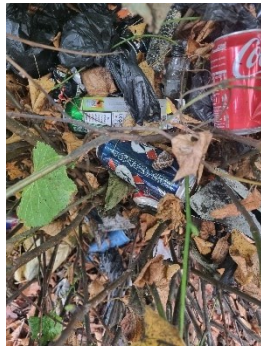


## 1.2 ALCOHOL LITTER PHOTOGRAPHS – 2023/2024

Jeffery Street/Victoria Road area



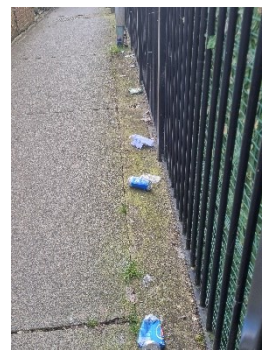
Railway St



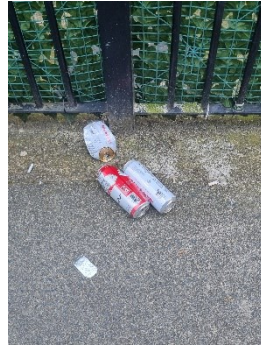
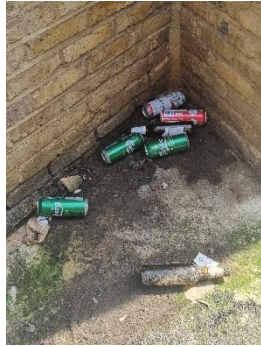
Alleyways - Balmoral Road/Franklin Road/Windsor Road area



Alleyways - Duncan Road/Balmoral Road/Connaught Road







Green St area



Balmoral Gardens

