



Director of Public Health
Public Health Directorate
Medway Council,
Gun Wharf,
Dock Road,
Chatham, Kent. ME4 4TR
10th September 2024

LICENSING ACT 2003 – APPLICATION FOR THE GRANT OF A PREMISES LICENCE

<p><u>Name and address of premises</u></p>

<p>Tobis Food Ltd, 23, Railway St, Chatham</p>

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

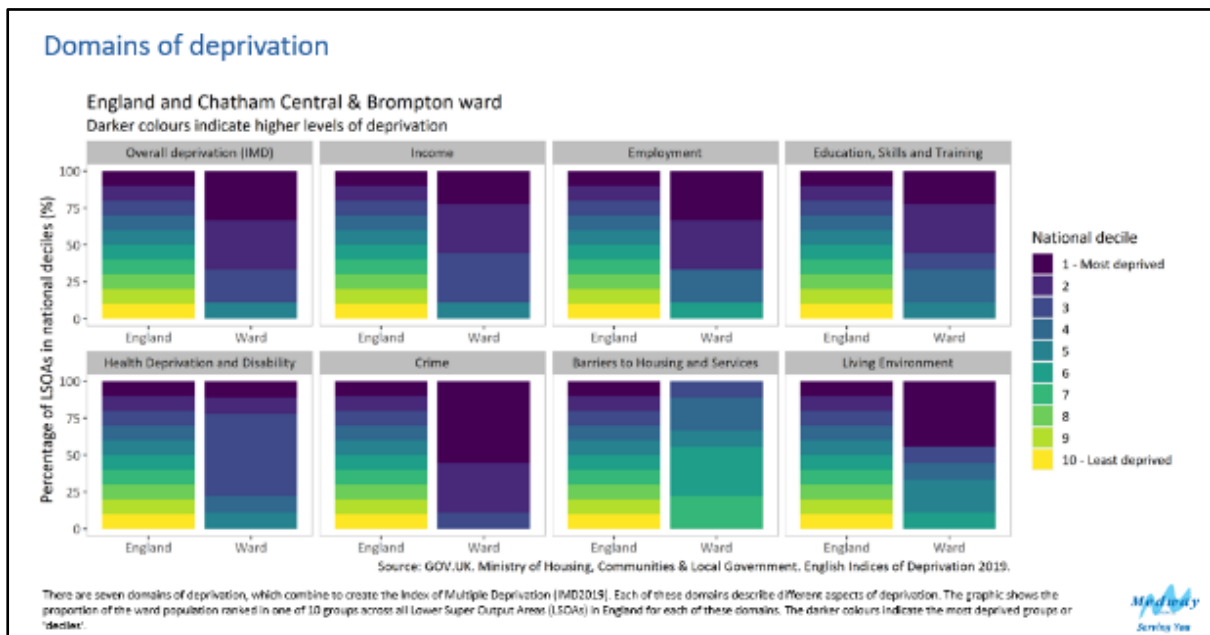
This premises is in a busy area of shops and business premises on the route into Chatham town centre from the railway station.

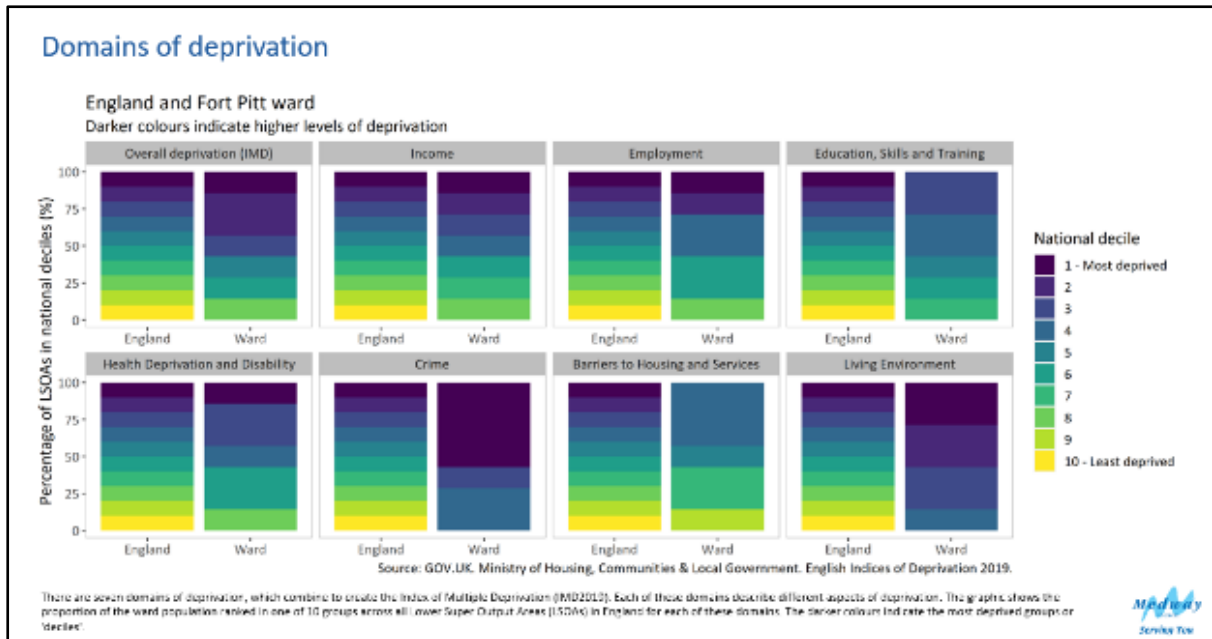
It is located within the Chatham cumulative impact policy (CIP) area which covers Chatham High Street and surrounding area. The evidence shows there are unacceptable levels of alcohol related crime, disorder and public nuisance associated with a density of licensed premises, particularly off-licensed premises in Chatham High Street. The CIP was reviewed and renewed in early 2024 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 which related to a range of alcohol related crimes, such as assaults, anti-social behaviour, criminal damage and public order. This area is identified as a hot spot in Medway for these types of crime.

The Chatham CIP area borders some of the most deprived areas in Medway. Both Chatham Central and Brompton ward and Fort Pitt ward have high levels of crime deprivation, as shown in the graphics below.





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

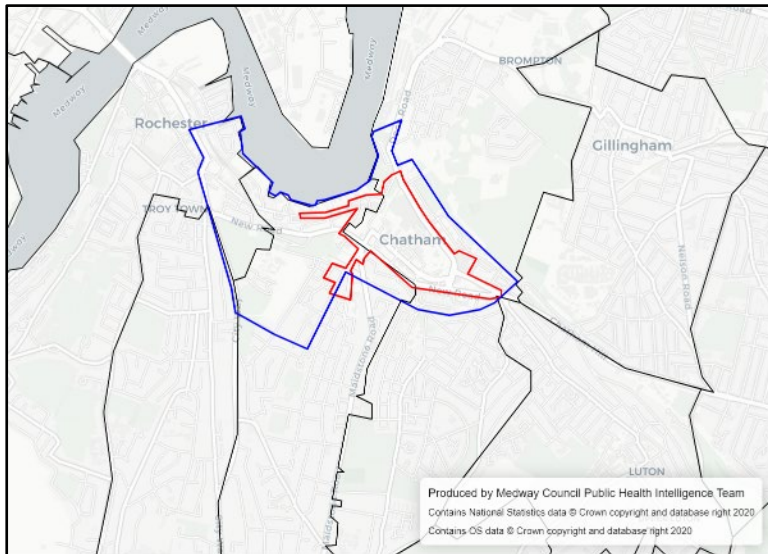
Research from [The Office for National Statistics](#) states that victims perceived an offender to be under the influence of alcohol in 53% of violent incidents; a proportion which has remained consistent during the last 10 years.

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

Chatham is a hot spot for alcohol related nuisance in the form of anti-social behaviour, street drinking, alcohol related litter, including broken glass, and public urination and defecation which are all often co located with evidence of drug use.

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



A member of public health staff has walked in the Chatham CIP area and there is current and ongoing evidence of alcohol related street drinking and associated litter throughout the area surrounding the proposed premises. This litter 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 and bottle tops. Areas where the litter was found in particular concentrations were:

- The High St – particularly in the area of the Gala Bingo/Go Outdoors buildings
- The flowerbeds in Rhodes St at its junction with the High St
- The back of the NCP car park
- Jenkins Dale area
- Railway St in the railway station area, including the alleyway towards Maidstone Road
- Ordnance St area, particularly by the shops
- Fort Pitt Road car park
- River Walk
- Town Hall Gardens

Evidence to support the above is attached in Annex 1, which show photographs of litter that has been found in these areas. There is also evidence of public urination and defecation in the resident's car park in Fort Pitt Street and in the area around the parade of shops. Drug paraphernalia has been found at the back of the NCP car park and along the Riverwalk. Photographs illustrating this has been included in Annex 1.

The issues highlighted by the CIP are current and ongoing.

Summary

The area around Railway St and the High St has unacceptable levels of alcohol related issues, including crime and public nuisance associated with a high density of licensed premises, particularly off licences.

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 10th 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

1 ANNEX 1 – LITTER PHOTOGRAPHS

All photographs taken from April 2024 to date.

High St – Go Outdoors area



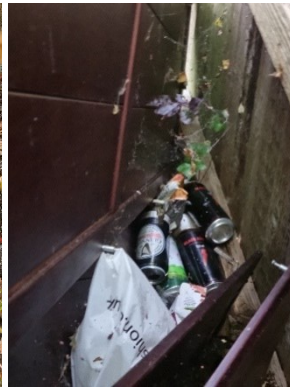
Flower beds Rhodes St/High St



NCP Car Park – Rhodes St



Ordnance Street area



Alleyway between Chatham Railway Stn and Maidstone Road



Riverwalk, from the Pier towards Rochester

