



## Licensing Hearing Panel

**2 September 2025**

### **Licensing Act 2003 Full Variation Application for the Premises Licence at Newlands Newsagents, 111 High Street, Rochester, ME1 1JS**

Report from: Bhupinder Gill, Assistant Director – Legal and Governance

Author: Helen Buddin, Licensing Officer

#### **Summary**

To consider a Full Variation application for the Premises Licence at Newlands Newsagents, 111 High Street, Rochester following the submission of representations, received during the consultation period.

#### **1. Recommendation**

- 1.1. That the Licensing Hearing Panel, having regard to the Licensing Act 2003, the statutory guidance issued under S182, the Council's Statement of Licensing Policy and all matters before it, both written and oral, considers and determines this application for a premises licence.

#### **2. Budget and policy framework**

- 2.1. Medway Council has published its Statement of Licensing Policy, which it takes into account in all applications relating to the Licensing Act 2003.

#### **3. Background**

- 3.1. The current premises licence for 111 High Street, Rochester is for the sale by retail of alcohol between 07.00 and 19:30 every day. A copy of the current premises licence can be found at Appendix A.
- 3.2. On the 16 July 2025 an application was made by Baveshkumar Patel for a full variation of the premises licence at Newlands Newsagents, 111 High Street, Rochester.
- 3.3. The application is to vary the current hours for sale by retail of alcohol to 07:00 to 21:30.
- 3.4. A copy of the variation application can be found at Appendix B.

3.5. The application has been correctly advertised in the local press and notices displayed on the premises for the required period.

#### 4. Options

4.1. The Licensing Hearing Panel is asked to consider the information in this report and decide the outcome of the premise licence application, with one of the following options:

- a) Grant the application as applied for
- b) Amend the application
- c) Add conditions to the premises licence
- d) Refuse the application

#### 5. Advice and analysis

5.1. The applicant is expected to demonstrate that they have dealt with and understand the promotion of the four licensing objectives and the requirements within the Cumulative Impact Assessment, where appropriate. Members are referred to Appendix A.

5.2. The four licensing objectives are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

5.3. Medway Council has published its Statement of Licensing Policy and Cumulative Impact Assessment, which it will consider alongside the amended Guidance issued by the Home Office under 182 of the Licensing Act 2003 in all applications.

#### 6. Risk management

6.1. The Council has to consider and determine this application, which is a function relating to licensing and registration as set out in Schedule 1 to the Functions Regulations, the Licensing Act 2003, the Gambling Act 2005 and other licensing functions reserved by law to the Council's Licensing and Safety Committee and its Sub-Committees, in accordance with the law (both statutory and case law), relevant statutory guidance and statements of policy.

## 7. Consultation

- 7.1. This matter has been put to the Licensing Hearing Panel because the Council have received representations.
- 7.2. We have received representation from Public Health on the 5 August, relating to two of the licensing objectives, the prevention of crime and disorder and the prevention of public nuisance. A copy of this can be found at Appendix C.
- 7.3. Two representations were received from members of the Rochester City Centre Forum, these can be found at Appendix D.
- 7.4. We have received a representation from a local resident on 12 August, relating to three of the licensing objectives, the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm. A copy of this can be found at Appendix E.

## 8. Financial implications

- 8.1. The Council's licensing activities are met from a budget within the Business Support Department and licence fees contribute to meeting the cost of the service. There are no direct financial implications relating to the decision regarding this application.

## 9. Legal implications

- 9.1. There are no direct legal implications at this time.
- 9.2. This hearing is regulated by the Licensing Act 2003 (Hearings) Regulations 2005 (as amended).
- 9.3. There is the possibility of a challenge by way of appeal to the decision by either the applicant or objectors should either have the requisite grounds to do so. Legal advice will be given to Members as appropriate at the meeting. However, whatever the decision of the Panel, this must be based on the evidence placed before it in line with the licensing objectives and the Panel must decide what weight to attribute to this information.

## Lead officer contact

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## Appendices

- Appendix A – Copy of Premises Licence
- Appendix B – Full variation application
- Appendix C – Representation from Public Health
- Appendix D – Representations from Rochester City Centre Forum
- Appendix E – Representation from a member of the public

## Background papers

None