

Appendix E

From: Ross Hutchins

Sent: 17 October 2025 10:13

To: Licensing <licensing@gravesham.gov.uk>

Subject: Representation against off licence premises licence application: Budgens, 1 Block C, Pioneer Wharf, Chatham Waterfront, Chatham, ME4 4HA

Dear Sir / Madam,

I write to lodge a formal objection to the application for a premises licence for off-sales of alcohol at Budgens, 1 Block C, Pioneer Wharf, Chatham Waterfront, Chatham, ME4 4HA. After detailed review of the new operating schedule and supporting documentation, it is submitted that this application fails the legal, policy and evidential tests for approval within Medway's Cumulative Impact Zone, and that the only appropriate outcome is refusal.

1. Legal & Policy Framework: Presumption of Refusal under CIP

1. Statutory basis (Section 5A / Licensing Act 2003): The Council has adopted a Cumulative Impact Policy (CIP) under which new licences for off-sales in certain zones are subject to a rebuttable presumption of refusal.
2. Section 182 Guidance: The CIP is a “strong statement of intent.” Where valid representations are made, applications should normally be refused unless the applicant can convincingly show their operation will not add to cumulative harm. Granting an application in defiance of policy demands substantial justification.
3. Medway's CIP 2024–2027: The most recent Cumulative Impact Assessment and Council approval affirm the continuing validity and significance of the CIP in Medway. democracy.medway.gov.uk+1
4. The burden rests on the applicant to discharge the presumption by exceptional and credible evidence. Conditions alone cannot rescue an application which fundamentally fails to engage with the CIP's rationale.

2. Key Failings of the Application (Off-Licence Context)

2.1 No Compelling Rebuttal of the Presumption

- The applicant provides no persuasive argument or evidence that this premises would be materially different in risk profile from existing off-licences within the CIP zone.

- There is no forecast or modelling offered to illustrate that crime, disorder or nuisance will not increase as a result of this licence.
- No exceptional rationale is advanced to justify departure from the presumption of refusal.

2.2 Lack of Local Risk Assessment & Spatial/Temporal Context

- The application does not present mapping of local crime hotspots, pedestrian flows, or spatial relationships with sensitive receptors such as the adjacent bus station or children's pedestrian routes.
- It fails to consider temporal risk peaks, such as morning and afternoon school transit times or late evening clustering, which are especially relevant in cumulative impact zones.
- Without that context, the mitigation proposals remain abstract and unsupported.

2.3 Inadequate Mitigation of Off-Sales Hazards

Off-licence operations inherently carry higher risks of public consumption, loitering, street drinking, littering, harassment. The application does not credibly counter those:

- No plan is provided to prevent congregation or loitering, particularly near public thoroughfares or the adjacent bus station.
- There is no credible mechanism to deter or monitor street drinking, harassment or anti-social behaviour in external zones.
- Litter and waste controls are limited to the premises frontage, with no strategy for adjacent public spaces or pedestrian routes.
- CCTV coverage is not guaranteed to provide effective external surveillance of approaches, blind spots or public waiting zones.
- There is no proposal for ongoing liaison, monitoring, or reporting with enforcement agencies, which is a critical omission in a CIP area.

2.4 Insufficient Protection of Children / Sensitive Users

- The premises is in immediate proximity (less than 50 m) to a bus station heavily used by schoolchildren. The application offers minimal safeguards to protect children from harassment, noise, nuisance, or exposure to anti-social behaviour.
- No differentiated strategy is proposed for sensitive periods (morning/afternoon) when children are present in the public realm.
- The absence of these child-focused protections is a serious deficiency given the context.

2.5 Failure to Engage with the CIP Evidence Base

- The application does not meaningfully engage with local crime statistics, nuisance records, or patterns of behaviour that justified the CIP designation.
- It fails to rebut or contextualise documented harm in the Brook precinct, Chatham High Street, or the bus station environment.
- By effectively ignoring that evidence, the application proceeds as though the CIP restriction did not apply, which is contrary to policy and law.

3. Why Refusal Is the Only Proper Outcome

- Because the application lies within a valid CIP zone and a relevant representation has been made, the presumption of refusal applies.
- The applicant has not met the high burden of rebuttal with site-specific, credible evidence or mitigation.
- The mitigation proposals are generic and do not address the actual local risks.
- Granting this licence would undermine the integrity of Medway's CIP and erode the policy's ability to manage cumulative harm.
- A decision that departs from established policy without strong justification is vulnerable to appeal or judicial review.

For all these reasons, there is no lawful basis on which to grant the licence. Conditions cannot rectify the fundamental deficiency in justification and risk assessment.

I therefore respectfully request that the Licensing Committee refuse the application in its entirety.

Should the Committee wish to explore alternative approaches, I remain available to assist with cross-examination of the applicant and detailed critique of their operating schedule, site plans, and evidence base.

Yours faithfully,

Steven Hutchins

This address and email can be shared in restricted documents and redaction requested for public documents.

Budgens Premises Licence Application September 2025 Pioneer Wharf, Chatham ME4 4HA

I object to the licence application by Budgens which I do not think meets the objectives of the Licensing Act 2003 nor is it consistent with Medway Council's Cumulative Impact Policy (CIP). The granting of a licence could adversely affect the area.

Medway Council should appreciate that this is not only in a CIP area but also within an area designated under a Kent Police Public Spaces Protection Order (PSPO). Signs to this effect are displayed at the entrance to the Pentagon shopping Centre (about 50m from the premises) and on Sun Pier, which projects into the River Medway (about 300m away).

Prevention of Crime and Disorder

- The application from Budgens does not acknowledge the PSPO area and does not specify a Security Guard will be assigned to this premises
- The Designated Premises Officer would not appear to be present at the premises
- The area in which the premises are situated is characterised by alcohol abuse and crime generally
 - Medway Council has recently shut the nearby Baby Changing facilities and Disabled Person toilet because of misuse and drug taking (image 1)
 - Alcohol cans and bottles are frequently left in nearby Holborn Lane (image 2)
- The application specifies that no beers, ciders or lagers will be sold in single cans or bottles, nor will any be of these drinks be greater than 6.5% ABV. This is not consistent with the CIP and precedents at previous license applications for B&M and a nearby off licence in the nearby stress area which specifies 5.5% ABV
- The application states that no spirits will be sold of less than 10cl volume. There are numerous examples of small spirit bottles being left in local public spaces especially 35cl Vodka bottles (image 2, image 3 & image 4). It is very common to find empty discarded 35cl bottles of vodka in the nearby Town Hall gardens, Sun Pier and surrounding streets
- The application does not recognise that street drinkers sometimes buy alcohol of less than 5.5% ABV and they often buy multiple cans, evidenced by discarded boxes in nearby streets and on Sun Pier

Protection of Public Safety

- There is no recognition of the potential of danger to staff especially from those wishing to purchase alcohol. A recognised large retailer recently opened a store in Gillingham High Street and has elected not have a premises licence, including for this reason. Sadly, shop lifting is common in Chatham which has necessitated security guards being assigned to nearby shops and the Public Library. "Ambassadors", employed by a Security Company have recently been assigned to this area and addressing alcohol abuse, is amongst their remits.
- The premises are very close to the river and Sun Pier. Sadly, fatalities have occurred where alcohol may have been a contributory factor.

I am a local resident and voluntary member of a group of litter pickers which meet monthly in the nearby INTRA Heritage Action Zone including Sun Pier. Evidence of alcohol abuse is ever present and it seems perverse that a licence application be awarded to another premises.

As a local resident, I am as keen as anyone to see Chatham develop into a safer, more prosperous town than it already is. I welcome Budgens opening a store in Chatham but not with a Premises licence.



Notice on Bus Station door (Image 1)



Holborn Lane (Image 2)



Vodka bottle on Sun Pier (Image 3)



Vodka bottle in Town Hall Gardens (Image 4)

Bryan Fowler