

Licensing Hearing Panel

7 July 2026

Licensing Act 2003 New Premises Application for the Premises Licence at Retail Unit 2, Chatham Waters, Gillingham Gate Road, Gillingham

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

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Summary

To consider a new premises application for Retail Unit 2, Chatham Waters, Gillingham Gate Road, Gillingham following the submission of a representation, 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. On the 20 May 2026 an application was made by Mr Scott Tulloch for a new premises licence at Retail Unit 2 Chatham Waters, Gillingham Gate Road, Gillingham.

- 3.2. The new premises licence application for:

Sale by Retail of Alcohol (On Sales)

Monday to Sunday 09:00 to 23:00

- 3.3. A copy of the new premises application can be found at Appendix A.
- 3.4. 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 new premises 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, 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 received two representations from members of public, these can be found at Appendix B.

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.

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Appendices

- Appendix A – Premises Licence Application
- Appendix B – Representations from members of public

Background papers

None