

Licensing Hearing Panel

18 August 2026

Licensing Act 2003 New Premises Application for Virtual Golf Fairways, Gillingham ME4 4RS

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

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Summary

To consider a new premises application for Virtual Golf Fairways in Gillingham following the receipt of a representation during the consultation period.

1. Recommendations

- 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 is considered in all applications relating to the Licensing Act 2003.
- 2.2. A copy of the approved procedure for hearings of the licensing panel in relation to an application has been circulated to all parties prior to this hearing.

3. Background

- 3.1. On 1 July 2026 an application was accepted from Mr Jack Connor for a new premises licence at Virtual Golf Fairways, Unit 1 Chatham Waters, Gillingham Gate Road, Gillingham.
- 3.2. The new application is for the following activities and times:
 - 3.2.1 Sale of alcohol: Monday to Thursday 08:00 to 22:00, Friday and Saturday 08:00 to 23:00 and Sunday 09:00 to 21:00
- 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:

- 4.1.1. Grant the licence as applied for;
- 4.1.2. Grant the licence with amendments;
- 4.1.3. Add conditions to the licence;
- 4.1.4. 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, by describing the steps they intend to take to promote them. These steps will be added to the premises licence as clear and enforceable conditions, ensuring there is no duplication to other legislation. Members are referred to Section M of Appendix A, to see the steps provided by this applicant.

- 5.2. The four licensing objectives are:

- 5.2.1. The prevention of crime and disorder;
- 5.2.2. Public safety;
- 5.2.3. The prevention of public nuisance;
- 5.2.4. The protection of children from harm.

6. Risk management

- 6.1. Departure from the Guidance and Policy could lead to an increased risk of appeal. Ensuring that all decisions are evidence-based, justified and proportionate, and that sufficiently detailed reasons are given, helps to reduce the risk of a successful appeal.

7. Consultation

- 7.1. During the consultation period, the applicant and the Licensing Authority agreed to an amendment to the application to include the following conditions:

- 7.1.1. All persons that sell or supply alcohol to customers will be trained in all aspects of the licensing legislation;
- 7.1.2. Training should take place within six weeks of employment, and any new employees will be supervised until the training has taken place. Refresher training will be repeated every six months;
- 7.1.3. All training will be documented, and records must be kept on the premises and shall contain the nature, content and frequency of all training;
- 7.1.4. Training to include but not be limited to the licensing objectives and the premises licence conditions specific to this venue;

- 7.1.5. Records must be made available for inspection by Police, Police Licensing Officer and authorised officers from the Local Authority on demand either electronically or hard copy.
- 7.2. This application has been put to the Licensing Hearing Panel following receipt of a valid representation.
- 7.3. We received a representation from a member of public in relation to three of the licensing objectives, prevention of crime and disorder, public safety and prevention of public nuisance. A copy of this can be found at Appendix B.
- 7.4. This representation was sent to the applicant, which allows an opportunity for mediation. A copy of the mediation emails can be found at Appendix C.
- 7.5. Despite mediation, the representation has not been withdrawn.
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.
- 8.2. There are no direct costs to this hearing. However, should the decision be appealed to Magistrates Court and the appeal proves to be successful it could result in costs being awarded against the Council.
9. Legal implications
- 9.1. The Licensing Act 2003 requires licensing authorities to publish a Statement of Licensing Policy which sets out the policies they have in place to promote the four licensing objectives. This policy must be considered when making decisions on applications. The current policy is in place until 31 April 2028.
- 9.2. The licensing authority are required to have regard to the Section 182 guidance issued by the Secretary of State. The Licensing Hearing Panel can depart from this guidance, but only when they have reason to do so.
- 9.3. The panel are reminded that the Human Rights Act guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of private and family life.
- 9.4. In accordance with the provisions of the Act, the outcome of this hearing may be appealed to the Magistrates Court by the licence holder and any other party involved within 21 days of being notified of the decision.

Lead officer contact

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Appendices

Appendix A – Premises Licence Application

Appendix B – Representation

Appendix C – Mediation emails

Background papers

None