


Licensing Committee

Members of the **Licensing Committee of Gravesham Borough Council** are summoned to attend a meeting of the Committee to be held at the Civic Centre, Gravesend on **Wednesday 21 September 2005 at 7pm** when the business specified in the following agenda is proposed to be transacted.



S A Whatmough
Head of Democratic Services

Please note the earlier start time

Agenda

Part A

Items likely to be considered in public

- A1. Apologies for absence.
- A2. To sign the Minutes of the meeting held on 21 April 2005 – minutes previously circulated.
- A3. To declare any interest Members may have in the items contained on this agenda. When declaring an interest a Member must state what their interest is.
- A4. To consider whether any items in Part A of the agenda should be considered in private.
- A5. To receive a presentation by the Senior Licensing Officer

- A6. To receive the minutes of the following Licensing Panels:
1. 28 July 2005 – Minutes herewith
 2. 4 August 2005 – Minutes herewith
 3. 8 September 2005 – Minutes herewith
 4. 15 September 2005 – Minutes to be circulated separately
- A7. Any other business which by reason of special circumstances the Chair is of the opinion should be considered as a matter of urgency.
- A8. To move, if required, that pursuant to Section 100A(4) of the Local Government Act 1972 that the public be excluded from any items included in Part B of the agenda because it is likely in view of the nature of business to be transacted that if members of the public are present during those items, there would be disclosure to them of exempt information as defined in Part 1 of Schedule 12A of the Act.

Part B

Items likely to be considered in private

B1. None

Members

Councillor Jean Christie (Chair)

Councillor R G Smith (Vice-Chair)

Councillors E A Brook
 Mrs R M Collins
 L K Croxton
 W G Dyke
 K Jones
 G Lambton
 J J Loughlin JP
 P J McSweeney
 P Rayner
 D Robinson
 M Singh
 R Stanford
 R J R Target

Substitutes

Mrs B McGarrity
C Meredith
Peggy Mersh
Mrs P O Oakeshott
A Pritchard
D W B Thomas JP

Licensing Committee

21 April 2005

6pm

Present:

Councillor Jean Christie (Chair)
Councillor R J E Parker (Vice-Chair)

Councillors: W G Dyke
K Jones
G Lambton
P J McSweeney
D Robinson
M Singh
R J R Target

Note: Councillors Mrs R Collins and R Smith were also in attendance

Mrs S Whatmough, Head of Democratic Services
Mrs S Kilkie, Environmental Health Manager
Miss C Hills, Senior Licensing Officer
Mr M Bauluck, Licensing Officer
Miss L Dell, Democratic Services

Apologies

Apologies for absence were received from Councillors L K Croxton and R Stanford.

11. Minutes

The minutes of the meeting held on 21 October 2004 were signed by the Chair.

12. Declarations of Interest

No declarations of interest were made.

13. Delegation to Officers

Members were reminded that the Council has adopted a statement of Licensing Policy as required under the Licensing Act 2003. The Committee considered which of its functions as shown in Appendix 5 of the Licensing Policy would be delegated to the Head of Environmental and Public Health Services.

Resolved that

the following powers be delegated to the Head of Environmental and Public Health Services:-

- (1) to determine applications for grant or renewal of personal licences.
Limitation: where no objections are made;

- (2) to determine requests to be removed as designated premises supervisors;
- (3) to determine applications for premises licences, club premises certificates or provisional statements;
Limitation: where no relevant representations have been made.
- (4) to determine applications to vary premises licences or club premises certificates;
Limitation: where no relevant representations have been made.
- (5) to determine applications to vary designated premises supervisors;
Limitation: where no police objection has been made.
- (6) to determine applications for transfer of premises licences;
Limitation: where no police objection has been made.
- (7) to make interim authority notices;
Limitation: where no police objection has been made.
- (8) to decide whether a complaint is irrelevant, frivolous, vexatious or repetitious.
- (9) to carry out all duties of the licensing authority under the Licensing Act 2003 that are not reserved to the Licensing Committee or a Licensing Panel.

14. Setting up of Licensing Panels

Members were asked to approve the draft Licensing Panel Procedure Rules and to decide upon the terms of reference and composition of Licensing Panels. It was anticipated that within the next few months Panels would need to be held weekly and due to inputs being needed from other partner agencies such as the fire brigade and police, it was agreed that these should be held on Thursdays where possible.

Under the Licensing Act 2003 Panels need to comprise three members. Consideration was also given to Member training in respect of Chairing the Panels.

Resolved that

- (1) the draft Licensing Panel Procedure Rules be approved subject to minor editing by the Head of Democratic Services in consultation with the Chair of the Licensing Committee;
- (2) the Membership of Licensing Panels comprising 3 members drawn from the Licensing Committee and substitutes be operated on a 'pool' basis as required;

- (3) the terms of reference of the Licensing Panels be adopted as follows:-
- (a) to determine applications for grant or renewal of personal licences following police objection;
 - (b) to determine applications for personal licences where the applicant has unspent convictions;
 - (c) to determine applications for premises licences, club premises certificates or provisional statements where relevant representations have been made;
 - (d) to determine applications to vary premises licences or club premises certificates where relevant representations have been made;
 - (e) to determine applications to vary designated premises supervisors following police objection;
 - (f) to determine applications for transfer of premises licences following police objection;
 - (g) to consider police objections made to interim authority notices and to cancel an interim authority notice if it considers it necessary for crime prevention;
 - (h) to determine applications to review premises licences or club certificates;
 - (i) to give counter notices to temporary event notices following police objection;
 - (j) to take decisions to object when the council is a consultee and not the relevant authority considering the application;
 - (k) to revoke licences where convictions come to light after they have been granted and following police objection;
 - (l) to review a premises licence as required under section 167 of the Licensing Act 2003 following receipt of a notice from the magistrates' court relating to a closure order.

15. Report by Environmental Health Manager on applications received and application/guidance forms

The Environmental Health Manager reported on the application procedures for licences under the Licensing Act 2003. The national guidance notes provided with the application forms were thought to be inadequate therefore the Environmental Health Manager had drawn up a comprehensive guidance leaflet to help applicants. The Committee was reminded of the fee structure which was based on the Non Domestic Rateable Value of the premises. Those premises that did not have a rateable value would be classed as Band A for licensing purposes.

It was noted that 20 personal licence applications had been processed and 3 premises applications had been received. However, 2 had been withdrawn due to errors and 1 was currently being processed.

Resolved that the report be noted.

Note: Councillor R Collins spoke with leave of the Chair on this item.

Close of Meeting

The meeting ended at 7.07pm.

Licensing Panel**28 July 2005****10am****Present:**

Councillor J J Loughlin JP (Chair)

Councillor: E Brook
R StanfordMr M Goodman, Corporate Lawyer and Legal Advisor to the Panel
Mr N C Channon, Democratic Services Officer and Committee Clerk to the Panel
Miss C I Hills, Senior Licensing Officer**In Attendance:**Mr Makhan Singh Cheema, Owner of H20 Nightclub
Mr J Nevell, Manager H20 Nightclub**1. Declarations of Interest**

No declarations were made. Councillor Loughlin stated that during his Mayoralty he had officially opened the Greek Restaurant located above the H20 Nightclub.

**2. H20 Nightclub, 68-69 High Street, Gravesend - Application
GM/PRE/0506/0021**

The Chair of the Panel outlined the procedures to be followed. The Panel considered an application made by Makhan Singh Cheema in respect of premises known as H20 Nightclub, 68/69 High Street, Gravesend. The application sought to vary the premises so as to:-

- extend the hour permitted for the sale of alcohol on Monday to Saturday until 3am;
- extend the hour permitted for the provision of late night refreshment on Monday to Sunday until 3am;
- extend the hour permitted for the provision of live music, recorded music performance of dance, provision of facilities for making music and provision of facilities for dancing on Sunday until 3am.

The applicant also stated in his application that the premises would close every day thirty minutes after the latest hour authorised for the sale of alcohol, i.e. 3.30am. A representation had been received from Dawn Connolly, 35C Princes Street, Gravesend, who had been experiencing noise disturbances from the nightclub for the past three years. The specific objections were detailed in a letter dated 1 July 2005 which the Panel took into consideration.

Mr Cheema stated that all the points raised in Miss Connolly's letter had been addressed and that alterations had been undertaken to the premises by a specialist noise company in order to reduce noise levels. Additional staff had also been employed to ensure that when customers left the nightclub in the early hours of the morning they did so quietly and in an orderly manner. Mr Cheema stated that he had an arrangement with two local taxi

companies for those customers requiring a taxi at 3am in the morning. It was usual for a taxi to arrive within five minutes of being called.

Mr Cheema answered questions from Members of the Panel.

The Senior Licensing Officer stated that no objections had been received from any of the responsible authorities who had been consulted on the application.

The Chair of the Panel asked all parties to leave the meeting apart from the legal advisor and the committee clerk in order for the Panel to consider its decision.

Resolved that the variation as applied for by Mr Makhan Singh Cheema in respect of the H20 Nightclub be granted.

Close of Meeting

The meeting ended at 10:50am.

Licensing Panel

4 August 2005

10am

Present:

Councillor J J Loughlin JP (Chair)

Councillor: E Brook
R Stanford

Mr M T Goodman, Corporate Lawyer and Legal Advisor to the Panel
Mr N C Channon, Democratic Services Officer and Committee Clerk to the Panel
Miss C I Hills, Senior Licensing Officer

Also in Attendance:

Mr P Diment, Liquor Licensing Officer (Police)

1. Declarations of Interest

No declarations were made.

2. The Jolly Drayman, Love Lane, Gravesend

The Senior Licensing Officer stated that the applicant Punch Taverns had, in a letter to the Council dated 27 July 2005, formally withdrawn from all applications lodged with the Council the request for non-standard timings. Punch Taverns had also agreed to all requests made by the Police and the Environmental Health Department.

Both the Police and the Environmental Health Department had subsequently withdrawn their objections.

Resolved that the application be granted with the negotiated terms and conditions.

3. The Railway Tavern, Railway Place, Gravesend

The Senior Licensing Officer stated that the applicant Spirit Group had contacted her to amend their proposed hours of operations as follows:-

For the sale of alcohol and provision of regulated entertainment:

11.00 - 00.00 Monday - Thursday (instead of 10.00 - 01.00)
11.00 - 01.00 Friday and Saturday (instead of 10.00 - 02.00)
12.00 - 00.00 Sunday (instead of 10.00 - 00.00)

For the provision of late night refreshment and the hour that the premises will close to the public

09.00 - 00.30 Monday - Thursday (instead of 09.00 - 02.00)

09.00 - 1.30 Friday and Saturday (instead of 09.00 - 03.00)

12.00 - 00.30 Sunday (instead of 09.00 - 01.00)

The Spirit Group had also agreed that there will be no non-specific timings and that they will apply for temporary events notices. The applicant had also agreed to a condition for no admittance (or re-admittance) to the premises after 12 midnight on Friday and Saturday nights and would look at the deployment of registered door supervisors.

The applicants had also agreed to all the other requirements of the Police and the environmental health officers.

Both the Police and Environmental Health Department had subsequently withdrawn their objections.

Resolved that the application be granted with the negotiated terms and conditions.

Close of Meeting

The meeting ended at 10:45am.

Licensing Panel

8 September 2005

10am

Present:

Councillor Jean Christie (Chair)

Councillors: E Brook
R Stanford

Mr M Goodman, Corporate Lawyer and Legal Advisor to the Panel
Miss C I Hills, Senior Licensing Officer
Mr J Deamer, Committee Clerk to the Panel

In Attendance:

Sergeant Graham James (for the hearings concerning The Millers/The Golden Lion)
P C Gerry King (for the hearings concerning The Rose & Crown/The Six Bells)

1. Declarations of Interest

No declarations were made.

2. The Millers Cottage, 31 Shrubbery Road, Gravesend

The Panel considered an application made by L Matthews and G Parker in respect of The Millers Cottage, 31 Shrubbery Road, Gravesend. The application sought to vary the premises so as to:-

- extend the hour permitted for the sale of alcohol on Monday to Sunday until 24:00;
- extend by a further additional one-hour the permitted hour for the sale of alcohol on Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends, Christmas Eve and Boxing Day;
- extend by an additional one-hour the permitted hour for the sale of alcohol on 12 other events at the discretion of the designated premises supervisor with a minimum five days notice being give to the police;
- include the provision of films (video entertainment on TV screens and amusement machines) live music and recorded music in line with the hours requested for the sale of alcohol.

Objections were heard from those that wished to make representations.

The applicants agreed to all of the stipulations laid down by both the Police and Environmental Health Department except for the issue of loyalty cards to determine re-admittance to the premises after 11pm. Therefore, the accepted conditions were as follows:-

- no admittance or re-admittance to the premises after 11pm;

- all live music/karaoke events to cease at 11pm and to be controlled by ensuring that all windows and doors are kept closed save for the purposes of access and egress. No more than twenty-four events involving live music/karaoke shall take place per year and be no more frequent than one over any two week period. Live music/karaoke and events involving amplified voices to only take place inside the premises and not outside;
- all live music events to be performed by no more than two entertainers;
- the external drinking areas to only be used between the hours of 10am and 11pm.
- prominent, clear and legible notices to be displayed at the exits asking customers to respect the needs of local residents and to leave the premises and the area quietly.

The applicant also agreed to withdraw their application for unspecified extensions as part of their premises licence application in favour of applying for Temporary Events Notices.

Both the Police and Environmental Health Department had subsequently withdrawn their objections.

Resolved that the application be granted with the negotiated terms and conditions.

3. The Golden Lion, Luddesdown Road, Luddesdown

The Panel considered an application made by Belinda Smith in respect of The Golden Lion, Luddesdown Road, Gravesend. The application sought to vary the premises so as to:-

- extend the hour permitted for the sale of alcohol on Monday to Thursday until 12 midnight;
- extend the hour permitted for the sale of alcohol on Friday and Saturday until 02:00;
- extend the hour permitted for the sale of alcohol on Sunday until 12 midnight;
- begin the hour permitted for the sale of alcohol at 7:00 during sporting tournaments;
- include the provision of late night refreshment in line with the hours sought for the sale of alcohol;
- include the provision of live music on Thursdays from 20:00 until 22:30;
- include the provision of live music on Friday to Sunday from 15:00 until 23:00.

Objections were heard from those that wished to make representations.

The applicant agreed to all of the stipulations laid down by both the police and Environmental Health Department. The applicant also agreed to withdraw their application for unspecified extensions as part of their premises licence application in favour of applying for Temporary Events Notices. Therefore the accepted conditions were as follows:-

- there will be no admittance or re-admittance to the premises after 11pm;
- the external beer garden will only be used between the hours of 10am and 11pm;
- all live music events shall be performed by no more than two entertainers;
- all live music/karaoke events will be controlled by ensuring all windows and doors are kept closed save for the purposes of access. All live music, karaoke and amplified voices will cease at 11pm. No more than 12 events involving live music/karaoke shall take place per year and be no more frequent than one over any four week period. Live music/karaoke and events involving amplified voices will only take place inside the premises and not in the beer garden;

- prominent, clear and legible notices will be displayed at the exits asking customers to respect the needs of local residents and to leave the premises and the area quietly;
- amendment to point 4 of Appendix B - A person holding a personal licence will be on the premises between 11:00pm and 12:30pm when alcohol is being served or regulated entertainment provided.

Both the Police and Environmental Health Department had subsequently withdrawn their objections.

Resolved that the application be granted with the negotiated terms and conditions but due to the unique circumstances and location of this application the closing time for this establishment will be limited to 12:00 midnight on a Friday and Saturday in line with the rest of the week.

4. The Rose and Crown, 32 The Street, Shorne

The Panel considered an application made by Steven Belcher in respect of The Rose and Crown, 32 The Street, Shorne. The application sought to vary the premises so as to:-

- extend the hour permitted for the sale of alcohol on Monday to Saturday until 12 midnight throughout the whole of the premises;
- extend the hour permitted for the sale of alcohol on Sunday until 23:00 throughout the whole of the premises;
- extend the hour permitted for the sale of alcohol on New Years Eve until 12 midnight;
- include the provision of live music and recorded music in line with the hours requested for the sale of alcohol.

Objections were heard from those that wished to make representations.

The applicant agreed to all of the stipulations laid down by both the police and Environmental Health Department. Therefore the accepted conditions were as follows:-

- there will be no admittance or re-admittance to the premises after 11pm;
- the external beer garden will only be used between the hours of 11am and 11pm;
- all live music/karaoke events will be controlled by ensuring all windows and doors are kept closed save for the purposes of access. All live music, karaoke and amplified voices will cease at 11pm. No more than 12 events involving live music/karaoke will only take place inside the premises and not in the beer garden. When live music events take place in the beer garden it shall not begin before mid-day and be finished by 9pm;
- prominent, clear and legible notices will be displayed at the exits asking customers to respect the needs of local residents and to leave the premises and the area quietly.

Both the Police and Environmental Health Department had subsequently withdrawn their objections.

Resolved that the application be granted with the negotiated terms and conditions.

5. The Six Bells, Old Perry Street, Northfleet

The Panel considered an application made by Gary Parker in respect of The Six Bells, Old Perry Street, Northfleet. The application sought to vary the premises so as to:-

- extend the hour permitted for the sale of alcohol on Monday to Sunday until 24:00;
- extend by a further additional one-hour the permitted hour for the sale of alcohol on the Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends, Christmas Eve and Boxing Day;
- extend by as further one-hour the permitted hour for the sale of alcohol on 12 other occasions during the year at the applicants discretion;
- include the provision of films, live music, recorded music and anything of a similar description in line with the hours requested for the sale of alcohol.

Objections were heard from those that wished to make representations.

The applicant agreed to all of the stipulations laid down by both the Police and Environmental Health Department except for the issue of loyalty cards to determine re-admittance to the premises after 11pm. It was also agreed that the applicant would withdraw their application for unspecified extensions as part of their premises licence application in favour of applying for Temporary Events Notices. Therefore, the accepted conditions were as follows:-

- there will be no admittance or re-admittance to the premises after 11pm;
- the external beer garden will only be used between the hours of 10am and 11pm;
- all live music events shall be performed by no more than two entertainers;
- all live music/karaoke events will be controlled by ensuring that all windows and doors are kept closed save for the purposes of access. All live music, karaoke and amplified voices will cease at 11pm. No more that twenty-four events involving live music/karaoke shall take place per year and be no more frequent than one over any two week period. Live music/karaoke and events involving amplified voices will only take place inside the premises and not in the beer garden;
- prominent, clear and legible notices to be displayed at the exits asking customers to respect the needs of local residents and to leave the premises and the area quietly.

Both the Police and Environmental Health Department had subsequently withdrawn their objections.

Resolved that the application be granted with the negotiated terms and conditions.

Close of Meeting

The meeting ended at 2:35pm.