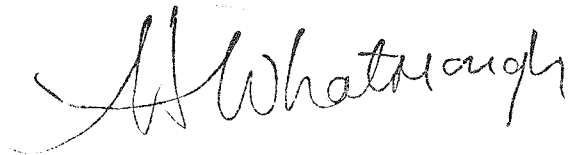


# Licensing Committee

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 30 November 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 September 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 Sergeant Graham James of North Kent Police on police enforcement of the Licensing Act.

Civic Centre, Windmill Street, Gravesend, Kent DA12 1AU

- A6. To receive the minutes of the following Licensing Panels:
1. 22 September 2005 - Minutes herewith.
  2. 6 October 2005 - Minutes herewith.
  3. 27 October 2005 - Minutes herewith.
  4. 27 October 2005 - Minutes herewith.
- A7. Referral of Motion from Council - report herewith
- A8. Any other business which by reason of special circumstances the Chair is of the opinion should be considered as a matter of urgency.
- A9. 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 Panel****22 September 2005 10.00am****Present:**

Councillor Jean Christie (Chair)

Councillors: J Loughlin JP  
R Stanford

Mr M Goodman, Corporate Lawyer and legal adviser to the Panel

Miss C I Hills, Senior Licensing Officer

Mr N Channon , Committee Clerk to the Panel

**In Attendance:**

Mr P Diment, Liquor Licensing Office (Police)

**1. Declarations of Interest**

No declarations were made.

**2. The Gardeners Arms, Higham**

Mr C Pattison and Mr F Mead appeared for the applicants.

The Panel considered an application made in the name of Shepherd Neame in respect of the Gardeners Arms, 2 Forge Lane, Higham.

The application seeks to vary the premises licence so as to:-

- extend the hour permitted for the sale of alcohol on Monday to Wednesday until 00.00;
- extend the hour permitted for the sale of alcohol on Thursday, Friday and Saturday until 01.00;
- extend the hour permitted for the sale of alcohol on Sunday until 00.00;
- on the Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends to sell alcohol until 01.00;
- on the Friday, Saturday, Sunday and Monday of the Easter Bank Holiday to sell alcohol until 01.00;
- on Christmas Eve and Boxing Day, Valentines Day, St Patrick's Day, St George's Day and Halloween to sell alcohol until 01.00;
- include recorded music, performances of dance, provisions of facilities for making music and late night refreshment Monday until Wednesday and Sunday between 10.00 and 00.00 and on Thursday, Friday and Saturday between 10.00 and 01.00 i.e. the same hours as sought for the supply of alcohol;
- include the provision of films, Monday to Sunday between 10.00 and 00.00;

- include the provision of indoor sporting events, Monday to Sunday between 10.00 and 00.30;
- include live music Monday until Sunday between 10.00 and 23.00;
- let part of the supper hour certificate lapse.

The applicant had stated in his application that it is intended that the premises will remain open every day on half hour after the latest hour authorised for the sale of alcohol.

The Senior Licensing Officer stated that the applicant had accepted the following conditions detailed below:-

- 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. Live music/karaoke to only take place inside the premises and not in the beer garden;
- the external beer garden will only be used between the hours of 10am and 11pm;
- 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;
- taxis to collect and set down at an area to be agreed in writing by the Senior Environmental Health Officer;
- no bottle bins to be emptied between the hours of 11pm and 8am;
- no admittance or re-admittance to the premises after 11pm;
- CCTV to be installed to the satisfaction of the Police and Council with recordings to be maintained for one month. If system fails to notify us immediately which could restrict the operation of premises until remedied;
- alcohol to be served in toughened glass. All bottles and glasses to be removed from areas as soon as they are finished;
- any capacity limit stipulated by Kent Fire Service to be adhered to;
- the DPS, Mr Frankie Mead to ensure zero tolerance drugs policy in place and lodged with Police and Council;
- no drinks promotions or other irresponsible drinking related promotions;
- all live music/karaoke events to be controlled by ensuring all windows and doors are kept shut and take place inside premises and not in Beer Garden.

The applicant when addressing the Panel stated that he was willing to accept and agree to amend his application for the premises to finish at 01.30 on Friday and Saturday evenings for non-standard timings (rather than 02.30) and also to agree to all of the stipulations laid down by both Police and the Environmental Health Department.

Although no objectors were present the Panel considered written representations made by them.

**Resolved** that the application be granted with the negotiated terms and conditions as detailed within the preamble.

### **3. The Stork at Rest**

Mr D Cherry, Mr J Cherry and Ms J Cherry appeared for the applicant.

The Panel considered an application made in the name of Keimarc Leisure Limited in respect of The Stork at Rest, Stacey Close, Gravesend.

The application sought to vary the premises so as to:-

- extend the hour permitted for the sale of alcohol on Monday to Wednesday until 01.00;
- extend the hour permitted for the sale of alcohol on Thursday, Friday and Saturday until 02.00;
- extend the hour permitted for the sale of alcohol on Sunday until 23.00 and to begin one hour earlier at 11.00;
- on the Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends and on the Friday, Saturday, Sunday and Monday of the Easter Bank Holiday, on Christmas Eve and Boxing Day to sell alcohol for a further additional one hour;
- when there are World Cup football matches, European football matches and any competitive rugby international matches that involve the UK national team to sell alcohol and include recorded music for an additional hour before, until one hour after the match;
- include the provision of indoor sporting events and live music (limited to two performers) in line with the hours sought for the sale of alcohol;
- include recorded music on Monday to Wednesday until 01.30, on Thursday, Friday and Saturday until 02.30, and until 23.30 on Sunday. These hours are also the intended timings for the closure of the premises to the public.

The applicant stated that they wished to withdraw the part of their application relating to sporting events. Although no objectors were present the Panel took into account written representations submitted by objectors.

The applicant stated that they would adhere to the conditions detailed below:-

- these premises must employ door supervisors with at least two present on Friday and Saturday nights and one door supervisor present on Sunday, Monday, Tuesday, Wednesday and Thursday nights. All door supervisors are to be registered with the SIA and badges are to be worn during the operational hours. The door supervisors must wear clothing that can be easily and clearly identifiable on CCTV. Every person must be checked and searched before entry, and excluded if found or suspected of carrying illegal drugs or offensive weapons;
- no admission to the premises after midnight on any day. This is to stop movement between licensed premises after other premises have closed. Already fuelled with alcohol this is the time when most cases of crime and disorder happen. It will be the duty of the door supervisors to make sure that this is controlled and adhered to;
- CCTV will be installed and working to the satisfaction of the Police and licensing authority, with recordings maintained for at least one month. If the equipment fails, the Police and licensing authority must be informed as soon as possible and immediate steps taken to put the equipment back into service. This would result in restrictions, for example, the number of patrons being allowed in the premises or the hours restricted for the time in which trading will be permitted until fixed. Digital recording equipment will need to be installed by 31 March 2006;

- all alcohol will be served in toughened glasses and are not to be removed from the licensed area as indicated on the plan. All bottles and glasses are to be removed from public areas as soon as they are either finished or emptied by staff;
- irresponsible drinking related promotions are not to be allowed;
- an anti-drug policy to be entered into with the Police;
- a policy for the management of large groups, of which a copy must be forwarded to the Police and licensing authority before commencement of these trading hours;
- a personal licence holder will be on the premises during all times that alcohol is being served or regulated entertainment provided. The DPS must be on the premises during trading periods Thursday, Friday and Saturday evenings;
- the outside area is not to be used for the consumption of alcohol or other activities, including the playing of recorded music after 23.00 hours;
- 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;
- there will be no admittance or re-admittance to the premises after 23.00 hours;
- the external beer garden will only be used between the hours of 10am and 23.00 hours;
- all live music events will be controlled by the installation of a suitable sound limiter device. All windows and doors will be kept closed save for the purposes of access or egress when live entertainment is taking place. All live music to cease by 23.30 hours on Sunday, Thursday all live music to cease by midnight on Fridays and Saturdays. Live music will only take place inside the premises and not in the beer garden. All live music events shall be performed by no more than two entertainers;
- no bottle bins to be emptied between the hours of 23.00 hours and 8am;
- taxis to collect and set down at an area to be agreed in writing by the Senior Environmental Health Officer.

**Resolved** that the application be granted with the negotiated terms and conditions as detailed in the preamble.

#### **4. The Little Wonder, 19 Edwin Street, Gravesend**

Mr D Cherry, Mr J Cherry and Ms C Calderwood appeared for the applicant.

The Panel considered an application from Keimarc Leisure Limited.

- extend the hour permitted for the sale of alcohol on Monday to Wednesday until 01.00;
- extend the hour permitted for the sale of alcohol on Thursday, Friday and Saturday until 02.00;
- extend the hour permitted for the sale of alcohol on Sunday until 23.00 and to begin one hour earlier at 11.00;
- on the Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends and on the Friday, Saturday, Sunday and Monday of the Easter Bank Holiday, on Christmas Eve and Boxing Day to sell alcohol for a further additional one hour;
- when there are World Cup football matches, European football matches and any competitive rugby international matches that involve the UK national team to sell

alcohol and include recorded music for an additional hour before, until one hour after the match;

- include the provision of indoor sporting events and live music (limited to two performers) in line with the hours sought for the sale of alcohol;
- include recorded music on Monday to Wednesday until 01.30, on Thursday, Friday and Saturday until 02.30, and 23.30 on Sunday. These hours are also the intended timings for the closure of the premises to the public.

The applicants withdrew their application in respect of sporting events and for any variation for Monday, Tuesday, Wednesdays, Thursdays and Sundays.

The applicant also stated that the named Designated Premises Supervisor would be Cheryl Calderwood.

There were no letters or other representations from objectors.

The applicant would adhere to the following conditions:-

- after 23.00 the premises must employ door supervisors with at least two present at all times to a ratio one per 100 patrons. All door supervisors are to be registered with the SIA and badges are to be worn during the operational hours. They must wear clothing that can be easily and clearly identifiable on CCTV. Everyone must be searched and excluded if found or suspected of carrying illegal drugs or offensive weapons. In order for this to be fulfilled at least one female supervisor must be employed;
- no admission to the premises after midnight on a Friday and Saturday night. This is to stop movement between licensed premises after other premises have closed. It is the duty of the door supervisors to make sure that this is controlled and adhered to;
- CCTV will be installed and working to the satisfaction of the Police and licensing authority, with recordings maintained for at least one month. If the equipment fails, the Police and licensing authority must be informed as soon as possible and immediate steps taken to put the equipment back into service, failure to comply could result in restrictions on the premises. For example, restrictions on the number of patrons allowed in the premises and/or the hours allowed open to the public when trading reduced;
- all alcohol will be served in toughened glasses and are not to be removed from the licensed area as indicated on the plan. All bottles and glasses are to be removed from public areas as soon as they are either finished or emptied by staff;
- drink promotions and other irresponsible drinking related promotions are not to be allowed;
- an anti-drug policy to be entered into with the Police;
- a personal licence holder will be on the premises during all times that alcohol is being served or regulated entertainment provided. The DPS must be on the premises during trading periods Friday and Saturday evenings;
- the outside area can be used for the consumption of alcohol during day time hours to be agreed by the Environmental Health Department;
- the named Designated Premises Supervisor to be Cheryl Calderwood;

- all live music/karaoke and amplified voices events to cease by 23.00 on Sunday and 00.00 Monday to Saturday and to be performed by no more than two performers as offered up in the application;
- all live music/karaoke events to be controlled by ensuring all windows and doors are kept closed save for the purposes of access/egress;
- no more than 12 events involving live music/karaoke to take place per year and be no more frequent than one over any four week period;
- 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.

**Resolved** that the application be granted with the negotiated terms and conditions as detailed in the preamble.

### **Close of Meeting**

The meeting ended at 4.20pm.



**Licensing Panel****6 October 2005****10.00am****Present:**

Councillor Jean Christie (Chair)

Councillors: J Loughlin JP  
R Stanford

Mr M Goodman, Corporate Lawyer and legal adviser to the Panel

Miss C I Hills, Senior Licensing Officer

Mr J Deamer, Committee Clerk to the Panel

**1. Declarations of Interest**

No declarations were made.

**2. The Gravesend Boat, Leander Drive, Gravesend**

The Panel considered an application made in the name of Spirit Group in respect of The Gravesend Boat, Leander Drive, Gravesend. The application sought to vary the premises so as to:-

- extend the hour permitted for the sale of alcohol on Monday to Thursday and Sunday until midnight;
- extend the hour permitted for the sale of alcohol on Friday and Saturday until 01:00;
- 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;
- extend by a further additional one hour the permitted hour for the sale of alcohol on the Thursday, Friday, Saturday, Sunday and Monday of the Easter bank holiday;
- extend by a further additional one hour the permitted hour for the sale of alcohol on Christmas Eve;
- extend by a further one hour the permitted hour for the sale of alcohol on St. David's Day, St. Patrick's Day, St. George's Day and St. Andrew's Day;
- extend by a further one hour the permitted hour for the sale of alcohol on occasions of local, national or international significance or for charitable events;
- include a provision of live music (limited to two entertainers), recorded music, performance of dance, provision of facilities for making music and provision of facilities for dancing 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 the stipulations laid down by both the Police and Environmental Health Department except for the limiting to no more than 12 events involving live music/karaoke to take place per year and be no more frequent than one over any four week period. 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 offence notices. Therefore the accepted conditions were as follows:-

- the hours open to the public reduced to Sunday to Thursday 9am until midnight, Friday to Saturday 9am until 1am, the sale of alcohol and other licence activities must end thirty minutes prior to these times;
- no admission or re-admission after midnight;
- the external drinking area will only be used between the hours of 10am and 11pm;
- all live music events to 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 solely for the purposes of access or egress, all live music karaoke and amplified voices to cease at 23.00 Sundays to Thursdays and midnight on Fridays and Saturdays, all live music karaoke and amplified voices will only take place inside the premises and there will be no more than 24 events involving live music/karaoke taking place per year;
- prominent, clear and visible notices will be displayed at the exits asking customers to respect the needs of local residents and to leave the premises and the are quietly.

The applicant offered further restrictions to his application:-

- alcohol only to be sold from 11am.

These extra conditions were accepted.

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 12.35pm.

**Licensing Panel**

**27 October 2005**

**10:00am**

**Present:**

Councillor Jean Christie (Chair)

Councillors: J Loughlin  
R Stanford

Miss C I Hills, Senior Licensing Officer

Mr M Goodman, Corporate Lawyer and legal adviser to the Panel

Mr J Deamer, Committee Clerk to the Panel

**In Attendance:**

Mr Diment, Liquor Licensing Officer (Police)

**1. Declarations of Interest**

No declarations of interest were made.

**2. The Three Crutches, Old Watling Street, Higham**

The Panel considered an application by Spirit Group Limited in respect of The Three Crutches, Old Watling Street, Higham.

After statements were considered from the applicant and those making representations, the legal representative for Spirit Group Limited withdrew their application for a variance to their Licence, which the Panel duly accepted.

**Close of Meeting**

The meeting ended at 12:00pm.



A6(4)

## Licensing Panel

27 October 2005 2pm

### Present:

Councillor Jean Christie (Chair)

Councillors: J J Loughlin JP  
P Rayner

Mr M T Goodman, Corporate Lawyer and legal adviser to the Panel  
Miss C I Hills, Senior Licensing Officer  
Mrs S Hill, Clerk to the Panel

### In Attendance:

Chief Inspector Black (Kent Police)  
Sergeant G James (Kent Police)  
Mr P Diment, Liquor Licensing Officer (Kent Police)  
Miss S Fitzgerald, Counsel for Applicant  
Mr S Thomas, Solicitor for Applicant  
Dr H Pugh, Agent for Applicant  
Mr J Barclay-Phillips, Applicant  
Mr J Cherry - Licensee

### 1. Declarations of Interest

No declarations of interest were made.

### 2. Variation of Procedures

The Panel agreed that for this hearing only the standard time limit to address the Panel (as shown in paragraph 8.5 (c) of the Procedure Rules) be varied to allow the main parties 15 minutes to address the Panel and any witnesses five minutes.

### 3. Bar 24, Stone Street, Gravesend.

The Panel considered an application made by Keimarc leisure Ltd in respect of Bar 24, Stone Street, Gravesend. The application as submitted sought to vary the premises licence so as to:

- . extend the hours permitted for the sale of alcohol on Sunday until 00:00;
- . extend the hours permitted for the sale of alcohol on Thursday, Friday and Saturday until 03:00;
- . include the provision of recorded music, performance of dance and anything similar, the provision of facilities for making music and dancing and late night refreshment for the same hours as that sought for the sale of alcohol;
- . include indoor sporting events on Monday to Thursday between 12:00 and 00:00;

- . include live music on Wednesday until 23.30 and on Thursday, Friday and Saturday until 03:00 and on Sunday until 20:00;
- . to remove all restrictions and conditions currently imposed under the provisions of the Public Entertainments licence and Section 77 certificate.

Counsel representing the applicant stated that Keimarc Leisure wished to amend the Application before the Panel by:-

- . carrying forward all restrictions and conditions imposed under the provision of the Public Entertainments Licence and Section 77 Certificate to any premises licence granted;
- . reducing the hours permitted for the sale of alcohol on Thursday, Friday and Saturday until 02:00 (with half an hour drinking up time);
- . Retaining the ability to provide late night refreshment until those sought for the sale of alcohol (except in the case of Thursday, Friday and Saturday when a limit of 02:30 – the effective close of the premises – was required).

Counsel also submitted a list of proposed conditions which were accepted by all parties.

The accepted conditions were:-

- two SIA trained staff to be employed in respect of the first 100 patrons and thereafter one door supervisor per 75 people. In the event of there being less than 50 patrons then no door supervisor is required. These supervisors must be registered with the Security Industry Authority and badges are to be worn at all times whilst trading is in operation. The door supervisors must wear clothing that can be easily and clearly identifiable on CCTV;
- all alcohol is to be served in toughened glasses;
- drinks promotions and other irresponsible drink related promotions are not to be permitted;
- an anti-drugs policy is to be entered into with the Police and be operated;
- a policy for the management of large groups is to be drawn up, a copy of which must be forward to the Police and the Council;
- subject to leave or sickness of the Designated Premises Supervisor, a personal license holder or an au thorised trained member of staff must be present during all times that alcohol is being served or regulated entertainment is being provided;
- to be a member of PUB WATCH or any similar organisation that may be set up from time-to-time;
- 11 CCTV to be maintained to provide coverage of interior and exterior trading areas. Such system to be recordable to a digital hard drive system, which will store 31 trading days rolling at any one time.
- between 21:00 and 30 minutes after closing door staff to be employed to supervise admission and dispersal to the premises;
- co-operation concerning implementation of the Bar 24 Misuse of Drugs Policy to include Police use of ion track machine and drug dogs;
- no open bottles to be removed from the licensed area of the premises save for consumption in garden and terrace areas;
- staff to be trained in Bar 24 licensing law and drugs awareness induction package;

- "challenge 21" policy with only photographic i.d. to be accepted;
- a registered door supervisor will be on duty on the door on all occasions when the premises are operating non standard timings or providing live music;
- prominent, clear and legible notices will be displayed at the exists asking customers to respect the needs of local residents and to leave the premises and the area quietly;
- there will be no admittance or re-admittance of customers to the premises after 23:00 Sunday to Thursdays or after midnight on Fridays/Saturdays;
- all live music events will be controlled by the installation of a suitable sound limiter devise. All windows and doors will be kept closed save for the purposes of access or egress when live entertainment is taking place. All live music to cease by 12:00 on Wednesday/Thursday and all live music to cease by 01:00 on Fridays and Saturdays. Live music will only take place inside the premises and not in the beer garden or conservatory area;
- no children to be permitted on the premises after 8pm.

The Police then addressed the Panel and outlined their objections which centered around the issue of crime and disorder.

Upon return from an adjournment, the Chair of the Panel stated that having considered the evidence and the submissions of the applicant and of the Licensee the Panel had decided that granting the variation of the licence as sought would undermine the statutory licensing objectives, particularly those relating to crime and disorder. In taking its decision the Panel had considered all of the submissions made by the parties but had given substantial weight to the concerns of the Police following the incident which occurred on 24 September 2005.

The Panel noted that at a senior level there was an apparent willingness to co-operate with the police. However it had considerable doubt as to the owner's capability at the present time to ensure that all their staff behaved consistently with that intent.

The Chair of the Panel reminded the parties that the formal determination would be issued by the Licensing Section in due course.

**Resolved that the application for variation be refused.**

### **Close of Meeting**

The meeting ended at 6:15 pm.





**Gravesham Borough Council**

**Report to:** Licensing Committee  
**Date:** 30 November 2005  
**Reporting officer:** Head of Democratic Services  
**Subject:** Referral of Motion from Council

**Purpose and summary of report:**

To consider a motion referred to this Committee by Council on 11 October 2005.

**Recommendations:**

The committee is invited to advise the Council on the subject matter of the Motion.

**1. Introduction**

- 1.1 The purpose of this report is to consider the Motion put forward by Councillor M V Snelling at Council on 11 October 2005 that was subsequently referred to this Committee under Council procedure rule 15.6.1 at Annex 2.1 of the Constitution.

**2. Motion at Council**

- 2.1 Moved by Councillor M V Snelling

In the light of the concern expressed by the Police authorities, the judiciary and the public at large – this Council, although applauding the magnificent work undertaken by the senior licensing officer and her colleagues in rising to the considerable challenges posed by the new legislation:

- Condemns the changes in Licensing laws, especially those relating to extended opening hours, which can only give the potential for an increase in the alcohol-fuelled anti-social behaviour which already blights our borough;
- Deplores the attempt by Government to give a public impression that Local Authorities such as Gravesham can easily/lawfully resist applications for extended licensing hours because they now have the responsibility (and associated cost!) for Licensing;
- Requests the Leader of the Council to write to the appropriate government department expressing the above concerns on behalf of both the Council and the vast majority of the Council tax payers of Gravesham.

### **3. Licensing Committee**

- 3.1 Under procedure rule 15.6.4 of the Constitution the Mover of the Motion Councillor M V Snelling will be entitled to attend the meeting and address the Committee but not to vote.
- 3.2 The Motion will be re-submitted to the Council in the Minutes of this meeting and will be dealt with as a reserved item.