

Licensing Committee

30 November 2005

7.00pm

Present:

Councillor Jean Christie (Chair)
Councillor R G Smith (Vice-Chair)

Councillors: E Brook
Mrs R M Collins
K Jones
J J Loughlin JP
Mrs B McGarrity
Peggy Mersh
Mrs P O Oakeshott
P Rayner
R Stanford
R J R Target
D W B Thomas JP

Note: Councillor C Meredith was in attendance.

Mrs S A Whatmough, Head of Democratic Services
Mr N Channon, Democratic Services Officer
Mrs S Kilkie, Environmental Health Manager
Miss C Hills, Senior Licensing Officer

Also in Attendance:

Sergeant G James, North Kent Police
Mr P Dimont, North Kent Police Licensing Officer

Apologies

Apologies were received from Councillors L K Croxton, W G Dyke, P J McSweeney and M Singh. Councillors D W B Thomas JP, Mrs B McGarrity, Mrs P O Oakeshott and Peggy Mersh attended as their respective substitutes.

5. Minutes

The minutes of the meeting held on 21 September 2005 were signed by the Chair.

6. Declarations of Interest

No declarations were made.

7. Presentation on Police Enforcement of the Licensing Act

The Chair welcomed Sergeant Graham James and Mr P Dimont of North Kent Police.

The Chair invited Sergeant James to update the Committee on issues arising from the Licensing Act.

Sergeant James made the following points to Members:-

- under the Licensing Act, Council Officers took the lead role in enforcement with the Police acting in a support role;
- Sergeant James would liaise with the Senior Licensing Officer to look at all premises in the Borough. A process was being formulated for a Kent Protocol in respect of Licensing Enforcement Procedures, and a joint meeting was proposed between the Police, Gravesham Council and the Fire Service to look at the protocol and enforcement procedures that need to be put in place;
- North Kent Police, in respect of licensing, covered Dartford, Gravesham and West Sevenoaks, which incorporated Swanley, West Kingsdown and Ightham;
- within the North Kent Police Licensing area 10 premises had been identified as potential problem establishments, which were in the main the larger night clubs. There were no establishments in the Gravesham Area identified within this list;
- Sergeant James stated that a National alcohol campaign had commenced during November which involved a heavy commitment from the Police. There will be an increased Police presence in Gravesend town centre on Friday/Saturday nights from now until the new year due to extra funding being made available for this purpose. There would also be a greater Police presence in the rural areas on Thursday evenings;
- Sergeant James had visited 50 licensed establishments in the area looking at the times they were actually closing rather than the times stipulated on their licences. The trend was for premises to close earlier than the latest time they could close;
- the first weekend of the new licensing regime had been very quiet in Gravesend town centre. The Police were also monitoring the "drug scene" in the North Kent Area. The larger night clubs in Dartford and Swanley were the main outlets for drug misuse. There was not a perceived problem in the Gravesham Area. The Police had also concentrated on problems with under age drinking and had conducted a campaign looking at the problems of spiking drinks. Over 4,000 random tests had been undertaken in the past year and not one drink had been found to be "spiked";
- under age drinking continued to be a problem. If youths are found to be in possession of alcohol then it is confiscated. The Police work with officials from Trading Standards and try to ascertain where the alcohol has been obtained;
- North Kent Police were currently looking at the late night economy and were checking that taxi drivers were fully licensed. The Police had been working with officials from the Department of Works and Pensions on this issue.

At the conclusion of the presentation Sergeant James answered Members' questions. The Chair thanked Sergeant James and Mr Dimont for their attendance.

8. Minutes of Licensing Panel

The Committee received the minutes of the Panel held on:-

22 September 2005
6 October 2005
27 October 2005 (10am)
27 October 2005 (2pm)

Resolved that the Minutes of the Panel meetings be noted subject to the name of Councillor R Stanford being substituted for the name Councillor P Rayner, and P C King being added to the list of people in attendance to the meeting of the Licensing Panel held on 27 October 2005 at 2pm.

9. Referral of Motion from Council

The Licensing Committee considered a motion which had been referred to it by the Council meeting held on 11 October 2005. The motion had been submitted to the Council meeting by Councillor M V Snelling.

Councillor M V Snelling was unable to attend the Committee meeting to speak to the motion due to a prior engagement.

The motion submitted by Councillor Snelling was as follows:-

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.

The Chair of the Committee moved that an amended version of the motion be recommended to the Council for adoption.

In the light of the concern expressed by the Police authorities, the judiciary and the public at large, this Council applauds the magnificent work undertaken by the Senior Licensing Officer and her colleagues in rising to the considerable challenges posed by the new legislation. It also thanks all the officers and staff involved in the Licensing process for their dedication and hard work as shown in Minute 3 of the Licensing Committee meeting of 21 September 2005.

This Council welcomes the decision of the Government to change the responsibility for the granting of licenses away from appointed Magistrates to democratically elected Councillors.

It further welcomes the openness of the procedure which involves the local community by advertising applications and inviting interested parties to make representations.

Once licenses are granted there is an Enforcement Policy in place which means that any reported breaches of the conditions laid down are investigated and may, in appropriate cases, lead to the loss of the licence.

An amendment was moved to the amended motion which was not accepted by the Chair and when put to the vote was declared to be lost.

The amended motion was put to the vote and declared to be carried.

Recommended that the Council adopts the following motion:-

- (1) in the light of the concern expressed by the Police authorities, the judiciary and the public at large, this Council applauds the magnificent work undertaken by the Senior Licensing Officer and her colleagues in rising to the considerable challenges posed by the new legislation. It also thanks all the officers and staff involved in the Licensing process for their dedication and hard work as shown in Minute 3 of the Licensing Committee meeting of 21 September 2005;**
- (2) this Council welcomes the decision of the Government to change the responsibility for the granting of licenses away from appointed Magistrates to democratically elected Councillors;**
- (3) it further welcomes the openness of the procedure which involves the local community by advertising applications and inviting interested parties to make representations;**
- (4) once licenses are granted there is an Enforcement Policy in place which means that any reported breaches of the conditions laid down are investigated and may, in appropriate cases, lead to the loss of the licence.**

Close of Meeting

The meeting ended at 9pm.