

Licensing Committee

Thursday, 20 September 2012

7.30pm

Present:

Cllr John Loughlin (Chair)
Cllr Richard Smith (Vice-Chair)

Cllrs: Valerie Ashenden
Jean Averibou
Gurdip Ram Bungar
Harold Craske
Jane Cribbon
Colin Dennis
Greta Goatley
Leslie Hills
Derek Sales
Makhan Singh
Michael Wenban

Sarah Kilkie
Christina Hills
Sue Hill
Chief Inspector Philip Painter

Assistant Director (Communities)
Senior Licensing Officer
Committee & Elections Manager
Kent County Constabulary

31. Apologies

Apologies were received from Cllrs Bryan Sweetland, William Lambert and Leslie Pearton. Cllr Michael Wenban attended as Cllr Lambert's substitute.

32. Minutes

The Minutes of the meeting held on 7 March 2012 were signed by the Chair.

33. Declaration of Interests

No declarations of interest were made.

34. Review of Statement of Licensing Policy under the Gambling Act 2005

The Committee was reminded that the last review of the Statement of Licensing Policy had taken place in 2009. In accordance with the legislation the policy is due for its three yearly review and the new policy will need to have been adopted before the current policy expires in January 2013.

If the consultation draft is agreed, the obligatory consultation process would commence in September 2012 and last until November 2012. A report highlighting any consultation

responses will be submitted to the Committee on 5 November 2012 prior to consideration and adoption by Council at the meeting in December 2012.

Members considered that the “no-casinos” resolution, whereby a licensing authority may resolve not to issue such a licence within its boundaries, should be extended for a further period of three years.

Resolved that the consultation draft and the methodology and processes for review of the Licensing Policy as shown in the report and the appendices thereto, be endorsed.

Recommended that Council extend the “no-casinos” resolution for a further period of three years.

35. Early Morning Alcohol Restriction Orders and Late Night Levy

The majority of changes to the Licensing Act 2003 as a result of the Police Reform & Social Responsibility Act 2011 were implemented in April 2012. The introduction of Early Morning Alcohol Restriction Orders (EMROs) and a Late Night Levy, both intended to tackle alcohol related crime and disorder and help pay for costs associated with the enforcement of late opening premises, were however not expected to be implemented until October 2012.

EMRO's which would apply to all premises licences; club premises certificates and temporary event notices would allow the Council to:-

- restrict the sale of alcohol between 12 midnight and 6am on all or some days;
- restrict the sale of alcohol in the whole or part of the borough where it deemed there were such issues;
- proposals will need to be advertised and hearings held.

Late Night Levy would provide the authority with power to make a charge in respect of the extra costs the night-time economy generates for police and the local authority for premises that have an alcohol licence with a terminal hour after midnight. If, having followed the required procedures such a levy was introduced, it would apply to **all** such premises both on and off-trade. Premises licence holders would be able to vary their licence to reduce their hours and so avoid the levy – but could still make use of Temporary Event Notices for 21 days each year.

The variable fees for the levy are based on rateable value bands and were set out for Members and they were advised that any income (net of admin. costs) would be divided 70:30 with 70 per cent of the fee being paid to the Police.

Members concurred with the view that a rest period of 12-18 months should be taken before the Council considered either possibility, and taking into account the experiences of other local authorities who choose to implement the new provisions at an early stage.

Members noted that consideration would be given to the Purple Flag accreditation scheme at some future point.

36. Presentation by Chief Inspector Philip Painter

Chief Inspector Painter outlined the issues he considered relevant to the Borough and the new Gravesham Policing Model that had been put into place.

He gave the Committee information relating to:-

- the staff allocated to each of the three areas into which the Borough was divided;
- outlined the Command Structure; and
- the resources directed towards the Licensing function.

Chief Inspector Painter said that he supported the principle of the Purple Flag scheme which sat well alongside his personal agenda of:-

- keeping people safe;
- allowing licensing trade to prosper;
- challenging assumptions; and
- having a vibrant, successful town.

The chair thanked Chief Inspector Painter for the really interesting and informative presentation and for answering the questions put to him by Members.

Close of meeting

The meeting ended at 9.10 pm.