

Licensing Committee

Monday, 4 September 2023

7.30 pm

Present:

Cllr Baljit Hayre (Chair)
Cllr Jenny Wallace (Vice-Chair)

Councillors: Helen Ashenden
Lee Croxton
Gary Harding
Jo Hart
Daniel Adewale King
Jordan Meade
Alan Metcalf
Leslie Pearton
Peter Scollard
Ektaveen Thandi
Frank Wardle

Mark Lees	Regulatory Services Manager
Emily Lane-Blackwell	Senior Licensing Officer
Carlie Simmonds	Committee Services Manager (Minutes)

1. Apologies

Apologies for absence were received from Cllrs Derek Ashenden and Lyn Milner and Cllrs Daniel Adewale King and Jordan Meade attended as their substitutes.

Apologies for absence were also received from Cllrs Gurjit Bains and Deborah Croxton.

2. Minutes

The minutes of the Licensing Committee held on Tuesday 1 November 2022 were agreed and signed by the Chair.

3. Declarations of Interest

Cllr Jordan Meade declared an 'other interest' in Item 5 (Review of Statement of Licensing Policy under the Licensing Act 2003) in that he is the Chairman of the Gravesham School and Street Pastors Charity which provides support to people in the night-time economy.

Cllrs Helen Ashenden, Jordan Meade and Leslie Pearton declared an 'other interest' in Item 5 (Review of Statement of Licensing Policy under the Licensing Act 2003) in that they are members of Higham Village Club.

4. Review of Statement of Licensing Policy under the Licensing Act 2003

The Senior Licensing Officer presented Members with a draft of the revised Statement of Licensing Policy under the Licensing Act 2003 and the proposed consultation methodology.

Section 5 of the Licensing Act 2003 required licensing authorities to prepare and publish a statement of its licensing policy every five years. The policy must be published before the licensing authority carries out any licensing functions under the 2003 Act.

The current Statement of Licensing Policy was approved by Full Council on 18 December 2018 and came into effect on 16 April 2019. It will consequently expire on 15 April 2024.

The policy had been developed in accordance with the statutory guidance issued under Section 182 of the Licensing Act 2003 and supported the four licensing objectives to which licensing authorities must have regard to:-

- Prevention of crime and disorder;
- Public safety;
- Prevention of public nuisance; and
- Protection of children from harm.

The proposed changes made to the revised policy, as shown in Appendix 2, were primarily administrative in nature. The administrative changes did not alter the Council's local policies but made the policy document more effective by making it accessible and user-friendly to all. The policy document would also reduce in size making it more concise. Other changes made to the policy document included updated information relating to the Late-Night Levy to reflect legislative changes and a new policy intended to reduce incidents of spiking and sexual harassment as recently recommended by the Local Government Association.

A 6-week consultation was proposed, commencing no later than 5 September 2023.

Methods of consultation will be via the Council's website and notice board as well as direct email and mail shots.

All incoming responses will be collated and entered onto a grid for consideration. The grid and recommendations will be brought back to the Licensing Committee on 15 November 2023 for further, post-consultation, consideration.

The revised policy will then be presented to Full Council on 5 December 2023 for approval and published thereafter.

The Committee discussed the revised policy and highlighted the following:-

- in relation to the removal of the ward map and details of the census, it was requested that if people were to be referred to the Community Profile on the Council's website then it needed to be updated as it was currently out of date. It was also requested that the ward map be reinstated into the policy showing the new wards following the recent electoral boundary review;
- concern was expressed regarding the increase in spiking. It was requested that the Council considers ways to raise awareness/educate people about spiking and preventative measures. The Regulatory Services Manager advised that he would

liaise with the Community Safety Unit to explore whether a campaign or similar could be undertaken to raise awareness;

- it was noted that in Policy 8 (Persistent Sales to Children) reference had been made to enforcement action being taken, could Policy 9 (Spiking and Sexual Harassment) be strengthened to include similar wording. The Regulatory Services Manager advised that he would look to incorporate similar wording;
- the Committee be provided with anti-social behaviour and spiking statistics in relation to late night drinking establishments. If there was a higher volume than usual in particular areas then those areas be monitored more closely. The Regulatory Services Manager advised that he would liaise with the Community Safety Unit to ascertain those figures;
- in relation to the reduction of the policy document, Members requested assurance that the document will continue to be robust enough/legally tested. The Regulatory Services Manager advised that the content of the document remained unchanged. The size had been reduced due to the appendices being treated as separate documents however they would still be available alongside the policy. This approach had been taken with other policies within Licensing. The revised policy had also been considered and approved by the Council's Legal Team; and
- it was noted that the policy referred to safeguarding and local partnership schemes, it was requested that consideration be given to reflecting those priorities within the Kent Police and Crime Commissioner's strategy such as Violence Against Women and Girls. The policy should also include schemes such as the 'Safe Space' scheme. The Regulatory Services Manager advised that this would be considered as part of future reviews.

Members were informed that the revised policy would be subject to a 6-week consultation and were invited to submit any further comments they may have via the consultation.

Resolved that, subject to the above-mentioned amendments being considered, Members noted the consultation process as outlined in the report and instructed officers to proceed on that basis.

5. Update on Licensing Panel hearings and decisions since the last Committee meeting

The Senior Licensing Officer advised Members that since the last Committee meeting on 1 November 2022, one hearing had taken place. The hearing related to an application for a new premises licence for Agishaan Mini Market, 2a Hermitage Road, Higham, Rochester, Kent, ME3 7DA. The Panel decided to grant the application subject to conditions as detailed in the minutes for that meeting:-

<http://gbc-modgov/ieListDocuments.aspx?CId=125&MId=6007&Ver=4>

At the request of the Chair, the Senior Licensing Officer provided Members with an overview of Licensing Panel hearings and how they operate together with the requirement for training.

It was requested that the Chair, Cllr Baljit Hayre and Shadow Licensing Lead, Cllr Frank Wardle be provided with a list of those Members who had undertaken relevant training within the last 2 years and that 'refresher' training be made available.

It was noted that the Licensing Manager recently circulated a video to Members which detailed how Licensing Panel hearings operated. It was requested that the video be recirculated to all Members.

The Committee noted the update.

Close of meeting

The meeting ended at 8.15 pm.