

Licensing Committee

Monday, 7 March 2016

7.30 pm

Present:

Cllr Harold Craske (Chair)
Cllr Lesley Boycott (Vice-Chair)

Cllrs: Gurdip Ram Bungar
 Sue Howes
 Brian Francis
 Karen Hurdle
 Sara Langdale
 John Loughlin
 Jordan Meade
 Leslie Pearton
 Peter Scollard
 Steve Thompson
 Lyn Milner

Sarah Kilkie	Assistant Director (Communities)
Mark Lees	Licensing Manager
DC Gill Angus	North Kent Police Licensing Officer
Ben Clarke	Committee & Scrutiny Assistant (Minutes)

38. Apologies

An apology of absence was received from Cllr Valerie Ashenden, Cllr John Caller, Cllr Greta Goatley and Cllr Gurjit Bains.

39. Minutes

The Minutes of the meeting held on 26 November 2015 were signed by the Chair.

40. Declarations of Interest

The Chair declared a personal non-prejudicial interest in that his son is the Director of Communications at the Association of British Bookmakers.

Cllr Thompson declared a personal non-prejudicial interest in that he was the holder of a Premises Licence including late night refreshment.

41. Police Licensing Update by DC Gill Angus, North Kent Police Licensing Officer

The North Kent Police Licensing Officer summarised the following points to the Committee about the role of Police licensing in Gravesham:

- Been an officer in Kent Police for twenty two years; the last five of which had been spent in the Licensing Division
- The Licensing Division covers the areas of Dartford, Gravesham, Medway and Swale and officers have no set area; they could all be in one area or spread out at any given time according to casework
- Most of the Premises Licence holders in Gravesham are compliant and willing to work with the Police
- Seizures of non-duty paid alcohol are carried out in the Borough alongside HM Revenue Service
- If a large quantity is found in a premises then an application would be sent into the Council for review of Premises Licence which could lead to conditions being added or revocation of the Licence. Where a small amount is seized and it is a first offence, then the option of a formal warning letter may be considered.
- Attends all the relevant Safety Advisory Groups (SAG) with regard to licencing matters; allows for complete continuity and consistency of services across all areas
- The Police Licensing Team regularly make visits during the night time economy to check premises which only operate during those hours and to investigate complaints, including those about drug use or violence
- Information can be passed onto bar staff; photo ID's of potential troublemakers as well as briefings on how to handle people being abusive
- An example of successful intervention was given in relation to a town centre premises providing late night refreshment. DC Angus explained that the premises was previously synonymous with anti-social behaviour, but that no serious incidents have been reported since having door staff as well as Wi-Fi being turned off and classical music being played to deter gangs of youths congregating. Drunken people are now moved on by door staff but everyone else can eat peacefully in there.

The Chair thanked Officer Gill Angus for her informative presentation.

42. New National Scrap Metal Dealers Database - report herewith.

The Licensing Manager presented to the Committee a report on the new National Scrap Metal Dealers Database summarising the key points of the Scheme:

- It was created in 2014 by the British Transport Police
- It enables intelligence sharing between the authorities signed up to it
- It should further assist in the reduction of metal thefts
- The six-month pilot was very successful involving Councils and Police Forces in the West Midlands & Staffordshire area
- An invite was received to join the new database on 25 November 2015 from the British Transport Police at no cost to GBC
- It was discussed with the senior officers and GBC became an active member in mid-December 2015
- The database is useful to carry out statutory duties; if any Police or another local authority request information about scrap dealers it can be given to them straight away via the database
- Another statutory duty for the Environment Agency (EA) is to have a register of all the scrap dealers which the database organises and holds
- Gravesham licences seven scrap dealers and sixteen collectors in the Borough

The Licensing Manager addressed the Chair's concerns over shared data; each authority has control of the data that is uploaded and how much access they give others to it. At the moment only the Licensing Manager can access the database to upload information.

The Assistant Director (Communities) explained to Members that the Scrap Dealers Act has already reduced metal theft as licensed dealers are now required to have CCTV, are not permitted to trade with cash, and have to see ID before a sale can be carried out. The new scrap metal dealer's database strengthens the regime further.

Members **noted** the information in the report.

43. Deregulation of Late Night Refreshment - report herewith.

The Assistant Director (Communities) explained to Members this was a follow up report to the last Committee briefing going through the main points of the report:

- Late night refreshment is the supply of hot food or drink between 11pm-and 5am
- Some late night refreshment premises in the borough, particularly takeaways, have licence conditions such as SIA door staff and CCTV to address the crime and disorder licensing objective.
- Local authorities now have the ability to deregulate late night refreshment premises by time, geographical area or premises type. These are discretionary powers, but if introduced this would have to be via a consultation process and change to the statement of licensing policy. Any later reversal of the decision would also be by a similar onerous process.
- It was agreed in the last Committee meeting that the Licensing Manager and the Assistant Director (Communities) would make a more detailed examination of the deregulation option around premises type, the other deregulation options being deemed unsuitable on initial analysis.
- Premises types that could be deregulated include schools, local authorities, hospitals, community premises and petrol stations. In the past these premises types have expressed very little interest in providing late night refreshment. It appears that deregulation would be of no benefit to the vast majority of such businesses.

Having consulted with partners and other local authorities within Kent, it appears there is no current appetite for any deregulation.

The Assistant Director (Communities) recommended to Members that deregulation not be pursued at this time.

Members:

1. **Considered** the content of the report, in conjunction with the information included within the report presented to Licensing Committee on 26 November 2015
2. **Agreed** that no exemptions to the licensing of late night refreshment are pursued for implementation within the borough at the current time.

44. Response to Gambling Commission consultation on where gaming machines can be played - report herewith.

The Licensing Manager highlighted the key points of the report to the Committee:

- The provision of gaming machines is controlled by the Gambling Act 2005 with the machines being categorized from A (highest stakes and prizes) to D (lowest stakes and prizes)
- Category B includes Fixed Odds Betting Terminals (FOBTs) which have been of particular concern due to high stakes and rapid play.
- It is vital therefore that that control of the machines is maintained so particular categories/numbers of the gaming machines do not end up in the wrong types of premises
- The intention of the Commission is to make the GLA and LCCP documents (Guidance to Licence Authorities and Licence Conditions and Codes of Practice) more robust.
- Objectives are
 - With very few low-risk exceptions, gambling should be confined to dedicated gambling premises
 - Distinctions between different types of gambling premises to be maintained
 - Gambling activities to be appropriately supervised
 - Within bingo, betting and casino premises, gaming machines may only be made available in combination with the non-remote gambling facility named on the licence
- Proposed steps include a requirement for gambling premises to be clearly identifiable so that adults can make an informed choice about whether to enter and gamble or not.

A supportive draft response to the consultation was prepared by the Licensing Manager supported by the Assistant Director (Communities) and Legal Services; it was endorsed by Management Team on Tuesday 26 January 2016.

Cllrs Cubitt, Craske and Jassal were also consulted on the response. The response was endorsed and it was submitted to the Gambling Commission on Monday 8 February 2016.

Members **noted** the information in the report.

Close of meeting

The meeting ended at 8:20pm.