

Appendix 3

Consultee	Comments	Recommendations
KCC Trading Standards	<p>My only real comment is in relation to Appendix 6, the example conditions. Under the protection of children from harm section, subheading CH3:</p> <p>Points 1 and 2 refer to Challenge 21 and Challenge 25 respectively. Without being prescriptive and still paying attention to the fact we don't request blanket conditions, is it possible that these are re-worded to reflect Challenge 25 as the 'normal' age verification process in the off-licence industry, supported by the Retail of Alcohol Standards Group and Challenge 21 is the standard for the on-licence pub and restaurant sector, as supported by the British Beer and Pub Association.</p> <p>From an application perspective for off licences we would expect Challenge 25 without other mitigating reasons, and to not do so creates confusion amongst customers and the general public</p>	It is recommended that section CH3 on page 39 of the policy be amended to reflect this.
Club Premises Certificate Holder	<p>We agree that the proposed Licencing Policy terms make good sense and we fully support them.</p> <p>You may wish to lobby for a change to the Licensing Act 2003 s. 5 to have a 10 year review rather than a 5 year review. We know that if any issues arise within a five year period, the relevant authorities will consider and deal with them. Indeed, the 2003 Act s. 5(3) anticipates this. That would be no different over a ten year review period. An extension of the review period to ten years would save the council, the other relevant authorities and the licensees the time and cost of carrying out more frequent reviews.</p> <p>Also outside the immediate scope of the current consultation is the council guidance on good practice. It may be semantics but, in certain sections eg CD 6.3, there is reference to "must", as in "licensees "must" do" . As the guidance is no more than best</p>	<p>Whilst less frequent policy reviews would be welcome, it is considered that once every 5 years does not place an unreasonable burden on the council. Additionally, the review times have already been amended from 3 years to 5 years. The current regime has no adverse effects to our licence holders. Due to this, it is proposed that the council does not seek to lobby for a further change in the policy review period.</p> <p>When read in full, the introductory text of Appendix 4 (Examples of Good Practice for Licenced Premises) clarifies that the aim of</p>

	<p>practice, these references should be changed from "must" to "should" or similar.</p>	<p>the examples are to outline what this licensing authority and its responsible authority partners recommend applicants to consider when completing their operating schedules and for licensees to consider when operating their premises under the terms of a premises licence.</p> <p>The policy states that “whilst there is no legal requirement to adhere to these examples, the authority would generally expect applicants to have regard to them or be able to explain why they have chosen not to do so.”</p> <p>No further amendments are therefore considered necessary; however, for the sake of clarity, references to ‘must’ will be changed to ‘should’ where applicable.</p>
<p>Premises Licence Holder</p>	<p>Overall comment – fully support</p> <p>Specific comments</p> <p>Positive steps noted in</p> <p>35 – Recognising the impact of disturbance from late night venues</p> <p>37 – 42 Crucial to local communities to be able to constructively comment on any new licence applications</p> <p>Other:</p> <p>66 -71 It is our opinion that flexible licensing hours for the sale of alcohol does not help in reduce noise disturbance nor prevent crime. Rather than have a short span of potential disturbance e.g. noise etc. the issue is strung out across the entire night (well past 4am) with patrons moving from one establishment to another. The issue is then compounded by premises with either 24 hour opening with or without licence to sell alcohol to which many patron tend to gravitate.</p>	<p>No amendment recommended - we do not hold any data which suggests that flexible licensing hours exacerbates noise problems within the town centre. There is a counter argument that flexible licensing hours reduces the likelihood of crime and disorder by avoiding very large groups forming; potentially with insufficient means of leaving the area quickly and quietly. Additionally, each application must be considered on its merits.</p> <p>No amendment recommended - there are no areas within the boundary of Gravesham which have been deemed to require a cumulative impact policy to be put in place. The night time economy is also an import</p>

	<p>77 – 107 There is a need to address the cumulative impact of the number, type and concentration of licensed premises in town centre locations. As well as business premises there are increasing numbers of residential premises generally located above businesses. Attracting new residents to our town centres is crucial to the entire economy and many may well be put off by a concentration of late night venues</p>	<p>element of a town centre economy, and this is generally expected to exist in a town centre location and will form part of the character of the locality. There is now a requirement on developers (Agent of Change Principle) to ensure that steps will be put in place to mitigate potential noise issues arising from existing premises when building new residential developments nearby in order to help safeguard existing licenced premises. As the policy states we will however keep this under review.</p>
<p>Premises Licence Holder</p>	<p>Thanks for the opportunity to comment.</p> <p>Two points, hopefully not seen as purely negative because I reckon that overall to “police” Gravesham on licensing must be such a huge ask and has been remarkably well run over the 15 years that I have been in business in Meopham.</p> <p>1. Can’t believe a 72 page document is that user-friendly to encourage proper reading, understanding and comment</p> <p>2. As an example how can a local barber operation offer beer as part of their “experience”- don’t they need a licence to supply?</p>	<p>No amendment recommended. Agreed that a more concise document would be preferable; however the draft policy had been reduced in size with this review. We need to be clear within our policy as to the requirements put in place.</p> <p>No amendment recommended. There is no link to a part of the policy that relates to this.</p>
<p>Club Premises Certificate Holder</p>	<p>The proposed licensing policy is clearly designed for the regulation of larger licensed premises, and if implemented, and rigidly applied to a small organisation, it would simply put it out of business.</p> <p>I would suggest that if a licensed premise does not have a turnover of say £10,000 then the premises should be exempt from policy.</p>	<p>No amendment recommended. There is no exemption within the Licensing Act 2003 for businesses which have a lower income. The licensing authority is able to deviate from the policy, as long as there is reasonable evidence to do so.</p>