

## Licensing Committee

Wednesday, 18 November 2009

7.00pm

### Present:

Cllr William Dyke (Chairman)  
Cllr Greta Goatley (Vice-Chairman)

Cllrs:                   John Caller  
                              Harold Craske  
                              John Cubitt  
                              Glen Handley  
                              William Lambert  
                              Derek Sales

Sarah Kilkie	Assistant Director (Communities)
Sue Hill	Committee & Elections Manager
Christina Hills	Senior Licensing Officer

### Also in attendance:

Sergeant Graham James	North Kent Police
Paul Diment	North Kent Police

## 7. Apologies

Apologies for absence were received from Cllrs Leslie Hills, John Loughlin, Alex Moore, Richard Smith, Bryan Sweetland and Cllr John Caller attended as Cllr Loughlin's substitute.

## 8. Minutes

The Minutes of the meeting held on 21 September 2009 were signed by the Chairman.

## 9. 2009 Licensing and Gambling - North Kent Police

In outlining what had happened in the past year and explaining what measures are taken by both the Police and Council Licensing departments to monitor and resolve any issues, Graham James, Licensing Sergeant, North Kent Police (and his colleague Paul Diment) highlighted events that had occurred since 2008:-

- No reviews had been put forward by the police;
- Several reviews had been put forward by Trading Standards (under age sales);
- The Environmental Health team had itself put forward a premise for review;
- Several premises had closed as a result of poor management or trade;
- The poor behaviour at some premises in the town centre had been resolved by the implementation of Acceptable Behaviour Contracts.

Sergeant James stressed how the vast majority of premises, whether they be traditional pubs, restaurants or take-away provide a first class service to the public and cause no problems. Where problems had occurred, positive steps such as the introduction of polycarbonate glasses/bottles had reduced the possibility of serious injuries occurring.

**Resolved** that Sergeant James (and Paul Diment) be thanked for attending and updating the Committee.

## **10. Review of Statement of Licensing Policy under the Gambling Act 2005**

Further to Minute 4 (21 September 2009) the Committee considered the Draft Statement of Licensing Policy under the Gambling Act 2005.

Members were reminded that amendments had been made to the policy to take account of comments received about the "no casinos" resolution. The subsequently amended Draft Policy had been the subject of a consultation exercise which commenced on 22 September 2009 and ended on 3 November 2009.

The Committee noted that no formal comments had been received as a result of the consultation.

**Recommended that Council approve the revised Gravesham Statement of Licensing Policy under the Gambling Act 2005.**

## **11. Amendments to the Licensing Act 2003**

The Licensing Act had been amended by the insertion of Sections 41A to 41C and 86A to 86C. The new Section that came into force on 29 July 2009 had introduced a simplified and cheaper application process for minor variations to an existing Premises Licence or Club Premises Certificate

Variations which could be considered as minor included:-

- Amendment to the layout of premises;
- Removal of a licensable activity;
- The addition of volunteered conditions;
- Changes to names and addresses on the licence.

The government has recommended that in view of the very tight timescale for determination of these applications (10 days for consultation and a further five days for the Licensing Officer to issue a determination) that the decision making process be delegated to officers, in Gravesham's case it was proposed that this be the Assistant Director (Communities).

Members were assured that if an application for a minor variation impacted in any way on the four licensing objectives the Licensing Officer would automatically refuse the application and require a Full Variation Application to be made.

**Resolved** that subject to the approval by full Council:-

- (1) the powers and duties of the Council as licensing authority in respect of the determination of applications made under the Licensing Act 2003 for minor

variations to Premises Licences and Club Premises Certificates be delegated to the Assistant Director (Communities) as set out in paragraph 3.2 of the report;

- (2) the table of delegations contained in the Statement of Licensing Policy under the Licensing Act 2003 be updated accordingly.

## **12. Minutes of the Licensing Panel**

The Committee received the minutes of the two Licensing Panel Meetings held on Thursday 5 November at 10am and 10.20am respectively.

**Resolved** that the minutes be noted.

### **Close of meeting**

The meeting ended at 8.07 pm.