

Feedback from the “Statement of Licensing Policy”

Contact	Comment	Name	Ref	Include in final version for Full Council	Recommendation by Licensing Committee on 13.10.10
Yolanda Tredoux Kemsing Parish Clerk	<p>21.09.2010 The pre-application discussion consultees include the District Council, Kent Police, and Kent Fire and Rescue Services.</p> <p>Kemsing Parish Council proposes an amendment to include Parish and Town Councils whose local knowledge may be valuable at the pre-planning stage.</p>	KEMSING PARISH COUNCIL	Section 1.33 "Advice and Guidance"	<p>Those persons mentioned in the pre-application discussion are those authorities, defined by the Act as Responsible Authorities.</p> <p>It is possible to add something such as: “You may also wish to consult with the Parish or Town Council whose local knowledge may be beneficial.”</p>	It was voted to include the suggested text in the final Statement of Licensing policy.
Lorna Talbot Seal Parish Clerk	<p>My Parish Council were pleased to be consulted regarding your total Licensing Policy, all designed to protect the public from the excesses of alcohol and the related problems.</p> <p>However, they were very disappointed by the complete absence of effort to eliminate the volume of paperwork required by small halls to apply for Temporary Event Notices, for functions usually to raise money for Charities or help cover running costs in village, church, community halls and sports clubs.</p> <p>We believe that the above type of halls and club should not have to apply for TEN's, except where any complaints arise. Under licensing objectives para 2.1 you or your team as controllers of Licensing Policy would be able to warn or prohibit the hall from selling alcohol at events for</p>	SEAL PARISH COUNCIL	2.1	<p>Community Premises may apply to the Licensing Authority to remove the requirement to designate a premises supervisor for the supervision and authorisation of all alcohol sales. The effect of such an application (if successful) would be that the management committee of the premises becomes responsible for alcohol sales. Compliance with the Licensing Act 2003 would then become the collective responsibility of the management committee, rather than an individual.</p> <p>However, we are not aware of any provision within the Licensing Act 2003 which exempts Community Premises from the requirement to apply for</p>	The Officer reported that a response had been sent to Seal Parish Council and all Community Premises would be written to again to advise them of the alternative arrangements they could apply for.

	<p>an appropriate amount of time and make them apply for TEN's in the future.</p> <p>This change to detail we are told already applies in some local areas in the country and we have not seen in the press any prosecutions of volunteers who have to fill in the TEN forms.</p> <p>The benefit to local organisations would be a saving of £21 on each application and a lot of time filling in forms etc. The advantage to the Licensing authority would be no paperwork to check, no letters and forms of confirmation to complete and free up officers time from the office, to deal with other Licensing matters.</p> <p>Our member of Parliament Michael Fallon MP raised the question of TEN's in his speech to the House of Commons on Wednesday 3rd December (Hansard vol 485 No.1 Page 91 Para.4) so hopefully Central Government as well as the District Council will try and resolve this issue.</p>			<p>Temporary Event Notices. Licensable events taking place on such premises will still need to be authorised, whether by way of a premises licence or through a temporary event notice. It is possible that the event organiser, rather than the management committee of the community premises, may apply for a temporary event notice for specific events.</p>	
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<p>Malcolm Appleby Partnership Officer Sevenoaks and Tunbridge Wells</p>	<p>Does there need to be any reference regarding the involvement of the Planning Authority when alterations to the property may be involved, which should include signs and notices lit or unlit? Allied to this compliance with building regs though this is impart covered.</p>	<p>KENT COUNTY COUNCIL</p>	<p>1.23</p>	<p>This covered in the policy.</p> <p>The policy currently states: "Accordingly, applicants should ensure that the proposed activity will constitute a lawful planning use and the hours sought do not exceed those authorised by any planning permission. However, applications for licences can be sought before any relevant planning permission has been sought or granted by the planning authority. Where the hours authorised by the relevant planning permission are different to the licensing hours for those premises, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law."</p>	<p>It was agreed by the Committee that the point raised by Mr. Appleby was already covered within the policy.</p>
<p>Ann White Deputy Town Clerk</p>	<p>A query was raised regarding the powers to designate part of an area as places where alcohol may not be consumed publicly.</p>	<p>SEVENOAKS TOWN COUNCIL</p>	<p>1.22</p>	<p>A written response has been sent to Sevenoaks Town Council (attached as appendix *)</p>	<p>This is separate to the Policy and their enquiry has been responded to.</p>