

09 July 2018 at 6.00 pm

Conference Room, Argyle Road, Sevenoaks
Despatched: 29.06.18



Licensing Committee

Membership:

Chairman, Cllr. Mrs. Morris; Vice-Chairman, Cllr. Clark
Cllrs. Abraham, Dr. Canet, Clack, Esler, Halford, Kelly, Lake, McArthur, Parkin,
Pett and Raikes

Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	Pages	Contact
Apologies for Absence		
1. Minutes To agree the Minutes of the meeting of the Licensing Committee held on 10 January 2018 and 15 May 2018, and the Licensing Hearings, held on 4 August 2017, 28 September 2017 postponed to 5 October 2017, 11 October 2017 10.30 a.m.* and 11 October 2018 2.30 p.m.*, 6 April 2018 and 18 April 2018 as a correct record. (*contain exempt information)	(Pages 1 - 58)	
2. Declarations of interest Any interests not already registered.		
3. Actions from the previous meeting (if any)		
4. Licensing Partnership Update Report 2018	(Pages 59 - 88)	Sharon Bamborough Tel: 01732227325
5. Hackney Carriage Licensing: Proposed Fare Charge Increase	(Pages 89 - 96)	Sharon Bamborough Tel: 01732227325
6. Gambling Act 2005 - Statement of Principles of Gambling Policy	(Pages 97 - 130)	Sharon Bamborough Tel: 01732227325

*EXEMPT INFORMATION

Consideration of Exempt Information

Recommendation: That, under section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting when considering the confidential appendices of the minutes of the Licensing Sub Committee hearings held on 5 October 2017 above, on the grounds that likely disclosure of exempt information is involved as defined by Schedule 12A, paragraphs 1 and 2 (Information relating to any individual, and information which is likely to reveal the identity of an individual).

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or democratic.services@sevenoaks.gov.uk.

LICENSING COMMITTEE

Minutes of the meeting held on 10 January 2018 commencing at 6.00 pm

Present: Cllr. Mrs. Morris (Chairman)

Cllr. Clark (Vice Chairman)

Cllrs. Dr. Canet, Clack, Esler, Kelly, Lake, McArthur, Parkin, Pett,
Mrs. Bosley, Halford and Raikes

Apologies for absence were received from Cllrs.

Cllrs. Bosley, Firth and Krogdahl were also present.

The Chairman welcomed the new Head of Licensing Partnership , Sharon Bamborough to the Licensing Committee meeting and expressed her thanks to staff who had acted up during the past months.

5. Minutes

Resolved: That the Minutes of the meeting of the Licensing Committee held on 12 July 2017, be approved and signed by the Chairman as a correct record.

6. Declarations of interest

No additional declaration of interest were made.

7. Actions from the previous meeting

There were none.

8. Appointments to Licensing Hearing sub-committees

The Committee considered a report setting out the proposed memberships for the Sub-Committees for Licensing Hearings following a vacancy.

Resolved that:

- a) The following memberships of the Licensing Sub-Committees, be approved
 - Sub-Committee A - Cllrs. Clark, Esler and Kelly
 - Sub-Committee B - Cllrs. McArthur, Pett and Raikes
 - Sub-Committee C - Cllrs. Halford, Lake and Parkin
 - Sub-Committee D - Cllrs. Mrs. Bosley, Dr. Canet and Clack

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Cllr. Mrs Morris to be a floating Member.

- b) It be noted that any member of the Licensing Committee may act as a substitute on any of the Licensing Sub-Committees.

9. Gambling Act 2005: Licence Fees from April 2018

Members considered a report which set out the new proposed fee structure that ensured that the licensing of Gambling premises maintained a 'self-financing' position for the service, in accordance with the Council's and Budget Plan. A fees model, similar to the one used first to set the Gambling Act in 2007 was used.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to full Council to approve the appropriate fees from 1 April 2018, as set out below

Premises Type	New Application £	Annual Fee £
Existing Casinos	N/a	N/a
New Small Casino	8000	4449
New Large Casino	9225	7180
Bingo Club	2275	800
Betting Premises (excluding Tracks)	286	579
Tracks	1784	8010
Family Entertainment Centres	1784	656
Adult Gaming Centre	1784	800
Temporary Use Notice	231	N/A

	Application to Vary £	Application to Transfer £	Application for Re- Instatement £	Application for Provisional Statement £	Licence Application (provisional Statement holders) £	Copy Licence £	Notification of Change £
Existing Casinos	n/a	n/a	n/a	n/a	n/a	n/a)	n/a)
New Small Casino	3916	1686	1686	8000	2880	12	29
New Large Casino	4382	2142	2142	9230	4228	12	29
Bingo Club	1712	1200	415	2275	1200	12	29
Betting Premises (excluding tracks)	1500	1200	395	1784	1200	12	29
Tracks	1250	950	395	1737	950	12	29

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Family Entertainment Centres	1000	950	400	1777	950	12	29
Adult Gaming Centre	1000	1200	400	1777	1200	12	29
Temporary Use Notice	n/a	n/a	n/a	n/a	n/a	12	29

10. Local Government (Miscellaneous Provisions) Act 1982 - Licence Fees From April 2018

Members considered a report which set out the new proposed fee structure which ensured that the licensing of Sexual Establishments maintained a 'self-financing' position for the service, in accordance with the Council's statutory duty and the Council's Service and Budget plan. A fees model similar to the one used to first set the Gambling Act fees in 2007 was used.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Full Council to approve the appropriate fee levels as £3,670 for a new or renewal application, and £1,840 for the transfer of an application.

11. Hackney Carriage and Private Hire Licensing: Licence Fees from April 2018

Members considered the report which proposed fees for consultation with the taxi trade. The proposed fees maintained a 'self-financing' position for the service, in accordance with the Council's Service and Budget Plan. A fees model, similar to the one used to first set the Gambling Act fees in 2007 had been used. Members were advised that there had been a reduction in the fee for the computerised knowledge test.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

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Resolved: That

- a) The fee levels as set out in paragraph 10 of the report be approved for consultation with the taxi trade; and
- b) The proposed fees and charges be implemented from 1 April 2018, if no adverse comments be received following the consultation.

THE MEETING WAS CONCLUDED AT 6.35 PM

CHAIRMAN

LICENSING COMMITTEE

Minutes of the meeting held on 15 May 2018 commencing at 7.30 pm

Present: Cllr. Mrs. Morris (Chairman)

Cllr. Clark (Vice Chairman)

Cllrs. Abraham, Clack, Esler, Kelly, Lake, McArthur, Parkin, Pett and Raikes

Apologies for absence were received from Cllrs. Dr. Canet

1. Declarations of interest

No additional declarations of interest were made.

2. Appointments to Licensing Hearing sub-committees

The Committee considered a report setting out the proposed memberships for the Sub-Committees for Licensing Hearings.

Resolved: that the following memberships of the Licensing Sub-committees, be approved.

Sub-Committee A - Cllrs. Clark, Esler and Kelly

Sub-Committee B - Cllrs. McArthur, Pett and Raikes

Sub-Committee C - Cllrs. Halford, Lake and Mrs. Parkin

Sub-Committee D - Cllrs. Abraham, Dr. Canet and Clack

Cllr. Morris to be a floating Member.

THE MEETING WAS CONCLUDED AT 7.36 PM

CHAIRMAN

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LICENSING HEARING

Minutes of the meeting held on 4 August 2017 commencing at 10.30 am

Present: Cllrs. Kelly, Mrs. Morris and Pett

Also present: Mr. L. Denny - Applicant's Representative (Event Director)
Mrs. C. Sinclair - Democratic Services Officer
Mr. D. Lagzdins - Council's Legal Advisor
Mrs. J. Foley - Licensing Officer
Mr. P. Lanckmans - Licensing Officer and Licensing Administrative Officer

1. Appointment of Chairman

Resolved: That Cllr. Pett be appointed Chairman of the meeting.

2. Declarations of interest

There were none.

3. Report to Licensing Sub-Committee following receipt of representation in relation to an application made under the Licensing Act 2003 for Leefest at Wilderness Farm

The Hearing gave consideration to a report by the Chief Officer Environmental and Operational Services giving details of an application for a new time limited premises licence under the Licensing Act 2003. It was noted that an objection had been received and that accordingly the application had been referred to the Sub-Committee for determination.

At the request of the Chairman, the Council's Legal Advisor addressed the Hearing and advised that the Council's Environmental Health Officer was unable to attend the Hearing but had agreed to respond to questions from the Sub-Committee prior to the Hearing. The Sub-Committee had been advised that within the operating schedule the LAeq measurements listed would be recorded from the nearest noise sensitive location. In the Environmental Health Officer's view it was a reasonable increase for the LAeq due to the frequency and noise of the night flights in the area and no complaints had been received at the event last year.

He advised that the noise levels in the fourth column of the operating schedule were linear recordings from 2km away and were guidance from the Purple Guide to Health, Safety and Welfare at Music and Other Events. He advised that an Environmental Health Officer would be at the site while the festival was taking place and were contactable if it was felt the noise was exceeding the levels stated. They would have their own monitoring equipment in place but would also

be able to log into the event team's noise monitoring equipment to check the levels. He advised that if the application were successful then a letter drop would take place advising residents by the Council.

The Hearing gave consideration to the Objector's representation and noted her absence.

The Hearing heard from the Applicant's Event Director representative, who explained that the application was the same as requested last year with an increase of noise levels on Thursday and Friday between 11pm and 1am and on Saturday between 11pm and 2am. He advised that he had spoken to the Objector and advised that the 65dBA would be the noise levels during the day and at night would be 45dBA and the night level would not be audible inside the property. An increase in noise levels was requested due to the noise from the night flights. Noise monitors would be located around the site which would enable remote log in to check the noise levels. If complaints were made the event team would be able to respond and ensure that noise was at the agreed level.

In response to questions the Applicant's representative confirmed that live bands would finish at 11pm and DJ set or acoustic music would then be played. He advised that the Event's Manager would be on site and be accessible to the Environmental Health team via mobile telephone. He also advised that telephone contact details would also be available to the local residents. The Objector had his personal contact details and he would be available for her to speak to directly, or the noise office team and events team would also be available. The Applicant's representative also advised that if the wind direction affected the noise or there had been an error within the calculations the noise levels would be lowered to comply with the licensing conditions. In response to a final question he advised that the security arrangements were more extensive than the previous year and searches would be carried out on all those entering the site.

At 10.54 a.m. the Hearing Members withdrew to consider the issues raised accompanied by the Council's Legal Advisor and Clerk to the Hearing for the purpose of providing advice only.

At 11.10 a.m. the Hearing Members, Council's Legal Advisor and Clerk to the Hearing returned to the Council Chamber.

The Chairman requested whether the Applicant's representative could indicate on a map which residents would be informed of their contact details. With the consent of the meeting, the representative tabled a map showing those dwellings which would be contacted.

The Chairman informed the Hearing that the Sub-Committee gave consideration to the representations made including the requirements of Kent Police, the Licensing Objectives, the Statutory Guidance issued under Section 182 of the Act and the Council's Statement of Licensing Policy. An informative was to be included that occupiers of the affected noise sensitive premises would be provided with direct contact details.

It was therefore

Resolved: That a Premises License in respect of Phizzwizzards Ltd for Leppards Wilderness Farm, Wilderness Lane, Kent TN8 7LP, subject to mandatory conditions and additional conditions and an informative contained in the notice of determinations attached as an appendix to these minutes, be granted.

THE MEETING WAS CONCLUDED AT 11.15 AM

CHAIRMAN

LICENSING ACT 2003 - Section 23

Notice of determination for application premises licence

To: Phizzwizzards Ltd

of: Room 204, Shakespeare Business Centre, 245A Coldharbour Lane, Brixton,
London SW9 8RR

Ref: 17/01990/LAPRE

Sevenoaks District Council being the licensing authority, on the 1 June 2017 received an application for a premises licence in respect of premises known as Leppards Wilderness Farm, Wilderness Lane, Edenbridge TN8 7LP

On the 4 August 2017, there being a valid representation which was received and had not been withdrawn, a hearing was held to consider this representation and having considered it the Licensing Sub-Committee determined as follows:

To grant the Premises Licence:

Section A: To allow the performance of a play both indoors and outdoors on Thursday from 10:00 hours to Sunday at 06:00 hours

Section B: To allow the exhibition of films both indoors and outdoors on Thursday from 10:00 hours to Sunday at 06:00 hours.

Section C To allow indoor sporting events on Thursday from 10:00 hours to Sunday at 06:00 hours.

Section D To allow boxing or wrestling entertainments both indoors and outdoors on Thursday from 10:00 hours to Sunday at 06:00 hours.

Sections E To allow live music both indoors and outdoors on Thursday from 10:00 hours to Sunday at 06:00 hours.

Section F To allow recorded music both indoors and outdoors on Thursday from 10:00 hours to Sunday at 06:00 hours.

Section G To allow the performance of dance both indoors and outdoors on Thursday from 10:00 hours to Sunday at 06:00 hours.

Section H To allow anything similar to live music, recorded music or performance of dance both indoors and outdoors on Thursday from 10:00 hours to Sunday at 06:00 hours.

Section L To allow late night refreshment both indoors and outdoors on Thursday from 23:00 hours to Sunday at 05:00 hours.

Section M To allow the supply of alcohol both on and off the premises on Thursday from 10:00 hours to Sunday at 06:00 hours.

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Section O To allow the premises to be open to the public on Thursday from 10:00 hours to Sunday at 18:00 hours.

To add the conditions on the Licence as follows:

1. The maximum number of people permitted on the premises at any time shall not exceed: 4999
2. This licence authorises only one event, consisting of not longer than Thursday 10th Aug 2017 to Sunday 13th Aug 2017.
3. The holder of the premises licence, or an agent on behalf of and with the authority of the licence holder, must produce an Event Management Plan addressing methods by which the licence holder proposes to manage the following matters in accordance with the licensing objectives:
 - a. Crowd safety
 - b. Procedures in the event of emergency
 - c. Security and stewarding provisions
 - d. Health and safety policy and risk assessments
 - e. The welfare of persons working at the event site
 - f. The provision of medical facilities
 - g. Accident reporting procedures
 - h. The management of noise to prevent public nuisance
 - i. The prevention of fire
 - j. The use of fireworks
 - k. The safety of food
 - l. The control of litter
 - m. Sanitation provisions
 - n. Water provisions and provision for the disposal of waste water
 - o. Control of refuse and the disposal of waste materials
 - p. The safety of temporary structures
 - q. Traffic management

- r. Provision of facilities for disabled persons
 - s. The structure for the operational management of the event, including the composition and functions of the event liaison team (ELT)
 - t. The responsibilities of personnel engaged at the site
 - u. Missing persons and the safety of children and vulnerable persons
4. The Event Management Plan will include the methods by which the licence holder proposes to manage the 4 licensing objectives:
- a. The prevention of crime and disorder
 - b. The prevention of public nuisance
 - c. The protection of children from harm
 - d. Public safety
5. The Event Management Plan need not contain information which, if in the public domain would negate its effect, such as sensitive security planning. Such information will be contained within appendices of the Event Management Plan.
6. The Event Management Plan and its appendices form part of the operating schedule for this licence and therefore the details specified therein are to be treated as conditions of this premises licence.
7. A draft version of that Event Management Plan must be sent to the licensing authority so that it is received by them not later than 28 days before the start of any proposed event under this licence. In this licence, the term 'sent' means dispatched in documentary form, or electronically. The term 'received' means to have taken delivery of the Event Management Plan.
8. Following the delivery of the Event Management Plan, the licence holder, or an agent on behalf of and under the authority of the licence holder, must consult with all responsible authorities and must take due account of any representation made by a responsible authority regarding the content of the Event Management Plan.
9. Following the consultation with responsible authorities, a revised version of the Event Management Plan must be sent to the licensing authority so that it is received by them not later than 14 days before the start of any proposed event under this licence.
10. Where two or more versions of the Event Management Plan are produced the respective plans must be clearly marked so as to show the relevant version

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number and the date on which it was produced.

11. Subject to items a, b, c and d below, the Event Management Plan must be finalised not later than 14 days before the start of each event and must be sent in final form to the licensing authority.
 - a. Where, following the submission of the final version of the formal document but prior to the commencement of the event, the licence holder considers it necessary to make any adjustment to the Event Management Plan, the proposed adjustment must be notified to the licensing authority who will notify the responsible authorities. No adjustments shall be made to the Event Management Plan unless agreed in writing by the licensing authority.
 - b. Where during the course of the event the licence holder considers it necessary to deviate from any provision within the Event Management Plan, the matter must be brought to the attention of representatives of the relevant responsible authorities and the ELT. Any such decision must be documented by the ELT and any approved deviation shall not constitute a breach of part (d) below.
 - c. The licence holder may at any time prior to an event provide appropriate information to accompany the Event Management Plan. This may include appendices to the Event Management Plan detailing such matters as the names and contact details of persons engaged at the site. Nothing in the conditions of this licence shall prevent the continued flow of information, especially where such information could not reasonably have been known to the licence holder prior to 14 days before the event.
 - d. Where a person placed under a positive obligation to comply with a provision of the Event Management Plan fails to do so, the failure must be regarded as a breach of this condition of the premises licence, provided that the failure on that occasion amounted to a failure to promote one or more of the licensing objectives.
12. The licence holder must obtain written approval for the Event Management Plan from the Licensing Authority at least 14 days prior to the event.
13. Any proposed alteration to the following matters must not be made during the period of the premises licence except by formal variation of the licence:
 - a. The number of days over which the event takes place each year (except for any decrease)
 - b. Any increase in the hours the licensed area is open to the public for

licensable activities (except for any decrease)

- c. The hours during which licensable activities are to take place (except for any decrease)
- d. An increase in the total noise output from stages/structures at the event site beyond that permitted by the below conditions.
- e. The maximum number of persons to be permitted on the premises at any one time.
- f. The perimeter of the licensed area.

14. The designated premises supervisor or his nominated deputy, who must be the holder of a personal licence, must be present on the premises whenever licensable activities are taking place.

15. A written record must be made of any incident impacting on the licensing objectives or the Event Management Plan taking place at the event or of any complaint made by any person that impacts on the licensing objectives. Any such record must be signed and dated by the person making the entry and must be produced to an authorised officer of the local authority or to a police officer on reasonable request.

16. The Licence Holder must ensure that between the days and times specified in the table below that the noise levels (over any 15 minute period) generated from within the Licensed Premises do not exceed the values specified when measured at the nearest noise sensitive premises, or when measured at a distance of one metre from any noise-sensitive premises.

Date	Time	LAeq	Noise levels in the 63Hz and 125Hz octave frequency bands (at noise sensitive premises more than 2km away from the Licenced Premises Only)
Thursday	10:00 to 23:00	65dBA	75dB
	23:00 to 23:59	45dBA	70dB
Friday	00:00 to 01:00	45dBA	70dB

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	01:00 to 10:00	35dBA	70dB
	10:00 to 23:00	65dBA	75dB
	23:00 to 23:59	45dBA	70dB
Saturday	00:00 to 01:00	45dBA	70dB
	01:00 to 10:00	35dBA	70dB
	10:00 to 23:00	65dBA	75dB
	23:00 to 00:00	45dBA	70dB
Sunday	00:00 to 02:00	45dBA	70dB
	02:00 to 10:00	35dBA	70dB
	10:00 to 18:00	65dBA	75dB

18. On receipt of a request from the Council's Environmental Health Department, the Licence Holder must ensure that the Designated Person for the purpose of controlling the noise shall arrange for the noise level of any amplified music on the licensed premises (including the camp-sites and car parks) to be reduced or the playing to cease if in the opinion of the Council's Environmental Health Department an unreasonable noise disturbance or a nuisance is being or is likely to be caused, or if the sound levels set by the conditions are exceeded.

19. If a tent is provided that contains adult content signs will be placed at the entrance to the tent advising that persons under the age of 18 are not permitted. During times that the tent contains adult content security staff will be positioned at the entrance to the tent to prevent access by anyone under the age of 18.

20. The boundary of the licensed area is shown on the attached site plan.

21. Challenge 25 will be in operation at the entrance to the event area and at all places where the sale of alcohol is permitted.

22. Signage will be clearly displayed at all places where the sale of alcohol is permitted advising customers that Challenge 25 is in operation.
23. SIA staff will monitor activity at locations where alcohol sales are taking place to ensure that young people are not supplied with alcohol.
24. All security staff, stewards and volunteers will be suitably briefed in their duties prior to the admission of the public to the site and before entertainment provision starts on each event day. This briefing should include, but is not limited to, communications, emergency procedures and welfare.
25. Searching will be carried out by suitably accredited staff at a ratio agreed with Kent Police and any prohibited items will be retained securely by staff.
26. Amnesty bins provided by the organiser at point of entry to the event area, these must be adequately secured and emptied by suitable staff. Any items removed from these bins should be securely stored and dealt with in an appropriate manner.
27. All security staff, stewards and volunteers will wear clothing which makes them easily identifiable to members of the public.
28. All staff are required to wear the correct Personal protective equipment (PPE) for the activities they are undertaking at all times. All PPE must be in a clean and useable state.
29. Public car parking will be managed through experienced traffic management staff that shall be fully visible and identifiable during the duration of the event.
30. Posters will be displayed at all exits requesting attendees leave quietly, this message will be reinforced by stewards and volunteers as necessary.
31. A direct telephone line must be made available in order to receive any complaints from members of the public. The line must be manned for the duration of the event with details provided to the public of event hours. The complaint contact number must be provided to the public at least 5 days prior to the event.
32. A log book will be maintained detailing any incidents and accidents occurring on or within close proximity of the site or any complaints received by any means in relation to the event from any person, responsible authority or staff.
33. No unaccompanied children will be permitted on the event site at any time.

Informative

34. The licence holder will make available to the occupiers of the affected noise

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sensitive premises direct telephone contact details.

The supply of alcohol

Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:-

No supply of alcohol may be made under the premises licence -

- (a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory conditions in force from 28 May 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted price" is the price found by applying the formula— $P = D + (D \times V)$

where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a

licence, or

- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Mandatory Conditions in force from 01 October 2014

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of

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- undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 3.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- 4. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

Exhibition of films

Where the film classification body is specified in the licence, unless subsection (3) (b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

Where -

- (a) the film classification body is not specified in the licence, or
- (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

In this section -

"children" means person aged under 18; and
"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Door supervision

Any premises which includes a condition that door supervisors must be at the premises to carry out a security activity, shall ensure that each such person is licensed to conduct such activities by the Security Industry Authority.
Conditions consistent with the Operating Schedule
The entire operating schedule forms a condition of the licence. This includes a table of days and times with specified noise levels.

The Sub-Committee gave consideration to the representations made including the requirements of Kent Police, the Licensing Objectives, the Statutory Guidance issued under Section 182 of the Act and the Council's Statement of Licensing Policy.

This licence granted at the Hearing is effective from 4 August 2017.

Dated: 4 August 2017

Signed

Chair - Licensing Hearing

Signed

Designation -Licensing Officer

Please address any communications to:

Licensing Partnership

Sevenoaks District Council

Council Offices

PO Box 182

Argyle Road

Sevenoaks

Kent TN13 1GP

Note: Pursuant to Part 1 of Schedule 5 of the Licensing Act 2003 as amended, any party eligible to appeal must appeal to a magistrates' court within 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

LICENSING HEARING

Minutes of the meeting held on 28 September 2017 commencing at 10.30 am

Present: Cllrs. Dr. Canet and Parkin and Raikes

Also present:	Luke Elford	-	Applicant's legal representation
	Sarah Swider	-	on behalf of the Applicant's company
	Adam Allfrey	-	on behalf of the Applicant's acousticians
	Andrew Backway	-	Local resident
	Sally Jolly	-	Local resident
	Jessica Foley	-	Licensing Officer
	David Lagzdins	-	Solicitor
	Vanessa Etheridge	-	Democratic Services Officer

1. Appointment of Chairman

Resolved: That Cllr. Raikes be appointed Chairman of the meeting.

(Councillor Raikes in the Chair)

2. Declarations of interest

There were none.

3. Report to Licensing Sub-Committee Following Receipt of a Representation in Relation to an Application Made Under the Licensing Act 2003 for Chafford Park Granary Barn at Chafford Park

The Chairman commenced the meeting by acknowledging the papers sent in by the Applicant's representative, circulated as a [second supplementary agenda](#). He moved an adjournment of the meeting to a suitable date the following week to allow all involved enough time to digest and consider the papers which were published the day before. All present apart from Andrew Backway confirmed that Thursday 5 October 2017 could be accommodated. Mr. Backway was advised that he could be represented and/or submit a written representation.

The Applicant's representative objected to the adjournment and requested that reading time be given.

The Panel

Resolved: That the hearing be adjourned to take place at 10.30am on Thursday 5 October 2017.

THE MEETING WAS ADJOURNED AT 10.37 AM

LICENSING HEARING

Minutes of the meeting held on 5 October 2017 commencing at 10.30 am

Present: Cllr. Raikes (Chairman)

Cllrs. Dr. Canet, Clark (in place of Parkin) and Raikes

An apology for absence was received from Cllr. Parkin.

Also present:	Piers Warne	-	Applicant's legal representation
	Sarah Swider	-	on behalf of the Applicant's company
	Adam Allfrey	-	on behalf of the Applicant's acousticians
	Andrew Backway	-	Local resident
	Sally Jolly	-	Local resident
	Jessica Foley	-	Licensing Officer
	David Lagzdins	-	Solicitor
	Vanessa Etheridge	-	Democratic Services Officer

4. Report to Licensing Sub-Committee Following Receipt of a Representation in Relation to an Application Made Under the Licensing Act 2003 for Chafford Park Granary Barn at Chafford Park

The Chairman welcomed everyone back to the adjourned meeting. He introduced Cllr. Clark who was substituting for Cllr. Parkin who had sent her apologies. It was also noted that the Applicant had a different representative and the original one sent his apologies.

The Hearing gave consideration to a report by the Chief Officer Environmental and Operational Services giving details of an application for a new premises licence under the Licensing Act 2003. It was noted that objections had been received and that accordingly the application had been referred to the Sub-Committee for determination.

The Hearing heard from the Applicant's representative, he drew attention to the information and suggested operating procedure included within the bundle they had previously submitted. He then referred to suggested conditions submitted to him by the Environment Health representatives. The Sub Committee agreed to accept the tabled information from the Council Environmental Health Team. There was a short adjournment for the clerk to photocopy the papers.

Meeting adjourned 10.41 am.

Meeting reconvened 10.44 am.

The Applicant's representative queried condition 7 of the [submitted paper](#), stating it was more of a planning issue, and with regard to condition 9 a directional

speaker and noise limiter had already been installed with success though the skylights were a weakness and could be improved over time as time and finances allowed, otherwise he had no objections to the suggested amendments.

He stated that whatever mistakes had been made earlier on there had been a good attempt to liaise with local residents and sincerely apologised on behalf of his client for any disruption caused to residents living nearby. Temporary Event Notices (TENs) had been used to test the market and there had been teething problems such as noise outbreak.

The meeting also heard from the Applicant's acoustician who explained how the new system worked and how he believed it had limited noise outbreak. A [picture](#) to clarify what was being described was tabled.

The Sub Committee and objectors took the opportunity to ask questions. In response to questions the Applicant's representative agreed that with regards to the new suggested condition 1, the fitting of self-closers would not be practical. Representatives from Environmental Health agreed that the suggested condition 7 may not be necessary as it would be met by the planning condition. An objector and local resident advised that the event held the previous weekend had not caused noise nuisance; commented that a number of apologies had been received now; thought that a security checklist of those present would be advisable; and that there were still highways issues which she understood were planning issues and was aware to contact the Enforcement section for breaches.

The Applicant's representative summed up by saying that they accepted the new suggested conditions from Environmental Health bar the last sentence of condition one and condition 7.

At 11.17 a.m. the Hearing Members withdrew to consider the issues raised accompanied by the Council's Legal Advisor and Clerk to the Hearing for the purpose of providing advice only.

At 12.21 a.m. the Hearing Members, Council's Legal Advisor and Clerk to the Hearing returned to the Council Chamber.

The Chairman informed the Hearing that the Sub-Committee had had regard to the Licensing Objectives and to the representations made by the Applicant and interested parties, to the guidance issued under s 183 of the Licensing Act 2003 and the Council's Statement of Licensing policy.

Resolved: That a Premises License in respect of Chafford Park Granary Barn, Chafford Park, Chafford Lane, Fordcombe, Kent TN3 9UR, subject to mandatory conditions and additional condition and operating schedule in the notice of determinations attached as an appendix to these minutes, be granted.

THE MEETING WAS CONCLUDED AT 12.25 PM

CHAIRMAN

LICENSING ACT 2003 - Section 23**Notice of determination for application premises licence**

To: Chafford Park Ltd

of: Chafford Park Granary Barn, Chafford Park, Chafford Lane,
Fordcombe, Kent. TN3 9UR

Ref: 17/02742/LAPRE

Sevenoaks District Council being the licensing authority, on the 19 July 2017 received an application for a premises licence in respect of premises known as Chafford Park Granary Barn, Chafford Park, Chafford Lane, Fordcombe, Kent. TN3 9UR.

On the 28 September 2017 the meeting was adjourned for a week and reconvened on 5 October 2017 there being valid representations which were received and had not been withdrawn, a hearing was held to consider these representations, and having considered them the Licensing Sub-Committee determined as follows:

To grant the Premises Licence:

Section E	To allow live music indoors every day from 12:00 to 23:00 hours.
Section F	To allow recorded music indoors every day from 12:00 to 23:00 hours.
Section M	To allow the supply of alcohol on the premises every day from 12:00 to 23:00 hours.
Section O	To allow the premises to be open to the public every day from 12:00 to 23:30 hours.

Additional condition:

The applicant will complete booking forms for each event at the site and ensure that appropriate details are recorded and that the forms are retained.

Reason: To improve enforceability and to meet the licensing objectives of the prevention of public nuisance and the protection of children from harm.

Mandatory conditions**1. The supply of alcohol**

No supply of alcohol may be made under the premises licence -

(a) at a time where there is no designated premises supervisor in respect of the

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premises licence, or

- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory conditions in force from 28 May 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted price" is the price found by applying the formula — $P = D + (D \times V)$

where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with

the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Mandatory Conditions in force from 01 October 2014

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or

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to refer to the effects of drunkenness in any favourable manner;

- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- 4. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

Operating Schedule conditions

- 1. All windows and doors to the Granary Barn shall be kept closed when amplified live and recorded music and voices are being played, except to allow access and egress of persons.
- 2. In accordance with the recommendations of the acoustic report, either the

- storage area to the south part of the Granary Barn shall be used as the main point of access and egress to the Barn, with a door being installed into the opening and the door to the east façade kept closed whilst amplified music and voices are being played or alternatively a suitably insulated, double doored sound lobby shall be installed around the door to the east façade.
3. In accordance with the acoustic report, an alternative method of ventilation such as mechanical ventilation or air conditioning shall be installed to the Granary Barn.
 4. No live music or recorded amplified music or voices shall be played, or speakers installed outside the Granary Barn, including on the terrace area.
 5. No fireworks shall be discharged on site in conjunction with events utilising the Granary and Hop Barn.
 6. A contact telephone number for a mobile device, which is switched on and answered throughout any event involving live or recorded music and voices, shall be available. This telephone number shall be on the Chafford Park website, notified to the Environmental Protection Team and publicized to residents and businesses in the locality.
 7. Amplified live and recorded music and voices to finish at 23:00.
 8. A noise limiting sound compressor, together with amplification system and speaker equipment shall be installed in the Granary Barn for use with music and public address systems. The equipment shall be agreed in advance and prior to installation with the Local Authority Environmental Protection Team. Acceptance noise levels to be set with the agreement and to be verified by the Local Authority. The system shall be operated and used for all amplified music and voices played within the barn.
 9. No independent speaker systems shall be brought onto site or utilized during events.
 10. Any live bands must use a silent stage arrangement to typically include
 - i) A digital drum kit
 - ii) Direct injection of bass
 - iii) In ear monitors
 11. A noise management plan shall be submitted to the Local Authority Environmental Protection Team for agreement and approval
 12. No music shall be played within any marquee or tent erected on the site, with the exception of any incidental background music
 13. Clear legible signs shall be prominently displayed at all times to exit doors reminding guests to leave quietly.
 14. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as an events space.
 15. Alcohol shall only be supplied for consumption by persons attending a prebooked event.
 16. The premises licence holder shall ensure that event organisers are supplied with a copy of the premises licence and an agreement for hire of the premises. That agreement shall include the conditions attached to the premises licence.
 17. The premises licence holder shall ensure that any patrons using the terrace adjacent to the Reception Barn do so in an orderly manner and are supervised by staff so as to ensure that they do not cause a public nuisance
 18. Notices shall be displayed at any area used for smoking requesting that

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- patrons respect the needs of local residents and use the area quietly.
19. A challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognized photographic identification cards, such as driving licences or passports, or recognized proof of age cards bearing the PASS hologram, or similar.
 20. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refusal and the name of the member of staff making it. The record shall be available for inspection by the Police or Authorised Officers at all times whilst the premises are providing licensable activities.
 21. An incident log shall be kept at the premises and be available for inspection by the Police or Authorised Officers at all times whilst the premises are providing licensable activities.
 22. The premises licence holder shall employ SIA registered door supervisors on a risk assessment basis.

This licence granted at the Hearing is effective from the 5 October 2017.

Dated: 5 October 2017.

Signed

Chair - Licensing Hearing

Signed

Licensing Officer

Please address any communications to:

Licensing Partnership

Sevenoaks District Council

Council Offices

PO Box 182

Argyle Road

Sevenoaks

Kent TN13 1GP

Note: Pursuant to Part 1 of Schedule 5 of the Licensing Act 2003 as amended, any party eligible to appeal must appeal to a magistrates' court within 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

LICENSING HEARING

Minutes of the meeting held on 11 October 2017 commencing at 10.30 am

Present: Cllrs. Esler, Pett and Raikes

Also present: Applicant
Democratic Services Officer
Council's Legal Advisor
Licensing Officer

1. Appointment of Chairman

Resolved: That Cllr. Raikes be appointed as Chairman of the meeting.

2. Declarations of interest

There were no additional declarations of interest.

3. Hackney Carriage Driver Licence Application for Determination

The Chairman moved and it was

Resolved: That under section 100A (4) of the Local Government Act 1972, the public were excluded from the meeting when considering the report, on the grounds that likely disclosure of exempt information was involved as defined by Schedule 12A, paragraph 1 (information relating to any individual) and paragraph 2 (information which is likely to reveal the identity of an individual).

The Hearing gave consideration to a report by the Chief Officer Environmental & Operational Services giving details of an application for a Hackney Carriage Driver Licence. The application did not currently meet the criteria within the Council's statement of Hackney Carriage and Private Hire Licensing Policy, as detailed within the exempted report. The report requested that the Sub-Committee determine the application.

The Hearing Heard from the applicant who explained the series of events, and advised that he was Licensed to drive taxis in a neighbouring authority. He advised that he had further documentation with him and this was tabled for the sub-committee's consideration.

The applicant responded to questions concerning the information contained within the exempted report and the explanation provided by the applicant.

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Licensing Hearing - 11 October 2017

The Hearing heard further information from the applicant as detailed in the confidential appendix to these minutes.

At 11.05 a.m. the Hearing Members withdrew to consider the issues raised accompanied by the Council's Legal Advisor and the Clerk to the Hearing for the purposes of providing advice only.

At 11.45 a.m. The Hearing Members, Council's Legal Advisory and the Clerk to the Hearing returned to the Council Chamber.

The Chairman advised the Hearing that applicants must satisfy the Council that they were a fit and proper person to hold a licence under the Act. Whilst legislation did not strictly define what is 'fit and proper,' the Council must have regard to aspects such as an applicant's conduct, previous history, honesty and trustworthiness and potential risk to the travelling public. He advised that the sub-committee had had regard to the information contained within the exempted report, the evidence produced and explanation given and given regards to the Council's Statement of Policy. They were satisfied that the applicant did not pose a threat to the safety of the public and noted the date of the last DBS check.

It was therefore

Resolved: That the Hackney Carriage Driver's Licence be granted for 1 year, subject to the return of a further enhanced DBS check with no, additional records.

THE MEETING WAS CONCLUDED AT 11.47 AM

CHAIRMAN

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LICENSING HEARING

Minutes of the meeting held on 11 October 2017 commencing at 2.30 pm

Present: Cllr. Esler, Pett, Raikes

Also present: Applicant
Council's Legal Advisor
Democratic Services Officer
Licensing Officer

1. Appointment of Chairman

Resolved: That Cllr. Pett be appointed as Chairman of the meeting.

2. Declarations of interest

No additional declarations of interest were made.

3. Hackney Carriage Driver Licence Application for Determination

The Chairman moved and it was

Resolved: That under section 100A (4) of the Local Government Act 1972, the public were excluded from the meeting when considering the report, on the grounds that likely disclosure of exempt information was involved as defined by Schedule 12A, paragraph 1 (information relating to any individual) and paragraph 2 (information which is likely to reveal the identity of an individual).

The Hearing gave consideration to a report by the Chief Officer Environmental & Operational Services giving details of a referral by Officers of a Hackney Carriage licence holder. The licensee did not currently meet the criteria within the Council's statement of Hackney Carriage and Private Hire Licensing Policy, as detailed within the exempted report. The report requested that the Sub-Committee determine whether the licensee is a fit and proper person to hold a licence.

The Hearing heard from the applicant who explained the series of events as detailed in the confidential appendix to these minutes.

The sub-committee considered a document provided by the applicant. The applicant responded to questions concerning the information contained within the exempted report.

Agenda Item 1

Licensing Hearing - 11 October 2017

At 3.07 p.m. the Hearing Members withdrew to consider the issues raised accompanied by the Council's Legal Advisor and the Clerk to the Hearing for the purposes of providing advice only.

At 3.45 p.m. the Hearing Members, Council's Legal Advisor and the Clerk to the Hearing returned to the Council Chamber.

The Chairman advised the Hearing that the Sub-Committee had an overriding duty under the Council's Licensing Policy to keep the public safe. The issues that had caused the Hearing questioned the suitability as a fit and proper person to hold a Hackney Carriage Driver Licence and that could have led to a refusal should a new licence had been applied for. However, taking note of the representation, the tabled document and also having regard to the comments on the various behavioural improvement measures that were being undertaken and the benefit these were; it was requested that evidence of completion of the courses and from the courts for completion of the penalties imposed be provided to the Licensing department. He advised that if it was a new application, a licence of 1 year initially would be recommended. It was believed by the Sub-Committee that it would be appropriate for renewal of a licence annually until the 5 years had expired since the last court conviction.

Therefore, it was

Resolved: That the Hackney Carriage Driver's Licence be retained subject to the submission of an enhanced DBS certificate in 12 months' time to the Licensing Department.

THE MEETING WAS CONCLUDED AT 3.30 PM

CHAIRMAN

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LICENSING HEARING

Minutes of the meeting held on 6 April 2018 commencing at 10.30 am

Present Cllrs. Clack, Clark and Esler

Also present Applicant
 Applicant
 Applicant

 Senior Licensing Officer
 Legal Advisor
 Democratic Services Officer
 Democratic Services Officer

 Cllr Horwood - Observer

1. Appointment of Chairman

Resolved: That Cllr. Clark be appointed as Chairman of the meeting.

(Cllr. Clark in the Chair)

2. Declarations of interest

There were no additional declarations of interest.

3. Report to Licensing Sub-Committee Following Receipt of a Representation in Relation to an Application Made Under the Licensing Act 2003 for St Martin Of Tours Church in Eynsford - 17/04282/LAPRE.

The Hearing gave consideration to a report by the Chief Officer Environmental and Operational Services giving details of an application under Section 17 of the Licensing Act 2003 for a premises license for St. Martin of Tours Church, Station Road, Eynsford, Kent DA4 0EH. It was noted that objections had been received but not withdrawn and accordingly the application had been referred to the Sub-Committee for determination.

The Hearing heard from the applicants who advised that the church had been through some renovations to make the building more of a community asset to be used by different local organisations and the church itself. It was believed that applying for Temporary Event Notices each time an event was to be held would be more complicated than holding a premises licence. They advised that they expected events to be held at weekends, but consideration had been given to New Year's Eve and if this date was to fall on a weekday. They therefore felt it was

necessary to apply for the sale of alcohol at hours up until midnight on each day. The Parochial Church Council (PCC) would have to agree all hire requests.

In response to questions the applicants advised that the events that would take place would be similar to Christmas or Summer fayres and events run by local groups. Wedding receptions and birthday parties would not be allowed; there were local pubs and a Village Hall nearby which could host such events. The applicants envisaged that 18 - 20 events a year would take place, with at least 6 to be held by the Church itself, and wanted the sale of alcohol and raffles to be fully legal. Alcohol would be served from a serving hatch and if there were questions regarding age, ID would be asked to be shown. Apart from the Communion wine, alcohol was not stored in the church, and would only be brought onto the premises for events approximately a day in advance.

In response to further questions from the Members the applicants advised that they would be happy to vary the hours requested so that they would only seek the supply of alcohol on a weekday until midnight on New Year's Eve. Otherwise they would be content to be licensed on weekdays until only 11pm. They would not object to a condition that the PCC Member opening and closing the premises or authorising a sale of alcohol be at least 18 years of age.

In summing up the applicants advised that they were concerned there had been some misunderstandings and the events during a working week would be a small number over a year. The PCC were aware that the church building was primarily for worship and would only allow concerts and other events to be run by responsible adults. They understood there were concerns surrounding timings but this was their understanding of the application form.

At 10.58 a.m. the Hearing Members withdrew to consider the issues raised with the Council's Legal advisor and Democratic Services Officers in attendance.

At 11.49 a.m. the Hearing Members, Council's Legal Advisor and Democratic Services Officers returned to the Council Chamber.

The Chairman informed the Hearing that the Sub-Committee had had regard to the representations made by the Applicant and interested parties and Licensing Act 2003. He advised that the Church was exempt from the licensing of Regulated Entertainment under the Act and was therefore not included on the Notice of Determination. The Sub Committee was satisfied that granting the application subject to conditions were appropriate to address potential undermining of the licensing objectives of prevention of public nuisance and the protection of children from harm.

Resolved: That a Premises License in respect of St. Martin of Tours Church, Station Road, Eynsford, Kent DA4 0EH, subject to mandatory conditions and additional conditions contained in the notice of determination attached as an appendix to these minutes, be granted.

THE MEETING WAS CONCLUDED AT 11.55 AM

CHAIRMAN

LICENSING ACT 2003 - Section 23

Notice of determination for application premises licence

To: Parochial Church Council (PCC) of St. Martin of Tours Church

of: St. Martin Of Tours Church, Station Road, Eynsford, Kent DA4 0EH

Ref: 17/04282/LAPRE

Sevenoaks District Council being the licensing authority, on the 20 November 2018 received an application for a premises licence in respect of premises known as St Martin Of Tours Church, Station Road, Eynsford, Kent DA4 0EH.

On the 6 April 2018 there being valid representations which were received had not been withdrawn, a hearing was held to consider these representations, and having considered them the Licensing Sub-Committee determined as follows:

To grant the Premises Licence subject to the mandatory conditions, and following amendments to licensable activities and additional conditions:

Section M: To allow the supply of alcohol for consumption from Monday to Thursday 11:00 to 23:00 hours and Friday, Saturday, Sunday 11:00 to 00:00 hours

Non standard timings - To allow supply of alcohol for consumption on New Year's Eve from 11:00 to 00:00 hours.

Section O: To allow the premises to be open to the public from Monday to Thursday 11:00 to 23:00 hours and Friday, Saturday, Sunday 11:00 to 00:00 hours

Non standard timings - To allow the premises to be open on New Year's Eve from 11:00 to 00:00 hours.

To add the conditions on the Licence as follows:

The Management Committee to maintain a diary of licensable events ensuring that appropriate details are recorded and retained and to be available for inspection by a Licensing Officer upon request.

Reason: to improve enforceability and to meet the licensing objectives of the prevention of public nuisance and the protection of children from harm.

A maximum of 24 'events' (defined as events where the licensable sale of alcohol is to occur as part of the event) are permitted in any calendar year.

Reason: to meeting the licensing objective of the prevention of public nuisance.

Signs to be displayed at the exits to the premises reminding attendees of licensable activities to be considerate to neighbours and not disturb them when leaving the premises.

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Reason: to meet the licensing objective of the prevention of public nuisance.

Where in these conditions reference is made to a Member of the PCC or a Member of the Management Committee such member must be 18 years of age or above.

Reason: for the protection of children from harm.

Mandatory Conditions -

1. The supply of alcohol (under Section 41D)

Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:

Every supply of alcohol under the Premises Licence must be made or authorised by the management committee.

2. Mandatory conditions in force from 28 May 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted price" is the price found by applying the formula— $P = D + (D \times V)$
where -
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or

- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 4.
 - (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
- 3. **Mandatory Conditions in force from 1 October 2014**
 - 1.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

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- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 2. The responsible person must ensure that free portable water is provided on request to customers where it is reasonably available.
- 3.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- 4. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;

- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Operating Schedule Conditions

Events with the sale of alcohol will be either on behalf of the PCC itself (e.g. fetes), or at events such as concerts which have been approved by the PCC in advance.

A member of the PCC will open and close the premises, even for outside hirers and satisfy themselves that the organisers are aware of limitations on use of the building.

All lettings have to be approved by the PCC and hirers will be advised of their responsibilities to ensure proper use of the church building. Approval will NOT be given where it is felt that the proposed usage is in any way inappropriate in a church building.

This Licence granted at the Hearing is effective from the 6 April 2018.

Dated: 6 April 2018.

Signed

Chair - Licensing Hearing

Signed

Designation - Senior Licensing Officer

Please address any communications to:

Licensing Partnership

Sevenoaks District Council

Council Offices

PO Box 182

Argyle Road

Sevenoaks

Kent TN13 1GP

Note: Pursuant to Part 1 of Schedule 5 of the Licensing Act 2003 as amended, any party eligible to appeal must appeal to a magistrates' court within 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

LICENSING HEARING

Minutes of the meeting held on 18 April 2018 commencing at 10.30 am

Present Cllrs. Dr. Canet, Clack and Lake

Also present Applicant
 Applicant
 Applicant
 Applicant

 Senior Licensing Officer
 Legal Advisor
 Democratic Services Officer
 Trainee Solicitor

1. Appointment of Chairman

Resolved: That Cllr. Clack be appointed Chairman of the meeting.

(Cllr. Clack in the Chair)

2. Declarations of interest

There were no additional declarations of interest.

3. Report to Licensing Sub-Committee following receipt of a representation in relation to an application made under the Licensing Act 2003 for the Cotton Mill in Swanley - 18/00126/LAPRE

The Hearing gave consideration to a report by the Chief Officer Environmental and Operational Services giving details of an application under Section 17 of the Licensing Act 2003 for a premises licence for The Cotton Mill, 10 Station Road, Swanley, Kent BR8 8ET. It was noted that objections had been received and not withdrawn and accordingly the application had been referred to the Sub-Committee for determination.

[Photographs](#) to show the site were tabled by Officers at the request of Members to aid consideration. The Hearing heard from the applicants who advised that it was their intention that the sale of alcohol in general would not take place until 4pm, however there could be occasions on weekends or due to small events where they would wish to sell alcohol from 12pm. The opening hours applied for would provide the opportunity to sell soft beverages and light snacks to commuters from 7am. Signage would be provided to explain that alcohol would not be on sale at these times. The applicants addressed the concerns from the representations made in regards to noise, anti-social behaviour and litter and advised that the owner and intended Designated Premises Supervisor were both personal licence holders and

had experience with dealing with potentially difficult situations. CCTV would also be in use.

The Hearing was advised that the two parking bays belonged to the property and Kent Police had advised that the whole area should be licenced so that alcohol was not then carried across an unlicensed space. No music would be played outside and signage would be displayed requesting that patrons left quietly.

In response to Members' questions the applicants advised that there would be a drinking up time and anybody still outside at 10pm would be requested to finish their drinks inside the building. The applicants would be content with additional conditions for the garden to be cleared of patrons by 10.20pm and for the tables and chairs to be removed and stored securely.

In response to further questions, Members were informed that the pub building could only fit 40 people in and therefore it would not be used for large functions and food would be prepared offsite. To allow neighbours to raise or discuss concerns directly, the applicants had previously circulated their contact details and these would also be available online.

At 11:05 a.m. the Hearing Members withdrew to consider the issues raised, accompanied by the Council's Legal Advisor and Clerk to the Hearing for the purpose of providing advice only.

At 11.42 a.m. the Hearing Members, Council's Legal Advisor and Clerk to the Hearing returned to the Chamber.

The Chairman informed the Hearing that the Sub-Committee had had regard to the representations made by the Applicant and interested parties, the Licensing objectives, the Statutory Guidance issued under Section 182 of the Act and the Council's Statement of Licensing Policy and was therefore granting the application subject to additional conditions where appropriate to address potential undermining of the licensing objective of prevention of public nuisance.

Resolved: That a Premises Licence in respect of The Cotton Mill, 10 Station Road, Swanley, Kent BR8 8ET, subject to mandatory conditions and additional conditions contained in the notice of determination attached as an appendix to these minutes, be granted.

THE MEETING WAS CONCLUDED AT 11.47 AM

CHAIRMAN

LICENSING ACT 2003 - Section 23

Notice of determination for application premises licence

To: Mr David Graham Miller

of: The Cotton Mill, 10 Station Road, Swanley, Kent BR8 8ET

Ref: 18/00126/LAPRE

Sevenoaks District Council being the licensing authority, on the 12 January 2018 received an application for a premises licence in respect of premises known as The Cotton Mill, 10 Station Road, Swanley, Kent BR8 8ET.

On the 18 April 2018 there being valid representations which were received had not been withdrawn, a hearing was held to consider these representations, and having considered them the Licensing Sub-Committee determined as follows:

To grant the Premises Licence subject to the mandatory conditions, and additional conditions:

Section F: To allow recorded music indoors on Christmas Eve until the hours of 00:00 and on New Year's Eve until the hours of 01:00.

Section M: To allow the supply of alcohol for consumption on the premises every day from 12:00 to 22:00 hours.

On Christmas Eve until the hours of 00:00 and on New Year's Eve until the hours of 01:00

Section O: To allow the premises to be open to the public Monday to Friday from 07:00 to 22:00 hours and Saturday and Sunday from 12:00 to 22:00 hours.

On Christmas Eve until the hours of 00:00 and on New Year's Eve until the hours of 01:00.

To add the conditions on the Licence as follows:

Customers to be cleared from the outside area (except for the use of the parking spaces for vehicular access) by 22:30 each day, except for 00:30 on Christmas Day and 01:30 on New Years' Day.

Reason: for the prevention of public nuisance.

All tables and chairs shall be removed from the outside area by 22:30 each day except for 00:30 on Christmas day and 01:30 on New Years' Day.

Reason: for the prevention of public nuisance and the prevention of crime and disorder.

Mandatory Conditions -

1. The supply of alcohol

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1. Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:

No supply of alcohol may be made under the premises licence -

- (a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

2. **Mandatory conditions in force from 28 May 2014**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted price" is the price found by applying the formula— $P = D + (D \times V)$

where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 4.
- (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
- 3. Mandatory conditions in force from 1 October 2014**
- 1.
- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by

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a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3.

(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(3) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(4) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

4. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

Conditions consistent with the operating schedule

1. All licensing objectives are to be visible in the back of house areas to all staff.
2. The interior and exterior of the premises shall be covered by CCTV to monitor public behaviour and safety. The CCTV images shall be stored for thirty one (31) days and be of evidential standard that shall be acceptable to the Police Service. The footage shall be made available upon request to the police or other responsible authority.
3. All matters relating to drugs shall be in accordance with the "Metropolitan Police Best Practice Guide" on the handling of drugs in pubs and clubs.
4. Any individuals carrying out security activities at the premises must be licensed by the Security Industry Authority.
5. All incidents shall be recorded in a log and reported to the appropriate authorities. These records will remain on site.
6. Management will ensure regular checks are being carried out during the hours of operation to ensure all areas remain rubbish and clutter free regardless of the source.
7. An accident book should be kept to record all accidents and/or incidents and made available for inspection.
8. Display prominent notices close to the exit doors, requesting patrons to leave the premises quickly and quietly.
9. A twenty (20)-minute "drinking-up time" shall allow an orderly and calm departure from the premises and shall be incorporated within the licensed hours.
10. The premises shall operate a "Challenge 25" Policy, whereby customers purchasing alcohol who look or appear to be under 25 years of age shall be asked for an approved form of proof-of-age to verify their age - those being:
(i) Photo driving licence (ii) Passport, or (iii) 'PASS' card.
11. A refusals log shall be kept on the premises and ensure that it is filled out whenever a sale is refused to a person who cannot prove they are over the age of 18.

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12. The Premises Licence Holder or Nominated person shall control the levels of noise in the outside area and advise customers of the need to respect local residents where appropriate. Any patrons continuing to cause disturbance or disorder will be asked to leave the premises.
13. The removal of empty kegs to external areas after 21:00 hours will not be permitted nor the emptying of bottle skis until the following day after 08:00 hours.

This licence granted at the Hearing is effective from the 18 April 2018.

Dated: 18 April 2018

Signed

Chair - Licensing Hearing

Signed

Designation - Senior Licensing Officer

Please address any communications to:

Licensing Partnership

Sevenoaks District Council

Council Offices

PO Box 182

Argyle Road

Sevenoaks

Kent TN13 1GP

Note: Pursuant to Part 1 of Schedule 5 of the Licensing Act 2003 as amended, any party eligible to appeal must appeal to a magistrates' court within 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

LICENSING PARTNERSHIP UPDATE REPORT 2018

Licensing Committee - 9 July 2018

Report of Chief Officer Environmental and Operational Services

Status: For Information

Key Decision: No

This report supports the Key Aim of sustainable economy.

Portfolio Holder Cllr. Anna Firth (Legal and Democratic Services)

Contact Officers Richard Wilson Ext. 7067

Sharon Bamborough Ext. 7325 / 07970 731616

Recommendation to Licensing Committee: To note the performance of the Partnership as contained within the report and to ask the Head of the Licensing Partnership to continue to provide an annual update on the Licensing Partnership activity to the Licensing Committee each municipal year.

Reason for recommendation: To ensure the Licensing Committee are updated on the performance of the Licensing Partnership.

Introduction and Background

- 1 The Council is a member of the Licensing Partnership with Maidstone Borough Council, Tunbridge Wells Borough Council and (more recently) London Borough of Bexley, which provides line management responsibilities to their respective licensing enforcement teams and an administration team at Sevenoaks to carry out the processing of licence applications, notices, permits and representations.
- 2 The Licensing Partnership has completed 8 years of working together, with London Borough of Bexley becoming a partner as of 31st October 2016.
- 3 This arrangement provides each council with sovereignty over its policies and decision making processes whilst operating within a partnership that gives resilience and capacity to deal with the fluctuating demands on the service through the year.
- 4 This report is an annual update on the performance and activity of the Licensing Partnership.

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- 5 In 2009 it was agreed that both the line management and administration of the Council's licensing processes would be undertaken in partnership with Maidstone Borough Council (MBC) and Tunbridge Wells Borough Council (TWBC). It was agreed that the administrative team processing licensing application would be based at the offices of Sevenoaks District Council (SDC) with Licensing Officers continuing to be based at each council.
- 6 Each Council retained responsibility for setting its licensing policies, compliance strategies and decision making at Sub and Full Licensing Committees. The then Licensing Partnership Manager, had line management responsibility for the operation of the administration team and the Licensing Officers of the three councils.
- 7 In January 2010 the new Licensing Partnership took effect and the back office functions started to be transferred to the administration team based at SDC. The Licensing Partnership uses a single database to maintain the licensing records for the three authorities. The database structure enables reporting to be carried out on an individual basis and allows for the variances that still exist in the policies and procedures of the three authorities.
- 8 The Licensing Partnership is governed by a legal agreement made between the four councils and the Chief Officer/Heads of Service/ Assistant Director responsible for licensing at their respective authorities meet four times a year as a Licensing Partnership Board to oversee performance and the direction of the Partnership. John Littlemore, Head of Housing and Community Services at Maidstone Borough Council is currently the Chair of the Licensing Partnership Board and this is rotated between the four Partners.
- 9 In May 2017, Claire Perry, the Licensing Partnership Manager tragically and suddenly passed away, causing an unanticipated but understandable huge impact on the management and performance of the partnership. The Admin Hub Team at Sevenoaks concentrated on trying to ensure they continued on with the day to day work, and the new Head of the Licensing partnership has been in post since 30 October 2017. The intervening period had, naturally, upset the usual performance and scrutiny, but performance is back on track.
- 10 The new Head of the Licensing Partnership, Sharon Bamborough, comes from a London local authority background.

2017 - 2018 Performance report

- 11 The performance of the Licensing Partnership has been generally good despite the huge challenges of the past year, which is a testament to all officers in the partnership as to their drive and determination not to see the service fail. The indicators for each of the four authorities and the combined Licensing Partnership results are attached as Appendix A.

- 12 In addition to the sudden loss of the partnership manager, there had also been some long term sickness and performance issues and staff vacancies at Sevenoaks which also had a knock on effect to their ability to meet targets.
- 13 The general processing and consultation on applications within timeframe has been maintained. However given such challenges it was inevitable that some areas of work may need to be de-prioritised in favour of application processing. The areas where performance fell were compliance checks and the length of time applications have remained outstanding.
- 14 In respect of the number of proactive premises compliance visits, the senior licensing officer needed to step up and undertake some duties of the manager, including Performance monitoring, Partnership ordering/invoicing and giving advice to Hub team whilst being a part time officer and only assisted by a part time licensing officer. This naturally had a knock on effect to their ability to carry out pro-active compliance checks on top of the multitude of reactive visits and investigations (often carried out as a result of complaints from public about taxis or premises). A lot of enforcement work still continued to be done, but not of the type reflected in this particular performance measure.
- 15 In respect of the applications outstanding more than a month - this has generally been down to awaiting responses from third parties and not as a result of lack of action by officers. The period in which we were without the manager who may have ordinarily stepped in to advise/assist or re-prioritise work would have had an effect in this regard. However, this has been resolved now and is currently achieving target and has been for some months.
- 16 The Hub team and licensing team at Sevenoaks have recently come back to full strength and it is anticipated that target achievement will be back on track across the board for the 2018/19.

Key Activities in the last six months and progress regarding service plan objectives

- 17 The Partnership handled a huge amount of work in 2017/18. The performance measures should be read in conjunction with the entire volumes of work delivered. The headlines of the performance are as follows:
 - In this time period, over **7908** applications, notices, permits and pieces of work were received and carried out.
 - From this total, **1961** pieces of work were for Sevenoaks.
 - Taking into account the different amounts of time needed for different types of applications, and the differing nature of the work carried out for some of the partners, Sevenoaks' share accounted for approx 26% of the work of the entire partnership in 2017/18.

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18 The following forms are now online:

- TENS
- Personal licence - new
- Personal licence - change of details - this one is a pdf and doesn't drop info into Uniform
- Personal licence - renewal (now obsolete)
- Scrap Metal dealers - site & collector
- Premises licence - change of details - this one is a pdf and doesn't drop info into Uniform
- Variation of DPS - this one is a pdf and doesn't drop info into Uniform
- Taxi driver (HC & PH)
- Taxi vehicle (HC & PH)
- Taxi operator (PH)
- Transfer of premises licence form
- New lottery form
- Lottery returns form (new lottery form has already been used)
- Premises licence (new)
- Animal establishment forms - boarding,
- Animal establishment forms - breeding,
- Animal establishment forms - riding establishments,
- Animal establishment forms - pet shops,
- Animal establishment forms - dangerous wild animals
- Notification of gaming permit
- Licensed Premises Gaming Machine permit
- Premises variation form
- Minor variation premises form

19 Electronic notification of taxi renewal reminder letters have again been sent either by email in the first instance and if an email address is not available a text message. This encourages taxi licensees to make their renewal applications online and removes the need for the Licensing Partnership to send out large quantities of paper. Applications can either be made online or the applicant can download the forms from the three websites.

20 The Taxi and Private Hire policy for Sevenoaks District Council has been revised to allow scanned and photographic images of documentation with renewal applications.

21 In July 2017, a new online taxi knowledge test was implemented across the partnership, introducing a new form of standardised test for the three partners dealing with taxi licensing and a raising of standards. For the first time for some, private hire drivers were required to pass the test, bringing them up to a standard with hackney carriage drivers. The application process has also been changed to require successful completion of the test before an application may be submitted, thereby reducing the number of applications which could not be progressed due to failed tests.

- 22 Having reviewed the test results since implementation, it has become clear that pass rates are not as hoped for (though this does keep up a high standard) and the test is being revised at present to make it clearer and easier to pass without dropping the standards, and it is hoped that this can be implemented in August or September 2018.

23 Previous initiatives run by new partner Bexley, such as the proactive approach in working with licensees prior to large events such as World Cups, and seasonal events, have worked very well. The new Head has adopted the proactive approach of Bexley initiatives and shared them across the partnership - recently a letter was sent to all alcohol licensed premises throughout the partnership advising on the importance of updating / reviewing risk assessments in lieu of the Royal Wedding celebrations (additional hours for sale of alcohol were granted nationally by Government) and the World Cup football tournament.

The Head is looking to also carry out special enforcement operations where all officers could contribute and take part.

- 24 In the coming year, we are keen to work with the Metropolitan Police and Kent Police on the new Met Police initial WAVE, which seeks to educate and re-train all involved in the licensing industry about being more proactive in spotting vulnerable people who should be assisted when in licensed premises

Service Objectives for 2017/18 and planned service improvements

- 25 Objective 1 - To manage the Licensing Partnership to deliver efficiency savings and achieve performance targets.
- a) This is ongoing and performance is monitored on a weekly and monthly basis.
 - b) 1:1 meetings with staff are carried out monthly and
 - c) the Licensing Partnership Board meets 4 times a year.
- 26 Objective 2 - Investigate further undertaking of licensing functions for other local authorities.
- a) There are current talks going on with a potential fifth partner who are exploring joining the partnership.
- 27 Objective 3 - Seek further efficiency savings in processes and use of online facilities.
- Increase the feedback received from customers regarding the service they receive and improvements that can be achieved - **result:** An increase in responses to our customer survey was achieved and improvements were made to the service.

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- Implement an improved renewal/reminder notification system utilising email and text for taxi licensees - **result:** achieved reduction in costs
 - Reduce the face to face interaction for Licensing Partnership staff by implementing scripts to enable customer service staff to assist licensees in their requirements - **result:** appointment only system set up in Maidstone and Tunbridge Wells;
- 28 Objective 4 - Ensure all online forms are implemented and in use by customers - most forms now online and more are to be developed (e.g. special treatments)
- 29 Objective 5 - Undertake a programme of training for Members and officers. Ensure all new Members on each Licensing Committee receive appropriate training. - this has been carried out as and when required.
- 30 Objective 6 - Officers and Licensing Committees to consider opportunities for greater harmonisation of policies - **Result:** the last review of Taxi Licensing Policies brought greater harmonisation between Maidstone, Tunbridge Wells and Sevenoaks policies. Example: the same computerised knowledge test (with local route testing in each authority) was introduced for all potential drivers for Private Hire and Hackney Carriage vehicles with effect from July 2017, raising the standards across the board.

The new service plan for 2018/19 is attached as Appendix B

Key Implications

Financial

- 29 Financial implications have been dealt with in the body of the report.

Legal Implications and Risk Assessment Statement.

- 19 This is a report to update on the progress of the Licensing Partnership.

Equality Assessment

- 20 This is a report to update on the progress of the Licensing Partnership. There is no perceived impact on end users.

Appendices

Appendix A - Performance Indicator update report 2016

Appendix B - Licensing Partnership Service Plan

Background Papers:

None

Mr Richard Wilson

Chief Officer Environmental and Operational Services

Key Performance Indicators - Sevenoaks District Council																		
Service Area	Measure Code	Measure Description	Target 2017/18	Unit Type		Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	average
Licensing	LPI_LIC_002	Valid Personal Licences Processed within two weeks	95%	%	g	100.00%	100.00%	100.00%	75.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	97.92%
Licensing	LPI_LIC_001	Valid Temporary Event Notices Processed within 72 Hours	95%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing	LPI_LIC_003	Length of time to process an application from date of validation to issue date for new and variation of premises (not DPS) applications for Licensing Act 2003.	95%	%		100.00%	100.00%	100.00%	100.00%	80.00%	100.00%	50.00%	100.00%	100.00%	100.00%	100.00%	100.00%	94.16%
Licensing	MPI_LIC_012	Length of time from validation to issue of HC vehicle licence (MPI) - target 5 working days	90%	%		100.00%	92.59%	100.00%	100.00%	100.00%	92.86%	100.00%	100.00%	100.00%	100.00%	100.00%	71.00%	96.37%
Licensing	MPI_LIC_013	Length of time from validation to issue of PH vehicle licence (MPI) - target 5 working days	90%	%		90.91%	88.89%	100.00%	80.00%	100.00%	90.91%	100.00%	100.00%	100.00%	100.00%	100.00%	71.00%	93.48%
Licensing	MPI_LIC_005	Length of time from validation to issue of HC driver licence (MPI) - target 10 working days	90%	%		100.00%	95.24%	88.89%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	98.68%
Licensing	MPI_LIC_005	Length of time from validation to issue of PH driver licence (MPI) - target 10 working days	90%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing	MPI_LIC_005	Length of time from validation to issue of PHO licence (MPI) - target 10 working days	90%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing	MPI_LIC_017	Enforcement checks completed (one per Taxi Vehicle)	10/month	Number		10	11	4	0	10	1	10	10	0	10	10	12	7
Licensing	Data_Lic_003	Number of due monthly premises licensing enforcement visits	20/month	Number		20	0	9	8	5	1	7	10	0	9	8	40	10
Licensing	LPI_LIC_004	Percentage of applications outstanding for more than one month	<10%	%		2.38%	10.00%	10.00%	6.67%	25.00%	0.00%	10.00%	19.04%	19.23%	5.71%	20.00%	28.57%	13.05%

Key Performance Indicators - Partnership																			
Service Area	Measure	Co Measure Description	Target 2017/18	Unit	Type		Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	average
Licensing		Valid Personal Licences Processed within two weeks	95%	%			100.00%	100.00%	100.00%	96.97%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	99.72%
Licensing		Valid Temporary Event Notices Processed within 72 Hours	95%	%			100.00%	100.00%	98.86%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	99.90%
Licensing		Length of time to process an application from date of validation to issue date for new and variation of premises (not DPS) applications for Licensing Act 2003.	95%	%			100.00%	100.00%	100.00%	100.00%	88.89%	100.00%	90.91%	100.00%	100.00%	100.00%	91.67%	100.00%	97.62%
Licensing		Length of time from validation to issue of HC vehicle licence (MPI) - target 5 working days	90%	%			100.00%	95.35%	100.00%	100.00%	100.00%	92.31%	100.00%	97.67%	100.00%	100.00%	97.50%	76.00%	96.60%
Licensing		Length of time from validation to issue of PH vehicle licence (MPI) - target 5 working days	90%	%			93.91%	95.92%	100.00%	97.50%	100.00%	94.44%	98.08%	97.87%	100.00%	93.00%	77.78%	76.00%	93.91%
Licensing		Length of time from validation to issue of HC & dual driver licence (MPI) - target 10 working days	90%	%			100.00%	96.15%	96.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	91.00%	98.60%
Licensing		Length of time from validation to issue of PH driver licence (MPI) - target 10 working days	90%	%			100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing		Length of time from validation to issue of PHO licence (MPI) - target 10 working days	90%	%			100.00%	100.00%	90.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	67.00%	96.42%
Licensing		Taxi Compliance checks completed (one per Taxi Vehicle)	35	Number			32	28	16	31	45	37	16	25	42	60	27	32	33
Licensing		Premises compliance monthly visits	50	Number			61	24	31	49	34	72	32	84	24	57	58	110	53
Licensing		Percentage of applications outstanding for more than one month	<10%	%			6.17%	10.00%	13.19%	13.51%	14.93%	13.56%	6.33%	11.96%	24.30%	11.54%	13.11%	27.27%	13.82%

Key Performance Indicators - Maidstone Borough Council																		
Service Area	Measure Code	Measure Description	Target 2017/18	Unit Type		Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	average
Licensing	LIC 001	Valid Personal Licences Processed within two weeks	95%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing	LIC 002	Valid Temporary Event Notices Processed within 72 Hours	95%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing	LIC 003	Length of time to process an application from date of validation to issue date for new and variation of premises (not DPS) applications for Licensing Act 2003.	95%	%		100.00%	100.00%	100.00%	100.00%	75.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	97.92%
Licensing	LIC 004	Length of time from validation to issue of HC vehicle licence (MPI) - target 5 working days	90%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	83.33%	67.00%	95.86%
Licensing	LIC 005	Length of time from validation to issue of PH vehicle licence (MPI) - target 5 working days	90%	%		96.88%	100.00%	100.00%	100.00%	100.00%	91.30%	100.00%	96.00%	100.00%	95.00%	66.67%	82.00%	93.99%
Licensing	LIC 006	Length of time from validation to issue of HC driver & dual licence (MPI) - target 10 working	90%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	75.00%	97.92%
Licensing	LIC 007	Length of time from validation to issue of PH driver licence (MPI) - target 10 working days	90%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing	LIC 008	Length of time from validation to issue of PHO licence (MPI) - target 10 working days	90%	%		100.00%	100.00%	75.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	97.92%
Licensing	LIC 009	Enforcement checks completed (one per Taxi Vehicle)	15	Number		13	7	3	7	5	25	6	12	3	30	16	17	12
Licensing	LIC 010	Number of due monthly premises licensing enforcement visits	15	Number		13	15	3	18	18	18	16	18	16	17	7	19	15
Licensing	LIC 011	Percentage of applications outstanding for more than one month	<10%	%		8.77%		8.89%	10.71%	7.69%	5.88%	0.00%	8.89%	18.18%	16.13%	2.63%	18.00%	8.77%

Key Performance Indicators - Tunbridge Wells Borough Council																		
Service Area	Measure Code	Measure Description	Target 2017/18	Unit Type		Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	average
Licensing	MI Licensing 02	Valid Personal Licences Processed within two weeks	95%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing	MI Licensing 03	Valid Temporary Event Notices Processed within 72 Hours	95%	%		100.00%	100.00%	96.15%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	99.70%
Licensing	MI Licensing 05	Length of time to process an application from date of validation to issue date for new and variation of premises (not DPS) applications for Licensing Act 2003.	95%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	50.00%	100.00%	95.80%
Licensing	MI Licensing 11	Length of time from validation to issue of HC vehicle licence (MPI) -target 5 working days	90%	%		100.00%	100.00%	100.00%	100.00%	100.00%	80.00%	100.00%	94.74%	100.00%	100.00%	100.00%	86.00%	96.78%
Licensing	MI Licensing 12	Length of time from validation to issue of PH vehicle licence (MPI) -target 5 working days	90%	%		94.50%	100.00%	100.00%	100.00%	100.00%	100.00%	94.74%	100.00%	100.00%	80.00%	83.33%	76.00%	94.50%
Licensing	MI Licensing 13	Length of time from validation to issue of Dual driver licence (MPI) - target 10 working days	90%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing	MI Licensing 14	Length of time from validation to issue of PHO licence (MPI) -target 10 working days	90%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	50.00%	95.83%
Licensing	MI Licensing 18	Enforcement checks completed (one per Taxi Vehicle)	10	Number		9	10	9	24	30	11	0	3	39	20	1	3	13
Licensing	MI Licensing 01	Number of due monthly premises licensing enforcement visits	15	Number		22	9	9	23	1	25	9	20	0	17	22	31	16
Licensing	MI Licensing 19	Percentage of applications outstanding for more than one month	<10%	%		10.00%		4.00%	0.00%	0.00%	7.69%	0.00%	4.17%	23.53%	6.25%	12.90%	15.79%	7.02%

APPENDIX A

KEY PERFORMANCE INDICATORS - LONDON BOROUGH OF BEXLEY																	
Service Area	Measure Code	Measure Description	Target 2017/18	Unit Type	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	average
Licensing		Valid Personal Licences Processed within two weeks	95%	%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing		Valid Temporary Event Notices Processed within 72 Hours	95%	%	100.00%	100.00%	98.31%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	99.84%
Licensing		Length of time to process an application from date of validation to issue date for new and variation of premises (not DPS) applications for Licensing Act 2003.	95%	%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing		Number of due monthly premises licensing enforcement visits	30	Number	6	0	10	0	10	28		36	8	14.00	21.00	20	13
Licensing		Percentage of applications outstanding for more than one month	<10%	%	6.67%		27.50%	31.58%	13.89%	35.29%	21.43%	16.67%	32.50%	13.79%	21.74%	37.93%	23.26%

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APPENDIX B

Licensing Service Plan 2018/19

Licensing
Partnership



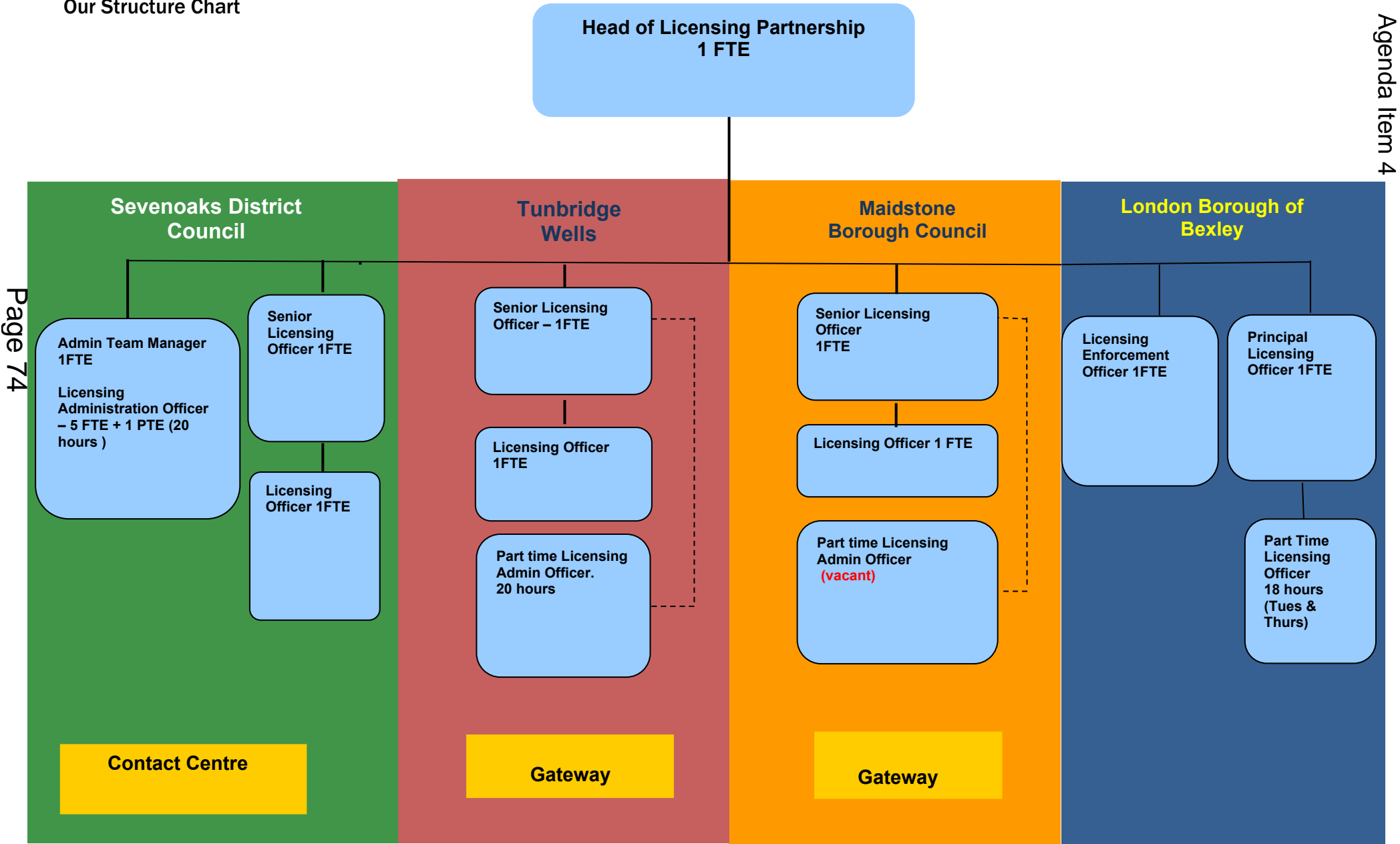
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2	What we do	4
3	2018/19 Service Objectives	5 - 15
4	Performance indicators and targets	16 - 18

1. Who we are

Team	Licensing Partnership comprising London Borough of Bexley, Maidstone Borough Council, Sevenoaks District Council and Tunbridge Wells Borough Council
Head of Service	Sharon Bamborough
Chief Officers	Gary Stevenson (Tunbridge Wells), John Littlemore (Maidstone), Richard Wilson (Sevenoaks) and David Bryce-Smith (LB of Bexley)

Our Structure Chart



2. What we do

Key Tasks	<ul style="list-style-type: none">■ Manage and oversee the Licensing Partnership.■ Seek to promote the licensing objectives of the relevant legislation.■ Our aim is to protect the public but also allow legitimate businesses within the area to prosper.■ To ensure that the legitimate taxis and private hire trade are able to provide a safe mode of transport to the residents and users within the Partnership's area.■ Compliance – ensure compliance of licensed premises, activities and events following grant of respective licences, permits and / or notices.■ To ensure that unlicensed premises, taxis/private hire and activities are investigated and appropriate action is taken.■ To enhance customer service while ensuring compliance with legislation.■ Fulfilling statutory duty whilst optimising cost savings and maintaining individual client's Council sovereignty.■ Take advantage of economies of scale to buy services and optimise the collaborative working between partners
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3. 2016/17 Service Objectives

Objective 1	To oversee and lead the Licensing Partnership to deliver efficiency savings and achieve performance targets	Responsible Officer	Sharon Bamborough
Performance Measure	Description	2018/19 Target or Outcome (to be achieved by 31.03.2019)	
LPI LIC 001	Send out renewal invitations for all licences/permits etc. 2 months before the expiry date of the licence and if a valid renewal application is not received before the expiry of a licence send a failure to renew letter out within 1 week of the licence expiring and advise the appropriate Authorities accordingly. (Hub Team)	95%	
LPI LIC 002	The percentage of valid personal licences processed within 2 weeks (Hub Team)	95%	
LPI LIC 003	Percentage of <i>unopposed</i> applications for new and variation of premises licences processed within 2 calendar months (from date of validation to issue date) [All]	95%	
LPI LIC 004	The percentage of valid temporary event notices served on Responsible Authorities within one working day of receipt (Hub Team)	95%	
LPI LIC 005	The percentage of driver and operator licences issued within 10 days of validation (Hub team)	90%	
MPI LIC 05a	Percentage of Hackney Carriage driver licences issued within 10 days of validation (Hub team)	90%	
MPI LIC 05b	Percentage of Private Hire driver licences issued within 10 days of validations	90%	
MPI LIC 05c	Percentage of Private Hire Operator licences issued within 10 days of validations	90%	

MPI LIC 012	Length of time from validation to issue of HC vehicle licence (MPI) - target 10 working days	REPORT AVERAGE
MPI LIC 013	Length of time from validation to issue of PH vehicle licence (MPI) - target 10 working days	REPORT AVERAGE
MPI LIC 017	<p>Taxi Compliance (licensing officers at Sevenoaks, Tunbridge Wells and Maidstone):-</p> <ul style="list-style-type: none"> • start action/investigation on receipt of complaints/intelligence within 5 working days (includes visits/letters/interviews etc) • reactive/proactive enforcement investigations ongoing/completed • warnings / penalty points issued • vehicle compliance checks 	Non London partners only: 15 actions per month per authority
MPI LIC 018	<p>Premises compliance (all licensing officers throughout partnership) :-</p> <ul style="list-style-type: none"> • notice checks to be carried out within one week of initial display • start action/investigation on receipt of complaints/intelligence within 5 working days (includes visits/letters/interviews etc) • carry out proactive visits in accordance with risk rating system • attend enforcement meetings/briefings/collaborate with partners on multi-agency approach 	<p>Non London partners – 15 actions per month per authority</p> <p>Bexley – 30 actions per month</p>
MPI LIC 019	<p>(for partners where Hub team arrange annual fee collection -does not apply to Bexley)</p> <p>(i) Send out invoices for continuation fees for licences/permits issued under the Licensing Act 2003 and Gambling Act 2005 at least 1 month in advance of the fee being due</p> <p>(ii) Where those fees are not received by the due date, take action to suspend/revoke licence/permit within 1 month of the fee being due.</p> <p>(Hub Team)</p>	95%
(NEW)	Action after suspension - Licensing officers to visit /establish status and	95%

MPI LIC 020	resolve by 31 March each year (all licensing officers throughout partnership)		
Link to Sevenoaks Corporate Plan	Providing value for money	Link to Sevenoaks Community Plan	Safe Communities
Link to Maidstone Strategic Plan	Keeping Maidstone an attractive place for all - Ensuring there are good leisure and cultural attractions		
Link to Tunbridge Wells Key Objectives in the Vision	Providing Value	Link to Strategic Compass	To ensure we operate in a business-like way
Link to Bexley Corporate Plan (Shaping our Future Together)	Innovation and self sufficiency		

Objective 2	Investigate further undertaking of licensing functions for other local authorities.		Responsible Officer	Licensing Partnership Board
Performance Measure	Description		2018/19 Target or Outcome	
Action	Make enquiries with potential partners to undertake licensing functions for a 5 th partner.		Further functions carried out for other partners. To be achieved by 31/03/2019	
Action	Implement the required processes/changes to ensure an additional partner is integrated within the Licensing Partnership		A smooth integration of any additional partners	
Link to Sevenoaks Corporate Plan	Providing value for money	Link to Sevenoaks Community Plan	Safe Communities	
Link to Maidstone Corporate Priorities	Securing a successful economy for Maidstone Borough			
Link to Bexley corporate plan	Innovation and self sufficiency – a commercial approach			
Link to Tunbridge Wells Corporate Priorities	To support a prosperous borough	Link to Strategic Compass	Providing value	

Objective 3	Seek further efficiency savings in processes and use of online facilities		Responsible Officer	Sharon Bamborough
Performance Measure	Description	2018/19 Target or Outcome		
Action	Introduce electronic issue of licences for premises licensing	A reduction in time spent by Hub Team staff printing out paper licences and ‘stamping with seal’ and then posting out, also will lead to a reduction in postage costs. To be achieved by 31/03/2019		
Action	Update Document Retention Policy and get rid of hard copy duplicate filing system	A reduction in the time spent by Hub Team staff creating and maintaining a separate paper file in addition to the electronic file which is maintained. This will lead to significant time savings which will be better spent on other tasks. To be achieved by 31/03/2019.		
Action	Explore feasibility of online solutions for document checks for taxi applications to reduce face to face visits	If achievable, will lead to a reduction in time spent for Licensing Partnership staff in reception, Town Hall & Gateway. To be achieved by 30/03/2019		
Link to Sevenoaks Corporate Plan	Supporting and developing the local economy	Link to Sevenoaks Community Plan	Safe Communities	
Link to Bexley corporate plan	Innovation and self sufficiency – a commercial approach	Link to Maidstone Corporate Priorities	Securing a successful economy for Maidstone Borough	
Link to Tunbridge Wells Corporate Priorities	To support a prosperous borough	Link to Strategic Compass	Providing value	

Objective 4	Ensure all online forms are implemented and in use by customers and explore other software solutions		Responsible Officer	Sharon Bamborough
Performance Measure	Description		2018/19 Target or Outcome	
Action	The library of on line forms should implemented across the four partners – to include new forms for Bexley (Special Treatments) and any updates needed for existing ones		Complete the introduction/update of all online forms. To be achieved by 31/03/2019	
Action	Arrange for purchase and installation of electronic record management system, Enterprise (from Idox)		Increased efficiency and monitoring tools, with enhanced reporting options To be achieved by 31/03/2019	
Action	Arrange for purchase and installation of electronic enforcement software for use out and about, called Mobile App (from Idox)		Increased efficiency and monitoring tools, with enhanced reporting options To be achieved by 31/03/2019	
Link to Sevenoaks Corporate Plan	Supporting and developing the local economy	Link to Sevenoaks Community Plan	Safe Communities	
Link to Bexley corporate plan	Innovation and self sufficiency – a commercial approach	Link to Maidstone Corporate Priorities	Securing a successful economy for Maidstone Borough	
Link to Tunbridge Wells Corporate Priorities	To support a prosperous borough	Link to Strategic Compass	Providing value	

Objective 5	Undertake a programme of training for Members and officers. Ensure all new Members on each Licensing Committee receive appropriate training.		Responsible Officer	Sharon Bamborough
Performance Measure	Description		2018/19 Target or Outcome	
Action	Deliver a programme of training to the Members and officers.		Programme delivered To be achieved by 31/03/2019	
Action	Hold morning/afternoon sessions where new Members can visit the Licensing Partnership's Administration Team.		To be achieved by 30/09/2019	
Link to Sevenoaks Corporate Plan	Keeping the district safe	Link to Sevenoaks Community Plan	Safe Communities	
Link to Bexley corporate plan	Growth that benefits all – the right skills for jobs of today and tomorrow	Link to Maidstone Corporate Priorities	Securing a successful economy for Maidstone Borough – range of Employment Skills and opportunities across the Borough	
Link to Tunbridge Wells Corporate Priorities	Our People	Link to Strategic Compass	To have relevant skills	

Objective 6	Revision of Policies & Procedures	Responsible Officer	Sharon Bamborough/Lorraine Neale/Sharon Degiorgio/Samantha Laing/Janet Lockie
Performance Measure	Description	2018/19 Target or Outcome	
Action	Review Gambling Policies across the Partnership in readiness for January 2019 when they must come into force	Achieve statutory obligations. To be achieved by 31/12/2018	
Action	Review Street trading policy at Maidstone regarding designation of street trading pitches	To reduce the cost burden of processing each request and/or reduce the number of requests To be achieved by 31/03/2019	
Action	Re-visit (with Legal Services) the approach to street trading in Sevenoaks with a view to assessing what would need to be done to implement such a policy, and report back to Chief Officer (this comes from a discussion at Health Board as to whether anything can be done to stop fast food vans etc parking up near schools, which contributes to childhood obesity)	A up to date view will be taken on feasibility and desire as to whether street trading should be controlled within Sevenoaks and whether it could be used to promote wider health benefits To be achieved by 31/03/2019	
Action	Investigate feasibility and implement if approved, the charging for pre-application advice to licence applicants	To reduce the cost burden of processing each request and/or reduce the number of requests To be achieved by 31/03/2019	
Action	A minor review of Licensing Act Statement of Licensing Policy to introduce, across the partnership, a section on outdoor events.	To reduce the cost burden of processing each request and/or reduce the number of requests To be achieved by 31/03/2019	
Action	A review of the Hub Team Admin procedures and update where necessary	To improve efficiency, reduce mistakes and	

			speed up processing To be achieved by 31/03/2019
Link to Sevenoaks Corporate Plan	Supporting and developing the local economy	Link to Sevenoaks Community Plan	Safe Communities
Link to Bexley corporate plan	Innovation and self sufficiency – a commercial approach	Link to Maidstone Corporate Priorities	Securing a successful economy for Maidstone Borough
Link to Tunbridge Wells Corporate Priorities	To support a prosperous borough	Link to Strategic Compass	Providing value

Objective 7	Health, Safety and Well Being of Staff		Responsible Officer	Sharon Bamborough
Performance Measure	Description		2018/19 Target or Outcome	
Action	Ensure risk assessments are carried out and reviewed as appropriate and at least once a year.		Risk assessments are in place and are reviewed. To be achieved by 31/03/2019	
Action	Ensure 1:1 meetings are carried out on a regular basis.		All Senior Licensing Officers and Licensing Partnership Manager to ensure meetings take place and are documented.	
Link to Sevenoaks Corporate Plan	Supporting and developing the local economy	Link to Sevenoaks Community Plan	Safe Communities	
Link to Bexley corporate plan	Innovation and self sufficiency – a commercial approach	Link to Maidstone Corporate Priorities	Securing a successful economy for Maidstone Borough	
Link to Tunbridge Wells Corporate Priorities	To support a prosperous borough	Link to Strategic Compass	Providing value	

4. Measuring our Performance

Performance Indicators and Target Setting

Code	Description	Collection period	2018/19 target
(NEW) LPI LIC 001	Send out renewal invitations for all licences/permits etc. 2 months before the expiry date of the licence and if a valid renewal application is not received before the expiry of a licence send a failure to renew letter out within 1 week of the licence expiring and advise the appropriate Authorities accordingly. (Hub Team)	Monthly	95%
LPI LIC 002	The percentage of valid personal licences processed within 2 weeks (Hub Team)	Monthly	95%
LPI LIC 003	Percentage of <i>unopposed</i> applications for new and variation of premises licences processed within 2 calendar months (from date of validation to issue date) [All]	Monthly	95%
LPI LIC 004	The percentage of valid temporary event notices served on Responsible Authorities within one working day of receipt (Hub Team)	Monthly	95%
LPI LIC 005	The percentage of driver and operator licences issued within 10 days of validation (Hub team)	Monthly	90%
MPI LIC 05a	Percentage of Hackney Carriage driver licences issued within 10 days of validation (Hub team)	Monthly	90%
MPI LIC 05b	Percentage of Private Hire driver licences issued within 10 days of validation (Hub team)	Monthly	90%

Code	Description	Collection period	2018/19 target
MPI LIC 05c	Percentage of Private Hire Operator licences issued within 10 days of validation (Hub team)	Monthly	90%
MPI LIC 012	Length of time from validation to issue of HC vehicle licence (MPI) - target 10 working days (Hub team)	Monthly	average number of days
MPI LIC 013	Length of time from validation to issue of PH vehicle licence (MPI) – target 10 working days (Hub team)	Monthly	average number of days
MPI LIC 017	Taxi Compliance (licensing officers at Sevenoaks, Tunbridge Wells and Maidstone):- <ul style="list-style-type: none"> start action/investigation on receipt of complaints/intelligence within 5 working days (includes visits/letters/interviews etc) reactive/proactive enforcement investigations ongoing/completed warnings / penalty points issued vehicle compliance checks 	Monthly	Non London partners only: 180 each (equates to 15 actions per month per authority)
MPI LIC 018	Premises compliance (all licensing officers throughout partnership) <ul style="list-style-type: none"> notice checks to be carried out within one week of initial display start action/investigation on receipt of complaints/intelligence within 5 working days (includes visits/letters/interviews etc) carry out proactive visits in accordance with risk rating system attend enforcement meetings/briefings/collaborate with partners on multi-agency approach 	Monthly	Non London partners – 180 each (equates to 15 actions per month per authority) Bexley – 360 (equates to 30 actions per month)

Code	Description	Collection period	2018/19 target
MPI LIC 019	(for partners where Hub team arrange annual fee collection) Send out invoices for continuation fees for licences/permits issued under the Licensing Act 2003 and Gambling Act 2005 at least 1 month in advance of the fee being due and where those fees are not received by the due date to take action to suspend/revoke licence/permit within 1 month of the fee being due. (Hub Team)	Monthly	95%
MPI LIC 020	Action after suspension - Licensing officers to visit /establish status and resolve by 31 March each year (all licensing officers throughout partnership)	Annual	95%

HACKNEY CARRIAGE LICENSING: PROPOSED FARE CHARGE INCREASE

Licensing Committee - 9 July 2018

Report of Chief Officer Environmental and Operational Services

Status For Decision

Key Decision No

Executive Summary: This report seeks a direction from the Committee on options for reviewing the Council's current tariff of charges for Hackney Carriage Vehicles (following a request from the drivers).

This report supports the Key Aim of sustainable economy.

Portfolio Holder Cllr. Anna Firth (Legal and Democratic Services)

Contact Officers Richard Wilson Ext. 7067

Sharon Bamborough Ext. 7325 / 07970 731616

Recommendation to Licensing Committee: That the Committee advise on the way forward as detailed in paragraph 5 of the report.

Reason for recommendation: A request accompanied by a petition from some drivers has been received to increase the maximum charges set out in the Council's current approved tariff.

Introduction and Background

- 1 The Council exercises a discretionary power to set the maximum fares for Hackney Carriages within the District. The Council has no power to control the fares charged by private hire vehicle operators.
- 2 Please note that the fare set will be the maximum fare that can be charged and Hackney carriage drivers have the right to charge a lower amount should they wish to do so.
- 3 The current fare tariffs have been in operation since 1 May 2015 and are displayed in the table (including the former charges for comparison) below:

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<u>Tariff</u>	OLD fare (2011 - 2015)	CURRENT TARIFF
<u>(A) Distance - First 1,287.2 metres (8/10 mile)</u>	<u>£3.80</u>	<u>£3.80 for first (1158 metres) - reduction in initial distance</u>
<u>Each additional 160.9 metres (1/10 mile)</u>	<u>21p</u>	21p every 152 metres - <i>reduction in distance</i>
<u>(B) Waiting time (standard rate) for each period of 1 minute</u>	<u>35p</u>	40p
<u>(C) Waiting time (with indicated extra charges applied as below)</u> For each period of 1 minute (ii) (iii) (iv)	<u>50p</u> <u>50p</u> <u>65p</u>	55p 55p 70p
<u>(D) Extra charges</u> (i) Additional Passengers (For each person in excess of four persons)	<u>25% of prescribed fare</u>	<u>25% of prescribed fare</u>
(ii) For hiring begun between 23:00 and 07:00 hours (except all bank & public holidays)	<u>£1.80 per fare</u>	£2.00 per fare
(iii) For hiring on bank & public holidays (other than Christmas & New Year holidays)	<u>£2.00 per fare</u>	£2.20 per fare

(iv) For hiring on Christmas & New Year holidays (commencing 18:00 hours Christmas Eve to 18:00 hours 27 th December and 18:00 hours New Year's Eve until 06:00 hours 2 nd January)	<u>100% of prescribed fare</u>	<u>100% of prescribed fare</u>
(v) For carriage of pets (other than dogs for registered disabled people)	<u>£3.00 per fare</u>	£3.30 per fare

Options for review or change

4 A copy of the request and petition is attached as Appendix A.

5 It is suggested that two options are available:

To direct the Licensing Service to carry out a consultation with all Hackney carriage drivers to ascertain their views on any proposed increase, and if they so wish, to direct specific queries or calls for specific evidence in support of the request

or

The Committee may decide that the request should not be considered at this time and decline to consult and leave the tariff as it is at present.

Key Implications

Financial

The change in fare tariff agreed by the Committee will be formally advertised on Sevenoaks District Council's website and in a local newspaper

Legal Implications and Risk Assessment Statement.

The Council is following the appropriate process for determining applications for increases in the maximum fares chargeable by hackney

Agenda Item 5

carriage proprietors. Any changes to the fare tariffs must be publicised for 14 days. Any unresolved objections to the proposal will be reported to a future meeting of this Committee.

Equality Assessment

Hackney Carriage vehicles are an important part of the public transport service. The Council, having decided to exercise its discretion to set the maximum fares that can be charged must balance the need of ensuring access to the service and its profitability

Appendices

Appendix A - request for review and petition from drivers

Background Papers

None.

Richard Wilson

Chief Officer Environmental and Operational Services

Sharon Bamborough

From: Jessica Foley
Sent: 31 May 2018 12:20
To: Sharon Bamborough; Michael Moss
Subject: FW: Taxi fare review request

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

-----Original Message-----

From: michael laurie [REDACTED]
Sent: 31 May 2018 11:35
To: Jessica Foley
Subject: Taxi fare review request

Dear sir/madam ,regarding taxi fares in Sevenoaks, apart from a minimal change on 1st May 2015, there has been no change in the minimum fare of £3.80 since 1st May 2011. We the undersigned respectfully ask for a more realistic rate could be considered by the licensing committee. Bearing in mind all utilities, bus and train fares, licenses and permits taxi vehicle insurance have all increased since those reviews. In order to maintain the standard expected by all , one is having to work longer hours on the same income.trusting you will kindly give the above your consideration Yours sincerely. Mr M Laurie , ex and retired director previously of victor hire Taxis Sevenoaks. Signed petition will be handed in on Monday thank you .

Mike Laurie
[REDACTED]

Sent from my iPhone

2018. Petition to request a review of Soseenaks Hackney Carriage Fares

I the undersigned would like a review of Taxi Fares in Soseenaks, apart from a minimal alteration on may 1st 2015, there has been no significant change since may 1st ~~2011~~.

Name	Signature	Plate no
R. hawdass		H190
ANTON BISHOP		H 35
MOHAMMED AHMED		H 20
NEIL PEARCE		H 148
JAIR ZILLI		H 90
LIHAI PAIZAN		H 199
MUHAMMAD MAMUN		H 97
Mehmet CALISKAN		H 233
BOGHR MIAH		H 213
F. KHAN		H 75
M. A. FAROOQUI		H 234
ADWAN Qureshi		H 222
M. Jamal Uddin		H-44
Abub Ullah		H 83
ANIRUDDH DUTTA		H 1139
MANSOOR AH TARIQ		H 221
MD MURSHED HOSEN		H 1115
ARTUR KRUPA		H 1134
ISSA ISAK		H 85
SAYED MIAH		H 200
S. Roy		H 109
C. NG		H 67
G. GULYAS		H 25
YAW OSEI		H 52
Mamun		H-64
EMMA BARRITT		H 24
DAVE NORCOTT		
MIKE GROOM		
KEVIN LEAR		H 112
I. KINGSMILL		H 125
S. Goldsmith		H 16
R. DOWNS		H 127
		H 197
		H 136

Name	Signature	Plate No
TONY MANN I. Games		232 H 207
ALAN PENNIE Jennie		H. 620 H 69
MAHMUDUR RAHMAN		H 99
MR NABWIN THAPA		H 218
MOSTAFA HASSAN		H 174
IKRAM AHMED		H 185
JOHN PARHAM		H 210
M. LAURIE		H 49
RUKNUL KABIR		H 88
ROGER READ		H 15
ROY WALTER		H 152
RAY JONES		H 459
PETER HILLS		H 70
DAVID STABROOK		H 208
DUNCAN CHEESEMAN		H 220
GEOFF SATCHELL		H 46
H BRIDGE		H 204
T BRIDGE		H 137

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GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES OF GAMBLING POLICY

Licensing Committee - 9 July 2018

Report of Chief Officer Environmental and Operational Services

Status For Decision

Key Decision No

Executive Summary: This report seeks a direction from the Committee on options for reviewing the Council's Statement of Gambling Policy, which expires on 30 January 2019.

This report supports the Key Aim of sustainable economy.

Portfolio Holder Cllr. Anna Firth (Legal and Democratic Services)

Contact Officers Richard Wilson Ext. 7067

Sharon Bamborough Ext. 7325 / 07970 731616

Recommendation to Licensing Committee: Members are requested to advise on any desired changes to the existing policy.

Reason for recommendation: The review of Gambling Policy must take place this year in order to be in place in time for 31 January 2019 as legally required.

Introduction and Background

- 1 The Gambling Act 2005 requires the Council, in its role as a licensing authority, to determine its Statement of Gambling Policy in respect of the exercise of its licensing functions every three years.
- 2 The Council's current Policy is in force until 30 January 2019, therefore a new Policy must be in place by 31 January 2019. Once in place this Policy must be kept under review.
- 3 In accordance with this requirement the Committee is invited to consider options for review of the Policy, to ensure a new or refreshed Statement of Gambling Policy is in place for the three-year period 31 January 2019 to 30 January 2022.

The current Policy is attached at Appendix A.

Options for review or change

- 4 It is suggested that two options are available:

Discussions within the Council and the Licensing Partnership suggest that the current Policy is fit for purpose and requires no significant changes or amendments, other than a simple refresh.

The Committee may therefore agree that a minor refresh is all that is required in this instance.

or

The Committee may, however, wish to see substantive amendments and updates, and dependent upon the Committee's views, a full review may be considered to be more appropriate.

The Committee may therefore agree that a substantive review is required.

- 5 Two issues that have come to light which the Committee may wish to consider as being appropriate for inclusion in either a new or refreshed Policy are:

- Fixed Odds Betting Terminals (FOBT). The Government has announced that the stake for such machines will be reduced, but there is no legislation or commencement date in place just yet.
- It has been suggested in various local authority forums that this change together with the pressure on betting shops to compete with online gambling, may lead some of them to change over their operation from betting shops to adult gaming centres. If this were to happen, it would mean that in addition to the four machines they could have unlimited category C & D machines. Accordingly, it may be appropriate to consult on options for limiting the potential for "gaming centres", which may attract a different style of customer, and to include some provision in a new or refreshed Policy. To provide some context, a table listing all the various gaming machines, and their maximum stake, is set out at the rear of the current policy at Appendix A.
- Members may wish to consider including in a new or refreshed Policy a presumption against the installation of cash machines in any new premises licensed under the Gambling Act 2005, and / or to bring in a limit for cash withdrawals in such premises.

Member's views on the above two proposals are sought.

- 6 For either option, a formal public consultation will be required on a

proposed new Policy, and the agreed new Policy will have to be adopted by a meeting of the Full Council

Consultation on proposed Statement of Gambling Policy

7 The Council is obliged by the Gambling Act to consult with the following groups before adopting a gambling policy:-

- The Chief Officer of Police;
- One or more persons who appear to the Council to represent the interests of persons carrying on gambling businesses in the Borough; and,
- One or more persons who appear to the Council to represent persons who are likely to be affected by the exercise of the Council's functions under the Act.

The Council is required to develop its own consultation processes and consultation methods.

8 Before the current Policy was adopted a range of organisations were consulted, as set out below, and no change is proposed this time:

- Members of the Council
- Neighbouring Authorities
- Bodies designated under section 157 of the 2005 Act as 'Responsible Authorities'
- Town Centre Forums, Partnerships and Managers
- Person/ bodies representative of local residents
- Person/ bodies representative of gambling businesses
- Representatives of persons or business who will hold a premises licences
- Organisations working with people who are problem gamblers
- Representatives of health care organisations
- Representatives of voluntary and community organisations working with children and young people.

Timetable

The timetable in respect of the preparation and consultation for any proposed Policy is as follows and, regardless of the Committees chosen option, this will not change:

16 July to 30 September 2018	Consultation period on a new draft Policy (this timescale allows for a 12-week consultation period - a shorter period may be possible / more appropriate)
1 November 2018	Licensing Committee is invited to consider feedback from the consultation exercise and refer the proposed Policy to next meeting of the Council

Agenda Item 6

20 November 2018	The Council is invited to adopt the new Policy
7 January 2019	Licensing Committee to receive any feedback from Council / confirmation of adoption of new Policy

Key Implications

Financial

There are no specific financial implications resulting from the matters considered in this report, as the minimal cost of consultation and publication in respect of the proposed Council's Statement of Gambling Policy will be met from the running costs of the Licensing Team and Licensing Partnership.

Legal Implications and Risk Assessment Statement.

The Council is obliged by the Gambling Act 2005 to review its Gambling Policy every three years. The commencement date of 30 January for the initial three year period and subsequent three year periods was set by the Gambling Act 2005. The Council has no discretion to alter the period for which its Gambling Policy is in force, although it can carry out further reviews within the set three year period.

Before the Council determines its new Policy it must consult with the statutory consultees.

Equality Assessment

There is no perceived impact on end users.

Appendices

Appendix A - current Statement of Principles of Gambling policy

Background Papers

[Gambling Act 2005](#)

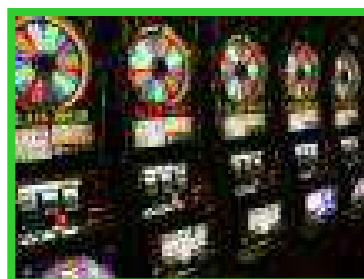
[Gambling Commission's Guidance to Local Authorities 5th Edition \(last updated September 2016\)](#)

Mr Richard Wilson

Chief Officer Environmental and Operational Services



Sevenoaks District Council



Gambling Act 2005
Statement of Licensing Policy
January 2016

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1. The Licensing Objectives

In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Gambling Act 2005. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Sevenoaks District Council as the Licensing Authority for the Sevenoaks District will aim to permit the use of premises for gambling as set out in section 153 of the Gambling Act 2005.

Principles to be applied - Section 153

(1) In exercising its functions a licensing authority will only permit the use of premises for gambling:

- a) in accordance with any relevant code of practice under section 24;
- b) in accordance with any relevant guidance issued by the Commission under section 25;
- c) reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b));
- d) in accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c)).

(2) In determining whether to grant a Premises Licence a licensing authority must not have regard to the expected demand for gambling premises that are the subject of the application.

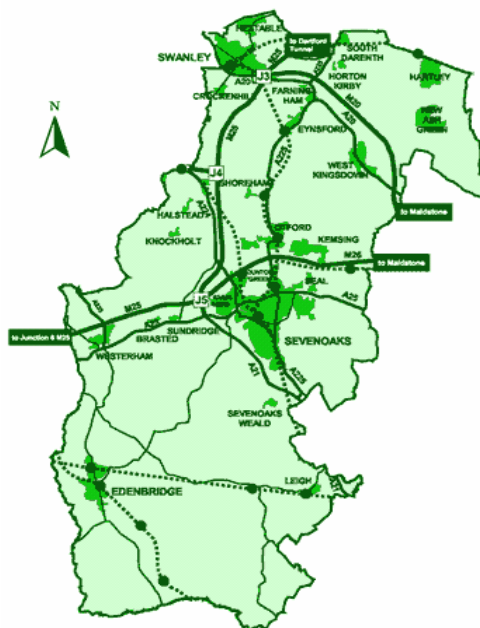
(3) Any objection to an application for a Premises Licence or request for a review of an existing licence should be based on the licensing objectives of the Gambling Act 2005. It should be noted that, unlike the Licensing Act 2003, the Gambling Act 2005 does not include as a specific licensing objective of prevention of public nuisance. There is however other relevant legislation which deals with public nuisance.

2. Introduction

Sevenoaks District Council is situated in the County of Kent. Kent contains 12 Borough and District Councils with 1 Unitary Authority.

The Sevenoaks District Council area covers 142 square miles and has an estimated population of 110,000. The area is mainly rural with 3 main towns comprising Sevenoaks, Swanley and Edenbridge.

The Sevenoaks District Council Area



Licensing authorities are required by the Gambling Act 2005 to publish a Gambling Policy statement setting out the principles that they propose to apply when exercising their functions. This statement may be reviewed from time to time but must be republished at least every three years.

In determining its policy the Licensing Authority must have regard to Gambling Commission guidance and give appropriate weight to the views of those who respond to its consultation.

The Authority will consult widely on the Gambling Policy statement before being finalised and published.

The Gambling Act requires that the following parties be consulted by Licensing Authorities:

- the chief officer of police for the authority's area;
- one or more persons who appear to the authority represent the interests of persons carrying on gambling businesses in the authority's area;
- one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

The persons consulted when preparing this Policy statement was deliberately wide. A list of those persons consulted is attached at appendix 4.

The consultation for the policy will take place between 19th June 2009 and 31st August 2009. The Authority has followed the Revised Code of Practice (April 2004) and the Cabinet Office Guidance on consultations by the public sector.

The full list of comments made and the consideration by the Authority of those will be available upon request to: The Licensing Team via email licensing@sevenoaks.gov.uk or by telephone 01732 227325.

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The policy is published on Sevenoaks District Council's website www.sevenoaks.gov.uk. Copies have been placed in the public libraries within the area and is available in the Council's principal offices.

This policy statement will not override the right of any person to make an application, make representations about an application or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

3. Declaration

In producing the final licensing policy statement, this Licensing Authority declares that it will have had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission and any responses from those consulted on the policy statement.

4. Casinos

Proposal for a casino - This Licensing Authority did submit a proposal to the Independent Casinos Advisory Panel within the Sevenoaks District Council area. However, it was not successful.

No Casinos resolution – This Licensing Authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, and is aware that it has the power to do so. Should this Licensing Authority decide to pass such a resolution, it will update this policy statement with details of that resolution.

5. Functions

Function	Who deals with it
Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences	Licensing Authority
Issue Provisional Statements	Licensing Authority
Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits	Licensing Authority
Issue Club Machine Permits to Commercial Clubs	Licensing Authority
Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres	Licensing Authority
Receive notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or fewer gaming machines	Licensing Authority
Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines	Licensing Authority
Register small society lotteries below prescribed thresholds	Licensing Authority
Issue Prize Gaming Permits	Licensing Authority
Receive and endorse Temporary Use Notices	Licensing Authority
Receive Occasional Use Notices	Licensing Authority
Provide information to the Gambling Commission regarding details of licences issued (see section 8 on 'information exchange')	Licensing Authority
Maintain registers of the permits and licences that are issued under these functions	Licensing Authority

Gambling Commission Functions

Function	Who deals with it
Issue and renewal of Operating Licences	Gambling Commission
Review Operating Licences	Gambling Commission
Issue Personal Licences	Gambling Commission
Issue Codes of Practice	Gambling Commission

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Issue Guidance to Licensing Authorities	Gambling Commission
Licence remote gambling through Operating Licences	Gambling Commission
Issue licences in relation to the manufacture, supply, installation, adaptation, maintenance or repair of gaming machines	Gambling Commission
Deal with appeals against Commission decisions	Gambling Appeals Tribunal

The Licensing Authority is not involved in licensing remote gambling. This will fall to the Gambling Commission via operating licences.

Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission.

6. Responsible Authorities

In exercising this licensing authority's powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm, the following principles have been applied:

- the need for the body to be responsible for an area covering the whole of the licensing authority's area and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the Gambling Commission's Guidance for local authorities this authority designates the following for this purpose:

Children's and Families - KCC Social Service

The contact details of all the Responsible Bodies under the Gambling Act 2005 are listed at Appendix 3.

7. Interested parties

The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party.

Section 158 of the Gambling Act 2005 says a person is an interested party if he/she;

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- b) has business interests that might be affected by the authorised activities or;
- c) represents persons who satisfy paragraph (a) or (b).

An interested party can make representations about licence applications or apply for a review of an existing licence.

Each application will be decided upon its merits. This Authority will not apply rigid rules to its decision-making. However, it will consider the following (Gambling Commission's Guidance to local authorities (paragraphs 6.24 and 6.25))

The Gambling Commission has emphasised that 'demand' cannot be a factor in determining applications.

Gambling Commission's Guidance states that moral objections to gambling are not a valid reason to reject applications for premises licences, as such objections do not relate to the licensing objectives (Guidance to Licensing Authorities Para 5.27). All objections must be based on the licensing objectives.

The Gambling Commission has recommended that the licensing authority state within its Gambling Policy Statement that interested parties may include trade associations, trade unions, and residents and tenants' associations (paragraph 6.25). However, this Authority will not generally view these bodies as interested parties unless they have a member who can be classed as such under the terms of the Gambling Act 2005. (i.e. lives sufficiently close to the premises and is likely to be affected by the application.)

Interested parties can be persons who are democratically elected, such as Councillors and MP's. No evidence of being asked to represent an interested person will be required provided the Councillor/MP represents the relevant ward. Likewise, parish councils may be considered to be interested parties. Apart from these exceptions this Authority will require written evidence that a person/body/advocate/relative) represents someone likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter of authorisation from one of these persons, requesting the representative to speak on their behalf will be sufficient.

Councillors who are on the Licensing Committee dealing with the licence application will not be able to make representations. If there are any doubts then please contact Mrs Claire Perry Assistant Licensing Manager via email at licensing@sevenoaks.gov.uk or by telephone 01732 227325.

8. Exchange of Information

Licensing Authorities are required to include in their Gambling Policy Statement the principles to be applied by the Authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

The principle that this Licensing Authority will apply is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information and the provision that the Data Protection Act 1998 will not be contravened. The Licensing Authority will have regard to any Guidance issued by the Gambling Commission on this matter as well as any regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

Any protocols established as regards information exchange with other bodies will be made available.

9. Enforcement

This Licensing Authority will act in accordance with the relevant legislation and guidance from the Gambling Commission and adopt the principles of better regulation set out in the Regulators Compliance Code.

The purpose of this Licensing Authority's enforcement protocol is to facilitate co-operation and co-ordination between enforcement agencies in pursuance of both the Gambling Act 2005 and the Licensing Act 2003. A copy can be requested from Mrs. Claire Perry Assistant Licensing Manager via email at licensing@sevenoaks.gov.uk or by telephone 01732 227325.

In accordance with the Gambling Commission's Guidance for local authorities this Licensing Authority will endeavour to avoid duplication with other regulatory regimes.

This Licensing Authority, as recommended by the Gambling Commission's Guidance, has adopted a risk-based inspection programme.

Licensing authorities are required by regulation under the Gambling Act 2005, to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

This Licensing Authority's principles are that:

It will adopt the guidance for local authorities and it will endeavour to be:

- Proportionate:
 - regulators should only intervene when necessary;
 - remedies should be appropriate to the risk posed, and
 - costs identified and minimised.
- Accountable:
 - regulators must be able to justify decisions, and
 - be subject to public scrutiny.
- Consistent:
 - rules and standards must be joined up and implemented fairly;
- Transparent:
 - regulators should be open, and keep regulations simple and user friendly;
 - and
- Targeted:
 - regulation should be focused on the problem, and minimise side effects.

The main enforcement and compliance role for this Licensing Authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises.

The Gambling Commission will be the enforcement body for Operating and Personal Licences.

Factors to be taken into account when considering applications for premises licences, permits and other permissions including matters that will be considered when determining whether to review a licence.

1. Permits

(i) **Unlicensed Family Entertainment Centre (FEC) gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)**

Where a premises does not hold a Premises Licence but wishes to provide gaming machines it may apply to the licensing authority for this permit.

The applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

Sevenoaks District Council has considered and intends to require applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed family entertainment centres;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
- that staff are trained to have full understanding of the maximum stakes and prizes.

It should be noted that a licensing authority cannot attach conditions to this type of permit and that the “statement of principles” only applies to initial applications and not to renewals (paragraph 18(4)).

For initial applications, the licensing authority need not (but may) have regard to the licensing objectives but shall need to have regard to any Gambling Commission guidance.

The Gambling Commission’s Guidance for local authorities states: “In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits...., licensing authorities may want to give weight to child protection issues.

The Gambling Commission’s Guidance also states: “An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application.

Statement of Principles: This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits. However, they may include appropriate measures/training for staff as regards suspected truant school children on the premises, measures/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises.

With regard to renewals of these permits, a licensing authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse or that renewal would not be reasonably consistent with pursuit of the licensing objectives.

(ii) (Alcohol) Licensed premises gaming machine permits – (Schedule 13 Para 4(1))

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have 2 gaming machines of categories C and/or D. The premises merely need to notify the licensing authority. The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act 2005 (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
- the premises are mainly used for gaming; or
- an offence under the Gambling Act 2005 has been committed on the premises.

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*” This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from being harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines.

Measures which will satisfy this authority that there will be no access may include the adult machines being in sight of the bar or in the sight of staff that will monitor that the machines are not being used by those under 18 years old. Notices and signage may also help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

(iii) Prize Gaming Permits – (Statement of Principles on Permits - Schedule 14 Para 8 (3))

Given that the premises will particularly appeal to children and young persons, in considering what to take into account in the application process and what information to

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request from the applicant, Sevenoaks District Council will want to give weight to child protection issues and will ask the applicant to set out the types of gaming that he or she is intending to offer. The applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations; and
- that the gaming offered is within the law.

In making its decision on an application for this permit the licensing authority need not (but may) have regard to the licensing objectives and shall have regard to any Gambling Commission guidance.

It should be noted that there are conditions in the Gambling Act 2005 that the permit holder must comply with but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize) or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

(iv) Club Gaming and Club Machines Permits

Members Clubs and Miners' Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming Machine Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B3A, B4, C or D), equal chance gaming and games of chance as set-out in regulations. A Club Machine Permit will enable the premises to provide gaming machines (3 machines of categories B3A, B4, C or D).

The Gambling Commission's Guidance for local authorities states: "Members Clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made such regulations and these cover bridge and whist clubs. A Members' Club must be permanent in nature and established and conducted for the benefit of its members and not a commercial enterprise. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations." (25.5)

The Licensing Authority is aware that it may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;

- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Gambling Commission or the police.

There is also a 'fast-track' procedure available under the Act for premises that hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12, paragraph 10). As the Gambling Commission's Guidance for local authorities' states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced" and "The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

There are statutory conditions on club gaming permits that no child uses a category B3A, B4 or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

2. Premises Licences

(i) Decision making - general:

Premises Licences will be subject to the requirements set-out in the Gambling Act 2005 and Regulations, as well as specific mandatory and default conditions detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

This Licensing Authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

Any conditions attached to licences by the Licensing Authority will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- are reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in a non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;

- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons less than 18 years of age.

These conditions will apply to premises including buildings where multiple premises licences are applicable.

The licensing authority is aware that tracks may be subject to one or more than one premises licence provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

There are also conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated) and
- conditions in relation to stakes, fees, winning or prizes.

(ii) "Premises":

Premises is defined in the Act as "any place". It is for the licensing authority to decide whether different parts of a building can be properly regarded as being separate premises and as the Guidance for local authorities' states, it "will always be a question of fact in the circumstances". The Gambling Commission does not however consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.

Sevenoaks District Council will have regard to the Gambling Commission's guidance on the division of premises and access between premises.

This licensing authority takes particular note of the Guidance for local authorities which states that in considering applications for multiple licences for a building or those for a specific part of the building to be licensed, licensing authorities should be aware that:

- the third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling but also that they are not permitted to be in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental

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access to, or closely observe gambling where they are prohibited from participating; and

- entrances and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area.

Licensing authorities should pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Clearly, there will be specific issues that authorities should consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. But, in addition an overriding consideration should be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

It should also be noted that an applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that references to "the premises" are to the premises in which gambling may now take place. Thus a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling. This authority agrees with the Gambling Commission that it is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the building to be complete ensures that the authority can, if necessary, inspect it fully, as can other responsible authorities with inspection rights.

(iii) Location:

This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

(iv) Planning:

Planning and licensing are different regulatory systems and will be dealt with separately. The Gambling Commission's Guidance states: "When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control, building and other regulations and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building."

(v) Duplication:

As stated in section nine on Enforcement, as per the Gambling Commission's Guidance for local authorities this licensing authority will seek to avoid duplication with other regulatory regimes so far as possible.

(vi) Door Supervisors:

The Gambling Commission's Guidance advises local authorities that licensing authorities may require persons operating premises in which gambling takes place to take measures such as the supervision of entrances; segregation of gambling from non-gambling areas frequented by children (assuming such non-gambling areas are compatible with requirements of the Act); and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives.

Any person employed to fulfil a condition on a premises licence that requires door supervision should hold a relevant licence issued by the Security Industry Authority (SIA).

It is to be noted that door supervisors at licensed casino or bingo premises are exempt from the requirements of the Private Security Industry Act 2001. Where an authority imposes door supervision requirements on such licences, the personnel will not need licensing under the 2001 Act.

This licensing authority therefore has specific requirements for door supervisors working at casinos or bingo premises, where there are multiple licensable activities and/or the Police Licensing Officer has concerns about the licensing objectives being undermined.

Where the premises is licensed under the Licensing Act 2003 door supervisors will be required to hold a relevant licence issued by the Security Industry Authority (SIA).

(vii) Licensing objectives:

This licensing authority has considered the Gambling Commission's Guidance to local authorities in respect of the licensing objectives.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime:

Ensuring that gambling is conducted in a fair and open way:

Protecting children and other vulnerable persons from being harmed or exploited by gambling:

(viii) Reviews:

Interested parties or responsible authorities can make requests for a review of a premises licence; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the following matters:

- it is in accordance with any relevant code of practice issued by the Gambling Commission;
- it is in accordance with any relevant guidance issued by the Gambling Commission;

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- it is reasonably consistent with the licensing objectives; and
- it is in accordance with the authority's statement of licensing policy.

Consideration will be given as to whether the request is frivolous, vexatious, or will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

The licensing authority can also initiate a review of a licence on the basis of any reason that it thinks is appropriate.

(ix) Provisional Statements:

This licensing authority notes the Gambling Commission's Guidance for the Gambling Commission which states that:

- "It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence." and that
- "Requiring the building to be complete ensures that the authority can inspect it fully".

In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- (a) which could not have been raised by objectors at the provisional licence stage; or
- (b) which is in the authority's opinion reflect a change in the operator's circumstances.

(x) Adult Gaming Centres (AGC):

This licensing authority particularly notes the Gambling Commission's Guidance which states: "No-one under the age of 18 years of age is permitted to enter an AGC. Licensing authorities will wish to have particular regard to the location of an entry to AGCs to minimise the opportunities for children to gain access. This may be of particular importance in areas where young people may be unsupervised and an AGC is in a complex, such as a shopping centre or airport."

The licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas

- Location of entry
- Notices/signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

(xi) (Licensed) Family Entertainment Centres (FECs):

Family Entertainment Centres are wholly or mainly used for having gaming machines available for use.

This licensing authority will, as per the Gambling Commission's Guidance refer to the Commission's website to see any conditions that apply to operator licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

The licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:

- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare
- Measures/training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

(xii) Tracks:

This licensing authority is aware that the Gambling Commission may provide specific guidance as regards tracks. We shall have regard to this Guidance in the discharge of our functions.

(xiii) Casinos:

This Licensing Authority will have regard to the Gambling Commission's guidance.

(xiv) Bingo:

This Licensing Authority will have regard to the Gambling Commission's guidance.

(xv) Temporary Use Notices:

There are a number of statutory limits as regards Temporary Use Notices. It is noted that it falls to the licensing authority to decide what constitutes a 'set of premises' where Temporary Use Notices are received relating to the same building/site (see Gambling Commission's Guidance for Local Authorities).

(xvi) Occasional Use Notices:

The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The licensing authority will need to consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

(xvii) Travelling Fairs:

It will fall to this licensing authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

Help with gambling related problems:

A list of organisations where people may seek help will be available on the licensing website.

Responsible Authorities:

Further information about the Gambling Act 2005 and the Council's licensing policy can be obtained from:

Licensing Team

Sevenoaks District Council
Council Offices
PO Box 182
Argyle Road
Sevenoaks
Kent TN13 1GP

Tel: 01732 227325

Fax: 01732 742339

e-mail: licensing@sevenoaks.gov.uk

Website: www.sevenoaks.gov.uk

Local Planning Authority

Sevenoaks District Council
Council Offices
PO Box 182
Argyle Road
Sevenoaks
Kent TN13 1GP

Tel: 01732 227200

Fax: 01732 451332

Chief Police Officer – (West Kent Police)

Kent County Constabulary
West Kent Area Commander
Police Station
1 Pembury Road
Tonbridge
Kent TN9 2HS

Tel: 01732 771055

Fire Safety - District Manager

Keith Burns
Kent Fire & Rescue Service
West Kent Fire Safety Office
424 Vale Road
Tonbridge
Kent TN9 1SW

Tel: 01732 369429

Information can also be obtained from:

Gambling Commission

Victoria Square House
Victoria Square
Birmingham B2 4BP

Tel: 0121 230 6666

Fax 0121 230 6720

e-mail: info@gamblingcommission.gov.uk

Website:

www.gamblingcommission.gov.uk

Environmental Protection

Sevenoaks District Council
Council Offices
PO Box 182
Argyle Road
Sevenoaks
Kent TN13 1GP

Tel: 01732 2272000

Fax: 01732 742339

e-mail:

environmentalprotection@sevenoaks.gov.uk

Health and Safety

Sevenoaks District Council
Council Offices
PO Box 182
Argyle Road
Sevenoaks
Kent TN13 1GP

Tel: 01732 227000

Fax: 01732 742339

Kent Child Protection Committee

Children's and Families
KCC Social Service
The Willows
Hilda May Avenue
Swanley
Kent BR8 7BT

Website: www.kcpc.org.uk

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HM Revenue & Customs

National Registration Unit

Portcullis House

21 India Street

Glasgow

G4 2PZ

Tel: 0845 302 1431

Website: www.hmrc.gov.uk

List detailing who this authority consulted with:

List of Consultees

Sevenoaks District Council website
 District Councillors
 Councillor's Members Room
 Parish and Town Councils
 Swanley Library
 Sevenoaks Library
 Edenbridge Library
 Westerham Public Library
 Otford Public Library
 West Kingsdown Library
 Hartley Public Library
 Seal Public Library
 New Ash Green Public Library
 Kemsing Public Library
 St. John's Public Library, Sevenoaks
 Riverhead Public Library
 West Kent Area Commander, West Kent Police
 North Kent Area Commander, North Kent Police
 Area Youth & Community Officer, KCC Youth & Community,
 Local Services Team Leader, KCC Education & Libraries
 Chief Executive, West Kent Housing Association,
 Regional Housing Manager, MOAT Housing Society
 Locality Manager, South West Kent Primary Care Trust
 Director of Public Health, Dartford, Gravesham and Swanley Primary Care Trust
 Licensing Co-ordinator, Kent Police, Strategic Crime Reduction Department
 Director, West Kent Council of Voluntary Services
 Tunbridge Wells and Sevenoaks YOT, Kent Youth Offending Team
 Berwin Leighton Paisner Solicitors
 Hammonds Solicitors
 Knocker & Foskett Solicitors
 Copy in reception
 Sevenoaks and District Chamber of Commerce
 Licensed premises in the Sevenoaks Area
 Swanley Chamber of Commerce
 Edenbridge Chamber of Commerce
 Licensing Manager, Tonbridge & Malling Borough Council
 Head of Environmental Health and Licensing, Tunbridge Wells Borough Council
 Environmental Health Manager, Gravesham Borough Council

List detailing who this authority consulted with

Appendix 4

Enforcement and Regulatory Services Manager, Dartford Borough Council
Licensing Manager, Tandridge District Council
Bromley Licensing Manager, London Borough of Bromley
Head of Environmental Health, London Borough of Bexley
Safety & Licensing Team, Mid Sussex District Council
The Gambling Commission
West Kent Licensing Officer
Planning Department
Fire Safety District Manager, Kent Fire & Rescue Service
Community and Planning Services Director, Sevenoaks District Council
Environmental Health Manager, Sevenoaks District Council
Ladbrokes Betting & Gaming Limited
Enterprise Inns Plc
JD Wetherspoon Plc
Sencio Community Leisure
Respondents to the last Gambling Policy Statement
The British Beer & Pub Association
Association of British Bookmakers
Head of Community Development Manager, Sevenoaks District Council
District Manager, Children & Families, KCC Social Services
Kent County Council, Trading Standards
Gambling Policy Team, HM Customs & Excise
Corals, Sevenoaks, Westerham, Swanley & Edenbridge
Done Brothers T/A Betfred
Coral Racing Limited, Head Office
Betfred, Sevenoaks and Swanley
Greene King Brewing and Retailing Ltd.
Head of Operational and Environmental Services
Community and Planning Services Director
Harvey & Son (Lewes) Ltd.
Mitchells & Butlers plc
Barracuda Pubs & Bars Company Ltd
Punch Taverns
Shepherd Neame Ltd.

This list is not definitive. Residents associations will be sent copies on request.

Appendix 5

Summary of machine provisions by premises

Premises type	Machine category							
	A	B1	B2	B3	B3A	B4	C	D
Large casino (machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)						
Small casino (machine/table ratio of 2-1 up to maximum)		Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)						
Pre-2005 Act casino (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead						
Betting premises and tracks occupied by pool betting		Maximum of 4 machines categories B2 to D						
Bingo premises						Maximum of 8 machines in category B3 or B4	No limit on category C or D machines	
Adult gaming centre						Maximum of 4 machines in category B3 or B4	No limit on category C or D machines	
Family entertainment centre (with premises licence)							No limit on category C or D machines	
Family entertainment centre (with permit)								No limit on category D machines
Clubs or miners' welfare institute (with permits)							Maximum of 3 machines in categories B3A or B4 to D*	
Qualifying alcohol-licensed premises							1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol-licensed premises (with gaming machine permit)							Number of category C D machines as specified on permit	
Travelling fair								No limit on category D machines
	A	B1	B2	B3	B3A	B4	C	D

It should be noted that members' clubs and miners' welfare institutes are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement. Commercial clubs are entitled to a total of three machines in categories B4 to D.

Summary of licensing authority delegations permitted under the Gambling Act 2005

Matter to be dealt with	Full Council	Sub-Committee of licensing committee	Officers
Final approval of three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting (where appropriate)			X
Application for Premises licences		Where representations have been received and not withdrawn	Where representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where representations received/ representations have been withdrawn
Application for a transfer for a licence		Where representations have been received from the Commission	Where no representations have been received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where representations received/ representations have been withdrawn
Review of a premises licence		X	
Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

Appendix 7

Summary of Maximum stake and Maximum prize by category of gaming machine.

Category of machine	Maximum stake	Maximum prize
A	Unlimited	Unlimited
B1	£2	£4,000
B2	£100	£500
B3	£1	£500
B4	£1	£250
C	£1	£70
D (Money-prize machine)	10p	£5 cash
D (Crane Grab Machines)	£1	£50
D (Non-money prize machine (other than Crane Grab Machine))	30p when non-monetary prize	£8 non-monetary prize
D (For coin pushers and penny fall machines)	10p	£15 (£8 maximum in cash)

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