

LICENSING COMMITTEE

Minutes of the meeting held on 30 September 2014 commencing at 6.00 pm

Present: Cllr. Mrs. Morris (Chairman)

Cllr. Clark (Vice Chairman)

Cllrs. Abraham, Bosley, Cooke, Clark, Mrs. George, Orridge and Mrs. Parkin

An apology for absence was received from Cllr. Pett

7. Minutes

Resolved: That the Minutes of the meeting of the Licensing Committee held on 26 June 2014 and of the Sub-Committees held on 23 June 2014, 11 August 2014 and 1 September 2014 be approved and signed by the Chairman as a correct record.

8. Declarations of interest

No additional declarations of interest were made.

9. Actions from the previous meeting

The action from the previous meeting was for the Licensing Partnership Manager to contact the Police regarding establishing any intelligence or a pattern regarding previous events and to follow up on the installation of the barrier. The Licensing Partnership Manager reported that she had contacted the Police Licensing Officer, there did not appear to be any future dates that they were aware of therefore she had requested that previous years be looked at to see if there was any pattern. The main horse fair had been held the weekend of 13 September 2014. The local PCSO had liaised with the DPS prior to the event but nothing appeared to have happened or at least reported. As there was uncertainty on the future of the working mens club it appeared they were delaying on the promise of a new barrier, but this would be pursued.

10. Licensing Partnership Update Report

The Licensing Partnership Manager presented an update report on the Licensing Partnership. She was required to produce two updates a year for Tunbridge Wells and one for Maidstone Borough Councils. It was a report for information and apprised Members of the 2013/14 performance outturn and highlighted the many challenges facing the partnership and the staff working within the Licensing Partnership. The operation of the partnership was progressing, developing and improving and embracing innovative techniques to seek efficiency savings.

The Licensing Partnership Manager advised that the Deregulation Bill published earlier in the year proposed to stop the need for renewal of personal licences to sell alcohol which had been introduced in 2005 with a 10 year renewal date. The Bill was in the committee

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stages of the House of Lords and the change in legislation may not be in place before the first renewals from 2005 were due. In response to a question she advised that only the courts had the power to review or remove a personal licence.

The Committee congratulated the Licensing Partnership Manager and her team for their excellent performance resulting in the tightened targets for the following year.

Resolved: That the report be noted.

11. Statement of Licensing Policy Consultation Report

The Licensing Partnership Manager presented a report which provided Members with information and guidance on a brand new Statement of Licensing Policy required under the Licensing Act 2003 which required approval for public consultation. The Council's current Policy Statement took effect from 7 January 2011 and at that time the legislation required the Statement of Licensing Policy to be published every three years. Section 122 of the Police Reform and Social Responsibility Act 2011 had changed this from every 3 years to every 5 years. It had been hoped to delay reviewing the policy until the change to locally set fees came out, however the policy was too out of date to wait any longer. A mini review could be carried out when they did come out. The previous policy had been based on a Kent template, in drafting this new policy account had been taken of recent case law and it was more in line with practices and how decisions were made here. It was also more user friendly.

The consultation period was 12 weeks and the responses would be brought back to Committee before being submitted to Full Council.

Public Sector Equality Duty

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

Resolved: That the draft Statement of Licensing Policy be approved for public consultation.

The Committee expressed their thanks to all staff involved in drafting the new policy.

THE MEETING WAS CONCLUDED AT 6.25 PM

CHAIRMAN