

LICENSING AND HEALTH AND SAFETY COMMITTEE

MINUTES of a **MEETING** of the **LICENSING AND HEALTH AND SAFETY COMMITTEE** held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **29th NOVEMBER 2006**

PRESENT: Cllr. Goddard (Chairman);
Cllr. Weller (Vice-Chairman);
Cllrs. Claridge, Feacey, Harrington, Heyes, Mrs Larkin, Link, Mrs Martin, Wallace.

APOLOGIES: Cllr. Allcock

ALSO PRESENT: Licensing Manager, Environmental Health Manager (Commercial), Senior Solicitor, Member Services and Scrutiny Support Officer.

Prior to the commencement of the meeting the Chairman welcomed the new Senior Solicitor.

346 MINUTES

Resolved:

That the Minutes of the meeting of this Committee held on 17th March 2005 be approved and confirmed as a correct record.

347 REPORT ON LICENSING ACT 2003 – IMPLEMENTATION UPDATE

The Licensing Manager introduced and gave an overview of this report. He explained that it had been a year since the Licensing Act 2003 came fully into force. It was considered timely to have a review though unfortunately local crime and disorder statistics as relevant to the Act were not yet available. He explained that the Act was however helping to target resources on “problem” premises. He reported that the extended hours seemed to have been well accepted - especially as the leaving “rush” was now more spread out and so there was less noise all at once.

The Licensing Manager reported that only 25 licence applications required a hearing and there had been only two appeals.

The Licensing Manager explained that the licensing policy, approved by Ashford Borough Council in December 2004, had to be reviewed every three years. The Department of Culture Media and Sport was reviewing guidance to local authorities and this should be available in the spring of 2007. The licensing policy would need to be revised in the spring/summer of 2007 to be ready for December 2007. In response to a question from the Committee on why there had been no reviews of the licences that had been issued, the Licensing Manager explained that most complaints about licensed premises had been resolved by the parties involved without the need for a review. The Act was designed to encourage negotiation and most people did conform to what they were supposed to do. He further commented that all the Ashford town centre pubs had door staff after 11pm and that this was positive in terms of reducing crime and disorder, and public nuisance. Details of joint enforcement work with the Police and Trading Standards were provided. It was reported that in some authorities Members had accompanied Officers on enforcement visits. Members expressed interest in this approach. Enforcement visits were being made immediately after a complaint was received. This it was felt helped to resolve problems quickly.

The licensing of public spaces was discussed. The Licensing Manager indicated that premises licences had been obtained for Ashford Town Centre by the Ashford Town Centre Partnership and for North Park and Victoria Park by Cultural Services at Ashford Borough Council so these

areas could be used for community events without having to get a succession of temporary event notices. It was hoped that Tenterden Town Council would adopt a similar approach for Tenterden (for the Folk Festival, late night shopping etc).

The Licensing Manager advised that over the coming year he intended to establish a Licensing Forum, where Councillors, Officers, statutory bodies, trading representatives and the public could get together to discuss licensing issues.

In response to further questions from Members of the Committee the Officers provided advice on:

- The Violent Crime Reduction Act in terms of speeding up licensing review (48 hour period), introduction of alcohol disorder zones and the charging of premises for enforcement controls that might need to be introduced.
- Underage selling of alcohol and the improved situation following a nationwide campaign by Trading Standards. It was noted that persistent underage selling of alcohol could result in revocation of licence/closure notice.

Resolved:

That the report be received and noted.

348 UPDATE ON GAMBLING ACT 2005

The Licensing Manger explained that Ashford Borough Council had to produce a Statement of Gambling Policy. This had been drafted and was to be presented to the Executive on Thursday 7th December 2006. Ashford Borough Council could expect to start receiving applications in April 2007, with full responsibilities transferred in September.

Personal/Operator Licences would be dealt with by the Gambling Commission. Ashford Borough Council would deal with premises licences e.g. for bingo, adult gaming (arcades), betting shops, horse racing/dog tracks etc.

Internet gambling was outside of regulation by local authorities – currently outside any regulation. He advised that the gambling industry was very well regulated but that the legislation was extremely complicated.

With regard to training he suggested that the Committee had some training in the spring because some applications could arrive in April. Further training/refresher could then happen, when required, after the Council elections. The hearing process for gambling applications was similar to that for licensing but each hearing was more likely to be unique.

In response to questions from Members of the Committee the Licensing Manager advised:

- It was not possible to predict whether Ashford would see an increase in gambling premises.
- An extra budget for start up costs for staffing, training etc had been requested.

Resolved:

That the report be received and noted.