

Medway Council
Meeting of Licensing and Safety Committee
Tuesday, 24 July 2012
5.35pm to 5.55pm

Record of the meeting

Subject to approval as an accurate record at the next meeting of this committee

Present: Councillors: Baker, Mrs Diane Chambers (Chairman), Colman, Etheridge, Hicks, Rodberg and Shaw

Substitutes: Councillor Griffin for Councillor Kemp
Councillor Pat Gulvin for Councillor Carr
Councillor Maple for Councillor Harriott
Councillor Tolhurst for Councillor Adrian Gulvin

In Attendance: Angela Drum, Head of Legal Services
Alison Poulson, Licensing and Local Land Charges Manager
Caroline Salisbury, Democratic Services Officer

206 Record of meeting

The record of the meeting held on 12 April 2012 and the record of the Joint meeting of all Committees held on 16 May 2012 were both agreed and signed by the chairman as correct.

207 Apologies for absence

Apologies for absence were received from Councillors Carr, Adrian Gulvin, Harriott, Kearney and Kemp.

208 Urgent matters by reason of special circumstances

There were none.

209 Declarations of disclosable pecuniary interests

There were none.

210 Statement of Policy in respect of Sexual Entertainment Venues

Discussion:

The Licensing and Local Land Charges Manager introduced the report advising that at the last meeting the Committee had agreed to instruct officers to report back with further details relating to a proposal to set a limit on the number of

Licensing and Safety Committee, 24 July 2012

venues that may be licensed as sexual entertainment venues within an area to be determined within historic Rochester and/or High Street, Rochester.

The report set out two options for the Committee's consideration, which was either to take no action and to continue to use the existing statement of policy to its full potential during the decision making process of all applications, or to determine the relevant area the restriction should apply to and the number of venues the restriction related to in order to commence the consultation in line with the timetable detailed in the report. In respect of the second option, three example areas had been appended to the report.

Members discussed the need to set an area with a limit for sexual entertainment venues in the historic part of Rochester, as there had been strong representations against both the previous applications, which had been granted, and a policy would strengthen the reason for refusal of any future applications, together with protecting the area for the future.

The Committee discussed the possible options for an area within historic Rochester and the High Street where the policy would apply and agreed that it would be sensible for this to correspond with the Conservation Area boundary, as shown in Appendix B.

Decision:

The Committee agreed to commence a six-week consultation on restricting the number of sexual entertainment venues within the Conservation Area of Historic Rochester (as shown on Appendix B of the report) to a maximum of two, in line with the following timetable:

- six week consultation period from 30 July – 7 September 2012
- Licensing and Safety Committee – 19 September 2012
- Business Support Overview and Scrutiny Committee – 25 September
- Council 18 October 2012
- New Statement of Policy in use from 19 October 2012.

211 Update to the Licensing and Gambling Statements of Policy

Discussion:

The Licensing and Local Land Charges Manager introduced the report which sought authorisation to amend the Statements of Policy for both Licensing and Gambling in accordance with recent changes in legislation and guidance issued. The amendments would then be advertised and consulted upon with all relevant interested parties, including Councillors.

Members were advised that the results of both consultations would be reported back to the Committee, together with a revised version of the Statements of Policy, for recommendation to Cabinet and Full Council for approval in accordance with the following proposed timescales:

Licensing and Safety Committee, 24 July 2012

Gambling

- 12 week consultation period from 30 July – 22 October 2012
- Licensing and Safety Committee – additional meeting required in November 2012
- Business Support Overview and Scrutiny Committee – 6 December 2012
- Cabinet – 18 December 2012
- Full Council – 24 January 2013
- New Statement of Policy to be advertised 29 January 2013
- New Statement of Policy in use from 26 February 2013.

Licensing

Provisional timetable – to take into account changes to legislation due later this year

- 6 week consultation period from 7 January – 19 February 2013
- Licensing and safety Committee – additional meeting required in March 2013
- Business Support Overview and Scrutiny Committee – 20 March 2013
- Cabinet – 16 April 2013
- Full Council – 25 April 2013
- New Statement of Policy in use from 1 May 2013.

Officers advised that the Gambling Policy was already due for renewal, as it was at the end of its three year duration. However, the Licensing Policy had previously been agreed in January 2011 and was due to run for three years, so this request was for an early review of the policy due to the legislative changes made in April 2012 and more expected in October 2012.

The Committee discussed the announcement that had been made earlier in the day with regard to changes to the gambling laws and asked whether this would involve a further review of the council's Gambling Policy in the near future. Officers advised that this would depend on what the changes were and how the policy was worded for that activity, for example if there were changes to the limit of gaming machines within a premise, the wording in the council's policy did not specify the number of machines, so no revision would be necessary.

Officers advised that if any changes were received from the government during the twelve-week consultation period, they could be added to the current consultation and incorporated into future changes but, legally, the consultation had to start now, as the policy had to be reviewed every three years and this could not be delayed.

The Chairman advised that it had been some time since Members had been briefed on the gambling laws and requested that a Briefing Note was sent to the Committee giving an up-to-date overview on this matter.

Licensing and Safety Committee, 24 July 2012

Decision:

The Committee agreed:

- a) to authorise officers to amend the Statements of Policy for Licensing and Gambling in accordance with the changes in legislation and guidance issued, advertise and consult with all relevant interested parties;
- b) that the results of both consultations are reported back to a future Licensing and safety Committee, together with a revised version of the Statements of Policy for recommendation to Cabinet and Full Council for approval;
- c) to request that a Briefing Note is sent to the Committee giving an up-to-date overview of the gambling laws.

Chairman

Date:

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