

LICENSING AND SAFETY COMMITTEE

22 JULY 2014

LICENSING ACT 2003: KENT & MEDWAY COMPLIANCE & ENFORCEMENT PROTOCOL

Report from: Perry Holmes - Assistant Director, Legal & Corporate Services

Author: Alison Poulson - Licensing & Local Land Charges Manager

Summary

The purpose of this report is to seek approval of the Licensing & Safety Committee for Medway Licensing Team to adopt the joint Kent and Medway Licensing Compliance and Enforcement Protocol in as much as it applies to the activities carried out by this section of the Council.

1. Budget and Policy Framework

- 1.1 The Council's statements of policy in respect of its functions under the Licensing Act 2003, Gambling Act 2005 and Sex Establishment under the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009 all refer to the relevant objectives and requirements for compliance and enforcement.

2. Background

- 2.1 The Council's Licensing Team works closely in partnership with other agencies, local authorities and other sections of Medway Council to deliver the statutory requirements of the Licensing Act 2003, Gambling Act 2005 and other areas of licensing legislation.
- 2.2 The Council has established protocols with officers they work in partnership with on licensing compliance and enforcement issues. The Kent & Medway Regulatory Licensing Steering Group, which Medway Licensing is a member of, have formalised these protocols including liaison agreements and effective practice by way of an agreement between all relevant parties.
- 2.3 The Kent and Medway Licensing Compliance and Enforcement Protocol cover a wide range of licensable areas, some of which are not within this Council's Licensing Teams remit.
- 2.4 This report is seeking approval only for the range that is within the licensing teams remit: -

- For alcohol, regulated entertainment and late night refreshment
- For gambling
- For sex establishments and sexual entertainment venues
- For scrap metal dealers and motor salvage operators
- For taxi licensing
- For Street collections
- For house to house collections
- For street trading
- Pleasure Boats
- Hypnotist permit

2.5 A copy of the Kent and Medway Licensing Compliance and Enforcement Protocol is attached at Appendix A for Members' consideration.

3. Risk Management

3.1 It is important that the Licensing & Safety Committee is kept fully informed of issues in respect of licensing matters.

4. Financial and legal implications

4.1 There are no direct financial implications arising from this report

4.2 The Council has produced its Statements of Policy as required by the Licensing Act 2003, Gambling Act 2005 and Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009

5. Recommendations

5.1 That the report at Appendix A is considered and adopted for use by the Licensing Team in respect of only the relevant legislation and licences covered at any given time by this section of the Council .

Lead officer contact

Alison Poulson, Licensing and Local Land Charges Manager
Telephone No: 01634 332774 Email alison.poulson@medway.gov.uk

Background papers

None