

LICENSING AND SAFETY COMMITTEE

17 SEPTEMBER 2014

LICENSING ACT 2003

ENFORCEMENT REPORT ON LICENSING MATTERS

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

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Summary

The purpose of this report is to enable Medway Police to present their annual report in respect of licensing compliance and enforcement to the Licensing and Safety Committee and for Members to ask the police representative questions and make comments.

1. Budget and Policy Framework

1.1 The Council's statement of licensing policy in respect of its functions under the Licensing Act 2003 refers to the licensing objective of the prevention of crime and disorder and associated compliance and enforcement.

2. Background

2.1 The Council's Licensing Team works closely in partnership with Medway Police to deliver the statutory requirements of the Licensing Act 2003 and other licensing legislation.

2.2 As a responsible authority under the Licensing Act 2003, Medway Police comment on all applications for premises licences and where appropriate make representations. If these representations are unresolved, the Police present their objections to a Licensing Hearing Panel. Medway Police may also object to personal licence (authorisation to sell alcohol) applications and temporary event notices, where they consider the crime prevention objective within the Licensing Act would be undermined if the licence were to be granted.

2.3 In their role as a responsible authority, the police are an essential source of advice and information on the impact and potential impact of licensable activities, particularly on the crime and disorder objective. The police have a key role in managing the night-time economy and

have good working relationships with those operating in the Medway area.

- 2.4 The Council has established protocols with Medway Police on licensing compliance and enforcement issues. These provide for the targeting of resources towards high-risk premises and activities that require greater attention, while providing a lighter touch in respect of low risk premises that are well operated. All licence holders are expected to co-operate in order to promote the licensing objectives. Evidence of non-co-operation may be considered sufficient grounds for review, suspension or revocation of any licence.
- 2.5 A copy of the police report 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 work being carried out by Medway Police in respect of all 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 Statement of Licensing Policy as required by the Licensing Act 2003.

5. Recommendations

- 5.1 That the report at Appendix A prepared and presented by Medway Police is considered by the Committee and Members be invited to comment where appropriate.

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Background papers

None