

Medway Council
Meeting of Licensing and Safety Committee
Wednesday, 8 March 2017
6.00pm to 6.40pm

Record of the meeting

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

- Present:** Councillors: Bhutia, Bowler, Carr (Vice-Chairman), Mrs Diane Chambers (Chairman), Etheridge, Fearn, Godwin, Griffin, Hicks, McDonald and Pendergast
- Substitute:** Councillor Wicks (Substitute for Kemp)
- In Attendance:** Chief Inspector Simon Alland, Vice-Chair, Medway Community Safety Partnership
Councillor Adrian Gulvin, Chair, Medway Community Safety Partnership
Jan Guyler, Head of Legal Services
Barbara Murray, Health Improvement Project Co-ordinator
Stephen Platt, Democratic Services Officer

784 Apologies for absence

Apologies for absence were received from Councillor Kemp.

785 Record of meeting

The record of the meeting of the Committee held on 31 August 2016 were agreed and signed by the Chairman as correct.

786 Urgent matters by reason of special circumstances

There were none.

787 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

Councillors Carr and Godwin declared an interest in agenda item 5 (Proposal for Cumulative Impact Policy Areas) as representatives on the Kent and Medway Fire and Rescue Service.

788 Proposal for Cumulative Impact Policy Areas

Discussion:

The Chair of the Medway Community Safety Partnership (CSP) presented a report which outlined evidence to support a proposal from the CSP for a Cumulative Impact Policy (CIP) to be included within the Council's Statement of Licensing Policy. The CIP would cover defined areas within Chatham, Gillingham, Luton, and Rochester where there was a proven connection between the density of licensed premises and high levels of alcohol related harms caused by the customers from those premises. The effect of adopting a CIP would be to "create a rebuttable presumption" that applications for premises licences which were likely to add to the existing cumulative impact would normally be refused or subject to certain limitations unless the applicant could demonstrate that there would be no negative impact on the licensing objectives as defined in the Licensing Act 2003. In addition, the provision of three stress areas was proposed where the weight of evidence was not sufficient to consider a CIP but the level of alcohol harms, the associated density of licenced premises and their customers still caused concern. The proposed areas were between Gillingham, the A2 and hospital and adjoining the proposed CIP; between Chatham High Street and Rochester High Street adjoining the proposed CIP; and Strood town centre. It would be expected that applicants for a licence to sell alcohol in these areas would address all concerns expressed in the evidence and tailor their applications accordingly.

The Chair of the CSP stressed that the evidence detailed in the report concerned tightly defined small geographical areas and did not reflect the general position within Medway.

It was noted that, if the Committee agreed that a CIP was appropriate for the relevant areas within Medway, work would begin on developing a draft policy which would then be subject to an extensive consultation exercise before being presented to a future meeting of the Committee before being recommended to Full Council for adoption.

During the discussion by members of the Committee, the following points were made:

- The CSP, Kent Police and Public Health were congratulated on their comprehensive evidence based report.
- Once adopted, a CIP would not be an instant solution to the issues experienced in the relevant areas. It would be a tool which would assist in the determination of future applications for premises licences.
- Other issues which impacted an area included drugs misuse and homelessness.
- With regard to residents' comments within the report that the Council issued too many premises licences, it needed to be remembered that, under the Licensing Act 2003, any application for a licence must be approved if no objections were received during the consultation period for the application.

Licensing and Safety Committee, 8 March 2017

- In response to a question on the proposed boundary of a CIP area, it was explained that the boundaries were identified from the statistical data collected. The CIP would be reviewed annually to ensure that the areas reflected up to date statistical information.
- There was a possibility that a CIP might lead to issues being displaced to neighbouring areas of Medway.
- Any policy would need to be sustainable and a blanket CIP would not be appropriate.
- Sufficient time would be needed for the CIP to be developed and consulted upon. It was agreed that members of the Committee would be advised of the timescales when these had been established.

Decision:

The Committee considered that a Cumulative Impact Policy was appropriate for the relevant areas within Medway and instructed officers to draft a policy for consultation with responsible authorities, local businesses and residents. The policy would then be presented to the Licensing and Safety Committee for recommendation to Full Council for adoption.

Chairman

Date:

Stephen Platt, Democratic Services Officer

Telephone: 01634 332011

Email: democratic.services@medway.gov.uk