

Appendix B

Table of significant proposed amendments to the Statement of Licensing Policy

Policy Section No. and Title	Policy paragraph and summary of changes in draft 23 – 28 Policy	Reasons
Introduction section Medway Ward Map and boundaries diagram - Page 3	Maps updated to include proposed changes to electoral wards– webpage link included for more detailed information.	Changes made to match proposed boundary changes in line with Local Government Boundary Commission review.
Policy 10	Para 5.42 – reference to Drinking Control Zones removed and replaced with Public Space Protection Orders and guidance given on what these mean	Public Space Protection Orders came into effect in 2017
Removal of Cumulative Impact and Stress Area Policies (Policies 17 & 18) from Statement of Licensing Policy	These policies were in existence in the 18 – 23 version of the Statement of Licensing Policy but have been removed and replaced with an electronic link to the Council’s website that contains the standalone Cumulative Impact and Stress Area Policies.	This chapter will be included in the standalone Cumulative Impact and Stress Area Policies and do not need to be repeated in the document as detailed information will be available online and accessible electronically. Any future changes or amendments to this can therefore be made without the need to change the Statement of Licensing Policy.
Introduction of a new policy 17 in Chapter 5, Impact of licensable activities by premises by type -	Policy added on page 37 entitled “Delivery/Distribution Centres for Internet only sales of alcohol” providing guidance for applicant.	There are a growing number of applications for internet and mail order sales of alcohol for consumption off the premises at distribution centres or residential premises. There is a different risk profile from these outlets compared to standard retail off licences and are considered separately therefore.
Policy 24 relating to Personal licences	Policy updated to advise that the Licensing Authority must take into account applicants “right to work in the UK” status when determining applications.	Updated to reflect the Home Office changes in right to work legislation. This was not in force during the last policy.
Appendix 3 Temporary Event Notices	Previous policy paragraphs reworded and limits updated.	Updated to reflect the changes in certain limits set by central government, individual premises are now permitted a maximum of 20 individual applications instead of 15 and the total number of days for all these events within any calendar

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	<p>a. the number of times a person (the 'premises user') may give a temporary event notice (TEN):</p> <ul style="list-style-type: none"> o <u>Personal Licence Holder</u>: 50 standard Temporary Event Notices, or 10 late temporary event notices o <u>Non Personal Licence Holder</u>: 5 standard Temporary Event Notices, or 2 late temporary event notices <p>b. the number of times a TEN may be given in respect of any particular premises: (20 times in a calendar year);*</p> <p>c. the length of time a TEN may last for these purposes (168 hours);</p> <p>d. the maximum aggregate duration of the periods covered by TENs at any individual premises: (26 days per calendar year); *</p> <p>e. the scale of the event in terms of the maximum number of people attending at any one time: (a maximum of 499).</p> <p>5 If a notice has been given and the limitations have been exceeded, then a counternotice will be issued and the event cannot proceed as planned.</p> <p>And the following link inserted Temporary event notice – Gravesham Borough Council</p>	<p>year must not exceed 26 days. The link to the online guidance and application page on the council's website is for convenience</p>

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Suggested Conditions – Appendix 5	<p>Section added to previous policy wording after paragraph 10 regarding surveillance conditions and the Information Commissioners Office: new paragraph contains the following info:</p> <p>The steady growth of the use of video surveillance systems across public and private sectors, has led to closed circuit television (CCTV) becoming more accepted in society. As video surveillance technology becomes more mainstream and affordable, it is now more common to see technologies such as Facial Recognition Technology (FRT) in public spaces. Often they process the personal data of large numbers of the general public for security, crime prevention or for other specified purposes such as digital advertising. However, some of these uses can be particularly intrusive, especially if processing takes place without the knowledge of the individual.</p> <p>Building public trust and confidence is essential to ensuring that the benefits of any new technology can be realised. The public must have confidence that the use of surveillance systems is lawful, fair, transparent and meets the other standards set in data protection law. The rights and freedoms of individuals can be greatly affected where decisions are made about them based on</p>	<p>Guidance on the use of surveillance technology at licensed premises falls within the remit of the Information Commissioners Office and the principles of use are set down in the ICO guidance. This is not a matter for Local Authorities to advise businesses on and so a brief explanation is given but applicants are directed to the ICO for further information and guidance.</p>

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	<p>particularly intrusive means of processing personal data.</p> <p>Guidance is clear that the use of surveillance ie CCTV must be in accordance with the principles set down in the ICO guidance. A link to the ICO website is on : surveillance Search Information Commissioner's Office (ico.org.uk)</p>	
Appendix 9 Responsible Authorities	Amended – definition given of what is a Responsible Authority and their role , removal of Medway Responsible Authority contact details and replaced with website link	Contact details are subject to change from time to time and so their removal from the policy will mean that the information will still be accessible but can be updated online as and when without having to review this policy.
Appendix 10 Alcohol, Health and Licensing	A contribution to the policy from the Public Health responsible Authority by way of a report on the current impact alcohol has on health in Medway.	Office for Health Improvement and Disparities (formerly Public Health England) have contributed up to date information and statistics to put the alcohol harms experienced in Medway into some frame of reference.

Proposed removal of Appendices

Appendix name	Summary of changes in draft 23 – 28 Policy	Reasons
Mandatory Conditions Appendix 4	To remove the appendix in its entirety and provide a link to the Councils website which lists them in detail along with guidance.	“Mandatory conditions” are subject to change from time to time and so their removal from the policy will mean that the information will still be accessible but can be updated online as and when the government change them, without having to review the whole policy.

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Suggested conditions Appendix 5	To remove the appendix in its entirety and provide a link to the Councils website which lists them in detail along with guidance.	“Suggested conditions” are not a necessary requirement in law but are provided to help and guide applicants when completing their applications. These may be subject to change from time to time and so their removal from the policy will mean that the information will still be accessible and can be updated online as and when necessary.
Good Practice Guide Appendix 6	To remove the appendix in its entirety and provide a link to the Councils website which lists the good practice and possible conditions in detail.	“Good practice guide” is not a necessary requirement in law but can be a common sense way to help applicants promote the licensing objectives when completing their applications. These may be subject to change from time to time and so their removal from the policy will mean that the information will still be accessible and can be updated online as and when necessary.