

Designation	Points Raised	Council's Response
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Councillor	<ul style="list-style-type: none"> The proposed number of people to be consulted was too small. 	<p>The Licensing Act does not specify what percentage of the population should be consulted. Taking into consideration costs (such as printing) the sample was statistically significant.</p>
Councillor	<ul style="list-style-type: none"> Recent figures show that Swale has a problem with Binge Drinking, which suggests that, the Councils policy, enforcement and liaison with the Police needs to be improved. 	<p>The source of binge drinking is the affordability of alcohol which is not an issue that can be addressed or tackled at Local Authority level or through the Licensing Policy.</p> <p>SBC licensing team work very closely with Kent Police and the CDRP (communicating on a daily basis) on issues relating to Anti-social behaviour, underage sales, proxy sales, as well as general licensing and enforcement issues. The Enforcement Officer is a member of the Substance Misuse Group.</p> <p>A current campaign called 'Safe' will include guidance material to households on the hazards of binge drinking and the affect this may have on their children.</p>
Councillor	<ul style="list-style-type: none"> The draft Policy refers to three Towns: Faversham, Sheerness and Sittingbourne but does not mention Leysdown. 	<p>We have included a section on Leysdown.</p>
Councillor	<ul style="list-style-type: none"> Why were Planning consulted on the draft policy, when members were advised that planning and licensing were separate issues. 	<p>The Local Authority must consult with all of the Licensing Authorities when revising their Policy.</p> <p>The Planning Department is a Licensing Authority under the Licensing Act 2003 as is consulted on all applications.</p>
Councillor	<ul style="list-style-type: none"> Could the Graphics cost be reduced. 	<p>The Graphic cost of £20 was for Self Addressed envelopes and is a set fee.</p>
Councillor	<ul style="list-style-type: none"> Clarification on the Equalities Impact Assessment 	<p>An Equalities Impact Assessment is carried out on all policies, or new services. It identifies any gaps, ensuring that our service is accessible.</p>
Councillor	<ul style="list-style-type: none"> Application to vary a premises licence should always be reported to a Licensing Sub- 	<p>Under the Licence Act 2003 an application is only considered by the Licensing Committee when</p>

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	Committee.	representations have been made. If no representations are made the Licensing Department must grant the licence at the end of the consultation period.
Councillor	<ul style="list-style-type: none"> Ward Members should always be informed of applications received in their Ward. 	The Licensing Department are making changes to their procedures to include Ward Councillors. This will include notification of applications and Temporary Event Notices.
Councillor	<ul style="list-style-type: none"> Need to strengthen Policy on Noise and Litter issues. 	Noise and Litter are matters under the Environmental Protection Act 1990. Under the Licensing Objective 'Prevention of Public Nuisance' this has been addressed, without overlapping on existing legislation.
Licensing Authority	<ul style="list-style-type: none"> Has this been checked against Swale Borough Councils Corporate Style Guide? There are paragraphs not written in plain English and many typing errors. Could this be simplified? There appear to be many misleading statements in the document that could confuse applicants; matters which should be dealt with using powers under existing legislation (such as Health Act, Workplace (Health, Safety and welfare) regulations 1992 and Health and Safety at Work Act) This policy suggests that applications should normally be from businesses with planning consent. It may be clearer to add "applications for licenses may be made before any relevant planning permission has been sought or granted by the planning authority." Why does this get a special mention? Some of the information is incorrect, 	<p>The policy will be produced under the guidance of the Corporate Style Guide, through our Graphics Team.</p> <p>The draft has been checked for spelling errors, and some changes have been made using plain English.</p> <p>Careful consideration is taken to prevent overlapping of existing regimes. Consulting with the Licensing Authorities allows us to identify these issues – Changes were made to draft policy under 'Public Safety' to remove any potential conditions that relate to the Act mentioned.</p> <p>The wording under Relationship to Planning has been amended.</p> <p>Smoking has, for generations, been linked with licensed premises. The smoke-free legislation affects all Licensees and is included as</p>

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	<p>regarding the erection of smoking shelters.</p> <ul style="list-style-type: none"> Health and Safety at Work Act. SBC is the enforcing authority for about 2000 business premises out of approximately 3700. The health and Safety Executive is the enforcing authority for the remainder. I would like the Commercial Team to be added, as the responsible authority for Health and Safety at work. 	<p>reference material. Details relating to smoking shelters were removed.</p> <p>The wording under 'Health and Safety at Work (Additional Relevant Legislation) has been amended.</p> <p>The Commercial Team has been added to the Contacts List.</p>
Outside Authority	<ul style="list-style-type: none"> The PCT would wish that all provisions in the policy that seek to protect the public interest and specifically the health of the population be maintained. Consumption is strongly linked to affordability. Tackling availability and preferably price, including banning discounts are effective alcohol policies. Such measures would have a significant impact on excessive drinking especially among young people. 	<p>The PCT did not have the opportunity to read the policy but made some overall comments. It is hoped that through our criteria and potential conditions these matters have been addressed</p> <p>We are unable to address these matters through the policy or at local level. However, there has been discussion in parliament to ban drink promotions in Pubs and Bars – though this does not effect Supermarkets which may be the cause of binge drinking.</p>
Licensee	<ul style="list-style-type: none"> Further stringent measures necessary to promote Safety for Children. 	<p>We will endeavour to work with the Child Protection Agency, NHS and the CDRP to promotion the protection of Children – It is hoped that the policy goes some way in doing that.</p>
	<ul style="list-style-type: none"> I think we need to stop the young age child who just reaches the age of 18 years, they buy the alcohol for the under age. 	<p>A person over 18 may illegally purchase alcohol. Communication between licensee and the Licensing Authority is important to identify problems that need investigating.</p>
Licensee	<ul style="list-style-type: none"> The Policy is a document filed safely in your offices, rarely, if ever, are steps taken to enforce. 	<p>The Statement of Licensing Policy is a Public Document available in our Reception area; its purpose is to identify what information is required when making an application.</p>
Licensee	<ul style="list-style-type: none"> More should be done to establish who is serving persons with alcohol, who are 	<p>I assume this relates to the offence, serving a person that is drunk; as opposed to a drunk person serving</p>

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	over the limit.	a customer. This does relate to the Licensing Objective and will certainly be raised with Kent Police.
Licensee	<ul style="list-style-type: none"> If the licensing objectives have been met in Swale then the Council's obsession with introducing DPPO's would not be necessary would it? Policy is useless – Implementation of policy is needed. 	The Designated Public Place Orders are implemented by the CDRP and not the Licensing Department. The policy is proposed to be implemented, and I am unsure of the final sentence by the consultee.
Licensee	<ul style="list-style-type: none"> I feel that too much time is spent policing bars, pubs & clubs. These are the only responsible alcohol retailers. I find that irresponsible pricing by supermarkets leads to pre-loading which gives us on end of problems. People are now drunk before they leave home. 	<p>Policing Bars, Pubs and Clubs is an important part of making sure that the night-time economy is safe, also to ensure compliance with licensing conditions and operating schedules.</p> <p>See comments made under Binge drinking above, these issues can not be addressed at local level or under this policy.</p>
Licensee	<ul style="list-style-type: none"> Higher Profile of Policing – Troublemakers believe they can get away with it. 	This will be shared with Kent Police and the CDRP.
Licensee	<ul style="list-style-type: none"> Our streets can never be clean of thugs around town 	This will be shared with Kent Police and the CDRP.
Personal Licence Holder	<ul style="list-style-type: none"> We do (and have for many years) suffered from local youths entering the park and causing damage and distress to my holidaymakers and owners. If it continues then people will stop holidaying with us therefore cut the amount of income onto the island. The Police have been notified on numerous occasions yet it still continued. 	This will be shared with Kent Police and the CDRP.
Licensee	<ul style="list-style-type: none"> Polices need more external influence in terms of public nuisance, crime and disorder. External influences should come in the form of dedicated policing on the streets. 	All Licensing Authorities were consulted on the revised policy – these include Environmental and Kent Police. These comments will be shared with Kent Police and the CDRP.
Personal Licence Holder	<ul style="list-style-type: none"> The Council needs to recognise that entrepreneurship needs to be encouraged and developed and not hindered by outdated personal policies and views, held by Council planning members. A visionary view 	The revised policy will not be considered, nor has it been produced by Planning Members. Licensing is a separate regime. The policy has set out criteria and considerations to encourage licensee to be involved and aware of their local demands and restrictions.

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	<p>would be helpful otherwise individuals will not be inspired to invest locally and hence the local economy will suffer and jobs will not be created.</p>	
Personal Licence Holder	<ul style="list-style-type: none"> My Premises Licence is issued by Canterbury City Council. Whilst I have read its Licensing Policy etc, I have had no need to seek to read Swales. 	Quite acceptable, and I am pleased that the licensee has taken the time to read his authorities Licensing Policy.
Personal Licence Holder	<ul style="list-style-type: none"> Alcohol should be for over 21's. 	That is a central Government discussion, and can not be implemented on a local level or under the policy.
Resident	<ul style="list-style-type: none"> I have no particular interest in Licensing Policy other than I would like to see 24hrs licensing revoked. All day is fine but should cease at midnight in my opinion. 	That is a central Government discussion, and can not be implemented on a local level or under the policy.
Resident	<ul style="list-style-type: none"> Licensing hours are too long and should be greatly reduced. 	That is a central Government discussion, and can not be implemented on a local level or under the policy.
Resident (Clerk Teynham Parish Council)	<p>(Regarding Public Safety and Prevention of nuisance)</p> <ul style="list-style-type: none"> Not particularly as there are still young people walking the streets under the influence of alcohol and behaving badly. 	<p>The licensing objective Crime and Disorder will be considered on each application.</p> <p>Actual incidents relating to crime and disorder are for the Police to deal with under the Kent and Medway Enforcement Protocol.</p>
Resident	<ul style="list-style-type: none"> Licensed premises that are allowed to open until very late promote drunken behaviour on our streets. Maidstone has several such areas and so does Sittingbourne and Sheerness; as well as Rochester & Chatham. When this was under the control of the Magistrates Court the situation was far better controlled. Insufficient action is taken when drunken behaviour is noticed. As it is illegal to serve a customer who is drunk, then 	<p>The 24hr drinking was introduced by central Government, and can not be implemented on a local level or under the policy.</p> <p>Under the magistrates courts pubs had to close at 11pm, this is no longer the case.</p> <p>This has been mentioned above, and will be discussed with Kent Police and the CDRP to ensure that the right powers are out there to deal with these issues.</p>

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	<p>whenever a drunk person leaves licensed premises, the licence should be withdrawn, say for a month. This would encourage licenses to act responsible and not serve people who are unfit.</p> <ul style="list-style-type: none"> • Generally the policy works well in normal pub type premises that are in residential areas and close at 11pm. 	<p>The policy states that each application would be considered on its merits and the conditions attached following consultation with the Licensing Authorities.</p>
Resident	<ul style="list-style-type: none"> • People do as they wish, very few policies will change people's views. 	<p>Applicants will be required to demonstrate that they have considered each of the licensing objectives and provide information on how these have been addressed.</p>
Resident	<ul style="list-style-type: none"> • Having worked my way through the current and the proposed policy, I was left astonished at the number of words it took to say so little. • At the end I felt that I was none the wiser about what action the policies, if implemented, would actually bring about. • Maybe I missed it as my eyes glazed over but in a 54 page document, a simple summary in plain English would have helped a great deal. • From my experience of the licensed premises in the centre of Faversham, they are generally well run and provide safe and agreeable environments. The major problem to my mind is the ridiculously cheap alcohol available from un-licensed outlets. 	<p>We have tried to slim down the context of each section, while still keeping the document in plain English.</p> <p>The policy sets out the criteria to the applicant, and what considerations we will make. It also provides potential conditions that may be imposed to support the licensing objectives.</p> <p>We hope to have used plain English through the document.</p> <p>I am pleased to hear that a resident feels that the licensed premises are run well. I am unsure whether the consultee means unlicensed premises or is referring to supermarkets etc – if it is supermarkets, see response above. Un-licensed premises will be subject to enforcement action.</p>