

MAIDSTONE BOROUGH COUNCIL

LICENSING COMMITTEE

MINUTES OF THE MEETING HELD ON THURSDAY 12 JANUARY 2023

Attendees:

Committee Members:	Councillors Springett (Chairman), Joy, Brindle, Coates, English, Naghi, Parfitt-Reid, Mrs Robertson, J Sams, Trzebinski and Russell
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48. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Garten and Hinder.

49. **NOTIFICATION OF SUBSTITUTE MEMBERS**

Councillor Russell was present as Substitute for Councillor Garten.

50. **URGENT ITEMS**

There were no urgent items.

51. **VISITING MEMBERS**

There was no Visiting Members.

52. **DISCLOSURES BY MEMBERS AND OFFICERS**

In relation to Item 12 – Reference from Planning Committee – Introduction of a Licensing and Monitoring Scheme for all Holidays Lets within the Borough, Councillor Russell stated that she had a horse livery business although the horses were not available for hire.

53. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

54. **EXEMPT ITEMS**

RESOLVED: That all items be taken in public as proposed.

55. **MINUTES OF THE MEETING HELD ON 10 NOVEMBER 2022**

RESOLVED: That the Minutes of the Meeting held on 10 November 2022 be approved as a correct record and signed.

56. MINUTES OF THE LICENSING ACT 2003 SUB-COMMITTEE HELD ON 1 DECEMBER 2022

RESOLVED: That the Minutes of the Licensing Act 2003 Sub-Committee Meeting held on 1 December 2022 be approved as a correct record and signed.

57. QUESTIONS AND ANSWER SESSION FOR LOCAL RESIDENTS

There were no questions from Local Residents.

58. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members to the Chairman.

59. REFERENCE FROM PLANNING COMMITTEE - INTRODUCTION OF A LICENSING AND MONITORING SCHEME FOR ALL HOLIDAY LETS WITHIN THE BOROUGH

The Democratic Services Officer introduced the reference and advised the Committee that the relevant officers for the matter were the Community and Strategic Partnerships Manager and the Lawyer (contentious).

The Lawyer (contentious) advised the Committee that there were currently no legal mechanisms available to the Council to licence short-term holiday lets. The Government were looking to introduce a registration scheme, and in addition the Short-term and Holiday Let Accommodation (Licensing) Bill had been introduced to Parliament, with an update expected by the Summer of 2023. The issues progress could be monitored by the relevant Officers.

In response to questions, the Lawyer (contentious) stated that as the registration and licensing schemes had not yet been implemented, no further information could be provided on the types of mechanisms that would be available, how those mechanisms would work or which of the Councils teams would be responsible for the issue.

The Committee felt that monitoring the issue, and the expected registration scheme and/or relevant legislation, was the best course of action given the advice provided. Several Members of the Committee that had also attended the 15 December 2022 Planning Committee Meeting commented on the reference's aims in highlighting the issue.

It was felt that further information on the enforcement actions available to the Council's Planning Teams in relation to short-term holiday lets should be provided. The Head of Development Management would be requested to provide the relevant information to the Committee informally.

RESOLVED: That

1. Given the advice provided by Officers, the issue continue to be monitored as the relevant registration scheme and legislation progresses; and
2. The Head of Development Management be requested to advise on the processes currently available on monitoring the use of holiday lets, and what conditions can currently be applied to monitor holiday lets, via email.

60. LICENCE FEES AND CHARGES 2023-2024 PRE-APPLICATION ADVICE

The Head of Licensing Partnership introduced the report and referenced the Committee' previous consideration of License Fees and Charges at its November 2022 Meeting; as the pre-application fee review was ongoing at that time, a general percentage update had been put forward.

The review had since been completed, with the proposed fees to replace those agreed at the previous meeting. It was hoped that the proposed fees would increase the service's demand, as customers and officers felt that the existing structure was too complex and discouraged individuals from engaging with the service provided. An increase in income would assist in paying for the service which needed to be self-financing.

In response to questions, the Head of Licensing Partnership stated that if agreed, the proposed fees would be advertised on the Council's website and included within the Service's newsletter. Officers would also advise applicants to use the service, which would be competitive in comparison to the cost of similar services provided elsewhere.

The Committee expressed support for the proposed fees as it would be easier for the Council and applicants to administer and engage with respectively.

RESOLVED: That the fee levels as set out at point 2.7 of the report for implementation on 1 April 2023, be approved to replace the former version agreed in November 2022.

61. ANIMAL LICENSING - SERVICE UPDATE AND PROPOSED FEES

The Community and Strategic Partnerships Manager introduced the report and stated that there had been a significant review of the legislation applicable to animal licensing in 2018. The associated guidance had been adopted by the Department for Environment, Food and Rural Affairs, with industry-wide learning having taken place since 2018.

The new legislation introduced had been designed to improve animal welfare within businesses where animals contributed to the business model. The guidance produced allowed regulators, such as the Council, to ensure that those businesses met and maintained animal welfare standards. The fees would apply to businesses that generated more than £1,000 annually from their business, except for the fee applicable to dangerous wild animals which was intended to ensure that there were no risks posed to the relevant household or community in general.

The Community and Strategic Partnerships Manager stated that existing licence holders would not be affected by the proposed fee increases until renewal, the earliest of which would be in 2024.

The Committee expressed their support for the proposal and strongly reiterated the importance of ensuring animal welfare standards were maintained. The positive impact of existing businesses not being affected by the increased fees until 2024 at the earliest, was highlighted.

The Committee wished to extend their thanks to the Community Protection Team for the work undertaken. The good quality of the report was also highlighted.

RESOLVED: That

1. The work undertaken to improve animal welfare standards to date, be noted;
2. The proposed fee structure, produced in accordance with the guidance provided by the Department for Environment, Food and Rural Affairs, be agreed with effect from 1 April 2023; and
3. An update report on the work undertaken by the Community Protection Team in relation to animal licensing be presented to a future meeting of the Committee.

62. DURATION OF MEETING

6.30 p.m. to 7.13 p.m.