

AGENDA

LICENSING ACT 2003 COMMITTEE MEETING



Date: Thursday 31 March 2011
Time: 6.45 pm or at the conclusion of
the meeting of the Licensing
Committee whichever is the later
Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors FitzGerald (Vice-Chairman),
Mrs Gibson, Mrs Hinder, Naghi,
Mrs Parvin, Warner, Mrs Joy, Brindle
and Parvin

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Disclosures by Members and Officers

Continued Over/:

Issued on 23 March 2011

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact JANET BARNES on 01622 602242**. To find out more about the work of the Committee, please visit www.maidstone.gov.uk

**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone, Kent ME15 6JQ**

5. Disclosures of Lobbying
6. To consider whether any items should be taken in private because of the possible disclosure of exempt information.
7. Minutes of the Meeting held on 18 November 2010 1 - 2
8. Training for Licensing 2003 Committee 3 - 6

MAIDSTONE BOROUGH COUNCIL

LICENSING ACT 2003 COMMITTEE

MINUTES OF THE MEETING HELD ON THURSDAY 18 NOVEMBER 2010

Present: Councillor FitzGerald (Vice-Chairman)(in the Chair),
and Councillors Brindle, Mrs Gibson, Mrs Hinder,
Mrs Joy, Naghi, Mrs Parvin, Parvin, Warner and
B Mortimer

Also Present: Councillors Yates (Observing)

24. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Sellar.

25. NOTIFICATION OF SUBSTITUTE MEMBERS

The following substitution was noted:-

Councillor Mortimer for Councillor Sellar

26. NOTIFICATION OF VISITING MEMBERS

Councillor Yates attended the meeting as a Visiting Member to observe,
but not to speak on any item.

27. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members and Officers.

28. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

29. EXEMPT ITEMS

RESOLVED: That the items on the Agenda be taken in public as proposed.

30. MINUTES OF THE MEETING HELD ON 26 AUGUST 2010

RESOLVED: That the Minutes of the Meeting Held on 26 August 2010 be
approved as a correct record and signed.

31. LICENSING ACT 2003 STATEMENT OF LICENSING POLICY FOR THE PERIOD ENDING 6 JANUARY 2014

The Committee considered the report of the Head of Change and Scrutiny setting out the draft Statement of Licensing Policy for approval following consultation. It was noted that there had been no changes following consideration of the consultation responses received. The Committee requested that those who had responded be informed of the result of their response and the policy being referred for adoption and subsequent publication.

RESOLVED: That the Statement of Licensing Policy, attached at Appendix A to the Report of the Head of Change and Scrutiny, be approved and referred to Council for adoption.

32. DURATION OF MEETING

7.30 pm to 7.32 pm

MAIDSTONE BOROUGH COUNCIL

LICENSING ACT 2003 COMMITTEE

31 MARCH 2011

REPORT OF HEAD OF DEMOCRATIC SERVICES

Report prepared by Neil Harris

1. TRAINING FOR LICENSING ACT 2003 COMMITTEE

1.1 Issue for Decision

- 1.1.1 To consider the appropriate level and type of training required to effectively undertake the role of Licensing Act 2003 Committee Member or substitute.

1.2 Recommendation of Head of Democratic Services

- 1.2.1 That the Committee determines the level and nature of training required to be a Member or Substitute Member of the Licensing Act 2003 Committee.

1.3 Reasons for Recommendation

- 1.3.1 The Committee consists of 10 Council Members and the Council has agreed that the following rule regarding training must apply to the Licensing Act 2003 Committee:-

“The Council has agreed that no member will be able to serve on the Committee without having agreed to undertake a minimum period of training on the policies and procedures of the Committee as specified by the Committee. This training should be completed to an agreed level according to an agreed programme within an agreed time period set by the Committees for newly appointed Members and Substitute Members of the Committee. If the specified training has not been completed by the due date, the Member will cease to be a Member/Substitute Member of the Committee in question until the training has been completed. The Head of Democratic Services will keep a record of the training requirements of each Committee and of Members’ compliance with the requirements. Existing Members of the Committee should be updated regularly on changes of legislation and procedures and receive refresher training on an annual basis.”

1.3.2 This above rule agreed by Council applies to this Committee as well as Audit and Planning. Firstly the Committee needs to determine the level of training required to be a Member of this Committee. If any Member does not complete the agreed level of training set by the Committee the Member will cease to be part of this Committee.

1.3.3 The Committee must determine the minimum level of training required and how it would be applied in terms of being a full Member or Substitute Member. The program which has been developed for last year and which will be adapted for use in subsequent years is as follows:-

- June - Licensing Act 2003 including subcommittee meetings.
- July - Street Trading and Sex Establishments.
- September - Taxi and Private Hire.
- November - Gambling Act 2005.

In addition to these specific training sessions there will be night time visits organized for the Committee as follows:-

- Town Centre / CCTV room / CCTV Lockmeadow
- Rural area

1.3.4 In respect of the above training I would firstly look to the Committee to confirm that they are happy with the training programme. If satisfied with the program the Committee must set out how much of the training should be attended for a Member to remain a Member in accordance with the rules set by Council.

1.4 Alternative Action and why not Recommended

1.4.1 The Committee has to set the levels of training required to meet its requirements under the Constitution but it is for the Committee to determine this level of training required.

1.5 Impact on Corporate Objectives

1.5.1 None

1.6 Risk Management

1.6.1 The Committee must set the level of training required, ensuring it sets a level which is sufficient to ensure the Committee members have the necessary knowledge and understanding to meet its obligations as a Licensing Act 2003 Committee.

1.7 Other Implications

1.7.1

1. Financial
2. Staffing
3. Legal
4. Equality Impact Needs Assessment
5. Environmental/Sustainable Development
6. Community Safety
7. Human Rights Act
8. Procurement
9. Asset Management

X
X
X

1.7.2 Financial Implications

The cost of training will be met from within existing resources.

1.7.3 Staffing Implications

The staffing to assess and deliver the training and development requirements will be identified from within existing resources.

1.7.4 Legal Implications

The Constitution requires the Licensing Act 2003 Committee to set a minimum level of training.

1.8 Relevant Documents

1.8.1 Appendices

None

1.8.2 Background Documents

Maidstone Constitution

IS THIS A KEY DECISION REPORT?

Yes

No

If yes, when did it first appear in the Forward Plan?

.....

This is a Key Decision because:

.....

Wards/Parishes affected:

.....