

AGENDA

LICENSING COMMITTEE MEETING



Date: Monday 30 July 2012
Time: 6.35 pm or at the conclusion of
the Licensing Act 2003
Committee
Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors Barned, Mrs Gibson, Mrs Gooch,
Mrs Grigg, Mrs Hinder, Mrs Joy,
B Mortimer, Naghi, Parvin (Chairman),
Mrs Parvin and Yates

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members

Continued Over/:

Issued on 19 July 2012

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**

- | | | |
|----|--|-------|
| 4. | Disclosures by Members and Officers | |
| 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 21 June 2012 | 1 - 3 |
| 8. | Hackney Carriage/Private Hire Issues (if any) | |
| 9. | Report of the Head of Democratic Services - Street Trading Consent Policy | 4 |

PART II

To move that the public be excluded for the items set out in Part II of the Agenda because of the likely disclosure of exempt information for the reasons specified having applied the Public Interest Test.

- | | | | Head of Schedule 12A and
Brief Description | | |
|-----|--|--------------------------------|---|---------|--|
| 10. | Report of the Head of Democratic Services - Street Trading Consent - Mr D Bolesworth | 3 - Financial/Business Affairs | | 5 - 50 | |
| 11. | Report of the Head of Democratic Services - Street Trading Consent - Mr I Young | 3 - Financial/Business Affairs | | 51 - 89 | |

MAIDSTONE BOROUGH COUNCIL

LICENSING COMMITTEE

MINUTES OF THE MEETING HELD ON THURSDAY 21 JUNE 2012

Present: Councillor Parvin (Chairman), and
Councillors Barned, Mrs Gibson, Mrs Gooch,
Mrs Grigg, Mrs Hinder, Mrs Joy, B Mortimer, Naghi,
Mrs Parvin and Yates

Also Present: Councillor Cuming

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

3. NOTIFICATION OF VISITING MEMBERS

Councillor Cuming was in attendance.

4. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

5. ELECTION OF CHAIRMAN

RESOLVED: That Councillor Parvin be elected Chairman for the Municipal Year 2012/13.

6. ELECTION OF VICE CHAIRMAN

RESOLVED: That Councillor Yates be elected Vice Chairman for the Municipal Year 2012/13.

7. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

8. EXEMPT ITEMS

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

9. MINUTES

RESOLVED: That the Minutes of the Meeting held on 22 March 2012 be approved as a correct record and signed.

10. APPOINTMENT OF POLITICAL GROUP SPOKESPERSONS

RESOLVED: That the Political Group Spokespersons be appointed as follows:-

Conservative – Councillor Parvin
Liberal Democrat – Councillor Mrs Joy
Independent – Councillor Mrs Gooch

11. HACKNEY CARRIAGE/PRIVATE HIRE ISSUES (IF ANY)

There were no issues raised, although Mr Conyan indicated his wish to speak on Agenda Item 12 – the Law Commission Consultation Paper on Reforming the Law of Taxi and Private Hire Services - which was agreed by the Chairman.

12. LAW COMMISSION CONSULTATION PAPER ON REFORMING THE LAW OF TAXI AND PRIVATE HIRE SERVICES

The Committee considered the report of the Head of Democratic Services regarding the Law Commission Consultation Paper on Reforming the Law of Taxi and Private Hire Services.

Mr Conyan was invited to speak by the Chairman and he informed the Committee that the National Taxi Association will be responding to the consultation paper and that the feeling amongst the taxi association around the country is that the decision on hackney carriage numbers is best left at local level.

RESOLVED: That the report be noted and that the Head of Democratic Services report back to the next meeting of the Committee with a detailed draft response to the Law Commission's Consultation Paper on Reforming the Law of Taxi and Private Hire Services.

13. LICENSING PARTNERSHIP ORAL UPDATE

The Interim Licensing Partnership Manager updated the Committee on the progress of the Licensing Partnership.

Income for the financial year 2011/12 was £25,000 over budget for Maidstone and £93,000 across the partnership.

Application levels – Temporary Event Notices ("TENs") (which must be turned around within 3 working days) were 144 in April and 212 in May across the partnership. There have been 107 received so far for June. In April, Personal Licences – 20, Premises Licences – 6, 1 variation, 30 variations to DPS and 52 taxi applications.

The Committee were informed that due to the high volume, the partnership is struggling to meet the performance indicators, however, a member of staff in Maidstone has increased their hours by 17 per week to help the administrative team in Sevenoaks and a further new member of staff (20 hrs per week) is due to start in Sevenoaks to help with the backlog.

The Interim Licensing Partnership Manager informed the Committee that she will attend future meetings to report on any issues and the progress on the performance indicators. The whole of the Licensing Partnership officer team will be meeting in July.

RESOLVED: That the report be noted.

14. FEES FOR ROWING BOATS ON THE RIVER

The Chairman agreed that the Head of Democratic Services could bring an urgent oral report to the Committee regarding fees for rowing boats and other small types of boats on the river.

The Head of Democratic Services explained to the Committee that it was expected that a licence application will soon be received for the use of rowing boats, very small motorised boats and pedalos on the river. The Council has a policy for pleasure boats and this covers, very effectively, the use of these types of boats on the river. However, the only fee currently in place is for skippered pleasure boats for up to 12 passengers at a cost of £120.

The Head of Democratic Services felt that this fee was inappropriate for the smaller types of pleasure boats and, having investigated fees charged by other Councils, recommended a fee of £25 per boat per annum.

RESOLVED: That a fee of £25 per boat per annum be charged for rowing boats, small motorised boats and pedalos for use on the river.

15. DURATION

6.30 p.m. to 7.35 p.m.

Agenda Item 9

MAIDSTONE BOROUGH COUNCIL

LICENSING COMMITTEE

30 JULY 2012

REPORT OF THE HEAD OF DEMOCRATIC SERVICES

Report prepared by Neil Harris

1. **Street Trading Consent Policy**

1.1 The Council's Street Trading Consent Policy requires a 14 day consultation period for all street trading consent applications. The consultees include Ward Members, Parish Council (if relevant), Town Centre Management (if relevant), adjacent shops, KCC Highways, MBC Planning Development Control, MBC Environmental Health, MBC Environmental Enforcement and the Police. In respect of the newly created Jubilee Square, the KCC Highways have passed part of their responsibility relating to events on the site to the Borough Council. The section within the Borough Council dealing with this is Economic Development but currently they are looking to get an agent to organise events to be held on the square on their behalf. Therefore, in respect of applications for Street Trading Consents in Jubilee Square, that in addition to the KCC Highways the Borough Council's Economic Development team or an agent acting on their behalf should be added to the list of consultees.

1.2 **RECOMMENDED:**

1.2.1 That for applications for Street Trading Consent in Jubilee Square only, the Borough Council's Economic Development section or an agent acting on their behalf should be consulted.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted