

AGENDA

LICENSING COMMITTEE MEETING



Date: Thursday 16 July 2009
Time: 6.30 pm
Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors FitzGerald, Mrs Gibson, Hinder,
Mrs Hinder, Mrs Joy, Marshall, Naghi,
Mrs Parvin, Sellar, Warner and Yates

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Election of Chairman
5. Election of Vice Chairman
6. Disclosures by Members and Officers

Continued Over/:

Issued on 8 July 2009

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.digitalmaidstone.co.uk

**David Petford, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone Kent ME15 6JQ**

- | | | |
|-----|--|-------|
| 7. | Disclosures of Lobbying | |
| 8. | To consider whether any items should be taken in private because of the possible disclosure of exempt information. | |
| 9. | Minutes of the Meeting Held on 7 April 2009 | 1 - 2 |
| 10. | Appointment of Political Group Spokespersons | |
| 11. | Report of the Democratic Services Manager - Trade Representative Items and other Hackney Carriage and Private Hire Matters | 3 - 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.

- | | | | |
|-----|---|------------------------------------|----------|
| 12. | Report of the Democratic Services Manager - Street Trading Consent - Mr D Richardson | 3 – Financial/
Business Affairs | 5 - 40 |
| 13. | Report of the Democratic Services Manager - Street Trading Consent - Mr D Bolesworth | 3 – Financial/
Business Affairs | 41 - 76 |
| 14. | Report of the Democratic Services Manager - Street Trading Consent - Mrs M Bolesworth | 3 – Financial/
Business Affairs | 77 - 112 |

MAIDSTONE BOROUGH COUNCIL

LICENSING COMMITTEE

MINUTES OF THE MEETING HELD ON 7 APRIL 2009

Present: Councillor Parvin (Chairman), and
Councillors Mrs Gibson, Horne, Marshall, Mortimer,
Naghi, Mrs Parvin, Warner, Wilson and Yates

Also Present: Councillors Garland, Mrs Joy, Mrs Ring and
Mrs Wilson

83. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors FitzGerald, Mrs Hinder and Warner.

84. NOTIFICATION OF SUBSTITUTE MEMBERS

The following substitution was noted:-

Councillor Horne for Councillor Mrs Hinder
Councillor Mortimer for Councillor Sellar

85. NOTIFICATION OF VISITING MEMBERS

Councillors Garland, Mrs Joy, Mrs Ring and Mrs Wilson indicated that they wished to speak on the joint report of the Chief Executive and Director of Prosperity and Regeneration on the Licensing Partnership

86. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures.

87. DISCLOSURES OF LOBBYING

Councillors Naghi and Wilson indicated that they had been lobbied.

88. EXEMPT ITEMS

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

89. MINUTES

That the Minutes of the meetings held on 5 March 2009 (Part I and II) and 18 March 2009 be approved as a correct record and signed.

90. LICENSING PARTNERSHIP

The Committee considered the Joint Report of the Chief Executive and Director of Prosperity and Regeneration regarding the proposal to enter into a Partnership with Sevenoaks District Council and Tunbridge Wells Borough Council to provide a joint Licensing service. The committee were updated on the financial position and that savings from entering the partnership was £39000 and not £32000 as previously reported. It also stated that it would not be possible to operate the service if retained by the Council without an appointment of an operational manager which would add a further cost of £53000. This meant that the impact for the Council was £92000.

The Chairman adjourned the meeting at 10.40 am to allow Members to have an informal discussion.

The meeting reconvened at 11.15am.

RESOLVED:

- (i) That the Council enter into a partnership with Sevenoaks District Council and Tunbridge Wells Borough Council for the provision of a Licensing service subject to there being an appropriate exit strategy and the Licensing Committee receiving quarterly monitoring reports on service performance with the intention that the partnership is reviewed one year after commencement.
- (ii) That the Director of Prosperity and Regeneration, in consultation with the Leader of the Council and the Chairman of Licensing Committee be given delegated authority to determine the details of the service level agreement

91. DURATION OF MEETING

9.00 am to 11.20 am

MAIDSTONE BOROUGH COUNCIL

LICENSING COMMITTEE

16 JULY 2009

REPORT OF THE DEMOCRATIC SERVICES MANAGER

1. **TRADE REPRESENTATIVE ITEMS AND OTHER HACKNEY CARRIAGE AND PRIVATE HIRE MATTERS**

The Hackney Carriage Association have indicated that they would like the Committee to consider the items below:-

- 1) High Street Regeneration and how it would affect them
- 2) Request to return the rank to allow parking next to the Monument rather than in King Street as was the case recently due to the road works.

2. **LICENSING COMMITTEE – REVIEW OF DEVOLVED POWERS**

Councillor Fitzgerald has asked that an item be placed on the Agenda seeking a review of devolved powers and how devolved decisions are reported to committee.

I set out below the current Delegations to Officers within the terms of reference of this committee:-

All functions delegated to the Director of Prosperity and Regeneration/Democratic Services Manager except the determination of policy, setting the level of fees and charges, consideration of appeals against any licence and the making of an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption which are the responsibility of the Licensing Committee

RECOMMENDED: That the Committee give consideration to this matter.

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank