

**MAIDSTONE BOROUGH COUNCIL**

**LICENSING ACT 2003 SUB COMMITTEE**

**MINUTES OF THE MEETING HELD ON THURSDAY 13 JULY 2023**

**Attendees:**

<b>Committee Members:</b>	<b>Councillor Garten (Chairman) and Councillors Coates and Joy</b>
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9. APOLOGIES FOR ABSENCE

There were no apologies.

10. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

11. ELECTION OF CHAIRMAN

**RESOLVED:** That Councillor Garten be elected as Chairman for the duration of the meeting.

12. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

13. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

14. EXEMPT ITEMS

**RESOLVED:** That Item 7 – Street Trading Licence – Mr Osborne, be taken in public as proposed.

15. STREET TRADING APPEAL – MR OSBORNE

The persons participating in the hearing were identified as follows:

1. Chairman – Councillor Garten
2. Sub-Committee Member – Councillor Joy
3. Sub-Committee Member – Councillor Coates
4. Senior Licensing Officer – Lorraine Neale
5. Legal Advisor – Helen Ward

6. Democratic Services Officer – Jordan Ifield

7. The Applicant – Frank Osborne

8. Interested Parties – Chairman of Lenham Parish Council, Cllr John Britt

All parties confirmed that they were aware of the sub-committee hearing procedure and that they had each received a copy of the hearing procedure document.

The Sub-Committee Members confirmed that they had read the papers regarding the hearing.

The Chairman explained that:

- The Sub-committee would allow all parties to put their case fully and make full submission within a reasonable time frame.
- The procedure would take the form of a discussion led by the Sub-Committee and they would usually permit cross-examination within a reasonable timeframe.
- Any person attending the hearing who behaved in a disruptive manner may be directed to leave the hearing by the Sub-Committee (including temporarily) after which, such person may submit to the Sub-Committee any information which that person would have been entitled to give orally had the person not been required to leave the meeting. If this was not possible, they may be permitted to speak at the Chairman's invitation.

The Committee adjourned between 10:41 a.m. to 11.03 a.m., to discuss whether further legal advice was necessary to make a decision.

Following the adjournment, the Chairman stated that the Sub-Committee wished to adjourn the meeting to allow for parties to consider the relevant matters and obtain further advice where required; particular reference made to the applicants need to consult the planning team.

An adjourned meeting date would be confirmed, to occur in the near future.

**RESOLVED:** That the meeting be adjourned to a date to be confirmed.