

MAIDSTONE BOROUGH COUNCIL

Licensing Committee

MINUTES OF THE MEETING HELD ON THURSDAY 11 JUNE 2015

Present: Councillor Mrs Hinder (Chairman), and
Councillors Mrs Grigg, Mrs Hinder, Mrs Joy,
McLoughlin, Naghi, Mrs Parvin, Perry, Mrs Ring,
Mrs Robertson, Springett and Vizzard

Also Present: Councillors Mrs Blackmore and
Sargeant

30. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors B. Mortimer, Newton and Round.

31. **NOTIFICATION OF SUBSTITUTE MEMBERS**

The following Substitute Members were noted:

Councillor Ring for Councillor Round

Councillor Vizzard for Councillor B. Mortimer

32. **NOTIFICATION OF VISITING MEMBERS**

It was noted that Councillors Blackmore and Sargeant were in attendance as observers.

33. **ELECTION OF CHAIRMAN**

RESOLVED: That Councillor Hinder be elected Chairman of the Licensing Committee for the Municipal Year 2015-16.

34. **ELECTION OF VICE CHAIRMAN**

RESOLVED: That Councillor Joy be elected Vice-Chairman of the Licensing Committee for the Municipal Year 2015-16.

35. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

36. **DISCLOSURES OF LOBBYING**

There were no disclosures of Lobbying.

37. TO CONSIDER WHETHER ANY ITEMS SHOULD BE TAKEN IN PRIVATE BECAUSE OF THE POSSIBLE DISCLOSURE OF EXEMPT INFORMATION.

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

38. MINUTES OF THE MEETING HELD ON 29 JANUARY 2015

RESOLVED: That the minutes of the meeting held on 29 January 2015 be agreed as a correct record and signed.

39. LICENSING PARTNERSHIP UPDATE REPORT 2015

Claire Perry, the Licensing Partnership Manager, presented the update report for 2015 of the Head of Communities and Housing on the Licensing Partnership.

The overall improvement in turnaround times was noted and Councillors congratulated the Licensing Partnership for their hard work.

In response to questions it was explained that the Licensing Partnership employed a rolling three year formula to calculate the cost for each authority in the Licensing Partnership for the forthcoming year. The Committee heard that the cost per partner was revised on an annual basis. On average Maidstone brought in more income and spent less than budgeted each year, and £7000 had been consistently returned to each authority annually.

The Committee were in agreement that going forward an update report to the first meeting of the Committee in each Municipal Year would be required.

RESOLVED:

1. That the report be noted;
2. That an update report be scheduled to return to the Committee at the first meeting of the Municipal Year; and
3. That a letter of congratulations be sent to the Licensing Partnership to acknowledge their high levels of performance.

40. PLAYERS - TRANSFER OF SEXUAL ENTERTAINMENT VENUE LICENCE TO E SEXTON

John Littlemore, the Head of Housing and Community Services, introduced the report detailing a request received to transfer the sexual entertainment venue licence of Players to E Sexton.

RESOLVED: That the sexual entertainment licence for Players be transferred to E Sexton.

41. DRAFT STATEMENT OF LICENSING POLICY

John Littlemore, the Head of Housing and Community Services, presented the Draft Statement of Licensing Policy and explained that the Policy required updating to accommodate changes to legislation.

The Committee heard that:

- The Policy had been drafted across all three Partnership authorities and reflected the individual requirements of each. There was consensus across each authority's requirements of the Policy as the area was highly regulated and governed by acts, codes and case law; and
- A cost benefit analysis of the night time economy was to be conducted and the results of this would come to the Committee for consideration. This analysis would inform future decisions regarding Early Morning Alcohol Restriction Orders.

Councillors requested a briefing note on the process by which a licence is called for review.

RESOLVED:

1. That the form of the draft Statement of Licensing be approved;
2. That the consultation process and period be approved;
3. That a further report setting out the response to the consultation and the final draft policy be received by the Committee for approval and referral to Council before January 2016; and
4. That a briefing note of the process by which a licence is called for review be circulated to Committee Members.

42. IMPLICATIONS FOR THE LICENSING PARTNERSHIP FOLLOWING THE REPORT OF INSPECTION OF ROTHERHAM METROPOLITAN BOROUGH COUNCIL BY LOUISE CASSEY CB - FEBRUARY

The Licensing Partnership Manager, Claire Perry, provided the Committee with a report summarising the findings of Louise Casey CB's Report of Inspection of Rotherham Metropolitan Borough Council. It was found that processes across all three Licensing Partnership authorities were robust and appropriate.

The three main actions recommended were that:

- A module within the current complaints recording software which allows for cross referencing should be utilised;
- The individual policies for each of the three authorities should be further harmonised; and

- Discussions between Managers and Officers in one to ones regarding complaints about licensees should be documented.

The legal advisor, Robin Harris, confirmed to the Committee the Council's power to suspend or revoke a Hackney Carriage or Private Hire licence with immediate effect, and the power of the Police to ask the Council for a summary review of a premises licence at which the premises licence could be suspended or revoked with immediate effect.

RESOLVED: That the actions contained within the report be implemented as proposed.

43. CHARITY STREET COLLECTION - EAST AFRICAN PLAYGROUNDS

The Chairman agreed to take the Charity Street Collection – East African Playgrounds report as an urgent item as, due to the timing of the AGM, there had not been a Chairman in place with the delegated authority to make this decision.

During discussion it was noted that the Street Collection Policy contained reference to events which no longer took place, and the language used was unclear in places. The Committee therefore requested that an updated Street Collection Policy be drafted to come to Committee for consideration at the earliest opportunity.

It was proposed that the item be deferred until the September meeting to allow Members time to considered the papers. Due to there being an equality of votes the Chairman used their right to cast a deciding vote and:

RESOLVED: That the item not be deferred to a later meeting.

It was then proposed that the East African Playgrounds charity be included on the list of approved charities for the Maidstone Area, and it was:

RESOLVED: That the East African Playgrounds be included on the list of approved charities for the Maidstone area.

44. DURATION OF MEETING

6.32 p.m. to 20.18 p.m.