

MAIDSTONE BOROUGH COUNCIL

LICENSING COMMITTEE

**MINUTES OF THE MEETING HELD ON THURSDAY 19 SEPTEMBER
2019**

Present: Councillor Mrs Joy (Chairman), and
Councillors Fissenden, Garten, Mrs Grigg, Hinder,
Mrs Hinder, McLoughlin, Mrs Robertson, M Rose,
J Sams and Springett

21. APOLOGIES FOR ABSENCE

There were no apologies for absence.

22. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that there were no Substitute Members.

23. URGENT ITEMS

There were no urgent items.

24. CHANGE OF THE ORDER OF BUSINESS

The Chairman indicated her wish to move the Committee Work Programme to the end of the agenda as this item was likely to stimulate a lot of debate and a member of the taxi trade was present for one of the main agenda items.

25. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

26. VISITING MEMBERS

There were no Visiting Members.

27. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

28. EXEMPT ITEMS

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

29. MINUTES OF THE MEETING HELD ON 11 JULY 2019

RESOLVED: That the Minutes of the meeting held on 11 July 2019 be approved as a correct record and signed.

30. PRESENTATION OF PETITIONS

There were no petitions.

31. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

32. MEMBER TRAINING FOR LICENSING - ORAL UPATE

The Head of Housing and Community Services provided an oral update to the Committee on Licensing Training and advised that all the Members of the Committee had completed their training.

However, it was noted that the Substitute Members for some of the political parties had not completed their training and would therefore not be able to sit on the Committee as a Substitute Member until properly trained. The Head of Housing and Community Services advised that he would be writing to the relevant Group Leaders to advise them.

RESOLVED: That the update be noted.

Following the meeting it was established that Councillor Purle had completed all his licensing training and would therefore be able to sit as a Substitute Member for the Conservative Party.

33. HACKNEY CARRIAGE LICENCE - UNMET DEMAND SURVEY 2019

The Senior Licensing Officer presented a report on the Hackney Carriage Licence – Unmet Demand Survey.

The Committee noted the results of the Unmet Demand Survey carried out by the Licensed Vehicle Surveys and Assessment (LVSA), part of the Vector Transport Consultancy, and considered the options open to the Council with regard to maintaining, partially maintaining or removing a limit on the number of hackney carriage licences that are issued.

The Committee noted that:-

- The current limit was 48 and that there was a discretion for that to continue provided that the Council were satisfied there was no significant demand for hackney services in the Borough which was unmet.
- Previous and present survey results, as well as feedback from the trade had shown that there was no significant unmet demand.

- The survey highlighted that out of the 12 recognised ranks (10 official), 75% of all hirings were made from the High Street rank.

In response to questions from Members, the Senior Licensing Officer responded:-

- That if the limit was removed
 - a) There would be more vehicles available to flag down in the High Street.
 - b) There would be limited taxi ranks in the Town Centre which could lead to some congestion.
 - c) The Council would not be able to stipulate the high calibre of vehicle.
 - d) The trading value for the existing licences would be diminished.

The Committee made the following comments:-

- The limit should not be taken away, it worked well as it was.
- That should the limit be increased, this would result in more pollution.

RESOLVED: That in view of the evidence put forward by the Licensed Vehicle Surveys and Assessment (LVSA), part of the Vector Transport Consultancy, the current limit on numbers of hackney carriages be maintained.

34. MAIDSTONE PRE-APP ADVICE IN PRINCIPLE

The Head of Licensing Partnership presented a report on the introduction in principle of Licensing pre-application advice.

The Committee noted that:-

- Although the report sought agreement in principle to charging for licensing pre-application advice, the actual fees would not be considered by Members until their meeting in November.
- There were two types of pre-application advice for licensing matters:-
 - a) Advice given by a member of the licensing staff on licensing matters such as premises licences, which could involve a telephone call, assessing plans, attending meetings, site visits and the possibility of providing advice on draft conditions.
 - b) A Check and Send Service – which related to applications

defined under the Licensing Act 2003, mainly for transfers and variations of designated premises supervisors as there was a higher instance of applications being submitted which were invalid upon receipt.

In response to questions from Members, the Head of Licensing Partnership said that:-

- Although a fee would be charged, it would not guarantee that the application would be successful as the licensing team would not be able to predict if there would be any objections. She added that the advice would be based on the team's knowledge and experience.
- That if an application was refused after pre-application advice then the applicant would be charged again if the licensing officer had to provide further advice.
- The hourly rate for the pre-application advice had yet to be calculated and if the service generated a lot of demand then the surplus could be used to offset current costs and could be used to employ more resource or reduce other charges across the licensing spectrum.

Members expressed their concerns about charging for pre-application advice for Animal Licensing.

RESOLVED: That the Committee agrees in principle to the introduction of charging for pre-application advice for certain types of licence applications.

Councillor Garten asked for his dissent to be noted.

35. COMMITTEE WORK PROGRAMME 2019-20

The Committee considered the Work Programme and discussed the options open to them for revisiting premises which had been considered through the Licensing Act 2003 Sub-Committee.

The Democratic Services Officer was asked to collate the preferences of those Members present on the premises to be visited and would circulate the results by email and arrange a day-time visit to the establishments within the next couple of months.

RESOLVED: That

- 1) The Committee Work Programme be noted.
- 2) The Democratic Services Officer circulate to the Committee the outcome from the selection process by Members of the licensed premises that they would like to visit.

36. DURATION OF MEETING

6.30 p.m. to 7.52 p.m.