

MAIDSTONE BOROUGH COUNCIL

LICENSING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY
27 NOVEMBER 2019

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

1. APOLOGIES FOR ABSENCE

It was noted that apologies for absence were received from:

- Councillor Fort
- Councillor McLoughlin
- Councillor J Sams

2. NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor Purle was present as a substitute for Councillor Fort.

3. URGENT ITEMS

There were no urgent items.

4. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members and Officers.

5. VISITING MEMBERS

There were no Visiting Members.

6. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

7. EXEMPT ITEMS

RESOLVED: That all items be taken in public as proposed, including the Minutes (Part II) of the meeting held on 6 September 2019.

8. MINUTES OF THE MEETING HELD ON 19 SEPTEMBER 2019

RESOLVED: That the Minutes of the meeting held on 19 September 2019 be approved as a correct record and signed.

9. MINUTES (PART I) AND (PART II) OF THE LICENSING ACT 2003 SUB-COMMITTEE HELD ON 6 SEPTEMBER 2019

RESOLVED: That the Minutes (Part I) and (Part II) of the Licensing Act 2003 Sub-Committee held on 6 September 2019 be approved as a correct record and signed.

10. MINUTES OF THE LICENSING ACT 2003 SUB-COMMITTEE MEETING HELD ON 30 SEPTEMBER 2019

RESOLVED: That the Minutes of the Licensing Act 2003 Sub-Committee meeting held on 30 September 2019 be approved as a correct record and signed.

11. MINUTES OF THE LICENSING ACT 2003 SUB-COMMITTEE MEETING HELD ON 23 OCTOBER 2019

RESOLVED: That the Minutes of the Licensing Act 2003 Sub-Committee meeting held on 23 October 2019 be approved as a correct record and signed.

12. MINUTES OF THE LICENSING ACT 2003 SUB-COMMITTEE MEETING HELD ON 6 NOVEMBER 2019

RESOLVED: That the Minutes of the Licensing Act 2003 Sub-Committee meeting held on 6 November 2019 be approved as a correct record and signed.

13. PRESENTATION OF PETITIONS

There were no petitions.

14. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

15. COMMITTEE WORK PROGRAMME

The Committee considered the Work Programme.

RESOLVED: That the Committee Work Programme be noted.

16. REFERENCE FROM COMMUNITIES, HOUSING AND THE ENVIRONMENT COMMITTEE ACTING AS THE CRIME AND DISORDER COMMITTEE

The Committee considered the Reference from the Communities, Housing and Environment Committee, Acting as the Crime and Disorder Committee, which requested a review of the Licensing Act 2003 Policy following the recent serious incident of concern in the town centre.

The Head of Housing and Community Services advised that a review was due to be carried out in the new year of the Licensing Act 2003 Policy and any proposed changes would be brought back to the Committee.

It was noted that whenever a review was undertaken of a premises licence, it looked at what measures could be introduced that were reasonable and proportionate to reduce risk to children from harm and crime and disorder.

The Community Protection Manager advised that the majority of the nightclubs in the town centre had signed up to a voluntary scheme whereby they risk assess every event at their premises and if they determine that the risk is high, they refer this to the Police who would in turn assess whether they needed to take any action and on occasions they had advised the premises to cancel that particular event.

RESOLVED: That a review of the Licensing Act 2003 Policy would be carried out in the new year.

17. LICENCE FEES AND CHARGES 2020/2021

The Senior Licensing Officer presented a report on the Licence Fees and Charges for 2020/21.

It was noted that as there had not been any significant change in the time taken of the various tasks required to produce each licence, the fees had a 2% inflationary increase applied to them in line with the Council's Medium Term Financial Strategy 2020/21 – 2024/25.

RESOLVED: That the fee levels as set out in paragraphs 2.7, 2.9, 2.11, 2.13, 2.15, 2.17 and 2.19 of the report be implemented on 1 April 2020 subject to the consideration of any representations following consultation.

18. UPDATE ON ANIMAL LICENSING ACTIVITIES

The Community Protection Manager presented an update on the first year of the new licensing regime for Animal Licensing Activities.

It was noted that:-

- There had been a 55% increase in the number of licences issued for businesses being regulated. This was set to rise to 82% as there were another 9 businesses known to the Community Protection Team that had or would be making an application in the next six months.
- Animal welfare standards had improved with establishments being star rated, 50% of which had been awarded 5 stars, with a creditable 86% achieving a star rating of 3 or above.
- The fees reflect an increase of the amount of work that has had to be carried out with the businesses, in particular providing advice

and the inspections taking longer due to the forms having to be used from DEFRA.

- The cost for the licences was comparable to other districts in Kent.
- Pre-application advice was being proposed but this would be for the future once the new scheme was fully bedded in.

In response to questions from Members, the Community Protection Manager advised that:-

- An email would be circulated after the meeting from Officers on whether the requirement for a dog to be vaccinated against kennel cough was advisory or mandatory.
- There had not been any prosecutions at present for illegal businesses but there were a number of alleged breaches being investigated.
- Priority was currently being given to registering those who had approached the Council to register.
- The team would encourage members of the public to inform them of any illegal businesses and would speak to the Communications Team to highlight the service and have an article in the Borough Insight magazine.
- If a dog had puppies and the income from the sale of those puppies was more than £1,000 then the breeder would need a licence.
- The Community Protection Manager would circulate a link to where Members would be able to view the animal establishments who are licensed for those activities.
- Animal Rescue Centres were exempt from the new Animal Regulations.

RESOLVED: That

- 1) The update on the implementation of the changes in regulations for animal related activities introduced in October 2018 be noted.
- 2) Option 2, to introduce a revised fee structure from 1st April 2020, be approved as detailed in paragraphs 5.1 to 5.3 of the report.

19. DURATION OF MEETING

6.30 p.m. to 7.30 p.m.