

MAIDSTONE BOROUGH COUNCIL

LICENSING COMMITTEE

**MINUTES OF THE MEETING HELD ON THURSDAY 29 MARCH
2018**

Present: **Councillor Mrs Joy (Chairman), and
Councillors Mrs Grigg, McLoughlin, Naghi,
Mrs Robertson, J Sams and Mrs Wilson**

15. **APOLOGIES FOR ABSENCE**

It was noted that apologies had been received from Councillors Cuming, Garten, Harvey, Mrs Hinder, Newton and Mrs Springett.

16. **NOTIFICATION OF SUBSTITUTE MEMBERS**

It was noted that Councillor Mrs Wilson was substituting for Councillor Harvey.

17. **URGENT ITEMS**

There were no urgent items.

18. **NOTIFICATION OF VISITING MEMBERS**

There were no Visiting Members.

19. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members and Officers.

20. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

21. **EXEMPT ITEMS**

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

22. **MINUTES OF THE MEETING HELD ON 4 DECEMBER 2017**

RESOLVED: That the minutes of the meeting held on 4 December 2017 be approved as a correct record and signed.

23. **PRESENTATION OF PETITIONS**

There were no petitions.

24. **QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC**

There were no questions from members of the public.

25. EMISSION STANDARDS FOR MAIDSTONE HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

The Committee considered the report of Mr John Littlemore, the Head of Housing and Community Services. The report informed Members of an intention to provide an achievable action plan for taxi and private hire vehicle emissions in Maidstone for the next 6 years and beyond, and was linked to the Council's Low Emissions Strategy.

Mr Littlemore explained that a consultation document would be produced and the Hackney and Private Hire Trade would also be consulted and a report, together with responses, would be brought back to the Committee in July or September for consideration to be given to a policy to be recommended to Communities, Housing and Environment Committee for adoption.

In response to questions from the Committee, Officers advised that:-

- A proposal would be included on how to deal with the practice of taxis still running their engines whilst in the taxi bays.
- The provision of electric charging points was sporadic at present and rural areas would be an issue. However, it was a national issue and it was hoped that this would be something that central government would be addressing in time.
- That a shared taxis service options would be explored further.
- That it was proposed that the consultation includes that all private hire and taxi vehicles were required to meet the Euro 4 Petrol (Jan 2006) and Euro 6 Diesel (Sept 2015) or higher standard by 1st January 2021.
- That the Department for Transport (DFT) guidance stated that it would be better to define a vehicle on its emission specification, rather than its age. The age of a vehicle was more relevant to taxis.
- Currently, provided that a vehicle had a compliance test twice a year, a hackney carriage vehicle can be licensed until they are 15 years old.
- That more clarity would be provided within the consultation document on what Officers believe may be exceptional circumstances that may give rise to discretion being operated to waive the policy.

- That the options for the flexible services as detailed on Pages 5 and 6 of the report would be included in the consultation document.

It was noted that once this Committee had agreed the policy, it would need to be recommended to the Communities, Housing and Environment Committee for adoption.

RESOLVED:

- 1) That delegated authority be given to the Head of Housing and Community Services to draft a consultation document for the Hackney and Private Hire Trade in accordance with paragraph 3.2 of the report and to report back to the Committee in the new municipal year with the results of the consultation, together with recommendations for the next steps.
- 2) That the flexible services as detailed in Pages 5 and 6 of the report be included in the consultation document, together with reference to the age of vehicle and a definition of exceptional circumstances where the policy may be waived.

Voting: Unanimous

26. GAMBLING ACT 2005: LICENCE FEES 2018/2019

The the report of Mr John Littlemore, the Head of Housing and Community Services was considered by the Committee which set out the proposed fees for the administration of the Gambling Act 2005.

In response to a question by a Member, Mr Littlemore advised that if the proposed fees did not meet the Council's costs despite reaching the prescribed maximum, the General Fund would have to be used.

It was noted that representations had been made by Local Authorities to central government sometime ago following a consultation, in relation to shortfalls in Licensing Act 2003 fees which are prescribed, but nothing had come of it. In view of this it was proposed that this issue should be raised for the next agenda of the Kent Leaders meeting to ascertain whether other Councils were experiencing shortfalls, with a view to collectively lobbying central government via the Local Government Association should this be an issue.

RESOLVED:

- 1) That the Gambling Act 2005 fee levels as set out in Appendix A to the report be approved and implemented with effect from 1st April 2018.
- 2) That this issue also be raised for inclusion on the Kent Leaders' agenda to ascertain what experiences other authorities have with a view to collectively lobbying central government via the Local Government Association in regard to the prescribed fees for

licensing matters if they do not meet costs.

Voting: Unanimous

27. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING LICENCE FEES AND CHARGES 2018-19

The Committee considered the report of Mr John Littlemore, the Head of Housing and Community Services which related to the fees and charges for Hackney Carriage and Private Hire Licensing: Licence Fees and Charges Fees 2018/19.

RESOLVED: That the fees and charges as agreed at Licensing Committee on 23 November 2017 be continued as the fees for 2018-19.

Voting: Unanimous

28. MBC ANIMAL ESTABLISHMENT FEES 2018 - 19

The Committee considered the report of Mr John Littlemore, the Head of Housing and Community Services which related to the fee levels for Animal Establishments as set out in paragraph 2.6 of the report.

In response to a question from a Member, Mr Littlemore advised that the inspections were governed by DEFRA and the more animals there were, the more inspections it would necessitate and therefore the fees would increase.

RESOLVED: That the fee levels for Animal Establishments as set out in paragraph 2.6 of the report be approved and implemented with effect from 1st April 2018.

Voting: Unanimous

29. MBC SEV FEES 2018 - 19

The Committee considered the report of Mr John Littlemore, the Head of Housing and Community Services which related to the Licence Fees for Sexual Entertainment Venues 2018/19.

In response to a question from a Member, Mr Littlemore advised that there was no more work involved in transferring an application than creating a new application, so the fee should reflect this.

RESOLVED: That the fee levels for Sexual Entertainment Venues as set out in paragraph 2.4 of the report be approved and implemented with effect from 1st April 2018.

Voting: Unanimous

30. DURATION OF MEETING

6.30 p.m. to 7.20 p.m.