

**MAIDSTONE BOROUGH COUNCIL**

**LICENSING COMMITTEE**

**MINUTES OF THE MEETING HELD ON 22 MAY 2013**

**Present:** Councillor Parvin (Chairman), and  
Councillors Barned, Mrs Gibson, Mrs Grigg,  
Mrs Hinder, Mrs Joy, B Mortimer, Naghi, Newton,  
Mrs Parvin and Yates

**Also Present:** Councillor Black

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

3. NOTIFICATION OF VISITING MEMBERS

Councillor Black was in attendance.

4. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

5. ELECTION OF CHAIRMAN

RESOLVED: That Councillor Parvin be elected Chairman for the Municipal Year 2013/14.

6. ELECTION OF VICE CHAIRMAN

RESOLVED: That Councillor Barned be elected Vice Chairman for the Municipal Year 2013/14.

7. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

8. EXEMPT ITEMS

RESOLVED: That the Items on Part II of the Amended Agenda be taken in private as proposed.

9. APPOINTMENT OF POLITICAL GROUP SPOKESPERSONS

The Political Group Spokespersons were elected as follows:-

Conservative – Councillor Parvin

Liberal Democrat – Councillor Mrs Joy  
Independent – Councillor Newton

10. HACKNEY CARRIAGE/PRIVATE HIRE ISSUES (IF ANY)

There were no Hackney Carriage/Private Hire issues to be discussed.

11. LAW COMMISSION INTERIM STATEMENT ON THE REGULATION OF HACKNEY CARRIAGE AND PRIVATE HIRE SERVICES

The Committee considered the report of the Head of Democratic Services regarding the Law Commission's Interim Statement on the regulation of Hackney Carriage and Private Hire services.

RESOLVED: That the report be noted.

12. DRESS CODE FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS

The Committee considered the report of the Head of Democratic Services regarding the responses to the consultation on the proposal for the introduction of a Voluntary Dress Code for Hackney Carriage and Private Hire drivers.

RESOLVED:

1. That the Voluntary Dress Code as set out in Appendix 1 to the report of the Head of Democratic Services be introduced and Hackney Carriage and Private Hire drivers be asked to conform to the Code from 1 June 2013.
2. That after introduction the compliance with the Code be monitored by the Licensing staff and that a report be submitted to the Committee in twelve months' time indicating the impact of the introduction of the Code on the standard of dress for Hackney Carriage and Private Hire drivers within the Borough.

13. EXCLUSION OF THE PUBLIC FROM THE MEETING

RESOLVED: That the public be excluded from the meeting for the following items of business because of the likely disclosure of exempt information for the reasons specified, having applied the Public Interest Test:-

**Head of Schedule 12A  
and Brief Description**

Exempt Report of the Head of Democratic Services – Street Trading Consent - Fremlin Walk

3 = Financial/Business Affairs

14. STREET TRADING CONSENT - FREMLIN WALK

The Committee considered the report of the Head of Democratic Services regarding further evidence received from Fremlin Walk about the addition of gourmet sausages and burgers, pizzas, jacket potatoes and rice and

noodles to the street trading consent which was deferred from the last meeting.

RESOLVED: That the Licensing Committee, having carefully considered the application made on 27 February 2013 by Mr Lloyd Wright, Fremlin Walk Centre Manager, to vary the condition of his current consent relating to the type of goods which can be sold, by adding sushi, salads, gourmet sausages and burgers, pizza, jacket potatoes, preserves, pickles and condiments, rice and noodles, the remaining terms and conditions to be unaltered, on 29 April 2013 granted the variation in respect of sushi, salads, preserves, pickles and condiments and deferred the remainder for additional information to be provided in relation to cooking method, if any, style of stall involved and nature of "gourmet" product; the concern being possible nuisance to members of the public and businesses caused by smells from hot food. The Committee also considered additional information provided on 15 May 2013, attached to their committee report and oral representations from Jaine Rees and Ashley Green.

Members took into account their own local knowledge, that a full consultation had been carried out without objection and historic applications but fully considered the remaining items of this application on their own merits.

Members decided to grant a consent for gourmet sausages and bread to be baked within an oven at any pitch already granted within Fremlin Walk. All other hot food items applied for no longer being required.

Members further decided that the addition of the following conditions would be reasonable and proportionate to protect the wider public interest in a good shopping experience free from nuisance or annoyance caused by the smell of cooking food and the general ambience of the area by securing high quality trading units.

Additional conditions:-

1. There shall be no nuisance caused by cooking smells and the cooking method shall not be changed from oven baking without the prior agreement of the Licensing Authority.
2. The high standard of the unit shall be maintained and the style shall not be changed without the prior agreement of the Licensing Authority.
3. The applicant shall provide a litter receptacle for use at the trading unit during trading hours.

15. DURATION OF MEETING

6.30 p.m. to 7.28 p.m.