

LICENSING COMMITTEE

Tuesday, 4 September 2018

Present: Councillor Bob Backhouse (Chairman)
Councillors Woodward (Vice-Chairman), Mrs Cobbold, Heasman, Hill, Huggett,
Noakes, Nuttall, Podbury and Williams

Officers in Attendance: Sharon Degiorgio (Senior Licensing Officer), Sharon Bamborough (Head of Licensing Partnership), Gary Stevenson (Head of Housing, Health and Environment), Cheryl Clark (Democratic Services Officer) and Jayne Bolas (Team Leader - Contentious, Mid Kent Legal)

Other Members in Attendance: None

CHAIRMAN'S INTRODUCTION

LC10/18 The Chairman opened the meeting, introduced Committee members and officers in attendance, and outlined procedural matters of the meeting.

APOLOGIES FOR ABSENCE

LC11/18 Apologies for absence were received from Councillors Bulman, Pope and Thomson.

DECLARATIONS OF INTEREST:

LC12/18 No declarations of interest were made.

NOTIFICATION OF VISITING MEMBERS WISHING TO SPEAK (IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 18):

LC13/18 There were no visiting members who had registered to speak.

MINUTES OF THE PREVIOUS MEETING DATED 5 JUNE 2018

LC14/18 **RESOLVED:-**
 That the minutes of the previous meeting dated Tuesday 5 June 2018 be noted as a correct record.

REVIEW OF ANIMAL LICENSING CONDITIONS

LC15/18 Ms Hallihan, Food and Safety Team Leader. Introduced and summarised the report, which considered changes to Animal Licensing Conditions and new fees and charges consequent upon the new legislation due to take effect from 1 October 2018. The conditions included both minimum mandatory levels and optional higher standards which would allow the issue of extended licences. Due to the late availability of government guidelines, received on the morning of the meeting, further work was considered necessary to re-evaluate the schedule of fees and charges to ensure they would be fair and would not exceed cost recovery. On that basis Ms Hallihan proposed that the recommendation be changed to delegate the decision on the final fees to the Head of Housing, Health and Environment, in consultation with the Chairman of the Licensing Committee.

There were no members of the public or other stakeholders who had registered to speak on this item.

A query was raised over the lack of any comparison with previous year's fees but Mr Stevenson confirmed that this was not feasible where licensed activities were either new or not strictly comparable. He also reiterated the need for fees to be on a cost recovery basis only. Ms Hallihan also answered further queries from members on details of the new licensing conditions for dog day care.

A motion was proposed by Councillor Podbury in support of the officer recommendation, seconded by Councillor Huggett and the motion was carried. It was noted by the Chairman that Councillor Williams had dissented.

RESOLVED:-

That the Head of Housing, Health and Environment, in consultation with the Chairman of the Licensing Committee be authorised to finalise and set the Animal Licensing fees and charges due to come into force with effect from 1 October 2018 taking account of the most recently published guidance available.

REVISED STATEMENT OF LICENSING PRINCIPLES FOR GAMBLING ACT 2005 POLICY

LC16/18 Mrs Degiorgio, Senior Licensing Officer, introduced and summarised the report which was to submit revisions to the Statement of Licensing Principles, for public consultation, consideration by the Licensing Committee and adoption by Full Council to be effective for a three year period from 31 January 2019.

There were no members of the public or other stakeholders who had registered to speak on this item.

Members of the Committee indicated that a recent presentation from the Gambling Commission had been particularly helpful to aid their understanding of the proposed changes to the Licensing Principles and supported the recommendation. Mrs Degiorgio clarified that changes to the policy could be considered more frequently than a standard 3 year cycle where necessary but this was usually consequent on specific changes in legislation.

A motion was proposed by Councillor Huggett in support of the officer recommendation, seconded by Councillor Williams and the motion was carried.

RESOLVED:-

1. To undertake a 6 week consultation on the proposed revised Tunbridge Wells Borough Council's Statement of Licensing Principles for Gambling Act 2005 Policy, drafted in accordance with the Gambling Commissions Guidance issued to licensing authorities 5th edition. (As set out in the supplement to the agenda dated 28 August 2018)
2. To receive a further report after the conclusion of the consultation and consider any comments prior to formally recommending a revised Statement of Licensing Principles for the Gambling Act

2005 to Full Council for adoption.

HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE TESTING CONTRACT

LC17/18 Mrs Degiorgio, Senior Licensing Officer, introduced and summarised the report which provided information on the recent tendering exercise to award the Hackney Carriage and Private Hire Testing contract for the period 2018/2019.

There were no members of the public or other stakeholders who had registered to speak on this item. No matters were raised by members of the Committee.

A motion was proposed by Councillor Mrs Cobbold in support of the officer recommendation, seconded by Councillor Williams and the motion was carried.

RESOLVED:-

That be action taken to award the new Hackney Carriage and Private Hire Vehicle Testing Contract be noted.

ANNUAL REPORT FOR THE LICENSING PARTNERSHIP

LC18/18 Mrs Bamborough, Head of Licensing Partnership introduced and summarised the report which provided information on the performance of the partnership for the year 2017/2018 and the Service Plan for 2018/2019. She explained that the dip in performance seen across the partnership was due to staff vacancies and performance issues that had since been resolved. She also particularly commended the assistance provided by the TWBC Senior Licensing Officer.

There were no members of the public or other stakeholders who had registered to speak on this item.

In response to questions from members, Mrs Bamborough clarified that performance updates were reported to the Head of Housing, Health and Environment on a monthly basis. She would be happy to circulate a further 6 month summary update to members in December. Although complaint monitoring was not a performance indicator, Mrs Bamborough and Mr Stevenson both confirmed complaints received were minimal with only one having been received in respect of the computer based knowledge test.

A motion was proposed by Councillor Podbury in support of the officer recommendation, seconded by Councillor Heasman and the motion was carried.

RESOLVED:-

That the report be noted for information only.

URGENT BUSINESS:

LC19/18 There were no items of urgent business.

DATE OF NEXT MEETING

LC20/18 **RESOLVED:-**
That the next meeting take place on Tuesday 4 December 2018, at 6pm.

NOTES:

1. Councillor Heasman joined the meeting during consideration of item 6(C).
2. The meeting concluded at 6.40pm.
3. For full details of the proceedings, an audio recording of the meeting is available on the Tunbridge Wells Borough Council website.