
Licensing Committee

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Thursday, 19 October 2023 from 7.00 pm - 7.24 pm.

PRESENT: Councillors Roger Clark, Carole Jackson, Rich Lehmann, Ben J Martin, Tara Noe, Tom Nundy, Chris Palmer, Richard Palmer (Substitute for Councillor Derek Carnell), Angie Valls and Tony Winckless (Vice-Chair, in the Chair).

OFFICERS PRESENT: Philippa Davies, Chris Hills, Jo Thomas and Helen Ward.

OFFICERS PRESENT (VIRTUALLY): Steph Curtis.

APOLOGIES: Councillors Derek Carnell, Simon Clark and Paul Stephen.

373 Chair

The Vice-Chair in-the-Chair gave his best wishes to the Chair, Councillor Derek Carnell, after his recent accident and wished him a speedy recovery.

For the remainder of these minutes, the Vice-Chair in-the-Chair will be referred to as the Chair.

374 Emergency Evacuation Procedure

The Chair outlined the emergency evacuation procedure.

375 Minutes

The Minutes of the Meeting held on 15 February 2023 (Minute Nos. 652 – 657) were taken as read, approved and signed by the Chair as a correct record.

The Minutes of the following Licensing Sub-Committees were accepted by the Chair:

23 February 2023 (Minute Nos. 703 – 708);

2 March 2023 (Minute Nos. 752 – 756);

27 April 2023 (Minute Nos. 830 – 834);

4 July 2023 (Minute Nos. 165 – 169);

6 July 2023 – reconvened (Minute Nos. 178 – 182);

31 August 2023 10 am (Minute Nos. 230 – 234);

31 August 2023 2 pm (Minute Nos. 235 – 239);

10 October 2023 10 am (these minutes were on the agenda, but the meeting was cancelled);

10 October 2023 2 pm (these minutes were on the agenda, but the meeting was cancelled).

376 Public Session

No one had registered to speak.

377 Declarations of Interest

No interests were declared.

Part A Minutes for Recommendation to Council

378 Street Trading Policy

The Licensing Team Leader introduced the report as set out in the agenda papers.

The Chair invited Members to make comments, and these included:

- The report was clear and concise;
- there was a typo on new paragraph 7.17, and it should read ‘.....are participating in events which will have been **through** the Safety Advisory Group process.’; and
- clarification sought on the nature of the consultation process, noting that responses to consultations were often low and more engagement was encouraged.

The Licensing Team Leader explained the consultation process and said there was a statutory requirement for notification of consultations to be advertised in local newspapers. Consultations were also added to the Council’s website. The Council’s Communications Team advertised them via social media, and responses were invited either via letters or email. With other types of consultations, the actual trade was engaged with more directly.

Councillor Rich Lehmann moved the recommendations, and these were seconded by Councillor Tom Nundy. On being put to the vote the recommendations were agreed.

Recommended:

(1) That the draft Swale Borough Council Street Trading Policy 2024 – 2027 be noted and the consultation goes ahead.

(2) That the policy consultation process be noted, and officers proceed with the same.

Part B Minutes for Information

379 Pavement Licence Policy

The Licensing Team Leader introduced the report as set out in the agenda papers.

The Chair invited Members to make comments, and these included:

- The Police should be included as a consultee;
- did not consider that Parish Councils needed to be consultees as Ward Members could feed back to them; and
- noted there was information included within the Policy on the Levelling Up and Regeneration Bill, and wondered if that would be a material consideration.

In response, the Licensing Team Leader explained that the Levelling Up and Regeneration Bill was included for completeness, and she explained that when the legislation was adopted, the Council would have enforcement powers and the policy would come back to the Licensing Committee to deal with any relevant amendments.

Councillor Tom Nundy moved the following amendment: That Kent Police be included as a consultee. This was seconded by Councillor Richard Palmer. On being put to the vote, the amendment was agreed.

Councillor Richard Palmer moved the recommendations, and these were seconded by Councillor Tom Nundy. On being put to the vote the recommendations were agreed.

Resolved:

- (1) That the draft Pavement Licence policy as set out in Appendix I to the report be adopted to run for a period from 1 November 2023 until 31 October 2026.***
- (2) That the comments made in the evaluation grid attached as Appendix II to this report be noted.***
- (3) That Kent Police be included as a consultee.***

Chair

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All minutes are draft until agreed at the next meeting of the Committee/Panel