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## Licensing Committee

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Tuesday, 13 February 2024 from 7.00 pm - 7.35 pm.

**PRESENT:** Councillors Derek Carnell (Chair), Mark Last, Rich Lehmann, Tara Noe, Tom Nundy, Chris Palmer, Paul Stephen, Angie Valls, Karen Watson (Substitute for Councillor Carole Jackson), Mike Whiting and Tony Winckless (Vice-Chair).

**PRESENT (VIRTUALLY):** Councillor Simon Clark.

**OFFICERS PRESENT:** Steph Curtis, Chris Hills, Kellie MacKenzie, Jo Thomas and Helen Ward.

**APOLOGIES:** Councillors Carole Jackson and Lee-Anne Moore.

624 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

625 **Minutes**

The Minutes of the Meeting held on 19 October 2023 (Minte Nos. 373 – 379) were taken as read, signed and approved by the Chair as a correct record.

626 **Declarations of Interest**

No interests were declared.

627 **Swale BC Street Trading Policy 2024 - 2027**

The Licensing Team Leader introduced the report which sought approval of the draft Street Trading Policy, set out at Appendix I of the report, under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, following the public consultation as set out in the agenda papers.

A Member spoke in support of the proposed minor amendments to the policy, as set out in Appendix II of the report.

Councillor Tony Winckless moved the recommendations, and these were seconded and agreed by Members.

**Recommendations:**

- (1) That the draft Street Trading Policy, as set out in Appendix I of the report, including the addition as set out in Appendix II of the report, following the 8-week consultation be approved.**
- (2) That the draft Street Trading Policy be approved and published.**

628 **Scrap Metal Dealers Licensing Policy 2024 - 2027**

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

The Chair invited Members to make comments, and the following amendments to the draft Scrap Metal Dealers Licensing Policy 2024 – 2027 were raised:

- Considered that the content table on page 40 of the report needed to be amended to refer to page numbers, not the section number as stated; and
- could paragraph 1.1 on page 41 of the report be updated as it was the same wording as the 2018 policy?.

The Licensing Team Leader agreed that the policy would be updated as requested.

In response to questions from Members, the Licensing Officer said that the Council's Environmental Response team would be responsible for enforcing the policy under environmental legislation, and the licensing team would be responsible for enforcement of site licences. With reference to paragraphs 4.8 and 4.9 of the draft policy, the Lawyer (Contentious) explained that paragraph 4.9 contained a presumption to refuse which was a stronger position to take than paragraph 4.8 which made reference to giving particular relevance to those enforcement measures listed. The Licensing Team Leader explained that the policy was a 'lift' from the Scrap Metal Dealers Act 2013.

Councillor Rich Lehmann moved the recommendations, and these were seconded and agreed by Members.

**Resolved:**

- (1) That the draft Scrap Metal Dealers Licensing Policy 2024 – 2027 be amended as minuted.**
- (2) That the draft Metal Dealers Licensing Policy 2024 -2027 be noted, and officers proceed with the consultation.**

**629 Review of Statement of Licensing Policy for Sex Establishments and Sexual Entertainments Venues**

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

Councillor Mike Whiting moved the following amendment: That following the public consultation, and subject to the being no significant amendments, the relevant officers be given delegated authority to send the draft Sex Establishments and Sexual Entertainments Policy straight to the Policy and Resources Committee for consideration. This was seconded and agreed by Members.

Councillor Tom Nundy moved the recommendations, and these were seconded and agreed by Members.

**Resolved:**

- (1) That the draft Sex Establishments and Sexual Entertainments Policy consultation goes ahead.**
- (2) That the consultation process as outlined be noted, and officers proceed with the same.**
- (3) That following the public consultation, and subject to their being no significant amendments or comments, the relevant officers be given delegated authority to send the draft Sex Establishments and Sexual**

***Entertainments Policy straight to the Policy and Resources Committee for consideration.***

**630 Report on the work of the Licensing Team**

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

The Chair invited Members to make comments.

In response to questions from a Member, the Licensing Team Leader confirmed that the licensing team was now at full capacity and therefore able to be more proactive in inspecting premises. She spoke about an enforcement case involving the sale of illegal vapes and as a result of that case officers had received training from Trading Standards on what to look out for in respect of illegal vapes.

***Resolved:***

- (1) That the report be noted.***

Chair

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