

## **LICENSING COMMITTEE**

Minutes of the meeting held on 25 July 2013 commencing at 6.00 pm

Present: Cllr. Mrs. Morris (Chairman)

Cllr. Clark (Vice-Chairman)

Cllrs. Abraham, Cooke, Clark, Davison, Piper and Raikes

Apologies for absence were received from Cllrs. Ayres, Mrs. Ayres, Mrs. George, Mrs. Parkin and Walshe

### 1. Minutes

Resolved: That the minutes of the meeting of the Committee held on the 27 March 2013 and of the Sub-Committee held on 1 July 2013 be approved and signed by the Chairman as a correct record.

### 2. Declarations of interest

No declarations of interest were made.

### 3. Actions from the previous meeting

There were no actions from the previous meeting.

### 4. Membership of Licensing Hearing Sub-Committees

The Chairman drew Members attention to the new number of Members on the Committee. There would now be four Sub-Committees for Licensing Hearings with Cllr Mrs Morris as floating Member.

Resolved: That the memberships of the Licensing Sub-Committees as set out in the report be approved.

The Chairman reminded Members to respond to the training invites that the Licensing Partnership Manager had sent out. She encouraged Members to spend a morning in the Licensing Team to see the complexity of the processes involved with the Licensing Partnership (Maidstone Borough Council, Tunbridge Wells Borough Council and Sevenoaks District Council). The Licensing Partnership Manager also informed the Committee that if they wished to take part in enforcement visits they were to let her know.

*Action 1: The Licensing Partnership Manager to send out a list with the dates for the training to the Committee.*

### 5. FACE TO FACE CHARITABLE STREET COLLECTORS

The Licensing Partnership Manager presented a report requesting agreement to enter into a Site Management Agreement (SMA) in order to better regulate and control the

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numbers, frequency and location of direct debit street collectors in the Sevenoaks District.

Members considered the report for the control of Direct Debit Charitable Street Collectors. Members' questioned why Sevenoaks High Street was the only designated location within the District. The Licensing Partnership Manager explained that it was because it was where the Direct Debit Charitable Street Collectors had requested to be. If there became a demand for other areas the agreement could be amended to include these.

The Licensing Partnership Manager tabled the Public Fundraising Regulatory Association ([PFRA](#)) [Rule Book](#). If Direct Debit Charitable Street Collectors were seen to break the rules then they would accumulate points, similar to the taxis. This would go on a national database that was administered by the PFRA. If the rules were broken anywhere in the Country, not just in Sevenoaks, this would also be recorded.

There was no membership fee. The only cost would be officer time. There were no regulations for Direct Debit Charitable Street Collectors presently, by signing up to the agreement charities were agreeing to behave in accordance with the PFRA rule book. Members asked how the rules would be enforced. The Licensing Partnership Manager advised that there were Police Community Support Officers (PCSOs), Police and the Licensing Officers who would take note if the rules were not followed and pass the information on to the PFRA. There could also be site visits by members of the PFRA.

Resolved: A Site Management agreement be entered into regarding the activities of Face-to-Face Direct Debit Charitable Street Collectors in Sevenoaks with the Public Fundraising Association (PFRA), attached at Appendix A to the report.

### 6. SCRAP METAL DEALERS ACT

The Licensing Partnership Manager verbally updated the Committee on the Scrap Metal Dealers Act 2013. The primary legislation had been passed but the guidance and fee regulations were still awaited.

Scrap metal dealers were previously dealt with by Environmental Health at the Council. Since Partnership working all three authorities would deal with it through Licensing. The Scrap Metal Dealers being licenced would have a suitability test which would be like the previous Criminal Records Bureau check, now the Disclosure Barring Service. Licences could be revoked and there would be specified conditions. The Licensing Team would also have powers for inspection. There were two types of Licences; one for the sites and one for the collection of scrap metal. It was thought that it would not require a policy but may just be guidance.

A register was being collated with information that was held by Sevenoaks District Council, Kent Police and Kent County Council. Fee setting guidance and regulations were awaited and the transitional period did not begin until 1 August 2013. All licences would need to be issued by 1 December 2013. The Environment Agency would host the database nationally. There would be a charge for holding the information but the cost was not known yet. The Police could object to applications.

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It was anticipated that across the Partnership there could be a significant but not a large number of scrap metal dealers to be licensed.

In response to a question as to whether Dunbrik would need a licence, the Head of Environmental and Operational Services advised that there was a duty to dispose of household waste metal such as tin cans and therefore, would not need to be licenced. If a contractor was used for the removal of a motor vehicle they would have to be licenced.

It was recommended that a further update be given at the next Licensing Committee meeting. If there was not enough information provided in time for the next meeting, then an additional meeting of the Licensing Committee may be necessary.

### **7. LICENSING PARTNERSHIP ANNUAL REPORT**

The Licensing Partnership Manager presented a report on progress over the past year and an update on projects for the future for the Partnership.

The Head of Environmental and Operational Services advised that the report had been considered by the Services Select Committee on 4 April 2013. This report would be sent at this time each year.

The Licensing Partnership Manager tabled June 2013 [Performance Indicators](#). She explained that she had added the number of applications received to provide more context.

Members asked whether many complaints were received. The Licensing Partnership Manager advised that Sevenoaks District Council received a minimum number of complaints regarding taxi licensing in comparison to other Councils. There were liaison forums held throughout the year with taxi drivers where issues could be raised.

Members requested clarification regarding the number of Animal Establishments in Sevenoaks. The Head of Environmental and Operational Services advised that the Licenses were dealt with by Environmental Health and this was something that was historical. The Animal welfare fees would be set at the Licensing Committee.

Resolved: That the Licensing Partnership Annual Report be approved.

THE MEETING WAS CONCLUDED AT 6.47 pm

Chairman

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