

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS COMMITTEE

Tuesday, 22nd September, 2015

Present: Cllr R W Dalton (Chairman), Cllr Mrs P A Bates (Vice-Chairman), Cllr Mrs J A Anderson, Cllr O C Baldock, Cllr B T M Elks, Cllr Mrs F A Kemp, Cllr S M King, Cllr R V Roud, Cllr A K Sullivan and Cllr F G Tombolis

Councillor N J Heslop was also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors M C Base, Mrs B A Brown, M A Coffin, H S Rogers and M Taylor

PART 1 - PUBLIC

LA 15/86 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct.

LA 15/87 MINUTES

RESOLVED: That the Minutes of the meeting of the Licensing and Appeals Committee held on 30 June 2015 be approved as a correct record and signed by the Chairman.

LA 15/88 MINUTES OF PANEL

RESOLVED: That the Minutes of the meetings of the Licensing and Appeals Committee sitting as a Panel held on 29 July and 26 August 2015 be received and noted.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

LA 15/89 GAMBLING ACT 2005 - REVISED STATEMENT OF POLICY

The report of the Director of Central Services and Monitoring Officer reminded Members that Section 349 of the Gambling Act 2005 required that Licensing Authorities prepare and publish a statement of principles to be applied in exercising their functions under the Act over a three year period. Members noted that the Council's current Statement of Principles for the Gambling Act 2005 was due to expire on 14 January 2016 and the report set out details of the matters to be taken into account during the consultation period prior to the publication of a revised Statement of Policy. The Director of Central Services advised that it would not be possible to take the latest Gambling Commission

guidance into account within the proposed timescale and he set out details of revisions to the existing policy which would allow its reinstatement with effect from January 2016.

RECOMMENDED: That, subject to no adverse comments being received during the consultation period and to minimal changes to ensure accuracy, the Council re-adopt the existing version of the policy for a period of 3 years with effect from 14 January 2016.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PARAGRAPH 3, PART 3 OF THE CONSTITUTION

LA 15/90 PROPOSED LICENCE CONDITIONS FOR THE HOME BOARDING OF DOGS AND CATS AND DOG DAY CARE ESTABLISHMENTS

The report of the Director of Central Services and Monitoring Officer set out details of the proposed licensing conditions to be applied in respect of the home boarding of cats and dogs. The Committee was reminded that Section 1 of the Animal Boarding Establishments Act 1963 required that any person keeping a boarding establishment must be licensed by the Local Authority. The Director of Central Services indicated that, due to the rise in popularity of home boarding arrangements, a request to be licensed had been received from a home boarder. The report advised that existing animal boarding licence conditions were not wholly suited to the home boarding environment and set out proposed conditions based on the Local Government Regulation and British Kennel and Cattery Association model conditions which would ensure that animal welfare was maintained.

In response to concerns about the stringent nature of the proposed conditions the Director of Central Services advised that prospective business owners and operators had been consulted and had acknowledged that this was a reasonable approach. Members remained concerned and sought clarification on whether the licence and conditions would be mandatory, the enforceability of the licensing regime, the level of fees to be applied and the ability to tailor standard conditions to individual premises.

RESOLVED: That consideration of the licence conditions to be applied for the Home Boarding of Dogs and Cats and Dog Day Care Establishments be deferred for further clarification of the matters identified by Members.

MATTERS SUBMITTED FOR INFORMATION

LA 15/91 TAXI SAFEGUARDING TRAINING

The report of the Director of Central Services and Monitoring Officer set out details of a training package for taxi and private hire operators,

managers, supervisors and drivers, developed with Kent Police and the Kent Safeguarding Children Board to provide training and information on "Safeguarding Children Abused through Sexual Exploitation". The Committee commended all staff across the Authority for the development of an excellent initiative and requested that details of the training sessions be circulated to Members.

RESOLVED: That the report be received and noted.

LA 15/92 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.20 pm