

LICENSING BOARD

Minutes of the meeting held on 11 June 2024 at 10.00 am in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Alan Currie (Chair); Councillors Huxley, Ara, Driver, Makinson, Pat Moore, Owen-Hughes, Scobie, Wing and Wright

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Manners and Rogers.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF PREVIOUS MEETING

Councillor Wright proposed, Councillor Ara seconded and Members agreed that the minutes of the Licensing Board held on 19 March 2024 be signed as a correct record.

4. INTRODUCTION OF ANIMAL WELFARE POLICY

Alison Stocker, Senior Licensing Officer introduced the report and made the following points:

- There was no Animal Welfare Policy in place, however this policy is intended to address animal activities, dangerous wild animals (DWA) and zoos;
- This policy also worked to ensure compliance with relevant legislation and will work in conjunction with the Licensing Officers Enforcement Policy.

Councillors engaged in discussion and asked the following questions:

- Councillors were interested in learning more in regards to dog breeding and wanted to know about a potential scenario of someone breeding their dog then charging money for the puppies. Officers replied that there is a £1,000 threshold, however there is a loophole where people can potentially say they've given the dogs away for free. The Licensing Team does not have authority to go into people's homes without a warrant, but to acquire one in this situation would be difficult;
- Councillors asked about transparency and whether or not someone who is looking to buy from someone has the appropriate licence for dog breeding. Officers replied that there was a list on the TDC website, which lists all borders, breeders and horse establishments.

Councillor Scobie proposed, Councillor Wing seconded and Members agreed:

To agree to the introduction of the new Policy.

5. PAVEMENT LICENSING JUNE 2024

Alison Brock, Technical Support Manager, presented the report and made the following points:

- Pavement Licensing came in 2020 under the Business and Planning Act, being passed from Kent County Council to TDC this was a temporary measure the

Levelling-up and Regeneration Act 2023 has now made this permanent. Initially the fee was £100 for a licence that lasted one year;

- With the ability to grant these licences, TDC now has the ability to engage in enforcement as well the ability to increase the fee by up to £500 and the length of the licence to two years;
- Comparatively with Dover District Council, they have changed their licence fee to £400 over a two year span with a renewal of £200.

Councillors engaged in discussion and made the following points:

- Councillors discussed the idea of increasing the fee, whilst making sure that it was only by a small amount;
- Councillors wanted further clarification of enforcement powers that TDC has. Officers replied that in some cases if people did not comply with the licensing procedures, TDC had the authority to take away any outside furniture left behind only to return the items when the fee is paid.

Councillor Huxley proposed, Councillor Ara seconded and Members agreed:

The licence fee will be increased to £250 for two years and £150 for renewal every two years following.

6. EXCLUSION OF PUBLIC AND PRESS

Councillor Wing proposed, Councillor Makinson seconded and members agreed:

That the public and press be excluded from the meeting on agenda item 7 as it contains exempt information as defined in Paragraph 2 of Schedule 12A of the Local Government Act 1972.

7. DETERMINATION OF AN APPLICATION TO GRANT A SCRAP METAL DEALER'S LICENSE

Mrs Stocker introduced the Applicant.

The Applicant had no questions for Mrs Stocker.

Members of the Board asked the following of Mrs Stocker:

- Councillors asked how much the licence was. Officers replied it was around £300.

The Applicant had no questions for the Board.

Mrs Stocker had no questions for the Applicant.

The Board asked a question to the Applicant:

Following the discussion, the Applicant and Licensing Officers were asked to leave the room whilst the Board deliberated.

Once the Board came to a decision, the Applicant and Licensing Officers were invited back into the meeting room and Mr Kitenge, Interim Senior Litigation Lawyer addressed the meeting and read out the Board decision which was as detailed below:

“Upon considering whether or not to issue a Scrap Metal Dealer's Licence having considered the documentation and representations made by:

1. The Licensing Officer – Alison Stocker

2. The Applicant

It is the decision of the Licencing Board to issue a Scrap Metal Dealers Licence to the Applicant in accordance with the Scrap Metal Dealers Act 2013.”

Meeting concluded: 10:45am