

# TONBRIDGE & MALLING BOROUGH COUNCIL



## EXECUTIVE SERVICES

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### Chief Executive

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**NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.**

Contact: Committee Services  
[committee.services@tmbc.gov.uk](mailto:committee.services@tmbc.gov.uk)

24 November 2015

To: MEMBERS OF THE LICENSING AND APPEALS COMMITTEE  
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Licensing and Appeals Committee to be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Wednesday, 2nd December, 2015 commencing at 7.30 pm

Yours faithfully

JULIE BEILBY

Chief Executive

## A G E N D A

### PART 1 - PUBLIC

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3. Minutes 9 - 12

To confirm as a correct record the Minutes of the meeting of Licensing and Appeals Committee held on 22 September 2015

4. Minutes of Panel 13 - 32

To receive the Minutes of the following meetings of the Licensing and Appeals Committee sitting as a Panel:

16 September 2015  
22 October 2015  
18 November 2015

**Decisions to be taken under Delegated Powers**

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6. Urgent Items 53 - 54

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The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**PART 2 - PRIVATE**

8. Urgent Items 57 - 58

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

## **MEMBERSHIP**

Cllr R W Dalton (Chairman)  
Cllr Mrs P A Bates (Vice-Chairman)

Cllr Mrs J A Anderson  
Cllr O C Baldock  
Cllr M C Base  
Cllr Mrs B A Brown  
Cllr M A Coffin  
Cllr B T M Elks  
Cllr Mrs F A Kemp

Cllr S M King  
Cllr H S Rogers  
Cllr R V Roud  
Cllr A K Sullivan  
Cllr M Taylor  
Cllr F G Tombolis

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Apologies for absence

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Declarations of interest

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## 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

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## TONBRIDGE AND MALLING BOROUGH COUNCIL

### LICENSING AND APPEALS PANEL

Wednesday, 16th September, 2015

**Present:** Cllr Mrs J A Anderson (Chairman), Cllr R W Dalton and Cllr F G Tombolis

Councillor Mrs P A Bates was also present as an observer for training purposes.

Together with representatives of the Licensing Authority.

### PART 1 - PUBLIC

#### **LA 15/74 DECLARATIONS OF INTEREST**

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

#### **LA 15/75 EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

**RESOLVED:** That as public discussion would disclose exempt information, the following matters be considered in private.

### PART 2 - PRIVATE

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

#### **LA 15/76 APPLICATION FOR A PROBATIONARY PRIVATE HIRE DRIVER'S LICENCE - CASE NO 19/2015**

**(Reason: LGA 1972 Sch 12A Paragraph 1 – Information relating to an individual)**

The Panel gave consideration to the report of the Director of Central Services and Monitoring Officer regarding an application for a Probationary Private Hire Driver's Licence following the receipt of information from the Disclosure and Barring Service (DBS).

The Panel listened carefully to the representations made by the Applicant, had regard to the report of the Director of Central Services and made the following findings:-

1. The Panel noted the Tonbridge and Malling Borough Council Hackney Carriage and Private Hire Licensing Policy and in particular the reference to Common Assault.
2. The Panel took into consideration the circumstances of the incident when the Common Assault had taken place and accepted that the Applicant had learned from this episode.

The Panel considered the “fit and proper” test to hold a driver’s licence as documented within the terms of the Hackney Carriage and Private Hire Licensing Policy and suggested that the Applicant should consider undertaking a course on ‘anger management’.

For these reasons, the Panel therefore

**RESOLVED:** That the Applicant be GRANTED a Probationary Private Hire Driver’s Licence for a six month period, subject to standard conditions, together with an additional condition that he attend a meeting with the Licensing and Community Safety Manager after two, four and six months.

The meeting ended at 10.57 am  
having commenced at 10.30 am

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Wednesday, 16th September, 2015**

**Present:** Cllr Mrs J A Anderson (Chairman), Cllr R W Dalton and Cllr F G Tombolis

Councillor Mrs P A Bates was also present as an observer for training purposes.

Together with representatives of the Licensing Authority.

**PART 1 - PUBLIC**

**LA 15/77 DECLARATIONS OF INTEREST**

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

**LA 15/78 EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

**RESOLVED:** That as public discussion would disclose exempt information, the following matters be considered in private.

**PART 2 - PRIVATE**

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

**LA 15/79 APPLICATION FOR RENEWAL OF A HACKNEY CARRIAGE DRIVER'S LICENCE - CASE NO 16/2015**

**(Reason: LGA 1972 Sch 12A Paragraph 1 – Information relating to an individual)**

The Panel gave consideration to the report of the Director of Central Services and Monitoring Officer regarding an application for the renewal of a Hackney Carriage Driver's Licence following the receipt of information from the Disclosure and Barring Service (DBS) that the Applicant had failed to disclose receipt of a Caution on 11 June 2014 under the Fraud Act 2006 S.1(2)A and S.2.

The Panel listened carefully to the representations made by the Applicant, had regard to the report of the Director of Central Services and made the following findings:-

1. The Panel noted the Tonbridge and Malling Borough Council Hackney Carriage and Private Hire Licensing Policy.
2. The Panel considered the Policy in particular reference to the offences of dishonesty where the Council would normally refuse an application where the applicant had a conviction or Caution for dishonesty within 4 years of an application being submitted.
3. The Panel took into consideration the circumstances of the incident when the dishonesty with regard to a mobile 'phone had taken place. However, the Panel was not convinced that the Applicant's explanation was sufficient to consider going against the Council's Policy.

In addition, the Panel considered the 'fit and proper person' test to hold a driver's licence as documented within the terms of the Hackney Carriage and Private Hire Licensing Policy.

For these reasons, the Panel therefore

**RESOLVED:** That the application for the renewal of Hackney Carriage Driver's Licence No. 3066 be REFUSED.

The meeting ended at 11.43 am  
having commenced at 11.15 am



**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Wednesday, 16th September, 2015**

**Present:** Cllr Mrs J A Anderson (Chairman), Cllr R W Dalton and  
Cllr F G Tombolis

Together with representatives of the Licensing Authority

**PART 1 - PUBLIC**

**LA 15/80 DECLARATIONS OF INTEREST**

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

**LA 15/81 EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

**RESOLVED:** That as public discussion would disclose exempt information, the following matters be considered in private.

**PART 2 - PRIVATE**

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

**LA 15/82 APPLICATION FOR A PROBATIONARY PRIVATE HIRE DRIVER'S  
LICENCE - CASE NO 17/2015**

**(Reason: LGA 1972 Sch 12A Paragraph 1 – Information relating to  
an individual)**

The Panel gave consideration to the report of the Director of Central Services and Monitoring Officer regarding an application for a Probationary Private Hire Driver's Licence following the receipt of information from the Disclosure and Barring Services (DBS).

The Panel listened carefully to the representations made by the Applicant, noted that he had disclosed the receipt of a Caution for Criminal Damage in February 2010, had regard to the report of the Director of Central Services and made the following findings:-

1. The Panel noted the Tonbridge and Malling Borough Council Hackney Carriage and Private Hire Licensing Policy and in particular the reference to Criminal Damage where the incident had

taken place between 4 and 8 years prior to the submission of an application.

2. The Panel took into consideration the circumstances of the incident where the criminal damage had taken place and the evidence of 'good character' provided by the Applicant's previous employment with disadvantaged youngsters.

For these reasons, the Panel therefore

**RESOLVED:** That the application for a Probationary Private Hire Driver's Licence be GRANTED.

The meeting ended at 12.23 pm  
having commenced at 12.03 pm

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Wednesday, 16th September, 2015**

**Present:** Cllr Mrs J A Anderson (Chairman), Cllr R W Dalton and  
Cllr F G Tombolis

Together with representatives of the Licensing Authority

**PART 1 - PUBLIC**

**LA 15/83 DECLARATIONS OF INTEREST**

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

**LA 15/84 EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

**RESOLVED:** That as public discussion would disclose exempt information, the following matters be considered in private.

**PART 2 - PRIVATE**

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

**LA 15/85 APPLICATION FOR A PROBATIONARY PRIVATE HIRE DRIVER'S  
LICENCE - CASE NO 18/2015**

**(Reason: LGA 1972 Sch 12A Paragraph 1 – Information relating to  
an individual)**

The Panel gave consideration to the report of the Director of Central Services and Monitoring Officer regarding an application for a Probationary Private Hire Driver's Licence following the receipt of information from the Disclosure and Barring Service (DBS) that the Applicant had failed to disclose receipt of a Caution for Common Assault on 5 March 2013.

The Panel listened carefully to the representations made by the Applicant, had regard to the report of the Director of Central Services and made the following findings:-

1. The Panel noted the Tonbridge and Malling Borough Council Hackney Carriage and Private Hire Licensing Policy.

2. The Panel considered the Policy in particular reference to Common Assault where the Council would normally refuse an application where the Applicant had a conviction or Caution for Common Assault within 4 years of an application being submitted.
3. The Panel took into consideration the circumstances of the incident when the Common Assault had taken place and considered the letter from his Solicitor dated 4 September 2014 which had been provided by the Applicant. It remained the case that the Caution appeared on the Applicant's Disclosure and Barring Service Certificate and that the letter submitted revealed nothing as to the reason why the Applicant had been awarded compensation.

For these reasons, the Panel therefore

**RESOLVED:** That the application for a Probationary Private Hire Driver's Licence be REFUSED.

The meeting ended at 1.24 pm  
having commenced at 1.00 pm

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Thursday, 22nd October, 2015**

**Present:** Cllr Mrs F A Kemp (Chairman), Cllr S M King and Cllr H S Rogers

Councillors R W Dalton, Mrs P A Bates and R V Roud were present as observers.

Together with representatives from the Licensing Authority and the applicant.

**PART 1 - PUBLIC**

**LA 15/93 DECLARATIONS OF INTEREST**

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

**LA 15/94 EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

**RESOLVED:** That as public discussion would disclose exempt information, the following matters be considered in private.

**PART 2 - PRIVATE**

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

**LA 15/95 APPLICATION FOR A PROBATIONARY PRIVATE HIRE DRIVER'S LICENCE - CASE NO 20/2015**

**(Reason: LGA 1972 Sch 12A Paragraph 1 – Information relating to an individual)**

Consideration was given to the report of the Director of Central Services and Monitoring Officer regarding an application for a Probationary Private Hire Driver's Licence following the receipt of information from the Disclosure and Barring Service (DBS). The applicant had failed to disclose receipt of a Caution for theft from a motor vehicle on 28 January 2011.

A copy of the application form and DBS certificate were attached as Annexes 1 and 2 respectively to the report. It was noted that the

applicant had not declared the offence on the questionnaire completed on the 16 July 2015, attached as Annex 3.

The Panel listened carefully to the representations made by the applicant, had regard to the report of the Director of Central Services and the Tonbridge and Malling Borough Council Hackney Carriage and Private Hire Licensing Policy. In addition, consideration was given to the following:

- The Policy with regard to offences of dishonesty, as set out in Section 12.2.4, where the Borough Council would normally refuse an application where the applicant had a conviction for theft within 4 years of an application being submitted. It was considered that between 4 and 5 years after conviction more weight should be given to the circumstances of the offence and any evidence adduced to show good character since the date of conviction.
- The circumstances of the incident and the applicant's explanation of the events.
- Whether the applicant was a fit and proper person

After careful consideration of the facts and having due regard to the evidence of the circumstances regarding the offence, set out by the applicant, and the current circumstances of the individual, the Panel

**RESOLVED:** That the application for a Probationary Private Hire Driver's Licence be GRANTED.

The meeting ended at 7.20 pm  
having commenced at 7.00 pm

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Thursday, 22nd October, 2015**

**Present:** Cllr Mrs F A Kemp (Chairman), Cllr S M King and Cllr H S Rogers

Councillors R W Dalton, Mrs P A Bates and R V Roud were present as observers.

Together with representatives from the Licensing Authority, the applicant and his mentor.

**PART 1 - PUBLIC**

**LA 15/96 DECLARATIONS OF INTEREST**

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

**LA 15/97 EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

**RESOLVED:** That as public discussion would disclose exempt information, the following matters be considered in private.

**PART 2 - PRIVATE**

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

**LA 15/98 APPLICATION FOR A PROBATIONARY PRIVATE HIRE DRIVER'S LICENCE - CASE NO 21/2015**

**(Reason: LGA 1972 Sch 12A Paragraph 1 – Information relating to an individual)**

Consideration was given to the report of the Director of Central Services and Monitoring Officer regarding an application for a Probationary Private Hire Driving Licence following the receipt of information from the Disclosure and Barring Service (DBS). The applicant had received a Caution for Criminal Damage to Property on 11 December 2011.

A copy of the application and DBS certificate were attached as Annexes 1 and 2 respectively to the report. It was noted that the applicant had declared the offence on the questionnaire completed on 3 August 2015, attached as Annex 3.

The Panel listened carefully to the representations made by the applicant, had regard to the report of the Director of Central Services and the Tonbridge and Malling Borough Council Hackney Carriage and Private Hire Licensing Policy. In addition, consideration was given to the following:

- The Policy with regard to offences of criminal damage, as set out in Section 12.3.2, where the Borough Council would normally refuse an application where the individual had a conviction of criminal damage within 4 years of an application being submitted. It was considered that between 4 and 8 years after conviction more weight should be given to the circumstances of the offence and any evidence adduced to show good character since the date of conviction.
- The circumstances of the incident and the applicant's explanation of the events.
- Whether the applicant was a fit and proper person

After careful consideration of the facts and having due regard to the evidence of the circumstances regarding the offence, set out by the applicant, and the current circumstances of the individual, the Panel

**RESOLVED:** That the application for a Probationary Private Hire Driver's Licence be GRANTED.

The meeting ended at 8.05 pm  
having commenced at 7.45 pm



**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Wednesday, 18th November, 2015**

**Present:** Cllr M A Coffin (Chairman), Cllr Mrs J A Anderson and Cllr R V Roud

Together with representatives of the Licensing Authority

**PART 1 - PUBLIC**

**LA 15/99 DECLARATIONS OF INTEREST**

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

**LA 15/100 EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

**RESOLVED:** That as public discussion would disclose exempt information, the following matters be considered in private.

**PART 2 - PRIVATE**

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

**LA 15/101 APPLICATION FOR A PROBATIONARY PRIVATE HIRE DRIVER'S LICENCE - CASE NO 25/2015**

**Reason LGA 1972 Sch 12A Paragraph 1 – Information relating to an individual**

Consideration was given to the report of the Director of Central Services and Monitoring Officer regarding an application for a Probationary Private Hire Driver's Licence following the receipt of information from the Driver and Vehicle Licensing Agency (DVLA) which had shown two SP30 speeding fixed penalties which had not been declared on the application form.

The Panel waited until 10.15 am for the Driver to arrive and several attempts were made to contact him. In addition, the proposed Mentor was telephoned and it was confirmed that they were unaware of the application and that they did not wish to proceed with being the Mentor for the Applicant.

The Hearing took place in the Driver's absence and the Panel had regard to the report of the Director of Central Services and Monitoring Officer and made the following findings:-

1. The Panel considered the information given and noted the requirements of the Tonbridge & Malling Borough Council Hackney Carriage and Private Hire Licensing Policy.
2. The Panel noted that information received from the Driving and Vehicle Licensing Agency (DVLA) mandate had revealed that the Applicant had had seven penalty points on his DVLA Driving Licence, for two speeding offences. The Panel was reminded that, for the purposes of the Council's policy, the offence on 10 July 2014 was considered to be a "Major Traffic Offence" whilst the offence on 6 May 2014 was considered to be a "Minor Traffic Offence". The Panel noted that, where an applicant had more than 6 penalty points on his DVLA licence, the Council's policy stated that the application would ordinarily be refused. The Applicant had provided no reason to suggest that the Panel should deviate from the ordinary policy position.
3. Prior to the Hearing, the Panel was informed by the Applicant's proposed Mentor firm, via a telephone call, that they did not want to progress with being the Mentor and, therefore, the applicant had no Mentor. The Council's policy required that all Probationary Private Hire Drivers have a mentor and, therefore, the application could not be granted

For these reasons the Panel therefore

**RESOLVED:** That the Application for a Probationary Private Hire Driver's Licence be REFUSED.

The meeting ended at 10.17 am  
having commenced at 10.15 am

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Wednesday, 18th November, 2015**

**Present:** Cllr M A Coffin (Chairman), Cllr Mrs J A Anderson and Cllr R V Roud

Together with representatives of the Licensing Authority

**PART 1 - PUBLIC**

**LA 15/102 DECLARATIONS OF INTEREST**

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

**LA 15/103 EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

**RESOLVED:** That as public discussion would disclose exempt information, the following matters be considered in private.

**PART 2 - PRIVATE**

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

**LA 15/104 APPLICATION FOR THE RENEWAL OF A HACKNEY CARRIAGE DRIVER'S LICENCE - CASE NO 24/2015**

**(Reason: LGA 1972 Sch 12A Paragraph 1 – Information relating to an individual)**

Consideration was given to the report of the Director of Central Services and Monitoring Officer regarding an application for the renewal of a Hackney Carriage Driver's Licence by the holder of a Dual Driver's Licence following the receipt of information from the Disclosure & Barring Service (DBS). The Applicant was the holder of a Dual Driver's Licence for Hackney Carriage and Private Hire (Badge number 1772) and wished to renew his badge for a Hackney Carriage Driving Licence only.

The Panel listened carefully to the representations made by the Applicant, had regard to the report of the Director of Central Services and made the following findings –

1. The Panel noted the requirements of the Tonbridge & Malling Borough Council Hackney Carriage and Private Hire Licensing Policy and in particular the relevance of previous convictions or cautions for Common Assault.
  
2. The Panel took into consideration the information provided by the Police on the Disclosure and Barring Service (DBS) certificate regarding a Caution for Common Assault received on 17 March 2014. However, the Panel had regard to the explanation offered by the Applicant as to the circumstances of the incident when the Common Assault had taken place and noted that immediately after the incident had occurred, the Applicant had taken steps to remove himself from the situation, by resigning as a bus driver. The Applicant had been a licensed driver for 10 years and had no other previous issues. The Panel also accepted that the Applicant had learned from the episode.

For these reasons, the Panel therefore

**RESOLVED:** That the application for a Hackney Carriage Driver's Licence be GRANTED.

The meeting ended at 11.28 am  
having commenced at 11.00 am

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Wednesday, 18th November, 2015**

**Present:** Cllr M A Coffin (Chairman), Cllr Mrs J A Anderson and Cllr R V Roud

Together with representatives from the Licensing Authority

**PART 1 - PUBLIC**

**LA 15/105 DECLARATIONS OF INTEREST**

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

**LA 15/106 EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

**RESOLVED:** That as public discussion would disclose exempt information, the following matters be considered in private.

**PART 2 - PRIVATE**

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

**LA 15/107 REVIEW OF PRIVATE HIRE OPERATOR AND PRIVATE HIRE DRIVER'S LICENCES - CASE NO 22/2015**

**(Reason: LGA 1972 Sch 12A Paragraph 1 – Information relating to an individual)**

The Panel was invited to consider whether there were grounds for the suspension or revocation of Private Hire Operator's Licence Number 13/00770/OPER following investigations into his practices as a Private Hire Operator. The Panel was asked to consider multiple non-compliances with the requirements of the Local Government (Miscellaneous Provisions) Act 1976 ("the 1976 Act") and breaches of the Tonbridge & Malling Hackney Carriage and Private Hire Policy in respect to what is required of a person holding a Private Hire Operator Licence.

In addition, the Panel was asked to consider whether the Operator, who also held a Private Hire Driver's Licence (Badge Number 491) remained a fit and proper person to hold that licence.

The Panel listened carefully to the representations made by the Operator/Driver, had regard to the report of the Director of Central Services and made the following findings in respect to the Private Hire Operators Licence 13/00770/OPER:–

1. The Panel noted the requirements of the Tonbridge & Malling Borough Council Hackney Carriage and Private Hire Licensing Policy in relation to the requirements placed upon Private Hire Operators.
2. The Panel was very concerned at the clear failure, through the information given and Operator's own evidence, to keep any records, as required by s.56(2), and s.56(3) of the 1976 Act. This failure was itself sufficient to warrant a revocation of the Private Hire Operator's Licence under s.62(1)(a) of the 1976 Act.
3. In relation to s.62(1)(b) of the 1976 Act, the Panel was also concerned over the Operator's general conduct and lack of cooperation with the Licensing Authority and its officers and in not adhering to the Private Hire Operators conditions as clearly stated in the Licensing Policy.
4. In relation to s.62(1)(d) of the 1976 Act, the Panel noted that the Operator did not appear to operate as a Private Hire Operator.

With regard to the Private Hire Driver's Licence (Badge Number 491) the Panel made the following findings:–

1. The Panel noted the requirements of the Tonbridge & Malling Borough Council Hackney Carriage and Private Hire Licensing Policy in relation to Private Hire Drivers.
2. By s.61(1)(a)(ii) of the 1976 Act, a failure to comply with the provisions of the 1976 Act as they relate to private hire drivers may give reason for the Council to suspend or revoke a Private Hire Driver's Licence.
3. The Panel noted that, in relation to licensed vehicle, plate number 174, the Driver had failed properly to affix the vehicle plate to the rear of the licensed white Peugeot registration number FY09 CHH, contrary to Section 48(6) of the Local Government (Miscellaneous Provisions) Act 1976.
4. Furthermore, having been reminded by an authorised officer of the Council that it was both a legal and policy requirement to so affix the plate, the Driver still failed to do so. The Panel noted that a failure to comply with a requirement of an authorised officer of the Council is a potential offence under s.73(1)(c) of the 1976 Act.
5. Under s.61(1)(b) of the 1976 Act, the Council may also take into

account “any other reasonable cause” why a Private Hire Driver’s licence should be revoked or suspended.

6. The Panel considered the Driver’s general conduct and lack of cooperation with the Licensing Authority and its officers.
7. The Panel also noted that on two occasions the Driver had failed to keep a copy of a valid insurance certificate in the vehicle, contrary to the Council’ s policy.
8. It was noted that, considered against the Council’s penalty points system, the total number of points which might be accumulated in respect of the above matters was high.
9. In light of all of the above, the Panel considered that the Driver no longer met the test of a “fit and proper person” for the purposes of holding a Private Hire Driver’s Licence.

For the reasons set out above the Panel therefore

**RESOLVED:** That

- (1) Private Hire Operator Licence number 13/00770/OPER be REVOKED; and
- (2) Private Hire Driver’s Licence Badge Number 491 be REVOKED.

The meeting ended at 1.39 pm  
having commenced at 12.05 pm

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## TONBRIDGE & MALLING BOROUGH COUNCIL

### LICENSING & APPEALS COMMITTEE

02 December 2015

#### Report of the Director of Central Services and Monitoring Officer

#### Part 1- Public

#### Delegated

### 1 REVIEW OF FEES AND CHARGES 2016/17 - LICENSING FEES

#### 1.1 Executive Summary

1.1.1 The responsibility for setting the licensing fees and charges for 2016/17 is with the Licensing & Appeals Committee.

1.1.2 The review has been carried out by the Licensing and Community Safety Manager and the report sets out the recommended changes to the existing fee structure.

1.1.3 The levels of fees that may be charged for delivery of the licensing function are subject to a number of external constraints. For example,

(a) Fees for gambling licences have to be set within the parameters established by the law, and Tonbridge & Malling Borough Council's fees are already set at the maximum permissible levels.

(b) Fees for alcohol and entertainment licensing i.e. the Licensing Act 2003 are also fixed by the Government. These fees have not increased since the Act come into force.

This report therefore focuses on the fees to be charged for hackney carriage and private hire licensing, together with the other miscellaneous licences/ registrations handled by the licensing service.

1.1.4 A table showing the existing and proposed fees is attached as **Annex 1**.

#### 1.2 Hackney Carriage & Private Hire

1.2.1 Fee levels for hackney carriage and private hire licensing are subject to various statutory controls. Whilst these controls provide the Council with some discretion as to the level of fee, the cost of a licence must be related to the overall cost of the licensing scheme itself.

1.2.2 Section 53 of the Local Government (Miscellaneous Provisions) Act 1976 provides that, in respect of hackney carriage and private hire drivers, the Council may charge 'such a fee as they consider reasonable with a view to recovering the costs of issue and administration'.

1.2.3 For vehicle (both hackney carriage and private hire) and private hire operators' licences, fee levels are governed by s70 of the 1976 Act. This section allows the Council to charge such fees as may be sufficient in aggregate to cover in whole or in part –

(a) the reasonable cost of carrying out inspections of hackney carriages/ private hire vehicles for the purpose of determining whether any such licence should be granted or renewed;

(b) the reasonable cost of providing hackney carriage stands;

(c) any other reasonable administrative or other costs in connection with the above and with the control and supervision of hackney carriage and private hire vehicles.

1.2.4 The Deregulation Act 2005 has increased the duration of the Operator's licence from 3 to 5 years and the proposed fee level is per vehicle.

#### **Fee model**

1.2.5 The fee model sheets for the main Taxi fee increase show officer cost and time in the validating, processing, issuing and enforcement cost where applicable. These sheets are shown as **Annex 2**.

#### **HOLDERS for plates**

1.2.6 The cost for plate holders is not included in any plate costs and the fee charged is subject to manufacture pricing.

#### **Knowledge Tests**

1.2.7 Tonbridge & Malling Borough Council (TMBC) have not charged for candidates to take the knowledge test before 1 April 2015. The fee has increased from £25 to £35 to cover the administration and materials used to set up and run these tests.

1.2.8 The charging for a knowledge test is common practice across Kent with a wide range of fees being charged.

#### **Other licensing & registration fees**

1.2.9 A review has also been undertaken of the fees charged for a number of miscellaneous licences/ consents, including street trading, animal welfare and acupuncture/ tattooing etc. The proposed fees for 2016/17 are also contained in the table at **Annex 1**.

### **1.3 Legal Implications**

1.3.1 As set out above.

### **1.4 Financial and Value for Money Considerations**

1.4.1 As set out above.

### **1.5 Risk Assessment**

1.5.1 The recommended fee levels have been calculated in order to ensure that the service remains self-financing, whilst at the same time not making a profit. This will minimise the risk of a challenge being made by a third party.

### **1.6 Equality Impact Assessment**

1.6.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

### **1.7 Recommendations**

1.7.1 It is RECOMMENDED that the proposed scale of fees for licences, consents and registrations set out in Annex 1 of this report be adopted with effect from the 1 April 2016.

Background papers:

Nil

contact:

Anthony Garnett 6151

**Adrian Stanfield**

Director of Central Services and Monitoring Officer

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## Licensing Fee Review for 2016/2017 – Recommended changes

	Current Fee 2015/16	Proposed Fee 2016/17	Notes									
<b>Driver licences</b>												
Probationary Badge – Private Hire	36.00	40.00	A six month licence where the applicant has to work for one Operator									
Hackney Carriage/Private Hire Licence (3 years)	180.00	183.00	Applicants pay an additional fee of £44 for DBS check									
Dual Hackney Carriage/Private Hire Licence (3 years)	204.00	208.00	Applicants pay an additional fee of £44 for DBS check									
Additional DVLA check if required/original returned	5.00	6.00	£5 charged by DVLA – postage and admin									
<b>Vehicle licences</b>												
Hackney Carriage – (1 year) – New licence *	219.00	222.00	Plate holders <b>not</b> included in pricing (sold separately as required)									
Hackney Carriage – (1 year) – Renewal **	202.00	205.00										
Private Hire –(1 year) – New licence **	211.00	215.00										
Private Hire –(1 year) – Renewal **	202.00	205.00										
* Includes cost of plates and door insignia ** Includes cost of plates												
<b>Operator licences</b>												
5 Year Licence – per vehicle		80	Deregulation Act changed duration to 5 years									
<b>Transfer of vehicle licence</b>												
Cost of renewal for a 1 year vehicle licence– months left on current plate -												
1	2	3	4	5	6	7	8	9	10	11	12	
17	25	51	67	84	101	118	136	152	169	185	205	
Change of Ownership – same licensed vehicle						N/A	20					

	<b>Current Fee 2015/16</b>	<b>Proposed Fee 2016/17</b>	<b>Notes</b>
Plate exemption certificate	42	42	
<b>Insurance plates</b>			
Hackney Carriage Vehicle (first month)	60	61	
Hackney Carriage Vehicle (for each additional month)	18	20	
Private Hire Vehicle (first month)	46	47	
Private Hire Vehicle (for each additional month)	16	17	
<b>Administration charges</b>			
General	40	40	
Replacement vehicle Plates and admin	20	20	
Change of name and address / replacement paper or card licences	10.50	10.50	
<b>Plates – (subject to manufacturer prices)</b>			
Long External Licence Plate and holder	22.50	24.00	
Long External Licence Plate only	6.50	7.00	
Long External Licence Plate holder only	16.00	17.00	
Square External Licence Plate and holder	20.50	22.00	
Square External Licence Plate only	6.50	7.00	
Square External Licence Plate holder only	14.00	15.00	
Internal Plate and Holder	4.00	5.00	
Internal Plate only	2.00	2.50	
Internal Plate Holder only	2.00	2.50	
Door Insignia (per pair)	8.00	8.50	
<b>Knowledge Test</b>			
Attempting knowledge test	25	35	Reviewed admin costs involved in test
Attempting knowledge test again after first failure	25	35	

	Current Fee 2015/16	Proposed Fee 2016/17	Notes
<b>Pleasure Boats and Boatmen</b>			
Pleasure boats – 1 year (multi-seated)	160	163	
Pleasure boats – 1 year (other)	31.50	32	
Boatmen – 1 year	31.50	32	
<b>Scrap Metal Dealers</b>			
Scrap Metal – Mobile Collectors Licence (new and renewal)	270	275	
Scrap Metal –Site Licence	346	353	
Scrap Metal – Renewal of Site Licence	326	333	
<b>Animal welfare licences</b>			
Animal welfare/boarding	267.00	267.00	
Home Boarding licence	150.00	150.00	
Home Boarding licence renewal	50.00	50.00	
Breeding and sale of dogs	204.00	204.00	
Pet shop	256.00	256.00	
Riding establishments	350.00	350.00	
Dangerous wild animals	787.00	787.00	
Zoo	745.00	745.00	
<b>Street trading consents - Tonbridge street Trading Control Area:</b>			
Fixed pitch – annual consent	1240	1252	
Fixed pitch – occasional consent	319	322	
Other - annual consent	1139	1150	
Other - occasional consent	58	59	
<b>Sex Establishments</b>			
Sex Establishments: sex shop or sex cinema	2000	2000	

	<b>Current Fee 2015/16</b>	<b>Proposed Fee 2016/17</b>	<b>Notes</b>
<b>Acupuncture, tattooing, ear piercing and electrolysis</b>			
<b>Acupuncture, tattooing, ear piercing and electrolysis (one registration only required)</b>	<b>168</b>	<b>170</b>	
<b>Additional practitioners at same premises</b>	<b>50</b>	<b>50</b>	Fee recently introduced
<b>Hypnotism licence</b>			
<b>Hypnotism licence</b>	<b>24</b>	<b>25</b>	



**Vehicles -new - Private Hire**

LM  
LO

← Officer rates per hour

Legal TMB  
Committee  
Fin

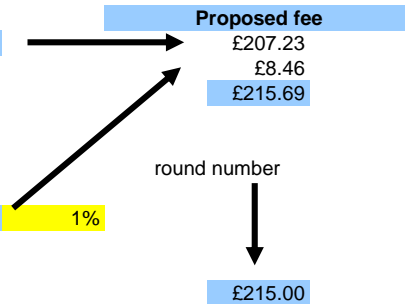
telephone costs  
Documents cost  
Financial admin  
production of information  
documentation / awareness

	LM	LO	legal	COM	Fin	LM	LO	legal	COM	Fin	total TMBC
											4
											6
											6

	Time					Cost					
Assistance to applicant	0.1	0.4				£6.59	£12.58	£0.00	£0.00	£0.00	£19.17
Updating Operator licence		0.075				£0.00	£2.36	£0.00	£0.00	£0.00	£2.36
Check information	0.15	0.35				£9.89	£11.00	£0.00	£0.00	£0.00	£20.89
Pairing up garage documentation		0.2				£0.00	£6.29	£0.00	£0.00	£0.00	£6.29
process application fee		0.2			0.1	£0.00	£6.29	£0.00	£0.00	£0.00	£6.29
load application onto computer	0.12	0.345				£7.91	£10.85	£0.00	£0.00	£0.00	£18.76
Printplates / paper licence	0.1	0.36				£6.59	£11.32	£0.00	£0.00	£0.00	£17.91
contact applicant to clarify details						£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Office - overheads											£54.50
Cost of plates						£0.00	£0.00	£0.00	£0.00	£0.00	£8.00
negotiation						£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
inspection visit						£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Enforcement	0.3	0.3				£19.78	£9.43	£0.00	£0.00	£0.00	£29.21
determine application						£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
sub total	0.77	2.23	0	0		£50.76	£70.11	£0.00	£0.00	£0.00	£207.23
hearing to be arranged	2.2	0.5				£145.02	£15.72	£0.00	£0.00	£0.00	£160.74
determine application - Hearing	3	1	3	3		£197.76	£31.44	£214.71	£131.49	£0.00	£575.40
notify relevant persons	0.5	0.5	0.03	0.03		£32.96	£15.72	£2.15	£1.31	£0.00	£52.14
application granted	0.75	0.25				£49.44	£7.86	£0.00	£0.00	£0.00	£57.30
update register		0.25				£0.00	£7.86	£0.00	£0.00	£0.00	£7.86
hearing & Members allowance											
sub total						£475.94	£148.71	£216.86	£132.80	£0.00	£845.59
application rejected - prepare for an appeal	20	2	12	1		£1,318.40	£62.88	£858.84	£43.83	£0.00	£2,283.95
appeal hearing (1st Meeting / PTR)		0	13	0		£0.00	£0.00	£930.41	£0.00	£0.00	£930.41
post appeal hearing		2.5	2	0		£0.00	£78.60	£143.14	£0.00	£0.00	£221.74
total	27.22	9.23	30.03	4.03		£1,794.34	£290.19	£2,149.25	£176.63	£0.00	£3,436.10
						£422.79	£1,718.05				

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**Proposed fee**



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**Vehicles - renewals**

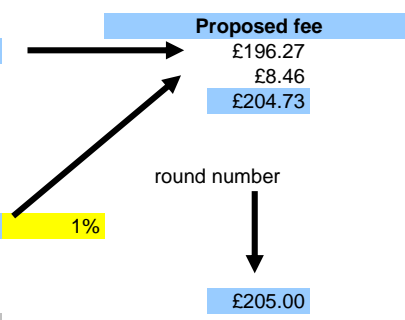
LM  
LO

Legal TMB  
Committee  
Fin

← Officer rates per hour

	LM	LO	legal	COM	Fin	LM	LO	legal	COM	Fin	total TMB
telephone costs											4
Documents cost											6
Financial admin											6
production of information documentation / awareness											
	<b>Time</b>					<b>Cost</b>					
Assistance to applicant	0.1	0.315				£6.59	£9.90	£0.00	£0.00	£0.00	£16.50
						£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Check information	0.13	0.35				£8.57	£11.00	£0.00	£0.00	£0.00	£19.57
Pairing up garage documentation		0.2				£0.00	£6.29	£0.00	£0.00	£0.00	£6.29
process application fee		0.2			0.1	£0.00	£6.29	£0.00	£0.00	£0.00	£6.29
load application onto computer	0.12	0.35				£7.91	£11.00	£0.00	£0.00	£0.00	£18.91
Printplates / paper licence	0.143	0.35				£9.43	£11.00	£0.00	£0.00	£0.00	£20.43
contact applicant to clarify details						£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Office - overheads											£54.50
Cost of plates						£0.00	£0.00	£0.00	£0.00	£0.00	£8.50
negotiation						£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
inspection visit						£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Enforcement	0.22	0.22				£14.50	£6.92	£0.00	£0.00	£0.00	£21.42
determine application						£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
sub total	0.713	1.985	0	0		£47.00	£62.41	£0.00	£0.00	£0.00	£196.27
hearing to be arranged	2.2	0.5				£145.02	£15.72	£0.00	£0.00	£0.00	£160.74
determine application - Hearing	3	1	3	3		£197.76	£31.44	£214.71	£131.49	£0.00	£575.40
notify relevant persons	0.5	0.5	0.03	0.03		£32.96	£15.72	£2.15	£1.31	£0.00	£52.14
application granted	0.75	0.25				£49.44	£7.86	£0.00	£0.00	£0.00	£57.30
update register		0.25				£0.00	£7.86	£0.00	£0.00	£0.00	£7.86
hearing & Members allowance											
sub total						£472.18	£141.01	£216.86	£132.80	£0.00	£845.59
application rejected - prepare for an appeal	20	2	12	1		£1,318.40	£62.88	£858.84	£43.83	£0.00	£2,283.95
appeal hearing (1st Meeting / PTR)		0	13	0		£0.00	£0.00	£930.41	£0.00	£0.00	£930.41
post appeal hearing		2.5	2	0		£0.00	£78.60	£143.14	£0.00	£0.00	£221.74
total	27.163	8.985	30.03	4.03		£1,790.58	£282.49	£2,149.25	£176.63	£0.00	£3,436.10
							£422.79	£1,718.05			

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**Driver badge**

LM  
LO

Legal TMB  
Committee  
Fin

← Officer rates per hour

	LM	LO	legal	COM	Fin	LM	LO	legal	COM	Fin	total TMBC
telephone costs											4
Documents cost											6
Financial admin											6
production of information documentation / awareness											
	<b>Time</b>					<b>Cost</b>					
Assistance to applicant	0.1	0.4				£6.59	£12.58	£0.00	£0.00		£19.17
						£0.00	£0.00	£0.00	£0.00		£0.00
Check information	0.13	0.3				£8.57	£9.43	£0.00	£0.00		£18.00
Medical/DBS/DVLA checks	0.25	0.25				£16.48	£7.86	£0.00	£0.00		£24.34
process application fee		0.2			0.1	£0.00	£6.29	£0.00	£0.00		£6.29
load application onto computer	0.12	0.35				£7.91	£11.00	£0.00	£0.00		£18.91
Print card / paper licence		0.3				£0.00	£9.43	£0.00	£0.00		£9.43
contact applicant to clarify details						£0.00	£0.00	£0.00	£0.00		£0.00
Office - overheads											£54.50
representations						£0.00	£0.00	£0.00	£0.00		£0.00
negotiation						£0.00	£0.00	£0.00	£0.00		£0.00
inspection visit						£0.00	£0.00	£0.00	£0.00		£0.00
Enforcement						£0.00	£0.00	£0.00	£0.00		£0.00
determine application						£0.00	£0.00	£0.00	£0.00		£0.00
sub total	0.6	1.8	0	0		£39.55	£56.59	£0.00	£0.00		£174.50
hearing to be arranged	2.2	0.5				£145.02	£15.72	£0.00	£0.00		£160.74
determine application - Hearing	3	1	3	3		£197.76	£31.44	£214.71	£131.49		£575.40
notify relevant persons	0.5	0.5	0.03	0.03		£32.96	£15.72	£2.15	£1.31		£52.14
application granted	0.75	0.25				£49.44	£7.86	£0.00	£0.00		£57.30
update register		0.25				£0.00	£7.86	£0.00	£0.00		£7.86
hearing & Members allowance											
sub total						£464.74	£135.19	£216.86	£132.80		£845.59
application rejected - prepare for an appeal	20	2	12	1		£1,318.40	£62.88	£858.84	£43.83		£2,283.95
appeal hearing (1st Meeting / PTR)		0	13	0		£0.00	£0.00	£930.41	£0.00		£930.41
post appeal hearing		2.5	2	0		£0.00	£78.60	£143.14	£0.00		£221.74
total	27.05	8.8	30.03	4.03		£1,783.14	£276.67	£2,149.25	£176.63		£3,436.10
							£422.79	£1,718.05			

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**Proposed fee**

£174.50  
£8.46  
£182.96

round number

£183.00

1%

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**Dual Driver badge**

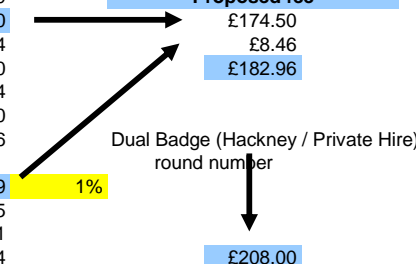
LM  
LO

Legal TMB  
Committee  
Fin

← Officer rates per hour

	LM	LO	legal	COM	Fin	LM	LO	legal	COM	Fin	total TMB
telephone costs											4
Documents cost											6
Financial admin											6
production of information documentation / awareness											
	<b>Time</b>					<b>Cost</b>					
Assistance to applicant	0.1	0.4				£6.59	£12.58	£0.00	£0.00		£19.17
						£0.00	£0.00	£0.00	£0.00		£0.00
Check information	0.13	0.3				£8.57	£9.43	£0.00	£0.00		£18.00
Medical/DBS/DVLA checks	0.25	0.25				£16.48	£7.86	£0.00	£0.00		£24.34
process application fee		0.2			0.1	£0.00	£6.29	£0.00	£0.00		£6.29
load application onto computer	0.12	0.35				£7.91	£11.00	£0.00	£0.00		£18.91
Print card / paper licence		0.3				£0.00	£9.43	£0.00	£0.00		£9.43
						£0.00	£0.00	£0.00	£0.00		£0.00
Office - overheads											£54.50
representations						£0.00	£0.00	£0.00	£0.00		£0.00
negotiation						£0.00	£0.00	£0.00	£0.00		£0.00
inspection visit						£0.00	£0.00	£0.00	£0.00		£0.00
Enforcement						£0.00	£0.00	£0.00	£0.00		£0.00
determine application						£0.00	£0.00	£0.00	£0.00		£0.00
sub total	0.6	1.8	0	0		£39.55	£56.59	£0.00	£0.00		£174.50
hearing to be arranged	2.2	0.5				£145.02	£15.72	£0.00	£0.00		£160.74
determine application - Hearing	3	1	3	3		£197.76	£31.44	£214.71	£131.49		£575.40
notify relevant persons	0.5	0.5	0.03	0.03		£32.96	£15.72	£2.15	£1.31		£52.14
application granted	0.75	0.25				£49.44	£7.86	£0.00	£0.00		£57.30
update register		0.25				£0.00	£7.86	£0.00	£0.00		£7.86
hearing & Members allowance											
sub total						£464.74	£135.19	£216.86	£132.80		£845.59
application rejected - prepare for an appeal	20	2	12	1		£1,318.40	£62.88	£858.84	£43.83		£2,283.95
appeal hearing (1st Meeting / PTR)		0	13	0		£0.00	£0.00	£930.41	£0.00		£930.41
post appeal hearing		2.5	2	0		£0.00	£78.60	£143.14	£0.00		£221.74
total	27.05	8.8	30.03	4.03		£1,783.14	£276.67	£2,149.25	£176.63		£3,436.10
							£422.79	£1,718.05			

**Proposed fee**



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**Vehicles -new - Hackney**

LM  
LO

Legal TMB  
Committee  
Fin

← Officer rates per hour

telephone costs  
Documents cost  
Financial admin  
production of information  
documentation / awareness

	LM	LO	legal	COM	Fin	LM	LO	legal	COM	Fin	total TMB
											4
											6
											6

	Time					Cost					
Assistance to applicant	0.1	0.4				£6.59	£12.58	£0.00	£0.00	£0.00	£19.17
						£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Check information	0.15	0.35				£9.89	£11.00	£0.00	£0.00	£0.00	£20.89
Pairing up garage documentation		0.2				£0.00	£6.29	£0.00	£0.00	£0.00	£6.29
process application fee		0.2			0.1	£0.00	£6.29	£0.00	£0.00	£0.00	£6.29
load application onto computer	0.12	0.35				£7.91	£11.00	£0.00	£0.00	£0.00	£18.91
Printplates / paper licence	0.1	0.36				£6.59	£11.32	£0.00	£0.00	£0.00	£17.91
contact applicant to clarify details						£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Office - overheads											£54.50
Cost of plates						£0.00	£0.00	£0.00	£0.00	£0.00	£8.50
Door Insignia						£0.00	£0.00	£0.00	£0.00	£0.00	£8.00
inspection visit						£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Enforcement	0.3	0.3				£19.78	£9.43	£0.00	£0.00	£0.00	£29.21
determine application						£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
sub total	0.77	2.16	0	0		£50.76	£67.91	£0.00	£0.00	£0.00	£213.53
hearing to be arranged	2.2	0.5				£145.02	£15.72	£0.00	£0.00	£0.00	£160.74
determine application - Hearing	3	1	3	3		£197.76	£31.44	£214.71	£131.49	£0.00	£575.40
notify relevant persons	0.5	0.5	0.03	0.03		£32.96	£15.72	£2.15	£1.31	£0.00	£52.14
application granted	0.75	0.25				£49.44	£7.86	£0.00	£0.00	£0.00	£57.30
update register		0.25				£0.00	£7.86	£0.00	£0.00	£0.00	£7.86
hearing & Members allowance											
sub total						£475.94	£146.51	£216.86	£132.80	£0.00	£845.59
application rejected - prepare for an appeal	20	2	12	1		£1,318.40	£62.88	£858.84	£43.83	£0.00	£2,283.95
appeal hearing (1st Meeting / PTR)		0	13	0		£0.00	£0.00	£930.41	£0.00	£0.00	£930.41
post appeal hearing		2.5	2	0		£0.00	£78.60	£143.14	£0.00	£0.00	£221.74
total	27.22	9.16	30.03	4.03		£1,794.34	£287.99	£2,149.25	£176.63	£0.00	£3,436.10

£422.79 £1,718.05

**Proposed fee**

£213.53  
£8.46  
£221.98

round number

£222.00

1%

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# Agenda Item 6

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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# Agenda Item 7

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**ANY REPORTS APPEARING AFTER THIS PAGE CONTAIN EXEMPT  
INFORMATION**

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# Agenda Item 8

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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