

## TONBRIDGE AND MALLING BOROUGH COUNCIL

### LICENSING AND APPEALS COMMITTEE

Tuesday, 14th March, 2017

**Present:** Cllr Mrs J A Anderson (Chairman), Cllr Mrs P A Bates (Vice-Chairman), Cllr O C Baldock, Cllr Mrs S M Barker, 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 and Cllr F G Tombolis

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

#### PART 1 - PUBLIC

##### **LA 17/1 DECLARATIONS OF INTEREST**

There were no declarations of interest in accordance with the Code of Conduct. However, Councillor Mrs J Anderson indicated that she was a taxi user and held an account with a local firm but had been advised that this did not constitute a Disclosable Pecuniary Interest so she remained and participated in the meeting.

##### **LA 17/2 MINUTES**

**RESOLVED:** That the minutes of the meeting of the Licensing and Appeals Committee held on 29 November 2016 be approved as a correct record and signed by the Chairman.

##### **LA 17/3 MINUTES OF PANEL**

**RESOLVED:** That the Minutes of the meetings of the Licensing and Appeals Committee sitting as a Panel held on 15 December 2016 be received and noted.

#### MATTERS FOR RECOMMENDATION TO THE COUNCIL

##### **LA 17/4 SEX ESTABLISHMENTS AND SEXUAL ENTERTAINMENT VENUES - POLICY FOR 2017-2020**

Further to Minute LA 16/85, the report of the Director of Central Services and Monitoring Officer gave details of the outcome of the consultation in respect of the new Sex Establishments and Sexual Entertainment Venues Policy for 2017 - 2020. It was noted that Kent Police had requested that reference to Article 8 of the Human Rights Act 1998 (Right to a Private Life) be included under section 11 of the Policy.

**RECOMMENDED:** That the draft Statement of Policy set out at Annex A to the report be approved, incorporating the change outlined at Annex C (inclusion of Article 8 in section 11).

**\*Referred to Council**

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

**LA 17/5 APPOINTMENTS OF STANDS FOR HACKNEY CARRIAGES**

The report of the Director of Central Services and Monitoring Officer referred to the Council's power to appoint stands for hackney carriages within the Borough and to the two existing Regulations in place for the appointment of stands. Details were given of an Order made by Kent County Council to coincide with the improvement scheme on Tonbridge High Street resulting in the taxi stands in Avebury Avenue and Bradford Street being designated as Disabled Persons Parking Spaces. Since the Order had no legal effect in relation to the taxi stands, a new Regulation was presented for consideration to replace the two existing regulations and take into account the KCC Experimental Order. This also provided an opportunity to consolidate the existing provisions into a single regulation.

**RESOLVED:** That the draft Regulation set out at Annex 3 to the report be approved for consultation purposes subject to deletion of the reference to Botany, Tonbridge in Part 1 of the Schedule.

**LA 17/6 REVIEW OF HACKNEY CARRIAGE FARES**

In accordance with the commitment to review hackney carriage fares on an annual basis, the report of the Director of Central Services and Monitoring Officer invited the Committee to consider whether any increase in maximum fares was appropriate, the current schedule of authorised fares having applied from 7 January 2013. Details were given of the outcome of consultation with hackney carriage and dual badge licence holders on an increase proposed by Castle Cars, Tonbridge. Members were also advised of changes in fuel prices and consumer price indices. A table of proposed fare increase options was presented together with a comparison with other Kent authorities.

**RESOLVED:** That an increase in maximum fares, as set out in proposal 2 of the table at paragraph 1.4.5 of the report, be approved with effect from 1 May 2017 to allow for the statutory public consultation period and should any relevant objections be received, the matter be reported back to the Committee to consider whether to proceed with the proposed increase.

**MATTERS SUBMITTED FOR INFORMATION****LA 17/7 UPDATE ON FEES AND CHARGES**

Members were advised that the proposed scale of fees and charges for hackney carriage and private hire licences approved by the Committee on 29 November 2016 (Minute LA 16/94) would take effect on 1 April 2017 as no comments had been received during the 28 day period of the formal notice.

**RESOLVED:** That the report be received and noted.

**MATTERS FOR CONSIDERATION IN PRIVATE****LA 17/8 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 8.00 pm