

# TONBRIDGE & MALLING BOROUGH COUNCIL



## EXECUTIVE SERVICES

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### Chief Executive

Julie Beilby BSc (Hons) MBA

Gibson Building  
Gibson Drive  
Kings Hill, West Malling  
Kent ME19 4LZ  
West Malling (01732) 844522

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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)

28 April 2017

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, Gibson Drive, Kings Hill, West Malling on Tuesday, 9th May, 2017 commencing at 7.30 pm

Yours faithfully

JULIE BEILBY

Chief Executive

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### PART 1 - PUBLIC

- |    |                          |       |
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To confirm as a correct record the Minutes of the meeting of Licensing and Appeals Committee held on 14 March 2017

4. Minutes of Panel 13 - 18

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5. Objection to Hackney Carriage Fares set on 14 March 2017 19 - 32

**Matters submitted for Information**

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**Matters for consideration in Private**

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**PART 2 - PRIVATE**

8. Objection to Hackney Carriage Fares Set on 14 March 2017 - Annex 3 37 - 44

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

9. Urgent Items 45 - 46

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 Mrs J A Anderson (Chairman)  
Cllr Mrs P A Bates (Vice-Chairman)

Cllr O C Baldock  
Cllr Mrs S M Barker  
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, 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

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## TONBRIDGE AND MALLING BOROUGH COUNCIL

### LICENSING AND APPEALS PANEL

Thursday, 16th March, 2017

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

Together with representatives of the Licensing Authority

#### PART 1 - PUBLIC

##### **LA 17/9 DECLARATIONS OF INTEREST**

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

##### **LA 17/10 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 17/11 APPLICATION FOR RENEWAL OF A PRIVATE HIRE DRIVER'S LICENCE - CASE NO 01/2017**

**(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 Private Hire Driver's Licence following the receipt of information from the Driver and Vehicle Licensing Agency (DVLA) that the Applicant had 9 penalty points on his Driving Licence for exceeding the statutory speed limit on a public road. The Panel noted that the three speeding offences dating from 2014 and 2015 had been disclosed on the renewal application form.

The Panel listened carefully to the information provided by the Applicant and had due regard to the report of the Director of Central Services and to the following:-

- (1) that Section 12.7.1 of the Tonbridge and Malling Borough Council Hackney Carriage and Private Hire Policy stated that the number, type and frequency of offences would be taken into account and the applicant would normally be expected to have a period free of conviction of at least 6 months;
- (2) that Section 12.7.2 of the Policy stated that an application would normally be refused where an applicant had 6 or more penalty points on his DVLA licence;
- (3) that Section 1.5.4 of the Policy stated that Public Safety was paramount when processing a prospective candidate to ensure that the applicant was a 'Fit and Proper' person to hold a licence; and
- (4) that Section 5.7.3 of the Policy regarding 'Fit and Proper' required that the Council consider each case on its merits.

The Panel noted that, in relation to the points shown on an applicant's driving licence, the offences in question were, in terms of the Policy, treated as Minor Traffic Offences and that the most recent conviction was dated 9 May 2015. The Panel also had regard to the Applicant's unblemished record as a licensed Private Hire Driver. For these reasons the Panel, therefore

**RESOLVED:** That the Applicant be GRANTED a renewal of his Private Hire Driver's Licence (Badge No. 1774).

The meeting ended at 10.20 am  
having commenced at 10.00 am

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Thursday, 16th March, 2017**

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

Together with representatives of the Licensing Authority.

**PART 1 - PUBLIC**

**LA 17/12 DECLARATIONS OF INTEREST**

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

**LA 17/13 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 17/14 APPLICATION FOR A PROBATIONARY PRIVATE HIRE DRIVER'S LICENCE - CASE NO 02/2017**

**(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 receipt of information from the Disclosure and Barring Service (DBS) that the Applicant had been Convicted on 23 January 2015 in the Criminal Court of Boulogne-Sur-Mer for an offence under the Immigration Act 1971 S.25(1).

The Panel had due regard to the report of the Director of Central Services and to the following:-

- (1) that Section 1.5.4 of the Tonbridge and Malling Borough Council Hackney Carriage and Private Hire Policy stated that Public Safety was paramount when processing a prospective candidate to

ensure that the applicant was a 'Fit and Proper' person to hold a licence;

- (2) that Section 5.7.3 of the Policy regarding 'Fit and Proper' required that the Council consider each case on its merits; and
- (3) that, with regard to Previous Convictions, Sections 12.1.2 – 12.1.4 of the Policy stated that the overriding consideration was the safety of the public and that some discretion may be appropriate if the offence was isolated and there were mitigating circumstances.

The Panel listened carefully to the Applicant's explanation of the circumstances surrounding the Conviction. There was no evidence of dishonesty surrounding the offence and the Panel was satisfied with the Applicant's explanation of the circumstances surrounding it. It was noted that the offence was an isolated occurrence.

The Panel, therefore

**RESOLVED:** That the application for a Probationary Private Hire Driver's Licence be APPROVED on the basis that the Applicant was a fit and proper person to hold the licence.

The meeting ended at 11.30 am  
having commenced at 11.00 am



**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Thursday, 16th March, 2017**

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

Together with representatives of the Licensing Authority

**PART 1 - PUBLIC**

**LA 17/15 DECLARATIONS OF INTEREST**

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

**LA 17/16 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 17/17 APPLICATION FOR A PROBATIONARY PRIVATE HIRE DRIVER'S LICENCE - CASE NO 03/2017**

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

The Panel was asked to consider whether an application for a Probationary Private Hire Driver's Licence should be approved following the receipt of information from the Driver and Vehicle Licensing Agency (DVLA) that the Applicant had 9 penalty points on his Driving Licence for exceeding the statutory speed limit on a public road.

The Panel was advised that the Applicant had failed to arrive prior to the start of the meeting.

In the absence of the Applicant the Panel, therefore

**RESOLVED:** That consideration of the application for a Probationary Private Hire Driver's Licence (Case No 03/2017) be DEFERRED to a date to be arranged to allow the Applicant to attend the Hearing.

The meeting ended at 12.05 pm  
having commenced at 12 noon

## TONBRIDGE & MALLING BOROUGH COUNCIL

### LICENSING & APPEALS COMMITTEE

09 May 2017

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

#### Part 1- Public

#### Delegated

### 1 OBJECTION TO HACKNEY CARRIAGE FARES SET ON 14 MARCH 2017

#### 1.1 Background

1.1.1 On the 14 March 2017 Members agreed to an increase of Hackney Carriage Fares. The new proposed Fare increase was advertised for 14 days starting on the 24 March 2017 and finishing on the 7 April 2017. A copy of the report for the 14 March is shown as **Annex 1**.

1.1.2 During this 14 day notice period Licensing Services received two formal objections to the Fare increase set on the 14 March 2017.

- 1) Email from a Hackney Carriage Proprietor. A copy is shown at **Annex 2**
- 2) Petition signed by 84 Hackney Carriage Proprietors. A copy is shown at **Annex 3**

Both objections propose the following Fare Increase:

Days	Times	Fare
Mon - Fri	06:00 – 24:00	£3.40
Sat - Sun	06:00 – 24:00	£3.90
All days	24:00 – 06:00	£5.10

1.1.3 As no yardage was submitted with the new proposal I have shown the following examples for Members to consider:

Option No	Option details	FLAG yards and cost		Subsequent yards and cost		1 Mile	2 Mile National Benchmarking	5 Mile	10 Mile	15 Mile
	Current	0.55	£2.90	155	£0.20	£4.10	£6.30	£13.10	£24.50	£35.90
1	Agreed on 14.03.2017	0.50	£3.00	135	£0.20	£4.40	£7.00	£14.80	£27.80	£41.00
2	Drivers Petition using Current FLAG Mon – Fri - 06:00 – 24:00	0.55	£3.40	155	£0.20	£4.60	£7.00	£13.80	£25.00	£36.40
2	Drivers Petition using Current FLAG Sat - Sun - 06:00 – 24:00	0.55	£3.90	155	£0.20	£5.10	£7.50	£14.30	£25.50	£36.90
2	Drivers Petition using Current FLAG – and 50% of rate fare All days - 24:00 – 06:00	0.55	£5.10	155	£0.20	£6.30 Current (£6.15)	£8.70 Current (£9.45)	£15.50 Current (£19.65)	£26.70 Current (£36.75)	£38.10 Current (£53.85)
3	Drivers Petition using agreed FLAG on 14.02.2017 Mon – Fri - 06:00 – 24:00	0.50	£3.40	135	£0.20	£4.80	£7.40	£15.20	£28.70	£41.40
3	Drivers Petition using agreed FLAG on 14.02.2017 Sat - Sun - 06:00 – 24:00	0.50	£3.90	135	£0.20	£5.30	£7.90	£15.70	£28.70	£41.90
3	Drivers Petition using agreed FLAG on 14.02.2017 and 50% of rate fare All days - 24:00 – 06:00	0.50	£5.10	135	£0.20	£6.50 Agreed (£6.60)	£9.10 Agreed (£10.50)	£16.90 Agreed (£22.20)	£29.90 Agreed (£41.70)	£43.10 Agreed (£61.50)

## **1.2 Legal Implications**

Any proposal to vary the table of fares is subject to consultation. Under the Local Government Act 1976 – Section 65, any fares approved by the Council must be advertised via a public notice in a local newspaper. Any relevant objections received would need to be reported back to Members for consideration.

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

It should be noted that the tariff is the maximum fare that can be charged and discounts can be given, should the driver wish.

## **1.4 Risk Assessment**

Approval of a new maximum fare, below the expectation of the hackney carriage trade, may result in dissatisfaction from the trade. Increasing the maximum fare may result in complaints from members of the public.

## **1.5 Equality Impact Assessment**

1.5.1 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.

## **1.6 Recommendations**

1.6.1 Members are invited to consider the two objections to increasing the Hackney Carriage Fares as detailed in section 1.1.3 of the report.

In the event that Members are minded to approve an increase in the maximum fares, it is recommended that any change take effect from 1 July 2017 to allow for the statutory public consultation period. If any relevant objections are received during the period these will be reported to the Committee so that Members may consider whether to proceed with the proposed increase.

Background papers:

Nil

contact:  
Anthony Garnett

Adrian Stanfield  
Director of Central Services and Monitoring Officer

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**TONBRIDGE & MALLING BOROUGH COUNCIL****LICENSING & APPEALS COMMITTEE****14 March 2017****Report of the Director of Central Services and Monitoring Officer****Part 1- Public****Delegated****1 REVIEW OF HACKNEY CARRIAGE FARES****1.1 Background**

1.1.1 In accordance with our commitment to review the maximum fares on an annual basis (agreed by this Committee on 21 September 2010), this report invites Members to consider whether any increase in the maximum fares is appropriate.

1.1.2 Members may recall the last increase was authorised for 7 January 2013.

1.1.3 The current maximum fares are attached at **Annex 1**.

**1.2 Requirement to set fees**

1.2.1 The Council is empowered to set maximum hackney carriage fares. It is important to note that these are the maximum fares that may be charged, and indeed it is an offence to charge more than the fare shown on the meter. No driver is required to charge the maximum fares and indeed many accept a lower rate. These fares do not apply to private hire work (journeys which are pre-booked) or to journeys which extend outside the Borough, although in the latter case an agreement to pay more than the metered fare must be made in advance of the hiring commencing.

### 1.3 Consultation with the Trade

1.3.1 All Hackney Carriage and Dual Badge licensed drivers were emailed on the 17 February 2017 asking them if they wanted a fare increase as proposed by Castle Cars of Tonbridge.

1.3.2 The Licensing Team received 48 replies.

Dual and Hackney Carriage Licence holders	replies	%
288	48	16%

1.3.3 In answer to the question of whether drivers wanted a fare increase

Reply	replies	%
Yes	46	96%
No	2	4%

### 1.4 Fuel costs

1.4.1 When determining the level of fares, paragraph 5.1.2 of our Hackney Carriage and Private Hire licensing policy provides that consideration will be given as to what it is reasonable to expect the travelling public to pay as well as the need to give drivers an incentive to provide a cost-effective service at the times it is needed.



1.4.2 A key cost for the taxi trade is the price of fuel.

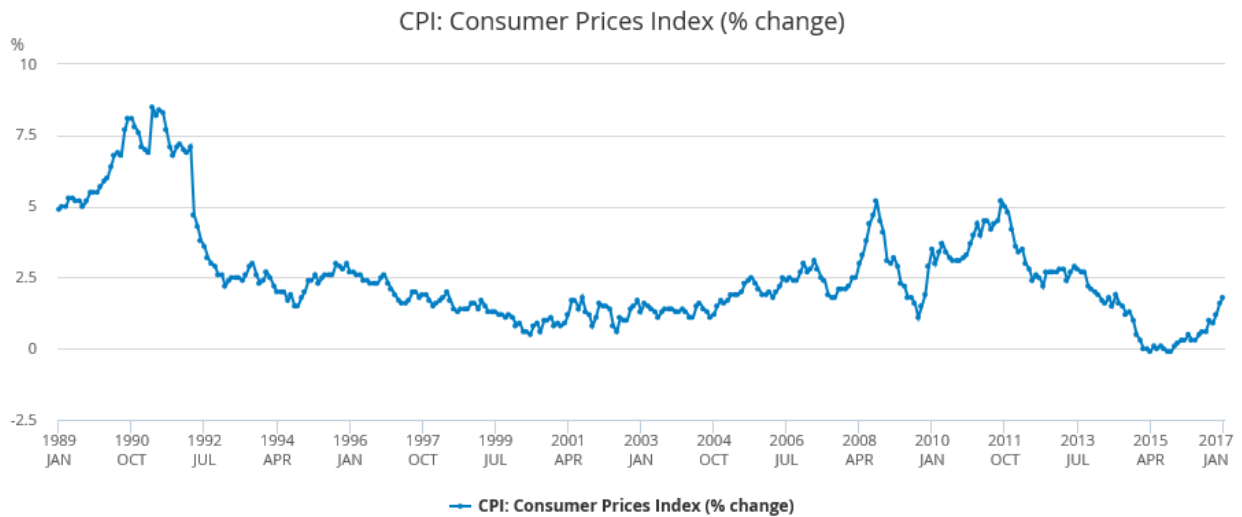
**Table 4.1.1 Typical retail prices of petroleum products and a crude oil price index<sup>(1)</sup>**

United  
Kingdom

		Motor spirit <sup>(1)</sup>			Standard grade burning oil <sup>(1)</sup>	Gas oil <sup>(1)(2)</sup>	Crude oil acquired by refineries <sup>(3)</sup>
		Super unleaded	Premium unleaded	Diesel <sup>(1)</sup>			
		<i>Pence per litre</i>					<i>2010 = 100</i>
2014	January	137.77	130.16	138.11	55.67	66.68	128.8
	February	136.34	129.00	136.65	52.87	65.81	128.5
	March	136.26	128.62	136.03	51.59	65.60	126.3
	April	136.34	128.79	135.87	51.36	66.69	125.4
	May	137.15	129.32	136.10	50.27	63.74	126.6
	June	137.35	129.70	135.41	51.69	63.93	128.2
	July	138.67	131.12	136.01	51.33	62.55	123.0
	August	136.85	129.27	133.61	51.15	62.61	119.5
	September	136.13	128.51	133.07	51.02	61.90	116.3
	October	134.24	126.76	131.08	46.73	58.66	106.4
	November	130.02	122.48	127.18	46.32	57.79	98.7
	December	123.71	116.22	122.37	41.75	51.40	80.5
2015	January	116.22	108.45	115.85	36.43	46.33	64.6
	February	114.94	107.20	114.60	37.27	48.71	70.0
	March	118.68	111.04	118.21	36.84	48.57	73.8
	April	120.07	112.55	119.09	36.47	48.20	76.2
	May	123.32	115.75	120.97	36.87	49.48	80.4
	June	123.96	116.40	121.24	37.11	49.69	76.8
	July	124.31	116.40	118.73	36.49	48.26	71.6
	August	122.33	114.48	111.70	30.38	43.26	59.9
	September	118.63	111.49	109.81	31.10	43.38	60.0
	October	117.22	108.90	110.68	31.28	44.03	61.5
	November	115.64	107.24	110.12	30.02	41.57	57.1
	December	112.36	103.68	107.77	28.59	38.10	50.8
2016	January	110.24	101.74	102.52	22.81	35.19	44.1
	February	109.72	101.40	101.02	21.89	33.46	43.0
	March	110.53	101.73	102.40	26.43	38.21	51.9
	April	115.02	106.44	106.94	27.40	38.84	55.7
	May	117.19	108.43	109.07	29.56	42.08	62.0
	June	119.71	110.96	111.86	32.01	44.30	66.2
	July	120.46	111.66	112.65	32.38	44.49	66.8
	August	118.35	109.05	110.68	30.03	43.74	67.1
	September	120.13	111.21	113.23	31.94	44.48	69.3
	October	123.23	113.56	115.64	37.45	50.25	76.9
	November	125.74	115.88	118.36	35.25	46.10	70.9
	December	123.64	114.07	117.16	38.64	50.01	82.1r
2017	January	127.85	118.69r	121.99r	40.68	51.99	86.7

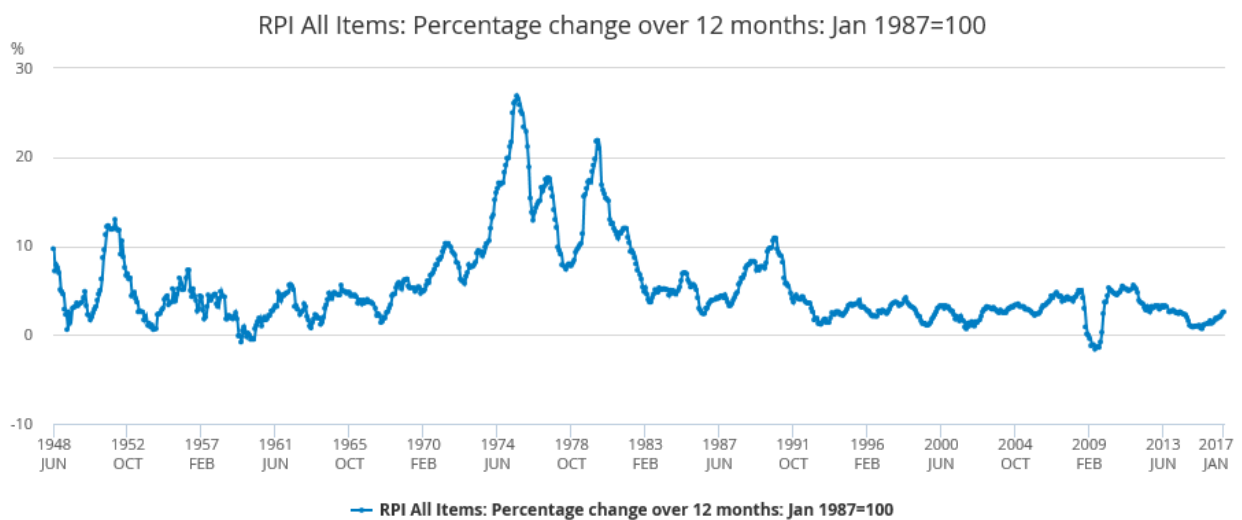
## Consumer Price Indices,

1.4.3 The Consumer Prices Index (CPI) annual inflation stands at 1.6 per cent in January 2017.



Source:

1.4.4 The Retail Prices Index (RPI) annual inflation stands at 2 per cent in January 2017.



Source:

## 1.4.5 Proposed Fare Increases

	Current	Proposal 1	Proposal 2
FLAG	£2.90 (up to .55 of a mile / FLAG (968 yards))	£3.00 (up to .50 of a mile / FLAG (880 yards))	£3.00 (up to .50 of a mile / FLAG (880 yards))
each subsequent 155 yards	£0.20 (each subsequent 155 yards)	£0.20 (each subsequent 135.38 yards)	£0.20 (each subsequent 135 yards)
1 Mile	£4.10	£4.30	£4.30
2 Mile	£6.30	£6.90	£6.90
Waiting Time (For each period of 20 seconds or part thereof)	£0.10	£0.20 for every 30 seconds	£0.20 for every 40 seconds
Extra Charges <ul style="list-style-type: none"> <li>For hiring beginning between 00:00 hours and 06:00 on any day</li> <li>at any time on a bank or public holiday except Christmas Day</li> <li>between 18:00 and 24:00 hours on Christmas Eve</li> <li>between 18:00 and 24:00 hours on New Year's Eve</li> <li>Easter Sunday</li> </ul>	50% of the above rate of fare  NB: Did not include Easter Sunday	50% of the above rate of fare	50% of the above rate of fare
For hiring beginning at any time on Christmas Day	100% of the above rate of fare  NB: Did include Easter Sunday	100% of the above rate of fare	100% of the above rate of fare
For hiring's on Saturdays & Sundays per fare beginning between 06:00 hours and 24:00 hours.	£0.50 surcharge on each fare	£0.50 surcharge on each fare	£0.50 surcharge on each fare
For the carriage of more than four passengers up to the maximum capacity of the carriage	50% of the above rate of fare	50% of the above rate of fare	50% of the above rate of fare
Vehicle spoilage charge	£100.00	£100.00	£100.00
Congestion charges, tolls and car parking	Congestion charges, tolls and car parking incurred during hiring Any charges(s) detailed above, incurred as a result of a passengers instruction may be added to the fare.	Congestion charges, tolls and car parking incurred during hiring Any charges(s) detailed above, incurred as a result of a passengers instruction may be added to the fare.	Congestion charges, tolls and car parking incurred during hiring Any charges(s) detailed above, incurred as a result of a passengers instruction may be added to the fare.

#### 1.4.6 Comparison with Kent Authorities

Region	2 Miles	
Ashford	£6.20	
Canterbury	£6.00	
Dartford	£7.00 ①	
Dover	£6.00	
Gravesham	£6.40	
Maidstone	£6.50	
Medway	£6.60 ③	
Sevenoaks	£6.74 ②	
Shepway	£6.20	
Swale	£6.30	
Thanet	£5.00	
Tonbridge and Malling	£6.30	£6.90
Tunbridge Wells	£6.60 ③	

#### 1.5 Legal Implications

Any proposal to vary the table of fares is subject to consultation. Under the Local Government Act 1976 – Section 65, any fares approved by the Council must be advertised via a public notice in a local newspaper. Any relevant objections received would need to be reported back to Members for consideration.

#### 1.6 Financial and Value for Money Considerations

It should be noted that the tariff is the maximum fare that can be charged and discounts can be given, should the driver wish.

#### 1.7 Risk Assessment

Approval of a new maximum fare, below the expectation of the hackney carriage trade, may result in dissatisfaction from the trade. Increasing the maximum fare may result in complaints from members of the public.

## **1.8 Equality Impact Assessment**

- 1.8.1 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.

## **1.9 Recommendations**

- 1.9.1 Members are invited to consider increasing the Hackney Carriage Fares as detailed in section 1.4.5 of the report. In the event that Members are minded to approve an increase in the maximum fares, it is recommended that any change take effect from 1 May 2017 to allow for the statutory public consultation period. If any relevant objections are received during the period these will be reported to the Committee so that Members may consider whether to proceed with the proposed increase.

Background papers:

Nil

contact:  
Anthony Garnett

Adrian Stanfield  
Director of Central Services and Monitoring Officer

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**Anthony Garnett**

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**From:** [REDACTED]  
**Sent:** 24 March 2017 11:15  
**To:** Anthony Garnett  
**Subject:** Re: Fare increase from Daniel McMahon Dvr no 232  
**Categories:** Print

Good Morning Anthony,

As discussed yesterday.

Kind regards Daniel McMahon,

-----  
**From:** [REDACTED]  
**Date:** 22/03/2017 18:21 (GMT+00:00)  
**To:** Anthony.Garnett@tmbc.gov.uk  
**Subject:** Fare increase from Daniel McMahon Dvr no 232

Good afternoon Anthony,

Anthony I sent an e-mail approximately 4 weeks ago to the licensing team, with reference to the proposed increase, to date I have recieved no reply. Maybe you never recieved it.

Basically I felt the proposed increase was not sufficient, due to the rising costs of everyday living, food Fuel, bills etc.

So I would like to object to the fare increase, which as I understand is going out for public consultation on Fri 24th March.

I would propose a start rate of £3.40 Mon/Fri and a weekend rate of £3.90 distance as proposed etc.

I understand Adam has been in contact with a similar proposal, which i have signed.

I would appreciate any help or advice you can offer regarding the above.

Kind regards Daniel McMahon,

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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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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

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# Agenda Item 9

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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