

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS COMMITTEE

Tuesday, 27th November, 2018

Present: Cllr Mrs J A Anderson (Chairman), Cllr D Keers (Vice-Chairman), Cllr O C Baldock, Cllr Mrs P A Bates, Cllr Mrs B A Brown, Cllr M A Coffin, Cllr Mrs F A Kemp, Cllr H S Rogers, Cllr R V Roud and Cllr M Taylor

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

Apologies for absence were received from Councillors Mrs S M Barker, M C Base, S M King and F G Tombolis

PART 1 - PUBLIC

LA 18/107 DECLARATIONS OF INTEREST

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

LA 18/108 MINUTES

RESOLVED: That the Minutes of the meeting of the Licensing and Appeals Committee held on 2 October 2018 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

LA 18/109 REMOVAL OF PROBATIONARY LICENCES FROM HACKNEY CARRIAGE AND PRIVATE HIRE POLICY - CONSULTATION

Further to Minute LA 18/105, the report of the Director of Central Services and Monitoring Officer gave details of the outcome of the consultation on the Hackney Carriage and Private Hire Licensing Policy with all references to the probationary driver licence removed. This included four responses from the Licensing team reflecting the change in delegations from the recently amended Constitution and the need to have regard to new guidelines published by the Institute of Licensing. Consideration was given to the revised Policy containing the proposed changes.

RECOMMENDED: That the draft Hackney Carriage and Private Hire Licensing Policy set out at Annex 1 to the report be approved by the Council.

***Referred to Council**

**DECISIONS TAKEN UNDER DELEGATED POWERS IN
ACCORDANCE WITH PART 3 OF THE CONSTITUTION
(RESPONSIBILITY FOR COUNCIL FUNCTIONS)**

LA 18/110 REVIEW OF LICENSING FEES AND CHARGES 2019/20

The report of the Director of Central Services and Monitoring Officer presented proposed fees and charges for 2019/20 in respect of hackney carriage and private hire licences, pleasure boats and boatmen, scrap metal dealers, animal welfare licences, street trading consents, sex establishments and acupuncture/tattooing.

It was noted that the provisions of the European Union Services Directive had been taken into account in setting the fees, together with a recent judgment of the Supreme Court which clarified the type of costs that could properly be covered. Whilst taxi licensing was exempt from this ruling, Annex 2 to the report set out details of the fee model showing officer cost and time in validating, processing, issuing and enforcement cost where applicable.

It was noted that animal welfare licence applications were being monitored and an update would be presented to the next meeting.

RESOLVED: That the proposed scale of fees for licences, consents and registrations, as set out in Annex 1 to the report, be adopted with effect from 1 April 2019.

LA 18/111 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 7.50 pm