

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS COMMITTEE

MINUTES

Tuesday, 8th March, 2022

Present: Cllr C Brown (Chairman), Cllr Mrs F A Kemp (Vice-Chairman), Cllr Mrs J A Anderson, Cllr Mrs P A Bates, Cllr A E Clark, Cllr M A Coffin, Cllr D W King, Cllr H S Rogers, Cllr R V Roud and Cllr C J Williams.

(Note: As Councillors M Taylor and F G Tombolis were unable to attend in person and participated via MS Teams, they were unable to vote on any matters).

Councillors D Harman and M A J Hood participated via MS Teams and joined the discussion when invited to do so by the Chairman in accordance with Council Procedure Rule No 15.21.

An apology for absence was received from Councillor Mrs A S Oakley.

PART 1 - PUBLIC

LA 22/5 NOTIFICATION OF SUBSTITUTE MEMBERS

There was no notification of substitute members.

LA 22/6 DECLARATIONS OF INTEREST

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

LA 22/7 MINUTES

RESOLVED: That the Minutes of the meetings of the Licensing and Appeals Committee held on 14 December 2021 and 26 January 2022 be approved as a correct record and signed by the Chairman.

MATTER FOR RECOMMENDATION TO THE COUNCIL

LA 22/8 GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES FOR GAMBLING

The report of the Director of Central Services and Monitoring Officer gave details of the outcome of consultation on the proposed Statement of Principles (Policy) for Gambling under the Gambling Act 2005 for 2022 to 2025. Members were advised that only one representation had

been received from the Fire Risk and Inspection Team informing of a new address and email address to use as a Responsible Authority.

RECOMMENDED: That the draft Statement of Principles for Gambling for 2022 to 2025, as set out at the Annex to the report, be approved.

***Referred to Council**

DECISIONS TAKEN UNDER DELEGATED POWERS

LA 22/9 REVIEW THE CURRENT STREET TRADING POLICY

The report of the Director of the Director of Central Services and Deputy Chief Executive asked Members to consider various options with regards to street trading. The current policy had been in force since December 2009 and it was felt that the policy should be reviewed and updated. Guidance notes which formed the current street trading policy and associated legislation were attached as annexes to the report.

RESOLVED: That consideration be given to a change to the Street Trading Policy to adopt the whole borough as consent streets and a new policy be presented to the next meeting of the Licensing and Appeals Committee for consideration prior to commencing the consultation process.

LA 22/10 OBJECTION TO HACKNEY CARRIAGE FARES SET ON 29 JANUARY 2022

The report of the Director of Central Services and Deputy Chief Executive invited Members to consider the objection received to the increase in Hackney Carriage Fares. Subsequent to the meeting, a number of errors were identified in the report in paragraphs 1.1.1.to 1.1.3 regarding dates.

It was noted that following Members' agreement on the 26 January 2022 to increase Hackney Carriage Fares, the proposed increase was advertised for 14 days, commencing on 3 February 2022. During this period, one objection to the fare increase was received as detailed in Annex 3 to the report.

To assist Members in their consideration, the Head of Licensing provided a suggested table of fares which took account of the current fuel crisis and increasing fuel costs. During discussion, Members felt that a further delay in a resolution would negatively impact on the livelihood of Hackney Carriage drivers in the current economic climate.

RESOLVED: That

- (1) the objection to the increase in Hackney Carriage Fares not be upheld and the increase to the fares, as agreed on the 26 January 2022, take immediate effect; and
- (2) an extraordinary meeting of the Licensing and Appeals Committee be held to review the Hackney Carriage Fares in response to increasing fuel costs.

MATTER SUBMITTED FOR INFORMATION**LA 22/11 VERBAL UPDATE ON THE CONSULTATION ON AIR QUALITY**

It was noted that as no update was available, the item would be considered at the next meeting.

LA 22/12 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.42 pm.