

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS COMMITTEE

MINUTES

Wednesday, 26th November, 2025

Present: Cllr C J Williams (Chair), Cllr K S Tunstall (Vice-Chair), Cllr B Banks, Cllr A Cope, Cllr D Keers, Cllr J R S Lark, Cllr R W G Oliver and Cllr R V Roud

Apologies for absence were received from Councillors C Brown, D W King and M Taylor

PART 1 - PUBLIC

LA 25/14 DECLARATIONS OF INTEREST

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

LA 25/15 MINUTES

RESOLVED: That the Minutes of the meeting of the Licensing and Appeals Committee held on 10 June 2025 be approved as a correct record and signed by the Chairman.

LA 25/16 MINUTES OF PANEL

RESOLVED: That the Minutes of the meetings of the Licensing and Appeals Committee sitting as a Panel held on 23 June, 30 July, 6 August and 13 August 2025 be received and noted.

MATTERS FOR DECISION UNDER DELEGATED POWERS

LA 25/17 REVIEW OF LICENSING FEES AND CHARGES 2026/27

The report of the Director of Planning, Housing and Environmental Health provided details of the proposed Licensing fees and charges for 2026/27. Members were reminded that this responsibility was delegated to the Licensing and Appeals Committee.

A set of guiding principles for the setting of fees and charges had been taken into account and reflected the Borough Council's strategic priorities and other corporate aims, had due regard to the Medium-Term Financial Strategy and maximised income subject to market conditions, opportunities and comparable charges elsewhere.

Consideration was given to the proposed scale of fees for licences, consents and registrations detailed in Annex 1 of the report and due regard was given to the financial and value for money considerations, the legal implications and assessment of risk.

Members attention was drawn to the provision under the Local Government (Miscellaneous Provisions) Act 1976 that in respect of hackney carriage and private hire drivers that should the Borough Council determine that the fees be varied, the variation proposed should be publicised and a 28-day period allowed for any objections to the fee increases to be made. Under this provision any objections received would be reported to the Licensing and Appeals Committee as soon as possible.

In recognition of the Borough Council's overall financial position, the increasing challenge in achieving further expenditure savings and taking opportunities to maximise income, Cllr Williams proposed, Cllr Tunstall seconded and it was

RESOLVED: That

- (1) the proposed scale of fees for licences, consents and registrations, as detailed in Annex 1, be adopted with effect from 1 April 2026; and
- (2) any objections received in respect of the proposed variation to Hackney Carriage and Private Hire Drivers fees be reported to the Licensing and Appeals Committee as soon as possible.

LA 25/18 SEX ESTABLISHMENTS AND SEXUAL ENTERTAINMENT VENUES - POLICY REVIEW 2026-2031

Following a review of the Policy on Licensing Sex Shops, Sex Cinemas and Sexual Entertainment Venues, the report of the Director of Planning, Housing and Environmental Health proposed a consultation on renewing the current policy.

The current policy was attached at Annex 1 for consideration. A pool of model conditions was also attached at Annex 2 for information. Whilst there had been no recent legislative changes which required the Policy to be amended it was felt appropriate to undertake a public consultation prior to it be renewed for a further five-year period.

In recognition of promoting consistency to the benefit of Licensees, potential licensees, businesses, residents and to regulatory agencies, such as the police, Cllr Williams proposed, Cllr Tunstall seconded and it was

RESOLVED: That

- (1) the Policy (attached at Annex 1) be approved for public consultation from 1 December 2025 until 27 February 2026;
- (2) any objections arising from the public consultation be brought to the attention of the Committee in March 2026; and
- (3) if there were no responses arising from the public consultation, delegated authority be granted to the Director of Planning, Housing and Environmental Health to approve the Policy.

LA 25/19 STREET TRADING POLICY REVIEW 2026-2029

The report of the Director of Planning, Housing and Environmental Health proposed that public consultation be undertaken on the current Street Trading Policy, which would then operate from 2026-2029.

Members were advised that renewing and implementing this Policy could make the Borough an attractive place to trade whilst ensuring street traders complimented the local businesses and offered quality goods and services to residents.

In recognition of maintaining this potential revenue stream and ensuring an efficient service for residents, Cllr Williams proposed, Cllr Tunstall seconded and it was

RESOLVED: That

- (1) the Policy (attached at Annex 1) be approved for public consultation from 1 December 2025 until 27 February 2026;
- (2) any objections arising from the public consultation be brought to the attention of the Committee in March 2026; and
- (3) if there were no responses arising from the public consultation, delegated authority be granted to the Director of Planning, Housing and Environmental Health to approve the Policy.

MATTERS SUBMITTED FOR INFORMATION**LA 25/20 UBER PRIVATE HIRE LICENCE**

Members were advised that, following the submission of all required documentation and fees and in accordance with Borough Council policy, a private hire licence had been granted to Uber Britannia Limited to operate in Tonbridge.

The Committee were assured that Uber's system allocated jobs to the most local and appropriately licensed driver, prohibited drivers from

using their own operator licences on the Uber platform and did not allow subcontracting. This ensured compliance with local licensing standards. New applicants were also required to complete the Borough Councils 'knowledge test', provide evidence of right to work and driving experience, complete online training, safeguarding and disability equality training, a driving assessment, medical check and a DBS check.

Concern was expressed in respect of Uber's business model and the impact on local drivers. However, Members recognised that the Borough Council, as the licensing authority, was legally required to grant the licence if all criteria had been met.

LA 25/21 HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE POLICY

Reference was made to a recent request from a Taxi Operator in Tonbridge to review the Borough Council's policy in respect of tinted windows for licensed vehicles.

Members supported a review of the Hackney Carriage and Private Hire Licence Policy to ensure consistency with neighbouring authorities, fairness for all operators and alignment with national standards. The commitment of Officers to review the current policy in respect of tinted windows and present a revised version to the Committee as soon as possible was welcomed.

LA 25/22 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 7.56 pm