

## LICENSING COMMITTEE

Tuesday, 3 December 2019

**Present: Councillor Backhouse (Chairman)**  
**Councillors Woodward (Vice-Chairman), Atkins, Mrs Cobbold, Ellis, Fairweather,**  
**Funnell, Hill, Lidstone, Noakes, Podbury, Pope and Thomson**

**Officers in Attendance:** Sharon Bamborough (Head of Licensing Partnership), Sharon Degiorgio (Senior Licensing Officer), Sharon Bamborough (Head of Licensing Partnership), Robin Harris (Senior Lawyer (Contentious)), Gary Stevenson (Head of Housing, Health and Environment) and Emer Moran (Democratic Services Officer)

### CHAIRMAN'S INTRODUCTION

LC20/19 The Chairman opened the meeting, introduced Committee members and officers in attendance, and outlined procedural matters of the meeting.

### APOLOGIES FOR ABSENCE

LC21/19 No apologies were given.

### DECLARATIONS OF INTEREST:

LC22/19 No declarations of interest were made.

### NOTIFICATION OF VISITING MEMBERS WISHING TO SPEAK (IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 18):

LC23/19 There were no visiting members who had registered to speak.

### MINUTES OF THE PREVIOUS MEETING

#### LC24/19 RESOLVED

1. That minute LC11/19 be amended to show Councillor Thomson had given his apologies.
2. That subject to the above amendment that the minutes of the previous meeting dated 17 September 2019 be approved as a correct record.

### INDEPENDENT HACKNEY CARRIAGE SERVICES REPORT 2019

LC25/19 Ms Toni Conlon a member of the Hackney Carriage Community registered to speak and made the following comments:

- A significant part of the survey was carried out during one of the busiest times of the year in Tunbridge Wells.
- Hackney Carriage Community pays for the survey therefore a question was raised as to why Private Hire vehicles are being used during survey.

Mr Clayton Berry a member of the Hackney Carriage Community registered to speak and made the following comments:

- Hackney rates are governed and Private Hire can charge whatever they like resulting at times in much higher fares.

Ms Sharon Degiorgio, Senior Licensing Officer introduced the report and Mr Iain McDonald, Director of Licence Vehicle Surveys and Assessment (LVSA) outlined the findings in the latest Hackney Carriage Survey.

In response to questions raised by Members of the Committee it was advised:

- Private Hire vehicles are used during the survey to grasp an understanding of availability of private hire vehicles without pre-booking and wheelchair access vehicles by telephone.
- Steps are taken to ensure that all Hackney Drivers are adhering to the Hackney Carriage and Private Hire Licensing Code of Conduct.

### **RESOLVED**

1. That the findings of the Independent Hackney Carriage Services study, carried out by Licence Vehicle Surveys and Assessment (LVSA), that there is no significant unmet demand for Hackney Carriages in Tunbridge Wells, be accepted.

### **LICENSING FEES AND CHARGES 2020\_21**

LC26/19 Ms Sharon Degiorgio, Senior Licensing Officer presented her report.

### **RESOLVED**

1. That the fee levels as set out in Appendices A and B of the report for implementation on 1 April 2020, be approved.
2. That the statutory fees charged for Premises/Licences/Club Premises Certificates and other licences/miscellaneous at Appendix C, be noted.
3. That the proposed Licensing Pre-application advice fees at Appendix D, be approved.

### **HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE FEES AND CHARGES 2020\_2021**

LC27/19 Councillor Backhouse (Chairman) confirmed that Agenda item 8 would be discussed before item 7 on the evening.

Ms Sharon Degiorgio, Senior Licensing Officer presented her report.

Mr Clayton Berry a member of the Hackney Carriage Community registered to speak and raised the following:

- There was an outstanding response to a FOI request made regarding Hackney Carriage and Private Hire vehicles and the second test.
- Some of the information regarding vehicles held on the website is out of date.
- Reference to an earlier complaint raised relating to second tests.

Ms Degiorgio and Mr Gary Stevenson, Head of Housing, Health and Environment acknowledged Mr Berry's comments and advised:

- A review of the website information would be completed.
- A thorough response to the FOI would be delivered forthwith.

Members of the Committee had the opportunity to raise questions regarding the report which included:

- An explanation of the second test procedure that is required for vehicles and the purpose for this test.
- Whether the fees and charges should increase if the information held on the website was not currently accurate.

### **RESOLVED**

1. That the proposed fees and charges and associated costs for licences in respect of hackney carriage drivers and vehicles and private hire drivers, vehicles and operators, as set out in Appendix A, be approved; and
2. That, subject to the consideration of any unresolved objections by Licensing Committee at its meeting on 10 March 2020, the above agreed charges be implemented with effect from 1 April 2020.

### **STREET TRADING**

LC28/19 Mr Gary Stevenson, Head of Housing, Health and Environment presented his report.

Members of the Committee took account of the presentations made and raised a number of questions and issues within their discussions. These included:

- The purpose of the consultation being, to find out what is possible in relation to Calverley Precinct and not only for placing the Farmers Market in this area.
- The definition of the word 'Market' in legal terms.
- The number of stalls that would be required in order to ensure sustainability.
- A sense of urgency in terms of timescale of consultation due to the development of the Royal Victoria Shopping Centre.
- The quality of the markets and ensuring that the upkeep and appearance of the public realm be given great consideration.

### **RESOLVED**

1. That a public consultation on the Street Trading Policy to identify and consider the issues associated with the creation of a market style arrangement in Calverley Road Precinct Tunbridge Wells, be authorised.

### **URGENT BUSINESS:**

LC29/19 There were no matters of urgent business.

**DATE OF NEXT MEETING**

LC30/19      The next meeting takes place on Tuesday 10 March 2020 at 6pm.

NOTE: The meeting concluded at 7.05 pm.