

# LICENSING COMMITTEE MEETING

Date: Thursday 13 October 2022  
Time: 6.30 pm  
Venue: Town Hall, High Street, Maidstone

## Membership:

Councillors Springett (Chairman), Joy (Vice-Chairman), Brindle, Coates, English, Fort, Garten, Hinder, Naghi, Parfitt-Reid, Mrs Robertson, J Sams and Trzebinski

*The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.*

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**Issued on Wednesday 5 October 2022**

**Continued Over/:**

*Alison Broom*

**Alison Broom, Chief Executive**

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## **INFORMATION FOR THE PUBLIC**

In order to ask a question at this meeting, please call **01622 602899** or email [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk) by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on Tuesday 11 October 2022). You will need to provide the full text in writing.

If your question is accepted, you will be provided with instructions as to how you can access the meeting.

In order to make a statement in relation to an item on the agenda, please call **01622 602899** or email [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk) by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on Tuesday 11 October 2022). You will need to tell us which agenda item you wish to speak on.

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## MAIDSTONE BOROUGH COUNCIL

### LICENSING COMMITTEE

#### MINUTES OF THE MEETING HELD ON 16 JUNE 2022

**Present:** Councillor Springett (Chairman) and Councillors Brindle, Coates, English, Garten, Hinder, Joy, Khadka, Naghi, J Sams, Spooner, S Webb and Young

1. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Fort, Parfitt-Reid, Mrs Robertson and Trzebinski.

2. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Khadka for Councillor Mrs Robertson  
Councillor Spooner for Councillor Trzebinski  
Councillor S Webb for Councillor Parfitt-Reid  
Councillor Young for Councillor Fort

3. ELECTION OF CHAIRMAN

**RESOLVED:** That Councillor Springett be elected as Chairman of the Committee for the Municipal Year 2022/23.

4. ELECTION OF VICE-CHAIR

**RESOLVED:** That Councillor Joy be elected as Vice-Chair of the Committee for the Municipal Year 2022/23.

5. VISITING MEMBERS

There were no Visiting Members.

6. URGENT ITEMS

The Chairman said that, in view of the length of time until the next meeting of the Committee, she wished to raise, as an urgent item, the issue of training for Members and Substitute Members of the Committee. Specifically, she wished to ask the Head of Housing and Community Services and the representative of the Interim Head of Legal Partnership to liaise with her and the Vice-Chair after the meeting regarding proposals for Member training this year.

The Head of Housing and Community Services said that the Officers would be happy to liaise with the Chairman and Vice-Chair on this issue and were already looking at the possible contents of a training programme with a view to a report being submitted to the September meeting of the Committee. The report would include details of training courses that might be available externally.

7. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

8. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

9. EXEMPT ITEMS

**RESOLVED:** That the items on the agenda be taken in public as proposed.

10. MINUTES OF THE MEETING HELD ON 31 MARCH 2022

**RESOLVED:** That the Minutes of the meeting held on 31 March 2022 be approved as a correct record and signed.

11. MINUTES OF THE MEETING OF THE LICENSING ACT 2003 SUB-COMMITTEE HELD ON 20 APRIL 2022

**RESOLVED:** That the Minutes of the meeting of the Licensing Act 2003 Sub-Committee held on 20 April 2022 be approved as a correct record and signed.

12. DURATION OF MEETING

6.30 p.m. to 6.40 p.m.

## MAIDSTONE BOROUGH COUNCIL

### LICENSING ACT 2003 SUB-COMMITTEE

#### MINUTES OF THE MEETING HELD ON 16 JUNE 2022

**Present:** Councillor Brindle (Chairman) and  
Councillors English and Joy

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

3. ELECTION OF THE CHAIRMAN

**RESOLVED:** That Councillor Brindle be elected as Chairman of the meeting.

4. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

5. DISCLOSURES OF LOBBYING

Councillor English said that whilst not exactly lobbying, he had had a conversation with Councillor Mrs Robertson, a Ward Member, about the application to be considered.

6. EXEMPT ITEMS

**RESOLVED:** That the items on the agenda be taken in public as proposed except for the Sub-Committee's deliberations regarding the application for a new premises licence which will take place in private.

7. QUESTION AND ANSWER SESSION FROM LOCAL RESIDENTS

There were no questions from local residents.

8. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members to the Chairman.

9. APPLICATION FOR A NEW PREMISE LICENCE UNDER THE LICENSING ACT 2003 FOR PIRAGATHI LIMITED, 2 - 3 APPLEDORE COURT, HILDENBOROUGH CRESCENT, MAIDSTONE, KENT, ME16 0PA

The persons participating in the hearing were identified as follows:

Chairman – Councillor Brindle  
Committee Members – Councillors English and Joy  
Legal Advisor – Helen Ward  
Democratic Services Officer – Debbie Snook  
Senior Licensing Officer – Lorraine Neale  
Applicant – Kajanan Gnanasegaram (remotely)  
Applicant’s Representative – Gill Sherratt (remotely)

There were no representatives of responsible authorities or other interested parties in attendance.

Written objections had been received from Mrs Laura Green who was unable to attend the hearing.

The Sub-Committee agreed to proceed in the absence of the objector whilst having regard to her written representations.

All parties confirmed that they were aware of the Sub-Committee hearing procedure and that they had each received a copy of the hearing procedure document.

The Sub-Committee Members confirmed that they had pre-read the papers regarding the hearing.

The Senior Licensing Officer outlined the application and the objections received from Mrs Green. It was noted that:

- The application had been made by Piragathi Limited for a new premises licence under the Licensing Act 2003 in respect of the premises 2-3 Appledore Court, Hildenborough Crescent, Maidstone, Kent. The licensable activity applied for was the sale and supply of alcohol for consumption off the premises between the hours of 7.00 a.m. and 11.00 p.m. Monday-Sunday with the same opening days and hours.
- No objections had been received from the responsible authorities in respect of the application.
- One objection had been received from another party on the grounds of all four licensing objectives (Crime and Disorder, Public Safety, Public Nuisance and Protection of Children from Harm).
- The concerns were that:

Granting a licence at these premises would increase the level of anti-social behaviour in the neighbourhood. The premises could encourage

people who buy alcohol late to remain in the area because of a local nearby park. They could potentially use the park to consume their alcohol and ultimately cause disturbance. There was also the potential for criminal activity, criminal damage, theft, burglary, assault and drug taking.

The store could also increase the volume of traffic to the area and to a later time which would increase the danger for residents and children crossing the road. It would also be detrimental to residents with regard to traffic noise continuing later into the evening and increased vehicle parking causing nuisance to residents.

Ms Sherratt, the applicant's representative, then made her opening statement.

Ms Sherratt explained that:

- Mr Gnanasegaram was the sole director of the company (Piragathi Limited) and had significant experience in selling alcohol. He had worked at Maidstone Food and Wine for over four years and had held a personal licence for over two years. He had never encountered any problems with alcohol sales.
- After being an employee for all this time, Mr Gnanasegaram had decided to open his own business and invest in his future, which was the reason for the application. He was investing over £40,000 in the premises and had chosen to partner up with Premier/Booker. His store would be a Premier convenience store. The premises consisted of two empty units that were being combined to create a modern convenience store for local people. All types of convenience products would be sold including fresh and frozen food and toiletries, with lottery tickets and pay point etc. Alcohol would form approximately 10-15% of the goods on sale and it was not the intended focus of the business.
- The investment would result in the installation of high spec equipment such as CCTV with remote access and 31-day recordings, tills with prompts regarding the 'Challenge 25' policy and the register of refusals of alcohol, and security alarms.
- The alcohol would be located near to the tills so that it could be supervised easily.
- The applicant would be partnering with Premier/Booker and would have support from them. The applicant would be the Designated Premises Supervisor. Once the store was open, he would leave his other job to take on the premises full-time with a full-time assistant manager who also held a personal licence and had sold alcohol for over two years. If the applicant was not on the premises, the other personal licence holder would be there. There might be a need for another part-time member of staff, but staffing would be kept under review for some time.

- In terms of training, this would be undertaken through Licensing Matters online e-learning and refreshed. Other policies and procedures would include 'Challenge 25', retention at the premises of a register of refusals of alcohol, and the forms of identification that would be accepted.
- In terms of consultation, none of the responsible authorities had raised concerns, including the Police. The points raised by the one concerned resident were speculative. In terms of litter, bins would be provided outside the premises.

In response to questions:

The applicant's representative confirmed that:

- Responsible staff would be on site when the premises were open for the sale of alcohol to make sure that it was sold correctly.
- There was no objection to the amendment of the condition relating to staff training to require that all staff employed at the premises will receive training on the Licensing Act 2003, including input on preventing underage sales, preventing sales of alcohol to people who are drunk and any other relevant matters prior to making sales of alcohol, rather than on first appointment.
- In terms of the applicant's experience, he had been and was still working in the same kind of business (Maidstone Food and Wine). He would leave that job should the licence be granted and his business open.

The Senior Licensing Officer advised the Sub-Committee that she was not aware of any existing anti-social behaviour issues associated with other premises in the area that already had licences to sell alcohol.

The applicant indicated that he had nothing further to add.

In making her closing statement, the applicant's representative reiterated the position of the responsible authorities and indicated that she had nothing further to add other than this was a robust application.

The Sub-Committee retired into private session to deliberate with the Legal Advisor present.

The hearing was adjourned from 2.25 p.m. to 2.40 p.m.

The Sub-Committee returned, and the Legal Advisor announced that:

The Sub-Committee welcomed the information provided by the applicant's representative in particular in respect of staff training and presence at the premises. The Sub-Committee carefully considered the concerns raised by the interested party in respect of people taking alcohol from the premises to the nearby playground and they felt that staff training would



go a long way to prevent this. On that basis, the decision of the Sub-Committee was to grant the application as sought, with an amendment to the condition which has been offered in respect of staff training so that it reads:

*Prior to making sales of alcohol, all staff employed at the premises will receive training on the Licensing Act 2003 including input on preventing underage sales, preventing sales of alcohol to people who are drunk and any other relevant matters. Training shall be regularly refreshed at no less than annual intervals. The training must be recorded and be accessible on the premises and made available for inspection upon request of a Police Officer or an authorised officer of the licensing authority or (in the case of online training) within 48 hours.*

It was confirmed that a written decision notice would be provided and that there was a right of appeal to the Magistrates Court.

**RESOLVED:** That the Sub-Committee's decision and reasons be as set out within the Notification of Determination attached as Appendix A to these Minutes.

The hearing closed at 2.45 p.m.



**LICENSING AUTHORITY: MAIDSTONE BOROUGH COUNCIL**

**LICENSING ACT 2003  
LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005**

**NOTICE OF DETERMINATION**

Application Ref No: 22/01328/LAPRE

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Applicant: PIRAGATHI LIMITED

Regarding 2 - 3 Appledore Court, Hildenborough Crescent, Maidstone,  
Kent, ME16 0PA

Date(s) of hearing: 16 June 2022

Date of determination: 16 June 2022

Committee Members: [Chairman]: Councillor Brindle (Chair)  
Councillor English  
Councillor Joy

Legal Advisor in attendance at hearing(s): Helen Ward, Lawyer (Contentious), MKLS

Democratic Services Officer in attendance at hearing: Debbie Snook

Senior Licensing Officer for application: Lorraine Neale

This was an application for:

- Variation       Grant  
 Provisional Statement     Review     Other .....

for a

- Premises Licence     Club Premises Certificate     Personal Licence  
 Temporary Event Notice

**A: Representations, evidence and submissions:**

The Committee considered the representations, evidence and submissions of the following parties:

**Applicant**

Mr Kajanan Gnanasegaram (Applicant)  
Gill Sherratt (Applicant's Representative)

**Responsible Authorities**

N/A

**Other Persons**

N/A

**Witnesses and legal representatives in support of interested parties**

N/A

**Representations considered in the absence of a party to the hearing:**

Representation made by Laura Green

**B: Consideration of the Licensing Act 2003, the Guidance under s. 182 of the Act and the Statement of Licensing Policy of Maidstone Borough Council**

The Committee has taken into account the following provisions of the Licensing Act 2003 and the Regulations thereto:

Section 4 which relates to the licensing objectives  
Section 16-24 which relate to the grant of a premises licence;  
Schedule 1 which relates to Regulated Entertainment

The Committee has taken into account the following provisions of the Guidance under section 182 of the Act:

Chapter 2 which relates to the licensing objectives  
Chapter 8 & 9 which relates to premises licences & determinations  
Chapter 10 which relates to conditions attached to licences;

The Committee has taken into account the following provisions of its Statement of Licensing Policy:

Chapter 17 which relates to the 4 licensing objectives;  
Chapter 17.10 – 17.18 which relates to the prevention of crime and disorder;  
Chapter 17.19 – 17.21 which relates to public safety  
Chapter 17.22 – 17.25 which relates to the prevention of nuisance;  
Chapter 17.26 – 17.29 which relates to the prevention of children from harm;

The Sub-Committee has decided to depart from the guidance under section 182 of the Act and or the statement of licensing policy for the following reasons:

N/A

**C: Determination:  
The Committee has decided to:**

- Grant the application as sought with an amended condition as set out below.

**Reasons for determination:**

The Licensing Sub Committee considered an application for a premises licence for Piragathi Limited.

The Sub Committee heard from the Applicant's representative. The Interested Party was not in attendance and in their absence regard was had to the written representations.

The Sub Committee considered the national guidance and the Council's licensing policy, along with the licensing objectives.

■ **Prevention of Crime and Disorder**

Reasons (state in full):

The Sub Committee considered the concerns raised regarding anti social behaviour and noted that no objection had been made by the Police. They considered the conditions regarding staff training and CCTV would assist to promote this licensing objective. They considered the experience of the applicant that was explained during the hearing and welcomed confirmation that staff would be trained before making sales of alcohol, and that responsible staff would be on site when the premises was open for the sale of alcohol. The Sub-Committee were satisfied that the operating schedule provided by the applicant was appropriate and proportionate to promote this licensing objective, subject to the amendment to the condition discussed in the hearing.

■ **Public Safety**

Reasons (state in full):

The Sub-Committee were satisfied that the operating schedule provided by the applicant was appropriate and proportionate to promote this licensing objective.

■ **Prevention of nuisance**

Reasons (state in full):

The Sub Committee considered the concern raised regarding litter but were not persuaded that it was appropriate to take any further steps over and above those offered in the operating schedule. The Sub Committee considered the amendment to the condition regarding staff training alongside the proposed operating schedule, would ensure promotion of this licensing objective.

■ **Protection of children from harm**

Reasons (state in full):

The Sub-Committee were satisfied that the operating schedule provided by the applicant was appropriate and proportionate to promote this licensing objective subject to the amendment to the condition discussed in the hearing.

The Sub-Committee welcomed the information provided by the applicant's representative in particular in respect of staff training and presence at the premises. The Sub-Committee carefully considered the concerns raised by the interested party in respect of people taking alcohol from the premises to the nearby playground and they felt that staff training would go a long way to prevent this. On that basis, the decision of the Sub Committee is to grant the application as sought, with an amendment to the condition which has been offered in respect of staff training so that it reads:

*Prior to making sales of alcohol, all staff employed at the premises will receive training on the Licensing Act 2003 including input on preventing underage sales, preventing sales of alcohol to people who are drunk and any other relevant matters. Training shall be regularly refreshed at no less than annual intervals. The training must be recorded and be accessible on the premises and made available for inspection upon request of a Police Officer or an authorised officer of the licensing authority or (in the case of online training) within 48 hours*

The parties are notified that they may appeal the decision to the Magistrates Court within 21 days beginning with the date of notification of the written decision. Parties should be aware that the Magistrates Court may make an order with respect of the costs of any appeal. Entitlements to appeal for parties aggrieved by the decisions of the Licensing Authority are set out in Schedule 5 to the Licensing Act 2003.

PRINT NAME (CHAIRMAN): COUNCILLOR ANNE BRINDLE

Signed [Chairman]:

A copy of the original document is held on file

Date: 21 June 2022

## MAIDSTONE BOROUGH COUNCIL

### LICENSING ACT 2003 SUB COMMITTEE

#### MINUTES OF THE MEETING HELD ON THURSDAY 8 SEPTEMBER 2022

##### Attendees:

<b>Committee Members:</b>	<b>Councillors Coates, Joy (Chairman) and Robertson.</b>
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10. APOLOGIES

There were no apologies for absence.

11. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

12. ELECTION OF CHAIRMAN

**RESOLVED:** That Councillor Joy be elected as Chairman for the duration of the meeting.

The Chairman welcomed all attendees and asked whether they had received the papers. Attendees were directed to the Order of Proceedings relating to the hearing, as contained within the agenda papers.

13. URGENT ITEMS

There were five urgent updates relating to Item 8 – Local Government (Miscellaneous Provisions) Act 1976 – Application to licence a vehicle outside of policy guidelines. These updates had been made available on 1 September 2022.

The Chairman confirmed that she was happy to accept them as they related to the decision to be taken.

14. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

15. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

16. EXEMPT ITEMS

**RESOLVED:** That all items be taken in public as proposed, however, following the hearing's closure, the Sub-Committee would retire to private session to consider the application after which the decision would be announced in public.

17. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – APPLICATION TO LICENCE VEHICLE OUTSIDE OF POLICY GUIDELINES

The persons participating in the hearing were identified as follows:

1. Members of the Sub-Committee – (Councillors Coates, Joy and Robertson)
2. Chairman – Councillor Joy
3. Committee Members – Councillors Coates and Robertson
4. Senior Licensing Officer – Lorraine Neale
5. Legal Advisor – Helen Ward
6. Committee Clerk – Ryan O’Connell
7. Democratic Services Officer – Suzette Nicol (Shadowing)
8. Mr Wakil Omar (Applicant)
9. Ms Jade Collier (Applicant Representative - Express Cabs)

All parties confirmed that they were aware of the sub-committee hearing procedure and that they had each received a copy of the hearing procedure document. The hearing procedure was briefly explained.

The Sub-Committee Members confirmed that they had read the papers regarding the hearing.

The Senior Licensing Officer introduced the report, with the sub-committee asked to consider whether to grant a new hackney carriage vehicle licence for vehicle No. GX09 HKG to operate as a hackney carriage. The vehicle did not meet the policy criteria for new vehicles. However, it had previously been licensed as a hackney carriage with MBC, that licence had been revoked on 22 June 2022 as the vehicle had been declared mechanically unfit and unsafe to carry passengers. Mr Omar had then been told that he could either repair the vehicle or scrap it completely. The Senior Licensing Officer referred the sub-committee to Appendix 3 of the bundle which was the Notice of Suspension of Mr Omar’s Hackney Carriage Proprietor Vehicle Licence.

The revocation notice was issued on 22 June and emailed to Mr Omar. As Mr Omar said that he had not received the notice, it was sent to him again by email for his information only on 4 August 2022 as the period for appealing the decision had passed. In addition, the licence plate had not been returned. In that time Mr Omar had carried out significant repairs to the vehicle.

The Licensing Department received a compliance sheet from the administration team at Sevenoaks on 3 August stating that vehicle No. GX09 HKG had now passed the compliance test following extensive repairs. The standard of the repairs was such that they had been able to pass the vehicle.

As the vehicle had now passed the required inspection the request was that the applicant be allowed to licence the vehicle again and continue to renew that licence annually until the vehicle was 15 years old subject to it continuing to meet the policy criteria.

The Chairman asked Mr Omar to address the sub-committee. Mr Omar circulated a written statement to attendees, which was read on his behalf by Jade Collier of Express Cabs.



Mr Omar's taxi had failed an inspection test on 22 June and was given the option of either repairing it or buying a new one. At this point the Inspector said that he needed to remove the licence plate and if the vehicle was repaired and passed the test the licence plate would be returned to him.

The vehicle was subsequently repaired, and Mr Omar returned to the Oakwood Group Inspection Garage for a re-test. The Inspector being satisfied with the work that had been carried out issued a certificate of compliance and returned his licence plate. On 4 August 2022, Mr Omar received a call from Louise Davies from the Licensing Department informing him that he needed to return his licence plate as soon as possible as it had been revoked on 22 June 2022.

Mr Omar said that he was shocked to learn the news as the vehicle was his livelihood and his sole means of income. He said that he had been unaware that the licence had been revoked as he had not received the notification. If he been informed of this, he would not have spent £3,445 on repairs as the vehicle had been declared non-compliant and would have returned the licence plate.

Mr Omar added that he had sponsored his wife's visa two years ago and that her visa would be affected if he was unable to work.

In response to questions from the sub-committee, The Senior Licensing Officer explained that Mr Omar worked for Express Cabs and was on their fleet insurance. The Senior Licensing Officer was asked about the 6 weeks window when nothing was heard from the applicant and whether it was the responsibility of the Licensing Department to contact Mr Omar. The Senior Licensing Officer confirmed that this was the case, adding that it was assumed that the licence plate had been returned to Sevenoaks and that lessons had been learnt in this respect.

Mr Omar mentioned that his first priority was customer safety and that he had always complied with all of the rules.

In response to questions from the Legal Advisor, Mr Omar stated that he had purchased the vehicle between eight to nine months ago. Mr Omar emphasised that he was quite particular and that if there was any noise in the vehicle, he would take it for repairs. The MOT before that was for 1 year and the garage had never given him an indication that there was cause for concern.

The Chairman advised that the sub-committee would retire for deliberation with the legal officer present.

The Sub-Committee reconvened at 10.40 a.m. and the Legal Advisor stated that the sub-committee were satisfied that the vehicle was safe and that it complied with the requirements. The sub-committee noted that although there were exceptional circumstances in the case, Mr Omar had acted in continuous good faith after purchasing the vehicle and as a result, the sub-committee had decided to grant him his licence with immediate effect. The written decision would be circulated in due course.

**RESOLVED:** That the sub-committee's decision and reasons be provided within the Notice of Determination attached as an Appendix to the minutes.

The hearing closed at 10.43 a.m.

18. DURATION OF MEETING

10.00 a.m. to 10.43 a.m.



## **Maidstone Borough Council**

### **Local Government (Miscellaneous Provisions) Act 1976**

### **Town Police Clauses Act 1847**

### **Notice of Determination of Application for Hackney Carriage Vehicle**

**Applicant:** Mr Wakil Omar

**Vehicle Licence Plate Application:** GX09 HKG

**Date of Determination:** 8 September 2022

In accordance with the provisions of s.37 Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, Maidstone Borough Council has decided to GRANT a licence for a hackney carriage vehicle for vehicle plate number GX09 HKG.

The Licensing Sub Committee considered the report, relevant law and guidance and the council's policy and have carefully considered all submissions made at the meeting on 8 September 2022.

The Sub Committee were satisfied that the vehicle is fundamentally safe. Although the car is over 3 years old and has more than 30,000 miles, the Sub Committee were satisfied that there are exceptional circumstances in the current application to allow them to grant the vehicle a hackney carriage licence contrary to the policy requirement. In particular, Mr Omar's actions since June have demonstrated a genuine belief that the vehicle licence had not been revoked. The Sub Committee also accepted that he had acted in continuous good faith to protect the public since purchasing the hackney carriage vehicle which unfortunately needed significant repair shortly after passing its MOT. In the normal course of events, had the licence not been revoked, the vehicle would not be subject to the policy as it had been a hackney carriage for a number of years. Accordingly the Sub Committee considered it reasonable in the exceptional circumstances to grant a licence for a hackney carriage vehicle outside of the policy guidelines.

Any person aggrieved by the decision may appeal to the Crown Court by way of complaint. S.47(3) Local Government (Miscellaneous Provisions) Act 1976 provides that any person aggrieved by any conditions attached to such a licence may appeal to the Magistrates Court within 21 days of the date of this Notice.

**Signed:**

**Date of Notice:** 8 September 2022

Councillor Joy  
Chairman of the Licensing Sub-Committee

# Agenda Item 13

**Licensing Committee**

**13 October 2022**

## **Vehicle Age Policy Amendment Request**

<b>Timetable</b>	
<b>Meeting</b>	<b>Date</b>
Licensing Committee	13 October 2022

<b>Final Decision-Maker</b>	Licensing Committee
<b>Lead Head of Service</b>	John Littlemore, Head of Housing and Regulatory Services
<b>Lead Officer and Report Author</b>	Lorraine Neale, Senior Licensing Officer
<b>Classification</b>	Public
<b>Wards affected</b>	N/A

### **Executive Summary**

The Council's current Hackney Carriage and Private Hire Vehicle Policy includes a requirement that a vehicle should not have more than 30,000 miles on the clock or be older than 3 years at first licensing. For private hire vehicles, this requirement is from the date of the vehicle registration.

A request has been received from John Iandolo of Express Cabs (Appendix 1) to allow a temporary amendment to the Hackney Carriage and Private Hire Policy (Taxi Policy) to allow the relevant date for the purposes of the above policy requirement to be the date of the plate and not the date of registration.

### **Purpose of Report**

To consider the request to amend the taxi policy vehicle age restrictions.

### **This report makes the following recommendations to the Committee**

1. That consideration be given to a temporary change for the licensing of new vehicles to allow 2019 plates to be licensed until 31<sup>st</sup> December 2022.
2. That consideration be given to a permanent change to the new vehicle entry level requirements to either amend or remove the criteria of under 3 years old and/or under 30,000 miles.
3. That should either of the proposed amendments be agreed, a short consultation period be approved to allow for feedback from interested parties.
4. That a further report be submitted to the Licensing Committee detailing any feedback and requesting approval of the amended 2021-2026 Taxi Policy and an implementation date if appropriate.

## Vehicle Age Policy Amendment Request

### 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>We do not expect the recommendations will by themselves materially affect achievement of corporate priorities.</p>	Head of Housing & Regulatory Services
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The report recommendations do not materially impact on the achievement of the cross-cutting objectives.</p>	Head of Housing & Regulatory Services
<b>Risk Management</b>	Already covered in the risk section.	Head of Housing & Regulatory Services
<b>Financial</b>	There are no financial implications.	Senior Licensing Officer
<b>Staffing</b>	We will deliver the recommendations with our current staffing.	Head of Housing & Regulatory Services
<b>Legal</b>	There is no statutory requirement to have a policy but Maidstone Borough Council chose to have one as it was felt that a policy	Helen Ward, Lawyer (Contentious),

	ensures a transparent and consistent approach to licensing. The Statutory Taxi and Private Hire Vehicle Standards recommends that Authorities have a Policy and that it is regularly reviewed.	Mid Kent Legal Services, 6 September 2022
<b>Information Governance</b>	The recommendations will impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes.	Information Governance Team
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment.	Equalities & Communities Officer
<b>Public Health</b>	No public health implications.	Senior Licensing Officer
<b>Crime and Disorder</b>	There is no immediate impact on crime & disorder in accepting the recommendations of the report.	Head of Housing & Regulatory Services
<b>Procurement</b>	Not applicable.	Head of Housing & Regulatory Services
<b>Biodiversity and Climate Change</b>	No implications.	Senior Licensing Officer

## 2. INTRODUCTION AND BACKGROUND

- 2.1 Mr Iandolo submitted a request on the 10<sup>th</sup> June 22 for a temporary taxi policy amendment for vehicle ages (Appendix 1). Unfortunately the request was received too late for inclusion at the 16<sup>th</sup> June 2022 Licensing Committee (Appendix 2).
- 2.2 Mr Iandolo indicates that there is a shortage of new and used cars, that it is difficult to get vehicles under 3 years old and new vehicles can have up to a year's wait for delivery. He makes a suggestion that he believes will assist with the current situation. Also, the Licensing Department have had drivers contact us to inform us that they are having difficulties acquiring vehicles that meet policy requirements but none have been received in recent months.
- 2.3 The request being made by Mr Iandolo is that we licence vehicles according to the plate rather than dates of registration. He would like to licence 19 plates as private hire vehicles. The current registration system involves two releases of plates a year. For plates issued from March to August the vehicle age code is simply the last two digits of the year, e.g. "02" for 2002 or "18" for 2018. If issued from September to February of the following year the

code has 50 added to it, e.g. "52" for 2002 or "68" for 2018. With this new current number plates scheme a buyer can tell the year of a car without having to look it up. 2019 plates are attached to vehicles registered between March and August 2019, so any vehicles registered between March and August 2019 are too old under current policy to be licensed as new vehicles. If a temporary policy change were agreed to allow the licensing of 19 plates until December 2022 then this would assist the trade until the shortages in available vehicles resolves itself.

- 2.4 The [taxi policy](#) currently requires and states at pages 17, 33, 47 and 64 that all vehicles being licensed for the first time (Hackney Carriage and Private Hire) should not have more than 30,000 miles on the clock or be older than 3 years. We could consider changing or removing this entry level criteria completely and just allow the licensing of private hire vehicles up to 6 years old and Hackney Carriage vehicles up to 15 years subject to meeting the requirements of the compliance testing.
- 

### **3. AVAILABLE OPTIONS**

- 3.1 Agree a temporary Policy change and allow 2019 plates to be licensed up until 31<sup>st</sup> December 2022.
  - 3.2 Agree the change or removal of the entry level criteria for new vehicles.
  - 3.3 Do nothing.
- 

### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 Members consider the contents of the report and determine which policy change option would benefit the trade while the ongoing restrictions from the pandemic continue.
- 

### **5. RISK**

- 5.1 If the age/mileage policy on entry level vehicles is not amended it could contribute to a serious shortage of available licensed vehicles. This in turn could impact the safety of the public especially during the hours of the late-night economy.
- 

### **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 N/A
- 

### **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 Should Members be minded to approve any change to the current Policy, then a consultation with the trade and interested parties would be required.

7.2 All feedback from the consultation would be brought back to this Committee for approval and an agreed implementation date.

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## **8. REPORT APPENDICES**

- Appendix 1: E -mail from J.Iandolo 10.06.22
  - Appendix 2: E-mail from J.Littlemore 13.06.22
- 

## **9. BACKGROUND PAPERS**

[Hackney Carriage and Private Hire Licensing Policy](#)



**From:** JOHN IANDOLO <  
**Sent:** 10 June 2022 17:41  
**To:** John Littlemore <[JohnLittlemore@maidstone.gov.uk](mailto:JohnLittlemore@maidstone.gov.uk)>  
**Subject:** Age of PHV

Dear John

Would it be in your power to allow cars registered as PHV's for the first time to be 3 years old to the plate and not date of registration. For example now is a 22 plate and we would like to register 19 plate vehicles.

More often than not cars are released to the market on their 3 Rd birthday so it's nearly impossible to get cars under 3 years old. So in September for instance the plate changes to 72 so we would then only be able to register 69 registered cars. New cars have up to a 1 year wait.

As you maybe aware there is a shortage of new and used cars and this limited change which will give a few months of grace will help the trade massively. We are happy with the mileage situation and feel it would not impact the standards of service in Maidstone. If you could act quickly this would really help alleviate current problems.

If this is not possible we would like to put this idea to the next licensing committee.

Finally we would like to thank you and your team for all the help with the testing changes which are now taking effect in a positive way.

Kind Regards

John Iandolo

Sent via BT Email App

**From:** John Littlemore <JohnLittlemore@maidstone.gov.uk>

**Sent:** 13 June 2022 13:37

**To:** JOHN IANDOLO

**Subject:** RE: Age of PHV

Hello John

Thank you for your email and the feedback on the testing.

The suggestion you have made would require an amendment to the Council's policy, which will have to be agreed by the Licensing Committee.

Unfortunately we are too late to bring this to the next meeting, which is this Thursday 16<sup>th</sup> June 2022. The next scheduled meeting is on the 15<sup>th</sup> September 2022 and I would be happy to discuss its inclusion with the new Chair for the agenda on that date.

Thank you

John

**John Littlemore**

Head of Housing & Community Services

Housing, Licensing, Environmental Health,

Community Partnerships & Community Protection

Maidstone Borough Council, Maidstone House, King Street, Maidstone, Kent ME15 6JQ

[www.maidstone.gov.uk](http://www.maidstone.gov.uk)

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**Licensing Committee**

**13 October 2022**

## Response to the Hackney Carriage Emergency Fuel Crisis Consultation

<b>Timetable</b>	
<b>Meeting</b>	<b>Date</b>
Licensing Committee	13 October 2022

<b>Final Decision-Maker</b>	Licensing Committee
<b>Lead Head of Service</b>	John Littlemore, Head of Housing and Regulatory Services
<b>Lead Officer and Report Author</b>	Lorraine Neale, Senior Licensing Officer
<b>Classification</b>	Public
<b>Wards affected</b>	N/A

### **Executive Summary**

To review the responses received in relation to the consultation requested by Licensing Committee on 31st March 2022. The consultation undertaken with the hackney carriage trade asked that they suggest alternative methods of dealing with future fuel emergency crises other than a complete Hackney tariff increase.

### **Purpose of Report**

To advise Members of the responses received from the trade and their suggestions in how future fuel emergency crises could be addressed.

### **This report makes the following recommendations to the Committee:**

1. That consideration be given to the responses submitted by the hackney carriage trade for dealing with any future emergency fuel crises.
2. That should a surcharge be agreed, the Head of Housing and Regulatory Services be authorised to give public notice of the Council's intention to fix the table of fares for Hackney Carriage vehicles in accordance with Section 65(2) of the Local Government (Miscellaneous Provisions) Act 1976 to take effect from October 2022.
3. That should objections be received, this matter be brought back to the Licensing Committee for consideration within two months of publication.

# Response to the Hackney Carriage Emergency Fuel Crisis Consultation

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>We do not expect the recommendations will by themselves materially affect achievement of corporate priorities.</p>	Head of Housing & Regulatory Services
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The report recommendations do not materially impact on the achievement of the cross-cutting objectives.</p>	Head of Housing & Regulatory Services
<b>Risk Management</b>	Already covered in the risk section.	Head of Housing & Regulatory Services
<b>Financial</b>	There are no financial implications .	Senior Licensing Officer
<b>Staffing</b>	We will deliver the recommendations with our current staffing.	Head of Housing & Regulatory Services
<b>Legal</b>	Under Section 65 of The Local Government (Miscellaneous Provisions) Act 1976, the Council may fix the rate for fares for Hackney Carriage vehicles within the Borough, for time, distance and all other charges in	Helen Ward, Lawyer (Contentious), Mid Kent Legal

	connection with hire of the vehicle. To meet the requirements, it is necessary to advertise the agreed variation and allow not less than 14 days for any objections to be made. If objections are made, and not withdrawn, the Council shall consider the objections at a further meeting to determine whether to continue with the variation to the tables of fares with or without modification.	Services, 6 September 2022
<b>Information Governance</b>	The recommendations will impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes.	Information Governance Team
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities & Communities Officer
<b>Public Health</b>	No public health implications.	Senior Licensing Officer
<b>Crime and Disorder</b>	There is no immediate impact on crime & disorder in accepting the recommendations of the report	Head of Housing & Regulatory Services
<b>Procurement</b>	Not applicable.	Head of Housing & Regulatory Services
<b>Biodiversity and Climate Change</b>	No implications.	Senior Licensing Officer

## 2. INTRODUCTION AND BACKGROUND

2.1 At the Licensing Committee meeting on 31<sup>st</sup> March 2022 Members agreed the following hackney tariff fare increases:-

increase in Tariff 1 and the minimum charge from £3 to £3.20 for the first 550 metres.

Then for each additional 115 metres an extra 20p.

Waiting time to go from 20p per 30 seconds to 20p per 28 seconds.

Also a 7.1% increase to Tariff 2 at 1.5 times Tariff 1 and Tariff 3 to be twice tariff 1.

The amended tariff came into effect on 22<sup>nd</sup> April 2022.

- 2.2 Prior to agreeing the proposal put forward by the Hackney Chair various other methods and ways to increase fares were discussed without resolution. What was agreed was a consultation with the trade where their suggestions to manage future fuel emergency crises were sought.
- 2.3 That consultation took place between 23<sup>rd</sup> June 2022 and 20<sup>th</sup> August 2022 (Appendix 1).
- 2.4 There were 2 responses received which are attached as Appendix 2&3.
- 2.5 A summary of the suggestions and Officers comments can be found in the table:-

Suggestion	Officer Comment
Maidstone Borough Council provide subsidised fuel to the Hackney Carriage trade.	This is neither realistic or practical, Maidstone Borough Council are limited by budgetary restrictions and have no facilities for the safe storage of fuel.
Reduce vehicle rental costs	This is not something that is controlled by Maidstone Borough Council . Private hire operators set the rental charges for their vehicles and it would be for them to consider any reduction to their rates.
Hackney trade offer loyalty schemes to encourage regular custom.	This is entirely up to individual drivers and as long as there is no negative impact does not require endorsement from Maidstone Borough Council.
Allow alternative waiting areas/ranks in Town to evenly distribute availability of Hackney vehicles for customers.	The Hackney Trade tend to favour town centre ranks and have never requested additional ranks be considered. Hackney vehicles are allowed to ply and can be hailed so could pick up passengers from any of the suggested locations in the e-mail.
If fuel or electricity rises by more than 10% in less than a month then an extra 20p per fare is charged to cover the extra cost of energy.	<p>This could be considered by Committee and included as a surcharge on the Hackney Carriage tariff table. Consideration would need to be given to making sure it is not misused and a practical fuel surge trigger point be considered.</p> <p><b><u>Fuel prices</u></b>  <b>At the time of the fare increase in March 2022</b>            Diesel £173.9p Petrol £160.9p</p> <p><b>Currently</b>            Diesel £183.9p Petrol £175.9p</p> <p>Between those two dates there was a surge in prices to            Diesel £197.9p Petrol £187.9p</p> <p>Currently the proportion of electric/hybrid vehicles licensed as hackneys is 4% so fuel increases may not necessarily affect them but rising energy costs will.</p>

- 2.6 Fuel prices have continued to rise since the Hackney fare tariff prices were agreed in March 2022 and it is not envisaged that they will fall in the near future. Should a future surge in energy prices occur a surcharge may help lessen the impact of the effect on the trade for a short period but would not be as effective if prices continued to rise.
- 

### **3. AVAILABLE OPTIONS**

- 3.1 To agree to a 20p surcharge which will come into effect should energy or fuel increase by 10% in less than a month.
- 3.2 To consider alternative means to cover future emergency fuel crises.
- 3.3 To do nothing.
- 

### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 Members consider the contents of the report and determine whether a surcharge should be agreed.
- 4.2 The setting of fares is a statutory duty placed upon the Council and it is the Council's responsibility to strike a balance between setting a fare that is acceptable to the customer and to the taxi driver.
- 4.3 It is important that the Council through its licensing functions protects the public by ensuring that the fares charged by licensed Hackney Carriages are fair and justified and not excessive.
- 

### **5. RISK**

- 5.1 Any increase to Hackney Fares does not create risk to the Authority but may create a risk to the Hackney trade if the public consider the charges to be too expensive and result in less work for the hackney carriage trade.
- 

### **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 N/A
- 

### **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 Should Members be minded to approve a surcharge, the Head of Housing and Community Services, be authorised to publicise the proposed agreed increase, and if no objections are received, the proposed surcharge takes effect no less than fourteen days from the date of publication. The Hackney tariff fare table will be amended and the trade notified.
- 7.2 Should objections be received, this matter is brought back to this Committee for consideration within two months of publication.
-

## **8. REPORT APPENDICES**

- Appendix 1: Consultation e-mail 23.06.22
  - Appendix 2: Response Mark Adams 25.06.22
  - Appendix 3: Response Neil Cox – Hackney Chair 10.08.22
- 

## **9. BACKGROUND PAPERS**

[Licensing Committee 31<sup>st</sup> March 2022](#)



**From:** Lorraine Neale  
**Sent:** 23 June 2022 15:40  
**Cc:** Louise Davis [LouiseDavis@Maidstone.gov.uk](mailto:LouiseDavis@Maidstone.gov.uk)  
**Bcc:**  
**Subject:** Consultation -fuel crisis emergency - Hackney Carriage Trade

Dear Sir/Madam

At the Licensing Committee meeting on the 31<sup>st</sup> March 2022 Members agreed the following proposal put forward by the Hackney Chair for a fare increase.

increase in Tariff 1 and the minimum charge from £3 to £3.20 for the first 550 metres.  
Then for each additional 115 metres an extra 20p.  
Waiting time to go from 20p per 30 seconds to 20p per 28 seconds. Also a 7.1% increase to Tariff 2 at 1.5 times Tariff 1 and Tariff 3 to be twice tariff 1.

The amended tariff came into effect on 22<sup>nd</sup> April 2022.

Prior to agreeing the proposal put forward by the Hackney Chair, Members at the meeting discussed various other methods and ways to increase fares that could assist the trade in unprecedented times. The conclusion of that discussion was that a consultation was required on a method to manage any future fuel emergency crises that adversely impacts the hackney trade.

Therefore the Hackney trade are invited to submit their comments and suggestions on this subject by 20<sup>th</sup> August 2022. A report summarising all the suggestions that may address the situation will be submitted to the Licensing Committee on 15<sup>th</sup> September 2022 for their consideration.

Kind Regards

**Lorraine Neale**  
**Senior Licensing Officer**  
Maidstone Borough Council, Maidstone House, King Street, Maidstone, Kent ME15 6JQ  
[e lorraineneale@maidstone.gov.uk](mailto:lorraineneale@maidstone.gov.uk) [w www.digitalmaidstone.gov.uk](http://www.digitalmaidstone.gov.uk)

**From:** Mark Adams  
**Sent:** 25 June 2022 16:29  
**To:** Lorraine Neale <LorraineNeale@maidstone.gov.uk>  
**Subject:** Re: Fuel crisis

[Sent from Yahoo Mail on Android](#)

On Sat, 25 Jun 2022 at 16:20,  
> wrote:

Sorry, we were unable to deliver your message to the following address.

<neilharris@maidstone.co.uk>:

554: 5.7.1 <neilharris@maidstone.co.uk>: Recipient address rejected: Access denied

----- Forwarded message -----

Hello MBC licencing Dept.

In response to your recent email info concerning fuel crisis for the hackney trade inviting suggestions, may i make the following suggestions for consideration.?

1. MBC to purchase and store 2 lge  
Fuel tanks with hose and locks near the maidstone house offices carpark...

When eventually the fuel prices come down to normal levels pre- war crisis  
Mbc could have delivery by fuel lorries 2 full tanks of diesel and then only allow hackney drivers to fill up their vehicles when needed using passport id or other security feature.could mbc subsidise this maybe at a reduced cost to the drivers?.This would help them if prices rise again like at the moment.

Alternatively to give them fuel credit and then mbc can claim back the money from each driver for the fuel theyve taken at end of each month by drivers registering their number plate and cab number into the fuel tank keypad.They can pay back into the gateway.

If prices rise again to unprecedented level in the future then they would be able to fill up more cost effectively and continue to trade rather than going to normal pumps.

2. To reduce their weekly vehicle rental i understand they pay average £450 weekly just to rent their cab before starting to earn their wages thus many working 13/ 14 hrs shifts often waiting ages in a queue for their next fare.

3. Hackney drivers could offer a small discount voucher to their regular customers on every 4th journey they take with same driver thus encouraging regular custom.

4.To allow different waiting areas/ranks in town to evenly distribute availability to customers. For Ex:  
lockmeadow market area,Allington shops, and on council estate areas like shepway parkwood and senacre where no hackneys are based especially now that many bus routes are cancelled or reduced,rather than too many all piled up in king st and high st.this could give them more chance of fairer custom especially out of town areas for disabled and pensioners.

May i ask that these ideas can be considered for the hackney trade?

Kind regards

**From:** Neil Cox  
**Sent:** 10 August 2022 18:40  
**To:** Lorraine Neale <LorraineNeale@maidstone.gov.uk>  
**Subject:** Re: Consultation -fuel crisis emergency - Hackney Carriage Trade

Good afternoon Licensing,

Thanks for the e mail of 23rd June in respect of a potential extra charge on taxi fares when fuel prices surge. The price of diesel at the time of the last taxi fare increase was £ 173.9p/l and for unleaded it was £160.9p/l. Currently the price for both is £ 183.9p/l and £ 175.9p/l respectively. The last increase was made with the backdrop of a substantial increase in the cost of fuel since the start of the pandemic. However since then it surged up to £ 197.9p/l and £ 187.9p/l and then fell back as above.

The nature of these things is that they are unusual and often fairly short lived. If this cost of fuel is sustained then we will no doubt come back for a fare increase in due course which will negate the need for a temporary fare increase.

This of course does not take into account the rising cost of electricity which as you know is about to rise by upwards of 60% after having doubled in the past 2 years. This affects the hybrid and fully electric fleet. Right now many charging points are free but in due course this will change and we will be paying through our energy bills for this service. In terms of this group of vehicles it is too early to tell what the taxi trade might want.

A simple rule of thumb might be to say that if the cost of fuel or electricity rises by more than 10% in less than a month then a Hackney Carriage should be able to charge an extra 20p per fare to cover the extra cost of energy. Once this cost falls back, assuming it does, then the extra charge falls away. Each vehicle would have to inform its custom of this charge rather like the current fare chart.

Kind Regards

Neil Cox  
Chair Taxi Association.

# Agenda Item 15

**Licensing Committee**

**13 October 2022**

## **Review of March 2022 Hackney Carriage Fare Tariff Increase**

<b>Timetable</b>	
<b>Meeting</b>	<b>Date</b>
Licensing Committee	13 October 2022

<b>Final Decision-Maker</b>	Licensing Committee
<b>Lead Head of Service</b>	John Littlemore, Head of Housing and Regulatory Services
<b>Lead Officer and Report Author</b>	Lorraine Neale, Senior Licensing Officer
<b>Classification</b>	Public
<b>Wards affected</b>	N/A

### **Executive Summary**

To review whether the increase to the Hackney fare tariff agreed at Licensing Committee on 31st March 2022 is still applicable.

### **Purpose of Report**

To review whether the current tariff remains reasonable for the travelling public to pay as well as continue to give drivers an incentive to provide a cost-effective service at the times it is needed.

### **This report makes the following recommendations to the Committee:**

1. That consideration be given to whether the Hackney fare tariff requires adjustment after a review of the current situation on fuel and energy costs.
2. That should amendments be agreed, the Head of Housing and Regulatory Services be authorised to give public notice of the Council's intention to fix the table of fares for Hackney Carriage vehicles in accordance with Section 65(2) of the Local Government (Miscellaneous Provisions) Act 1976 to take effect from October 2022.
3. That should objections be received, this matter be brought back to the Licensing Committee for consideration within two months of publication.

# Review of March 2022 Hackney Carriage Fare Tariff Increase

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>We do not expect the recommendations will by themselves materially affect achievement of corporate priorities</p>	Head of Housing & Regulatory Services
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The report recommendations do not materially impact on the achievement of the cross-cutting objectives.</p>	Head of Housing & Regulatory Services
<b>Risk Management</b>	Already covered in the risk section.	Head of Housing & Regulatory Services
<b>Financial</b>	There are no financial implications.	Senior Licensing Officer
<b>Staffing</b>	We will deliver the recommendations with our current staffing.	Head of Housing & Regulatory Services
<b>Legal</b>	Under Section 65 of The Local Government (Miscellaneous Provisions) Act 1976, the Council may fix the rate for fares for Hackney Carriage vehicles within the Borough, for time, distance and all other charges in connection with hire of the vehicle. To meet the requirements, it is necessary to advertise the agreed variation and allow not less than 14 days for any objections to be made. If	Helen Ward, Lawyer (Contentious) Mid Kent Legal Services, 6 September 2022

	objections are made, and not withdrawn, the Council shall consider the objections at a further meeting to determine whether to continue with the variation to the tables of fares with or without modification.	
<b>Information Governance</b>	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council Processes.	Information Governance Team
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities & Communities Officer 6 <sup>th</sup> September 2022
<b>Public Health</b>	No public health implications.	Senior Licensing Officer
<b>Crime and Disorder</b>	There is no immediate impact on crime & disorder in accepting the recommendations of the report.	Head of Housing & Regulatory Services
<b>Procurement</b>	Not applicable	Head of Housing & Regulatory Services
<b>Biodiversity and Climate Change</b>	No implications	Senior Licensing Officer

## 2. INTRODUCTION AND BACKGROUND

2.1 At the Licensing Committee meeting on 31<sup>st</sup> March 2022 Members agreed the following hackney tariff fare increases:-

increase in Tariff 1 and the minimum charge from £3 to £3.20 for the first 550 metres.

Then for each additional 115 metres an extra 20p.

Waiting time to go from 20p per 30 seconds to 20p per 28 seconds.

Also a 7.1% increase to Tariff 2 at 1.5 times Tariff 1 and Tariff 3 to be twice tariff 1.

The amended tariff (Appendix 1) came into effect on 22<sup>nd</sup> April 2022.

2.2 Members also felt that a review should take place after six months of the fares implementation due to the unusual circumstances surrounding the increased cost of living and fuel increases, alongside a consultation with the trade which is dealt with in a separate report but will also be discussed on 15<sup>th</sup> September 2022.

- 2.3 Fuel prices have continued to rise since the Hackney fare tariff prices were agreed in March 2022 and the forecast does not predict any significant falls in petrol prices just yet. According to the [RAC foundation website](#) at the time of the fare increase in March 2022 diesel was £177.32p and petrol £163.24p. Currently the prices are diesel £183.49p and petrol £169.33. In between these two periods there was a surge in prices which saw diesel at £198.84p and petrol at £191.27p.
- 2.4 The fuel prices along with a 50% rise to energy bills in April 2022 and a further 80% increase expected in October could have a significant impact on the Hackney trade resulting in a future request to increase the Hackney Carriage fare tariff. A request for a further increase since the last review has not yet been received.
- 2.5 The following table shows the Kent Authorities that have had fare increases in 2022. In the September edition of PHTM (see background papers) the local authority table at page 78 shows that 174 out of 355 authorities have had Hackney fare increases in 2022.

Council	Last review	Cost £ per 2 miles	Now
Ashford	2022	£6.50	£7.30
Canterbury	2022	£6.40	£7.40
Dartford	2022	£7.10	£7.30
Dover	2021	£7.10	No change
Folkestone & Hythe	2012	£6.20	No change
Gravesham	2020	£6.80	No change
Maidstone	2022	£7.40	£8.00
Medway	2020	£6.60	No change
Sevenoaks	2022	£7.06	£8.70
Swale	2018	£6.80	No change
Thanet	2022	£5.40	£6.21
Tonbridge and Malling	2022	£7.00	£7.40
Tunbridge Wells	2022	£7.20	£8.00

- 2.6 There have been no complaints received from the public in relation to the April 2022 increase. Also it should be noted that the tariff is the maximum fare that can be charged, drivers are able to agree lower fares should they wish.

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### 3. AVAILABLE OPTIONS

- 3.1 To do nothing and allow the current Hackney tariff to remain unchanged.
- 3.2 Agree an increase or decrease to mileage or waiting time charges.

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### 4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 Members consider the contents of the report and determine whether the current hackney tariff continues to reflect reasonable fares for the travelling public and continues to give drivers a satisfactory income at the times it is needed.

- 4.2 The setting of fares is a statutory duty placed upon the Council and it is the Council's responsibility to strike a balance between setting a fare that is acceptable to the customer and to the taxi driver.
- 4.3 It is important that the Council through its licensing functions protects the public by ensuring that the fares charged by licensed Hackney Carriages are fair and justified and not excessive.
- 

## **5. RISK**

- 5.1 Any increase to Hackney Fares does not create risk to the Authority but may create a risk to the Hackney trade if the public consider the charges to be too expensive and result in less work for the hackney carriage trade.
- 

## **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 N/A
- 

## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 Should Members be minded to approve any change to the current Hackney fare tariff, the Head of Housing and Regulatory Services, be authorised to publicise the proposed agreed increase/decrease, and if no objections are received, the proposed surcharge takes effect no less than fourteen days from the date of publication. The Hackney tariff fare table will be amended and the trade notified.
- 7.2 Should objections be received, this matter is brought back to this Committee for consideration within two months of publication.
- 

## **8. REPORT APPENDICES**

- Appendix 1: Current Hackney Carriage Tariff
- 

## **9. BACKGROUND PAPERS**

[Licensing Committee 31<sup>st</sup> March 2022](#)  
[PHTM Sept 2022](#)  
[RAC foundation](#)





**HACKNEY CARRIAGE FARES 2022/23**  
**Effective from 22<sup>nd</sup> April 2022**

**MAXIMUM FARES FOR DISTANCE AND/OR TIME**

Maximum fares for Distance and Time (The appropriate metric measurements is shown in each case)

**TARIFF 1**

For the first 550 metres (601 yards)  
 Or 2 minute 30 seconds waiting time or part thereof **£3.20**

For each additional 115 metres (125 yards)  
 Or 28 seconds waiting time or part thereof **£0.20**  
 (on 24 December up to 6.00pm Tariff 1 applies on 31 December up to 6.00pm Tariff 1 applies)

**TARIFF 2**

**(A) For hirings commenced between midnight and 6.00am and all day Sunday and Bank Holidays 50% above Tariff 1 rate EXCEPT where Tariff 3 applies. (From 6.00pm to Midnight on 24 December Tariff 2 Applies, from 6.00pm to Midnight on 31 December Tariff 2 applies)**

For the first 550 metres (601 yards)  
 Or 2 minute 30 seconds waiting time or part thereof **£4.80**

For each additional 115 metres (125 yards)  
 Or 28 seconds waiting time or part thereof **£0.30**

**TARIFF 3**

**(B) For hirings commenced between Midnight 24 December and 6.00am on 27 December Tariff 3 Applies and Midnight on 31 December and 6.00am on 2 January 100% above Tariff 1 rate.**

For the first 550 metres (601 yards)  
 Or 2 minute 30 seconds waiting time or part thereof **£6.40**

For each additional 115 metres (125 yards)  
 Or 28 seconds waiting time or part thereof **£0.40**

**NOTE: only one of the above charges A or B is payable in respect of one hiring.**

**EXTRA CHARGES**

For vehicles hired for more than two passengers, an extra 10p charge for each additional person, (over two passengers) shall be charged.

**FARES FOR TIME**

If a Hackney Carriage is hired by time such fare shall be agreed with the hirer at the commencement of the hiring.

**TAXIMETER**

When a Hackney Carriage furnished with a taximeter is hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for extra charges authorised by the above mentioned table which it may not be possible to record on the face of the taximeter.

**CONTAMINATION FEE**

A fee of £50 will be permitted to be charged in cases of soiling or fouling within a Hackney Carriage, caused by any person or animal.

# Agenda Item 16

**LICENSING COMMITTEE**

**13 October 2022**

## **The Licensing Partnership – Annual Update**

<b>Final Decision-Maker</b>	LICENSING COMMITTEE
<b>Lead Head of Service</b>	John Littlemore, Head of Housing and Regulatory Services
<b>Lead Officer and Report Author</b>	Sharon Bamborough, Head of the Licensing Partnership
<b>Classification</b>	Public
<b>Wards affected</b>	ALL

### **Executive Summary**

To note the performance of the Licensing Partnership as contained within the report.

### **Purpose of Report**

Noting

### **This report makes the following recommendations to this Committee:**

1. That the performance of the Licensing Partnership as contained within the report be noted and that the Head of the Licensing Partnership be asked to continue to provide an annual update on the Licensing Partnership activity to the Licensing Committee each municipal year.

### **Timetable**

<b>Meeting</b>	<b>Date</b>
Licensing Committee	13 October 2022

# The Licensing Partnership – Annual Update

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Impact on Corporate Priorities</b>	<i>No implications have been identified</i>	Sharon Bamborough – Head of the Licensing Partnership
<b>Cross Cutting Objectives</b>	<i>No implications have been identified</i>	Sharon Bamborough – Head of the Licensing Partnership
<b>Risk Management</b>	<i>No implications have been identified</i>	Sharon Bamborough – Head of the Licensing Partnership
<b>Financial</b>	<i>No implications have been identified</i>	Sharon Bamborough – Head of the Licensing Partnership
<b>Staffing</b>	<i>No implications have been identified</i>	Sharon Bamborough – Head of the Licensing Partnership
<b>Legal</b>	<i>No implications have been identified</i>	Legal Team
<b>Information Governance</b>	<i>No implications have been identified</i>	Sharon Bamborough – Head of the Licensing Partnership
<b>Equalities</b>	<i>No implications have been identified</i>	Sharon Bamborough – Head of the Licensing Partnership
<b>Public Health</b>	<i>No implications have been identified</i>	Sharon Bamborough – Head of the

		Licensing Partnership
<b>Crime and Disorder</b>	<i>No implications have been identified</i>	Sharon Bamborough – Head of the Licensing Partnership
<b>Procurement</b>	<i>No implications have been identified</i>	Sharon Bamborough – Head of the Licensing Partnership
<b>Biodiversity and Climate Change</b>	<i>No implications have been identified</i>	Sharon Bamborough – Head of the Licensing Partnership

## 2. INTRODUCTION AND BACKGROUND

- 2.1 The Council is a member of the Licensing Partnership with Tunbridge Wells Borough Council, London Borough of Bexley and Sevenoaks District Council, which provides line management responsibilities to their respective licensing enforcement teams and an administration team at Sevenoaks to carry out the processing of licence applications, notices, permits and representations.
- 2.2 The Licensing Partnership has completed 12 years of working together, with London Borough of Bexley becoming a partner as of 31st October 2016.
- 2.3 This arrangement provides each council with sovereignty over its policies and decision making processes whilst operating within a partnership that gives resilience and capacity to deal with the fluctuating demands on the service through the year.
- 2.4 This report is an annual update on the performance and activity of the Licensing Partnership.

### **2021 – 2022 Performance report**

- 2.5 The performance of the Licensing Partnership has been generally good despite the challenges of the past two years of moving the processing of work to be done by staff mostly working from home during the lockdowns and beyond.
- 2.6 The indicators for each of the four authorities and the combined Licensing Partnership results are attached as **Appendix A**.

- 2.7 This has been another challenging year due to the Pandemic and its after-effects (but not as challenging as the previous one), but we are returning to normal.
- 2.8 The general processing and consultation on applications within timeframe has been maintained but where there have been times when performance may not have hit targets this would have been due to various factors, such as the usual annual leave, and staff vacancies/recruitment/training.
- 2.9 The Partnership handled a large amount of work in 2021/22, applications volumes were still down in certain areas on the previous years due to the pandemic (for example, very few temporary event notices were submitted compared to a normal year). However, other newer areas of work were required which kept the teams busy. The performance measures should be read in conjunction with the entire volumes of work delivered. The headlines of the performance are as follows:
- In this time period, 9140 applications, notices, permits and other pieces of work were received / carried out across the partnership.
  - From this total, over 2655 pieces of work were for Maidstone.
  - Taking into account the different amounts of time needed for different types of applications, and the differing nature of the work carried out for some of the partners, Maidstone's share of processing work accounted for approx. 27% of the work of the entire partnership in 2021/22.
  - Over **27,350** emails were received in the main Licensing inbox and actioned for all four partners – Maidstone's share was 7,261.
  - Just under **10,000** calls were received to main licensing hotline and dealt with by the Hub team for all four partners - Maidstone's share was approx. 2400.

### **3. Performance against Service Plan objectives 2021/22**

- 3.1 Objective 1: *To oversee and lead the Licensing Partnership to deliver efficiency savings and achieve performance targets.*
- This is ongoing and performance is monitored on a weekly and monthly basis. Please see Appendix A for a report on Key Performance Indicator targets.
  - 1:1 meetings and regular face to face meetings with staff are carried out routinely.
  - The Licensing Partnership Board meets 4 times a year.

Performance against the targets is included in **Appendix A**

- 3.2 Objective 2: *Be open and proactive about undertaking of licensing functions for other local authorities.*

**Result:** We have not received any requests or expressions of interest during this year and have not actively pursued any.

- 3.3 Objective 3: *Seek further efficiency savings in processes and use of online facilities.*
- Review (ongoing) processes and procedures of Hub team officers and streamline / change to save time on unnecessary record keeping.  
**Result:** Achieved
  - A move towards paper free workplace for Hub team.  
**Result:** Achieved (resulting in time savings and reduction in costs).
- 3.4 Objective 4: *Ensure all online forms are implemented and in use by customers and explore other software solutions.*
- The library of online forms should be implemented across the four partners – to include new forms for Bexley (Special Treatments) and any updates needed for existing ones.  
**Result:** Testing on-going, not in use yet - it has not been possible to achieve this in year due to the demands on officers not having spare capacity to do testing in the time frame initially planned.
  - Complete testing and go live with electronic record management system, Enterprise (from Idox).  
**Result:** Achieved – system has gone live though further development desired.
- 3.5 Objective 5: *Undertake a programme of training for Members and officers. Ensure all new Members on each Licensing Committee receive appropriate training.*
- Result:** Training has been given as and when required
- 3.6 Objective 6: *Revision of Policies & Procedures*
- Complete the review of Gambling Policies across the Partnership in readiness for January 2022 when they must come into force.  
**Result:** Achieved
  - Continue the review of street trading policy at Maidstone regarding designation of street trading pitches.  
**Result:** Completed
  - Continue the review of the Hub Team Admin procedures and update where necessary.  
**Result:** Achieved but included in new 2022/23 service plan as there are always requests from partners to review certain practices or procedures.
  - To review taxi policies in Maidstone, Tunbridge Wells and Sevenoaks as needed.  
**Result:** Achieved
  - Adapt procedures and requirements in the face of the Coronavirus pandemic to support the trade whilst adhering to regulations.  
**Result:** Achieved
- 3.7 Objective 7 - *Health, Safety and Well Being of Staff*
- Ensure risk assessments are carried out and reviewed as appropriate and at least once a year.  
**Result:** Achieved
  - Ensure 1:1 meetings are carried out on a regular basis.  
**Result:** Achieved

- Ensure any H&S workplace requirements related to the 2020 pandemic are adhered to and workable solutions are in place.  
**Result:** Achieved and on-going

The new service plan for 2022/23 is attached as **Appendix B**

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#### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 To note the information and ensure the Licensing Committee are updated on the performance of the Licensing Partnership.
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#### **5. RISK**

- 5.1 There are no risks as it is for information only.
- 

#### **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 Not applicable.
- 

#### **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 Not applicable as this is report is on performance for the previous financial year.
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#### **8. REPORT APPENDICES**

- Appendix A: Performance data
  - Appendix B: Service plan for 2022/23
- 

#### **9. BACKGROUND PAPERS**

None

## All Authorities - Licensing - Percentage of renewal invitations sent out by deadline

Authority	Q1 2021/22			Q2 2021/22			Q3 2021/22			Q4 2021/22			2021/22		
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status
SEVENOAKS	100%	95%		100%	95%		95.45%	95%		100%	95%		98.61%	95%	
MAIDSTONE	99.10%	95%		100.00%	95%		99.33%	95%		100.00%	95%		99.65%	95%	
BEXLEY	100%	95%		100%	95%		100%	95%		100%	95%		100%	95%	
TUNBRIDGE WELLS	100%	95%		98.4%	95%		91.53%	95%		100%	95%		96.9%	95%	



## All Authorities - Number of renewals

### Authority **Sevenoaks**

	No. sent within deadlines	No. of renewal invitations
Q1 2021/22	147	147
Q2 2021/22	164	164
Q3 2021/22	231	242
Q4 2021/22	236	236
2021/22	778	789

### Authority **Maidstone**

	No. sent within deadlines	No. of renewal invitations
Q1 2021/22	110	111
Q2 2021/22	115	115
Q3 2021/22	149	150
Q4 2021/22	192	192
2021/22	566	568

### Authority **Bexley**

	No. sent within deadlines	No. of renewal invitations
Q1 2021/22	57	57
Q2 2021/22	46	46
Q3 2021/22	62	62
Q4 2021/22	75	75
2021/22	240	240

### Authority **Tunbridge Wells**

	No. sent within deadlines	No. of renewal invitations
Q1 2021/22	150	150
Q2 2021/22	184	187
Q3 2021/22	227	248
Q4 2021/22	190	190
2021/22	751	775

## All Authorities - Licensing - Percentage of valid personal licenses processed within 14 working days

Authority	Q1 2021/22			Q2 2021/22			Q3 2021/22			Q4 2021/22			2021/22		
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status
MAIDSTONE	96.55%	95%	✓	94.74%	95%	✓	100.00%	95%	✓	100.00%	95%	✓	97.75%	95%	✓
SEVENOAKS	100%	95%	✓	95.45%	95%	✓	100%	95%	✓	100%	95%	✓	98.44%	95%	✓
BEXLEY	96.3%	95%	✓	96.67%	95%	✓	100%	95%	✓	100%	95%	✓	98.41%	95%	✓
TUNBRIDGE WELLS	100%	95%	✓	100%	95%	✓	100%	95%	✓	92.31%	95%	⚠	98.39%	95%	✓

## All Authorities - Number of valid personal licences processed in 14 days

### Authority SEVENOAKS

	No. processed within two weeks	Total number of licences
Q1 2021/22	12	12
Q2 2021/22	21	22
Q3 2021/22	18	18
Q4 2021/22	12	12
2021/22	63	64

### Authority MAIDSTONE

	No. processed within two weeks	Total number of licences
Q1 2021/22	28	29
Q2 2021/22	18	19
Q3 2021/22	22	22
Q4 2021/22	19	19
2021/22	87	89





















### Authority BEXLEY

	No. processed within two weeks	Total number of licences
Q1 2021/22	26	27
Q2 2021/22	29	30
Q3 2021/22	40	40
Q4 2021/22	29	29
2021/22	124	126

### Authority TUNBRIDGE WELLS

	No. processed within two weeks	Total number of licences
Q1 2021/22	19	19
Q2 2021/22	16	16
Q3 2021/22	14	14
Q4 2021/22	12	13
2021/22	61	62

## All Authorities - Licensing - Percentage of unopposed applications for new and variation of premises licences processed within two calendar months

Authority	Q1 2021/22			Q2 2021/22			Q3 2021/22			Q4 2021/22			2021/22		
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status
MAIDSTONE	100%	95%		100%	95%		100%	95%		100%	95%		100%	95%	
SEVENOAKS	100%	95%		100%	95%		100%	95%		100%	95%		100%	95%	
BEXLEY	100%	95%		100%	95%		100%	95%		100%	95%		100%	95%	
TUNBRIDGE WELLS	100%	95%		100%	95%		100%	95%		100%	95%		100%	95%	

<b>Code</b>	<b>LPI_LIC 03(s) number of unopposed applications for new and variation of premises licences processed within two calendar months</b>
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	No. processed within 2 months	Total applications received
Q1 2021/22	4	4
Q2 2021/22	6	6
Q3 2021/22	7	7
Q4 2021/22	5	5
2021/22	22	22

<b>Code</b>	<b>LIC 026</b>
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	No. processed within 2 months	Total applications received
Q1 2021/22	9	9
Q2 2021/22	23	23
Q3 2021/22	15	15
Q4 2021/22	15	15
2021/22	62	62

<b>Code</b>	<b>LPI_LIC 03(B)</b>
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	No. processed within 2 months	Total applications received
Q1 2021/22	11	11
Q2 2021/22	12	12
Q3 2021/22	11	11
Q4 2021/22	8	8
2021/22	42	42

<b>Code</b>	<b>LPI_LIC 03(TW)</b>
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	No. processed within 2 months	Total applications received
Q1 2021/22	12	12
Q2 2021/22	15	15
Q3 2021/22	14	14
Q4 2021/22	6	6
2021/22	47	47

## All Authorities - Licensing - Percentage of valid temporary event notices processed within one working day of receipt

Authority	Q1 2021/22			Q2 2021/22			Q3 2021/22			Q4 2021/22			2021/22		
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status
SEVENOAKS	95.45%	95%	✓	100%	95%	✓	97.83%	95%	✓	100%	95%	✓	98.66%	95%	✓
MAIDSTONE	96.08%	95%	✓	100.00%	95%	✓	95.88%	95%	✓	100.00%	95%	✓	98.10%	95%	✓
BEXLEY	100%	95%	✓	100%	95%	✓	97.25%	95%	✓	100%	95%	✓	98.99%	95%	✓
TUNBRIDGE WELLS	95.83%	95%	✓	98.68%	95%	✓	98.85%	95%	✓	100%	95%	✓	98.6%	95%	✓

## All Authorities - Number of temporary event notices

### Authority SEVENOAKS

	No. processed in one working day	Total no. event notices received
Q1 2021/22	42	44
Q2 2021/22	86	86
Q3 2021/22	90	92
Q4 2021/22	76	76
2021/22	294	298

### Authority MAIDSTONE

	No. processed in one working day	Total no. event notices received
Q1 2021/22	49	51
Q2 2021/22	105	105
Q3 2021/22	93	97
Q4 2021/22	63	63
2021/22	310	316
















### Authority BEXLEY

	No. processed in one working day	Total no. event notices received
Q1 2021/22	47	47
Q2 2021/22	72	72
Q3 2021/22	106	109
Q4 2021/22	68	68
2021/22	293	296

### Authority TUNBRIDGE WELLS

	No. processed in one working day	Total no. event notices received
Q1 2021/22	46	48
Q2 2021/22	75	76
Q3 2021/22	86	87
Q4 2021/22	75	75
2021/22	282	286

### All Authorities - Licensing - Percentage of driver and operator licenses issued within 12 days of validation

Authority	Q1 2021/22			Q2 2021/22			Q3 2021/22			Q4 2021/22			2021/22		
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status
SEVENOAKS	96%	90%		100%	90%		100%	90%		100%	90%		99.24%	90%	
MAIDSTONE	100.00%	90%		100.00%	90%		95.83%	90%		100.00%	90%		98.73%	90%	
TUNBRIDGE WELLS	100%	90%		88%	90%		100%	90%		97.37%	90%		97.16%	90%	



## All Authorities - Number of driver and operator licenses issued

### Authority LPI\_LIC 05(s)

	No issued within 12 days	Total no licenses issued
Q1 2021/22	24	25
Q2 2021/22	29	29
Q3 2021/22	41	41
Q4 2021/22	36	36
2021/22	130	131

### Authority LIC 022

	No issued within 10 days	Total no licenses issued
Q1 2021/22	26	26
Q2 2021/22	16	16
Q3 2021/22	23	24
Q4 2021/22	13	13
2021/22	78	79

### Authority LPI\_LIC 05(TW)

	No issued within 12 days	Total no licenses issued
Q1 2021/22	22	22
Q2 2021/22	22	25
Q3 2021/22	56	56
Q4 2021/22	37	38
2021/22	137	141

## All Authorities - Licensing MPIs - Premises compliance

Authority	Q1 2021/22			Q2 2021/22			Q3 2021/22			Q4 2021/22			2021/22		
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status
SEVENOAKS	65	45	✓	63	45	✓	63	45	✓	72	45	✓	263	180	✓
MAIDSTONE	39	20	✓	28	20	✓	84	20	✓	61	20	✓	212	80	✓
BEXLEY	146	90	✓	157	90	✓	195	90	✓	120	90	✓	618	360	✓
TUNBRIDGE WELLS	35	45	✗	60	45	✓	106	45	✓	40	45	✗	241	180	✓

## All Authorities - Licensing MPIs - Taxi compliance

Authority	Q1 2021/22			Q2 2021/22			Q3 2021/22			Q4 2021/22			2021/22		
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status
MAIDSTONE	15	20	✗	4	20	✗	25	20	✓	46	20	✓	90	80	✓
SEVENOAKS	69	45	✓	88	45	✓	99	45	✓	71	45	✓	327	180	✓
TUNBRIDGE WELLS	104	45	✓	98	45	✓	97	45	✓	115	45	✓	414	180	✓

## All Authorities - Licensing MPIs - Percentage of Hackney Carriage, Private Hire driver and Driver & Operator licenses issued within 12 days of validation

Authority	Q1 2021/22			Q2 2021/22			Q3 2021/22			Q4 2021/22			2021/22		
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status
MAIDSTONE HC	100.00%	90%		100.00%	90%		100.00%	90%		100.00%	90%		100.00%	90%	
SEVENOAKS HC	100%	90%		100%	90%		100%	90%		100%	90%		100%	90%	
SEVENOAKS PH	100%	90%		100%	90%		100%	90%		100%	90%		100%	90%	
SEVENOAKS OPERATORS	75%	90%		100%	90%		100%	90%		100%	90%		95.65%	90%	
MAIDSTONE DRIVER/OPERATORS	100.00%	90%		100.00%	90%		95.83%	90%		100.00%	90%		98.73%	90%	
TUNBRIDGE WELLS DUAL DRIVERS	100%	90%		90%	90%		100%	90%		96.88%	90%		97.37%	90%	
TUNBRIDGE WELLS DRIVER/OPERATORS	100%	90%		80%	90%		100%	90%		100%	90%		96.3%	90%	
MAIDSTONE DUAL DRIVER	100%	90%		100%	90%		100%	90%		100%	90%		100%	90%	

## All Authorities - Number of Hackney Carriage, Private Hire driver and Driver & Operator licenses issued

### Authority SEVENOAKS HACKNEY CARRIAGE & DUAL DRIVERS

	No issued within 12 days	Total no licenses issued
Q1 2021/22	16	16
Q2 2021/22	20	20
Q3 2021/22	17	17
Q4 2021/22	18	18
2021/22	71	71

### Authority SEVENOAKS PRIVATE HIRE DRIVERS

	No issued within 12 days	Total no licenses issued
Q1 2021/22	5	5
Q2 2021/22	5	5
Q3 2021/22	17	17
Q4 2021/22	10	10
2021/22	37	37

### Authority SEVENOAKS OPERATORS

	No issued within 12 days	Total no licenses issued
Q1 2021/22	3	4
Q2 2021/22	4	4
Q3 2021/22	7	7
Q4 2021/22	8	8
2021/22	22	23

### Authority MAIDSTONE DRIVER & OPERATOR LICENCES

	No issued within 10 days	Total no licenses issued
Q1 2021/22	26	26
Q2 2021/22	16	16
Q3 2021/22	23	24
Q4 2021/22	13	13
2021/22	78	79

**Authority** MAIDSTONE HACKNEY CARRIAGE DRIVERS

	No issued within 10 days	Total no licenses issued
Q1 2021/22	7	7
Q2 2021/22	5	5
Q3 2021/22	7	7
Q4 2021/22	3	3
2021/22	22	22

**Authority** MAIDSTONE DUAL DRIVERS

	No issued within 10 days	Total no licenses issued
Q1 2021/22	15	15
Q2 2021/22	8	8
Q3 2021/22	11	11
Q4 2021/22	6	6
2021/22	40	40

**Authority** TUNBRIDGE WELLS DRIVERS & OPERATORS

	No issued within 12 days	Total no licenses issued
Q1 2021/22	22	22
Q2 2021/22	22	25
Q3 2021/22	56	56
Q4 2021/22	37	38
2021/22	137	141

**Authority** TUNBRIDGE WELLS DUAL DRIVERS

	No issued within 10 days	Total no licenses issued
Q1 2021/22	18	18
Q2 2021/22	18	20
Q3 2021/22	44	44
Q4 2021/22	31	32
2021/22	111	114

All Authorities - Percentage of continuation fees invoices issued 1 month in advance of fee being due

Authority	Q1 2021/22			Q2 2021/22			Q3 2021/22			Q4 2021/22			2021/22		
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status
SEVENOAKS	100%	95%	✔	99.46%	95%	✔	100%	95%	✔	100%	95%	✔	99.75%	95%	✔
MAIDSTONE	100%	95%	✔	100%	95%	✔	100%	95%	✔	100%	95%	✔	100%	95%	✔
TUNBRIDGE WELLS	100%	95%	✔	99.55%	95%	✔	100%	95%	✔	100%	95%	✔	99.79%	95%	✔

## All Authorities - Continuation fees invoices issued

### Authority SEVENOAKS

	No of invoices sent by due date	No of invoices due
Q1 2021/22	114	114
Q2 2021/22	184	185
Q3 2021/22	54	54
Q4 2021/22	46	46
2021/22	398	399
















### Authority MAIDSTONE

	No of invoices sent by due date	No of invoices due
Q1 2021/22	97	97
Q2 2021/22	254	254
Q3 2021/22	102	102
Q4 2021/22	92	92
2021/22	545	545

### Authority TUNBRIDGE WELLS

	No of invoices sent by due date	No of invoices due
Q1 2021/22	123	123
Q2 2021/22	220	221
Q3 2021/22	65	65
Q4 2021/22	76	76
2021/22	484	485

## All Authorities - Continuation fees not received and action taken within a month of overdue date

Authority	Q1 2021/22			Q2 2021/22			Q3 2021/22			Q4 2021/22			2021/22		
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status
SEVENOAKS	100%	95%		100%	95%		100%	95%		100%	95%		100%	95%	
MAIDSTONE	100%	95%		100%	95%		100%	95%		100%	95%		100%	95%	
TUNBRIDGE WELLS	100%	95%		100%	95%		100%	95%		100%	95%		100%	95%	



## All Authorities - Renewal Fees

### Authority SEVENOAKS

	no of renewal fees not received	action within month of due date
Q1 2021/22	11	11
Q2 2021/22	17	17
Q3 2021/22	25	25
Q4 2021/22	21	21
2021/22	74	74

### Authority MAIDSTONE

	no of renewal fees not received	action within month of due date
Q1 2021/22	20	20
Q2 2021/22	24	24
Q3 2021/22	51	51
Q4 2021/22	20	20
2021/22	115	115

### Authority TUNBRIDGE WELLS

	no of renewal fees not received	action within month of due date
Q1 2021/22	12	12
Q2 2021/22	19	19
Q3 2021/22	39	39
Q4 2021/22	22	22
2021/22	92	92

## All Authorities - Action after suspension

Authority	Q1 2021/22			Q2 2021/22			Q3 2021/22			Q4 2021/22			2021/22		
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status
MAIDSTONE	100%	95%		100%	95%		100%	95%		100%	95%		100%	95%	
SEVENOAKS	100%	95%		100%	95%		100%	95%		100%	95%		100%	95%	
TUNBRIDGE WELLS	100%	95%		100%	95%		100%	95%		100%	95%		100%	95%	

## All Authorities - Action after suspension - resolved

### Authority SEVENAOKS

	Number resolved	Number needed resolving
Q1 2021/22	7	7
Q2 2021/22	12	12
Q3 2021/22	16	16
Q4 2021/22	8	8
2021/22	43	43






### Authority MAIDSTONE

	Number resolved	Number needed resolving
Q1 2021/22	5	5
Q2 2021/22	6	6
Q3 2021/22	15	15
Q4 2021/22	11	11
2021/22	37	37

### Authority TUNBRIDGE WELLS

	Number resolved	Number needed resolving
Q1 2021/22	15	15
Q2 2021/22	21	21
Q3 2021/22	23	23
Q4 2021/22	9	9
2021/22	68	68

**Bexley - Percentage of unopposed applications for new and variation of Special treatments licences processed within 2 calendar months (from date of validation to issue date) (LBB & Hub)**

Authority	Q1 2021/22			Q2 2021/22			Q3 2021/22			Q4 2021/22			2021/22		
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status	Value	Target	Status
BEXLEY	93.75%	95%		96.15%	95%		100%	95%		100%	95%		96.92%	95%	

## Bexley – Special Treatment applications

<b>Authority</b>	MPI_LIC 09(B) bexley	
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	No. processed within 2 months	Total applications received
Q1 2021/22	45	48
Q2 2021/22	25	26
Q3 2021/22	26	26
Q4 2021/22	30	30
2021/22	126	130

# Licensing Service Plan 2022/23

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Licensing  
Partnership



## Contents

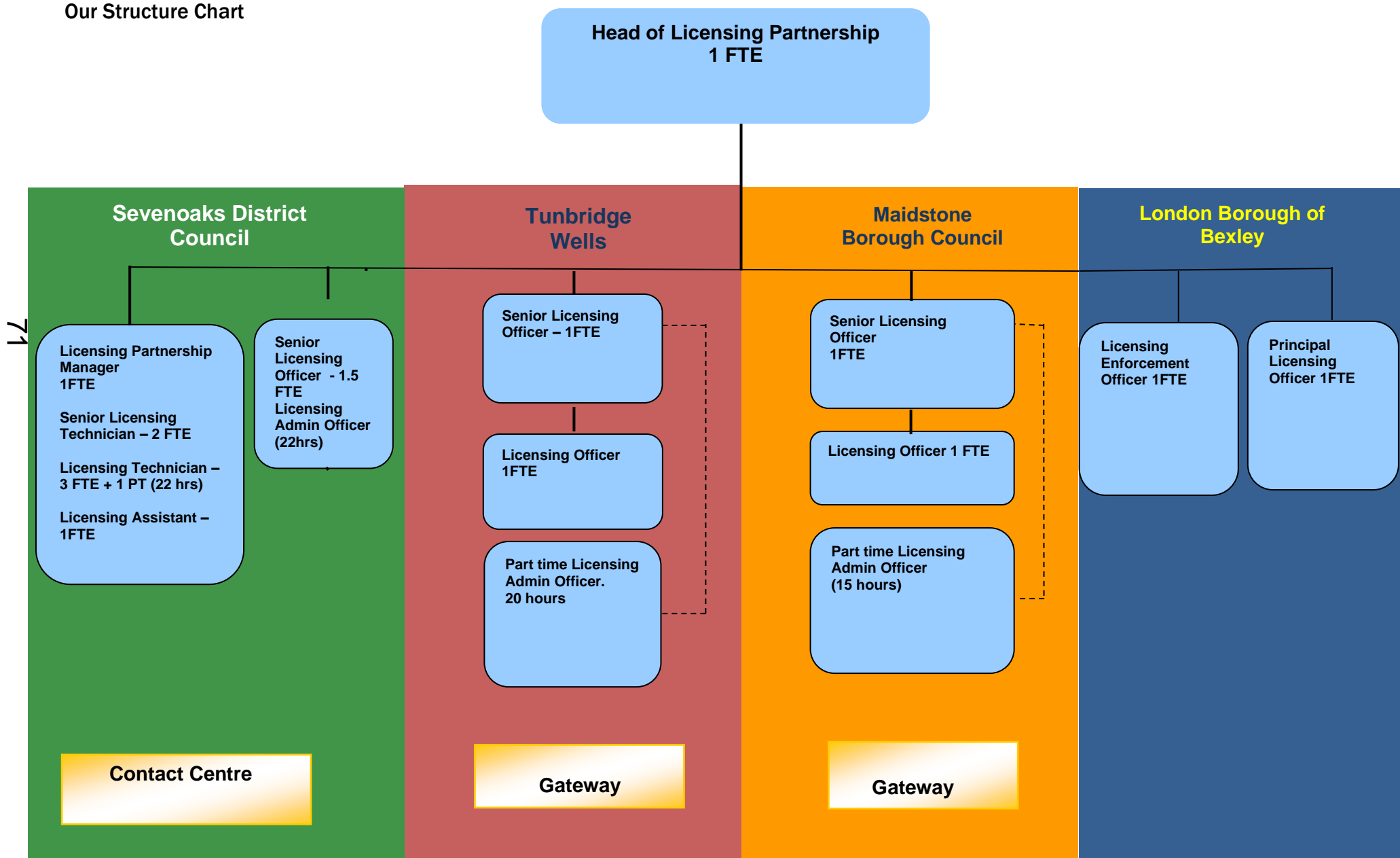
Section		Page Number
1	Who we are	3
2	What we do	5
3	2022/23 Service Objectives	6 - 16
4	Performance indicators and targets	17 - 18

## 1. Who we are

<b>Team</b>	Licensing Partnership comprising London Borough of Bexley, Maidstone Borough Council, Sevenoaks District Council and Tunbridge Wells Borough Council
<b>Head of Service</b>	Sharon Bamborough
<b>Chief Officers</b>	Gary Stevenson (Tunbridge Wells), John Littlemore (Maidstone), Richard Morris (Sevenoaks) and Jane Richardson (LB of Bexley)



Our Structure Chart



## 2. What we do

<p><b>Key Tasks</b></p>	<ul style="list-style-type: none"> <li>■ Manage and oversee the Licensing Partnership.</li> <li>■ Seek to promote the licensing objectives of the relevant legislation.</li> <li>■ Our aim is to protect the public but also allow legitimate businesses within the area to prosper.</li> <li>■ To ensure that the legitimate taxis and private hire trade are able to provide a safe mode of transport to the residents and users within the Partnership’s area.</li> <li>■ Compliance – ensure compliance of licensed premises, activities and events following grant of respective licences, permits and / or notices.</li> <li>■ To ensure that unlicensed premises, taxis/private hire and activities are investigated and appropriate action is taken.</li> <li>■ To enhance customer service while ensuring compliance with legislation.</li> <li>■ Fulfilling statutory duty whilst optimising cost savings and maintaining individual client’s Council sovereignty.</li> <li>■ Take advantage of economies of scale to buy services and optimise the collaborative working between partners</li> </ul>
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### 3. 2020/21 Service Objectives

<b>Objective 1</b>	To oversee and lead the Licensing Partnership to deliver efficiency savings and achieve performance targets	<b>Responsible Officer</b>	Sharon Bamborough
<b>Performance Measure</b>	<b>Description</b>	<b>2022/23 Target or Outcome (to be achieved by 31.03.2023)</b>	
LPI LIC 001	Send out renewal invitations for all licences/permits etc. 2 months (or 4 months for animal licensing) before the expiry date of the licence and if a valid renewal application is not received before the expiry of a licence send a failure to renew letter out within 1 week of the licence expiring and advise the appropriate Authorities accordingly. (Hub Team)	95%	
LPI LIC 002	The percentage of valid personal licences processed within 14 working days (Hub Team)	95%	
LPI LIC 003	Percentage of <i>unopposed</i> applications for new and variation of premises licences processed within 2 calendar months (from date of validation to issue date) [All]	95%	
LPI LIC 004	The percentage of valid temporary event notices served on Responsible Authorities within one working day of receipt (Hub Team)	95%	
LPI LIC 005	The percentage of driver and operator licences issued within 12 working days of validation (Hub team)	90%	
MPI LIC 05a	Percentage of Hackney Carriage driver licences issued within 12 working days of validation (Hub team)	90%	
MPI LIC 05b	Percentage of Private Hire driver licences issued within 12 working days of validation	90%	

MPI LIC 05c	Percentage of Private Hire Operator licences issued within 12 working days of validation	90%
MPI LIC 017	<p>Taxi Compliance (licensing officers at Sevenoaks, Tunbridge Wells and Maidstone):-</p> <ul style="list-style-type: none"> <li>• start action/investigation on receipt of complaints/intelligence within 5 working days (includes visits/letters/interviews etc)</li> <li>• reactive/proactive enforcement investigations ongoing/completed</li> <li>• warnings / penalty points issued</li> <li>• vehicle compliance checks</li> </ul>	<p><b>Non London partners only:</b> 15 actions per month per authority</p> <p><b>Except MBC who have re-set to 80 per year (equates to 7 per month)</b></p>
MPI LIC 018	<p>Premises compliance (all licensing officers throughout partnership) :-</p> <ul style="list-style-type: none"> <li>• notice checks to be carried out within one week of initial display</li> <li>• start action/investigation on receipt of complaints/intelligence within 5 working days (includes visits/letters/interviews etc)</li> <li>• carry out proactive visits in accordance with risk rating system</li> <li>• attend enforcement meetings/briefings/collaborate with partners on multi-agency approach</li> </ul>	<p>Non London partners – 15 actions per month per authority</p> <p><b>Except MBC who have re-set to 80 per year (equates to 7 per month)</b></p> <p>Bexley – 30 actions per month</p>
MPI LIC 019	<p>(for partners where Hub team arrange annual fee collection -does not apply to Bexley)</p> <p>(i) Send out invoices for continuation fees for licences/permits issued under the Licensing Act 2003 and Gambling Act 2005 at least 1 month in advance of the fee being due</p> <p>(ii) Where those fees are not received by the due date, take action to suspend/revoke licence/permit within 1 month of the fee being due.</p> <p>(Hub Team)</p>	95%

MPI LIC 020	Action after suspension - Licensing officers to visit /establish status and resolve within one month and start/take any necessary action ( <b>all licensing officers throughout partnership except Bexley</b> ) (all licensing officers throughout partnership)	95%
BPI LIC 021	Percentage of <i>unopposed</i> applications for new and variation of Special treatments licences processed within 2 calendar months (from date of validation to issue date) [ <b>LBB &amp; Hub</b> ]	95%
<b>Link to Sevenoaks Corporate Plan</b>	Providing value for money	<b>Link to Sevenoaks Community Plan</b> Safe Communities
<b>Link to Maidstone Statagic Plan</b>	Keeping Maidstone an attractive place for all - Ensuring there are good leisure and cultural attractions	
<b>Link to Tunbridge Wells Key Objectives in the Vision</b>	Providing Value	<b>Link to Strategic Compass</b> To ensure we operate in a business-like way
<b>Link to Bexley Corporate Plan (Shaping our Future Together)</b>	Innovation and self sufficiency	

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<b>Objective 2</b>	Be open and proactive about undertaking of licensing functions for other local authorities.		<b>Responsible Officer</b>	Sharon Bamborough
<b>Performance Measure</b>	<b>Description</b>	<b>2022/23 Target or Outcome</b>		
<b>Action</b>	Promote the partnership and be open to enquiries with potential partners to undertake licensing functions for a 5 <sup>th</sup> partner.	Further functions carried out for other partners.		
<b>Action</b>	Implement the required processes/changes to ensure an additional partner is integrated within the Licensing Partnership	A smooth integration of any additional partners		
<b>Link to Sevenoaks Corporate Plan</b>	Providing value for money	<b>Link to Sevenoaks Community Plan</b>	Safe Communities	
<b>Link to Maidstone Corporate Priorities</b>	Securing a successful economy for Maidstone Borough			
<b>Link to Bexley corporate plan</b>	Innovation and self sufficiency – a commercial approach			
<b>Link to Tunbridge Wells Corporate Priorities</b>	To support a prosperous borough	<b>Link to Strategic Compass</b>	Providing value	

<b>Objective 3</b>	Seek further efficiency savings in processes and use of online facilities	<b>Responsible Officer</b>	Sharon Bamborough
<b>Performance Measure</b>	<b>Description</b>	<b>2022/23 Target or Outcome</b>	
<b>Action</b>	Continuous review of processes and procedures of Hub team officers and streamline / change as and when requested by partner officers	More efficient working or meeting new legal requirements  On-going	
<b>Link to Sevenoaks Corporate Plan</b>	Supporting and developing the local economy	<b>Link to Sevenoaks Community Plan</b>	Safe Communities
<b>Link to Bexley corporate plan</b>	Innovation and self sufficiency – a commercial approach	<b>Link to Maidstone Corporate Priorities</b>	Securing a successful economy for Maidstone Borough
<b>Link to Tunbridge Wells Corporate Priorities</b>	To support a prosperous borough	<b>Link to Strategic Compass</b>	Providing value

<b>Objective 4</b>	Ensure all online forms are implemented and in use by customers and explore other software solutions	<b>Responsible Officer</b>	Sharon Bamborough
<b>Performance Measure</b>	<b>Description</b>	<b>2022/23 Target or Outcome</b>	
<b>Action</b>	The library of on line forms should implemented across the four partners – to include new forms for and any updates needed for existing ones	Complete the introduction/update of all online forms. On-going	
<b>Action</b>	Further development of electronic record management system, Enterprise (from Idox)	Increased efficiency and monitoring tools, with enhanced reporting options On-going	
<b>Link to Sevenoaks Corporate Plan</b>	Supporting and developing the local economy	<b>Link to Sevenoaks Community Plan</b>	Safe Communities
<b>Link to Bexley corporate plan</b>	Innovation and self sufficiency – a commercial approach	<b>Link to Maidstone Corporate Priorities</b>	Securing a successful economy for Maidstone Borough
<b>Link to Tunbridge Wells Corporate Priorities</b>	To support a prosperous borough	<b>Link to Strategic Compass</b>	Providing value



<b>Objective 5</b>	Undertake a programme of training for Members and officers. Ensure all new Members on each Licensing Committee receive appropriate training.		<b>Responsible Officer</b>	Sharon Bamborough
<b>Performance Measure</b>	<b>Description</b>	<b>2022/23 Target or Outcome</b>		
<b>Action</b>	Deliver a programme of training to the Members and officers.	Train any new members to Licensing committee and ad hoc training to any other new members appointed for all partners To be achieved by 31/03/2023		
<b>Action</b>	Deliver/facilitate training on required topics for officers as needed	To be achieved by 31/03/2023		
<b>Link to Sevenoaks Corporate Plan</b>	Keeping the district safe	<b>Link to Sevenoaks Community Plan</b>	Safe Communities	
<b>Link to Bexley corporate plan</b>	Growth that benefits all – the right skills for jobs of today and tomorrow	<b>Link to Maidstone Corporate Priorities</b>	Securing a successful economy for Maidstone Borough – range of Employment Skills and opportunities across the Borough	
<b>Link to Tunbridge Wells Corporate Priorities</b>	Our People	<b>Link to Strategic Compass</b>	To have relevant skills	

<b>Objective 6</b>	Revision of Policies & Procedures		<b>Responsible Officer</b>	Sharon Bamborough/Lorraine Neale/Sharon Degiorgio/Samantha Laing/Michael Moss
Performance Measure	Description		2022/23 Target or Outcome	
<b>Action</b>	In July 2022, SB to liaise with relevant staff at LBB to start the planning (data analysis) for review of Cumulative Impact Policy due in June 2023, and keep under review to ensure the data will be ready for the following year		Achieve statutory obligations. To be achieved by 31/03/2023	
<b>Action</b>	Continue the review of the Hub Team Admin procedures and update where necessary		To improve efficiency, reduce errors and speed up processing On-going	
<b>Action</b>	To review taxi policies in Maidstone, Tunbridge Wells and Sevenoaks <b>as and when needed.</b>		To respond to changing needs of public and trade and to keep in line with corporate objectives On-going	
<b>Action</b>	To continue to take part in the Kent and Medway Energy and Low Emissions Implementation Plan lead by KCC (for SDC/MBC/TWBC only)		To contribute to net zero aspirations (new)	
<b>Link to Sevenoaks Corporate Plan</b>	Supporting and developing the local economy	<b>Link to Sevenoaks Community Plan</b>	Safe Communities	
<b>Link to Bexley corporate plan</b>	Innovation and self sufficiency – a commercial approach	<b>Link to Maidstone Corporate Priorities</b>	Securing a successful economy for Maidstone Borough	

<b>Link to Tunbridge Wells Corporate Priorities</b>	To support a prosperous borough	<b>Link to Strategic Compass</b>	Providing value
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<b>Objective 7</b>	Health, Safety and Well Being of Staff		<b>Responsible Officer</b>	Sharon Bamborough
<b>Performance Measure</b>	<b>Description</b>		<b>2022/23 Target or Outcome</b>	
<b>Action</b>	Ensure risk assessments are carried out and reviewed as appropriate and at least once a year.		Risk assessments are in place and are reviewed. To be achieved by 31/03/2023	
<b>Action</b>	Ensure 1:1 meetings are carried out on a regular basis.		All Senior Licensing Officers and Licensing Partnership Manager to ensure meetings take place.	
<b>Action</b>	Ensure staff have complied with any employer requirements in terms of completing workstation assessments both in office and at home if working from home occurs		All Senior Licensing Officers and Licensing Partnership Manager to ensure their staff have completed assessments, HoLP to ensure seniors /LPM have done so	
<b>Link to Sevenoaks Corporate Plan</b>	Supporting and developing the local economy	<b>Link to Sevenoaks Community Plan</b>	Safe Communities	
<b>Link to Bexley corporate plan</b>	Innovation and self sufficiency – a commercial approach	<b>Link to Maidstone Corporate Priorities</b>	Securing a successful economy for Maidstone Borough	
<b>Link to Tunbridge Wells Corporate Priorities</b>	To support a prosperous borough	<b>Link to Strategic Compass</b>	Providing value	

## 4. Measuring our Performance

### Performance Indicators and Target Setting

Code	Description	Collection period	2022/23 target
LPI LIC 001	Send out renewal invitations for all licences/permits etc. 2 months (or 4 months for animal licensing) before the expiry date of the licence and if a valid renewal application is not received before the expiry of a licence send a failure to renew letter out within agreed timescales of the licence expiring and advise the appropriate Authorities accordingly. (Hub Team)	Monthly	95%
LPI LIC 002	The percentage of valid personal licences processed within 14 working days (Hub Team)	Monthly	95%
LPI LIC 003	Percentage of <i>unopposed</i> applications for new and variation of premises licences processed within 2 calendar months (from date of validation to issue date) [All]	Monthly	95%
LPI LIC 004	The percentage of valid temporary event notices served on Responsible Authorities within one working day of receipt (Hub Team)	Monthly	95%
LPI LIC 005	The percentage of driver and operator licences issued within 12 working days of validation (Hub team)	Monthly	90%
MPI LIC 05a	Percentage of Hackney Carriage driver licences issued within 12 working days of validation (Hub team)	Monthly	90%
MPI LIC 05b	Percentage of Private Hire driver licences issued within 12 working days of validation (Hub team)	Monthly	90%

Code	Description	Collection period	2022/23 target
MPI LIC 05c	Percentage of Private Hire Operator licences issued within 12 working days of validation ( <b>Hub team</b> )	Monthly	90%
MPI LIC 012	Length of time from validation to issue of HC vehicle licence (MPI) - target 12 working days ( <b>Hub team</b> )	Monthly	90%
MPI LIC 013	Length of time from validation to issue of PH vehicle licence (MPI) - target 12 working days ( <b>Hub team</b> )	Monthly	90%
MPI LIC 017	<p>Taxi Compliance (<b>licensing officers at Sevenoaks, Tunbridge Wells and Maidstone</b>):-</p> <ul style="list-style-type: none"> <li>start action/investigation on receipt of complaints/intelligence within 5 working days (includes visits/letters/interviews etc)</li> <li>reactive/proactive enforcement investigations ongoing/completed</li> <li>warnings / penalty points issued</li> <li>vehicle compliance checks</li> </ul>	Monthly	<p><b>Non London partners only: 180 each</b> (equates to 15 actions per month per authority)</p> <p><b>Except MBC who have re-set to 80 per year (equates to 7 per month)</b></p>
MPI LIC 018	<p>Premises compliance (<b>all licensing officers throughout partnership</b>)</p> <ul style="list-style-type: none"> <li>notice checks to be carried out within one week of initial display</li> <li>start action/investigation on receipt of complaints/intelligence within 5 working days (includes visits/letters/interviews etc)</li> <li>carry out proactive visits in accordance with risk rating system</li> </ul>	Monthly	<p><b>Non London partners – 180 each</b> (equates to 15 actions per month per authority)</p> <p>Except MBC who have re-set to 80 per year (equates to 7 per month)</p> <p><b>Bexley – 360</b> (equates to 30 actions per month)</p>

	<ul style="list-style-type: none"> <li>attend enforcement meetings/briefings/collaborate with partners on multi-agency approach</li> </ul>		
Code	Description	Collection period	2022/23 target
MPI LIC 019	<p>(for partners where Hub team arrange annual fee collection)</p> <p>Send out invoices for continuation fees for licences/permits issued under the Licensing Act 2003 and Gambling Act 2005 at least 1 month in advance of the fee being due and where those fees are not received by the due date to take action to suspend/revoke licence/permit within 1 month of the fee being due. <b>(Hub Team)</b></p>	Monthly	95%
MPI LIC 020	<p>Action after suspension - Licensing officers to visit /establish trading status within one month and start/take any necessary action <b>(all licensing officers throughout partnership except Bexley)</b></p>	Annual	95%
BPI LIC 021	<p>Percentage of <i>unopposed</i> applications for new and variation of Special treatments licences processed within 2 calendar months (from date of validation to issue date) <b>[LBB &amp; Hub]</b></p>	Monthly	95%

# Agenda Item 17

## LICENSING COMMITTEE

13 October 2022

### Licensing Committee Member Training

<b>Final Decision-Maker</b>	LICENSING COMMITTEE
<b>Lead Head of Service</b>	John Littlemore Head of Housing & Regulatory Services
<b>Lead Officer and Report Author</b>	John Littlemore Head of Housing & Regulatory Services
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### Executive Summary

This report sets out the training programme for the municipal year and asks Licensing Committee to approve the content and time for completion of the training for new Committee Members and those wanting to be substitutes.

#### Purpose of Report

Decision

#### This report makes the following recommendations to this Committee:

1. That the content of the training as set out in Paragraph 2.4 of the report be agreed.
2. That all new Members of the Licensing Committee and those wanting to be substitutes should complete the training by 31<sup>st</sup> October 2022.

#### Timetable

<b>Meeting</b>	<b>Date</b>
Licensing Committee	13 October 2022



# Licensing Committee Member Training

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>Accepting the recommendations will materially improve the Council's ability to achieve the Council's priorities by ensuring that Members are suitably trained to undertake the statutory functions associated with the Licensing Committee.</p>	Head of Housing & Regulatory Services
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The report recommendations support the achievement of the cross-cutting objectives.</p>	Head of Housing & Regulatory Services
<b>Risk Management</b>	Already covered in the risk section and options paragraphs.	Head of Housing & Regulatory Services
<b>Financial</b>	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Section 151 Officer & Finance Team
<b>Staffing</b>	We will deliver the recommendations with our current staffing.	Head of Housing &

		Regulatory Services
<b>Legal</b>	Accepting the recommendations will fulfil the Council's duties under Part VII of the Localism Act 2011 and the Council's Constitution. It will ensure Members receive training to allow them to make robust decisions on licensing matters in accordance with the relevant legislation, policies and guidance. Failure to accept the recommendations without agreeing suitable alternatives may place the Council in breach of the Council's Constitution.	Helen Ward, Lawyer (Contentious), Mid Kent Legal Services 22 August 2022
<b>Privacy and Data Protection</b>	Accepting the recommendations will have no direct impact on the volume of data held by the Council. We will hold that data in line with our retention schedules.	Policy and Information Team
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities & Communities Officer
<b>Public Health</b>	We recognise that the recommendations will have a positive impact on population health or that of individuals.	Head of Housing & Regulatory Services
<b>Crime and Disorder</b>	The recommendations will have a positive impact on Crime and Disorder.	Head of Housing & Regulatory Services
<b>Procurement</b>	Not applicable	Head of Housing & Regulatory Services
<b>Biodiversity and Climate Change</b>	No direct implications	Head of Housing & Regulatory Services

## 2. INTRODUCTION AND BACKGROUND

2.1 Each municipal year Members of the Licensing Committee are asked to consider their training programme for the forthcoming year.

2.2 The Council's Constitution states:

2.2.1 *"No Member will be able to serve on this (Licensing) Committee without having agreed to undertake a minimum period of training on the policies, procedures, legislation and guidance relevant to this Committee as specified by the Committee. This training must be completed to an agreed programme set by the Committee annually with a due date for completion. New Members must receive training, but the programme may include no training provision for experienced Members if there have been no relevant changes to legislation, policies or guidance.*

2.2.2 *If a Member has not completed the specified training by the due date, the Member will cease to be a Member/substitute Member of this Committee until the training has been completed. The Head of Housing and Community Services will keep a record of the training requirements of this Committee and of Members' compliance with the requirements."*

2.3 The last update was presented to the Licensing Committee in 2021, when live training was impacted by the continuing pandemic. Since that time, it is now possible to resume training in person. This is the preferred method, as it provides a better environment in which questions can be asked and shared learning encouraged.

2.4 In discussion with Mid Kent Legal Services, an in-house training programme will be offered that will cover the wide range of topics that Licensing Committee Members are likely to experience. The training on offer will comprise:

- Provision of a 3-hour training session
- Topics covered will include Licensing Act 2003, Taxi & Private Hire Vehicle Legislation, Gambling Act 2005 and Miscellaneous licensing hearings
- Training materials are provided during the session

2.5 The 3-hour training session will be offered either as an afternoon (e.g. 2:00pm – 5:00pm) or an evening (from 6:00pm – 9:00pm). The sessions can be on different days if that is felt to be helpful.

2.6 The sessions will be delivered before the end of October 2022 and all new Members to the Licensing Committee will be expected to have undertaken the training, in line with the requirements of the Constitution.

2.7 The need for currently trained Members of the Licensing Committee to attend training was discussed with the Legal Services but as there has been no significant change in legislation, regulation or case law it was felt this would be unnecessary for this municipal year. This decision does not preclude existing trained Members from attending the training and they can do so if they wish.

2.8 Due to the change in Constitution, there are no longer named substitute Members for the Licensing Committee. The onus is therefore on Members who feel they may want to act as a substitute Member for either the

Licensing Committee or its Sub-Committees to ensure they have completed the required training. A failure to do so may render the Member unable to participate in the Committee's business.

- 2.9 If neither in-house training dates are convenient, it might be possible for a Member to receive training from a recognised body such as the Local Government Association or Chartered Institute of Licensing. However, such training will need to be undertaken and evidenced before the end of October 2022.
- 2.10 It is noted that training given by external providers may not cover the whole range of training that will be delivered by the in-house training session. When this occurs, the Member will only be able to take part in matters that have been covered by the relevant training.
- 2.11 The Head of Housing & Regulatory Services will continue to maintain a register of training undertaken by Members in conjunction with the Democratic Services Officer for the Licensing Committee. The register is available on request.
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### **3. AVAILABLE OPTIONS**

- 3.1 The Licensing Committee could decide not to accept the recommendations but to do so would render it non-compliant with the Council's Constitution and may increase the risk of its decisions being subject to Judicial Review if it cannot be demonstrated that the Licensing Committee is making decisions from a well-informed position.
- 3.2 Accepting the recommendations will enable Members of the Licensing Committee to meet the requirements of the Local Code on Licensing Matters in the Council's Constitution. Having an appropriate training programme manages the risk of challenge to a Committee's decisions – this is particularly relevant for regulatory decisions.
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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 The preferred option is set out in Paragraph 3.2 above.
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### **5. RISK**

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.
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## **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 Each municipal year the Committee agrees the training programme. In recent years, the format has largely been dictated by external events and the restrictions imposed to combat the pandemic. The training can now resume in an in-person format, which Members have previously expressed a preference for.
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## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 Once the Committee has agreed the training programme for the new municipal year, Members of the Committee and those wanting to act as a substitute will be provided with the training dates and deadline for completion.
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## **8. REPORT APPENDICES**

- 8.1 None
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## **9. BACKGROUND PAPERS**

- 9.1 None