

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Monday, 18th June, 2007

Present: Cllr A W Allison (Chairman), Cllr O C Baldock, Cllr G Court, Cllr Miss J L Sergison and Cllr B D Stone.

With the consent of the Chairman, Councillors Balcombe, Mrs English and Withey were also present pursuant to Council and Committee Procedure Rule No 15.21 for training purposes.

PART 1 - PUBLIC

**LA
07/019** **DECLARATIONS OF INTEREST.**

There were no declarations of interest made.

MATTERS FOR CONSIDERATION IN PRIVATE

**LA
07/020** **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

PART 2 - PRIVATE

**DECISIONS TAKEN UNDER DELEGATED POWERS IN
ACCORDANCE WITH PARAGRAPH 3, PART 3 OF THE
CONSTITUTION**

**LA
07/021** **CASE NO 07/02: COMPLAINT RELATING TO PRIVATE HIRE
OPERATOR
(Reason: LGA 1972 Sch 12A Para 1 - Information relating to an
individual)**

It was reported that a private hire operator had been convicted of two counts of knowingly employing an unlicensed driver on services provided for school children. It was also reported that an application for a licence by one of the drivers had subsequently been refused as he was not considered a fit and proper person to hold a licence. The operator was present and represented by a solicitor at the hearing. The operator explained to the Panel the circumstances relating to the offences. They had happened at a time when the operator was seriously ill and had been dependent upon a member of his staff to comply with the rules and this had not happened. Since that time arrangements had been put in place to ensure that a similar situation

could not arise again and his wife had been put onto the licence. The Panel considered the circumstances to be extremely serious, but were pleased to note the steps which had been taken to avoid a recurrence.

RESOLVED: That

(1) the operator be placed on probation for a period of two years from the date of the meeting; and

(2) in the event of any further transgressions during the period of probation the Chief Solicitor be authorised to suspend the operator licence with immediate effect and the matter be brought back before the Panel so that revocation would be considered.

The meeting ended at 2015 hours
having commenced at 1935 hours