

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Monday, 3rd August, 2009**

**Present:** Cllr Miss J L Sergison (Chairman), Cllr A W Allison, Cllr J A L Balcombe, Cllr O C Baldock and Cllr J R H Clements.

With the consent of the Chairman, Councillors Mrs English and Sayer were also present pursuant to Council and Committee Procedure Rule No 15.21.

**PART 1 - PUBLIC**

**LA  
09/036      DECLARATIONS OF INTEREST**

There were no declarations of interest made.

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

**LA  
09/037      APPLICATION FOR VARIATION OF PREMISES LICENCE - KEBAB  
EXPRESS, 6 QUARRY HILL PARADE, TONBRIDGE**

This item was withdrawn from the agenda at the request of the applicant.

**RESOLVED:** That consideration of the application be deferred to a future meeting of the Licensing and Appeals Committee sitting as a Panel.

**MATTERS FOR CONSIDERATION IN PRIVATE**

**LA  
09/038      EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

**RESOLVED:** That as public discussion would disclose exempt information the following matters be considered in private.

**PART 2 - PRIVATE****DECISIONS TAKEN UNDER DELEGATED POWERS IN  
ACCORDANCE WITH PARAGRAPH 3, PART 3 OF THE  
CONSTITUTION****LA 09/039 APPLICATION FOR HACKNEY CARRIAGE DRIVER'S LICENCE  
(Reason: LGA 1972 Sch 12A Para 1 - Information relating to an individual)**

The Central Services Director submitted details of an application for a new licence received from the former holder of a Hackney Carriage Driver's Licence which had been revoked on 8 September 2008. The Panel was advised of information revealed under the Criminal Record Bureau check. The Panel gave careful consideration to the oral statement made by the applicant and it was

**RESOLVED:** That the applicant was not a fit and proper person to hold a licence having taken into account his medical history and other behaviours and his failure to disclose the police caution of 22 January 2008.

**LA 09/040 APPLICATION FOR PRIVATE HIRE DRIVER'S LICENCE  
(Reason: LGA 1972 Sch 12A Para 1 - Information relating to an individual)**

The Central Services Director submitted details of an application for a Private Hire Driver's Licence received from a former holder of a dual hackney carriage and private hire driver's licence which had expired on 20 April 2008. Members were reminded that the applicant had previously appeared before the Panel on 6 December 2007 and on 10 November 2008. The Panel was advised of information revealed under the Criminal Record Bureau check and it gave careful consideration to the oral statement made by the applicant.

**RESOLVED:** That the applicant was a fit and proper person to hold a Private Hire Driver's Licence and would, therefore, be granted said licence subject to

(1) the applicant serving a one year probationary period from the date of issue of the licence;

(2) any infringements of the licence during the probationary period being referred to the Licensing and Appeals Committee sitting as a Panel for review; and

(3) any future application for a Hackney Carriage Driver's Licence be considered on merit.

The meeting ended at 2220 hours  
having commenced at 2053 hours