

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Thursday, 25th August, 2011

Present: Cllr A W Allison (Chairman), Cllr J A L Balcombe, Cllr Mrs F A Kemp and Cllr T J Robins.

Councillors Ms Atkinson, Mrs Bates and Mrs Brown were also present as observers.

Together with representatives from the Licensing Authority and the Hackney Carriage driver.

PART 1 - PUBLIC

**LA
11/049 DECLARATIONS OF INTEREST**

There were no declarations of interest made.

MATTERS FOR CONSIDERATION IN PRIVATE

**LA
11/050 EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

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

PART 2 - PRIVATE

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

**LA
11/051 POSSIBLE SUSPENSION OR REVOCATION OF HACKNEY
CARRIAGE DRIVERS LICENCE
(Reason: LGA 1972 Sch 12A Para 1 - Information relating to an
individual)**

The Panel gave consideration to the report of the Chief Solicitor which provided a background to the possible suspension or revocation of a Hackney Carriage Drivers Licence relating to the failure to disclose a caution from 2008 on an application form. In addition, the Panel noted the failure to notify the Licensing Section of this caution on the acceptance of the licence. This was contrary to the conditions of licensing which required that written notification be given for any offence that occurred during the licence period.

A verbal representation was also received from the individual concerned.

The Panel after giving careful consideration to the Licensing Authority's responsibility to co-operate in the reduction of crime and disorder in the Borough, the objectives of the current Statement of Licensing Policy for Hackney Carriage and Private Hire Licensing, the case put forward by the licence holder and the fact that a week suspension had already been served

RESOLVED: To impose 3 penalty points on the licence holder for a period of 24 months and to reinstate his licence with immediate effect.

The meeting ended at 1947 hours
having commenced at 1935 hours.