

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Monday, 20th May, 2013

Present: Cllr C Brown (Chairman), Cllr Mrs P Bates and Cllr Mrs F A Kemp.

Together with the representatives of the Licensing Authority.

PART 1 - PUBLIC

LA **DECLARATIONS OF INTEREST**

13/042

There were no declarations of interest made.

MATTERS FOR CONSIDERATION IN PRIVATE

LA **EXCLUSION OF PRESS AND PUBLIC**

13/043

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 **HACKNEY CARRIAGE DRIVER'S LICENCE - CASE NO 08/2013**
13/044 **(Reason: LGA 1972, Sch 12A Paragraph 1 - Information relating to
an individual)**

The report of the Director of Central Services and Monitoring Officer set out details of information received from Kent Police regarding a Hackney Carriage Driver (11/00736/HCDL) who had been found guilty on 25 February 2013 of driving a vehicle with excess alcohol and disqualified from driving for eighteen months. Details of the Notice of Suspension served on the Driver on 4 April 2013 were set out at Annex 3 to the report.

In the absence of the Driver the Panel was invited to consider whether he was a fit and proper person to hold a Hackney Carriage Driver's Licence. The Panel found that the Driver had failed to notify the Licensing Authority of a change of address as required under Section 44 of the Town Police Clauses Act 1847 and that he had failed to

disclose his conviction on 25 February within seven days of that conviction in breach of the Tonbridge and Malling Borough Council Hackney Carriage and Private Hire Licensing Policy. For these reasons the Panel

RESOLVED: That Hackney Carriage Driver's Licence (11/00736/HCDL) be revoked under Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976.

The meeting ended at 1145 hours
having commenced at 1130 hours