

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Thursday, 24th April, 2014

Present: Cllr Mrs F A Kemp (Chairman), Cllr Mrs J A Anderson and
Cllr M A Coffin

Together with representatives of the Licensing Authority.

PART 1 - PUBLIC

LA 14/27 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct.

LA 14/28 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 14/29 RENEWAL OF PRIVATE HIRE DRIVER'S LICENCE
(CASE NO 09/2014)**

(Reason: LGA 1972 Sch 12A Paragraph 1 – Information relating to an individual)

The Panel was advised prior to the meeting that the applicant had requested that consideration of his application be adjourned to a later date. In response to this request the Panel took legal advice on the possible consequences of determining the case in the absence of the applicant and offered to delay the start of the Hearing to 1015 hours to allow the applicant to attend. Following a further telephone call to the applicant the Panel was advised that he was at Gatwick Airport and unable to attend at the scheduled time.

The Panel gave careful consideration to the report of the Director of Central Services and Monitoring Officer regarding an application for the renewal of a Private Hire Driver's Licence. The Panel was advised that the renewal application had been submitted on 4 September 2012 and that the current licence (12/00950/PHDL), issued on 20 September

2012, would expire on 24 August 2015. Subsequent to the issuing of the current licence information received from the Driving and Vehicle Licensing Agency (DVLA) had revealed that the applicant had 8 points on his Driving Licence and that his UK driving licence had been revoked three times in the last two years. The Panel noted that the applicant had failed to notify the licensing authority of the revocations of his UK Driving Licence and had not disclosed his conviction for motoring offences committed in October and December 2011 on his renewal application.

The Panel expressed great concern about the applicant's inability to reveal all pertinent information and his lack of attendance at the Hearing and unanimously

RESOLVED: That Private Hire Driver's Licence number 12/00950/PHDL be revoked with immediate effect and the applicant be advised accordingly.

The meeting ended at 10.22 am
having commenced at 10.15 am