

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Thursday, 10th July, 2014**

**Present:** Cllr C Brown (Chairman), Cllr Mrs J A Anderson and  
Cllr Mrs C J Woodger

Together with the representatives of the Licensing Authority

**PART 1 - PUBLIC**

**LA 14/50 DECLARATIONS OF INTEREST**

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

**LA 14/51 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 14/52 APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE  
(CASE NO 17/2014)**

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

The Panel gave consideration to the report of the Director of Central Services and Monitoring Officer regarding an application for a Private Hire Driver's Licence. The Panel was advised that, subsequent to the publication of the agenda, information had been received that the applicant was not entitled to work in the UK. The Panel noted that the Disclosure and Barring Service (DBS) enhanced disclosure had shown a Caution for Assault Occasioning Actual Bodily Harm (Offences Against the Person Act 1861 S.47) dated 7 February 2007. The Panel listened carefully to the representations made by the Applicant who gave details of the incident which had led to the receipt of the Caution. He explained that he had not understood that he had been served with the Caution and had not, therefore, realised that this had to be disclosed on his

application. The Panel expressed concern about the applicant's failure to disclose the Caution, his acknowledgement that his ability to understand English was poor and the lack of information about his employment status. The Panel was advised that clarification of the Applicant's employment status had been sought from the Home Office and that the Applicant would be undertaking the 'Knowledge' test in October. The Panel

**RESOLVED:** That, subject to

- (1) providing official evidence that that he is entitled to work in the UK; and
- (2) undertaking and passing the relevant tests,

the Applicant be allowed to apply for a Probationary Private Hire Drivers' Licence.

The meeting ended at 10.52 am  
having commenced at 10.00 am