

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Friday, 27th March, 2015**

**Present:** Cllr Mrs F A Kemp (Chairman), Cllr Mrs P Bates and  
Cllr Mrs C J Woodger

Together with representatives of the Licensing Authority.

**PART 1 - PUBLIC**

**LA 15/24 DECLARATIONS OF INTEREST**

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

**LA 15/25 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 15/26 APPLICATION FOR A PROBATIONARY PRIVATE HIRE DRIVER'S  
LICENCE - CASE NO 5/2015**

**(Reason: LGA 1972 Sch 12A Paragraph 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 Probationary Private Hire Driver's Licence following receipt of information from the Disclosure and Barring Service (DBS).

The Panel listened carefully to the representations made by the Applicant, had regard to the report of the Director of Central Services and made the following findings:-

1. The Panel noted that the Tonbridge and Malling Borough Council Hackney Carriage and Private Hire Licensing Policy stated that, where offences of fraud had been committed, an application would normally be refused if made within 4 years of conviction;

2. It was noted that the relevant convictions were on 9 June 2011 and 13 February 2013; and
3. However the Panel was satisfied that the reasons given by the Applicant in relation to those offences were plausible. In particular the Panel believed that upon his arrival in the United Kingdom the Applicant was in a vulnerable position.

For these reasons the Panel therefore

**RESOLVED:** That the Applicant be Granted a Probationary Private Hire Driver's Licence with Tonbridge and Malling Borough Council subject to

- (1) the Applicant attending a tri-monthly review during the six month probationary period; and
- (2) the Applicant completing the six month probationary period in order to gain more experience of driving in the area before applying for a Hackney Carriage Driver's Licence.

The meeting ended at 12.54 pm  
having commenced at 12.25 pm