

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Tuesday, 2nd June, 2015

Present: Cllr Mrs P A Bates (Chairman), Cllr H S Rogers and Cllr M Taylor

Councillor R Roud was also in attendance as an observer for training purposes.

Together with representatives of the Licensing Authority.

PART 1 - PUBLIC

LA 15/45 DECLARATIONS OF INTEREST

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

LA 15/46 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 15/47 REVIEW OF PRIVATE HIRE OPERATOR LICENCE – CASE NO 08/2015

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

The Panel was invited to consider whether there were grounds for the suspension or revocation of Private Hire Operator's Licence Number 13/01177/OPER following the receipt of information in respect of how the Private Hire Operator advertised and secured passengers through multiple websites with a wide range of trading names.

The Panel had regard to the report of the Director of Central Services and Monitoring Officer and listened carefully to the representations made by the Private Hire Operator. The Panel found that

1. The Panel was concerned that the way the Private Hire Operator

operated his business meant that he was unable to provide a prompt, efficient and reliable service to members of the public, which was one of the conditions of being a Private Hire Operator.

2. The Panel was minded to suspend the licence but decided to give the Private Hire Operator the opportunity to change his business model by cutting down the number of websites and making the identity of his company name more obvious when advertising his services.
3. The Panel was concerned that the potential geographic reach of the numerous web sites was stretching the Private Hire Operator's resources too thinly with having only three licensed vehicles on his Operator's Licence.
4. The Panel was also concerned about the process used for on line bookings and, whilst the Panel accepted that the Private Hire Operator was not responsible for the operation of the "Taxicode" service, it remained his responsibility to ensure that his own operation was reliable.
5. The Panel had asked the Licensing and Community Safety Manager to monitor this situation and any further complaints may result in the Private Hire Operator being called before a future Licensing Panel.

For these reasons, the Panel therefore

RESOLVED: That no further action be taken in respect of Private Hire Operator's Licence Number 13/01177/OPER at this time.

The meeting ended at 2.10 pm
having commenced at 12.30 pm