

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Wednesday, 29th July, 2015**

**Present:** Cllr Mrs J A Anderson (Chairman), Cllr M A Coffin and Cllr H S Rogers

Councillors M C Base and Mrs B A Brown were also present as observers for training purposes.

Together with representatives of the Licensing Authority.

**PART 1 - PUBLIC**

**LA 15/56 DECLARATIONS OF INTEREST**

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

**LA 15/57 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 15/58 APPLICATION FOR PROBATIONARY PRIVATE HIRE DRIVER'S LICENCE - CASE NO 13/2015**

**(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 the 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 violence had been committed, an application would normally be refused if made within 4 years of conviction.

2. It was noted that the relevant Caution was on the 15 September 2011.
3. It was noted that Tonbridge and Malling Borough Council had no specific policy as to how to approach Public Order offences of this nature (Public Order Act 1986 S.4A(1)).
4. The Panel took into consideration the events leading up to the Caution and noted the explanation given by the Applicant.

The Panel considered the “fit and proper” test to hold a driver’s licence as documented within the terms of the Hackney Carriage and Private Hire Licensing Policy, noted that the Applicant had applied for a Probationary Private Hire Driver’s Licence and that he had the support of a Mentor at the company at which he would be employed.

For these reasons, the Panel therefore

**RESOLVED:** That the application for a Probationary Private Hire Driver’s Licence be APPROVED for a period of six months.

The meeting ended at 11.14 am  
having commenced at 10.47 am