

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Wednesday, 18th November, 2015

Present: Cllr M A Coffin (Chairman), Cllr Mrs J A Anderson and Cllr R V Roud

Together with representatives of the Licensing Authority

PART 1 - PUBLIC

LA 15/102 DECLARATIONS OF INTEREST

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

LA 15/103 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 15/104 APPLICATION FOR THE RENEWAL OF A HACKNEY CARRIAGE DRIVER'S LICENCE - CASE NO 24/2015

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

Consideration was given to the report of the Director of Central Services and Monitoring Officer regarding an application for the renewal of a Hackney Carriage Driver's Licence by the holder of a Dual Driver's Licence following the receipt of information from the Disclosure & Barring Service (DBS). The Applicant was the holder of a Dual Driver's Licence for Hackney Carriage and Private Hire (Badge number 1772) and wished to renew his badge for a Hackney Carriage Driving Licence only.

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 the requirements of the Tonbridge & Malling Borough Council Hackney Carriage and Private Hire Licensing Policy and in particular the relevance of previous convictions or cautions for Common Assault.
2. The Panel took into consideration the information provided by the Police on the Disclosure and Barring Service (DBS) certificate regarding a Caution for Common Assault received on 17 March 2014. However, the Panel had regard to the explanation offered by the Applicant as to the circumstances of the incident when the Common Assault had taken place and noted that immediately after the incident had occurred, the Applicant had taken steps to remove himself from the situation, by resigning as a bus driver. The Applicant had been a licensed driver for 10 years and had no other previous issues. The Panel also accepted that the Applicant had learned from the episode.

For these reasons, the Panel therefore

RESOLVED: That the application for a Hackney Carriage Driver's Licence be GRANTED.

The meeting ended at 11.28 am
having commenced at 11.00 am