

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Wednesday, 24th February, 2016

Present: Cllr Mrs J A Anderson (Chairman), Cllr Mrs B A Brown and
Cllr R V Roud

Together with representatives of the Licensing Authority

PART 1 - PUBLIC

LA 16/7 DECLARATIONS OF INTEREST

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

LA 16/8 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 16/9 REVIEW OF A DUAL HACKNEY CARRIAGE AND PRIVATE HIRE
DRIVER'S LICENCE (CASE NO 03/2016)**

**(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 the review of the holder of a current Dual Hackney Carriage and Private Hire Driver's Licence following receipt of a formal complaint from a member of the public alleging that the licence holder had overcharged for a journey between Tonbridge and Tunbridge Wells.

The Panel had regard to the evidence presented by the licence holder, the written report of the Director of Central Services, evidence presented by the Licensing and Community Safety Manager and the Tonbridge and Malling Borough Council Hackney Carriage and Private Hire Licensing Policy. The Panel was advised that, due to an accident on the A21 on

the date of the alleged incident, the road had been closed. This evidence was confirmed by reference to the BBC News website dated 2 January 2016. The Panel took into account the delay of about half an hour additional waiting time due to heavy traffic caused by the accident as well as the additional mileage arising from the driver having to divert his route. The Panel noted that this delay and additional mileage appeared to equate to the fare charged. The Panel asked that the Licensing and Community Safety Manager examine the vehicle's meter and the licence holder assured the Panel that the meter automatically set the fare depending on the time of day.

For these reasons the Panel therefore

RESOLVED: That

- (1) no basis was found on which to uphold the complaint; and
- (2) the Driver be required to have his current meter re-calibrated and to obtain a calibration certificate.

The meeting ended at 11.31 am
having commenced at 10.37 am