

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Friday, 10th June, 2016

Present: Cllr Mrs J A Anderson (Chairman), Cllr Mrs P A Bates and Cllr M Taylor

Together with representatives of the Licensing Authority.

PART 1 - PUBLIC

LA 16/52 DECLARATIONS OF INTEREST

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

LA 16/53 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 16/54 APPLICATION FOR RENEWAL OF A PRIVATE HIRE DRIVER'S LICENCE - CASE NO 10/2016

(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 an application for the renewal of a Private Hire Driver's licence following the receipt of information from the Disclosure and Barring Service (DBS).

The Panel listened carefully to the information provided by the Applicant, had due regard to the report of the Director of Central Services and to the Tonbridge and Malling Borough Council Hackney Carriage and Private Hire Policy and made the following findings:-

1. The Panel noted that the Applicant had been convicted of two offences of failing to stop and failing to report an accident contrary

to s.170(4) of the Road Traffic Act 1988. The panel accepted that the fines imposed were at the bottom end of the scale and that the Applicant had not been required to pay any compensation.

2. The Panel noted that the Applicant had been a driver for 14 years. The Panel was pleased to note that the Applicant had disclosed her convictions on her application form although she had not immediately (i.e. within 72 hours) notified the licensing authority of them.
3. In the circumstances the Panel felt that the Applicant posed no risk to the public, was a fit and proper person and therefore, was prepared to renew the licence.

For these reasons the Panel, therefore,

RESOLVED: That the application for the renewal of the Private Hire Driver's Licence be GRANTED under s.51 of the Local Government (Miscellaneous Provisions) Act 1976 on the basis that the Applicant was a fit and proper person to hold the licence.

The meeting ended at 1.05 pm
having commenced at 12.30 pm