

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Wednesday, 26th April, 2017

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

Together with representatives of the Licensing Authority

PART 1 - PUBLIC

LA 17/18 DECLARATIONS OF INTEREST

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

LA 17/19 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 17/20 APPLICATION FOR A PROBATIONARY PRIVATE HIRE DRIVER'S LICENCE - CASE NO 06/2017

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

The Panel delayed the start of the meeting to allow the Applicant to attend but he failed to arrive. In the absence of the Applicant the Panel was asked to consider whether an application for a Probationary Private Hire Driver's Licence should be approved following the presentation of evidence that he had driven a licensed hackney carriage vehicle to the Council's offices at Kings Hill on 9 November 2016.

The Panel was advised that the Applicant had contravened s47 and s52 of the Town Police Clauses Act 1847 by driving a hackney carriage without a hackney carriage driver's licence and for failing to display a hackney carriage plate. Additionally, the Applicant had breached the Council's Policy Requirements by driving with no insurance or inadequate insurance for the vehicle.

The Panel had due regard to the report of the Director of Central Services but, in the absence of the Applicant, was unable to take into account any explanation or extenuating circumstances regarding his actions. The Panel therefore

RESOLVED: That the application for a Probationary Private Hire Driver's Licence be REFUSED on the basis that the Applicant was not a fit and proper person to hold the licence.

The meeting ended at 10.43 am
having commenced at 10.15 am