

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Friday, 28th July, 2017

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

Councillor D Keers was also present pursuant to Council Procedure Rule No 15.21.

Together with representatives of the Licensing Authority.

PART 1 - PUBLIC

LA 17/39 DECLARATIONS OF INTEREST

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

LA 17/40 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 17/41 REVIEW OF A DUAL DRIVER'S LICENCE FOR HACKNEY CARRIAGE AND PRIVATE HIRE - CASE NO 09/2017

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

The Panel was to consider whether any action should be taken in respect of the holder of a Dual Driver's Licence for Hackney Carriage and Private Hire (Badge number 1699) following the receipt of information from Kent County Council Transport Integration (School Contracts Team) that the Driver had failed to comply with the terms of the contract and had used an unlicensed vehicle.

The Panel had regard to the report of the Director of Central Services, listened carefully to the Driver's explanation of the circumstances of the events which occurred on 28 April 2017 and accepted his explanation

that he had undertaken the journey in a private capacity. In addition the Panel had regard to the advice provided to the Licensing Officer by KCC's Transport Intergration Manager by telephone regarding the invoicing procedure for School Run contracts. The Panel took the opportunity to remind the Driver that journeys for hire or reward must be carried out in a licensed vehicle. The Panel, therefore

RESOLVED: That no action be taken against the holder of Dual Driver's Licence (Badge number 1699) as he had acted in a private capacity and not as a licensed Hackney Carriage or Private Hire Driver.

The meeting ended at 1.05 pm
having commenced at 12 noon