

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Friday, 5th April, 2019**

**Present:** Cllr O C Baldock (Chairman), Cllr Mrs S M Barker and  
Cllr Mrs B A Brown

Together with representatives of the Licensing Authority

**PART 1 - PUBLIC**

**LA 19/27 DECLARATIONS OF INTEREST**

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

**LA 19/28 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 PART 3 OF THE CONSTITUTION  
(RESPONSIBILITY FOR COUNCIL FUNCTIONS)**

**LA 19/29 APPLICATION FOR RENEWAL OF A PRIVATE HIRE DRIVER'S  
LICENCE - CASE NO 05/2019**

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

The Panel was asked to consider whether an application for the renewal of a Private Hire Driver's Licence should be granted under s.61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976 following the receipt of information from the Disclosure and Barring Service (DBS). It was noted that the Applicant, in submitting his renewal application on 6 December 2018, had declared the receipt of a caution on 9 June 2018 for Racially/Religiously Aggravated Harassment/Alarm/Distress by Words/Writing on 29 April 2018 (Crime and Disorder Act 1998).

The Panel had due regard to the report of the Director of Central Services, the DBS Certificate produced by the Applicant, the sections of the Tonbridge and Malling Borough Council Hackney Carriage and

Private Hire relating to the Disclosure and Barring Service check, assessment of 'Fit and Proper Person' and the relevance of previous convictions, together with the Institute of Licensing Guidance on determining the suitability of applicants.

The Panel, having considered the facts and listened to the circumstances of the DBS statement, found that the Applicant was a fit and proper person to hold a Private Hire Driver's Licence and, therefore,

**RESOLVED:** That the application for the renewal of a Private Hire Driver's Licence be GRANTED.

The meeting ended at 11.33 am  
having commenced at 11.06 am