

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Monday, 27th June, 2022**

**Present:** Cllr Mrs F A Kemp (Chair), Cllr D W King and Cllr R V Roud.

An apology for absence was received from Councillor M A Coffin.

**PART 1 - PUBLIC**

**LAP 22/13 DECLARATIONS OF INTEREST**

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

**LAP 22/14 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**

**LAP 22/15 REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE (DUAL) DRIVER'S LICENCE - CASE NO. 004/2022**

The Licensing and Appeals Committee, sitting as a Panel, was asked to consider whether a Private Hire and Hackney Carriage licence holder had failed to comply with any provision of Part II of the Local Government (Miscellaneous Provisions) Act 1976 or if there was any other reasonable cause why they should suspend or revoke their Private Hire and Hackney Carriage licence following a complaint received from a member of the public stating that the driver refused to take a passenger and their assistance dog.

The Panel had regard to the report of the Director of Central Services and Deputy Chief Executive and the Council's Taxi and Licensing Enforcement Policy.

In its deliberations the Panel took into account all the information given to them and having listened to the driver's explanation, the Panel continued to believe that the driver knowingly refused to carry a passenger with an assistance dog and additionally, drove away without explanation. Furthermore, the Panel felt that the driver showed no

remorse for their actions.

For these reasons, the Panel

**RESOLVED:** That in respect of Case Number 004/2022, the driver's Hackney Carriage and Private Hire (Dual) Driver's Licence be suspended for a period of one week; and that three penalty points be imposed onto the Hackney Carriage and Private Hire drivers' licence for a period of two years.

The meeting ended at 11.13 am  
having commenced at 10.24am