

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

MINUTES

Monday, 21st November, 2022

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

PART 1 - PUBLIC

LAP 22/40 DECLARATIONS OF INTEREST

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

LAP 22/41 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 22/42 REVIEW OF PRIVATE HIRE DRIVER'S LICENCE - CASE NO. 011/2022

The Licensing and Appeals Committee, sitting as a Panel, was asked to consider whether any action was appropriate in respect of a Private Hire licence holder following the offence of using a handheld mobile phone whilst driving.

The report of the Director of Central Services and Deputy Chief Executive advised that the driver had submitted a renewal form to the Licensing Officer and that a DVLA check on his Drivers Licence had showed that he had been issued with 6 penalty points in May 2022. The Panel listened to the driver's explanation that he was only using his mobile phone for work purposes and just touched it to accept a job from his operator.

In its deliberations the Panel took into account the Council's Taxi and Licensing Enforcement Policy, as well as the Institute of Licensing guidance on determining the suitability of applicants and licensees in the

hackney carriage and private hire trade. The Panel took very seriously the use of mobile phones whilst driving, particularly by those transporting members of the public.

For this reason, the panel

RESOLVED: That in respect of Case Number 011/2022, the Private Hire Driver's licence be suspended for a period of one month.

The meeting ended at 10.30am
Having commenced at 10.00am