

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**MINUTES**

**Friday, 28th February, 2025**

**Present:** Cllr C Brown (Chair), Cllr B Banks and Cllr R V Roud

Together with representatives of the Licensing Authority.

**PART 1 - PUBLIC**

**LAP 25/4 DECLARATIONS OF INTEREST**

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

**LAP 25/5 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 25/6 REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE - CASE 001/2025**

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

The Licensing and Appeals Committee, sitting as a Panel was asked to consider whether to renew a private hire driver's licence under s. 61 of the Local Government (Miscellaneous Provisions) Act 1976.

The driver was reported to the Panel following their application to renew their licence because a DVLA check on their driver's licence revealed that they had been issued with a total of 14 points for five separate speeding offences of S30 (exceeding statutory speed limit on a public road). Additionally, the driver had not reported their convictions for these offences to the Licensing Authority between November 2021 and January 2024.

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 decided not to renew the driver's licence for the following reasons:

- (1) the driver had a consistent history of exceeding the speed limit. They currently had 14 points on their licence, but previously it had been as high as 17 points, so they did not appear to have learnt their lesson about speeding;
- (2) on their application form for renewal, they failed to notify Tonbridge and Malling Borough Council as the Licensing Authority of all their convictions; and
- (3) the driver had breached the conditions of their licence by failing to notify the Licensing Authority within seven days or at all of their convictions for these offences.

In reaching its decision, the Panel took into account the decision of the Magistrates Court at the drivers' most recent hearing, the documents submitted to the Panel and everything that was said at the Panel hearing, the Council's Licensing Policy and the Institute of Licensing's Guidance on the Suitability of Applicants in the Hackney Carriage and Private Hire Trade.

**RESOLVED:** That, in respect of Case Number 001/2025, the renewal of the Private Hire Driver's licence be REFUSED.

The meeting ended at 11.09 am  
Having commence at 10.00 am