

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Monday, 28th April, 2025

Present: Cllr R V Roud (Chair), Cllr K S Tunstall and Cllr C J Williams.

PART 1 - PUBLIC

LAP 25/16 DECLARATIONS OF INTEREST

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

LAP 25/17 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 25/18 REVIEW OF A PRIVATE HIRE AND HACKNEY CARRIAGE (DUAL) DRIVERS LICENCE - CASE 002/2025

The Licensing and Appeals Committee, sitting as a Panel, considered whether any action was required in respect of a holder of a private hire and hackney carriage (Dual) driver's licence, following a complaint received from Kent County Council School Transport Inspectors.

The driver was issued 12 penalty points for P3 – Failure to ensure the safety of passengers after they used a vehicle for a school run without a valid hackney carriage licence.

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.

Section 15.1.9 states that:

'Where a driver, proprietor or operator attains more than 12 penalty points, disciplinary options available to the Licensing and Appeals Panel

will include suspension or revocation of the driver's licence, where appropriate.'

15.1.10 states that:

'If it is felt that the matter does not warrant suspension or revocation of the licence, the period for which the points are to remain 'live' may be extended or a written warning may be issued to the driver as to their future conduct.'

The Panel felt that the driver had been honest with them and recognised that the 12 penalty points issued to the driver on 25 March 2025 would remain on their record for a period of two years.

RESOLVED: That, in respect of Case Number 002/2025, no further action be taken.

The meeting ended at 12.25 pm
Having commenced at 11.33 am