
LICENSING SUB-COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Thursday, 20 April 2017 from 2.00pm - 4.04pm.

PRESENT: Councillors Cameron Beart (Chairman), Tina Booth and Paul Fleming.

OFFICERS PRESENT: Mohammad Bauluck, Philippa Davies, Della Fackrell and Robin Harris.

ALSO IN ATTENDANCE: Mr David Crouch (Witness) and Mr Ajit Singh Dhinsa (Respondent).

1295 FIRE EVACUATION PROCEDURE

The Chairman made sure that those present were aware of the Fire Evacuation Procedure.

1296 NOTIFICATION OF CHAIRMAN AND OUTLINE OF PROCEDURE

The Chairman opened the meeting by introducing the Sub-Committee and the officers present.

1297 DECLARATIONS OF INTEREST

No interests were declared.

1298 EXCLUSION OF THE PRESS AND PUBLIC

Resolved:

(1) That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 2.

- 1. Information relating to any individual.***
- 2. Information which is likely to reveal the identity of an individual.***

1299 REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE.

The Licensing Officer introduced the report which set-out details of obstruction of an authorised officer, by the Respondent, for not providing details of an allegation of fare refusal. The Licensing Officer provided details of the times and frequency that he had corresponded with the Respondent, in order that he could attend an informal meeting with officers to establish the facts of the allegation. The Respondent had been advised that the informal meeting would not be an interview under caution, and that failure to provide officers with a response would be considered as obstruction to an authorised officer under Section 73(1)(a)(b)(c) of the Local Government (Miscellaneous Provisions) Act 1976.

The Licensing Officer drew Members' attention to the Respondent's vehicle registration number which had been incorrectly recorded in the report.

The Senior Lawyer explained that the Sub-Committee's role was to consider the non-response to the allegation by the Respondent, and he stated that the Respondent had been asked formally and informally to respond. He questioned how much more detailed the request from officers could have been for the Respondent to meet with them. He stated that it was clear in the papers that the hearing was not about the allegation against the Respondent, but why he had not responded to the allegation. The Senior Lawyer advised that the incorrect Badge Number noted in the report would be corrected.

The Chairman asked the Respondent to present his case. In response to questions, the Respondent explained that had he been given more details of the complaint, he would have been more informed, prior to him meeting with officers.

Members of the Sub-Committee adjourned to make their decision at 2.52pm. Members of the Sub-Committee, the Senior Lawyer and Democratic Services Officer returned at 4.01pm, when the meeting was re-convened.

The decision, as set out at Appendix 1a to these minutes was announced.

Resolved: That the Respondent's Hackney Carriage Driver's Licence be suspended for a period of one month starting from 12 May 2017 and running to 12 June 2017.

Chairman

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All Minutes are draft until agreed at the next meeting of the Committee/Panel