
LICENSING SUB-COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent ME10 3HT on Tuesday, 27 March 2018 from 3.36pm - 5.35 pm.

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

OFFICERS PRESENT: Mohammad Bauluck, Robin Harris and Jo Millard.

577 FIRE EVACUATION PROCEDURE

The Chairman made sure that those present were aware of the fire evacuation procedure.

578 NOTIFICATION OF CHAIRMAN AND OUTLINE OF PROCEDURE

The Chairman opened the meeting by introducing the Sub-Committee and asked Officers to introduce themselves.

579 DECLARATIONS OF INTEREST

No interests were declared.

Part B Report for the Licensing Sub-Committee to decide

580 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 of Part 1 of Schedule 12A of the Act:

1. Information relating to any individual.

2. Information which is likely to reveal the identity of an individual.

581 REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE

The Licensing Officer introduced the report which sought to consider whether the Respondent, who had accumulated a total of 22 penalty points on their Swale Driving Badge and 7 penalty points on their DVLA driving licence, was a fit and proper person to hold a Taxi Driver's Badge. The Licensing Officer explained that a licensed driver was entitled to have up to 11 penalty points on their Swale Driving Badge and no more than 6 penalty points on their DVLA driving licence before being brought to the Licensing Sub-Committee, and existing licensing badges would be withdrawn if in excess of 6 points were awarded. He highlighted that the Respondent had failed to declare the 7 penalty points on their DVLA driving licence on their application form.

The Chairman asked the Respondent to present their case. The Respondent said that the non-declaration of DVLA penalty points was a genuine mistake when filling out the application form and explained the circumstances. The Respondent's current Employer spoke in support of the Respondent.

Members asked questions and the Licensing Officer explained that the Right of Appeal process was contained in correspondence sent to the Respondent.

Members of the Sub-Committee adjourned to make their decision.

When the meeting was re-convened, the Respondent advised that the Agenda and relevant paperwork had not been received before the meeting.

Adjournment

The meeting was adjourned from 16.40pm to 17:14pm in order to allow time for the Respondent to consider the information in the report.

Members of the Sub-Committee, the Senior Lawyer (Contentious) and the Senior Democratic Services Officer returned to the meeting and the Respondent confirmed that they had considered the information in the report and had no further comment. The decision, as attached as Appendix 1a to these minutes, was announced.

Resolved:

That, as the number of DVLA points on the Respondent's Driver's Licence was contrary to the Swale Borough Council's Hackney Carriage Policy, the Respondent's Hackney Carriage/Private Hire Vehicle Driver's Licence be revoked.

Chairman

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