
LICENSING COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne on Monday 18th July 2005 from 7.00 p.m. to 9.21 p.m.

PRESENT: Councillor Adrian Crowther (Chairman), Councillor Alan Willicombe (Vice-Chairman), Councillors Dave Banks, Barnicott, Bobbin, Simon Clark, Mick Constable, Sandra Garside, Brenda Hammond, Harrison, Gerry Lewin, Anita Walker, Woodland and John Wright.

ALSO IN ATTENDANCE: The Driver who was the subject of Agenda Item No. 4, the Driver who was the subject of Agenda Item No. 5 and his representative.

OFFICERS PRESENT: Messrs Hawkins, MacKenzie, Planner and Spiers.

APOLOGY FOR ABSENCE: Councillor Prescott.

161 **MINUTES**

The Minutes of the Meeting held on the 24th January 2005 (Minute Nos. 536-537) were taken as read, confirmed and signed by the Chairman as a correct record.

'B' MINUTES FOR INFORMATION

162 **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

RESOLVED *That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the Act.*

163 **APPEAL AGAINST THE SUSPENSION OF HACKNEY CARRIAGE DRIVERS LICENCE**

The Head of Technical Services submitted a report asking Members to consider whether a Driver's Hackney Carriage Drivers Licence should be suspended in circumstances where he had contravened a licence condition by flying the flag of St George from his taxi in June 2004, following which the Drivers Hackney Carriage Licence had been suspended for seven days. The Head of Technical Services reported that the Driver had already served two days of his suspension.

The Driver spoke against the suspension of his Hackney Carriage Drivers Licence.

Members asked a number of questions about the case which the Driver, the Senior Solicitor, the Head of Technical Services and the Hackney Carriage Inspector answered.

The Chairman requested that the driver withdrew from the meeting so that Members and Officers could discuss the appeal in private. Upon reaching a decision, the Driver returned to the meeting and the Chairman announced the decision of the Committee.

A Member left the meeting during consideration of this case.

RESOLVED That under Section 61, Sub-Section (1)(B) of the Local Government (Miscellaneous Provisions) Act 1976 there is considered to be a reasonable cause for the suspension of the Drivers Hackney Carriage Drivers Licence for a further five days, as two days had already been served, as the flag of St. George had been flown by the driver in contravention of the Council's conditions.

● HTS

164 **APPEAL AGAINST THE REVOCATION OF HACKNEY CARRIAGE DRIVERS LICENCE**

The Head of Technical Services submitted a report asking Members to consider whether a Driver's Hackney Carriage Drivers Licence should be revoked in circumstances where he had accrued more than six points on his DVLA Drivers Licence.

A representative spoke in support of the Driver.

Three letters in support of the Driver were tabled at the meeting.

Members asked a number of questions about the case which the Driver, the Senior Solicitor, the Head of Technical Services and the Hackney Carriage Inspector answered.

A Member left the meeting during consideration of this case.

RESOLVED That under Section 61, Sub-Section (1)(B) of the Local Government (Miscellaneous Provisions) Act 1976 there was considered to be reasonable cause for the suspension of the Drivers Hackney Carriage Drivers Licence for 28 days.

● HTS

Chairman

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