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## LICENSING SUB-COMMITTEE

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Monday, 31 October 2016 from 2.30 - 3.10 pm.

**PRESENT:** Councillors Cameron Beart, Paul Fleming (Chairman) and Prescott.

**OFFICERS PRESENT:** Mohammad Bauluck, Tom Dunn, Robin Harris and Kellie MacKenzie.

**ALSO IN ATTENDANCE:** Councillors Tina Booth, Roger Clark and Nicholas Hampshire.

### 974 FIRE EVACUATION PROCEDURE

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

### 975 NOTIFICATION OF CHAIRMAN AND OUTLINE OF PROCEDURE

The Chairman opened the meeting by introducing the Sub-Committee and the officers present. He then outlined the procedure that would be followed.

### 976 DECLARATIONS OF INTEREST

No interests were declared.

### 977 EXCLUSION OF 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.***

### 978 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 16 penalty points on their Swale Driving Badge, 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, and as soon as they reached 12 or more points, the driver would be brought to the Licensing Sub-Committee for a review of their licence.

The Licensing Officer detailed the incidents at which the Respondent had accumulated penalty points:

- 2 points for failure to notify a change of address;
- 4 points for Code of Conduct;
- 4 points for failure to wear badge; and
- 6 points for failure to wear badge.

The Chairman asked the Respondent to present their case and Members asked questions. The Respondent outlined the circumstances of each of the occasions where penalty points had been awarded.

In response to a question from a Member, the Licensing Officer advised that replacement lanyards were available from the main reception at Swale House. He noted that this was not possible out-of-hours, however the Respondent had a responsibility to wear a badge at all times, and if this was not possible they should not be working until a replacement was found.

Members of the Sub-Committee adjourned to make their decision at 2.39 pm. Members of the Sub-Committee, the Senior Lawyer and Democratic Services Officer returned at 3.07 pm, when the meeting was re-convened.

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

***Resolved: That the Respondent's Hackney Carriage Driver's Licence not be suspended and a formal warning be given.***

Chairman

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