
LICENSING SUB-COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Monday, 24 July 2017 from 3.30 pm - 4.16 pm.

PRESENT: Councillors Cameron Beart (Chairman), Tina Booth and Anita Walker.

OFFICERS PRESENT: Mohammad Bauluck, Della Fackrell, Robin Harris and Kellie MacKenzie.

APOLOGY: Councillor Roger Clark.

134 FIRE EVACUATION PROCEDURE

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

135 CHANGE OF MEMBERSHIP

A change to the membership was announced and the membership of this sub-Committee was as follows: Councillors Cameron Beart (Chairman), Tina Booth and Anita Walker.

136 NOTIFICATION OF CHAIRMAN AND OUTLINE OF PROCEDURE

The Chairman opened the meeting by introducing the Sub-Committee and asking officers to introduce themselves.

137 DECLARATIONS OF INTEREST

No interests were declared.

138 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.

139 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 18 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:

- 6 points for failure to wear a badge;
- 6 points for smoking cigarettes whilst sitting in a licensed vehicle; and
- 6 points for non-compliance of the dress code.

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 query from a Member, the Licensing Officer advised that the Respondent had held a license for 8 years.

The Senior Lawyer (Contentious) clarified the Respondent's understanding of the need to wear a badge in a licensed vehicle. The Respondent was reminded that littering was a criminal offence.

Members of the Sub-Committee adjourned to make their decision at 3.45pm. Members of the Sub-Committee, the Senior Lawyer and Democratic Services Officer returned at 4.05pm, and the meeting re-convened at 4.15pm.

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