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## LICENSING SUB-COMMITTEE

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**MINUTES** of the Meeting held in the Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Monday, 28 January 2019 from 3.10pm - 3.55pm.

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

**OFFICERS PRESENT:** Robin Harris, Chris Hills, Kellie MacKenzie and Mark Reynolds.

### 465 EMERGENCY EVACUATION PROCEDURE

The Chairman ensured that those present were aware of the emergency evacuation procedure.

### 466 NOTIFICATION OF CHAIRMAN AND OUTLINE OF PROCEDURE

The Chairman opened the meeting.

### 467 DECLARATIONS OF INTEREST

No interests were declared.

### 468 EXCLUSION OF THE PRESS AND PUBLIC

**Resolved:**

***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 Schedule 12A of the Act:***

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

### 469 REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE

The Chairman reported that the Respondent was not present and asked Members if they were happy to proceed with the hearing. The Licensing Officer confirmed that the Respondent had been given sufficient notice in writing of the hearing date. The Sub-Committee agreed to continue with the hearing.

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 Driver's Badge, was a fit and proper person to hold a Swale Dual Taxi Driver's Licence.

The Licensing Officer detailed the incidents at which the Respondent had accumulated 16 points, as below:

- 6 points for making a false declaration on an application for renewal of a Hackney Carriage/Private Hire Driver's Licence – failure to disclose a Police Caution dated 23 December 2017; and
- 10 points for unsatisfactory behaviour or conduct of a driver including failing to behave in a civil and orderly manner to both the public, authorised officers or to other drivers.

In response to queries from Members, the Licensing Officer stated that with regard to DBS checks, these are looked at on a case-by-case basis, and some offences may be considered more serious than others. The Licensing Officer was unsure whether the Respondent had points when they applied for their first licence in 2012.

Members of the Licensing Sub-Committee made their decision, which is attached as Appendix I to these minutes.

***Resolved: That the Respondent's Hackney Carriage and Private Hire Dual Driver's Licence be suspended for a period of 14 days.***

Chairman

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