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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 Tuesday, 18 February 2020 from 10.00 - 11.00 am.

**PRESENT:** Councillors Derek Carnell (Chairman), Roger Clark and Lee McCall.

**OFFICERS PRESENT:** Mohammad Bauluck, Sarah Beasley, Robin Harris and Kellie MacKenzie.

**ALSO IN ATTENDANCE:** Councillor Richard Palmer (Cabinet Member for Community).

### **526 EMERGENCY EVACUATION PROCEDURE**

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

### **527 NOTIFICATION OF CHAIRMAN AND OUTLINE OF PROCEDURE**

The Chairman opened the meeting and asked those present to introduce themselves.

### **528 DECLARATIONS OF INTEREST**

No interests were declared.

### **529 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 an individual.***
- 2. Information which is likely to reveal the identity of an individual.***

### **530 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 20 penalty points on their Swale Driver's Badge, was a fit and proper person to hold a Swale Hackney Carriage/Private Hire Dual Driver's Licence.

The Licensing Officer detailed the incidents at which the Respondent had accumulated 20 penalty points:

- Ten penalty points – driving the wrong way on a one-way street; and
- ten penalty points – failure to ensure the safety of passengers.

The Chairman read-out a letter received on behalf of the Respondent from their employer which stated that the Respondent had five years' experience with them and there were no records of complaint received. They further stated that the Respondent was punctual and hard working.

The Chairman asked the Respondent to present their case, and they were asked questions. The Respondent stated that what had been said was correct. The Respondent apologised and said that they understood that they had a duty of care to their passengers.

Members of the Licensing Sub-Committee, the Contentious Team Leader, the Lawyer - Contentious, and the Democratic Services Officer adjourned at 10.15am to make their decision.

Members of the Sub-Committee, the Contentious Team Leader, the Lawyer – Contentious and the Democratic Services Officer returned to the meeting at 10.45am and the decision, attached as Appendix I to these minutes was announced.

***Resolved: That the Respondent's Swale Hackney Carriage/Private Hire Dual Driver's Licence not be suspended, but a warning be given.***

Chairman

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