
LICENSING SUB-COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Tuesday, 18 February 2020 from 11.30am - 12.11pm.

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).

531 EMERGENCY EVACUATION PROCEDURE

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

532 NOTIFICATION OF CHAIRMAN AND OUTLINE OF PROCEDURE

The Chairman opened the meeting.

533 DECLARATIONS OF INTEREST

No interests were declared.

534 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.***

535 REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE

The Licensing Officer reported that the Respondent had sent their apologies and were not able to attend the hearing due to ill-health. She asked Members if they wished to adjourn the meeting or whether they were happy to proceed. 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 14 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 14 points, as below:

- Four points – failure to give reasonable assistance with a passengers luggage; and
- Ten points – not taking the passenger to the agreed destination and potentially putting them at risk.

The Lawyer – Contentious asked how the Respondent had responded to the allegations. The Licensing Officer stated that the Respondent did not seem to realise that they were putting the passenger at risk and could see no issue with what they had done. The Licensing Officer explained that the Respondent had been shocked and upset to learn the seriousness of the complaint and that they may have to attend a Licensing Sub-Committee. The Licensing Officer considered that it had been a “wake-up call” for the Respondent to look at their behaviour.

Members of the Sub-Committee, the Contentious Team Leader, the Lawyer – Contentious and the Democratic Services Officer adjourned at 11.40am 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 12.10pm. The decision is attached as Appendix I to these minutes.

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