
LICENSING SUB-COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Thursday, 31 August 2023 from 10.30 am - 11.09 am.

PRESENT: Councillors Derek Carnell (Chair), Carole Jackson and Tony Winckless.

OFFICERS PRESENT: Billy Attaway, Mohammad Bauluck and Helen Ward.

230 EMERGENCY EVACUATION PROCEDURE

The Chair outlined the emergency evacuation procedure.

231 NOTIFICATION OF CHAIR AND OUTLINE OF PROCEDURE

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

232 DECLARATIONS OF INTEREST

No interests were declared.

233 EXCLUSION OF 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.*

234 REVIEW OF A HACKNEY CARRIAGE LICENCE

The Licensing Officer introduced the report which sought to consider whether the Respondent, who had accumulated a total of 24 Swale penalty points on their Swale Borough Council (SBC) Dual Hackney Carriage/Private Hire Drivers Licence, was a 'fit and proper person' for the purposes of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, and in particular whether any further enforcement action should be taken in respect of either licence.

The Licensing Officer detailed the incidents at which the Respondent had accumulated 24 SBC penalty points which were:

- 12 points – making a false statement or withholding information to obtain a hackney carriage private hire driver's licence.
- 12 points – failure to disclose an offence, conviction, prosecution or cautions within seven days.

The Chair asked the Respondent to present their case, and they were asked questions.

The Respondent gave a prepared statement on the reasons for the penalty points.

Members of the Sub-Committee adjourned at 10:50 am to make their decision.

Members of the Sub-Committee, the Lawyer (Contentious) and the Democratic Services Officer returned to the meeting at 11:08 am and the decision, attached as Appendix I to these minutes, was announced.

Resolved:

- (1) That the Respondent's SBC Dual Hackney Carriage/Private Hire Drivers Licence be renewed without the existing penalty points being applied.***

Chair

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