
LICENSING SUB-COMMITTEE

MINUTES of the Virtual Meeting held Via Skype on Monday, 24 August 2020 from 10.07am - 10.39am.

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

OFFICERS PRESENT: Sarah Beasley, Philippa Davies, Chris Hills and Kellie MacKenzie.

47 NOTIFICATION OF CHAIRMAN AND OUTLINE OF PROCEDURE

The Chairman explained that the Cabinet meeting would be conducted in accordance with the Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No. 392.

In welcoming all Members, the Chairman explained which officers were in attendance.

48 DECLARATIONS OF INTEREST

No interests were declared.

49 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.***

50 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 12 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 explained that the Respondent had accumulated 12 points in July 2020 for failing to notify Swale Borough Council within 14 days, of 9 DVLA penalty points which had been imposed in September 2019 for driving without due care and attention following an incident in March 2019.

The Chairman invited the Respondent to present their case.

The Respondent explained that they were not initially aware that they had 9 DVLA points on their licence due to a miscommunication. The Respondent stated that in 22 years service as a Hackney Carriage driver they had never had any complaints against them.

The Chairman invited Members were invited to ask questions.

In response to questions from Members, the Respondent detailed the incident that had occurred in March 2019. The Respondent explained that their employer had informed the Council of the incident, and this was confirmed by the Licensing Officer.

In summing-up the Respondent stated that they deeply regretted the initial incident which had led to the penalty points.

Members of the Sub-Committee, the Senior Lawyer (Contentious) and the Democratic Services Officer adjourned at 10.25am to make their decision.

Members of the Sub-Committee, the Senior Lawyer (Contentious) and the Democratic Services Officer returned to the meeting at 10.37am. 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 written warning be given.

Chairman

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