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LICENSING SUB-COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Wednesday, 15 September 2021 from 11.43 am - 12.22 pm.

PRESENT: Councillors Derek Carnell, Lee McCall and Tony Winckless.

OFFICERS PRESENT: Billy Attaway, Robin Harris, Chris Hills and Kellie MacKenzie.

281 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the Emergency Evacuation Procedure.

282 NOTIFICATION OF CHAIRMAN AND OUTLINE OF PROCEDURE

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

283 DECLARATIONS OF INTEREST

No interests were declared.

Part B Minutes for Information

284 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 the Schedule 12A of the Act:

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

285 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 Borough Council Dual Hackney Carriage/Private Hire drivers' licence, was a fit and property person to continue as a driver.

The Licensing Officer detailed the incidents at when the Respondent had accumulated 12 Swale Borough Council penalty points, as below:

- 2 points - failure to notify the Council of DVLA penalty points within 14 days:
and

- 10 points - giving false information on a hackney carriage licence application.

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

Members of the Licensing Sub-Committee adjourned at 11.52 am to make their decision.

Members of the Sub-Committee, the Contentious Team Leader and the Democratic Services Officer returned to the meeting at 12.20 pm and the decision, attached as Appendix I to these minutes, was announced.

Resolved: That the Respondent's Swale Borough Council Dual Hackney Carriage/Private Hire Drivers' Licence be granted, but a warning be given.

Chairman

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

Licensing Sub-Committee 15 September 2021 11.30am

Case 2/2021

The Licensing Sub-Committee was asked to determine whether this Respondent was a fit and proper person to continue as a Hackney Carriage/Private Hire Dual Driver against the background of them accumulating a total of 12 penalty points on their Swale Driver's Licence.

The Sub-Committee heard from the Licensing Officer that the Respondents DVLA Driving Licence had been endorsed with three penalty points and that this information had not been passed to the Licensing Department and further on application for renewal of the Swale Driver's Licence the matter had not been correctly declared on the form. The Licensing Officer confirmed that the Respondent was immediately contrite and up until this occasion had been in possession of a clean Swale Drivers Licence.

The Sub-Committee heard that the Respondent accepted that they had made a genuine mistake from which they had nothing to gain, the Respondent apologised and confirmed that they would not make the same mistake again.

The Sub-Committee determined that this Respondent does remain a fit and property person to hold a Hackney Carriage/Private Hire Dual Drivers Licence, and that it was appropriate to deal with this matter by way of a written warning.

Chairman:

Councillor Derek Carnell

Date:15 September 2021

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