



Date: 17 December 2018  
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## **LICENSING BOARD**

**3 JANUARY 2019**

A meeting of the Licensing Board will be held at **10.00 am on Thursday, 3 January 2019** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

### **Membership:**

Councillor L Potts (Chairman); Councillors: Dellar (Vice-Chairman), Bambridge, Connor, K Coleman-Cooke, Crow-Brown, Curran, Dennis, J Fairbrass, Johnston, R Potts, Rogers, M Saunders, Tomlinson and Wright

## **A G E N D A**

**Item**  
**No**

**Subject**

1. **APOLOGIES FOR ABSENCE**

2. **DECLARATIONS OF INTEREST**

'To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest Form attached at the back of this Agenda. If a Member declares an interest, they should complete that form and hand it to the Officer clerking the meeting and then take the prescribed course of action.'

3. **MINUTES OF PREVIOUS MEETING** (Pages 3 - 4)

To approve the Minutes of the Licensing Board meeting held on 20 November 2018, copy attached.

4. **EXCLUSION OF PUBLIC AND PRESS** (Pages 5 - 6)

5. **APPLICATION FOR GRANT OF LICENCE TO DRIVE PRIVATE HIRE VEHICLES**  
(Pages 7 - 10)

6. **APPLICATION FOR GRANT OF LICENCE TO DRIVE PRIVATE HIRE VEHICLES**  
(Pages 11 - 12)

7. **APPLICATION FOR GRANT OF LICENCE TO DRIVE PRIVATE HIRE VEHICLES**  
(Pages 13 - 16)

**Declaration of Interests Form**

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# Public Document Pack Agenda Item 3

## LICENSING BOARD

Minutes of the meeting held on 20 November 2018 at 10.00 am in Council Chamber,  
Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillor Linda Potts (Chairman); Councillors Dellar, Bambridge, Connor, K Coleman-Cooke, Crow-Brown, Curran, J Fairbrass, Johnston, R Potts, Rogers, M Saunders, Tomlinson and Wright

### **432. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Dennis.

### **433. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **434. MINUTES OF PREVIOUS MEETING**

Councillor M Saunders proposed, Councillor Connor seconded and Members agreed the minutes as a correct record of the meeting held on 9 October 2018.

### **435. LICENSING SUB-COMMITTEE MINUTES**

Councillor Tomlinson proposed, Councillor Crow-Brown seconded and Members agreed the Sub-Committee minutes as a correct record of the meeting held on 23 October 2018.

### **436. EXCLUSION OF PUBLIC AND PRESS**

Councillor J Fairbrass proposed, Councillor Johnston seconded and Members agreed:

That the public and press be excluded from the meeting for agenda item 6 as it contains exempt information as defined in Paragraph 4 and 7 of Schedule 12A of the Local Government Act 1972 (as amended).

### **437. LICENCE TO DRIVE PRIVATE HIRE VEHICLES**

Jade Malyn, Licensing Officer introduced the report.

A member asked a question of the Licensing Officer.

The applicant addressed the Board.

Members asked questions of the applicant.

Further to debate, Members agreed:

Having heard from the Applicant, the Licensing Officer and Members, the Sub-Committee consider that the Applicant is a fit and proper person to hold a licence. There were concerns raised about the Applicant managing their anger and therefore, the Sub-Committee decided:

3.2 – To give this person a written warning with regard to their future conduct.

Meeting concluded : 10.25am

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## Exclusion of Public and Press

To: **3 January 2019**

By: **Committee Services Manager**

Classification: **Unrestricted**

Ward: **All**

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**Summary:** This report seeks the Committee's approval to exclude the public and press from the meeting on agenda items as it contains exempt information as defined in Paragraph <<insert paragraph>> of Schedule 12A of the Local Government Act 1972 (as amended).

## For Decision

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### 1.0 Introduction

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential or exempt information would be disclosed.

#### ***Exempt information – discretion to exclude public***

Subject to Article 6 of the Human Rights Act 1998 (right to a fair trial) the public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.

#### ***Meaning of confidential information***

Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

### 2.0 Exempt information

The full rules are set out in Part V and Schedule 12A Local Government Act 1972 (as Amended) and the Relevant Authorities (Standards Committees) Regulations 2001.

### 3.0 Reason for Exempt Item

The report author has classified Agenda Item <<insert number>> as disclosing exempt information under Paragraphs <<insert paragraph numbers here>> of Schedule 12A of the Local Government Act 1972 (as amended) thereby excluding the press and public from the meeting whilst this item is debated.

### 4.0 Corporate Implications

#### 4.1 Financial

There are no direct financial implications.

#### 4.2 Legal

# Agenda Item 4

As per Schedule 12A of the Local Government Act 1972 (as amended).

## 4.3 Corporate

None.

## 4.4 Equity and Equalities

There are no specific equity and equality considerations that need to be addressed in this report.

## 5.0 Recommendation

That the public and press be excluded from the meeting on agenda item <<insert agenda item>> as it contains exempt information as defined in Paragraph <<insert paragraph>> of Schedule 12A of the Local Government Act 1972 (as amended).

## 6.0 Decision Making Process

This Committee must agree the recommendation if the press and public are to be excluded.

Contact Officer:	Glenn Back, Democratic and Scrutiny Manager
Reporting to:	Miles Smith, Acting Head of Legal and Democratic Services

### ***Corporate Consultation Undertaken***

Finance	<i>Sarah Martin, Financial Services Manager</i>
Legal	<i>Peter Reilly, Acting Legal Services Manager and Litigation Solicitor</i>

By virtue of paragraph(s) 4, 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

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## THANET DISTRICT COUNCIL DECLARATION OF INTEREST FORM

### Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

### Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
  - exercises functions of a public nature; or
  - is directed to charitable purposes; or
  - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992

If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the

matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

### **Gifts, Benefits and Hospitality**

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £25 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

### **What if I am unsure?**

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Democratic Services and Scrutiny Manager well in advance of the meeting.

## **DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS, SIGNIFICANT INTERESTS AND GIFTS, BENEFITS AND HOSPITALITY**

MEETING.....

DATE..... AGENDA ITEM .....

DISCRETIONARY PECUNIARY INTEREST

SIGNIFICANT INTEREST

GIFTS, BENEFITS AND HOSPITALITY

THE NATURE OF THE INTEREST, GIFT, BENEFITS OR HOSPITALITY:

.....  
.....  
.....

NAME (PRINT): .....

SIGNATURE: .....

Please detach and hand this form to the Democratic Services Officer when you are asked to declare any interests.