

LICENSING BOARD

Minutes of the meeting held on 14 February 2023 at 10.00 am in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Sam Bambridge (Chair); Councillors Rogers, Currie, Dexter, Huxley, M Saunders, Smith, Wing and Wright

1. APOLOGIES FOR ABSENCE

Apologies were received from the following Members:

Councillor Scobie;
Councillor Dennis;
Councillor Ara;
Councillor Shrubbs.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF PREVIOUS MEETING

The Board agreed that the item be deferred to the next meeting. This was in order to ascertain whether the Board decision made regarding the confidential item on the "Licence to Drive Private Hire Vehicles" that was considered on 22 November 2022 can be published in public.

4. EXCLUSION OF PUBLIC AND PRESS

Councillor Wing proposed, Councillor Rogers seconded and the board agreed that the public and press be excluded from the meeting on agenda item 5 as it contains exempt information as defined in Paragraph 7 of Schedule 12A of the Local Government Act 1972 (as amended).

5. LICENSE TO DRIVE PRIVATE HIRE VEHICLES

Mr Joseph Kitenge, the Council's Legal Officer explained the procedures for conducting the hearing.

Alison Stocker, Senior Licensing Officer introduced the report and presented the case to the Board.

The Licensee had no questions of the Senior Licensing Officer.

Members asked questions of the Senior Licensing Officer.

The Licensee addressed the Board.

The Senior Licensing Officer asked questions of The Licensee.

Members asked questions of The Licensee.

10.23hrs

The Licensee, The Licensee's representative and Senior Licensing Officer were asked to leave the Council Chamber as the Board went into private deliberation.

10.46hrs

The Licensee, The Licensee's representative and Senior Licensing Officer returned to the Council Chamber.

The Legal Officer then read out the Board decision which was as follows:

Upon considering whether or not to take any action regarding the licence granted to The Licensee to drive Private Hire Vehicles and having considered the documentation and representations made by:

1. The Senior Licensing Officer, Ms Alison Stocker;
2. The Licensee

As part of the decision, the Board considered that it was necessary to communicate to The Licensee that the behaviour that led to the complaint against him was unacceptable and raised legitimate concerns as to whether he was a fit and proper person to hold a licence and posed a risk to the safety of the public when considering TDC Licensing Policy and the LGMPA 1976.

In light of the above considerations it was the decision of the Licensing Board to:

Revoke the licence to drive private hire vehicles granted to The Licensee on the grounds of public interest and safety. The Licensee can reapply after one year on the conditions that he provides:

- Evidence of a full British driving licence;
- Evidence of passing a theory test and evidence of an advanced driving course.

Any such application must be made to the Licensing Board for consideration.

Meeting concluded: 10.48 am