

LICENSING BOARD

Minutes of the meeting held on 13 June 2023 at 10.00 am in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Alan Currie (Chair); Councillors Huxley, Ara, Dennis, Driver, Makinson, Manners, Pat Moore, Owen-Hughes, Rogers, H. Scobie, Towning and Wing

In Attendance:

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Bambridge and Wright.

2. DECLARATIONS OF INTEREST

Declaration of Interest was made by Councillor H. Scobie regarding items 8 and 9.

3. MINUTES OF PREVIOUS MEETING

Councillor Wing proposed, Councillor Huxley seconded and members agreed that the minutes of the Licensing Board held on 18 April 2023 be signed as a correct record.

4. CHANGES AND UPDATES TO LICENSING OFFICERS ENFORCEMENT POLICY

Mrs Alison Stocker, Senior Licensing Officer, introduced the report.

The report detailed updates to the Licensing Officers Enforcement Policy, most notably, changes to reflect new legislation and guidance.

Members had no questions for the Senior Licensing Officer.

Councillor Wing proposed, Councillor Huxley seconded and members agreed:

The introduction of the new Enforcement Policy

5. DRIVER KNOWLEDGE TEST

Mrs Alison Brock, Technical Support Team Manager, introduced the report.

The report detailed amendments to the Driver Knowledge Test, which included trialling the Green Penny - one day course, with some modifications to the course itself.

Members asked questions to the Technical Support Team Manager and discussion followed:

- Members discussed the possibility of having English language tests being included and the reliability of Green Penny's service; whether or not their standards equate to TDC's. The possibility of an English language test was something Licensing would like to bring in for the future as it was recommended by the government. Green Penny's course tests include: Disability, Equality Awareness, Safeguarding and other optional tests that TDC could choose as they saw fit. It was suggested to committee that Green Penny provide the Licensing Board with a demonstration of their service;

- Members brought up that if TDC wasn't happy with the service provided, would there be an umbrella service that they could report to, or could TDC be provided with feedback from people who took the test. It was said that TDC was getting feedback from other councils who use Green Penny's service and the fact that they were already being used by many other local authorities;
- Members asked if the local knowledge test would be included in the course and the response was it would be included in the course and would include questions regarding locations around Thanet in a multiple choice format;
- Members questioned what the process was for the validity of non-UK Driving Licence. Online checks and paperwork to be provided to officers was how the validity was confirmed. Members were also reminded that they do have the ability to request a British Driving Licence Test of drivers if the circumstances were needed;
- Under the new Green Penny course, the timescale between application and receiving licence would remain the same as it's usually the DBS check which could take a varying amount of time

Councillor Towning proposed, Councillor Scobie seconded and members agreed:

1. Agree to the Green Penny one day course to be started as soon as possible.
2. To review the newly implemented test the following year after it has been put into effect;
3. Have a demonstration of this course at a future Licensing Board meeting.

6. LICENSING AND GAMBLING STATEMENT REPORT

Mrs Brock introduced the report.

The report detailed how both the Licensing Policy Statement and Gambling Policy Statement are in need of updating due to them needing to be updated every 3 years.

Members had no questions for the Technical Support Team Manager.

Councillor Scobie proposed, Councillor Wing seconded and members agreed the following:

The Licensing and Gambling Statements being in place for up to another 12 months.

7. EXCLUSION OF PUBLIC AND PRESS

Councillor Rogers proposed, Councillor Wing seconded and members agreed:

That the public and press be excluded from the meeting on agenda items 8 and 9 as they contain exempt information as defined in Paragraph 2 of Schedule 12A of the Local Government Act 1972.

8. LICENCE TO OPERATE AS A PRIVATE HIRE OPERATOR

Mrs Stocker introduced the applicant.

The applicant had no questions for Mrs Stocker.

Members of the Board asked questions directed to Mrs Stocker.

The applicant addressed the Board.

Mrs Stocker asked the applicant follow up questions.

Members of the Board also asked questions of the applicant.

Following the discussion, the applicant and Licensing Officers were asked to leave the room whilst the Board deliberated.

Once the Board came to a decision, the applicant and Licensing Officers were invited back into the meeting room and Mr Kitenge, Senior Litigation Lawyer addressed the meeting and read out the Board decision which was as detailed below:

“Upon considering whether or not to take any action regarding the Private Hire Operators Licence and having considered the documentation and representations made by:

1 - The Licensing Officer;

2 - The Applicant;

It is the decision of the licensing board to; To give this person a written warning. The applicant or representative may appeal the Committee’s decision to Magistrates Court within 21 days.”

9. LICENCE TO DRIVE PRIVATE HIRE VEHICLES

Mrs Stocker presented the report to the Committee.

Members of the Board asked questions directed to Mrs Stocker and Mrs Brock.

Following the discussion, Licensing Officers were asked to leave the room whilst the Board deliberated.

Once the Board came to a decision, Licensing Officers were invited back into the meeting room and Mr Kitenge, Senior Litigation Lawyer addressed the meeting and read out the Board decision which was as detailed below:

“Upon considering whether or not to take any action regarding this licence to drive Private Hire Vehicles and having considered the documentation and representations made:

It is the decision of the Licensing Board to suspend this person’s licence to drive Private Hire vehicles for until the Licensing Board Meeting, on the 5th September 2023.

The applicant has the opportunity for the current decision to be reviewed should he provide medical evidence before the 25th July 2023 and appear at the next Licensing Board meeting - 25th July 2023

The applicant or representative may appeal the Committee’s decision to Magistrates Court within 21 days.”

Meeting concluded: 11:55 AM