
REPORT ON PROSECUTIONS, APPEALS, LICENSING UP-DATE

To: Licensing Board – 26th July 2016

By: Regulatory Services Manager

Classification : Unrestricted

Summary This report sets out details of a Licensing up-date since the last Board on 5th January 2016

For information

- a) On the 15th January last the appeal was heard at Canterbury Magistrates' Court of the private hire driver where the Board determined not to renew his licence in September 2015. The Court dismissed his appeal and ordered him to pay TDC costs of £574. The Court stated 'we do not believe that there is any reason to depart from the decision made by the Licensing Board.....We have heard hearsay evidence of a number of complaints – the Council did not immediately suspend his licence and initially advised Mr M and warned him to be careful. In all the circumstances we dismiss this appeal'.
- b) On the 12th February last another driver appeal was heard at Canterbury Magistrates' Court. This was a hackney carriage driver who the Board suspended for twelve months in November 2015. The Court dismissed his appeal and ordered him to pay £546 TDC costs. The Court stated 'having heard the evidence from both sides the Bench favoured the evidence provided by the Council... We take note of the fact that there were six complaints over an eighteen month period... In terms of the evidence...we did not find the appellant credible. There were a number of inconsistencies in his evidence which he was not able to explain to us today. We felt that he was evasive when questioned in court. We note that his memory was somewhat selective, and that it appeared to improve significantly today when compared with the answers he gave on previous occasions to the Council'.
- c) On the 6th May last a Margate Fish & Chip shop proprietor was convicted of exposing alcohol for unauthorised sale at Canterbury Magistrates' Court. He was fined £500 and ordered to pay £250 TDC costs. The alcohol was ordered to be forfeit and his personal licence suspended for six months.

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