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LICENSING BOARD

Minutes of the meeting held on 8 October 2019 at 10.00 am in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Sam Bambridge (Chairman); Councillors Rogers, Currie, Dexter, Green, M Saunders, Scobie, Wing and Wright

471. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Ara, Hopkinson, Moore and Potts.

472. DECLARATIONS OF INTEREST

There were no declarations of interest.

473. MINUTES OF PREVIOUS MEETING

It was proposed by Councillor Scobie, seconded by Councillor Currie and Members agreed the Board minutes as correct record of the meeting held on 3 September 2019.

474. LICENSING SUB-COMMITTEE MINUTES

It was proposed by Councillor Wing, seconded by Councillor Dexter and Members agreed the Licensing Sub-Committee minutes a correct record of the meeting held on 10 September 2019.

475. EXCLUSION OF PUBLIC AND PRESS

It was proposed by Councillor Green, seconded by Councillor Wright and Members agreed:

That the public and press be excluded from the meeting on agenda items 6 and 7 as they contain exempt information as defined in Paragraph 4 and 7 of Schedule 12A of the Local Government Act 1972 (as amended).

476. LICENCE TO DRIVE PRIVATE HIRE VEHICLES

Alison Stocker, Licensing Officer presented the report.

The Applicant addressed the Board.

Members asked questions of the Applicant.

Further to debate, it was agreed:

The Board was satisfied that the conviction was a minor offence, which appeared to be a one off incident 2 ½ years ago. It noted that a DBS check was still awaited but the Board agreed to grant the renewal of the licence as on the papers, noting that this would be subject to a satisfactory DBS check and that if any issues were disclosed on the DBS check, other than this offence, the Licensing Officer would take appropriate action.

The applicant was informed of their right to appeal to the Magistrates Court within 21 days of the issue of the decision notice.

477. LICENCE TO DRIVE PRIVATE HIRE VEHICLES

Alison Stocker, Licensing Officer presented the report.

The Licensee addressed the Licensing Board.

The Licensing Board asked questions of the Licensee.

Further to debate, the Licensing Board decided to revoke the licence.

The Board considered all the evidence carefully and discussed it in detail. Members were very concerned about the number and types of complaints - including complaints of speeding, being over-friendly and accessing female customers' telephone numbers for personal use.

The Board bears in mind the guidance from the Institute of Licensing on what is a "fit and proper person", particularly 4.10, which says "in determining safety and suitability, the licensing authority is entitled to take into account all matters concerning that applicant or licensee. They are not simply concerned with that person's behaviour whilst working in the hackney carriage or private hire trade. This consideration is far wider than simply criminal convictions or other evidence of unacceptable behaviour, and the entire character of the individual will be considered. This can include, but is not limited to, the individual's attitude and temperament" and 4.26, "a driver has direct responsibility for the safety of their passengers, direct responsibility for the safety of other road users and significant control over passengers who are in the vehicle. As those passengers may be alone, and may be vulnerable, any previous convictions or unacceptable behaviour will weigh heavily against a licence being granted or retained."

The applicant was informed of their right to appeal to the Magistrates Court within 21 days of the issue of the decision notice.

Meeting concluded : 11.25am