

TUNBRIDGE WELLS BOROUGH COUNCIL**LICENSING SUB-COMMITTEE**

MINUTES of the meeting held at the Committee Room A, Town Hall, Royal Tunbridge Wells, TN1 1RS, at 10.30 am on Tuesday, 25 January 2022

**Present: Councillor Nicholas Pope (Chairman)
Councillors Allen and Funnell**

Officers in Attendance: Sharon Degiorgio (Senior Licensing Officer), Trevor Horner (Licensing Officer), Robin Harris (Team Leader (Contentious)), Helen Ward (Lawyer (Contentious)), Louise Kellam (Democratic Services Officer) and Caroline Britt (Democratic Services Officer)

Other Members in Attendance: Councillors

CHAIRMAN'S INTRODUCTION

LSC4/19 The Chairman opened the meeting, introduced the members of the Sub-Committee panel and the officers in attendance, then outlined the procedures for the Hearing. The applicant was also introduced.

APOLOGIES FOR ABSENCE

LSC5/19 No apologies were received.

DECLARATIONS OF INTEREST:

LSC6/19 No declarations of interest were made by members at the meeting.

DETERMINATION OF AN APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE

LSC7/19 Senior Licensing Officer Sharon Degiorgio outlined the content of the report as set out in the Agenda, as well as the Exempted Appendices which she gave the Panel a chance to read. The Sub-Committee was asked to determine whether or not this applicant was a fit and proper person to hold a Hackney Carriage & Private Hire Driver's Licence.

The date of issue of the DBS results was clarified to Members as being available on the Certificate handed to them during the meeting. No further questions were put to Mrs Degiorgio.

The applicant was given the opportunity to explain the incidents and circumstances leading to the offences and responded to questions raised. The Applicant declined to make a final address to the Panel. Members of the Sub-Committee then retired to discuss the application accompanied by the Council's legal representative and the administrator for the meeting.

The hearing was reconvened and the Chairman read out the Sub-Committee's decision to refuse the application.

It was explained to the Applicant that in accordance with the provisions of Sections 52 and 77 of the Local Government (Miscellaneous Provisions) Act

1976, there was a right to appeal against the Council's decision. An appeal, however, would have to be lodged with the Magistrates' Court within 21 days of the date of the decision.

RESOLVED – That, in accordance with the provisions of Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 and Section 46 of the Town Police Clauses Act 1847, the application for a Hackney Carriage & Private Hire Driver's Licence be refused.

NOTE: The meeting concluded at 12.00 pm.