

Appeals Committee

Minutes of a Meeting of the Appeals Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the 4th June 2015.

Present:

Cllr. Wedgbury (Chairman);

Cllrs. Hicks, Hooker.

Cllr. Bradford (Reserve).

Also Present:

Appellant.

Licensing Officer, Licensing Manager, Health, Parking and Community Safety Manager, Legal Advisor, Member Services & Scrutiny Support Officer.

22 Election of Chairman

Resolved:

That Councillor Wedgbury be elected as Chairman for this meeting of the Appeals Committee.

23 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 30th April 2015 be approved and confirmed as a correct record.

24 Exclusion of the Public

Resolved:

That pursuant to Section 100A(4) of the Local Government Act 1972, as amended, the public be excluded from the meeting during consideration of the following item, namely 'Appeal Against Refusal to Grant a Private Hire Drivers Licence' as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present there would be disclosure of exempt information hereinafter specified by reference to paragraphs 2 and 3 of Schedule 12A of the Act.

25 Appeal Against Refusal to Grant a Private Hire Drivers Licence

The Chairman explained the procedure to be followed and introduced himself, the other Councillors and the Officers present. The Committee confirmed that they had received and read the agenda papers.

The Licensing Officer had submitted a report which outlined the case. She went through the case and explained the decision to refuse to grant the Appellant a Private Hire Drivers licence.

The Appellant then put his case to the Committee.

The Licensing Officer and Licensing Manager answered questions from Councillors.

The Licensing Officer then summed up the case on behalf of the Licensing Team.

The Appellant then summed up his case.

The Committee then retired to make its decision.

On the Committee's return, the Legal Advisor read out the 'Decision and Reasoning's Statement' that had been prepared by the Appeals Committee, a copy of this would be sent to the Appellant after the meeting, along with the minutes and a decision letter.

Resolved:

- That (i) That the application for a private hire drivers licence be refused.**
- (ii) In considering the application before them the Committee noted that further to the Taxi Licensing Policy currently in force and in particular appendix E the application was not beyond the realms of possibility of being granted, however the Committee were very mindful of what they considered to be the dishonest nature of the application made, an application that had been made far more recently than the offences detailed, that they were left with no option but to question the integrity of the applicant and therefore whether he was a 'fit and proper person' to hold a private hire drivers licence.**