

# **MAIDSTONE BOROUGH COUNCIL**

## **LICENSING ACT 2003 SUB COMMITTEE**

### **MINUTES OF THE MEETING HELD ON THURSDAY 8 JUNE 2023**

#### **Attendees:**

<b>Committee Members:</b>	<b>Councillors English, Hinder and Springett (Chairman)</b>
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1. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Garten.

2. **NOTIFICATION OF SUBSTITUTE MEMBERS**

Councillor Hinder was present as a Substitute Member for Councillor Garten.

3. **ELECTION OF CHAIRMAN**

**RESOLVED:** That Councillor Springett be elected as Chairman for the duration of the meeting.

4. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosure by Members and Officers.

5. **DISCLOSURES OF LOBBYING**

There were no disclosures of Lobbying.

6. **EXEMPT ITEMS**

**RESOLVED:** That Item 7 – Determination of an Application for a Private Hire Driver’s Licence be taken in private due to the possible disclosure of exempt information.

7. **EXCLUSION OF THE PUBLIC FROM THE MEETING**

**RESOLVED:** That the public be excluded from the meeting for the following items of business because of the likely disclosure of exempt information for the reason specified, having applied the public interest test:-

#### **Head of Schedule 12 A and Brief Description**

Item 7 – Determination of an application for a private driver’s licence

Paragraph 1 – Information relating to any individual

Paragraph 2 – Information which is likely to reveal the identity of an

individual

Paragraph 3 – Information relating to the financial and/or business affairs of an individual (including the authority holding that information)

8. DETERMINATION OF AN APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE

The persons participating in the hearing were identified as follows:

1. Chairman – Councillor Springett
2. Sub-Committee Members – Councillors English and Hinder
3. Senior Licensing Officer – Lorraine Neale
4. Legal Advisor – Helen Ward
5. Democratic Services Officer (training) – Jordan Ifield
6. Democratic Services Officer – Oliviya Parfitt
7. The Applicant

All parties confirmed that they were aware of the sub-committee hearing procedure and that they had each received a copy of the hearing procedure document.

The Sub-Committee Members confirmed that they had read the papers regarding the hearing.

The Chairman explained that:

- The Sub-committee would allow all parties to put their case fully and make full submission within a reasonable time frame.
- The procedure would take the form of a discussion led by the Sub-Committee and they would usually permit cross-examination within a reasonable timeframe.
- Any person attending the hearing who behaved in a disruptive manner may be directed to leave the hearing by the Sub-Committee (including temporarily) after which, such person may submit to the Sub-Committee any information which that person would have been entitled to give orally had the person not been required to leave the meeting. If this was not possible, they may be permitted to speak at the Chairman's invitation.

The Senior Licensing Officer introduced the report, with the sub-committee asked to determine an application for a Private Hire Driver's Licence with consideration to the Council's Hackney carriage licence policy.

The applicant was invited to make their opening remarks and provided further information on and context to the report.

The applicant responded to questions from the panel and the legal adviser.

The Chairman advised that the sub-committee would retire for deliberation with the legal officer present. The meeting was adjourned between 10.55 a.m. to 11.15 a.m.

The Sub-Committee reconvened at 11.15 a.m. and the Legal Advisor stated that the sub-committee had decided to grant the application after considering the information provided, government guidance and the Council's Hackney Carriage and Private Hire policy. The written decision would be circulated in due course.

**RESOLVED:** That the application be granted.

(See Notice of Determination)

The hearing closed at 11:20 a.m.