

## Licensing Sub-Committee

Held at:	Council Chamber - Civic Centre Folkestone
Date	Monday, 22 January 2024
Present	Councillors Mrs Jennifer Hollingsbee, Nicola Keen and Jackie Meade
Apologies for Absence	
Officers Present:	John Bickel (Licensing Specialist), Tim Hixon (Legal Specialist), Sue Lewis (Committee Services Officer), Briony Williamson (Licensing Specialist) and Nicola Wilson (Environmental Health and Licensing Senior Specialist)
Others Present:	Taxi Driver in relation to the review

### 74. **Appointment of Chair for the meeting**

Proposed by Councillor Nicola Keen  
Seconded by Councillor Jackie Meade and

**Resolved: Councillor Mrs Jenny Hollingsbee be appointed Chairman for the meeting.**

### 75. **Declarations of interest**

There were no declarations of interest.

### 76. **Exclusion of Public**

Proposed by Councillor Jackie Meade  
Seconded by Nicola Keen and

**Resolved:**  
**To exclude the public for the following item of business on the grounds that it is likely to disclose exempt information, as defined in paragraph 1 & 2 of Part 1 of Schedule 12A to the Local Government Act 1972 –**

**'Information relating to any individual & Information which is likely to reveal the identity of an individual.'**

(Voting: For 3; Against 0; Abstentions 0)

**77. Review Of Taxi Driver Licence**

This report considers whether action should be taken against a Dual Driver's licence following a complaint received from a member of the public claiming the Driver attempted to overcharge him.

In reaching the decision, the Sub-Committee took into consideration the following factors:-

1. The report presented by John Bickel for Council;
2. The witness statement of the complainant.
3. The representations of taxi driver and the documentary evidence submitted at the hearing;
4. The audio recording of complainant's telephone call to the Operator's office;
5. The provisions of the Local Government (Miscellaneous Provisions) Act 1976;
6. The Human Rights Act 1998;
7. Relevant case law as detailed within the Report;
8. Folkestone and Hythe District Council's Hackney Carriage and Private Hire policy ["the Policy"]

Proposed by Councillor Nicola Keen  
Seconded by Councillor Jackie Meade and

**Resolved: The Sub-Committee deemed that to issue the Licensee with a formal warning as regards this and his future conduct was reasonable and proportionate in the circumstances and in accordance with the Policy.**

**The formal warning and the 12 penalty points previously issued to the Licensee will remain on his record in accordance with the Policy.**

**Having considered all the evidence presented at the hearing, the Sub-Committee determined that the applicant remained a 'fit and proper person' within the scope of the statutory provisions.**

**The decision notice will be issued within the allotted guidelines.**

(Voting: For 3; Against 0; Abstentions 0)