

**MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)**

**Date of Meeting: 30<sup>th</sup> January 2019**

**Present: Councillors Hughes (Chair), Gill (appears late) and Haworth**

**In Attendance: Yasmin Ahmed, Legal Officer  
Phil Morton, Public Protection Manager  
Glenda Ashton, Committee & Member Services Officer  
1 driver**

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## **BUSINESS MATTERS**

### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were recorded for Councillor Gill but it was noted that the Committee was quorate.

### **2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **3. URGENT ITEMS**

There were no urgent items of business.

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In the interests of expediency the Chair asked the Licensing Enforcement Officer to outline to all persons present the relevant information which applied to all confidential applications.

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### **4. EXCLUSION OF PUBLIC AND PRESS**

#### **Resolved:**

That the public and press be excluded from the following items of business under Section 100(A)(4) of the Local Government Act 1972 since they involved the disclosure of exempt information under Paragraph 1 of Schedule 12A of the Act.

### **5. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR CJD (ITEM C1)**

The Chair welcomed the driver to the Sub-Committee.

The Public Protection Manager presented the report and detailed the circumstances that had brought the driver before the Sub-Committee.

It was noted that the driver's hackney carriage licence expired today. The Sub-Committee were required to consider the referral and whether the driver's licence would be renewed.

The driver presented his case to the Sub-Committee. He provided documentary evidence and references for Members to consider.

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**N.B.** Councillor Gill entered the meeting.

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The Chair introduced Councillor Gill and explained that as she had not heard details of the referral, she would not be involved in decision making.

The Sub-Committee Members and Public Protection Manager asked questions of the driver for clarification purposes only.

The driver, Councillor Gill and the Public Protection Manager left the room to enable the Sub-Committee to come to a decision.

**Resolved:**

1. That the Sub-Committee considered the driver to be a fit and proper person to hold a hackney carriage driver's licence.
2. A formal warning letter would be issued and kept on file.
3. That the hackney carriage licence be renewed with a requirement to take and pass the DVSA test (or Council-approved equivalent) and provide evidence of this to the Licensing and Enforcement Unit within a period of 3 months (unless the Licensee provided evidence that an appointment could not be obtained). Failure to provide such evidence within 3 months would result in the driver being called back to the Licensing Sub-Committee.
4. The driver was informed of his right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon him.
5. The driver was informed of the reason for the decisions and would receive written confirmation of the Council's decision.

**Reason for Decision**

The matter had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, Byelaws relating to Hackney Carriages and the Sub-Committee took into account all the relevant information put before them.

**6. REPORT TO CONSIDER THE REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE FOR AME (ITEM C2)**

The driver was not in attendance at the Sub-Committee.

The Sub-Committee agreed to hear details of the referral in the driver's absence.

The Public Protection Manager presented the report and detailed the circumstances that had brought the driver before the Sub-Committee.

**Resolved:**

1. That the private hire driver's licence be revoked under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976. The Committee did not consider the driver to be a fit and proper person to hold a private hire driver's licence.

2. The driver would be informed of his right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon him.
3. The driver would be informed of the reason for the decision and would receive written confirmation of the Council's decision.

**Reason for Decision**

The matter had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, Byelaws relating to Hackney Carriages and the Sub-Committee took into account all the relevant information put before them.

**7. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR ASK (ITEM C3)**

The driver had provided documentary evidence for his non-attendance at the Sub-Committee.

**Resolved:**

1. That the decision be deferred until a further hearing could be arranged.
2. The driver would be informed in writing of the next hearing date.

**Reason for Decision**

For the referral to be heard before a future Sub-Committee.

**8. REPORT TO CONSIDER THE REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE FOR SAP (ITEM C4)**

The driver had provided documentary evidence for his non-attendance at the Sub-Committee.

**Resolved:**

1. That the decision be deferred until a further hearing could be arranged.
2. The driver would be informed in writing of the next hearing date.

**Reason for Decision**

For the referral to be heard before a future Sub-Committee.

**The meeting concluded at 10.45am**

CHAIRMAN

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DATE

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