

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 24th October 2019

Present: Councillors Gill (Chair), Haworth and Neal

**In Attendance: Abigail Wrench, Legal Officer
Nigel Yates, Licensing Enforcement Officer
Susan Chadwick, Licensing Enforcement Officer
Joanna Wood, Committee & Member Officer
2 licence holders and 3 members of the public**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. URGENT ITEMS

There were no urgent items of business.

In the interests of expediency the chair asked the officer to outline to all persons present the relevant information which applied to all confidential applications.

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 PRIVATE HIRE DRIVERS LICENCE (ITEM C1) FOR RIN.

The chair welcomed the driver and his wife to the Sub-Committee.

The Licensing Enforcement Officer presented the report and detailed the circumstances that had brought the driver before the Sub-Committee.

The driver and his wife presented their case to the Sub-Committee.

The Sub-Committee members and the Enforcement Officer asked questions for clarification purposes only.

The driver, his wife, Licensing Enforcement Officers left the room to enable the Sub-Committee to come to a decision.

Resolved Item C1:

1. That the private hire driver's licence be revoked under Section 61 subsections (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 was informed of their right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon them.
3. The driver was informed of the reason for the decision and that they 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, the conditions attached to Private Hire Driver Licences 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 SZHR (ITEM C2)

The chair welcomed the driver and his wife to the Sub-Committee.

The Licensing Enforcement Officer presented the report and detailed the circumstances that had brought the driver before the Sub-Committee.

The driver and his wife presented their case to the Sub-Committee.

The Sub-Committee members and Licensing Enforcement Officer asked questions for clarification purposes only.

The driver, wife, and Licensing Enforcement Officers left the room to enable the Sub-Committee to come to a decision.

Paula Pilling, a Rossendale Borough Council Staff member entered the Chamber to test the fire alarm and then left the room.

Resolved:

1. That the driver be required to take and pass both the Knowledge and Skills Test and the DVSA test (or council approved equivalent) and have provided evidence of this to the Licensing and Enforcement Unit within a period of 3 months (unless evidence was provided that an appointment could not be obtained). Failure to provide such evidence within 3 months would result in a call-back to the Sub-Committee.
2. The driver was informed of the right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon them.
3. The driver was informed of the reason for the decision and that they 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, the conditions attached to Private Hire Driver Licences and the Sub-Committee took into account all the relevant information put before them.

7. REPORT TO CONSIDER THE REVIEW OF A PRIVATE HIRE VEHICLE LICENCE FOR BJN (ITEM C3) AND A REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE FOR BJN (ITEM C4)

The vehicle proprietor/driver was not in attendance at the Sub-Committee. The Sub-Committee agreed to defer until a further hearing can be arranged.

Resolved Item C3:

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.

Resolved Item C4:

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 referrals to be heard before a future Sub-Committee.

The meeting concluded at 11.26am

CHAIRMAN

DATE
