

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 9th March 2020

Present: Councillors Gill (Chair), Neal and Bromley

**In Attendance: Abigail Wrench, Legal Officer
Phil Morton, Licensing Manager
Joanna Wood, Committee & Member Services Officer
3 licence holders/representatives**

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 HACKNEY CARRIAGE DRIVER'S LICENCE FOR MM (ITEM C1)

The Licensing Manager confirmed the driver had advised that the licence holder would not be attending the meeting today as his Solicitor was unable to attend.

It was agreed that the application would be deferred until the next available Licensing Sub-Committee Meeting to allow the licence holder to attend with legal representation.

Resolved:

1. That the decision is deferred until a further meeting can be arranged.

2. The licence holder would receive written confirmation of the next available meeting.

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 HACKNEY CARRIAGE DRIVER'S LICENCE FOR MMK (ITEM C2)

The chair welcomed the licence holder and his representative to the Sub-Committee.

The Licensing Manager presented the report and detailed the circumstances that had brought the licence holder before the Sub-Committee.

The licence holder and representative presented their case to the Sub-Committee.

The Sub-Committee members asked questions for clarification purposes only.

The licence holder, representative and Licensing Manager left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That the licence holder be required 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 evidence was provided that an appointment could not be obtained). Failure to provide such evidence within 3 months would result in being called back to the Sub-Committee.
2. The licence holder 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 licence holder 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, 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 PRIVATE HIRE DRIVER'S LICENCE FOR BM (ITEM C3) AND THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR BM (ITEM C4)

The chair welcomed the licence holder to the Sub-Committee.

The licence holder confirmed his Solicitor was unable to attend the meeting today and he also required assistance with translation.

It was agreed that the application would be deferred until the next available Licensing Sub-Committee Meeting to allow the licence holder to attend with legal representation and arrange assistance with translation should this be required.

Clarification was given to the licence holder on his understanding of the requirements needed for attending the next available License Sub-Committee meeting.

Resolved:

1. That the decision is deferred until a further meeting can be arranged.
2. The licence holder would receive written confirmation of the next available meeting.

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.

The meeting concluded at 10.35am

CHAIRMAN

DATE
