

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 17th September 2020

Present: Councillors Gill (Chair), Haworth and Neal

**In Attendance: Yasmin Ahmed, Legal Officer
Nigel Yates, Public Protection Officer
Carolyn Sharples, Committee & Members Services
Manager
Joanna Wood, Committee & Member Services Officer
Mr A Schiller – Legal Representative**

The meeting was delayed until 10.28am due to technical issues and connection problems from the Legal Representative.

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.

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 (ITEM C1) AND A PRIVATE HIRE DRIVER'S LICENCE (ITEM C2) FOR BM.

The driver did not attend the meeting, the Legal Representative confirmed the driver wished to attend but was experiencing problems with connecting via a computer. The option of connecting via telephone was given to the driver prior to the meeting taking place.

The Committee confirmed the meeting would continue without the driver present, as a legal representative on behalf of the driver was in attendance.

The chair welcomed the representative to the Sub-Committee.

The Public Protection Officer outlined to all persons present the relevant information which applied to all confidential applications.

The Public Protection Officer presented the report of C1 and detailed the circumstances that had brought the licence holder before the Sub-Committee.

The representative presented their case to the Sub-Committee.

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

It was agreed by the Committee that the 2nd Report C2 would be heard at this time, but that separate decisions would be made on these reports.

The Public Protection Officer presented the report of C2 and detailed the circumstances that had brought the licence holder before the Sub-Committee.

The representative presented their case to the Sub-Committee.

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

The representative and Public Protection Officer left the room to enable the Sub-Committee to come to a decision.

The representative and Public Protection Officer re-entered the room to enable to the Sub-Committee to advise of their decision.

The following decisions were read out by the Legal Officer.

Resolved for Item C1:

1. That the hackney carriage drivers licence be revoked under Section 61 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 hackney carriage driver's licence.
2. The driver would be 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 would be informed of the reason for the council's decision in writing.

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 Hackney Carriage Driver Licences and the Sub-Committee took into account all the relevant information put before them.

Resolved for Item C2:

1. That the Private Hire Drivers Licence be revoked under Section 60(1) of the Local Government Miscellaneous Provisions Act 1976.
2. The committee did not consider the driver to be a fit and proper person to hold a private hire driver's licence.

3. The driver will be 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.
4. The driver will be 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 HACKNEY CARRIAGE DRIVER'S LICENCE (ITEM C3) FOR MM.

The driver did not attend the meeting, the representative confirmed the driver wished to attend but was experiencing problems with connecting via a computer. The option of connecting via telephone was given to the driver prior to the meeting taking place.

The Committee confirmed the meeting would continue without the driver present, as a legal representative on behalf of the driver was in attendance.

The chair welcomed the representative to the Sub-Committee.

The Public Protection Officer outlined to all persons present the relevant information which applied to all confidential applications.

The Public Protection Officer presented the report and detailed the circumstances that had brought the licence holder before the Sub-Committee.

The representative presented their case to the Sub-Committee.

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

The representative and Public Protection Officer left the room to enable the Sub-Committee to come to a decision.

The representative and Public Protection Officer re-entered the room to enable to the Sub-Committee to advise of their decision.

The Decision was read out by the Legal Officer.

Resolved:

1. That the hackney carriage drivers licence be revoked under Section 61 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 hackney carriage driver's licence.
2. The driver would be 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 would be informed of the reason for the council's decision in writing.

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 Hackney Carriage Driver Licence and the Sub-Committee took into account all the relevant information put before them.

The meeting concluded at 12.21pm

CHAIRMAN

DATE
