

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

**Date of Meeting: 12<sup>th</sup> December 2013 (9.30am)**

**Present: Councillors Ashworth, Gill and Eaton**

**In Attendance: Tracy Brzozowski, Licensing and Enforcement Manager  
Clare Birtwistle, Legal Services Manager  
Jenni Cook, Committee Officer  
8 applicants  
3 representatives**

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## **BUSINESS MATTERS**

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

Apologies had been given by Councillor Crawforth – Councillor Ashworth was substituting.

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

There were no declarations of interest.

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In the interests of expediency and due to the number of items on the agenda, the Chair asked the Licensing and Enforcement Manager to outline to all persons present the relevant information which applied to all confidential applications. The Chair noted that members of the Sub-Committee had received copies of the reports well in advance of the meeting and had had adequate time to read the same.

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### **3. 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 involve the disclosure of exempt information under Paragraph 1 of Schedule 12A of the Act.

### **4. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE - Mr SBA (Item C1)**

The Chair welcomed the Applicant and his representative to the meeting.

The Licensing and Enforcement Manager presented the report detailing the proposed application for a Hackney Carriage Drivers Licence.

The Applicant and his representative spoke in favour of the case.

The Sub-Committee Members asked questions of the Licensing and Enforcement Manager the Applicant and his representative for clarification purposes only.

The Applicant, his representative and the Licensing and Enforcement Manager left the room to enable the Sub-Committee to determine the application.

**Resolved:**

1. That the licence be refused. The Sub-Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. That the applicant be notified in writing of the decision and has the right of appeal to the Magistrates' Court, which must be exercised within 21 days of service of the decision letter.

**Reason for Decision**

The Licence had been considered in accordance with the Council's approved procedure and policy and the Sub-Committee took into account all the relevant information put before them.

**5. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR SH (Item C2)**

The Chair welcomed the Applicant to the meeting.

The Licensing and Enforcement Manager presented the report detailing the proposed application for a Hackney Carriage Drivers Licence.

The Applicant spoke in favour of the case.

The Sub-Committee Members asked questions of the Applicant for clarification purposes only.

The Applicant and the Licensing and Enforcement Manager left the room to enable the Sub-Committee to determine the application.

**Resolved:**

1. That the licence be refused. The Sub-Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. That the applicant be notified in writing of the decision and has the right of appeal to the Magistrates' Court, which must be exercised within 21 days of service of the decision letter.

**Reason for Decision**

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

**6. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR GK (Item C3)**

The Chair welcomed the Applicant to the meeting.

The Licensing and Enforcement Manager presented the report detailing the proposed application for a Hackney Carriage Drivers Licence.

The Applicant spoke in favour of the case.

The Committee Members asked questions of the Applicant and the Licensing and Enforcement Manager for clarification purposes only.

The Applicant and the Licensing and Enforcement Manager left the room to enable the Committee to determine the application.

**Resolved:**

1. That the licence be refused. The Sub-Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. That the applicant be notified in writing of the decision and has the right of appeal to the Magistrates' Court, which must be exercised within 21 days of service of the decision letter.

**Reason for Decision**

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

**7. REPORT TO CONSIDER THE APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE - MR SK (Item C4)**

The Chair welcomed the Applicant and his representative to the meeting.

The Licensing and Enforcement Manager presented the report detailing the proposed application for a Hackney Carriage Drivers Licence.

The Applicant and his representative spoke in favour of the case.

The Applicant, his representative and the Licensing and Enforcement Manager left the room to enable the Sub-Committee to determine the application.

**Resolved:**

1. That the licence be refused. The Sub-Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. That the applicant be notified in writing of the decision and has the right of appeal to the Magistrates' Court, which must be exercised within 21 days of service of the decision letter.

**Reason for Decision**

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

**8. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR SN (Item C5)**

The Chair welcomed the Applicant to the meeting.

The Licensing and Enforcement Manager presented the report detailing the proposed application for a Hackney Carriage Drivers Licence.

The Applicant spoke in favour of the case.

The Applicant and the Licensing and Enforcement Manager left the room to enable the Sub-Committee to determine the application.

**Resolved:**

1. That the licence be granted. The Sub-Committee considered that the applicant was a fit and proper person to be granted a hackney carriage drivers licence.

**Reason for Decision**

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

**9. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR MN (Item C6)**

The Chair welcomed the Applicant to the meeting.

The Licensing and Enforcement Manager presented the report detailing the proposed application for a Hackney Carriage Drivers Licence.

The Applicant spoke in favour of the case.

The Sub-Committee Members asked questions of the Applicant for clarification purposes only.

The Applicant and the Licensing and Enforcement Manager left the room to enable the Sub-Committee to determine the application.

**Resolved:**

1. That the licence granted. The Sub-Committee considered that the applicant was a fit and proper person to hold a hackney carriage drivers licence.

**Reason for Decision**

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

**10. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR MRR (Item C7)**

The Chair welcomed the Applicant to the meeting.

The Licensing and Enforcement Manager presented the report detailing the proposed application for a Hackney Carriage Drivers Licence.

The Applicant spoke in favour of the case.

The Sub-Committee Members asked questions of the Applicant and the Licensing Enforcement Manager for clarification purposes only.

The Applicant and the Licensing and Enforcement Manager left the room to enable the Sub-Committee to determine the application.

**Resolved:**

1. That the licence be refused. The Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. That the applicant be notified in writing of the decision and has the right of appeal to the Magistrates' Court, which must be exercised within 21 days of service of the decision letter.

**Reason for Decision**

The Application had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions and the Committee took into account all the relevant information put before them

**11. DETERMINATION OF AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR AGG (Item C8)**

The Licensing and Enforcement Manager presented the report detailing the Driver's current licence and the circumstances which had resulted in the report being before the Sub-Committee.

The Driver and his representative spoke in favour of the application.

The Sub-Committee Members asked questions of the Driver and the Licensing Enforcement Manager for clarification purposes only.

With the agreement of all parties, the Licensing and Enforcement Officer attended the meeting to clarify the make and model of the tyres currently on the driver's hackney carriage.

At this point in the meeting, with the agreement of all parties, the driver, the Licensing and Enforcement Manager, the Licensing and Enforcement Officer and the Driver inspected the vehicle to ascertain the make and model of the currently fitted tyres.

Once the meeting had resumed, the Sub-Committee Members asked the Licensing and Enforcement Officer to clarify the current make and model of the tyres fitted to the vehicle. The Licensing and Enforcement Officer then left the meeting.

The Sub-Committee then asked further questions of the Driver and his representative for clarification purposes only.

The Driver his representative and the Licensing and Enforcement Manager left the room to enable the Sub-Committee to determine the application.

**Resolved:**

1. That the hackney carriage licence be revoked. The Sub-Committee no longer considered the driver to be a fit and proper person to hold a hackney carriage drivers licence.
2. That the applicant be notified in writing of the decision and has the right of appeal to the Magistrates' Court, which must be exercised within 21 days of service of the decision letter.

**Reason for Decision**

The Application had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions and the Sub-Committee took into account all the relevant information put before them

**The meeting commenced at 9.35am and closed at 12.10pm**

CHAIRMAN

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