

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 26th March 2014

Present: Councillors Ashworth, Cheetham and Gill

**In Attendance: Tracy Brzozowski, Licensing and Enforcement Manager
Richard Bingham, Legal Officer
Jenni Cook, Committee Officer
8 applicants
4 members of the public/representatives**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

No apologies for absence were required, all Sub-Committee members were present.

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 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.

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

5. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVER - Mr MA (Item C1)

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

The Licensing and Enforcement Manager presented the report detailing the convictions against the driver.

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

The Sub-Committee Members asked questions of the Licensing and Enforcement Manager and 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 licence not be renewed. The Sub-Committee did not consider the driver to be a fit and proper person to hold a hackney carriage drivers licence.
2. That the driver 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.

6. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR TH (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 MI (Item C4)

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 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 Committee took into account all the relevant information put before them.

8. REPORT TO CONSIDER THE APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR SK (Item C5)

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 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 granted. The Sub-Committee considered the applicant to be 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 Committee took into account all the relevant information put before them.

9. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR TM (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 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 Sub-Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. That the driver 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 report 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

10. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR MS (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 Sub-Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. That the driver 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.

11. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVER – MR NA (Item C8)

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

The Licensing and Enforcement Manager clarified the postal arrangements for committee reports and that the Royal Mail had attempted delivery of the Driver's committee papers, however a card had been left. It was noted that the papers had not been collected from the post office.

The Driver and his representative presented a case in favour of an adjournment to a future meeting.

The Driver, his representative and the Licensing and Enforcement Manager left the room to enable the Sub-Committee to determine whether an adjournment would take place.

Resolved:

1. That the decision be adjourned and the report be brought to the June 2014 Sub-Committee.

12. REPORT TO CONSIDER AN EXISTING A HACKNEY CARRIAGE DRIVER – MR BPC (Item C2)

The Chair welcomed the Driver to the meeting.

The Licensing and Enforcement Manager presented the report detailing the convictions and further information against the Driver.

The Driver spoke in favour of the case.

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

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

Resolved:

1. That no further action be taken. The Sub-Committee considered that the Driver 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.

The meeting commenced at 10.05am and closed at 12.35pm

CHAIRMAN
