

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 19th June 2014

Present: Councillors Crawforth, Gill and Morris

**In Attendance: Danny Dobson, Licensing and Enforcement Officer
Richard Bingham, Legal Officer
Jenni Cook, Committee Officer
Steve Shallow, Licensing and Enforcement Officer
(Calderdale Council for Item 5)
7 applicants
3 members of the public/representatives**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

Apologies had been submitted by Councillor Shipley with Councillor Morris substituting.

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 APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE - Mr MA (Item C1)

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

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

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

Mr Steve Shallow, of Calderdale Council provided members with clarification where required.

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

The Applicant, his representative, the representatives from Calderdale Council and the Licensing and Enforcement Officer 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.

6. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR NA (Item C2)

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

The Licensing and Enforcement Officer 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 Committee Members asked questions of the Applicant, his representative and the Licensing and Enforcement Officer for clarification purposes only.

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

Resolved:

1. That the licence be revoked. 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 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 AAJ (Item C3)

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

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

The Applicant and a Representative spoke in favour of the case.

The Applicant, his Representatives and the Licensing and Enforcement Officer 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 AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE - MR MZJ (Item C4)

The Chair welcomed the Applicant to the meeting.

The Licensing and Enforcement Officer 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 Officer 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.

9. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR MZ (Item C6)

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

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

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

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

Resolved:

1. That the licence be revoked. 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.

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

The Chair welcomed the Applicant to the meeting.

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

Resolved:

That the application 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.

11. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR FZ (Item C8)

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

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

Resolved:

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.

12. REPORT TO CONSIDER AN APPLICATION FOR A HACKY CARRIAGE DRIVERS LICENCE - MR MK (Item C5)

The Applicant had not attended the meeting. It was noted that the Applicant had telephoned Committee and Member Services that morning stating the he would not be attending. He was advised that the Sub-Committee could determine the application without him and stated that he would wait to hear the outcome of the decision.

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

The Licensing and Enforcement Officer 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.

The meeting commenced at 10.05am and closed at 12.50pm

CHAIRMAN
