

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

**Date of Meeting: 28<sup>th</sup> July 2014**

**Present: Councillors Ashworth, Crawforth (Chair) and Eaton (in part)**

**In Attendance: Tracy Brzozowski, Licensing and Enforcement Manager  
Clare Birtwistle, Legal Services Manager  
Jenni Cook, Committee Officer  
7 applicants  
1 member of the public/representatives**

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## **BUSINESS MATTERS**

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

Councillor Eaton submitted his apologies and it was noted that he would be late. The Chair confirmed that the Sub-Committee were quorate with 2 members and that the meeting could legally continue.

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

There were no declarations of interest.

### **3. URGENT ITEMS**

The Chair noted that items C2 and C8 had been removed from the agenda.

There were 2 urgent items of business:-

A3(i) – this application had been deferred from a previous committee.

A3(ii) – this application had been added to the agenda to replace C8, to avoid a backlog of applications to be heard by the Sub-Committee building up.

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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.

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### **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 ZA (Item C1)**

The Chair welcomed the Applicant to the meeting.

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

The Applicant spoke in favour of the case.

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

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

**Resolved:**

1. The licence was refused. The Sub-Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. The applicant was notified of their right of appeal to the magistrate's court which must be exercised within 21 days of service of the decision letter upon them.
3. The applicant was served with the decision letter.

**Reason for Decision**

The application 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.

**Note: Councillor Eaton entered the meeting.**

**6. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR MNA (Item C3)**

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

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

The Driver's representative spoke in favour of the case.

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

The Driver, his representative and the Licensing staff left the room to enable the Committee to determine the application.

**Resolved:**

The licence would continue to be renewed. The Sub-Committee considered the driver to be a fit and proper person to hold a hackney carriage drivers licence.

**Reason for Decision**

The report 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 AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE - MR MH (Item C4)**

The Chair welcomed the driver to the meeting.

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

The driver spoke in favour of the case.

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

The driver and the Licensing staff left the room to enable the Sub-Committee to determine the application.

**Resolved:**

No further action was taken. The Sub-Committee considered the driver to be a fit and proper person to hold a hackney carriage drivers licence.

The Chair reminded the applicant of the importance of adhering to speed limits.

**Reason for Decision**

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

The Applicant Licensing staff left the room to enable the Sub-Committee to determine the application.

**Resolved:**

1. The licence was refused. The Sub-Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. The applicant was notified of their right of appeal to the magistrate's court which must be exercised within 21 days of service of the decision letter upon them.
3. The applicant was served with 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.

**9. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR AM (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 Committee Members asked questions of the Applicant and the Licensing and Enforcement Manager for clarification purposes only.

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

**Resolved:**

1. The licence was refused. The Sub-Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. The applicant was notified of their right of appeal to the magistrate's court which must be exercised within 21 days of service of the decision letter upon them.
3. The applicant was served with 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.

**10. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR AQ (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 Committee Members asked questions of the Applicant and the Licensing and Enforcement Manager for clarification purposes only.

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

**Resolved:**

1. The licence was refused. The Sub-Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.

2. The applicant was notified of their right of appeal to the magistrate's court which must be exercised within 21 days of service of the decision letter upon them.
3. The applicant was served with the decision letter.

**Reason for Decision**

The Applicant 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 RGK (Item A3(i))**

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 staff left the room to enable the Sub-Committee to determine the application.

**Resolved:**

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

**12. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR KA (Item A3(ii))**

The Licensing and Enforcement Manager noted that although she had proof that Royal Mail had attempted delivery, she did not have clear evidence that the applicant had received his letter and report, inviting him to the Sub-Committee. Licensing and Enforcement Officers had tried to contact the applicant throughout the morning, but no answer had been received on the applicant's mobile phone or landline.

**Resolved:**

That this item be deferred to the August meeting of the Sub-Committee.

**Reason for Decision**

To give the applicant another chance to attend the Sub-Committee.

**The meeting commenced at 10.05m and closed at 1pm**

CHAIRMAN

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