

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

**Date of Meeting: 22<sup>nd</sup> October 2014**

**Present: Councillors Eaton, Farrington and Gill (Chair)**

**In Attendance: Tracy Brzozowski, Licensing and Enforcement Officer  
Ibrahim Hayat, Licensing Admin Officer  
Richard Bingham, Legal Services Officer  
Michelle Hargreaves, Committee and Member Services  
Officer  
6 applicants  
4 members of the public/representatives**

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## **BUSINESS MATTERS**

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

Apologies had been submitted on behalf of Councillor Crawforth (Councillor Farrington sub) and Councillor Shipley (Councillor Eaton sub).

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

There were no declarations of interest.

### **3. URGENT ITEMS**

There were no urgent items of business.

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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 Officer 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 MA (Item C1)**

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

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

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 officers of the Licensing Unit 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 handed a copy of 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.

**6. REPORT TO DETERMINE AN EXISTING A HACKNEY CARRIAGE DRIVERS LICENCE – MR SH (Item C2)**

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

The Licensing and Enforcement Manager presented the report detailing the reasons that had brought the Driver before the Sub-Committee.

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

The Sub-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 officers of the Licensing Unit left the room to enable the Committee to determine the application.

**Resolved:**

1. That no further action be taken. The 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.

**7. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR NH (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 Sub-Committee Members asked questions of the Applicant for clarification purposes only.

The Applicant and the officers of the Licensing Unit 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 handed a copy 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 Panel agreed to move item C4 to the end of the agenda as the applicant had not arrived for the hearing.**

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

The Applicant and the officers of the Licensing Unit left the room to enable the Sub-Committee to determine the application.

**Resolved:**

1. The licence was 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 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 SM (Item C6)**

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 officers of the Licensing Unit 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 handed a copy 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 Panel agreed to move item C7 to the end of the agenda as the applicant had not arrived for the hearing.**

**10. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR HCHT (Item C8)**

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, his representative and the Licensing and Enforcement Manager for clarification purposes only.

The Applicant, his representative and the officers of the Licensing Unit 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 handed a copy 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 Licensing and Enforcement Manager informed the Sub-Committee that letters had been sent to the following applicants inviting them to attend the hearing, it was confirmed that the letters had been signed for on delivery.**

**In relation to item C4, it was noted that the applicant's partner had contacted the Licensing and Enforcement Manager earlier in the week to inform her that the applicant had another engagement at the same time as the hearing. The Licensing and Enforcement Manager advised that it would be for the Sub Committee to determine whether to hear or defer the item in the applicant's absence.**

**The Sub-Committee agreed to hear the following two items in absence of the applicants.**

#### **11. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR JK (Item C4)**

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

The officers of the Licensing Unit 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 would be 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 would be sent a copy 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.

#### **12. DETERMINATION OF AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR AR (Item C7)**

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

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

The officers of the Licensing Unit left the room to enable the Sub-Committee to determine the application.

**Resolved:**

1. That the Licence be revoked under S61 of the Local Government (Miscellaneous Provisions) Act 1976. The Committee consider that the Driver was no longer a fit and proper person to hold a hackney carriage drivers licence.
2. The Applicant would be 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.

**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 10.00am and closed at 11.55am**

CHAIRMAN

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