

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 21st January 2015

Present: Councillors Ashworth, Gill (Chair) and Morris

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

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

Councillor Crawforth had sent his apologies and Councillor Ashworth was substituting.

2. DECLARATIONS OF INTEREST

Councillor Gill declared an interest in Item C8 and stated that as she had been involved in the previous decision taken in October 2014, she would stand down on this item. The Sub-Committee was quorate with two members and was able to determine the application on that basis.

3. URGENT ITEMS

There were no urgent items of business.

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.

Note: Due to the adverse weather conditions, the Chair agreed to vary the agenda and hear the applicants and drivers who had arrived by 10.15am, and the remaining reports would be moved to the end of the agenda.

5. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR GA (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 staff 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. 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 above mentioned 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 SN (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, his representative and the Licensing Manager for clarification purposes only.

The Applicant, his representative and the Licensing Officers 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. 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 above mentioned 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 Sub-Committee took into account all the relevant information put before them.

7. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR AQ (Item C7)

The Chair welcomed the Driver to the meeting.

The Licensing Manager presented the report detailing circumstances which had brought the Driver before the Licensing Sub-Committee.

The Driver spoke in favour of the case.

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

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

Resolved:

That no further action be 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 Driver of the need to ensure immediate disclosure of motoring convictions.

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.

Note: The Chair agreed to hear Item C9 next.

8. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR MT (Item C9)

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

The Licensing Officer presented the report detailing circumstances which had brought the Driver before the Licensing Sub-Committee.

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

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

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

Resolved:

That no further action be 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 Driver of the need to ensure proper safeguards are put in place and his representative confirmed that he was in contact with the DVLA.

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.

Note: Councillor Gill left the meeting during this item. Councillor Ashworth took the Chair. The Legal Advisor confirmed that the Licensing Sub-Committee was quorate with two members and that a legal and democratic decision could be made.

9. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR AR (Item C8)

The Licensing Manager presented the report which detailed the reasons which had brought the Driver before the Sub-Committee.

The Driver spoke in favour of the case.

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

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

Resolved:

That no further action be taken. 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.

Note: Councillor Gill returned to the meeting and resumed as Chair.

10. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR RA (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 Applicant, his representative and the Licensing Manager for clarification purposes only.

The Applicant, his representative and the Licensing Officers 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. 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 above mentioned 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 Sub-Committee took into account all the relevant information put before them.

11. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – Mr MA (Item C3)

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 Manager for clarification purposes only.

The Applicant, his representative and the Licensing Officers 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. 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 above mentioned 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 Sub-Committee took into account all the relevant information put before them.

12. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – Mr HRI (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 and the Licensing Manager for clarification purposes only.

The Applicant and the Licensing Officers 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. 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 above mentioned 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 Sub-Committee took into account all the relevant information put before them.

13. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – Mr AD (Item C4)

The Licensing and Enforcement Manager informed Members that the driver had not arrived.

Resolved:

That in view of the adverse weather conditions, this report would be deferred to the next meeting of the Licensing Sub-Committee.

The meeting commenced at 10.20am and closed at 12.45pm

CHAIRMAN
