

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 12th March 2015

Present: Councillors Crawforth, Cheetham and Gill (Chair)

**In Attendance: Richard Bingham, Legal Advisor
Tracy Brzozowski, Licensing & Enforcement Manager
Michelle Hargreaves, Committee & Member Services
Officer
8 applicants
3 members of the public/representatives**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

There were no apologies submitted.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

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.

5. REPORT TO DETERMINE AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR IA (Item C1)

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's spoke in favour of the case.

The Sub-Committee Members asked questions of the Driver and the Licensing and Enforcement Manager 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 the licence be revoked under s.61 of the Local Government (Miscellaneous Provisions) Act 1976. The 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 existing 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 MA (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 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. 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.

7. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR SA (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 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. 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.

8. REPORT TO DETERMINE AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR FA (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 Sub-Committee Members asked questions of the Applicant and the Licensing 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 suspended until a DSA Test has been taken and passed and written evidence of this be provided to the Licensing and Enforcement Unit.
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 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.

9. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – Mr SH (Item C6)

The Chair welcomed the Applicant and the Applicant's 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 the Applicant's Representative 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, the Applicant's 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 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.

10. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – Mr SqM (Item C8)

The Chair welcomed the Applicant and the Applicant's 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 the Applicant's Representative 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, the Applicant's Representative and the Licensing and Enforcement Manager left the room to enable the Sub-Committee to determine the application.

Resolved:

2. That the licence be renewed. The Sub-Committee considered the Applicant 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.

11. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR DG (Item C5)

The Chair welcomed the Driver to the meeting.

The Licensing and Enforcement Manager presented the report detailing the circumstances 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 Applicant and the Licensing and Enforcement Manager 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 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 YJH (Item C7)

The Chair welcomed the Applicant and the Applicant's Representative to the meeting.

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

The Applicant's Representative 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, the Applicant's Representative and the Licensing and Enforcement Manager left the room to enable the Sub-Committee to determine the application.

Resolved:

4. 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.
5. 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.
6. 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 APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR ShM (Item C9)

The Licensing and Enforcement Manager informed the sub-committee that the applicant had not received the letter inviting him to the sub-committee meeting and it was for the committee's decision whether to hear the item in the applicant's absence or whether to defer the item to the next committee hearing.

Resolved:

That the item be deferred to the next meeting to give the applicant the opportunity to receive the invite to the meeting.

The meeting commenced at 10.00am and closed at 12.35pm

CHAIRMAN
