

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 13th January 2016

Present: Councillors Crawforth (in the Chair), De Souza and Eaton

**In Attendance: Nigel Yates, Licensing Enforcement Officer
Richard Bingham, Legal Officer
Jenni Cook, Committee Officer
4 applicants at the start of the meeting, 2 applicants
arrived during the introductory part of the meeting.**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

There were no apologies for absence from the Sub-Committee; all members were present.

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 AURB (Item C1)

The Chair welcomed the Applicant to the Committee. As the Applicant had not been present at the start of the meeting, the Licensing Enforcement Officer outlined the relevant information which applied to all confidential applications.

The Licensing Enforcement Officer presented the report detailing the proposed application for a hackney carriage drivers licence.

The Applicant presented his case to the Sub-Committee.

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

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

Resolved:

1. That the licence is 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 his 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 before he left the room.

Reason for Decision

The report had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, Byelaws relating to Hackney Carriages, 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 NM (Item C4)

The Chair welcomed the Applicant to the Committee. As the Applicant had not been present at the start of the meeting, the Licensing Enforcement Officer outlined the relevant information which applied to all confidential applications.

The Licensing Enforcement Officer presented the report detailing the proposed application for a hackney carriage drivers licence.

The Applicant presented his case to the Sub-Committee.

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

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

Resolved:

That the licence is 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 report had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, Byelaws relating to Hackney Carriages, 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 RSF (Item C2)

The Chair welcomed the Applicant to the Committee.

The Licensing Enforcement Officer presented the report detailing the proposed application for a hackney carriage drivers licence.

The Applicant presented his case to the Sub-Committee.

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

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

Resolved:

That 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 report had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, Byelaws relating to Hackney Carriages, 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 WH (Item C3)

The Chair welcomed the Applicant to the Committee.

The Licensing Enforcement Officer presented the report detailing the proposed application for a hackney carriage drivers licence.

The Applicant presented his case to the Sub-Committee.

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

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

Resolved:

That 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 report had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, Byelaws relating to Hackney Carriages, 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 MAM (Item C6)

The Chair welcomed the Applicant to the Committee.

The Licensing Enforcement Officer presented the report detailing the proposed application for a hackney carriage drivers licence.

The Applicant presented his case to the Sub-Committee.

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

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

Resolved:

1. That the licence is 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 his 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 before he left the room.

Reason for Decision

The report had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, Byelaws relating to Hackney Carriages, 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 MS (Item C8)

The Chair welcomed the Applicant to the Committee.

The Licensing Enforcement Officer presented the report detailing the proposed application for a hackney carriage drivers licence.

The Applicant presented his case to the Sub-Committee.

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

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

Resolved:

That the licence is 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 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 DETERMINE AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR MS (Item C5)

The Committee Officer noted that the Applicant's legal representatives had contacted her to state that his solicitor was ill and unable to attend the Sub-Committee represent his client. A referral had been requested and this was considered by Members.

Resolved:

That this item would be deferred to the next Licensing Sub-Committee which had the capacity to hear this item.

Reason for Decision

In the interests of fairness.

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

The Licensing Enforcement Officer stated that the Driver had given notification that he would not be attending the Sub-Committee and would be handing in his hackney carriage drivers licence. That notwithstanding, the Sub-Committee would still need to determine the matter, and it was agreed that the matter would be determined in the absence of the Driver.

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

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

Resolved:

1. That the Licence is revoked. The Sub-Committee did not consider Mr MR to be a fit and proper person to hold a hackney carriage drivers licence.
2. The Mr MR would be notified of his right of appeal to the magistrate's court which must be exercised within 21 days of service of the decision letter upon them.
3. Mr MR would be notified of the decision in writing which would be sent to him via recorded delivery and first class post.

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.

The meeting commenced at 10.10am and closed at 12.25pm

CHAIRMAN _____