

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 20th July 2016

Present: Councillors Smallridge (in the Chair), Eaton (in part) and Farrington

**In Attendance: Nigel Yates, Licensing Enforcement Officer
Richard Bingham, Legal Officer
Jenni Cook, Committee Officer
2 applicants/friends/representatives**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

The Chair noted that Councillor Eaton was delayed due to an emergency. He confirmed that the Sub-Committee was quorate with, and could commence with, two Elected Members.

2. DECLARATIONS OF INTEREST

No interests were declared.

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 Enforcement Officer 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 EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR SRG (Item C2)

The Chair welcomed the Driver to the Sub-Committee.

The Licensing Enforcement Officer presented the report detailing the circumstances which had brought the Driver before the Sub-Committee. It was noted that this item had been deferred from the Sub-Committee on 4th July 2016.

The Driver presented his case to the Sub-Committee.

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

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

Resolved:

1. That the licence is revoked under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976. The Sub-Committee did not consider Mr SRG to be a fit and proper person to hold a hackney carriage drivers licence.
2. Mr SRG was informed of his right of appeal to the Magistrates Court which must be exercised within 21 days of receipt of notification of the decision.
3. Mr SRG was informed of the reasons for the decision and that he would receive written notification of the decision.

Reason for Decision

The matter 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 Eaton entered the meeting.

6. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR RAIK (Item C4)

The Chair welcomed the Applicant and his mother to the Sub-Committee.

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, his mother 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 informed of his right of appeal to the Magistrates Court which must be exercised within 21 days of receipt of notification of the decision.
3. The Applicant was informed of the reasons for the decision and that he would receive written notification of the decision.

Reason for Decision

The matter 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. REMAINDER OF APPLICATIONS – ITEM C1, C3, C5 AND C6

Members asked the Licensing Enforcement Officer for clarification of whether the remainder of the drivers/applicants had received their notification letters.

Resolved:

1. That Item C1, C3, C5 and C6 be deferred to the meeting of the Licensing Sub-Committee on 7th September 2016.

Reason for Decision

In the interests of fairness.

The meeting commenced at 10.15am and closed at 11.20pm

CHAIRMAN _____