

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 20th December 2016

Present: Councillors Smith (Chair), Eaton and Farrington

**In Attendance: Phil Morton, Licensing Manager
Abigail Wrench, Trainee Solicitor
Glenda Ashton, Committee & Member Services Officer
3 applicants/drivers**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

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 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 involved the disclosure of exempt information under Paragraph 1 of Schedule 12A of the Act.

5. REPORT TO CONSIDER AN APPLICATION FOR A PRIVATE HIRE OPERATOR LICENCE FOR MR AH (Item C1)

The Chair welcomed the applicant to the Sub-Committee.

The Licensing Manager presented the report and detailed the application for a Private Hire Operator Licence.

The applicant presented his case to the Sub-Committee.

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

The applicant and the Licensing Manager left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That the licence was granted for a period of 12 months subject to the conditions at Appendix B. It was also subject to a satisfactory basic disclosure. The Sub-Committee considered the applicant to be a fit and proper person to hold a Private Hire Operator Licence.

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.

6. REPORT TO CONSIDER AN APPLICATION TO RENEW A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR YA (Item C3)

The Chair welcomed the driver to the Sub-Committee.

The Licensing Manager presented the report and detailed the circumstances which had brought the driver before the Sub-Committee.

The driver presented his case to the Sub-Committee.

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

The driver and the Licensing Manager left the room to enable the Sub-Committee to determine the application.

Resolved:

1. That the licence was not renewed under the Local Government Miscellaneous Provisions Act 1976, Section 61(1). The Sub-Committee did not consider the driver to be a fit and proper person to hold a hackney carriage driver's licence.
2. The driver was informed of the reason for the decision and of the right of appeal before the Magistrates' Court which must be exercised within 21 days of receipt of the decision in writing.
3. The driver was informed that he would receive confirmation of the decision in writing.

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. REPORT TO REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR SAZS (Item C9)

The Chair welcomed the driver to the Sub-Committee.

The Licensing Manager presented the report and detailed the circumstances which had brought the driver before the Sub-Committee.

The driver presented his case to the Sub-Committee.

The Sub-Committee Members asked questions of the driver for clarification purposes only.

The driver and the Licensing Manager left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That the drivers licence would be revoked under the Local Government Miscellaneous Provisions Act 1976, Section 61(1). The Sub-Committee did not consider the driver to be a fit and proper person to hold a hackney carriage driver's licence.
2. The driver was informed of the reason for the decision and of the right of appeal before the Magistrates' Court which must be exercised within 21 days of receipt of the decision in writing.
3. The driver was informed that he would receive confirmation of the decision in writing.

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.

At this point a short comfort break was taken.

8. **REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR RA (Item C2)**

The Licensing Manager advised that he could not confirm that the driver had received his paperwork in relation to today's Sub-Committee meeting.

Resolved:

1. That the item be deferred to the next available Sub-Committee.

Reason for Decision

To give the driver the opportunity to attend the Sub-Committee.

9. **REPORT TO REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR AH (Item C4)**

The Licensing Manager advised that he could not confirm that the driver had received his paperwork in relation to today's Sub-Committee meeting.

Resolved:

1. That the item be deferred to the next available Sub-Committee.

Reason for Decision

To give the driver the opportunity to attend the Sub-Committee.

10. REPORT TO REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR SH (Item C5)

The Licensing Manager advised that he could not confirm that the driver had received his paperwork in relation to today's Sub-Committee meeting.

Resolved:

1. That the item be deferred to the next available Sub-Committee.

Reason for Decision

To give the driver the opportunity to attend the Sub-Committee.

11. REPORT TO REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR AM (Item C6)

It was noted that the driver's wife had informed the Licensing and Enforcement Unit that he was still out of the country due to a medical condition so was unable to attend the Sub-Committee meeting.

Resolved:

1. That the item be deferred to the next available Sub-Committee meeting.
2. That the driver produces a medical note to the Licensing and Enforcement Unit to verify his non-attendance at the Sub-Committee meeting.

Reason for Decision

To give the driver the opportunity to attend the Sub-Committee.

12. REPORT TO REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR SP (Item C7)

The Licensing Manager advised that he could not confirm that the driver had received his paperwork in relation to today's Sub-Committee meeting.

Resolved:

1. That the item be deferred to the next available Sub-Committee.

Reason for Decision

To give the driver the opportunity to attend the Sub-Committee.

13. REPORT TO REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR MRP (Item C8)

The Licensing Manager advised that he could not confirm that the driver had received his paperwork in relation to today's Sub-Committee meeting.

Resolved:

1. That the item be deferred to the next available Sub-Committee.

Reason for Decision

To give the driver the opportunity to attend the Sub-Committee.

The meeting commenced at 10.05am and closed at 11.50am

CHAIRMAN _____