

**MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)**

**Date of Meeting: 19<sup>th</sup> April 2017**

**Present: Councillors Hughes (Chair), Haworth and Smith**

**In Attendance: Abigail Wrench, Legal Officer  
Phil Morton, Licensing Manager  
Yasmin Ahmed, Legal Officer  
Glenda Ashton, Committee & Member Services Officer  
10 applicants/drivers/friends/representatives**

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## **BUSINESS MATTERS**

### **1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **3. URGENT ITEMS**

There were no urgent items of business.

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In the interests of expediency and due to the number of items on the agenda, the Chair asked the Licensing Manager to outline to all persons present the relevant information which applied to all confidential applications.

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### **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 REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR MAAB (C2)**

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 and 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 come to a decision.

1. That the licence be revoked under Section 61 (1) of the Local Government Miscellaneous Provisions Act 1976. The Committee considers that the driver is no longer a fit and proper person to hold a hackney carriage drivers licence.
2. The driver was informed of his right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon him.
3. The driver was informed of the reason for the decision and that he would receive written confirmation of the Council's 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.

#### **6. REPORT TO REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENSE FOR MR SSH (ITEM C3)**

The driver and his wife were in attendance. The Chair welcomed them 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 and Licensing Manager asked questions of the driver for clarification purposes only.

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

1. That the licence be revoked under Section 61 (1) of the Local Government Miscellaneous Provisions Act 1976. The Committee considers that the driver is no longer a fit and proper person to hold a hackney carriage drivers licence.
2. The driver was informed of his right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon him.
3. The driver was informed of the reason for the decision and that he would receive written confirmation of the Council's 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. REPORT TO REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR AH (ITEM C4)**

The driver and his son were in attendance. The Chair welcomed them 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 and his son presented their case to the Sub-Committee.

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

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

**Resolved:**

1. That the licence be revoked under Section 61 (1) of the Local Government Miscellaneous Provisions Act 1976. The Committee considers that the driver is no longer a fit and proper person to hold a hackney carriage drivers licence.
2. The driver was informed of his right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon him.
3. The driver was informed of the reason for the decision and that he would receive written confirmation of the Council's 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.

**8. REPORT TO REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR NH (ITEM C5)**

The driver and his friend were in attendance. The Chair welcomed them to the Sub-Committee.

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

The driver and the driver's friend presented their case to the Sub-Committee.

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

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

**Resolved:**

1. That the licence be revoked under Section 61(1) of the Local Government Miscellaneous Provisions Act 1976. 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 his right of appeal to the Magistrates' Court which must be exercised with 21 days of service of the decision letter upon him.
  3. The driver was informed of the reason for the decision and that he would receive written confirmation of the Council's 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.

A comfort break was taken.

### **9. REPORT TO REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR MS & REVIEW AN EXISTING HACKNEY CARRIAGE VEHICLE LICENCE (ITEM C6)**

The driver and his friend were in attendance. The Chair welcomed them to the Sub-Committee.

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

The driver and his friend presented their case to the Sub-Committee.

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

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

### **Resolved:**

1. That the Hackney Carriage driver's licence be suspended under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 for a period of 28 days.
2. The driver was informed of his right of appeal to the Magistrates' Court which must be exercised with 21 days of service of the decision letter upon him.
3. That no further action be taken in relation to the Hackney Carriage vehicle licence. The Sub-Committee considers the proprietor to be a fit and proper person.
4. The driver was informed of the reason for the decisions and that he would receive written confirmation of the Council's decisions.

### **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, Intended Use Policy and the Sub-Committee took into account all the relevant information put before them.

10. **REPORT TO REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR SNA (ITEM C1)**

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 Sub-Committee and Licensing Manager asked questions of the driver for clarification purposes only.

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

**Resolved:**

1. That no further action be taken. The Sub-Committee considers the driver to be a fit and proper person to hold a Hackney Carriage driver's 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.

**The meeting concluded at 12.45pm.**

CHAIRMAN \_\_\_\_\_