

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 17th August 2017

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

**In Attendance: Abigail Wrench, Legal Officer
Phil Morton, Licensing Manager
Joanna Wood, Committee & Member Services Officer
4 applicants/drivers/friends/representatives**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

There were no apologies for absence, although the Chair did confirm that Councillor Farrington was delayed and would join the meeting as soon as possible.

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 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 FOR AN APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE FOR ZK (ITEM C3)

The Chair welcomed the applicant to the Sub-Committee.

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

The applicant presented the case to the Sub-Committee.

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

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

Resolved:

1. The application is granted. The Sub-Committee considers the applicant to be a fit and proper person to hold a Private Hire driver's licence.
2. The applicant 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.

NB: Councillor Farrington was present for the remaining items and a comfort break was taken at this time.

6. **REPORT FOR A REFERRAL FOR THE REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENCES FOR TAL. (ITEM C4)**

The Chair confirmed with the individual that he was the Company Director to the Sub-Committee.

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

The proprietor presented his case to the Sub-Committee.

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

The proprietor and the Licensing Managers left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That the vehicle licences be revoked under Section 60 subsection (1) subsection (a) of the Local Government Miscellaneous Provisions Act 1976.
2. The proprietor will be notified in writing of this decision and they have a right of appeal before the magistrate's court which must be exercised within 21 days of receipt of this 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 EU (ITEM C5)

The Chair welcomed the driver and his friend 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's friend presented the case to the Sub-Committee.

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

The driver, his friend and 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 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 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, Intended Use Policy and the Sub-Committee took into account all the relevant information put before them.

8. REPORT FOR AN APPLICATION FOR THE GRANT OF A PRIVATE HIRE OPERATOR'S LICENCE FOR ZA. (ITEM C1)

The applicant was not in attendance at the Sub-Committee. The Sub-Committee agreed to defer the case in their absence.

Resolved:

1. That the decision is deferred until a further hearing can be arranged.

Reason for Decision

The matter had been considered in accordance with the Council's approved procedure, and to allow the applicant to attend a future hearing in support of their application.

9. REPORT FOR APPLICATION FOR THE GRANT OF A PRIVATE HIRE OPERATOR'S LICENCE JAC. (ITEM C2)

The applicant was not in attendance at the Sub-Committee. The Sub-Committee agreed to defer the case in their absence.

Resolved:

1. That the decision is deferred until a further hearing can be arranged.

Reason for Decision

The matter had been considered in accordance with the Council's approved procedure, and to allow the applicant to attend a future hearing in support of their application.

The meeting concluded at 12pm

CHAIRMAN _____

DATE _____