

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 21st September 2017

Present: Councillors Hughes (Chair), Smith and Cllr Haworth (subbing for Cllr Cheetham)

**In Attendance: Abigail Wrench, Legal Officer
Nigel Yates, Licensing Enforcement Officer
Joanna Wood, Committee & Member Services Officer
8 applicants/drivers/friends/representatives**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

Apologies for Cllr Cheetham (Cllr Haworth subbing)

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. URGENT ITEMS

There were no urgent items of business

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 THE REVIEW OF AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR LA (ITEM C1)

The Chair welcomed the driver to the Sub-Committee.

The Licensing Enforcement Officer presented the report and detailed the circumstances that 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 Enforcement Officer 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 you are no longer 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 CONSIDER THE REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR AG (ITEM C3)

The Chair welcomed the driver and his friend to the Sub-Committee.

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

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

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

The driver, his friend and the Licensing Officer 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 you are 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 CONSIDER THE REVIEW OF AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR ASK (ITEM C4)

The Chair welcomed the driver, the driver's wife and his legal representative to the Sub-Committee.

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

The driver and his legal representative presented the case to the Sub-Committee.

The Sub-Committee Members asked questions of the driver and his legal representative for clarification purposes only.

The driver, his legal representative, the driver's wife and the Licensing Enforcement Officer 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 drivers licence.
2. The driver was informed that he would receive written confirmation 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.

8. REPORT TO CONSIDER THE REVIEW OF AN EXISTING HACKNEY CARRIAGE VEHICLE LICENCE FOR MR AM (ITEM C5)

The Chair welcomed the driver and his representative to the Sub-Committee.

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

The driver and representative presented the case to the Sub-Committee.

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

The driver, representative and the Licensing Enforcement Officer 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 you are 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.

9. **REPORT TO CONSIDER THE REVIEW OF AN EXISTING HACKNEY CARRIAGE VEHICLE PROPRIETOR'S LICENCE FOR MR MS (ITEM C6)**

The Chair welcomed the driver to the Sub-Committee.

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

The driver presented the case to the Sub-Committee.

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

The driver and the Licensing Enforcement Officer 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 you are 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.

10. **REPORT TO CONSIDER THE APPLICATION OF A PRIVATE HIRE DRIVER'S LICENCE FOR MR LN (ITEM C7)**

The Chair welcomed the applicant to the Sub-Committee.

The Licensing Enforcement Officer presented the report and detailed the application that was before the Sub-Committee.

The applicant presented the case to the Sub-Committee.

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

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

Resolved:

1. That 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.
4. The applicant was informed he would be contacted by the Licensing Unit to confirm when the license would be ready to be collected.

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.

11. REPORT TO CONSIDER THE REVIEW OF AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR CSA (ITEM C2)

The Chair welcomed the driver and his friend to the Sub-Committee.

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

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

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

The driver, his friend and the Licensing Enforcement Officer 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 you are 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.

The meeting concluded at 11.53am.

CHAIRMAN _____

DATE _____