

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 24th October 2017

Present: Councillors Smallridge (Chair), Eaton and Johnson

**In Attendance: Yasmin Ahmed, Legal Officer
Nigel Yates, Licensing Enforcement Officer
Glenda Ashton, Committee & Member Services Officer
8 applicants/drivers/friends/representatives**

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.

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 TO CONSIDER AN APPLICATION TO RENEW A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR MA (ITEM C1)

The Chair welcomed the applicant to the Sub-Committee.

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

The applicant presented his case to the Sub-Committee.

The Sub-Committee Members and Licensing Enforcement Officer 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 Hackney Carriage driver's licence be renewed under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976. The Sub-Committee considered the applicant to be a fit and proper person to hold a Hackney Carriage driver's licence
2. That a verbal warning be issued to the applicant.

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 FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE FOR MR MA (ITEM C2)

The Chair welcomed the applicant to the Sub-Committee.

The Licensing Enforcement Officer presented the report and detailed the application before 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 and the Licensing Enforcement Officer left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That the application to grant a Private Hire driver's licence be refused under Section 51(1) of the Local Government (Miscellaneous Provisions) Act 1976. The Sub-Committee did not consider the applicant to be a fit and proper person to hold a Private Hire driver's licence.
2. The applicant 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 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.

7. REPORT TO REVIEW HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE PROPRIETOR'S LICENCES (ITEM C3)

The Chair welcomed the Operations Director and Legal Representative to the Sub-Committee.

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

The Legal Representative presented their case to the Sub-Committee.

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

The Operations Director, Legal Representative and the Licensing Enforcement Officer left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That the Hackney Carriage and Private Hire Vehicle Proprietor's Licences be suspended under Section 60(1) of the Local Government (Miscellaneous Provisions) Act 1976 pending an inspection by an authorised officer from the Licensing Department.
2. The representatives were informed of their right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon him.
3. The representatives were informed of the reason for the decision and that they 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 KH (ITEM C5)

The Chair welcomed the driver and his friend/interpreter 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 through his friend/interpreter presented the case to the Sub-Committee.

The Sub-Committee Members and Licensing Enforcement Officer asked questions of the driver and his friend/interpreter for clarification purposes only. The Sub-Committee Members asked questions of the Licensing Enforcement Officer for clarification purposes.

The driver, his friend/interpreter and Licensing Enforcement Officer 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 with 21 days of service of the decision letter upon him.
3. 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 and the Sub-Committee took into account all the relevant information put before them.

9. **REPORT TO REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR MZ (ITEM C7)**

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 Licensing Enforcement Officer 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 with 21 days of service of the decision letter upon him.
3. 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 and the Sub-Committee took into account all the relevant information put before them.

10. **REPORT TO REVIEW HACKNEY CARRIAGE VEHICLE AND PRIVATE HIRE VEHICLE LICENCES FOR MR THY (ITEM C4)**

The proprietor was not in attendance at the Sub-Committee. The Sub-Committee agreed to consider the report in the proprietor's absence.

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

Resolved:

1. That the Hackney Carriage Vehicle and Private Hire Vehicle Licences be revoked under Section 60(1) of the Local Government (Miscellaneous Provisions) Act 1976. The Sub-Committee did not consider the proprietor to be a fit and proper person to hold Hackney Carriage Vehicle and Private Hire Vehicle Licences.
2. The proprietor would be 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 proprietor would be informed of the reason for the decision 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.

11. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR QM (ITEM C6)

The driver was not in attendance at the Sub-Committee. The Sub-Committee agreed to consider the report in the driver's absence.

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

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 would be 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 would be 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 and the Sub-Committee took into account all the relevant information put before them.

The meeting concluded at 3.45pm

CHAIRMAN
DATE

