

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 9th November 2017

Present: Councillors Hughes (Chair), Haworth and Smith

**In Attendance: Abigail Wrench, Legal Officer
Phil Morton, Licensing Manager
Glenda Ashton, Committee & Member Services Officer
6 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 THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR MAM (ITEM C2)

The Chair welcomed the driver and his friend 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 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 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 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 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.

6. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR BRM (ITEM C3)

The Chair welcomed the driver 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 produced a supporting letter and presented his case to the Sub-Committee.

The Sub-Committee Members asked questions of the driver and the Licensing Manager 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 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 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.

7. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR TTT (ITEM C7)

The Chair welcomed the driver 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 asked for the case to be deferred so that he could secure legal representation.

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

Resolved:

1. That the decision be deferred until a further hearing could be arranged.
2. 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

To enable the driver to attend with legal representation to present his case to the Sub-Committee.

A comfort break was taken at this point.

8. REPORT TO CONSIDER THE REVIEW OF AN EXISTING HACKNEY CARRIAGE VEHICLE PROPRIETOR'S LICENCE (ITEM C6)

The Chair welcomed the former Company Director and his friend to the Sub-Committee. It was confirmed that the current Director had given permission by email and telephone conversation with the Licensing Office that the former Director and his friend could speak on behalf of the Company.

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

The former Director and friend presented their case to the Sub-Committee.

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

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

Resolved:

1. That the Hackney Carriage Vehicle Proprietor's licence be revoked under Section 60(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976.
2. The Company 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 them.
3. The Company were informed of the reason for the decision and that they 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 CONSIDER THE REVIEW OF AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR RA (ITEM C1)

The driver was not in attendance at the Sub-Committee. It was noted that he had advised the Council that he was unable to attend.

Resolved:

1. That the item be deferred until a further hearing could be arranged.
2. The driver would be informed of the reason for the decision and that he would receive written confirmation of the Council's decision.

Reason for Decision

To enable the driver to attend the Sub-Committee to present his case.

10. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR MR (ITEM C4)

The driver was not in attendance at the Sub-Committee and had confirmed over the telephone to the Licensing Office that he was happy for the Sub-Committee to hear the matter in absence. The Sub-Committee agreed to consider the report in the driver's absence.

The Licensing Manager 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 within 21 days of service of the decision letter upon him.
3. The driver would be informed of the reason for the decision and 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 THE REVIEW OF AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR AS (ITEM C5)

The driver was not in attendance at the Sub-Committee. It was noted that he had advised the Council that he was unable to attend.

Resolved:

1. That the item be deferred until a further hearing could be arranged.
2. The driver would be informed of the reason for the decision and that he would receive written confirmation of the Council's decision.

Reason for Decision

To enable the driver to attend the Sub-Committee to present his case.

The meeting concluded at 11.15am

CHAIRMAN

DATE
