

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

**Date of Meeting: 17<sup>th</sup> January 2018**

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

**In Attendance: Abigail Wrench, Legal Officer  
Phil Morton, Licensing Manager  
Jenni Cook, Committee & Member Services Officer  
9 applicants/drivers/friends/representatives\***

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*\*Note: at 9.40am only the driver and his solicitor for Item C5 had arrived. It was decided to start the meeting and adjourn after Item C5 to determine if any other drivers had arrived.*

### **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.

**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 PRIVATE HIRE DRIVER'S LICENCE FOR MR TT (ITEM C5)**

The Chair welcomed the driver and his solicitor 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 solicitor presented his case to the Sub-Committee.

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

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

**Resolved:**

1. That no further action be taken following today's verbal warning.
2. The driver 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, and the Sub-Committee took into account all the relevant information put before them.

**RESOLVED:**

**That the meeting come out of private session to enable the remainder of the drivers (if arrived) to join the Sub-Committee meeting.**

**Note: at 10.25am the meeting was adjourned to establish if any other drivers had arrived. It was determined that all other drivers had arrived and the meeting was restarted, with the drivers/representatives for Items C1, C2, C3, C4 and C6 present.**

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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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**6. 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.

**7. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR RA (ITEM C1)**

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

#### **8. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR YM (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 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 suspended until he had taken and passed the DVSA test (or council-approved equivalent) and has provided evidence of this to the Licensing and Enforcement Unit.
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.

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

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 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.

**Resolved:**

1. That no further action be taken
2. The driver 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 REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR IS (ITEM C4)**

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

The Sub-Committee Members 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 no further action is taken following today's verbal warning.
2. The driver 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.

**11. REPORT TO CONSIDER THE REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE FOR MR HZ (ITEM C6)**

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 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 Manager left the room to enable the Sub-Committee to come to a decision.

**Resolved:**

1. That the Private Hire 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 Private Hire 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 and the Sub-Committee took into account all the relevant information put before them.

**The meeting concluded at 12.10pm**

CHAIRMAN \_\_\_\_\_

DATE \_\_\_\_\_