

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

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 19th December 2017

Present: Councillors Hughes (Chair), Johnson and Haworth

**In Attendance: Yasmin Ahmed, Legal Officer
Phil Morton, Licensing Manager
Joanna Wood, Committee & Member Services Officer
3 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 PRIVATE HIRE DRIVER'S LICENCE FOR MR MUF (ITEM C2)

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 and produced a copy of a letter confirming notification of his conviction which was passed to the Committee Members.

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 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.

6. REPORT TO CONSIDER THE APPLICANT OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR DAHD (ITEM C4)

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 his case to the Sub-Committee.

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

The applicant 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 granted.
2. The Sub-Committee did considered the driver to be a fit and proper person to hold a Hackney Carriage driver's licence.
3. The driver was informed of the reason for the decisions and that he would receive written confirmation regarding his application from the Licensing Unit.

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 RENEWAL OF AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR AMM (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 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 renewed and no further action to be taken. The Sub-Committee considered the driver to be a fit and proper person to hold a Hackney Carriage driver's licence.
2. The driver was informed of the reason for the decision and that he would receive written confirmation of the Council's decisions and the Licensing Unit would be in touch when the licence had been renewed.

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 EXISTING HACKNEY CARRIAGE VEHICLE LICENCES (ITEM C1)

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

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

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

Resolved:

1. That the Hackney 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 Vehicle Licences.
2. The proprietor 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 proprietor 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.

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

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

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

The Licensing Enforcement 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 can be arranged to allow the driver to attend.
2. The driver would be informed by letter from the Licensing Unit confirming the decision and the new Sub-Committee date.

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 SH (ITEM C5)

The driver was not in attendance at the Sub-Committee.

The Licensing Enforcement Manager confirmed the driver had surrendered the Licence and no further action was required.

Resolved:

1. No further action required.

Reason for Decision

The Driver had surrendered the licence.

11. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR LM (ITEM C6)

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

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

The Licensing Enforcement 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.

Committee considers that the driver is no longer a fit and proper person to hold a hackney carriage drivers licence.

2. The driver will 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 will be informed of the reason for the decision and that he will 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.

12. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR IAM (ITEM C8)

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

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

The Licensing Enforcement 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 Committee considers that the driver is no longer a fit and proper person to hold a hackney carriage drivers licence.
2. The driver will 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 will be informed of the reason for the decision and that he will 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 10.51am

CHAIRMAN
DATE

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 7th December 2017

Present: Councillors Hughes (Chair), Smith and Haworth

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

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

Cllr Hughes confirmed he had received an email regarding Item C4 which was forwarded onto the Licensing Team.

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 PRIVATE HIRE DRIVER'S LICENCE FOR MR UA (ITEM C2)

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 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.

6. REPORT TO CONSIDER THE REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE FOR MR UAK (ITEM C3)

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 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 decisions 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.

7. REPORT TO CONSIDER THE REVIEW OF AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR MH (ITEM C6)

The Chair welcomed the driver and his friend 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 and his friend presented the driver's 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 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 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.

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

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

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

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 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 will 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 will be informed of the reason for the decisions and that he will 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 FOR AN APPLICATION TO GRANT A PRIVATE HIRE OPERATOR'S LICENCE FOR ZA (ITEM C4)**

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.

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

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

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

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 suspended under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976 until the DVSA test (or council approved equivalent) has been taken and passed and evidence provided of this to the Licensing and Enforcement Unit.
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 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.

11. **REPORT TO CONSIDER THE REVIEW OF AN EXISTING HACKNEY CARRIAGE VEHICLE PROPRIETOR'S LICENCE FOR MR AA (ITEM C8)**

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

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

The Licensing Enforcement Officer 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) of the Local Government (Miscellaneous Provisions) Act 1976.
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 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.

The meeting concluded at 11.20pm

CHAIRMAN

DATE

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 12th January 2018

Present: Councillors Smith (Chair), Crawforth and Haworth

**In Attendance: Abigail Wrench, Legal Officer
Phil Morton, Licensing Manager
Carolyn Sharples, Committee & Member Services Manager
5 applicants/drivers/representatives**

BUSINESS MATTERS

1. APPOINTMENT OF CHAIR

Resolved:

That Councillor Smith would chair the meeting.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. 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.

5. 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.

6. REPORT TO CONSIDER THE APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE FOR MR FT (ITEM C2)

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

Resolved:

1. That the Private Hire driver's licence be granted.
2. The Sub-Committee did consider the driver to be a fit and proper person to hold a Private Hire driver's licence.
3. The applicant was informed of the reason for the decisions and that he would receive written confirmation regarding his application from the Licensing Unit.

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.

7. REPORT TO CONSIDER THE REVIEW OF AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR ZA (ITEM C3)

The Chair welcomed the driver and his representative 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 representative 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 Committee considers that the driver is no longer a fit and proper person to hold a hackney carriage drivers 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 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 DM (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 his case to the Sub-Committee.

The Sub-Committee Members and Licensing Manager 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 Committee considers that the driver is no longer a fit and proper person to hold a hackney carriage drivers 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 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 HACKNEY CARRIAGE LICENCES (ITEM C1)

The Licensing Manager informed that further changes were required to the report and it was planned to bring an amended report back to Sub-Committee Members in February.

Resolved:

1. That the item be deferred to a future meeting.
2. The proprietor would be informed by letter from the Licensing Unit confirming the decision and the new Sub-Committee date.

Reason for Decision

To enable Sub-Committee Members to consider all relevant information and to enable the proprietor to attend and present the case to the Sub-Committee.

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

The driver was not in attendance at the Sub-Committee.

The Licensing Manager confirmed that Mr SA had received the letter at his address as it had been signed for, and that this was the first time that this particular report had come before the committee.

Resolved:

1. That the decision be deferred until a further hearing could be arranged.
2. The driver would be informed by letter from the Licensing Unit confirming the decision and the new Sub-Committee date.

Reason for Decision

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

11. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR RKK (ITEM C5)

The driver was not in attendance at the Sub-Committee.

The Licensing Manager confirmed that Mr RKK had contacted the Licensing Team and informed that he would be away on the day of the hearing. He had also provided evidence that the booking had been made prior to receiving his notification letter.

Resolved:

1. That the decision be deferred until a further hearing could be arranged.
2. The driver would be informed by letter from the Licensing Unit confirming the decision and the new Sub-Committee date.

Reason for Decision

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

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

The Licensing Manager advised the Sub-Committee that the report was no longer to be heard as the driver had surrendered his licence.

13. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR MB (ITEM C8)

The driver was not in attendance at the Sub-Committee.

The Licensing Manager confirmed that the notification letter had been returned from Royal Mail as it had not been collected. The Licensing Team had sent a first class letter to Mr MB's address to provide notification and also tried to phone him on the two telephone numbers provided, but had not been successful in making contact with him. This was the first time that this particular report had come before the committee.

Resolved:

1. That the decision be deferred until a further hearing could be arranged.
2. The driver would be informed by letter from the Licensing Unit confirming the decision and the new Sub-Committee date.

Reason for Decision

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

The meeting concluded at 11.20am

CHAIRMAN

DATE

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 17th 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***

**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.

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.

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

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 _____

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

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 28th November 2017

Present: Councillors Hughes (Chair), Johnson and Eaton (subbing for Cllr Cheetham)

**In Attendance: Yasmin Ahmed, Legal Officer
Phil Morton, Licensing Manager
Joanna Wood, Committee & Member Services Officer
1 applicant and 1 driver**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

Councillor Cheetham, Councillor Eaton subbing.

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 HACKNEY CARRIAGE VEHICLE LICENCES LISTED IN APPENDIX A AND STILL LICENSED BY ROSSENDALE BC FOR MR AH (ITEM C3)

The Chair welcomed the Director to the Sub-Committee.

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

The Director presented his case to the Sub-Committee.

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

The Director and Licensing Manager 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 (c) of the Local Government Miscellaneous Provisions Act 1976.
2. The Director 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 APPLICATION TO GRANT A PRIVATE HIRE DRIVER'S LICENCE FOR Mr AAR (ITEM C7)

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

Resolved:

1. That the application is refused. The Sub-Committee does not consider the applicant to be a fit and proper person to hold a private hire drivers licence.
2. The applicant will be 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.

7. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR BH (ITEM C2)

The Licensing Manager advised the Committee the report was no longer to be heard and the Licensing Department had already dealt with the matter, which resulted in the driver no longer needing to attend the Sub-Licensing Committee.

8. **REPORT TO CONSIDER THE REVIEW OF AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR BM (ITEM C4)**

The Licensing Manager advised the Committee the report was no longer to be heard at the Sub-Licensing Committee in light of the applicant successfully appealing the conviction against him.

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

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 Manager presented the report and detailed the circumstances which had brought the driver before the Sub-Committee.

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

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 under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976 until the DVSA test (or council approved equivalent) has been taken and passed and evidence provided of this to the Licensing and Enforcement Unit within a period of 3 months (unless evidence provided that an appointment could not be obtained).
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 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 REVIEW OF AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR SM (ITEM C5)**

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 Manager presented the report and detailed the circumstances which had brought the driver before the Sub-Committee.

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 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 A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR MB (ITEM C6)

The driver was not in attendance at the Sub-Committee.

The Licensing Manager advised the driver had not been aware of the meeting due to not being in the country. The Sub-Committee agreed to defer to allow the driver to attend a future Sub-Committee to present his case.

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.

12. REPORT TO CONSIDER THE REVIEW OF A PRIVATE HIRE OPERATOR'S LICENCE FOR MR MB (ITEM C8).

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

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

The Licensing Manager 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 (c) of the Local Government Miscellaneous Provisions Act 1976.
2. The licence holder would be 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.

13. **REPORT TO CONSIDER THE REVIEW OF HACKNEY CARRIAGE VEHICLE LICENCES (ITEM C9)**

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

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

The Licensing Manager 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 (c) of the Local Government Miscellaneous Provisions Act 1976.
2. The licence holder would be 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 10.30am

CHAIRMAN

DATE

