

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 12th April 2018

Present: Councillors Hughes (Chair), Haworth and Neal

**In Attendance: Abigail Wrench, Legal Officer
Nigel Yates, Licensing Enforcement Officer
Glenda Ashton, 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

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 HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR AA (ITEM C1)

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

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

The driver, his wife 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

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.

6. REPORT TO CONSIDER THE REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE FOR MR SMA (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 the private hire driver's licence be revoked under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976. The 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.

7. REPORT TO CONSIDER THE REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE FOR MR JK (ITEM C4)

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 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.

8. REPORT TO CONSIDER AN APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE FOR MR FM (ITEM C5)

The Chair welcomed the applicant to the Sub-Committee.

The Licensing Enforcement Officer presented the report and detailed the application for a Private Hire Driver's Licence.

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

Resolved:

1. That the application was granted. The Sub-Committee considered the applicant to be a fit and proper person to hold a private hire driver's licence.

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.

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

The driver had asked for his case to be deferred until a future meeting to enable him to attend with legal representation.

Resolved:

1. That the report be deferred until the next Sub-Committee meeting.
2. The driver would be advised of the deferral in writing.

Reason for Decision

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

10. **REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE VEHICLE PROPRIETOR'S LICENCE (ITEM C6)**

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

The Sub-Committee agreed to hear the report in the proprietor's absence.

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

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 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 10.55am

CHAIRMAN

DATE
