

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 21st June 2018

Present: Councillors Hughes(Chair), Haworth and Gill

**In Attendance: Abigail Wrench, Legal Officer
Phil Morton, Public Protection Manager
Joanna Wood, Committee & Member Services Officer
4 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 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 (ITEM C3A) AND AN APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE (ITEM C3B) BOTH FOR MR CA.

The Chair welcomed the Driver/Applicant to the Sub-Committee.

The Public Protection Manager presented both of the reports and detailed the circumstances that had brought the Driver/Applicant before the Sub-Committee.

The Driver/Applicant presented their case to the Sub-Committee.

The Sub-Committee Members and Public Protection Manager asked questions of the Driver/Applicant, for clarification purposes only.

The Driver/Applicant and the Public Protection Manager left the room to enable the Sub-Committee to come to a decision.

Resolved item C3A:

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 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 was informed of the reason for the decision and that he would receive written confirmation of the Council's decisions.

Resolved item C3B:

1. The application was refused. The Committee did not consider the applicant to be a fit and proper person to hold a private hire driver's licence.
2. The applicant 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 applicant was informed of the reason for the decision and that he would receive written confirmation of the Council's decisions.

Reason for Decision

The matters 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 HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR SK (ITEM C6)

The Chair welcomed the Applicant and the Applicant's friend to the Sub-Committee.

The Public Protection Manager presented the report and detailed the circumstances that had brought the Applicant before the Sub-Committee.

The Applicant and Applicant's friend presented the case to the Sub-Committee.

The Sub-Committee Members and Public Protection Manager asked questions of the Applicant for clarification purposes only.

The Applicant, Applicant's friend and the Public Protection 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 REVIEW OF A HACKNEY CARRIAGE VEHICLE DRIVER'S LICENCE FOR MR ZH (ITEM C1)

The Chair welcomed the vehicle proprietor and his friend to the Sub-Committee.

The Public Protection Manager presented the report and detailed the circumstances that had brought the vehicle proprietor before the Sub-Committee.

The vehicle proprietor and his friend presented the case to the Sub-Committee.

The Sub-Committee Members and Public Protection Manager asked questions of the vehicle proprietor for clarification purposes only.

The vehicle proprietor, the vehicle proprietor's friend and the Public Protection Manager left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That the decision be deferred until the next hearing can be arranged unless evidence is provided before this date.
2. The vehicle proprietor was informed of the reason for the decisions and that he would receive written confirmation regarding the decision 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.

8. REPORT TO CONSIDER THE REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE FOR MR AA (ITEM C2)

The Chair welcomed the Driver to the Sub-Committee.

The Public Protection 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 and Public Protection Manager asked questions of the Driver for clarification purposes only.

The Driver and the Public Protection 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 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 was 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 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 AI (ITEM C4)

The driver had advised that he would not be attending the meeting and would be surrendering his hackney carriage driver's licence. The Sub-Committee agreed to hear the case in the driver's absence.

The Public Protection Manager presented the report and detailed the circumstances that had brought the driver before the attention of 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 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 Council's reason for the decision in writing.

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 LH (ITEM C5)

The Driver was not in attendance at the meeting. The Sub-Committee agreed to hear the case in the Driver's absence.

The Public Protection Manager presented the report and detailed the circumstances that had brought the Driver before the attention of 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 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 Council's reason for the decision in writing.

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 11.26am

CHAIRMAN

DATE
