

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 23rd July 2018

Present: Councillors Smallridge (Chair), Haworth and Johnson

**In Attendance: Yasmin Ahmed, Legal Officer
Phil Morton, Public Protection Manager
Glenda Ashton, Committee & Member Services Officer
2 drivers/applicants/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 FOR MR FA (ITEM C1).

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 his 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 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 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 APPLICATIONS FOR THE GRANT OF A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE FOR MR HKR (ITEM C5)

The Chair welcomed the applicant to the Sub-Committee.

The Public Protection Manager presented the report and detailed the applications before the Sub-Committee.

The applicant presented his case to the Sub-Committee

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

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

Resolved:

1. That the applications for a Hackney Carriage and Private Hire Driver's Licence be refused under Section 51 & 59 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 or 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 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.

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

In the absence of the driver, the Sub-Committee agreed to hear the report in the driver's absence.

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

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 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 reason for the decision and 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 SH (ITEM C3)

In the absence of the driver, the Sub-Committee agreed to hear the report in the driver's absence.

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

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

9. REPORT TO CONSIDER AN APPLICATION TO RENEW A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR MAMSK (ITEM C4)

In the absence of the applicant, the Sub-Committee agreed to hear the report in the applicant's absence.

The Public Protection Manager presented the report and detailed the application before the Sub-Committee.

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

Resolved:

1. That the application to renew the Hackney Carriage driver's licence be refused 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 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 would be informed of the reason for the decision and 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 10.45am

CHAIRMAN
DATE

