

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 16th August 2018

Present: Councillors Smallridge (Chair), Haworth and Gill

**In Attendance: Abigail Wrench, Legal Officer
Phil Morton, Public Protection Manager
Joanna Wood, Committee & Member Services Officer
3 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 ND (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 their 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 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 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 HACKNEY CARRIAGE DRIVER'S LICENCE AND A REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE FOR AH (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 their 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 Hackney Carriage driver's licence and 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 either a hackney carriage or 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 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/Private Hire and the Sub-Committee took into account all the relevant information put before them.

The Committee adjourned for a short comfort break.

7. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR BH (ITEM C3)

The Chair welcomed the driver and the drivers Representative 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 and their Representative presented their case to the Sub-Committee.

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

The driver, the Representative 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 suspended for a period of 28 days under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976.
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 would receive written confirmation of the Council's decisions.
4. The driver was made aware that they must surrender their badge to the Licensing Unit by midday on the first day of the suspension period.
5. Their badge will be returned to them at the end of the suspension period.

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 AI (ITEM C4)

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 THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR ZM (ITEM C5)

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.

10. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR IR (ITEM C6)

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.

The meeting concluded at 12.05pm

CHAIRMAN

DATE
