

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 20th September 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
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 MI (ITEM C2).

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

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

The driver, 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 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 PRIVATE HIRE DRIVER'S LICENCE FOR FY (ITEM C5).

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

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

The driver, nephew 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 license be suspended for a period of 4 weeks.
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.
4. The driver was informed they must surrender their badge to the Licensing Unit by midday on the first day of the suspension period. The badge will be returned to the driver 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, the conditions attached to Private Hire Driver Licences 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 TG (ITEM C6)

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 License be suspended until the driver has 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 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, the conditions attached to Private Hire Driver Licences 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 GA (ITEM C1)

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 MSK (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.

10. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR DM (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.

The meeting concluded at 10.55am.

CHAIRMAN

DATE
