

**MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)**

**Date of Meeting: 20<sup>th</sup> June 2019**

**Present: Councillors Gill (Chair), Haworth and Neal**

**In Attendance: Yasmin Ahmed, Legal Officer  
Nigel Yates, Licensing Enforcement Officer  
Glenda Ashton, Committee & Member Services Officer  
3 drivers/representatives**

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## **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.

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In the interests of expediency the chair asked the officer to outline to all persons present the relevant information which applied to all confidential applications.

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### **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 PRIVATE HIRE AND HACKNEY CARRIAGE VEHICLE LICENCES FOR AM (ITEM C1)**

The chair welcomed the company representative and legal representative to the Sub-Committee.

The Licensing Enforcement Officer presented the report and detailed the circumstances that had brought the company before the Sub-Committee.

The company representative and legal representative presented their case to the Sub-Committee.

The Sub-Committee members and Licensing Enforcement Officer asked questions of the representatives for clarification purposes only.

The company representative, legal representative and Licensing Enforcement Officer left the room to enable the Sub-Committee to come to a decision.

**Resolved:**

1. That the 3 Private Hire and 4 Hackney Carriage vehicle licences be revoked under Section 60, Sub-section (1) of the Local Government Miscellaneous Provisions Act 1976.
2. The company were informed of their right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon them.
3. The company were informed of the reason for the decision and that they 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 Private Hire 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 SFW (ITEM C3)**

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 and Licensing Enforcement Officer asked questions of the driver for clarification purposes only.

The driver and Licensing Enforcement Officer left the room to enable the Sub-Committee to come to a decision.

**Resolved:**

1. That the driver be required to take and pass the DVSA test (or council approved equivalent) and have provided evidence of this to the Licensing and Enforcement Unit within a period of 3 months (unless evidence was provided that an appointment could not be obtained). Failure to provide such evidence within 3 months would result in a call-back to the Sub-Committee.
2. The driver was informed of the right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon them.
3. The driver was informed of the reason for the decision and that they 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 Private Hire 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 JM (ITEM C2)**

The driver was not in attendance. The Sub-Committee agreed to hear details of the report in the driver's absence.

The Licensing Enforcement Officer presented the report and detailed the circumstances that had brought the driver before the Sub-Committee.

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

**Resolved:**

1. That the licence be revoked with immediate effect under Section 61 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 the right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon them.
3. The driver would be informed of the reason for the council's 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 11.50pm**

CHAIRMAN \_\_\_\_\_

DATE \_\_\_\_\_