

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 12th April 2018

Present: Councillors Hughes (Chair), Haworth and Neal

**In Attendance: Abigail Wrench, Legal Officer
Nigel Yates, Licensing Enforcement Officer
Glenda Ashton, Committee & Member Services Officer
5 applicants/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.

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 AA (ITEM C1)

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

The Sub-Committee Members and Licensing Enforcement Officer asked questions of the driver and his wife for clarification purposes only.

The driver, his wife and the Licensing Enforcement Officer 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 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, 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 MR SMA (ITEM C2)

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 asked questions of the driver for clarification purposes only.

The driver and the Licensing Enforcement Officer 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 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 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 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 MR JK (ITEM C4)

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 asked questions of the driver for clarification purposes only.

The driver and the Licensing Enforcement Officer 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 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 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 and the Sub-Committee took into account all the relevant information put before them.

8. REPORT TO CONSIDER AN APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE FOR MR FM (ITEM C5)

The Chair welcomed the applicant to the Sub-Committee.

The Licensing Enforcement Officer presented the report and detailed the application for a Private Hire Driver's Licence.

The applicant presented his case to the Sub-Committee.

The Sub-Committee Members asked questions of the applicant for clarification purposes only.

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

Resolved:

1. That the application was granted. The Sub-Committee considered the applicant to be a fit and proper person to hold a private hire driver's licence.

Reason for Decision

The matter had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions and the Sub-Committee took into account all the relevant information put before them.

9. REPORT TO CONSIDER THE REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE FOR MR WH (ITEM C3)

The driver had asked for his case to be deferred until a future meeting to enable him to attend with legal representation.

Resolved:

1. That the report be deferred until the next Sub-Committee meeting.
2. The driver would be advised of the deferral in writing.

Reason for Decision

To enable the driver to attend the Sub-Committee with legal representation.

10. **REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE VEHICLE PROPRIETOR'S LICENCE (ITEM C6)**

The proprietor was not in attendance at the Sub-Committee.

The Sub-Committee agreed to hear the report in the proprietor's absence.

The Licensing Enforcement Officer presented the report and detailed the circumstances that had brought the proprietor to the attention of the Sub-Committee.

Resolved:

1. That the Hackney Carriage vehicle proprietor's licence be revoked under Section 60(1) of the Local Government (Miscellaneous Provisions) Act 1976.
2. The proprietor 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 proprietor would be 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, 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

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 13th February 2018

Present: Councillors Smallridge(Chair), Johnson and Haworth.

**In Attendance: Yasmin Ahmed Legal Officer
Phil Morton, Licensing Manager
Joanna Wood Committee Services Officer
4 applicants/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.

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 BH (ITEM C4)

The Chair welcomed the driver.

The Licensing 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 asked questions of the driver for clarification purposes only.

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

Resolved:

1. That the driver will be required to take and pass the DVSA test (or Council-approved equivalent) and provide evidence of this to the Licensing and Enforcement Unit within a period of 3 months.
2. The driver 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 VEHICLE PROPRIETOR'S LICENCE AND DETERMINATION OF AN APPLICATION TO RENEW HACKNEY CARRIAGE VEHICLE LICENCES FOR MKW (ITEM C6)

The Chair welcomed the applicant/proprietor to the Sub-Committee.

The Licensing Manager presented the report and detailed the circumstances that had brought the applicant/proprietor before the Sub-Committee.

The applicant/proprietor presented their case to the Sub-Committee.

The Sub-Committee Members asked questions of the applicant/proprietor for clarification purposes only.

The applicant/proprietor and the Licensing Manager left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That the proprietor's license be revoked.
2. The application to renew the hackney carriage vehicles licences is refused.
3. The Sub-Committee did not consider the applicant/proprietor to be a fit and proper person to hold either a vehicle proprietor's licence or to renew the hackney carriage vehicle licenses.
4. The applicant/proprietor was informed of the reason for the decisions and that they would receive written confirmation regarding their application/review 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 APPLICATION FOR THE GRANT OF A PRIVATE HIRE OPERATOR'S LICENCE FOR ZA. (ITEM C2)

The Chair welcomed the applicant and their representative to the Sub-Committee.

The Licensing Manager presented the report and detailed the circumstances that had brought the applicant before the Sub-Committee.

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

The Sub-Committee Members asked questions of the applicant and their representative for clarification purposes only.

The applicant, their representative and the Licensing Manager left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That the Private Hire Operator's Licence be granted for a period of 12 months subject to the conditions set out in Appendix B of the Report.
2. That the Private Hire Operator's Licence be granted following the condition to find suitable premises with the relevant planning permission in place and the grant of a satisfactory basic disclosure.
3. The applicant was informed of the reason for the decisions and that they would receive written confirmation regarding their 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 Private Hire and the Sub-Committee took into account all the relevant information put before them.

A comfort break was taken at this point.

8. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR SA (ITEM C1)

The driver was not in attendance at the Sub-Committee.

The Licensing Manager confirmed that the Licensing Team had tried to contact the driver via the telephone number provided, but had not been successful in making contact with him.

The Sub-Committee agreed to consider the report in the driver's absence.

The Licensing Manager presented the report and detailed the circumstances which had brought the driver before the Sub-Committee.

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

Resolved:

1. That the licence be revoked.
2. The driver 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.

9. **REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MA (ITEM C3)**

The driver was not in attendance at the Sub-Committee.

The Licensing Manager confirmed that driver had surrendered his badge.

The Sub-Committee agreed to consider the report in the driver's absence.

The Licensing Manager presented the report and detailed the circumstances which had brought the driver before the Sub-Committee.

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

Resolved:

1. That the licence be revoked.
2. The driver 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.

10. **REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR UF (ITEM C5)**

The driver was not in attendance at the Sub-Committee.

The Licensing Manager confirmed that the driver was now living in London and not in Sheffield as per the application and had failed to notify the Licensing Team of the change of address.

The Sub-Committee agreed to consider the report in the driver's absence.

The Licensing Manager presented the report and detailed the circumstances which had brought the driver before the Sub-Committee.

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

Resolved:

1. That the licence be revoked.
2. The driver 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.

11. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR AS (ITEM C7)

The driver was not in attendance at the Sub-Committee.

The Licensing Manager confirmed that the Licensing Team had received an email from the driver on the night of the 12th February 2018 confirming the driver was ill and was unable to attend.

The Licensing Manager also confirmed that the driver had previously advised at an earlier Sub-Committee in November 2017 that he was also unable to attend due to illness and The Licensing Manager advised the wording on both emails was exactly the same.

The Sub-Committee agreed to consider the report in the driver's absence.

The Licensing Manager presented the report and detailed the circumstances which had brought the driver before the Sub-Committee.

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

Resolved:

1. That the licence be revoked.
2. The driver 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 11.50am

CHAIRMAN

DATE

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

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 22nd February 2018

Present: Councillors Hughes (Chair), Haworth and Johnson

**In Attendance: Abigail Wrench, Legal Officer
Nigel Yates, Licensing Enforcement Officer
Joanna Wood, Committee & Member Services Officer
4 applicants/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.

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 RKK (ITEM C4)

The Chair welcomed the driver and his friend 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 asked questions of the driver for clarification purposes only.

The driver, his friend and the Licensing Enforcement Officer 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 Sub-

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 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, 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 PRIVATE HIRE VEHICLE LICENSES FOR DCR (ITEM C3)

The Chair welcomed two representatives from the company to the Sub-Committee.

Confirmation was received from the Company Director to allow the two representatives to speak on behalf of the company.

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

The representatives of the company presented their case to the Sub-Committee.

The Sub-Committee Members asked questions of the company's representatives for clarification purposes only.

The company's representatives and the Licensing Enforcement Officer left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That the Private Hire Vehicle Licences be suspended under Section 60 subsection (1) subsection (c) of the Local Government Miscellaneous Provisions Act 1976 until the fitness of the vehicles are proven to be satisfactory by passing a 6 monthly Rossendale test at one of the approved garages.
2. The Sub-Committee were not satisfied that the vehicle's proprietor have previously maintained the vehicles in a satisfactory condition. The company is required to present a copy of the Maintenance Policy and any other evidence to support an improved maintenance regime.
3. The company's representatives were informed of the reason for the decisions and that they would receive written confirmation 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 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 AMW (ITEM C6)

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 asked questions of the driver for clarification purposes only.

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

Resolved:

1. That the Hackney Carriage driver's licence 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 within 3 months (unless they provide evidence that an appointment cannot be obtained). If the driver fails to provide such evidence within 3 months then they will be called back to the Sub-Committee.

4. 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.

5. 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, 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 SA (ITEM C1)

The driver was not in attendance at the Sub-Committee. The Sub-Committee agreed to hear the case in their 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 Hackney Carriage driver's licence be revoked under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976. The Committee considers that the driver is no longer a fit and proper person to hold a hackney carriage drivers 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 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, 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 MB (ITEM C2)**

The driver was not in attendance at the Sub-Committee. The Sub-Committee agreed to hear the case in their 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 Hackney Carriage driver's licence be revoked under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976. The Committee considers that the driver is no longer a fit and proper person to hold a hackney carriage drivers 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 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, 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 MS (ITEM C5)**

The driver was not in attendance at the Sub-Committee. The Sub-Committee agreed to hear the case in their 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 Hackney Carriage driver's licence be revoked under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976. The Committee considers that the driver is no longer a fit and proper person to hold a hackney carriage drivers 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 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, Byelaws relating to Hackney Carriages and the Sub-Committee took into account all the relevant information put before them.

The meeting concluded at 11.25am

CHAIRMAN

DATE

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 22nd March 2018

Present: Councillors Hughes (Chair), Haworth and Smith

**In Attendance: Yasmin Ahmed, Legal Officer
Phil Morton, Licensing Manager
Joanna Wood, Committee & Member Services Officer
6 applicants/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.

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 PRIVATE HIRE DRIVER'S LICENCE FOR SIA (ITEM C1)

The Chair welcomed the driver to the Sub-Committee.

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

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

Resolved:

1. That the Licensee be required to take and pass the DVSA test (or council approved equivalent) and provide evidence of this to the Licensing and Enforcement Unit within a period of 3 months (unless you provide evidence

- that an appointment cannot be obtained). If you fail to provide such evidence within 3 months then you will be called back to the Sub-Committee.
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, Byelaws relating to Private Hire and the Sub-Committee took into account all the relevant information put before them.

6. REPORT TO CONSIDER THE REVIEW OF HACKNEY CARRIAGE VEHICLE LICENCES FOR DCUL (ITEM C3)

The Chair welcomed the Director of the company to the Sub-Committee.

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

The Director of the company presented their case to the Sub-Committee.

The Sub-Committee Members asked questions of the company's Director for clarification purposes only.

The company's Director and the Licensing Enforcement Manager left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That the Hackney Carriage Vehicle Licenses be suspended under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976 until the Rossendale test has been passed and evidence as to the fitness of the vehicles to a satisfactory standard has been provided to the Licensing Enforcement Unit.
2. The Sub-Committee were not satisfied that the vehicle's proprietor had maintained previously licenced vehicles to a satisfactory condition.
3. The company's Director was informed of the reason for the decisions and that they would receive written confirmation 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 Carriage Vehicles 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 RY (ITEM C7)

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

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

Following the report the driver surrendered his badge.

The report was withdrawn due to the driver surrendering his badge.

The driver was informed he would receive written confirmation from the Licensing Enforcement Unit.

8. **REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR SAZ (ITEM C8)**

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

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

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

The Sub-Committee Members asked questions of the driver for clarification purposes only.

The driver, his friend and the Licensing Manger 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 considers that the driver is no longer a fit and proper person to hold a hackney carriage drivers 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 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, 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 MN (ITEM C6)**

The driver was not in attendance at the Sub-Committee. The Sub-Committee agreed to hear the case in their absence.

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

The Licensing Enforcement Manager Officer 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 considers that the driver is no longer a fit and proper person to hold a hackney carriage drivers 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 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, 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 CA (ITEM C2A AND ITEM C2B)

The driver/applicant was not in attendance at the Sub-Committee.

The Licensing Enforcement Manager confirmed the driver/applicant was unable to attend due to a family funeral abroad and would not be back in the country until the 20th April 2018.

The Sub-Committee agreed to defer the case to a later date.

11. REPORT TO CONSIDER THE REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE FOR JK (ITEM C4)

The driver was not in attendance at the Sub-Committee.

The Licensing Enforcement Manager confirmed the driver was unable to attend due to a hospital appointment.

The Sub-Committee agreed to defer the case to a later date.

12. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR ZM (ITEM C5)

The driver was not in attendance at the Sub-Committee.

The Licensing Enforcement Manager confirmed the driver had surrendered his badge.

The meeting concluded at 11.15am

CHAIRMAN

DATE

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 22nd May 2018

Present: Councillors Johnson (Chair), Haworth and Neal

**In Attendance: Yasmin Ahmed, Legal Officer
Phil Morton, Public Protection Manager
Glenda Ashton, Committee & Member Services Officer
5 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.

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 PRIVATE HIRE DRIVER'S LICENCE FOR MR WH (ITEM C2)

The Chair welcomed the driver, witness and 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 representative, driver and witness presented their case to the Sub-Committee.

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

The driver, his representative, witness and the Public Protection Manager left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That informal action in the form of a verbal warning be issued.
2. That the Sub-Committee considered the driver to be a fit and proper person to hold a private hire driver's licence.

3. The driver was informed 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 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 FOR MR UM (ITEM C4)

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 a Council approved test be taken and passed within a period of 3 months (unless the driver provides evidence that an appointment could not be obtained).
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 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 MMG (ITEM C5)

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 hackney carriage driver's licence be suspended for a period of 3 months 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 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 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 QTA (ITEM C1)

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 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.

9. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR ZAH (ITEM C3)

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 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 11.00am

CHAIRMAN
DATE
