

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 19th September 2019

Present: Councillors Gill (Chair), Haworth and Stevens

**In Attendance: Abigail Wrench, Legal Officer
Nigel Yates, Public Protection Officer
Carolyn Sharples, Committee & Member Services Manager
2 licence holders**

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 officer 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 PRIVATE HIRE VEHICLE LICENCE (ITEM C1) AND REPORT TO COINSIDER THE REVIEW A PRIVATE HIRE DRIVER'S LICENCE (ITEM C2) FOR ROO

The chair welcomed the vehicle licence holder/driver to the Sub-Committee.

The Public Protection Officer presented the reports and detailed the circumstances that had brought the vehicle licence holder/driver before the Sub-Committee.

The vehicle licence holder/driver presented his case to the Sub-Committee.

The Sub-Committee members and Public Protection Officer asked questions for clarification purposes only.

The vehicle licence holder/driver and Public Protection Officer left the room to enable the Sub-Committee to come to a decision.

Resolved Item C1:

1. That the private hire vehicle licence be revoked under Section 60 subsection (1) of the Local Government Miscellaneous Provisions Act 1976.
2. The vehicle licence holder would be 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 vehicle licence holder would be informed of the reason for the council's decision in writing.

Resolved Item C2:

1. That the private hire driver's licence be revoked 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 private hire driver's licence.
2. The driver would be 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 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, the conditions attached to Private Hire Driver Licences and Vehicle Licences 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 SR (ITEM C4)

The chair welcomed the driver to the Sub-Committee.

The Public Protection 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 Public Protection Officer asked questions for clarification purposes only.

The driver and Public Protection 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 for a period a 3 months and that the licensee be required to take and pass the DVSA test (or Council approved equivalent) and Basic Skills Assessment and have provided evidence of this to the Licensing and Enforcement Unit within a period of 3 months (unless evidence can be provided that an appointment cannot be obtained). Failure to provide such evidence within 3 months would result in the licensee being called back to the Sub-Committee.

2. The driver would be 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 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.

7. REPORT TO CONSIDER THE REVIEW OF A PRIVATE HIRE VEHICLE LICENCE FOR DCR (ITEM C3)

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

The Public Protection Officer presented the report and detailed the circumstances that had brought the review of the Private Hire Vehicle Licences before the Sub-Committee.

The Sub-Committee members asked questions of the Public Protection Officer for clarification purposes only.

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

Resolved:

1. That the 5 private hire vehicle licences be revoked under Section 60 subsection (1) of the Local Government Miscellaneous Provisions Act 1976.
2. The proprietor would be 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 proprietor 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, the conditions attached to Private Hire Vehicle Licences and the Sub-Committee took into account all the relevant information put before them.

The meeting concluded at 11.30am

CHAIRMAN _____

DATE _____