

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

**Date of Meeting: 25<sup>th</sup> September 2013**

**Present: Councillors Gill, Cheetham and Crawforth**

**In Attendance: Tracy Brzozowski, Licensing and Enforcement Manager  
Danny Dobson, Public Protection Officer (in part)  
Richard Bingham, Legal Officer  
Jenni Cook, Committee Officer  
6 applicants  
4 members of the public**

---

---

**Note: the Chair agreed to a small delay in the start of the meeting to allow all applicants, solicitors and interpreters the opportunity to arrive.**

### **BUSINESS MATTERS**

**1. APPOINTMENT OF CHAIR**

**Resolved:**

That Councillor Christine Gill be appointed as Chair of the Sub-Committee.

**2. APOLOGIES FOR ABSENCE**

No apologies had been received.

**3. DECLARATIONS OF INTEREST**

There were no declarations of interest.

---

In the interests of expediency and due to the number of items on the agenda, the Chair asked the Licensing and Enforcement 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 involve the disclosure of exempt information under Paragraph 1 of Schedule 12A of the Act.

**5. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR TH**

The Chair welcomed the Applicant to the meeting.

The Licensing and Enforcement Manager presented the report detailing the proposed application for a Hackney Carriage Drivers Licence.

The Applicant spoke in favour of the case.

The Sub-Committee Members asked questions of the Licensing and Enforcement Manager and the Applicant for clarification purposes only.

The Applicant and the Licensing and Enforcement Manager and Licensing Enforcement Officer left the room to enable the Sub-Committee to determine the application.

**Resolved:**

1. That the licence be refused. The Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. That the applicant be notified in writing of the decision and has the right of appeal to the Magistrates' Court, which must be exercised within 21 days of service of the decision letter.

**Reason for Decision**

The Application had been considered in accordance with the Council's approved procedure and policy and the Sub-Committee took into account all the relevant information put before them.

\*The Licensing Enforcement Officer left the Sub-Committee

**6. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR ZA**

The Chair welcomed the Applicant to the meeting.

The Licensing and Enforcement Manager presented the report detailing the proposed application for a Hackney Carriage Drivers Licence.

The Applicant spoke in favour of the case.

The Sub-Committee Members asked questions of the Applicant and the Licensing and Enforcement Manager, for clarification purposes only.

The Applicant, his representative and the Licensing and Enforcement Manager left the room to enable the Sub-Committee to determine the application.

**Resolved:**

1. That the licence be refused. The Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. That the applicant be notified in writing of the decision and has the right of appeal to the Magistrates' Court, which must be exercised within 21 days of service of the decision letter.

**Reason for Decision**

The Application 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 AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR RAC**

The Chair welcomed the Applicant to the meeting.

The Licensing and Enforcement Manager presented the report detailing the proposed application for a Hackney Carriage Drivers Licence.

The Applicant spoke in favour of the case.

The Committee Members asked questions of the Applicant and the Licensing and Enforcement Manager for clarification purposes only.

The Applicant and the Licensing and Enforcement Staff left the room to enable the Committee to determine the application.

### **Resolved:**

1. That the licence be granted. The sub-committee considered that the applicant was a fit and proper person to hold a hackney carriage drivers licence.

### **Reason for Decision**

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

## **8. REPORT TO CONSIDER THE APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE - MR RM**

The Chair welcomed the Applicant and his representative to the meeting.

The Licensing and Enforcement Manager presented the report detailing the proposed application for a Hackney Carriage Drivers Licence.

The Applicant and his representative spoke in favour of the case.

The Sub-Committee Members asked questions of the Applicant, his representative and the Licensing and Enforcement Manager for clarification purposes only.

The Applicant, his representative and the Licensing and Enforcement Staff left the room to enable the Sub-Committee to determine the application.

### **Resolved:**

1. That licence be refused. The Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. That the applicant be notified in writing of the decision and has the right of appeal to the Magistrates' Court, which must be exercised within 21 days of service of the decision letter.

### **Reason for Decision**

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

**9. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR GS**

The Chair welcomed the Applicant to the meeting. The Chair allowed the applicant's wife and child to enter the chamber for this item to allow his wife to assist with interpreting.

The Licensing and Enforcement Manager presented the report detailing the proposed application for a Hackney Carriage Drivers Licence.

The Applicant and his representative spoke in favour of the case.

The Sub-Committee Members asked questions of the Applicant and the Licensing and Enforcement Manager for clarification purposes only.

The Applicant, his representative and the Licensing and Enforcement Staff left the room to enable the Sub-Committee to determine the application.

**Resolved:**

1. The Committee considered that the Applicant is a fit and proper person to hold a hackney carriage drivers licence subject to:
  - (i) Production of a 'Certificate of Fitness to Drive' signed by the applicant's GP.
2. That the licence be granted following receipt of the Certificate of Fitness to Drive.
3. That the Applicant undergoes a medical examination every 12 months and following, each examination, produces a Certificate of Fitness to drive signed by his GP.

**Reason for Decision**

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

**10. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR MY**

The Chair welcomed the Applicant to the meeting.

The Licensing and Enforcement Manager presented the report detailing the proposed application for a Hackney Carriage Drivers Licence.

The Applicant spoke in favour of the case.

The Sub-Committee Members asked questions of the Applicant and the Licensing and Enforcement Manager for clarification purposes only.

The Applicant and the Licensing and Enforcement Manager left the room to enable the Sub-Committee to determine the application.

**Resolved:**

1. That licence be refused. The Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. That the applicant be notified in writing of the decision and has the right of appeal to the Magistrates' Court, which must be exercised within 21 days of service of the decision letter.

**Reason for Decision**

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

**Note:** the Licensing and Enforcement Manager contacted the Licensing Office and Committee and Member Services Office to determine whether there had been any information as to the whereabouts of the applicant and his solicitor.

**Note:** the Sub-Committee agreed unanimously to hear the item in the applicant's absence and requested the presence of the Licensing Enforcement Officer as a witness.

**11. DETERMINATION OF AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR TM**

The Licensing and Enforcement Manager presented the report which requested the determination of an existing a Hackney Carriage Drivers Licence.

In the absence of the Applicant; the Sub-Committee Members asked questions of the Licensing and Enforcement Manager and the Licensing Enforcement Officer for clarification purposes only. Note was taken of all witness statements.

The Licensing and Enforcement staff left the room to enable the Sub-Committee to determine the application.

**Resolved:**

1. That licence be refused. The Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. That the applicant be notified in writing of the decision and has the right of appeal to the Magistrates' Court, which must be exercised within 21 days of service of the decision letter.

**Reason for Decision**

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

**The meeting commenced at 10.10am and closed at 12.50am**

CHAIRMAN

---