

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

**Date of Meeting: 20<sup>th</sup> August 2014**

**Present: Councillors Crawforth, Gill (Chair) and Shipley**

**In Attendance: Tracy Brzozowski, Licensing and Enforcement Manager  
Richard Bingham, Legal Officer  
Michelle Hargreaves, Committee and Member Services Officer  
Gary Bainbridge, Trainee Licensing Officer  
8 applicants  
4 members of the public/representatives**

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### **BUSINESS MATTERS**

**1. APOLOGIES FOR ABSENCE**

No apologies had been submitted.

**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 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.

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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 involve the disclosure of exempt information under Paragraph 1 of Schedule 12A of the Act.

**5. REPORT TO DETERMINE AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE - Mr KA (Item C1)**

The Chair welcomed the Driver to the meeting.

The Licensing and Enforcement Manager presented the report detailing the convictions against the driver.

The Applicant spoke in favour of the case.

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

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

**Resolved:**

1. The licence was revoked. The Sub-Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. The applicant was notified of their right of appeal to the magistrate's court which must be exercised within 21 days of service of the decision letter upon them.
3. The applicant was handed a copy 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.

**6. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR RSA (Item C2)**

The Chair welcomed the Applicant and the Applicant's 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 the Applicant's Representative 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, the Applicant's Representative and the Licensing staff left the room to enable the Committee to determine the application.

**Resolved:**

1. The licence was refused. The Sub-Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. The applicant was notified of their right of appeal to the magistrate's court which must be exercised within 21 days of service of the decision letter upon them.
3. The applicant was handed a copy 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 SA (Item C3)**

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 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 staff left the room to enable the Sub-Committee to determine the application.

**Resolved:**

That the application be granted. The Sub-Committee considered the applicant to be a fit and proper person to hold a hackney carriage drivers licence.

The Chair enforced the importance of reporting any accidents.

**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.

**8. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE - MR AH (Item C4)**

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 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 staff left the room to enable the Sub-Committee to determine the application.

**Resolved:**

1. The licence was refused. The Sub-Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. The applicant was notified of their right of appeal to the magistrate's court which must be exercised within 21 days of service of the decision letter upon them.
3. The applicant was handed a copy 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.

**9. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR KRH (Item C5)**

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 staff left the room to enable the Sub-Committee to determine the application.

**Resolved:**

That the application be granted. The Sub-Committee considered the applicant to be 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 Sub-Committee took into account all the relevant information put before them.

**10. REPORT TO CONSIDER AN APPLICATION FOR A NEW PRIVATE HIRE LICENCE – MR CSJ (Item C6)**

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

**Resolved:**

That the application be granted. The Sub-Committee considered the applicant to be a fit and proper person to hold a private hire 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 Sub-Committee took into account all the relevant information put before them.

**11. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE - MR OK (Item C7)**

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 staff left the room to enable the Sub-Committee to determine the application.

**Resolved:**

1. The licence was refused. The Sub-Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. The applicant was notified of their right of appeal to the magistrate's court which must be exercised within 21 days of service of the decision letter upon them.
3. The applicant was handed a copy 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.

**12. DETERMINATION OF AN EXISTING HACKNEY CARRIAGE DRIVER LICENCE – MR UR (Item C8)**

The Licensing and Enforcement Manager noted that although she had proof that Royal Mail had attempted delivery, and that she had left a message on voicemail for the applicant, she did not have clear evidence that the applicant had received his letter and report, inviting him to the Sub-Committee.

**Resolved:**

That Item C8 – Mr UR be deferred to the September meeting of the Sub-Committee.

**Reason for Decision**

To give the applicant another chance to attend the Sub-Committee.

**13. DETERMINATION OF AN EXISTING HACKNEY CARRIAGE DRIVER LICENCE – MR PAS (Item C9)**

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

**Resolved:**

1. That the licence be suspended until a DSA Test has been taken and passed and written evidence of this be provided to the Licensing and Enforcement Unit.
2. The applicant was notified of their right of appeal to the magistrate's court which must be exercised within 21 days of service of the decision letter upon them.
3. The applicant was handed a copy of the decision letter.

**The meeting commenced at 10.00am and closed at 12.45pm**

CHAIRMAN

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