

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 12th November 2014

Present: Councillors Cheetham, Crawforth and Gill (Chair)

**In Attendance: Clare Birtwistle, Legal Services Manager
Susan Chadwick, Licensing Officer
Jenni Cook, Committee Officer
6 applicants
2 members of the public/representatives**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

There were no apologies for absence – all Members were present.

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 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 AMD (Item C2)

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

The Licensing Officer presented the report detailing the reasons that had brought the Driver before the Sub-Committee.

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

The Sub-Committee Members asked questions of the Driver, his representative and the Licensing Officer for clarification purposes only.

The Driver, his Representative and the officers of the Licensing Unit 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.

6. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR IUH (Item C3)

The Chair welcomed the Applicant to the meeting.

The Licensing Officer 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 for clarification purposes only.

The Applicant and the officers of the Licensing Unit 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.

7. REPORT TO CONSIDER AN EXISTING A HACKNEY CARRIAGE DRIVERS LICENCE – MR YM (Item C5)

The Chair welcomed the Driver to the meeting.

The Licensing Officer presented the report detailing the circumstances which had brought the Driver before the Sub-Committee.

The Applicant spoke in favour of the case.

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

The Driver and the officers of the Licensing Unit left the room to enable the Sub-Committee to determine the application.

Resolved:

1. That the Licence is revoked under Section 61 of the Local Government Miscellaneous Provisions Act 1976. The Committee considered that the Driver was not 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.

Note: due to an error with the printer, the Driver was not served with the decision letter and the letter would be posted to him that day.

Reason for Decision

The Report 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 ZAM (Item C6)

The Chair welcomed the Applicant to the meeting.

The Licensing Officer 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 for clarification purposes only.

The Applicant and the officers of the Licensing Unit 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.

Note: due to an error with the printer, the Driver was not served with the decision letter and the letter would be posted to him that day.

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 EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR SQ (Item C7)

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

The Licensing Officer presented the report detailing the circumstances which had brought the Driver before the Sub-Committee.

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

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

The Driver, his representative and the officers of the Licensing Unit left the room to enable the Sub-Committee to determine the application.

Resolved:

1. That no further action be taken. The Sub-Committee considered that the Driver was a fit and proper person to hold a hackney carriage drivers licence.

The Chair reminded the Driver of the importance of remembering the rules when operating in other areas.

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.

The Chair allowed a 5 minute recess to allow the Licensing Officer to speak with Applicant for Item C1.

10. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE - Mr SMGA (Item C1)

The Chair welcomed the Applicant to the meeting.

The Licensing Officer 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 Applicant for clarification purposes only.

The Applicant and the officers of the Licensing Unit 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.

Note: due to an error with the printer, the Driver was not served with the decision letter and the letter would be posted to him that day.

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.

11. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR MK (Item C4)

The Licensing Officer noted that the Applicant had contacted the Licensing Unit to inform them that he was ill and unable to attend that day. Members were asked to consider whether to determine in the Applicant's absence or to defer to another Sub-Committee.

Resolved:

1. The Application would be deferred to the next Sub-Committee on 24th November 2014.

Reason for Decision

The Applicant had been taken ill unexpectedly and had informed the Licensing Unit prior to the Sub-Committee.

The meeting commenced at 10.05am and closed at 11.55am

CHAIRMAN
