

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 26th March 2014

Present: Councillors Ashworth, Cheetham and Gill

**In Attendance: Tracy Brzozowski, Licensing and Enforcement Manager
Richard Bingham, Legal Officer
Jenni Cook, Committee Officer
8 applicants
4 members of the public/representatives**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

No apologies for absence were required, all Sub-Committee members were present.

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 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 EXISTING HACKNEY CARRIAGE DRIVER - Mr MA (Item C1)

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

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

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

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

The Driver, 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 not be renewed. The Sub-Committee did not consider the driver to be a fit and proper person to hold a hackney carriage drivers licence.
2. That the driver 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 Licence 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 TH (Item C3)

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 Manager left the room to enable the Committee to determine the application.

Resolved:

1. That the licence be refused. The Sub-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 THE APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE - MR MI (Item C4)

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 Applicant 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 Sub-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.

8. REPORT TO CONSIDER THE APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR SK (Item C5)

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 and his representative 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 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 Committee took into account all the relevant information put before them.

9. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR TM (Item C6)

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 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 the licence be refused. The Sub-Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. That the driver 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 report 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 MS (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 Sub-Committee Members asked questions of the Applicant and the Licensing 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 the licence be refused. The Sub-Committee did not consider the applicant to be a fit and proper person to hold a hackney carriage drivers licence.
2. That the driver 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.

11. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVER – MR NA (Item C8)

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

The Licensing and Enforcement Manager clarified the postal arrangements for committee reports and that the Royal Mail had attempted delivery of the Driver's committee papers, however a card had been left. It was noted that the papers had not been collected from the post office.

The Driver and his representative presented a case in favour of an adjournment to a future meeting.

The Driver, his representative and the Licensing and Enforcement Manager left the room to enable the Sub-Committee to determine whether an adjournment would take place.

Resolved:

1. That the decision be adjourned and the report be brought to the June 2014 Sub-Committee.

12. REPORT TO CONSIDER AN EXISTING A HACKNEY CARRIAGE DRIVER – MR BPC (Item C2)

The Chair welcomed the Driver to the meeting.

The Licensing and Enforcement Manager presented the report detailing the convictions and further information against the Driver.

The Driver spoke in favour of the case.

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

The Driver and the Licensing and Enforcement Manager 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.

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 meeting commenced at 10.05am and closed at 12.35pm

CHAIRMAN

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 17th April 2014

Present: Councillors Crawforth, Gill and Shipley

**In Attendance: Tracy Brzozowski, Licensing and Enforcement Manager
Richard Bingham, Legal Officer
Jenni Cook, Committee Officer
4 applicants
3 members of the public/representatives**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

No apologies for absence were required, all Sub-Committee members were present.

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 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 EXISTING HACKNEY CARRIAGE DRIVER - Mr YI (Item C1)

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

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

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

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

The Driver, 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 Sub-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 Licence 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 MAM (Item C2)

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 Manager left the room to enable the Committee to determine the application.

Resolved:

1. That the licence be refused. The Sub-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 THE APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE - MR AN (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 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 Sub-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.

8. REPORT TO CONSIDER THE APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE - MR MAMh (Item C4)

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 Applicant 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 Sub-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.

The meeting commenced at 10am and closed at 11.10am

CHAIRMAN

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 19th June 2014

Present: Councillors Crawforth, Gill and Morris

**In Attendance: Danny Dobson, Licensing and Enforcement Officer
Richard Bingham, Legal Officer
Jenni Cook, Committee Officer
Steve Shallow, Licensing and Enforcement Officer
(Calderdale Council for Item 5)
7 applicants
3 members of the public/representatives**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

Apologies had been submitted by Councillor Shipley with Councillor Morris substituting.

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 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 MA (Item C1)

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

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

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

Mr Steve Shallow, of Calderdale Council provided members with clarification where required.

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

The Applicant, his representative, the representatives from Calderdale Council and the Licensing and Enforcement Officer left the room to enable the Sub-Committee to determine the application.

Resolved:

1. That the licence be refused. The Sub-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 Licence 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 EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR NA (Item C2)

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

The Licensing and Enforcement Officer 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 Officer for clarification purposes only.

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

Resolved:

1. That the licence be revoked. The Sub-Committee did not consider the driver 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 THE APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE - MR AAJ (Item C3)

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

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

The Applicant and a Representative spoke in favour of the case.

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

Resolved:

1. That the licence be refused. The Sub-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.

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

The Chair welcomed the Applicant to the meeting.

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

The Applicant spoke in favour of the case.

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

Resolved:

1. That the licence be refused. The Sub-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 EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR MZ (Item C6)

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

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

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

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

Resolved:

1. That the licence be revoked. The Sub-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.

10. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR SRR (Item C7)

The Chair welcomed the Applicant to the meeting.

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

The Applicant spoke in favour of the case.

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

11. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR FZ (Item C8)

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

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

Resolved:

That the licence 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 Committee took into account all the relevant information put before them.

12. REPORT TO CONSIDER AN APPLICATION FOR A HACKY CARRIAGE DRIVERS LICENCE - MR MK (Item C5)

The Applicant had not attended the meeting. It was noted that the Applicant had telephoned Committee and Member Services that morning stating the he would not be attending. He was advised that the Sub-Committee could determine the application without him and stated that he would wait to hear the outcome of the decision.

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

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

Resolved:

1. That the licence be refused. The Sub-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.

The meeting commenced at 10.05am and closed at 12.50pm

CHAIRMAN

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 3rd July 2014

Present: Councillors Crawforth, Gill and Shipley

**In Attendance: Tracy Brzozowski, Licensing and Enforcement Manager
Richard Bingham, Legal Officer
Jenni Cook, Committee Officer
Emily Lockwood, Clerical Officer (Legal)
8 applicants
2 members of the public/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 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 MA (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 and Enforcement Manager left the room to enable the Sub-Committee to determine the application.

Resolved:

That the Licence 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 Licence 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 TH (Item C2)

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 and Enforcement Manager left the room to enable the Committee to determine the application.

Resolved:

1. That the licence be refused. The Sub-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 YH (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 Representatives 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 Sub-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.

8. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE - MR AM (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 and Enforcement Manager left the room to enable the Sub-Committee to determine the application.

Resolved:

1. That the licence be refused. The Sub-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 MM (Item C5)

The Chair welcomed the Driver to the meeting.

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

The Driver 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 Driver 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 Sub-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.

10. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR AN (Item C6)

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

Resolved:

1. That the licence be refused. The Sub-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.

11. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR MP (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 and Enforcement Manager left the room to enable the Sub-Committee to determine the application.

Resolved:

1. That the licence be refused. The Sub-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.

12. REPORT TO CONSIDER AN APPLICATION FOR A HACKY CARRIAGE DRIVERS LICENCE - MR FY (Item C8)

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 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 Sub-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.

The meeting commenced at 10.05am and closed at 1pm

CHAIRMAN

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 16th July 2014

Present: Councillors Farrington, Gill (Chair) and Shipley

**In Attendance: Tracy Brzozowski, Licensing and Enforcement Manager
Richard Bingham, Legal Officer
Jenni Cook, Committee Officer
George Mason, Work Experience Officer (Licensing)
7 applicants
4 members of the public/representatives**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

Councillor Morris had submitted his apologies and Councillor Shipley had taken his place on the panel.

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 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 UA (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 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 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 RA (Item C2)

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 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 MF (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:

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.

8. DETERMINATION OF AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE/RENEWAL APPLICATION - MR MH (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:

The licence was renewed. The Sub-Committee considered the driver to be a fit and proper person to hold a hackney carriage drivers licence.

The Chair reminded the driver of the need to report all convictions to the Licensing Unit within 14 days.

Reason for Decision

The Driver 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 AMM (Item C6)

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. DETERMINATION OF AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE AND PRIVATE HIRE OPERATOR'S LICENCE – MR AR (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:

That no further action be taken. The Sub-Committee considered the applicant to be a fit and proper person to hold a hackney carriage drivers licence and private hire operator's licence.

Reason for Decision

The Applicant 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.

11. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE - MR IUR (Item C8)

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 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 Committee took into account all the relevant information put before them.

12. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR RGK (Item C5)

The Licensing and Enforcement Manager noted that although she had proof that Royal Mail had attempted delivery, and that she has spoken to the applicant some time ago on the telephone, she did not have clear evidence that the applicant had received his letter and report, inviting him to the Sub-Committee.

Resolved:

That Item C5 – Mr RGK be deferred to the August meeting of the Sub-Committee.

Reason for Decision

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

The meeting commenced at 10.10am and closed at 12.30pm

CHAIRMAN

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 28th July 2014

Present: Councillors Ashworth, Crawforth (Chair) and Eaton (in part)

**In Attendance: Tracy Brzozowski, Licensing and Enforcement Manager
Clare Birtwistle, Legal Services Manager
Jenni Cook, Committee Officer
7 applicants
1 member of the public/representatives**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

Councillor Eaton submitted his apologies and it was noted that he would be late. The Chair confirmed that the Sub-Committee were quorate with 2 members and that the meeting could legally continue.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. URGENT ITEMS

The Chair noted that items C2 and C8 had been removed from the agenda.

There were 2 urgent items of business:-

A3(i) – this application had been deferred from a previous committee.

A3(ii) – this application had been added to the agenda to replace C8, to avoid a backlog of applications to be heard by the Sub-Committee building up.

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 ZA (Item C1)

The Chair welcomed the Applicant 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 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 served with 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.

Note: Councillor Eaton entered the meeting.

6. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR MNA (Item C3)

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

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

The Driver's representative spoke in favour of the case.

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

The Driver, his representative and the Licensing staff left the room to enable the Committee to determine the application.

Resolved:

The licence would continue to be renewed. The Sub-Committee considered the driver to be a fit and proper person to hold a hackney carriage drivers licence.

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.

7. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE - MR MH (Item C4)

The Chair welcomed the driver to the meeting.

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

The driver spoke in favour of the case.

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

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

Resolved:

No further action was taken. The Sub-Committee considered the driver to be a fit and proper person to hold a hackney carriage drivers licence.

The Chair reminded the applicant of the importance of adhering to speed limits.

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 RFJ (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 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 served with 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 AM (Item C6)

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 served with 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.

10. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR AQ (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 served with the decision letter.

Reason for Decision

The Applicant 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.

11. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE - MR RGK (Item A3(i))

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:

The licence was 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.

12. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR KA (Item A3(ii))

The Licensing and Enforcement Manager noted that although she had proof that Royal Mail had attempted delivery, she did not have clear evidence that the applicant had received his letter and report, inviting him to the Sub-Committee. Licensing and Enforcement Officers had tried to contact the applicant throughout the morning, but no answer had been received on the applicant's mobile phone or landline.

Resolved:

That this item be deferred to the August meeting of the Sub-Committee.

Reason for Decision

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

The meeting commenced at 10.05m and closed at 1pm

CHAIRMAN

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 20th 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**

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.

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 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

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 16th September 2014

Present: Councillors Cheetham, Gill (Chair) and Hughes

**In Attendance: Danny Dobson, Licensing and Enforcement Officer
Clare Birtwistle, Legal Services Manager
Jenni Cook, Committee Officer
4 applicants (at start of sub-committee with 1 applicant attending later)
3 members of the public/representatives**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

No apologies had been submitted; all Sub-Committee Members were present.

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 and due to the number of items on the agenda, the Chair asked the Licensing and Enforcement 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 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 SA (Item C1)

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

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

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

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

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

Resolved:

1. The licence was 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 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 MNA (Item C2)

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

The Licensing and Enforcement Officer 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 Officer for clarification purposes only.

The Applicant, his Representative and the Licensing Officer 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 KH (Item C3)

The Chair welcomed the Applicant to the meeting.

The Licensing and Enforcement 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 and the Licensing and Enforcement Officer for clarification purposes only.

The Applicant Licensing Officer 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.

8. DETERMINATION OF AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR TH (Item C4)

The Chair welcomed the Driver to the meeting.

The Driver asked the Legal Services Manager if she could recommend a local solicitor. The Legal Services Manager stated that the Driver had been given adequate time to arrange representation and that the Council were unable to recommend a solicitor for him to contact.

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

The Driver spoke in favour of the case and provided the Sub-Committee with information regarding an Appeal of his sentence.

The Driver and the Licensing and Enforcement Officer left the room to enable the Sub-Committee to seek legal advice. The Chair determined that the Sub-Committee should continue to hear the item.

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

The Driver and the Licensing Officer left the room to enable the Sub-Committee to determine the application.

Resolved:

1. The licence was revoked under Section 61 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 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 JRT (Item C8)

The Chair welcomed the Applicant to the meeting and outlined the relevant information regarding confidential applications, which had been outlined at the start of the meeting.

The Licensing and Enforcement 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 and the Licensing and Enforcement Officer for clarification purposes only.

The Applicant and the Licensing Officer 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 Applicant was reminded of the need to inform authorities of any incidents that were required to be reported.

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 HACKNEY CARRIAGE DRIVERS LICENCE – MR SMSH (Item C5)

The Licensing and Enforcement Officer noted that attempts had been made to deliver the paperwork to the Applicant, along with a telephone message.

The Sub-Committee agreed to hear the item in the Applicant's absence.

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

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 would be 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.

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. DETERMINATION OF AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR UM (Item C6)

The Licensing and Enforcement Officer noted that attempts had been made to deliver the paperwork to the Driver.

The Sub-Committee agreed to hear the item in the Driver's absence.

The Licensing and Enforcement Officer presented the report detailing the information regarding convictions which had brought the Driver before the Sub-Committee.

Resolved:

1. The licence was revoked under S61 of the Local Government (Miscellaneous Provisions) Act 1976. 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 would be 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.

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 APPLICATION TO RENEW A HACKNEY CARRIAGE DRIVER LICENCE – MR AS (Item C7)

The Licensing and Enforcement Officer noted that attempts had been made to deliver the paperwork to the Driver along with telephone calls and emails. The Driver had noted to Licensing Enforcement staff that he no longer lived in England and did not intend to present himself to the Committee.

The Sub-Committee agreed to hear the item in the Driver's absence.

The Licensing and Enforcement Officer presented the report detailing the information regarding convictions which had brought the Driver before the Sub-Committee.

Resolved:

1. The licence would not be renewed. The Sub-Committee did not consider the Driver to be a fit and proper person to hold a hackney carriage drivers licence.
2. The Applicant would be notified of their right of appeal to the magistrates court which must be exercised within 21 days of service of the decision letter upon them.

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.

The meeting commenced at 10.05am and closed at 11.50am

CHAIRMAN

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 22nd October 2014

Present: Councillors Eaton, Farrington and Gill (Chair)

**In Attendance: Tracy Brzozowski, Licensing and Enforcement Officer
Ibrahim Hayat, Licensing Admin Officer
Richard Bingham, Legal Services Officer
Michelle Hargreaves, Committee and Member Services
Officer
6 applicants
4 members of the public/representatives**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

Apologies had been submitted on behalf of Councillor Crawforth (Councillor Farrington sub) and Councillor Shipley (Councillor Eaton sub).

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 and due to the number of items on the agenda, the Chair asked the Licensing and Enforcement 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 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 MA (Item C1)

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

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

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

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

The Applicant, his representative 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 and policy and the Sub-Committee took into account all the relevant information put before them.

6. REPORT TO DETERMINE AN EXISTING A HACKNEY CARRIAGE DRIVERS LICENCE – MR SH (Item C2)

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

The Licensing and Enforcement Manager 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 and Enforcement Manager 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. That no further action be taken. The Committee considered that the Driver 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 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 NH (Item C3)

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 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.

The Panel agreed to move item C4 to the end of the agenda as the applicant had not arrived for the hearing.

8. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR AQK (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 Sub-Committee Members asked questions of the Applicant and the Licensing and Enforcement Manager 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 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.

9. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR SM (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 Sub-Committee Members asked questions of the Applicant and his representative for clarification purposes only.

The Applicant, his representative 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.

The Panel agreed to move item C7 to the end of the agenda as the applicant had not arrived for the hearing.

10. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR HCHT (Item C8)

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 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 Committee took into account all the relevant information put before them.

The Licensing and Enforcement Manager informed the Sub-Committee that letters had been sent to the following applicants inviting them to attend the hearing, it was confirmed that the letters had been signed for on delivery.

In relation to item C4, it was noted that the applicant's partner had contacted the Licensing and Enforcement Manager earlier in the week to inform her that the applicant had another engagement at the same time as the hearing. The Licensing and Enforcement Manager advised that it would be for the Sub Committee to determine whether to hear or defer the item in the applicant's absence.

The Sub-Committee agreed to hear the following two items in absence of the applicants.

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

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

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 would be 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 would be sent 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.

12. DETERMINATION OF AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR AR (Item C7)

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

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

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

Resolved:

1. That the Licence be revoked under S61 of the Local Government (Miscellaneous Provisions) Act 1976. The Committee consider that the Driver was no longer a fit an proper person to hold a hackney carriage drivers licence.
2. The Applicant would be 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.

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.

The meeting commenced at 10.00am and closed at 11.55am

CHAIRMAN

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

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 24th November 2014

Present: Councillors Crawforth, De Souza and Gill (Chair)

**In Attendance: Richard Bingham, Legal Officer
Tracy Brzozowski, Licensing and Enforcement Manager
Jenni Cook, Committee Officer
7 applicants at start of meeting
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 EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR SAH (Item C1)

The Chair welcomed the Driver to the meeting.

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

The Driver spoke in favour of the case.

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

The Driver and the Licensing Manager left the room to enable the Committee to determine the application.

Resolved:

That no further action is taken. The Sub-Committee considered the Driver 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.

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

The Chair welcomed the Applicant to the meeting.

The Licensing 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 for clarification purposes only.

The Applicant and the Licensing Manager 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.

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 JAK (Item C3)

The Chair welcomed the Applicant to the meeting.

The Licensing Manager presented the report detailing the circumstances which had brought the Applicant before the Sub-Committee.

The Applicant spoke in favour of the case.

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

The Driver and the Licensing Manager 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.

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 JOK (Item C4)

The Chair welcomed the Applicant to the meeting.

The Licensing 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 for clarification purposes only.

The Applicant Licensing Manager 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.

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 SK (Item C5)

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

The Licensing Officer 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 his representative for clarification purposes only.

The Applicant, his representative and the Licensing Manager 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.

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 EXISTING HACKNEY CARRIAGE DRIVERS LICENCE - Mr ML (Item C6)

The Chair welcomed the Driver to the meeting.

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

The Driver spoke in favour of the case.

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 determine the application.

Resolved:

That no further action is taken. The Sub-Committee considered the Driver 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 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 BS (Item C7)

The Chair welcomed the Applicant to the meeting.

The Licensing 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 for clarification purposes only.

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

Resolved:

The application was 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.

12. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR MK (Item C8)

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

The Licensing 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 his representative for clarification purposes only.

The Applicant, his representative and the Licensing Manager 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.

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 meeting commenced at 10.05am and closed at 11.55am

CHAIRMAN

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 2nd December 2014

Present: Councillors Ashworth, Gill (Chair) and Shipley

**In Attendance: Clare Birtwistle, Legal Services Manager
Tracy Brzozowski, Licensing and Enforcement Manager
Michelle Hargreaves, Committee and Member Services
Officer
4 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 MA (Item C1)

The Chair welcomed the Applicant and the Applicant's Representative to the meeting.

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

The Applicant's representative spoke in favour of the case.

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

The Applicant, the Applicant's representative and the Licensing Manager left the room to enable the Committee to determine the application.

Resolved:

1. That the licence be refused. The Committee do 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 served with the above mentioned 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.

The Panel agreed to move item C2 to the end of the agenda as the applicant had not arrived for the hearing.

6. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR SB (Item C3)

The Chair welcomed the Driver to the meeting.

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

The Driver spoke in favour of the case.

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

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

Resolved:

1. That the Licensee be required to take and pass the DSA Test and provide evidence of this to the Licensing Unit within a period of 3 months (unless the Licensee provided evidence that an appointment could not be obtained). If the Licensee failed to provide such evidence within three months, they would be called back to the Council's Licensing Committee.
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 served with the above mentioned decision letter

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.

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

The Chair welcomed the Applicant to the meeting.

The Licensing 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 for clarification purposes only.

The Applicant Licensing Manager 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 served with the above mentioned 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.

8. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR NHS (Item C5)

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 Licensing Manager 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 served with the above mentioned 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.

The Licensing and Enforcement Manager informed the Sub-Committee that a letter had been sent to the following applicant inviting them to attend the hearing, it was confirmed that the letter had been signed for on delivery.

In relation to item C2, it was noted that the Licensing and Enforcement Manager had left messages for the Applicant both on the day of Committee and the day before with a view to confirming if they would be attending the Sub Committee, a phone call was received during the committee meeting from the Applicant stating that they would set off but would be an hour away. The Licensing and Enforcement Manager advised that it would be for the Sub Committee to determine whether to hear in the application in the applicant's absence or wait for applicant to arrive.

The Sub-Committee agreed to hear the item in absence of the applicant as they felt sufficient notification had been provided to the applicant of the time and date of the meeting.

9. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR AA (Item C2)

The Licensing Manager presented the report which detailed the reasons which had brought the Driver before the Sub-Committee.

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

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

Resolved:

1. That the Licensee be required to take and pass the DSA Test and provide evidence of this to the Licensing Unit within a period of 3 months (unless the Licensee provided evidence that an appointment could not be obtained). If the Licensee failed to provide such evidence within three months, they would be called back to the Council's Licensing Committee.
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 served with the above mentioned 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.

The meeting commenced at 10.05am and closed at 11.30am.

CHAIRMAN

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 21st January 2015

Present: Councillors Ashworth, Gill (Chair) and Morris

**In Attendance: Richard Bingham, Legal Advisor
Tracy Brzozowski, Licensing and Enforcement Manager
Jenni Cook, Committee Officer
Gemma Kenrick, Licensing Admin Officer
9 applicants
4 members of the public/representatives**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

Councillor Crawforth had sent his apologies and Councillor Ashworth was substituting.

2. DECLARATIONS OF INTEREST

Councillor Gill declared an interest in Item C8 and stated that as she had been involved in the previous decision taken in October 2014, she would stand down on this item. The Sub-Committee was quorate with two members and was able to determine the application on that basis.

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.

Note: Due to the adverse weather conditions, the Chair agreed to vary the agenda and hear the applicants and drivers who had arrived by 10.15am, and the remaining reports would be moved to the end of the agenda.

5. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR GA (Item C2)

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 for clarification purposes only.

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

Resolved:

1. That the licence be 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 served with the above mentioned 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 SN (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 Sub-Committee Members asked questions of the Applicant, his representative and the Licensing Manager for clarification purposes only.

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

Resolved:

1. That the licence be 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 served with the above mentioned decision letter.

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.

7. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR AQ (Item C7)

The Chair welcomed the Driver to the meeting.

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

The Driver spoke in favour of the case.

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

The Driver and the Licensing Officers left the room to enable the Sub-Committee to determine the application.

Resolved:

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

The Chair reminded the Driver of the need to ensure immediate disclosure of motoring convictions.

Reason for Decision

The report 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 Chair agreed to hear Item C9 next.

8. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR MT (Item C9)

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

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

The Driver 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 Licensing Officers left the room to enable the Sub-Committee to determine the application.

Resolved:

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

The Chair reminded the Driver of the need to ensure proper safeguards are put in place and his representative confirmed that he was in contact with the DVLA.

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.

Note: Councillor Gill left the meeting during this item. Councillor Ashworth took the Chair. The Legal Advisor confirmed that the Licensing Sub-Committee was quorate with two members and that a legal and democratic decision could be made.

9. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR AR (Item C8)

The Licensing Manager presented the report which detailed the reasons which had brought the Driver before the Sub-Committee.

The Driver spoke in favour of the case.

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

The Driver and Licensing Officers left the room to enable the Sub-Committee to determine the application.

Resolved:

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

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.

Note: Councillor Gill returned to the meeting and resumed as Chair.

10. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR RA (Item C1)

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 Manager for clarification purposes only.

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

Resolved:

1. That the licence be 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 served with the above mentioned decision letter.

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.

11. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – Mr MA (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 Sub-Committee Members asked questions of the Applicant, his representative and the Licensing Manager for clarification purposes only.

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

Resolved:

1. That the licence be 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 served with the above mentioned decision letter.

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.

12. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – Mr HRI (Item C3)

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 Manager for clarification purposes only.

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

Resolved:

1. That the licence be 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 served with the above mentioned decision letter.

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.

13. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – Mr AD (Item C4)

The Licensing and Enforcement Manager informed Members that the driver had not arrived.

Resolved:

That in view of the adverse weather conditions, this report would be deferred to the next meeting of the Licensing Sub-Committee.

The meeting commenced at 10.20am and closed at 12.45pm

CHAIRMAN

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 12th February 2015

Present: Councillors Crawforth, Eaton and Gill (Chair)

**In Attendance: Richard Bingham, Legal Advisor
Tracy Brzozowski, Licensing & Enforcement Manager
Michelle Hargreaves, Committee & Member Services
Officer
9 applicants
4 members of the public/representatives**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

There were no apologies submitted.

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 ARB (Item C4)

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's Representative spoke in favour of the case.

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

The Driver, the Applicant's 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 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 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.

6. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR WA (Item C1)

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 for clarification purposes only.

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

Resolved:

1. That the licence be 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 served with the above mentioned 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 OAA (Item C2)

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 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 the licence 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 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 MA (Item C3)

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's Representative spoke in favour of the case.

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

The Applicant, the Applicant's 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 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 report 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 AD (Item C6)

The Chair welcomed the Driver to the meeting.

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

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

Resolved:

That the licence be renewed and suspended until a DSA Test had been taken and passed and evidence of this has been submitted to the Licensing and Enforcement Unit.

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. The Applicant was served with the above mentioned decision letter.

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.

10. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – Mr YH (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 Sub-Committee Members asked questions of the Applicant and the Licensing 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 the licence be 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 served with the above mentioned decision letter.

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.

11. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – Mr TSO (Item C8)

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's Representative spoke in favour of the case.

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

The Applicant, the Applicant's 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 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 served with the above mentioned decision letter.

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.

12. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – Mr KU (Item C9)

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 spoke in favour of the case.

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

The Applicant, the Applicant's 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 granted. The Sub-Committee considered the Applicant a fit and proper person to hold a hackney carriage drivers licence.

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.

13. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR HB (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 Driver spoke in favour of the case.

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

The Driver 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 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 served with the above mentioned decision letter.

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.

The meeting commenced at 10.05am and closed at 1.40pm

CHAIRMAN
