

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 22nd April 2015

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

**In Attendance: Clare Birtwistle, Legal Services Manager
Tracy Brzozowski, Licensing & Enforcement Manager
Carolyn Sharples, Committee and Member Services
Manager
Abigail Wrench, Trainee Solicitor
9 applicants/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 two urgent items of business which the Chair agreed to add to the agenda and take as items C6 and C7.

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 APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR AA (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 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. 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 before he left the room.

Reason for Decision

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

The Applicant, his representative and the Licensing and Enforcement Manager left the room to enable the 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 decision letter before he left the room.

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 RAD (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 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:

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 QH (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 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 decision letter before he left the room.

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 APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – Mr UK (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 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 decision letter before he left the room.

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. DETERMINATION OF AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE AND AN APPLICATION FOR RENEWAL OF THE HACKNEY CARRIAGE DRIVERS LICENCE – Mr AM (Item C6)

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

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

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

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

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

Resolved:

1. That the current licence be revoked with immediate effect under s61 2(2B) of the Local Government (Miscellaneous Provisions) Act 1976 (as amended by s52 of the Road Safety Act 2006) in the interest of public safety, and that the renewal application be refused. The Sub-Committee did not consider the Applicant a fit and proper person to hold a hackney carriage drivers licence.
2. The applicant was 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 was served with the decision letter before he left the room.

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. DETERMINATION OF AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE AND HACKNEY CARRIAGE VEHICLE LICENCE – MR AI (Item C7)

The Chair welcomed the Applicant to the meeting.

The Licensing and Enforcement Manager presented the report detailing information relating to the current Hackney Carriage Drivers Licence and Hackney Carriage Vehicle Proprietors 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 current drivers licence and vehicle proprietor licence.

Resolved:

1. 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.

The Chair asked the Driver to keep in touch with the Licensing Department to keep them updated in relation to the current investigation and the outcome. The Chair also reminded the Driver that they could only pick up pre-booked passengers.

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 10am and closed at 1.00pm

CHAIRMAN
