

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 17th June 2015

Present: Councillors Crawforth (Chair) De Souza and Shipley

**In Attendance: Richard Bingham, Legal Advisor
Tracy Brzozowski, Licensing & Enforcement Manager
Jenni Cook, Committee Officer
Abigail Wrench, Trainee Solicitor
12 applicants/representatives/family members**

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.

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 IA (Item C1)

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

The Licensing and Enforcement Manager presented the report detailing proposed application for a hackney carriage drivers licence.

The Applicant and his legal representative presented his case to the Sub-Committee.

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 application.

Resolved:

1. That the licence is 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 and policy and the Sub-Committee took into account all the relevant information put before them including the testimony of a witness.

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

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

The Licensing and Enforcement Manager presented the report detailing proposed application for a hackney carriage drivers licence.

The Applicant and his legal representative presented his case to the Sub-Committee.

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 friend and his legal representative and the Licensing and Enforcement Manager left the room to enable the Sub-Committee to determine the application.

Resolved:

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

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

The Chair welcomed the Applicant and his friend, who would provide translation where required, to the meeting.

The Licensing and Enforcement Manager presented the report detailing proposed application for a hackney carriage drivers licence.

The Applicant and his friend presented his case to the Sub-Committee.

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

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

Resolved:

1. That the licence is 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 SAM (Item C6)

The Chair welcomed the Applicant to the meeting.

The Licensing and Enforcement Manager presented the report detailing proposed application for a hackney carriage drivers licence.

The Applicant presented his case to the Sub-Committee.

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 is 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.

9. REPORT TO CONSIDER AN APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – Mr MM (Item C7)

The Chair welcomed the Applicant to the meeting.

The Licensing and Enforcement Manager presented the report detailing proposed application for a hackney carriage drivers licence and drew Members' attention to further information received from Advanced Check regarding additional motoring convictions.

The Applicant presented his case to the Sub-Committee.

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 is 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.

The Chair agreed to hold a short comfort break at this point in proceedings.

10. REPORT TO DETERMINE AN EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR JN (Item C8)

The Chair welcomed the Applicant to the meeting.

The Licensing and Enforcement Manager presented the report detailing proposed application for a hackney carriage drivers licence and drew Members' attention to additional information received from Bury, Salford and Blackburn Councils.

The Applicant presented his case to the Sub-Committee.

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 is 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.

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

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

The Licensing and Enforcement Manager presented the report detailing proposed application for a hackney carriage drivers licence.

The Applicant and his wife presented his case to the Sub-Committee.

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

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

Resolved:

1. That the licence is 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.

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

The Licensing and Enforcement Manager noted that Licensing Officers had spoken to the applicant on 15th June 2015 and he had not indicated that he did not intend to be present.

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

The Licensing and Enforcement Manager presented the report detailing proposed application for a hackney carriage drivers licence.

Resolved:

1. That the licence is 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 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 1.05pm

CHAIRMAN
