

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 4th July 2016

Present: Councillors Smallridge (in the Chair), Cheetham and Farrington

**In Attendance: Nathan Howson, Licensing & Compliance Officer
Abigail Wrench, Trainee Solicitor
Jenni Cook, Committee Officer
7 applicants/friends/representatives**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

There were no apologies for absence from the Sub-Committee; all members were present.

2. DECLARATIONS OF INTEREST

No interests were declared.

3. URGENT ITEMS

There were no urgent items of business. Item C4 had been withdrawn from the agenda.

In the interests of expediency and due to the number of items on the agenda, the Chair asked the Licensing and Compliance 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 EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR MAA (Item C1)

The Chair welcomed the Driver to the Sub-Committee.

The Licensing and Compliance Officer issued Mr MAA with a caution. Mr MAA confirmed his understanding of the caution.

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

The Driver presented his case to the Sub-Committee.

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

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

Resolved:

1. That the licence is not renewed. The Sub-Committee did not consider Mr MAA a fit and proper person to hold a hackney carriage drivers licence.
2. Mr MAA was informed of his right of appeal to the magistrates court which must be exercised within 21 days of service of the decision letter upon him.
3. Mr MAA was informed of the reason for the decision and that he would receive written confirmation of the Council's decision.

Reason for Decision

The matter 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 EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR MF (Item C2)

The Chair welcomed the Driver and his solicitor to the Sub-Committee.

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

The Driver's solicitor presented his case to the Sub-Committee.

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

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

Resolved:

1. That the licence is not renewed. The Sub-Committee did not consider Mr MF to be a fit and proper person to hold a hackney carriage drivers licence.
2. Mr MF was informed of his right of appeal to the magistrates court which must be exercised within 21 days of service of the decision letter upon him.
3. Mr MF was informed of the reason for the decision and that he would receive written confirmation of the council's decision.

Reason for Decision

The matter had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, Byelaws relating to Hackney Carriages, and the Sub-Committee took into account all the relevant information put before them.

The Chair allowed a comfort break at this point in the meeting.

7. REPORT TO CONSIDER AN APPLICATION FOR A PRIVATE HIRE DRIVERS LICENCE – MR ABK (Item C5)

The Chair welcomed the Applicant to the Sub-Committee.

The Licensing and Compliance Officer presented the report detailing the proposed application for a private hire drivers licence.

The Applicant presented his case to the Sub-Committee.

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

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

Resolved:

1. That the application is refused. The Sub-Committee did not consider the Applicant to be a fit and proper person to hold a private hire drivers licence.
2. The Applicant was informed of his right of appeal to the Magistrate's Court which must be exercised with 21 days of service of the decision letter upon him.
3. The Applicant was informed of the reason for the decision and that he would receive written confirmation of the council's decision.

Reason for Decision

The matter 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 EXISTING HACKNEY CARRIAGE DRIVERS LICENCE – MR SK (Item C6)

The Chair welcomed the Driver to the Sub-Committee.

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

The Driver presented his case to the Sub-Committee.

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

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

Resolved:

1. 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 matter had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, Byelaws relating to Hackney Carriages, 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 AY (Item C7)

The Chair welcomed the Applicant and his solicitor to the Sub-Committee.

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

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

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

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

Resolved:

1. That the application 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 informed of his right of appeal to the magistrates court which must be exercised within 21 days of service of the decision letter upon him.
3. The Applicant was informed of the reason for the decision and that he would receive written confirmation of the Council's decision.

Reason for Decision

The matter had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, Byelaws relating to Hackney Carriages, 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 SRG (Item C3)

The Driver was not present at the Sub-Committee. The Licensing and Compliance Officer outlined the reasons.

The Licensing and Compliance Officer left the room to enable the Sub-Committee to decide if the item should be heard.

Resolved:

1. That the report would be deferred to the next Licensing Sub-Committee, being 20th July 2016.

Reason for Decision

The matter had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, Byelaws relating to Hackney Carriages, and the Sub-Committee took into account all the relevant information put before them.

The meeting commenced at 10am and closed at 1pm

CHAIRMAN _____