

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 23rd May 2017

Present: Councillors Smallridge (Chair), Haworth and Johnson

**In Attendance: Abigail Wrench, Legal Officer
Phil Morton, Licensing Manager
Yasmin Ahmed, Legal Officer
Glenda Ashton, Committee & Member Services Officer
17 applicants/drivers/friends/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.

Before the meeting commenced David Lawrie was given the opportunity to say a few words about the bombing that had happened at Manchester Arena the previous evening. He thanked the taxi drivers who provided free transport to those affected. He felt proud of the taxi trade and those involved in assisting.

In the interests of expediency and due to the number of items on the agenda, the Chair asked the Licensing 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 involved the disclosure of exempt information under Paragraph 1 of Schedule 12A of the Act.

5. REPORT TO REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR MF (C1)

The Chair welcomed the driver to the Sub-Committee.

The Licensing Manager presented the report and detailed 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 Licensing Manager for clarification purposes only.

The driver and the Licensing Manager left the room to enable the Sub-Committee to come to a decision.

1. That the Hackney Carriage driver's licence be suspended under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976 until the DVSA test (or council approved equivalent) has been taken and passed and evidence provided of this to the Licensing and Enforcement Unit within a period of 3 months (unless evidence provided that an appointment could not be obtained).
2. The driver 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 driver 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.

6. REPORT TO REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENSE FOR MR MF (ITEM C2)

The driver and his legal representative were in attendance. The Chair welcomed them to the Sub-Committee.

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

The driver's legal representative presented the case to the Sub-Committee.

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

The driver, his representative and the Licensing Manager left the room to enable the Sub-Committee to come to a decision.

1. That the Hackney Carriage driver's licence be suspended under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976 for a period of 4 weeks.
2. The driver 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 driver 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.

7. REPORT TO CONSIDER AN APPLICATION FOR A PRIVATE HIRE OPERATOR'S LICENCE FOR MR IK (ITEM C3)

The applicant, his father and a friend were in attendance. The Chair welcomed them to the Sub-Committee.

The Licensing & Enforcement Manager presented the report and detailed the application for a Private Hire Operator's Licence.

The applicant and his father presented their case to the Sub-Committee.

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

The applicant, his father and friend and the Licensing Manager left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That the licence was granted for a period of 12 months subject to the conditions at Appendix B. It was also subject to a satisfactory basic disclosure. The Sub-Committee considered the applicant to be a fit and proper person to hold a Private Hire Operator's 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.

8. REPORT TO CONSIDER THE RENEWAL OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR MH (ITEM C4)

The driver, his representative and friend were in attendance. The Chair welcomed them to the Sub-Committee.

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

The driver and his representative presented their case to the Sub-Committee.

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

The driver, his representative and friend and the Licensing Manager left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That the Hackney Carriage driver's licence would not be renewed under Section 61(1) 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 driver's licence.
2. The driver was informed of his right of appeal to the Magistrates' Court which must be exercised with 21 days of service of the decision letter upon him.
3. The driver 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.

9. **REPORT TO REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR BH (ITEM C5)**

The driver and his friend were in attendance. The Chair welcomed them to the Sub-Committee.

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

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

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

The driver, his friend and the Licensing Manager left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That the Hackney Carriage driver's licence be revoked under Section 61(1) 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 driver's licence
2. The driver was informed of his right of appeal to the Magistrates' Court which must be exercised with 21 days of service of the decision letter upon him.
3. The driver was informed of the reason for the decisions and that he would receive written confirmation of the Council's decisions.

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, Intended Use Policy and the Sub-Committee took into account all the relevant information put before them.

10. REPORT TO REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR KH & REVIEW HACKNEY CARRIAGE VEHICLE LICENCE (ITEM C6)

The Chair welcomed the driver to the Sub-Committee.

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

The driver presented his case to the Sub-Committee.

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

The driver and Licensing Manager left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That the Hackney Carriage driver's licence be revoked under Section 61(1) 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 driver's licence
2. The driver was informed of his right of appeal to the Magistrates' Court which must be exercised with 21 days of service of the decision letter upon him.
3. The driver was informed of the reason for the decisions and that he would receive written confirmation of the Council's decisions.
4. That no further action be taken in relation to the Hackney Carriage vehicle licence. The Sub-Committee considers the driver to be a fit and proper person to hold a Hackney Carriage driver's 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.

11. REPORT TO REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR MI (ITEM C7)

The driver and his friend were in attendance. The Chair welcomed them to the Sub-Committee.

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

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

The Sub-Committee asked questions of the driver and his friend for clarification purposes only.

The driver, his friend and Licensing Manager left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That the Hackney Carriage driver's licence be revoked under Section 61(1) 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 driver's licence
2. The driver was informed of his right of appeal to the Magistrates' Court which must be exercised with 21 days of service of the decision letter upon him.
3. The driver was informed of the reason for the decisions and that he would receive written confirmation of the Council's decisions.

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.

12. REPORT TO CONSIDER AN APPLICATION FOR A PRIVATE HIRE OPERATOR'S LICENCE FOR MR TAK (ITEM C8)

The applicant and his partner were in attendance. The Chair welcomed them to the Sub-Committee.

The Licensing & Enforcement Manager presented the report and detailed the application for a Private Hire Operator's Licence.

The applicant presented his case to the Sub-Committee.

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

The applicant, his partner and the Licensing Manager left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That the licence was granted for a period of 12 months subject to the conditions at Appendix B. It was also subject to a satisfactory basic disclosure. The Sub-Committee considered the applicant to be a fit and proper person to hold a Private Hire Operator's 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.

The meeting concluded at 1.35pm

CHAIRMAN _____