

**MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)**

**Date of Meeting: 24<sup>th</sup> July 2017**

**Present: Councillors Smallridge (Chair), Haworth and Smith**

**In Attendance: Yasmin Ahmed, Legal Officer  
Phil Morton, Licensing Manager  
Glenda Ashton, Committee & Member Services Officer  
11 applicants/drivers/friends/representatives**

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## **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.

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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.

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### **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 NH (ITEM C4)**

The Chair welcomed the driver, his friend and interpreter 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 the 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, the interpreter and the Licensing Managers 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 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 MDSJB (ITEM C2)**

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 and the Licensing Manager asked questions of the driver for clarification purposes only.

The driver and the Licensing Managers 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 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 THE GRANT OF A PRIVATE HIRE OPERATOR'S LICENCE FOR MR HS (ITEM C3)**

The Chair welcomed the applicant, his Senior Manager, Driver Manager and Taxi Trade Representative to the Sub-Committee.

The Licensing Manager presented the report and detailed the application before the Sub-Committee.

The Taxi Trade Representative presented the case to the Sub-Committee.

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

The applicant, Senior Manager, Driver Manager, Taxi Trade Representative and the Licensing Managers 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 REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR SI (ITEM C5)**

The Chair welcomed the driver and his Legal Representative 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 the Licensing Manager asked questions of the driver's Legal Representative for clarification purposes only.

The driver, his Legal Representative 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 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, Intended Use Policy and the Sub-Committee took into account all the relevant information put before them.

A comfort break was taken at this point.

#### **9. REPORT TO REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR DM (ITEM C6)**

The Chair welcomed the driver and his Taxi Trade Representative 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 Taxi Trade Representative presented the case to the Sub-Committee.

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

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

#### **Resolved:**

1. That the decision be deferred pending the outcome of the allegation and a further hearing to be arranged following this. The driver was asked to notify the Licensing Authority of the outcome of the allegation in due course.
2. The driver would be 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.

#### **10. REPORT TO CONSIDER AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR ZY (ITEM C8)**

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 and the Licensing Manager asked questions of the driver for clarification purposes only.

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

**Resolved:**

1. That no further action be taken following today's verbal warning.
2. The driver would be 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.

**11. REPORT TO CONSIDER THE REVIEW OF PRIVATE HIRE VEHICLE LICENCES (C1)**

The proprietor was not in attendance at the Sub-Committee. The Sub-Committee agreed to hear the case in his absence.

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

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

**Resolved:**

1. That the Private Hire Vehicle Proprietor's licence be revoked under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976. The Sub-Committee did not consider the proprietor to be a fit and proper person to hold a Private Hire Vehicle Proprietor's licence.
2. The driver would be 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 would be 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 REVIEW AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR MAN (ITEM C7)**

The driver was not in attendance at the Sub-Committee. The Sub-Committee agreed to hear the case in his absence.

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

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 would be 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 would be 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.

**The meeting concluded at 1.00pm**

CHAIRMAN \_\_\_\_\_

DATE \_\_\_\_\_