

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

**Date of Meeting: 7<sup>th</sup> December 2017**

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

**In Attendance: Abigail Wrench, Legal Officer  
Nigel Yates, Licensing Enforcement Officer  
Joanna Wood, Committee & Member Services Officer  
5 applicants/drivers/friends/representatives**

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## **BUSINESS MATTERS**

### **1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **2. DECLARATIONS OF INTEREST**

Cllr Hughes confirmed he had received an email regarding Item C4 which was forwarded onto the Licensing Team.

### **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 CONSIDER THE REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE FOR MR UA (ITEM C2)**

The Chair welcomed the driver to the Sub-Committee.

The Licensing Enforcement Officer presented the report and detailed the circumstances that 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 for clarification purposes only.

The driver and the Licensing Enforcement Officer 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 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 THE REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE FOR MR UAK (ITEM C3)**

The Chair welcomed the driver to the Sub-Committee.

The Licensing Enforcement Officer presented the report and detailed the circumstances that 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 for clarification purposes only.

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

**Resolved:**

1. That the Private Hire 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 Private Hire 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 decisions 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.

**7. REPORT TO CONSIDER THE REVIEW OF AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR MH (ITEM C6)**

The Chair welcomed the driver and his friend to the Sub-Committee.

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

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

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

The driver, his friend and the Licensing Enforcement Officer 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 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.

8. **REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR JL (ITEM C1)**

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

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

The Licensing Enforcement Officer 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 will be 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 will be informed of the reason for the decisions and that he will 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.

9. **REPORT FOR AN APPLICATION TO GRANT A PRIVATE HIRE OPERATOR'S LICENCE FOR ZA (ITEM C4)**

The applicant was not in attendance at the Sub-Committee. The Sub-Committee agreed to defer the case in their absence.

Resolved:

1. That the decision is deferred until a further hearing can be arranged.

**Reason for Decision**

The matter had been considered in accordance with the Council's approved procedure, and to allow the applicant to attend a future hearing in support of their application.

10. **REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR MDSAS (ITEM C7)**

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

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

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

**Resolved:**

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.
2. The driver would be 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 would be 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.

11. **REPORT TO CONSIDER THE REVIEW OF AN EXISTING HACKNEY CARRIAGE VEHICLE PROPRIETOR'S LICENCE FOR MR AA (ITEM C8)**

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

The Licensing Enforcement Officer presented the report and detailed the circumstances that had brought the proprietor before the Sub-Committee.

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

**Resolved:**

1. That the Hackney Carriage vehicle proprietor's licence be revoked under Section 60(1) of the Local Government (Miscellaneous Provisions) Act 1976.
2. The proprietor would be 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 proprietor 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.

**The meeting concluded at 11.20pm**

CHAIRMAN

DATE

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