

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 19th December 2017

Present: Councillors Hughes (Chair), Johnson and Haworth

**In Attendance: Yasmin Ahmed, Legal Officer
Phil Morton, Licensing Manager
Joanna Wood, Committee & Member Services Officer
3 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.

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

The Chair welcomed the driver 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 presented his case to the Sub-Committee and produced a copy of a letter confirming notification of his conviction which was passed to the Committee Members.

The Sub-Committee Members 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 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 APPLICANT OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR DAHD (ITEM C4)

The Chair welcomed the applicant to the Sub-Committee.

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

The applicant presented his case to the Sub-Committee.

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

The applicant 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 granted.
2. The Sub-Committee did considered the driver to be a fit and proper person to hold a Hackney Carriage driver's licence.
3. The driver was informed of the reason for the decisions and that he would receive written confirmation regarding his application from the Licensing Unit.

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 THE RENEWAL OF AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR AMM (ITEM C7)

The Chair welcomed the driver 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 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 Manager left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That the Hackney Carriage driver's licence be renewed and no further action to be taken. The Sub-Committee considered the driver to be a fit and proper person to hold a Hackney Carriage driver's licence.
2. The driver was informed of the reason for the decision and that he would receive written confirmation of the Council's decisions and the Licensing Unit would be in touch when the licence had been renewed.

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 EXISTING HACKNEY CARRIAGE VEHICLE LICENCES (ITEM C1)

The proprietor was not in attendance at the Sub-Committee. The Sub-Committee agreed to hear the case in their 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 Hackney Vehicle licences be revoked under Section 60(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 Hackney Vehicle Licences.
2. The proprietor 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 proprietor 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.

9. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR FG (ITEM C3)

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

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

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

Resolved:

1. That the decision be deferred until a further hearing can be arranged to allow the driver to attend.
2. The driver would be informed by letter from the Licensing Unit confirming the decision and the new Sub-Committee date.

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 THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR SH (ITEM C5)

The driver was not in attendance at the Sub-Committee.

The Licensing Enforcement Manager confirmed the driver had surrendered the Licence and no further action was required.

Resolved:

1. No further action required.

Reason for Decision

The Driver had surrendered the licence.

11. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR LM (ITEM C6)

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

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

The Licensing Enforcement 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.

Committee considers that the driver is no longer a fit and proper person to hold a hackney carriage drivers 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 decision and that he will 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.

12. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR IAM (ITEM C8)

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

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

The Licensing Enforcement 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 Committee considers that the driver is no longer a fit and proper person to hold a hackney carriage drivers 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 decision and that he will 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 meeting concluded at 10.51am

CHAIRMAN
DATE
