

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

**Date of Meeting: 12<sup>th</sup> January 2018**

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

**In Attendance: Abigail Wrench, Legal Officer  
Phil Morton, Licensing Manager  
Carolyn Sharples, Committee & Member Services Manager  
5 applicants/drivers/representatives**

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## **BUSINESS MATTERS**

### **1. APPOINTMENT OF CHAIR**

**Resolved:**

That Councillor Smith would chair the meeting.

### **2. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **3. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **4. 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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### **5. 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.

### **6. REPORT TO CONSIDER THE APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE FOR MR FT (ITEM C2)**

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 and Licensing Manager 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 Private Hire driver's licence be granted.
2. The Sub-Committee did consider the driver to be a fit and proper person to hold a Private Hire driver's licence.
3. The applicant 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 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 ZA (ITEM C3)**

The Chair welcomed the driver and his representative 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 and Licensing Manager asked questions of the driver 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.

**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 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, 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 DM (ITEM C6)**

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 and 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 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 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, 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 HACKNEY CARRIAGE LICENCES (ITEM C1)**

The Licensing Manager informed that further changes were required to the report and it was planned to bring an amended report back to Sub-Committee Members in February.

**Resolved:**

1. That the item be deferred to a future meeting.
2. The proprietor would be informed by letter from the Licensing Unit confirming the decision and the new Sub-Committee date.

**Reason for Decision**

To enable Sub-Committee Members to consider all relevant information and to enable the proprietor to attend and present the case to the Sub-Committee.

**10. REPORT TO CONSIDER THE REVIEW OF AN EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR SA (ITEM C4)**

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

The Licensing Manager confirmed that Mr SA had received the letter at his address as it had been signed for, and that this was the first time that this particular report had come before the committee.

**Resolved:**

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

**Reason for Decision**

To enable the driver to attend to present his case to the Sub-Committee.

**11. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR RKK (ITEM C5)**

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

The Licensing Manager confirmed that Mr RKK had contacted the Licensing Team and informed that he would be away on the day of the hearing. He had also provided evidence that the booking had been made prior to receiving his notification letter.

**Resolved:**

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

**Reason for Decision**

To enable the driver to attend to present his case to the Sub-Committee.

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

The Licensing Manager advised the Sub-Committee that the report was no longer to be heard as the driver had surrendered his licence.

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

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

The Licensing Manager confirmed that the notification letter had been returned from Royal Mail as it had not been collected. The Licensing Team had sent a first class letter to Mr MB's address to provide notification and also tried to phone him on the two telephone numbers provided, but had not been successful in making contact with him. This was the first time that this particular report had come before the committee.

**Resolved:**

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

**Reason for Decision**

To enable the driver to attend to present his case to the Sub-Committee.

**The meeting concluded at 11.20am**

CHAIRMAN

DATE

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