

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

**Date of Meeting: 22<sup>nd</sup> March 2018**

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

**In Attendance: Yasmin Ahmed, Legal Officer  
Phil Morton, Licensing Manager  
Joanna Wood, Committee & Member Services Officer  
6 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.

### **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 SIA (ITEM C1)**

The Chair welcomed the driver to the Sub-Committee.

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

#### **Resolved:**

1. That the Licensee be required to take and pass the DVSA test (or council approved equivalent) and provide evidence of this to the Licensing and Enforcement Unit within a period of 3 months (unless you provide evidence

- that an appointment cannot be obtained). If you fail to provide such evidence within 3 months then you will be called back to the Sub-Committee.
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 Private Hire and the Sub-Committee took into account all the relevant information put before them.

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#### **6. REPORT TO CONSIDER THE REVIEW OF HACKNEY CARRIAGE VEHICLE LICENCES FOR DCUL (ITEM C3)**

The Chair welcomed the Director of the company to the Sub-Committee.

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

The Director of the company presented their case to the Sub-Committee.

The Sub-Committee Members asked questions of the company's Director for clarification purposes only.

The company's Director and the Licensing Enforcement Manager left the room to enable the Sub-Committee to come to a decision.

#### **Resolved:**

1. That the Hackney Carriage Vehicle Licenses be suspended under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976 until the Rossendale test has been passed and evidence as to the fitness of the vehicles to a satisfactory standard has been provided to the Licensing Enforcement Unit.
2. The Sub-Committee were not satisfied that the vehicle's proprietor had maintained previously licenced vehicles to a satisfactory condition.
3. The company's Director was informed of the reason for the decisions and that they would receive written confirmation 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 Carriage Vehicles and the Sub-Committee took into account all the relevant information put before them.

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#### **7. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR RY (ITEM C7)**

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

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

Following the report the driver surrendered his badge.

The report was withdrawn due to the driver surrendering his badge.

The driver was informed he would receive written confirmation from the Licensing Enforcement Unit.

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

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

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

The driver and his friend presented his 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 Manger 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.

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9. **REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MN (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 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 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.

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**10. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR CA (ITEM C2A AND ITEM C2B)**

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

The Licensing Enforcement Manager confirmed the driver/applicant was unable to attend due to a family funeral abroad and would not be back in the country until the 20<sup>th</sup> April 2018.

The Sub-Committee agreed to defer the case to a later date.

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**11. REPORT TO CONSIDER THE REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE FOR JK (ITEM C4)**

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

The Licensing Enforcement Manager confirmed the driver was unable to attend due to a hospital appointment.

The Sub-Committee agreed to defer the case to a later date.

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

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

The Licensing Enforcement Manager confirmed the driver had surrendered his badge.

**The meeting concluded at 11.15am**

CHAIRMAN

DATE

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