

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 22nd May 2018

Present: Councillors Johnson (Chair), Haworth and Neal

**In Attendance: Yasmin Ahmed, Legal Officer
Phil Morton, Public Protection Manager
Glenda Ashton, Committee & Member Services Officer
5 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.

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 WH (ITEM C2)

The Chair welcomed the driver, witness and representative to the Sub-Committee.

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

The representative, driver and witness presented their case to the Sub-Committee.

The Sub-Committee Members and Public Protection Manager asked questions of the driver, his representative and witness for clarification purposes only.

The driver, his representative, witness and the Public Protection Manager left the room to enable the Sub-Committee to come to a decision.

Resolved:

1. That informal action in the form of a verbal warning be issued.
2. That the Sub-Committee considered the driver to be a fit and proper person to hold a private hire driver's licence.

3. The driver was informed 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.

6. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR UM (ITEM C4)

The Chair welcomed the driver to the Sub-Committee.

The Public Protection 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 Public Protection Manager asked questions of the driver for clarification purposes only.

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

Resolved:

1. That a Council approved test be taken and passed within a period of 3 months (unless the driver provides evidence that an appointment could not be obtained).
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 and the Sub-Committee took into account all the relevant information put before them.

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

The Chair welcomed the driver to the Sub-Committee.

The Public Protection 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 Public Protection Manager asked questions of the driver for clarification purposes only.

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

Resolved:

1. That the hackney carriage driver's licence be suspended for a period of 3 months under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976.
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 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 QTA (ITEM C1)

The driver had advised that he would not be attending the meeting and would be surrendering his hackney carriage driver's licence. The Sub-Committee agreed to hear the case in the driver's absence.

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

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 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 within 21 days of service of the decision letter upon him.
3. The driver would be informed of the Council's reason for the decision in writing.

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 ZAH (ITEM C3)

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

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

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 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 within 21 days of service of the decision letter upon him.
3. The driver would be informed of the Council's reason for the decision in writing.

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 11.00am

CHAIRMAN
DATE
