

COUNCIL MEETING – 9 DECEMBER 2014

REPORT OF THE LICENSING SUB-COMMITTEE

16 October 2014

Present: Councillors Simmons, (Chairman), Maguire and Morrall.

Also present: Mrs A Wilcox, Licensing Manager, Mr M O'Donnell, Senior Environmental Health Officer, Mr G Hollands, Solicitor, District Law and Mrs C A Mundy, Democratic Services Officer.

The hearing commenced at 10.30am.

1. APPOINTMENT OF CHAIRMAN

RESOLVED that Councillor Simmons be appointed as chairman for this sub-committee meeting.

The chairman welcomed everyone to the meeting and asked everyone to introduce themselves.

2. APPLICATION FOR A PREMISES LICENCE – 4A SILVER STREET WELLINGBOROUGH

The above application had been withdrawn by the applicant.

3. APPLICATION TO REVOKE OR SUSPEND A HACKNEY CARRIAGE DRIVER'S LICENCE

RESOLVED that the press and public be excluded from the meeting during consideration of the above item in accordance with Section 100A(4) to the Local Government Act 1972 on the grounds that they would involve the likely disclosure of exempt information of the descriptions shown in schedule 12A to the Act.

The exempt report of the Interim Head of Planning and Local Development was received regarding the potential revocation/suspension of Mr W's Hackney Carriage driver's licence, following receipt of complaints regarding inappropriate behaviour.

The Licensing Manager explained the procedure for the meeting and outlined the report making reference to the complaints that had been received and the witness statements which were appended to the report. Members were reminded that drivers within the council's operations policy had to "behave in a civil, polite and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.

The chairman referred to the letters of support that had been forwarded to the panel in advance of the meeting commending Mr W and asked Mr W if he wished to respond to the complaints made.

Mr W addressed the panel and said that he considered that all but one of the complaints was unfounded. Over the 13 years he had been driving he had transported over 150,000 people. He had produced a number of letters from contented customers praising him. He accepted that on one occasion he had used bad language but he had realised his mistake and had contacted that person the following day to apologise. He also informed the panel that in his profession he received a considerable amount of abuse from the public. His personality was such that sometimes people found him to be intimidating.

Councillor Morall asked if he considered that he had a short temper.

Mr W said that often he was 'on the defensive' rather than having a short temper. He liked to joke with his customers and chat but sometimes customers did not understand his sense of humour.

Members asked for clarity from the licensing officers over whether any formal warnings had been issued to Mr W.

Mrs Wilcox confirmed that a number of the complaints had been made but as there had been no witnesses it was very much one person's word against another's. Mr W had, however, been written to and reminded of the council's operation policy. Mr O'Donnell also confirmed that Mr W had been rude to him and lost his temper over the phone. One of the complaints had been referred to the police but the police had decided to take no further action against Mr W over this.

Mr W also expressed his frustration and concern about the over-charging that had been happening at the rank which he had, on a number of occasions, reported to the licensing section.

Mrs Wilcox confirmed that she had received these complaints and appropriate action had been taken against offenders.

The chairman adjourned the meeting at 11.10am.

The chairman reconvened the meeting at 11.25 am.

The decision was as follows:

No action was necessary. The sub-committee gave Mr W a formal warning about his future conduct and said that the material before the committee and this decision would be taken into account in any decisions about future conduct complaints.

The reasons for the decision were as follows:

1. The sub-committee considered both the report and numerous testimonials as to Mr W's character.
2. It could not come to any firm conclusions about the facts of many of the complaints. However, there was sufficient material to give a warning about future conduct.

The chairman closed the sub-committee at 11.30pm.

Chairman

