

COUNCIL MEETING – 31 MARCH 2015

REPORT OF THE LICENSING SUB-COMMITTEE

23 February 2015

Present: Councillors Bass, (Chairman), Harrington and Morrall.

Also present: Mr G Hollands, District Law, Mrs A Wilcox, Principal Health Protection/Licensing Manager and Mrs C A Mundy, Democratic Services Officer.

(The hearing commenced at 2pm.)

1. APPOINTMENT OF CHAIRMAN

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

2. **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 it would involve the likely disclosure of exempt information of the descriptions shown in schedule 12A to the Act.

3. APPLICATION TO RENEW PRIVATE HIRE DRIVERS LICENCE

The Principal Health Protection/Licensing Manager informed the committee that the applicant was unable to attend the meeting but had written a letter to the council. The chairman agreed that the letter and enclosures be circulated.

The report was presented to the meeting by the Licensing Manager, who explained that an application had been submitted for the renewal of a private hire driver's licence. The application process included a requirement for an enhanced disclosure from the Disclosure and Barring Service. This contained information about a conviction on 29 October 2013, for harassment, which had not been disclosed on the application form.

The members read and discussed the letter and enclosures received from the applicant, which explained how the conviction came about following a domestic incident with a former partner. The applicant had been a driver for 41 years and had a previous good record with no complaints having been received by the licensing section against him.

Members expressed particular concern that the applicant had failed to complete the application form correctly and had not informed the council of the conviction. They appreciated that this appeared to have been a one off incident but that it had been serious enough for a conviction to be made against him. They also took into consideration his previous good record as a private hire driver.

RESOLVED that the licence be granted.

Reason for decision:

1. The applicant did not attend the meeting, however the committee decided to proceed in his absence after considering his letter of 20 February 2014 and enclosure.
2. The committee noted the explanation in the letter and the corroboration in the enclosed letter from his solicitors.
3. It concluded that the incident was of a domestic nature and noted his lengthy service as a private hire driver.
4. Accordingly it concluded that the licence should be granted but that he should be warned about his future behaviour. He should also be advised of:
 - a. The obligation to report all convictions
 - b. The provision of the policy relating to abusive behaviour.

Chairman

The meeting concluded at 2.25pm.