

COUNCIL MEETING –11 OCTOBER 2016
REPORT OF LICENSING SUB-COMMITTEE

23 September 2016

Present: Councillors Simmons, Maguire and M Waters.

Also present: Mr J Chadwick, Solicitor District Law, Mr M O'Donnell, Team Leader Health Protection and Mrs C A Mundy, Democratic Services Officer.

1. APPOINTMENT OF CHAIRMAN

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

2. EXCLUSION OF PRESS AND PUBLIC

RESOLVED that the press and public be excluded from the meeting during consideration of the following items 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.

Min. no.	Item	Paragraph of Schedule 12A
3	Application for PHVL	E1 and E2
4	Application to renew PHDL	E1 and E2
5	Application for a PHDR	E1 and E2
6	Application to revoke or suspend PHDL	E1 and E2

3. APPLICATION FOR PRIVATE HIRE VEHICLE LICENCE

The chairman welcomed the applicant and introduced everyone present.

The annexed circulated exempt report of the Head of Planning and Local Development was received in relation to an application for a private hire vehicle licence by Mr G.

Mr O'Donnell, Team Leader Health Protection presented the report to the sub-committee, explaining that relevant information had come before the authority from the Disclosure and Barring Service which may affect the decision on whether or not Mr G was a fit and proper person to hold a private hire driver's licence.

The chairman asked the applicant if he wished to expand on the information before the sub-committee. The applicant explained that this had happened

when he was very young and had purchased a car which then turned out to have a stolen tax disc and MOT certificate attached to it ; this had subsequently rendered his insurance null and void. He had not had any issues since this.

The chairman adjourned the meeting at 1.25pm.

The chairman reconvened the meeting at 1.40pm.

Decision:

Resolved that the private hire driver's licence be granted.

Reasons for decision:

The sub-committee believed that the applicant was a fit and proper person.

4. APPLICATION TO RENEW PRIVATE HIRE DRIVER'S LICENCE

The chairman welcomed the applicant and introduced everyone present.

The annexed circulated exempt report of the Head of Planning and Local Development was received in relation to receipt of an application for the renewal of a private hire driver's licence for Mr B.

Mr O'Donnell, Team Leader Health Protection, presented the report to the sub-committee and explained that the applicant's licence had been renewed until 31 October 2016 whilst awaiting information from the Disclosure and Barring Service. The DBS Certificate did not show anything of concern but two separate endorsements for speeding offences were noted on the DVLA check, which the applicant had failed to inform the licensing authority about in accordance with the policy.

The chairman asked the applicant why he had failed to notify the council.

The applicant explained that he did not realise that he had to do so.

Councillor Maguire asked the applicant whether he had read the policy and whether he understood the importance of ensuring that he did so.

The applicant expressed his remorse and said that he had read the policy when he was first licensed but had not refreshed his memory.

Councillor Waters explained how important it was to make sure that he read and understood the policy. If he had any doubts or misunderstood anything he should seek advice from the licensing section.

The chairman adjourned the meeting at 2.50pm

The chairman reconvened the meeting at 3pm.

Decision:

Resolved that the licence be renewed providing the applicant meets with a member of the licensing team to discuss the licence conditions and that he understands them before the 31 October 2016.

Reasons for decision:

The sub-committee was concerned by the applicant's lack of knowledge of the licence conditions having heard from the applicant, however, provided he meets with a member of the licensing team to discuss the conditions, the sub-committee believe him to remain a fit and proper person.

5. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE

The chairman welcomed the applicant and introduced everyone who was present.

The annexed circulated exempt report of the Head of Planning and Local Development was received in relation to an application for a private hire driver's licence for Mr P.

Mr O'Donnell, Team Leader Health Protection presented the report and explained that relevant information had come before the authority from the Disclosure and Barring Service which may affect the decision as to whether the applicant is a fit and proper person to hold a private hire driver's licence.

The chairman asked the applicant to explain in detail what this information related to.

The applicant explained that there had been two issues in 2005 and 2008 which had resulted in action being taken against him. There was a further incident in 2011 but since then nothing further had happened.

Councillor Waters asked what he currently did for a living and what his intention was for the future should he be granted a licence.

The applicant explained his current role which was shift related and his plans to drive on the days he did not work.

The chairman adjourned the meeting at 3.15pm.

The chairman reconvened the meeting at 3.30pm.

Decision:

Resolved that the licence be granted.

Reasons for decisions:

The sub-committee believed the applicant to be a fit and proper person notwithstanding his previous convictions and correspondence from Dr A Ali.

6. APPLICATION TO REVOKE OR SUSPEND PRIVATE HIRE DRIVER'S LICENCE

The annexed circulated exempt report of the Head of Planning and Local Development was received in give consideration to the revocation or suspension of a private hire driver's licence for Mr H.

Mr H did not attend the meeting.

Decision:

Resolved that the hearing be adjourned to allow the driver a further opportunity to attend.

Chairman

The chairman closed the meeting at 3.45pm.