

COUNCIL MEETING – 11 JULY 2017

REPORT OF THE LICENSING SUB-COMMITTEE

28 April 2017

Present: Councillors Simmons (Chairman), Maguire and V Waters.

Also present: Mrs A Wilcox, Principal Environmental Health Manager, Mr S Aley, Solicitor, District/Law and Mrs C A Mundy, Democratic Services Officer.

The meeting commenced at 9.40am.

1. APPOINTMENT OF CHAIRMAN

RESOLVED that Councillor Simmons be appointed as chairman.

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 description shown in schedule 12A to the Act.

Minute No.	Item	Exemption
3	Application for a private hire driver's licence	E1 and 2

3. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE

The annexed circulated exempt report of the director was received in relation to an application for a private hire driver's licence. The chairman welcomed the applicant and his mother and introduced all present. He asked if the applicant had received and read the report and understood what the hearing was about.

The applicant said he had not received the report.

The chairman accordingly adjourned the meeting for 10 minutes to enable the applicant to read the report.

The meeting reconvened.

The principal environmental health manager presented her report to the sub-committee.

She explained that the applicant had applied for a private hire driver's licence and that relevant information had come before the authority which may affect the decision as to whether the applicant was a 'fit and proper' person to hold a licence.

The enhanced disclosure from the Disclosure and Barring Service (DBS) had raised some issues of concern as detailed in the report. There was also some confusion over where the applicant lived which the sub-committee required clarity on.

The chairman asked the applicant if he could first explain details of where he lived.

The applicant confirmed that he had lived for many years with his mother but had also moved to Scotland for a short time to live with his father. He had not put this on his application form as he always considered his mother's address as his main abode.

The chairman asked the applicant to give more detail about the items raised in the DBS disclosure. The applicant confirmed that the first incident had happened some years ago when he was young and that it had been a 'prank' which a number of people had been involved in, which had got out of hand, due to the amount of alcohol that had been consumed. He had been young and immature and regretted it. He had taken the blame though others had been involved. With regard to the other incident he had been a passenger in a vehicle and had been at the wrong place at the wrong time.

A councillor asked him why he had not had a driving license until recently.

The applicant explained that he had not learnt to drive earlier as he hadn't felt it was necessary to do so.

Councillor Waters asked the applicant why he had not completed the application form correctly. The applicant said he had received some help from a friend to do this and hadn't realised that it was incorrect he also thought that some of the issues were no longer relevant because of their age so hadn't included the information.

He had also failed to sign the document in relation to agreeing to subscribe to the Disclosure and Barring Service Update service. The applicant did not know what this was and the principal environmental health manager explained what he would need to do this if his application was approved.

Councillor Maguire also stressed that should the applicant receive any sort of conviction including speeding offences he must immediately inform the licensing team.

The chairman adjourned the meeting at 10.10am.

The meeting was reconvened at 10.20am.

Decision:

RESOLVED that:

- (i) A private hire driver's licence be granted to the applicant;

- (ii) The sub-committee had taken into consideration the absence of the disclosure and nature of the incidents and their timing and the applicant's subsequent change in behaviour especially in relation to alcohol;
- (iii) Should any complaint against the applicant be received, it may result in the licence being suspended and a return to the sub-committee;
- (iv) The applicant was also advised to take the application process more seriously in future.

Reasons for the decision:

The sub-committee was satisfied that the applicant's behaviour had improved and that considerable time had expired since the incidents.

Chairman

The chairman closed the meeting at 10.30am

