

LICENSING APPLICATIONS SUB-COMMITTEE 3 MEETING MINUTES - 28 NOVEMBER 2018

Present: Councillor Woodward (Chair);

Councillors Ennis and Skeats

Apologies: Councillors Maskell, D Edwards and McDonald

14. MINUTES

The Minutes of the meeting held on 25 September 2018 were confirmed as a correct record and signed by the Chair.

15. EXCLUSION OF PRESS AND PUBLIC

Resolved -

That, pursuant to Section 100A of the Local Government Act 1972 (as amended), members of the press and public be excluded during consideration of the following item of business as it was likely that there would be disclosures of exempt information as defined in paragraphs 1, 2 and 3, specified in Part 1 of Schedule 12A (as amended) to that Act.

16. APPLICATIONS FOR THE GRANT, RENEWAL, SUSPENSION OR REVOCATION OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER LICENCES AND APPEALS AGAINST THE ALLOCATION OF PENALTY POINTS ON PRIVATE HIRE VEHICLE DRIVER'S LICENCE

The Director of Environment and Neighbourhood Services submitted a report asking the Sub-Committee to consider two applications for the grant of private hire vehicle driver's licences, the consideration of the suspension or revocation of a hackney carriage vehicle driver's licence, the consideration of the suspension or revocation of a hackney carriage vehicle licence and an appeal against penalty points allocated to a private hire vehicle driver's licence.

A summary of the circumstances of each case was appended to the report.

HT, MB, NA, and LAA were all present at the meeting and addressed the Sub-Committee.

HSA was not present at the meeting and had requested that his case be adjourned.

Resolved -

- (1) That the application in respect of HSA for the grant of a three year private hire vehicle driver's licence be deferred to the next meeting of the Sub-Committee to allow the applicant to attend. The application would be

determined at the next meeting whether or not the applicant was in attendance;

- (2) That the application in respect of HT for the grant of a three year private hire vehicle driver's licence be granted for six months subject to the completion of the application process including any payment of additional fees and to be effective from the date on the licence issued, and that the Head of Planning, Development and Regulatory Services be authorised to renew the licence for a further six months, subject to no breaches of licence conditions, offences being committed or complaints being received and then for a further 24 months subject to no breaches of licence conditions, offences being committed or complaints being received;
- (3) That the hackney carriage vehicle driver's licence in respect of MB be revoked with effect from the end of 21 days' notice of the decision being given due to the Sub-Committee not considering him to be a fit and proper person to hold such a licence and due to the following reasonable causes pursuant to section 61 of the Local Government (Miscellaneous Provisions) Act 1976:
 - (a) the nature of the offences, as detailed in the report;
 - (b) the breaches of licence conditions, traffic regulations and legislation, as detailed in the report;
 - (c) concern over the safety of the public if MB continued to hold such a licence given the circumstances of the incidents;
 - (d) the pattern of behaviour, as detailed in the report, and MB's failure to learn from past incidents;

MB was advised of his right of appeal;

- (4) That the hackney carriage vehicle licence in respect of NA be revoked with effect from the end of 21 days' notice of the decision being given due to the Sub-Committee not considering her to be a fit and proper person to hold such a licence and due to the following reasonable causes pursuant to section 60 of the Local Government (Miscellaneous Provisions) Act 1976:
 - (a) the hackney carriage had been unfit for use as a hackney carriage, as detailed in the report;
 - (b) the admission by NA that she had failed to carry out necessary duties as a vehicle licence holder;
 - (c) the history of MOT failures;
 - (d) the Sub-Committee had concerns that the licence holder did not have the capacity to carry out the necessary vehicle maintenance;

NA was advised of her right of appeal;

- (5) That the appeal by LAA against the allocation of nine penalty points on his private hire vehicle driver's licence be dismissed.

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(Exempt information as defined in paragraph 1, 2, 3 and 5)

(The meeting started at 6.36pm and closed at 9.36pm)

(The meeting closed at 9.36 pm)