

**GENERAL LICENSING COMMITTEE
11TH DECEMBER 2012**

PRESENT – Councillor L. Vasey (in the Chair) Councillors L. Haszeldine, C.L.B. Hughes, B. Jones D. Jones, Lawton, Newall, Stenson, Thistlethwaite and J. Vasey. (10)

APOLOGIES – Councillors Lee, J. Lyonette and Nutt. (3)

L25. DECLARATIONS OF INTEREST – No declarations of interest were made at the meeting.

L26. MINUTES – Submitted – The Minutes (previously circulated) of the meeting of this Licensing Committee held on 16th October 2012 and the notes of the informal meeting of this Committee on 13th November 2012.

RESOLVED – That the Minutes be approved.

L27. OUTCOME OF LEGAL PROCEEDINGS 1 SEPTEMBER 2011 TO 31 OCTOBER 2012 – The Director of Place submitted a report (previously Circulated) advising Members of the outcome of legal proceedings for the period 1 September 2011 to 31 October 2012. The submitted report outlined that proceedings have been taken against individuals in relation to various licensing offences, which has resulted in £966 fines and £637.50 costs being levied at the Magistrates Courts and two cautions issued to individuals in respect of taxi licensing offences.

The report also detailed an appeal by an individual driver against the decision of the Licensing Committee to revoke his licence. The appeal was upheld and £1,130 costs were requested by the Council however no costs were awarded because the appeal had resulted in the driver losing his employment.

RESOLVED – That the contents of the report be noted.

L28. EXCLUSION OF THE PUBLIC – RESOLVED – That, pursuant to Sections 100A (4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the ensuing item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraphs 1, 7 and 14 of Part I of Schedule 12A to the Act.

L29. REVIEW OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCES (EXCLUSION PARAGRAPH NOS 1 AND 7) – The Director of Place submitted a report (previously circulated) inviting Members to consider a review of a Private Hire Driver Licence and a review of a Hackney Carriage Driver Licence.

(1) Ref. No. 24/12 – A Review of a Private Hire Driver Licence following a number of complaints about the driver's standard of driving and his conduct. The driver addressed the meeting and responded to Members questions in relation to the offences, and to why he was a fit and proper person to hold a Private Hire Driver Licence.

After careful consideration, Members expressed concerns about the driver's conduct and felt that the driver was not driving at acceptable level, particularly due to his speeding. Members also felt that four complaints received in a relatively short period of time was too many.

RESOLVED – (a) That the licence be retained subject to the driver successfully completing the Driver Improvement Scheme, at his own expense and before 31st March 2013; and

(b) That the driver be issued with a warning letter in respect of future conduct and warned that if any further convictions, cautions, warnings or reprimands are received he would be referred immediately to the Licensing Committee.

(2) Ref. No. 25/12 – A Review of a Hackney Carriage Driver Licence following complaints about the driver's conduct. The Licensing Manager reported that the driver had submitted a letter advising that he was unable to attend the Committee meeting.

After careful consideration, Members decided that the driver should be required to attend the Committee to answer any questions that they may have about this matter.

RESOLVED – That the application be deferred and considered at the next meeting of the Committee scheduled to be held on Wednesday, 19th December 2012 and the driver be advised that if he does not attend on that occasion that the matter will proceed in his absence and this could result in his licence being suspended or revoked.