

**GENERAL LICENSING COMMITTEE
30 JULY 2013**

PRESENT – Councillors Nutt (in the Chair) L. Haszeldine, B. Jones, Lawton, Lee, Newall, Thistlethwaite, Stenson. (8)

APOLOGIES – Councillors C.L.B. Hughes, D. Jones, J. Lyonette, J. Vasey and L. Vasey (5)

L14. DECLARATIONS OF INTEREST – There were no interests declared at the meeting.

L15. MINUTES – Submitted – The Minutes (previously circulated) of the meeting of this Licensing Committee held on 2nd July 2013.

RESOLVED – That the Minutes be approved.

L16. 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 and 7 of Part I of Schedule 12A to the Act.

L17. APPLICATIONS FOR AND REVIEWS OF PRIVATE HIRE DRIVER LICENCES – The Director of Place submitted a report (previously circulated) inviting Members to consider applications for and reviews of Private Hire Driver Licences following convictions and medical issues.

(1) Ref. No. 14/13 – An application for a Private Hire Driver Licence in light of motoring convictions and a health issue. Further convictions only came to light on receipt of his Criminal Record Check, as he did not declare all of his convictions on the application form as he should have done.

The Licensing Manager informed the Committee that the information requested from DVLA in respect of the last three motoring convictions had not been received by the Council. Members considered whether it would be appropriate to consider the application without having full information before them.

RESOLVED – That the application be deferred until the next meeting of the Committee on 27th August 2013 to enable a response to be received from the DVLA.

(2) Ref. No. 15/13 – Pursuant to L12(1)/July/2011 the driver appeared before the Committee with a renewal application for a Private Hire Driver Licence in the light of two convictions for littering. The driver had previously appeared before the Committee in respect of his past history of cautions and convictions. The applicant addressed the meeting and responded to Members' questions in relation to the offences and to why he felt he was a fit and proper person to hold a Private Hire Driver Licence.

In reaching their decision, Members took into consideration the applicant's past criminal record and expressed concern at the offence of dishonesty, the other motoring and licensing offences. Members were extremely concerned that he had committed these recent two offences after he had received a final warning in 2011 and felt that any further offences of any kind could lead to the revocation of this licence.

Members considered littering to be a serious type of anti-social behaviour and the only thing that stopped them from refusing the licence was that on this occasion they did not feel that littering itself would endanger the life of others (as opposed to the two earlier convictions for driving whilst using a mobile phone).

RESOLVED – That the Private Hire Driver Licence be renewed and that the driver receive a final warning about his conduct and that any further offences or incidents of any kind, would result in his immediate return to Committee for a further review of his licence and it is extremely likely that the licence would then be revoked.