

GENERAL LICENSING COMMITTEE

5 MAY 2015

PRESENT – Councillor Nutt (in the Chair); Councillors B. Jones, D. Jones, Newall and Stenson. (5)

APOLOGIES – Councillors L. Haszeldine, CLB Hughes, Lee, Thistlethwaite, J. Vasey and L. Vasey. (6)

ABSENT – Councillor Lawton. (1)

OFFICERS – Julie Richings, Principal Licensing Officer; Amy Wennington, Lawyer; Helen Sefton, Licensing Enforcement Officer; Sergeant C. Dickenson, PCSO M McAllister and Allison Hill, Democratic Officer.

L49. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

L50. MINUTES – Submitted – The Minutes (previously circulated) of the meeting of this Committee held on 7 April, 2015.

RESOLVED – That the Minutes be approved as a correct record.

L51. 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.

L52. HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE REVIEWS – The Director of Economic Growth submitted a report (previously circulated) inviting Members to review three Hackney Carriage Driver Licence in light of recent convictions; and renewal of a Hackney Carriage and Private Hire Driver Licence in light of an offence of permitting production of a controlled drug of Class B – Cannabis..

(1) Ref. No. 06/15 – To give consideration to a review of a Hackney Carriage Driver Licence in respect of an offence of fail to engage taxi meter.

The driver attended the meeting and responded to Members questions in relation to the above, and to why he felt that he was a fit and proper person to hold a Hackney Carriage Driver Licence.

In reaching their decision, Members took into consideration the Council's Licensing Policy in relation to when existing holders of licences receive criminal convictions, cautions, reprimands or warnings or receive complaints which result in disciplinary action and that existing holders of licences may expect the Council to consider revoking their Licence.

Members listened carefully to the driver's explanation as to why he had not engaged the taxi meter and accepted the fact that the driver had been a taxi driver for a considerable period and this was the first occasion he had been found not to engage the meter.

RESOLVED – That the Licence be retained and 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 they will be referred immediately to the Licensing Committee for a further review of their Licence.

(2) Ref. No. 07/15 – To give consideration to a review of a Hackney Carriage Driver Licence in respect of an offence of fail to engage taxi meter.

The driver attended the meeting and responded to Members questions in relation to the above, and to why he felt that he was a fit and proper person to hold a Hackney Carriage Driver Licence.

In reaching their decision, Members took into consideration the Council's Licensing Policy in relation to when existing holders of licences receive criminal convictions, cautions, reprimands or warnings or receive complaints which result in disciplinary action and that existing holders of licences may expect the Council to consider revoking their Licence.

Members listened carefully to the driver's explanation as to why he had not engaged the taxi meter and noted that the driver had been very apologetic and believed his explanation as to why he had failed to engage the meter and that this was the first occasion that they had been found not to have engaged the meter.

RESOLVED – That the Licence be retained and 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 they will be referred immediately to the Licensing Committee for a further review of their Licence.

(3) Ref. No. 08/15 – To give consideration to a review of a Hackney Carriage Driver Licence in respect of an offence of fail to engage taxi meter.

The driver attended the meeting and responded to Members questions in relation to the above, and to why he felt that he was a fit and proper person to hold a Hackney Carriage Driver Licence.

In reaching their decision, Members took into consideration the Council's Licensing Policy in relation to when existing holders of licences receive criminal convictions, cautions, reprimands or warnings or receive complaints which result in disciplinary action and that existing holders of licences may expect the Council to consider revoking their Licence.

Members also took into consideration that the driver had a fairly clean record for the number of years he had been licensed and that this was the first occasion that he had been found not to have engaged the meter.

RESOLVED – That the Licence be retained and 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 they will be referred immediately to the Licensing Committee for a further review of their Licence.

(4) Ref. No. 05/15 – To give consideration to a renewal of a Hackney Carriage and Private Hire Driver Licence in respect of a caution for permit production of cannabis.

The driver attended the meeting and responded to Members questions in relation to the above, and to why he felt that he was a fit and proper person to hold a Hackney Carriage and Private Hire Driver Licence.

In reaching their decision, Members took into consideration the Council's Licensing Policy in relation to drugs offences and that there should be a period of at least three years free of such conviction, caution, reprimand or final warning from either the date of conviction, caution, reprimand or final warning or in the case of an addict five year free of same after detoxification.

Members also took into consideration that the driver had received a caution and that the plants were his son's he had been in a difficult situation and that the driver had admitted to the Police that he had assisted in the cultivation of the plants on one occasion.

RESOLVED – That the Licence be granted with a warning letter in respect of future conduct and warned that if any further convictions, cautions, warnings or reprimands are received they would be referred immediately to the Licensing Committee.