

## GENERAL LICENSING SUB COMMITTEE

7 JULY 2015

**PRESENT** – Councillors L Haszedine, Kane, Lee, Newall and Nutt. (5)

**OFFICERS** – Pam Ross, Licensing, Car Parks and Trading Standards Manager; Helen Thompson, Lawyer; Sergeant C. Dickenson, PCSO M McAllister and Allison Hill, Democratic Officer.

**LGS1. ELECTION OF CHAIR** – That Councillor Nutt be elected Chair for the purposes of this meeting.

**LGS2. DECLARATIONS OF INTEREST** – There were no declarations of interest reported at the meeting.

**LGS3. 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.

**LGS4. HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE APPLICATIONS AND REVIEWS** – The Director of Economic Growth submitted a report (previously circulated) inviting Members to give consideration to an application for a hackney carriage driver licence in the light of an offence of dishonesty; to consider an application for a private hire driver licence in the light of the applicant being on bail for an offence of violence and to review a private hire driver in the light of a caution for an offence of violence and a complaint about this behaviour while acting as a private hire driver.

**(1) Ref. No. 09/15** – To give consideration to an application for a Hackney Carriage Driver Licence in respect of an offence for Theft by Employee.

The Licensing Manager advised the Members that the driver had requested an adjournment as he was on holiday.

**RESOLVED** – It was agreed that a decision on this matter be deferred until the next meeting scheduled for 4 August 2015.

**(2) Ref. No. 10/15** – To give consideration to an application for a Private Hire Driver Licence in light of the driver being currently on bail for an alleged offence of assault occasioning actual bodily harm.

The Licensing Manager advised the Members that the driver had requested an adjournment as he was fasting for Ramadan and was unable to attend the meeting.

In addition Members were advised that the applicant was due at court on 18 August 2015 and any decision on his application would need to be delayed until the outcome of court proceedings.

**RESOLVED** – It was agreed that a decision on this matter be deferred until the meeting scheduled for 1 September 2015.

**(3) Ref. No. 11/15** – To give consideration to a review of a Private Hire Driver Licence in respect of a caution for an offence of violence and a complaint about the drivers behaviour whilst acting as a private hire driver.

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 Private Hire 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; and the Council's policy stating that there should be at least three years free from conviction, caution, reprimand or final warning in respect of offences of violence.

Members concluded that the driver could no longer satisfy this Council that he was a fit and proper person to hold a driver licence as he had a history of threatening and aggressive behaviour; had received many previous warnings from the Licensing Committee regarding his conduct; and had been a participant in two incidents within the space of a month involving violent or aggressive behaviour and had accepted a police caution in respect of one of these incidents for assault by beating;

**RESOLVED** –That the Licence be revoked under Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976.