

GENERAL LICENSING SUB COMMITTEE

1 SEPTEMBER 2015

PRESENT – Councillors L Haszeldine, Kane, Lawton and Nutt. (4)

OFFICERS – Pam Ross, Licensing, Car Parks, Trading Standards and CCTV Manager; Julie Richings, Principal Licensing Officer; Helen Thompson, Lawyer; PCSO M McAllister; and Allison Hill, Democratic Officer.

LGS9. ELECTION OF CHAIR – That Councillor Nutt be elected Chair for the purposes of this meeting.

LGS10. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

LGS11. 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.

LGS12. HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE REVIEWS – The Director of Economic Growth submitted a report (previously circulated) inviting Members to give consideration to a review of a private hire driver in the light of a conviction for stalking and to review a private hire driver licence in the light of his failing to declare a motoring conviction over a four year period and also in light of the fact that his DVLA licence has been revoked for four years due to his failure to submit his licence for points to be added.

(1) Ref. No. 13/15 – Pursuant to Minute LGS8(3)/Aug/15, to give further consideration to a review of a private hire driver licence in light of a conviction for harassment/stalking on 1 July, 2015.

The driver failed to attend the meeting and Members agreed to proceed with their consideration of this review in his absence.

Prior to making a decision on this review Members agreed to initially lift the suspension which was levied pending the outcome of the Police investigation which had now been concluded.

In reaching their decision, Members took into consideration the Council's Licensing Policy in relation to applicants with a conviction, caution, reprimand or final warning for such an offence, will normally be refused a licence.

After careful consideration the Members did not feel that there were sufficient exceptional circumstances to depart from the Council's Policy to allow him to retain his licence giving consideration to the protection of the public and that the driver could no longer satisfy this Council that he was a fit and proper person to hold a

driver licence in the light of the conviction for harassment/stalking of a 17 year old female and that he had used his position as a Private Hire Driver to stalk her.

RESOLVED – That the licence be revoked in accordance with Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976 and that the licence be revoked with immediate effect in accordance with the provisions of Section 52 of the Road Safety Act 2006 on the grounds of public safety.

(2) Ref. No. 15/15 – To give consideration to a review of a Private Hire Driver Licence in respect of a conviction of no insurance that had not been reported to the Council for four years and whose DVLA Licence had been revoked for four years.

The Licensing Manager advised the Committee that the driver had informed the Licensing Section that they were on holiday and requested that this matter be deferred until the next meeting of the General Licensing Sub-Committee.

RESOLVED – That a decision on this matter be deferred until the next meeting scheduled for 29th September, 2015.