

GENERAL LICENSING SUB COMMITTEE

27 OCTOBER 2015

PRESENT – Councillors B. Jones, Mrs. D. Jones, Kane and Nutt. (4)

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

LGS17. ELECTION OF CHAIR – RESOLVED – That Councillor Nutt be elected Chair for the purpose of this meeting.

LGS18. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

LGS19. 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.

LGS20. HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE APPLICATIONS – The Director of Economic Growth submitted a report (previously circulated) inviting Members to give consideration to an application for a Hackney Carriage Driver Licence following an earlier revocation of licence and the renewal of a Hackney Carriage Driver following a diagnosis of sleep apnoea.

(1) Ref. No. 16/15 – To give consideration to an application for a Hackney Carriage Driver Licence in light of a revocation of licence on 26 June 2012.

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 consideration of applicants with a conviction, caution, reprimand, or final warning involving drugs offences will normally be refused until at least three years after the most recent conviction, caution, reprimand or final warning.

After careful consideration the Members decided to grant the application as they were satisfied that the driver was a fit and proper person to hold a Hackney Carriage Driver Licence and were confident that he would not commit any further offence or mislead the Council. However, they did request that he receive a warning in respect of any further offences or failing to report offences.

RESOLVED – (a) That the application for a Hackney Carriage Driver Licence be granted.

(b) That the driver be issued with a warning letter reminding the driver that any further offence relating to drugs or violence or indeed offences of any kind or any repetition of failing to report offences or attempting to mislead the Council or the Police would result in the immediate return to the General Licensing Sub Committee for a further review of the licence.

(2) Ref. No. 17/15 – To give consideration to an application to renew a Hackney Carriage Driver Licence in respect of a diagnosis for sleep apnoea on 20 August 2013.

In reaching their decision Members considered whether the driver was a fit and proper person to hold a hackney carriage driver licence in view of his failure to declare a change in his medical condition on three separate applications; and whether any future application to renew be accompanied by a satisfactory annual medical with an update on his sleep disorder.

After careful consideration, Members agreed to renew his Hackney Carriage Driver Licence following confirmation from the driver's sleep specialist and GP that his condition was under control and the he was fit to drive vehicles to the DVLA Group II standard, which had been supported by a Group II medical and other documentation from the drivers' GP.

Members also agreed that the renewal be accompanied by a warning in respect of his failure to report the deterioration in his health to the Council on three separate occasions.

RESOLVED – (a) That the Hackney Carriage Driver Licence be renewed subject to the requirement that future applications must be accompanied by a Group II medical and an annual update from his sleep specialist.

(b) That the driver be issued with a warning in respect of his failure to report a deterioration in his health to the Council and to remind the driver that he must advise the Council, within seven days in writing of any future changes to his health.