

GENERAL LICENSING SUB COMMITTEE

1 MARCH 2016

PRESENT – Councillors L. Haszeldine, Kane, Lee, Nutt and Stenson. (5)

OFFICERS – Pam Ross, Licensing, Parking, Trading Standards and CCTV Manager; Julie Richings, Principal Licensing Officer; Amy Wennington, Lawyer; Sgt C. Dickenson; and Allison Hill, Democratic Officer.

LGS21. ELECTION OF CHAIR – RESOLVED – That Councillor Nutt be elected Chair for the purpose of this meeting.

LGS22. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

LGS23. 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.

LGS24. 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 Private Hire Driver Licence in light of criminal convictions and the review of a Hackney Carriage Driver following a conviction for a licensing offence.

(1) Ref. No. 01/16 – To give consideration to an application for a Private Hire Driver Licence in light of criminal convictions.

The driver attended the meeting with his representative 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 respect of drink driving which requires a period of at least five years free from conviction following the restoration of the driving licence before an application will be considered; and in respect of wounding the public order offences that such convictions would normally result in a refusal of licence, however, a licence may be granted after five years free from such conviction for wounding and after three years free from conviction for public order offences.

After careful consideration the Members decided not to grant the application as their primary purpose is to protect the public at all times. Members noted that the driver had offered some explanations in respect of the wounding and public order offences but could not offer any explanation for the drink driving offence that could cause them to deem it exceptional allow them to step outside of the Council's policy.

RESOLVED – That the application for a Private Hire Driver Licence be refused.

(2) Ref. No. 02/16 – To give consideration to a review of a Hackney Carriage Driver in light of a conviction for a failing to engage taximeter.

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 and considers it extremely serious when existing holders of licences receive convictions, cautions, reprimands or warnings for licensing matters or receive complaints which result in disciplinary action and that existing holders of licences may expect the Council to consider revoking their licence.

After careful consideration the Members decided to permit the driver to retain his licence and issue him with a warning in respect of this matter.

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 would be referred immediately to the General Licensing Sub-Committee.