

LICENSING SUB-COMMITTEE

Monday 30 November 2015

Present:

Councillors Harvey, Pearson and Shiel

Also Present:

Solicitor, Acting Principal Licensing Officer and Democratic Services Officer (Committees)
(HB)

72

APPOINTMENT OF CHAIR

Councillor Shiel was appointed Chair for this meeting.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 AND TOWN POLICE CLAUSES ACT 1847

73

APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE VEHICLE LICENCE (MR SB)

Councillor Harvey stated that he knew Mr SB and left the meeting. Mr SB was happy to have his application determined by the remaining two Councillors on the Sub-Committee.

The Solicitor introduced the Sub-Committee and set out the procedure for the hearing advising of the Council's policy and the requirements under Section 48(1) of the Local Government (Miscellaneous Provisions) Act 1976.

The Senior Licensing Officer presented an application from Mr SB to grant a Private Hire Vehicle licence in relation to a vehicle which was over eight years old.

The Chair invited the applicant to outline the scope of their work and also provide an outline of the service history of the car.

Mr B spoke in support of the application. He had supplied a copy of the current MOT certificate and an independent mechanical inspection report.

RESOLVED that the application for the renewal of a Private Hire Vehicle licence for a vehicle which was over eight years old, be approved for a period of 12 months.

74

APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE VEHICLE LICENCE (MR MW)

The Solicitor introduced the Sub-Committee and set out the procedure for the hearing advising of the Council's policy and the requirements under Section 48(1) of the Local Government (Miscellaneous Provisions) Act 1976.

The Senior Licensing Officer presented an application from Mr MW to grant a Private Hire Vehicle licence in relation to a vehicle which was over eight years old.

The Chair invited the applicant to outline the scope of their work and also provide an outline of the service history of the car.

Mr W spoke in support of the application. He had supplied a copy of the current MOT certificate and an independent mechanical inspection report.

RESOLVED that the application for the renewal of a Private Hire Vehicle licence for a vehicle which was over eight years old, be approved for a period of 12 months.

75 **APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE VEHICLE LICENCE
(MRS CT)**

The Solicitor introduced the Sub-Committee and set out the procedure for the hearing advising of the Council's policy and the requirements under Section 48(1) of the Local Government (Miscellaneous Provisions) Act 1976.

The Senior Licensing Officer presented an application from Mrs CT to grant a Private Hire Vehicle licence in relation to a vehicle which was over eight years old.

This application had been considered at the meeting of the Licensing Sub Committee on 4 November but it had not been possible to make a decision as there was no evidence that both the essential and desirable works set out in the mechanical report and MOT certificate had been carried out. The meeting had been adjourned for this information to be obtained.

Mrs T spoke in support of the application. She had supplied necessary documentation as evidence that all issues had been rectified and that the works had been carried out.

RESOLVED that the application for the renewal of a Private Hire Vehicle licence for a vehicle which was over eight years old, be approved for a period of 12 months.

76 **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 EXCLUSION
OF PRESS AND PUBLIC**

RESOLVED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the consideration of the following items on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part I, Schedule 12A of the Act.

77 **DISCIPLINARY HEARING FOR A DRIVERS' LICENCE (MR HD)**

The Chair introduced the Sub Committee.

The Solicitor introduced the Officers and set out the procedure for the hearing advising of the Council's policy objectives under paragraph 1.2 and the Code of Conduct for Licensed Drivers. The Solicitor explained that Section 51 of the Local Government (Miscellaneous Provisions) Act 1976 stated that before granting a drivers licence the Licensing Authority must be satisfied that the driver is a fit and proper person to hold a drivers licence.

The Solicitor informed the Sub-Committee that it must consider whether or not on the balance of probabilities the driver is a risk to the safety of the travelling public.

The Solicitor set out the Council's powers of suspension and revocation under section 61 of the Local Government (Miscellaneous Provisions) Act 1976.

The Senior Licensing Officer presented the report and gave evidence in respect of the incident which had resulted in the Disciplinary Hearing.

Mr HD attended the meeting and spoke in support of himself reiterating the points made in his written statement to the Sub-Committee.

Mr HD was advised that he would receive notice of the decision in writing from the Licensing Authority.

RESOLVED that the Licensing Sub-Committee found Mr HD to be a fit and proper person to drive a hackney carriage or private hire vehicle but would be given a written warning as to his future conduct.

78

DISCIPLINARY HEARING FOR A DRIVERS' LICENCE (MR MH)

The Chair introduced the Sub Committee.

The Solicitor introduced the Officers and set out the procedure for the hearing advising of the Council's policy objectives under paragraph 1.2 and the Code of Conduct for Licensed Drivers. The Solicitor explained that Section 51 of the Local Government (Miscellaneous Provisions) Act 1976 stated that before granting a drivers licence the Licensing Authority must be satisfied that the driver is a fit and proper person to hold a drivers licence.

The Solicitor informed the Sub-Committee that it must consider whether or not on the balance of probabilities the driver is a risk to the safety of the travelling public.

The Solicitor set out the Council's powers of suspension and revocation under section 61 of the Local Government (Miscellaneous Provisions) Act 1976.

The Senior Licensing Officer presented the report and gave evidence in respect of the incident which had resulted in the Disciplinary Hearing.

Mr MH attended the meeting and spoke in support of himself reiterating the points made in his written statement to the Sub-Committee.

Mr MH was advised that he would receive notice of the decision in writing from the Licensing Authority.

RESOLVED that the Licensing Sub-Committee found Mr MH to be a fit and proper person to drive a hackney carriage or private hire vehicle but would be given a written warning as to his future conduct.

(The meeting commenced at 10.00 am and closed at 11.18 am)

Chair

