

## **LICENSING SUB-COMMITTEE**

Monday 28 January 2019

### Present:

Councillors Holland, Newby and Wright

### Also Present:

Solicitor, Interim Principal Licensing Officer, Apprentice Solicitor, Democratic Services Officer (MD) and Assistant Democratic Services Officer

### 1 **APPOINTMENT OF CHAIR**

Councillor Holland was appointed as Chair for this meeting.

### 2 **DECLARATIONS OF INTEREST**

No declarations of interest were made by Members.

### 3 **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 Paragraph 1 of Part I, Schedule 12A of the Act.

#### **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

### 4 **HEARING TO DETERMINE WHETHER AN APPLICANT FOR A HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE IS A FIT AND PROPER PERSON TO HOLD A THE LICENCE**

The Chair introduced the Licensing Sub Committee Members and Officers. The Applicant had been referred to the Licensing Sub Committee to determine if he was a fit and proper person to hold a licence to drive a Hackney Carriage/Private Hire Vehicle.

The Solicitor set out the procedure for the hearing and explained Section 51 of the Local Government (Miscellaneous Provisions) Act 1976 stating that the Licensing Authority must be satisfied that a driver is a fit and proper person to hold a licence to drive a Hackney Carriage/Private Hire Vehicle.

The Solicitor stated that evidential burden was on the Applicant to prove on the balance of probabilities, that they were a fit and proper person to hold a licence to drive a Hackney Carriage/Private Hire Vehicle. Every case before the Licensing Sub-Committee was heard on its individual merits and the main concern of the Licensing Sub-Committee was the safety of the travelling public.

The Interim Principal Licensing Officer presented the report and gave evidence in respect of the application, which had been submitted for the Hackney Carriage/Private Hire drivers licence on 18 December 2018, which, during the application process, two cautions had been disclosed. The Applicant had submitted a DBS certificate, two references and was in attendance and spoke on behalf of their fitness and proprietary. They answered questions from the Licensing Sub-

Committee and the Solicitor, and were also accompanied by a representative to speak on their behalf, providing supplementary support information.

**RESOLVED** that the Licensing Sub-committee was satisfied that the Applicant was a fit and proper person to hold a driver's licence for a Hackney Carriage Vehicle.

(The meeting commenced at 10.00 am and closed at 11.24 am)

Chair