

## **LICENSING SUB-COMMITTEE**

Thursday 15 October 2020

### **Present:**

Councillors Owen, Buswell and Newby

### **Also Present:**

Legal Advisor, Principal Licensing Officer, Democratic Services Officer (MD) and Democratic Services Officer (HB)

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### **APPOINTMENT OF CHAIR**

Councillor Owen was appointed as Chair for this meeting.

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### **DECLARATIONS OF INTEREST**

No declarations of interest were made by Members.

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

### **TOWN POLICE CLAUSES ACT 1847**

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### **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.

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### **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 fitness and propriety on the balance of probabilities. 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 Principal Licensing Officer presented the report and gave evidence in respect of the application. The Applicant was in attendance and responded to questions presented by the Members.

**RESOLVED** that the Licensing Sub-committee was not satisfied that the Applicant

was a fit and proper person to hold a driver's licence for a Hackney Carriage/Private Hire Vehicle.

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The Solicitor stated that evidential burden is on the applicant to prove fitness and propriety on the balance of probabilities. 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 Principal Licensing Officer presented the report and gave evidence in respect of the application. The Applicant was in attendance, to respond to questions presented by the Members.

**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/Private Hire Vehicle.

(The meeting commenced at 10.00 am and closed at 11.23 am)

Chair