

LICENSING SUB-COMMITTEE

Tuesday 16 April 2024

Present:-

Councillors Asvachin, Bennett and Holland

Also Present

Legal Advisor, Principal Licensing Officer, Apprentice Solicitor, Licensing Officer, Democratic Services Officers (PMD and LS)

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APPOINTMENT OF CHAIR

Councillor Holland was appointed as Chair for this meeting.

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DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

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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.

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

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HEARING TO DETERMINE WHETHER A HOLDER OF A HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE IS A FIT AND PROPER PERSON TO HOLD A LICENCE

The Chair introduced the Licensing Sub Committee Members and Officers.

The Licensed Driver had been referred to the Licensing Sub Committee to determine whether they were a fit and proper person to hold a licence to drive a Hackney Carriage/Private Hire Vehicle. The Licensed Driver provided the Members and officers with additional documentation which was circulated and read prior to the hearing.

The Solicitor set out the procedure for the hearing and the provisions of Section 61 of the Local Government (Miscellaneous Provisions) Act 1976. The Licensed Driver confirmed that the procedure was understood.

The Solicitor stated that evidential burden was not on the Licensed Driver to prove he was fit and proper but for the Licensing Sub-Committee to be satisfied on the balance of probabilities that the Licensed Driver was no longer a fit and proper

person. Every case before the Licensing Sub-Committee was heard on its individual merits and the paramount concern is the safety of the travelling public.

The Principal Licensing Officer presented the report to the Licensing Sub-Committee setting out the issues that had resulted in the Licensed Driver being brought before the Licensing Sub-Committee for a determination.

The Licensed Driver was in attendance and made submissions in response to the evidence set out in the report and responded to questions from Members and the Legal Advisor. The Licensing Sub Committee, having considered the report and submissions from the Licensed Driver, were not satisfied that the Licensed Driver was a fit and proper person to hold a taxi driver's licence. Written notice of the Licensing Sub-Committee's decision would be issued to the driver within five (5) Working Days.

RESOLVED that the Licensing Sub-committee was not satisfied that the Licensed Driver was a fit and proper person to hold a driver's licence for a Hackney Carriage or Private Hire Vehicle and that the licence be revoked with immediate effect.

(The meeting commenced at 10.05 am and closed at 12.12 pm)

Chair