

# LICENSING PANEL

Friday, 13 December 2013

Present:

Councillors    A Hodson  
                     S Niblock  
                     J Salter

Deputy:

Councillor       M Sullivan (for Cllr W J Davies)

Apologies:

Councillors    W J Davies  
                     M Hornby  
                     A Jones  
                     P Williams

## Vice Chair in the Chair

### 57       **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members of the Panel were asked to declare any disclosable pecuniary and non interests in connection with any application on the agenda and state the nature of the interest.

No such declarations were made.

### 58       **HACKNEY CARRIAGE VEHICLE LICENCE - APPLICATION - PEUGEOT E7, REGISTRATION NUMBER SJ57 LHB**

The Strategic Director of Regeneration and Environment reported upon an application received to license a Peugeot E7, registration number SJ57 LHB, as a Hackney Carriage Vehicle. The applicant did not attend the meeting.

**Resolved** - That the applicant be instructed to attend a future meeting of the Licensing Panel should they wish to pursue the application.

### 59       **EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC**

**Resolved** - That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act. The Public Interest Test had been applied and favoured exclusion.

### 60       **PRIVATE HIRE DRIVER LICENCE - APPLICATION TO RENEW (SJG)**

The Strategic Director of Regeneration and Environment reported upon an application received by Mr SJG to renew his Private Hire Driver's Licence.

Mr SJG attended the meeting and made representations in respect of his application to renew his Private Hire Driver's Licence.

**Resolved – That Mr SJG's application to renew his Private Hire Driver's Licence be approved with a condition that he must complete a Driver Awareness Course no later than 28 February 2014.**

61 **PRIVATE HIRE DRIVER LICENCE - APPLICATION (RJ)**

The Strategic Director of Regeneration and Environment reported upon an application received by Mr RJ for the grant of a Private Hire Driver's Licence. Mr RJ attended the meeting and made representations in respect of his application for a Private Hire Driver's Licence.

Members considered the representations made by Mr RJ regarding the circumstances and the nature of his convictions and cautions as well as other material information relevant to his application.

Members gave consideration to their Policy in determining Mr RJ's application, in particular paragraph 12.1. Members considered that Mr RJ was not a fit and proper person to be a Private Hire Driver due to the cautions and convictions recorded against him and they had not been provided with any information that persuaded them to act outside of their Policy.

The Panel considered the Proportionality Principle under the Human Rights Act 1998 but that the protection and safety of the public outweighed this and was of paramount concern to Members.

**Resolved - That Mr RJ's application for the grant of a Private Hire Driver's Licence be refused.**

**Councillor M Sullivan left the meeting.**

62 **PRIVATE HIRE DRIVER LICENCE - APPLICATION (BJL)**

The Strategic Director of Regeneration and Environment reported upon an application received by Mr BJL for the grant of a Private Hire Driver's Licence. Mr BJL attended the meeting and made representations in respect of his application for a Private Hire Driver's Licence.

Members gave due consideration to Mr BJL's representations and to the nature of the convictions recorded against him.

After careful consideration of the representations made, Members exercised their right to consider each case on its own merits and on this occasion Members were persuaded to act outside of their Policy in determining this application.

**Resolved –**

**(1) That Mr BJL's application for the grant of a Private Hire Driver's Licence be approved subject to a satisfactory medical examination.**

**(2) That Mr BJL provide a Certificate of Good Conduct from each country he has worked in to the Licensing Officer before being issued with a Licence.**

**63 PRIVATE HIRE DRIVER LICENCE - APPLICATION TO RENEW (SRL)**

The Strategic Director of Regeneration and Environment reported upon an application received by Mr SRL to renew his Private Hire Driver's Licence.

The applicant did not attend.

**Resolved - That Mr SRL be instructed to attend a future meeting of the Licensing Panel should he wish to apply for a Private Hire Driver's Licence.**

**64 PRIVATE HIRE DRIVER LICENCE - APPLICATION (PAS)**

The Strategic Director of Regeneration and Environment reported upon an application received by Mr PAS for the grant of a Private Hire Driver's Licence. Mr PAS attended the meeting and made representations in respect of his application for a Private Hire Driver's Licence.

Members gave due consideration to Mr PAS's representations and to the nature of the convictions and caution recorded against him.

After careful consideration of the representations made, Members exercised their right to consider each case on its own merits and on this occasion Members were persuaded to act outside of their Policy in determining this application.

**Resolved – That Mr PAS's application for the grant of a Private Hire Driver's Licence be approved subject to a satisfactory medical examination.**

**65 ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR - PART 2**

The Chair accepted the following item as a matter of urgent business.

**66 PRIVATE HIRE DRIVER LICENCE - CONVICTION AND CAUTION (MAA)**

The Strategic Director of Regeneration and Environment submitted a report for Members to consider whether Mr MAA should be allowed to continue to hold his Private Hire Driver's Licence.

Mr MAA did not attend the meeting.

Members considered Mr MAA's cautions and convictions listed within the report and noted that he had not yet presented his Enhanced DBS certificate to the Licensing Office and that his medical report had also not yet been returned as requested. Members determined that due to the offences that had been committed by Mr MAA since being a licensed driver, as well as his failure to comply with the requirements of the Licensing Office, that his licence should be revoked and that this be with immediate effect.

The Panel considered the Proportionality Principle under the Human Rights Act 1998 but determined that the protection and safety of the public outweighed this and was of paramount concern to Members.

**Resolved - That Mr MAA's Private Hire Driver's Licence be revoked with immediate effect.**