

LICENSING PANEL

Thursday, 6 June 2019

Present:

Councillor P Stuart (Chair)

Councillors G Wood
A Hodson
D Burgess-Joyce

D Mitchell
L Rowlands

1 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

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

No such declarations were made.

2 PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD MONDEO, REGISTRATION NUMBER YC09 JBE

The Corporate Director for Business Management reported upon an application received to re-licence a Ford Mondeo, registration number YC09 JBE, beyond the normal over-age date for a licensed private hire vehicle.

The vehicle had been licensed as a private hire vehicle since 7 March 2016 and the current licence was due to expire on 5 May 2019, however it had been extended to the date of this meeting. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificate was available for Members.

The owner of the vehicle did not attend the meeting.

Resolved – That the applicant attend a future meeting of the Panel should he wish to pursue his application.

3 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.

4 PRIVATE HIRE DRIVER LICENCE (SK)

The Corporate Director for Business Management reported upon an application received by Mr SK for the grant of a Private Hire Driver Licence.

Mr SK attended the meeting and made representations in respect of his application.

Members considered the representations made by Mr SK regarding the circumstances of his caution as well as other material information relevant to his application.

Members did not consider Mr SK to be a fit and proper person to be a Private Hire Driver due to the nature of the caution recorded against him and his failure to disclose this on his application form.

In determining the matter Members also gave serious consideration to their overriding responsibility in respect of the protection and safety of the public. The Panel applied the principle of proportionality enshrined within the Human Rights Act 1998. Members were not persuaded to act outside of their Policy on this occasion.

Resolved (5:1) - That Mr SK's application for the grant of a Private Hire Driver Licence be refused.

5 PRIVATE HIRE DRIVER LICENCE (FA)

The Corporate Director for Business reported upon an application received by Mr FA for the grant of a Private Hire Driver Licence.

Mr FA attended the meeting and made representations in respect of his application.

Members considered the representations made by Mr FA. Members gave due consideration to the representations made and exercised their rights to consider each case on its individual merits in light of representations made.

Resolved - That Mr FA's application for the grant of a Private Hire Driver Licence be approved subject to him satisfying the test specified by the Licensing Panel.

6 PRIVATE HIRE DRIVER LICENCE (SB)

The Corporate Director for Business reported upon an application received by Mr SB for the grant of a Private Hire Driver Licence.

Mr SB attended the meeting and made representations in respect of his application.

Members considered the representations made by Mr SB. Members gave due consideration to the representations made and exercised their rights to consider each case on its individual merits in light of representations made.

Resolved - That Mr SB's application for the grant of a Private Hire Driver Licence be approved.

7 PRIVATE HIRE DRIVER LICENCE (MAJ)

The Corporate Director for Business Management reported upon an application received by Mr MAJ for the grant of a Private Hire Driver Licence.

Mr MAJ attended the meeting together with Mr MB, who was present to support Mr MAJ and made representations in respect of his application.

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

Members did not consider Mr MAJ to be a fit and proper person to be a Private Hire Driver due to the number and nature of the convictions recorded against him and his failure to declare offences when licensed as a Private Hire Driver.

In determining the matter Members also gave serious consideration to their overriding responsibility in respect of the protection and safety of the public. The Panel applied the principle of proportionality enshrined within the Human Rights Act 1998. Members were not persuaded to act outside of their Policy on this occasion.

Resolved (5:1) - That Mr MAJ's application for the grant of a Private Hire Driver Licence be refused.

8 PRIVATE HIRE DRIVER LICENCE (CJP)

The Corporate Director for Business Management submitted a report to consider whether Mr CJP should continue to hold a Private Hire Driver Licence.

Mr CJP did not attend the meeting.

Resolved – That Mr CJP be instructed to attend a future meeting of the Licensing Panel.