

MINUTES

LICENSING COMMITTEE
FRIDAY, 5 NOVEMBER 2010



COMMITTEE MEMBERS PRESENT

Councillor Pam Bosworth (Chairman)
Councillor Christine Brough
Councillor Robert Broughton
Councillor George Chivers
Councillor Mike Exton
Councillor Reginald Howard

Councillor Mrs Margery Radley
Councillor Bob Russell
Councillor Frank Turner (Vice-Chairman)
Councillor Graham Wheat
Councillor Mike Williams

OFFICERS

Solicitor (Paul Rushworth)
Licensing Officers (Richard Etherton and Pam Robinson)
Democratic Officer (Lucy Bonshor)

17. DECLARATIONS OF INTEREST

None declared.

18. MINUTES OF THE MEETING HELD 24TH AUGUST 2010

The minutes of the meeting held on 24th August were agreed as a record of the decisions taken.

EXCLUSION OF THE PUBLIC

In accordance with Section 100A(4) of the Local Government Act 1972, it was resolved that the public be excluded because of the likelihood in view of the nature of business to be transacted that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of the Act.

19. APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE

Decision:-

To refuse the application for a Hackney Carriage Licence, as having regard to the applicant's previous convictions and his failure to notify the

convictions promptly to the Licensing Authority, the Committee do not feel that the applicant is a fit and proper person to hold such a licence, pursuant to Section 59 of the Local Government Miscellaneous Provisions Act 1976.

The Licensing Officer, Mr Etherton introduced exempt report number ENV504 to Members and provided a background to the application and a summary of offences for which the driver had been convicted. He informed the committee that they had two options either to grant the hackney carriage license or reject the application as the applicant was not a “fit and proper” person to hold a license under Section 59 of the Local Government Miscellaneous Provisions Act 1976. He also referred Members to the guidance relating to convictions found in Department of Transport Circular 2/92 and Home Office Circular 13/92 which had been circulated with the report.

The applicant then presented his case.

Members then asked the Licensing Officer points of clarification following which the Licensing Officer asked the applicant questions pertaining to the offences committed.

The applicant and Licensing Officers then left the meeting.

Members considered the report and legal advice relating to the ‘fit and proper person’ test. It was proposed and seconded that the application be refused. On being put to a vote, this was unanimously carried.

The Licensing Officers and the applicant returned to the meeting and were advised of the decision, as noted above. The Solicitor advised that the decision was appealable to the Magistrates’ Court within twenty-one days from the date of the written decision.

The applicant then left the meeting.

A short discussion then followed about the procedures in place for receiving items from hackney carriage and private hire drivers at area offices and the Grantham office. The Licensing Officers advised the committee that this was something that was raised on a regular basis as problems had been encountered in the past. Members agreed that the issue needed to be addressed at an operational level and they suggested that the Head of Service for Licensing approach the Portfolio Holder responsible for Licensing (Councillor Auger) to see what could be done to address the situation.

20. CLOSE OF MEETING

The meeting closed at 10.45am.