

MINUTES

LICENSING COMMITTEE
TUESDAY, 24 AUGUST 2010
10am



COMMITTEE MEMBERS PRESENT

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

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

OFFICERS

Solicitor (PR)
Licensing Officers (PH, PR and RE)
Committee Support Officer (JG)

13. APOLOGIES

Apologies for absence were received from Councillors Brough and Russell.

14. DECLARATIONS OF INTEREST

None declared.

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.

15. REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE

Decision:-

That no further action be taken in respect of report ENV 499.

Note to the licence holder:-

The Committee wish to issue the licence holder with a warning for future conduct.

The Solicitor advised the committee that the driver had indicated his wish to the Licensing Team that he might attend the hearing, but had not arrived. It was agreed to adjourn the meeting in order for the Licensing Officer to contact the driver on the telephone.

(The meeting adjourned from 10.05 to 10.15)

The Licensing Officer advised the committee that the driver had got the date confused, and had thought the meeting was the following week. He confirmed that the driver had been informed of the correct date. Members agreed, that as the error was not the council's, to continue the meeting without the driver present.

The Committee had before them exempt report number ENV 499 by the Service Manager, Community Safety and Licensing, in relation to review of a Hackney Carriage Driver's Licence. The Licensing Officer presented the report and provided a brief background to the application and summary of the offences for which the driver was cautioned, as well as other related information. He asked the Committee to consider whether the driver was a 'fit and proper person' to hold a Hackney Carriage Driver's Licence.

As the driver was not present, the Licensing Officer gave a closing statement in which he reminded Members to have regard to guidance relating to convictions found in Department of Transport Circular 2/92 and Home Office Circular 13/92. He also reminded members that each case should be decided on its own facts.

The Licensing Officers left the meeting at 10.26am.

It was proposed and seconded that after considering the driver's previous convictions that no further action be taken in respect of this report as there was no evidence that the overriding consideration of public safety was threatened. On being put to a vote, this was unanimously carried. However, members wished to add a warning to the applicant regarding future conduct.

The Licensing Officers returned to the meeting at 10.29am and were informed of the decision as noted above.

16. CLOSE OF MEETING

The meeting closed at 10.30 am.