

MINUTES

LICENSING COMMITTEE
FRIDAY, 2 MARCH 2012



COMMITTEE MEMBERS PRESENT

Councillor Pam Bosworth (Chairman)
Councillor Robert Broughton
Councillor George Chivers
Councillor Breda Griffin
Councillor Reginald Howard

Councillor Vic Kerr
Councillor Graddon Rowlands
Councillor Susan Sandall
Councillor Mrs Jean Taylor
Councillor Frank Turner

OFFICERS

Licensing Officer (Peter Harrison)
Principal Lawyer (John Armstrong)
Democratic Officer (Lucy Bonshor)

30. APOLOGIES

An apology for absence was received from Councillor Russell.

31. DECLARATIONS OF INTEREST

None declared.

32. MINUTES OF THE MEETING HELD ON 6TH JANUARY 2012

The minutes of the meeting held on 6th January 2012 were agreed as a correct record.

EXCLUSION OF THE PUBLIC

In accordance with Section 100A(40) of the Local Government Act 1972, it was resolved that the public be excluded because of the likelihood in view of the nature of the 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.

33. DECISION TO RENEW OR REFUSE TO RENEW HACKNEY CARRIAGE DRIVER'S LICENCE

Decision

That the Committee approve the renewal of the Hackney Carriage Drivers Licence as they believe the applicant to be a fit and proper person to hold such a licence under Section 61(i)(a) of the Local Government (Miscellaneous Provisions) Act 1976.

The Committee were also minded to issue a strong warning to the applicant about his future conduct.

The Licensing Officer submitted report CSL003 which concerned the renewal of a hackney carriage driver's licence. Members were being asked if they were satisfied that the person met the fit and proper test which was applied to all hackney carriage and private hire drivers following the applicants offences.

The applicant's solicitor, Mr Fraser then presented the applicant's case and detailed the background to the offences. He circulated to Members reference letters in support of the applicant.

Members asked for clarification on certain points to which the applicant replied.

The Licensing Officer then gave his closing statement and the options available to the Committee. He read out an extract of the Department of Transport Circular 2/92 and Home Office circular 13/92 relating to the offences before the Committee today.

The applicant's solicitor then gave his closing statement.

(10.46am the Licensing Officer, applicant and applicant's solicitor then left the meeting)

Members considered the information before them and the representations made, including the reference letters circulated by the applicant. Members were mindful of the circumstances which had lead to the offences and felt that perhaps the applicant was a victim of circumstance. It was proposed, seconded and unanimously agreed to renew the hackney carriage driver's licence.

(10.56am the Licensing Officer, applicant and applicant's solicitor returned to the meeting)

The Solicitor to the Committee then read out the decision of the Committee. Having considered the representations made and having regard to the references provided, the Licensing Committee have unanimously agreed to renew the hackney carriage drivers licence on the basis that they believe the

applicant to be a fit and proper person to hold such a licence under Section 61(i)(a) of the Local Government Miscellaneous Provisions Act 1976. The Committee did however wish to issue a very strong warning to the applicant as to his future conduct as previously mentioned under Home Office Circular 13/92 the applicant should have regard to the warning in terms of his future conduct.

34. CLOSE OF MEETING

The meeting closed at 10.58am.